



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, March 1, 2023

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MAYOR AFTAB

Southwest Ohio Regional Transit Board

1. [202300666](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Pete Metz to the Southwest Ohio Regional Transit Board to fill the unexpired term of Brendon Cull, expiring on December 16, 2023. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/White)

Recommendation CONFIRM

Sponsors: Mayor

2. [202300747](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Gwen Robinson to the Southwest Ohio Regional Transit Board for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/African American)

Recommendation HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

Sponsors: Mayor

MS. PARKS

3. [202300721](#) **RESOLUTION**, submitted by Councilmember Parks, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** Gwen McFarlin as a 2023 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for her service to the Black community and residents of the City of Cincinnati and Hamilton County.

Recommendation PASS

Sponsors: Parks

MR. JEFFREYS

MR. CRAMERDING

MR. HARRIS

MR. WALSH

4. [202300688](#) **RESOLUTION**, submitted by Councilmembers Jeffreys, Cramerding, Harris and Walsh, from Emily Smart Woerner, City Solicitor, **EXPRESSING** the support of the Mayor and City Council of the efforts of Amazon workers at the Cincinnati/Northern Kentucky International Airport to form a union.

Recommendation PASS

Sponsors: Jeffreys, Cramerding, Harris and Walsh

MS. OWENS**MS. PARKS**

5. [202300732](#) **MOTION**, submitted from Councilmembers Owens and Parks, **WE MOVE** that the City Administration provide a strategic alignment report in coordination with the priorities and strategies outlined by the OneOhio Region 2 Foundation Governance Board. The report should provide recommendations for both short-term and long-term use of the OneOhio Settlement Funds that have been and will be disbursed, outlining how the City's portion can be used to benefit City residents. These recommendations should be made to complement the allocations by the OneOhio Region 2 Board and Hamilton County. Funds should be used to support projects or initiatives that are highly-leverageable and able to obtain funding from other sources as well. (STATEMENT ATTACHED)

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Owens and Parks

CITY MANAGER

6. [202300693](#) **REPORT**, dated 3/1/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Hyde Park Blast.

Recommendation FILE

Sponsors: City Manager

7. [202300694](#) **REPORT**, dated 3/1/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Shabs DA LLC, 110 W. Mitchell Avenue. (#8022840, C1 C2, New) [Objections: Yes]

Recommendation FILE

Sponsors: City Manager

8. [202300695](#) **REPORT**, dated 3/1/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Restaurant Royce LLC, DBA Royce, 501 Vine Street. (5004465, D5, TRFO) [Objections: None]

Recommendation FILE

Sponsors: City Manager

9. [202300700](#) **REPORT**, dated 3/1/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for DBC Wine LLC, DBA Emma, 3227 Riverside Drive. (#0533227, D5J D6, Transfer) [Objections: None]
Recommendation FILE
Sponsors: City Manager
10. [202300701](#) **REPORT**, dated 3/2/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for 1000 Delta LL LLC, 1000 Delta Avenue. (#6547700, D1 D2 D3 D6, Transfer) [Objections: None]
Recommendation FILE
Sponsors: City Manager
11. [202300703](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 3/1/2023, **ESTABLISHING**, the classification and salary range schedule for the new employment classification of the Law Fellow, and **ORDAINING** Section 163 of Division Law, Chapter 307, of the Cincinnati Municipal Code.
Recommendation PUBLIC SAFETY & GOVERNANCE COMMITTEE
Sponsors: City Manager
12. [202300704](#) **REPORT**, dated 3/1/2023, submitted Sheryl M. M. Long, City Manager, regarding Parking Enforcement, Meters & Residential Permits. REFERENCE DOCUMENT #202202004 and #202300645.
Recommendation PUBLIC SAFETY & GOVERNANCE COMMITTEE
Sponsors: City Manager
13. [202300707](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 3/1/2023, **AUTHORIZING** the transfer and return to source of the sum of \$22,508 from capital improvement program project account no. 980x272x232704, "Fire Equipment," to the unappropriated surplus of Income Tax Permanent Improvement Fund 758; and further **AUTHORIZING** the transfer and appropriation of \$22,508 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to capital improvement program project account no. 980x981x232505, "Fleet Replacements," for the purpose of providing resources to purchase additional safety features on fire apparatus.
Recommendation BUDGET AND FINANCE COMMITTEE
Sponsors: City Manager
14. [202300708](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 3/1/2023, **AUTHORIZING** the City Manager to accept and deposit a donation in an amount of up to \$763,000 from the Cincinnati Park Board Commissioners' Fund into Fund No. 430, "Parks Private Endowment and Donations," for the purpose of providing resources for the development of the Burnet Woods Dog Park, improvements to Sawyer Point, and development of the Mt. Airy Forest Bike Course, and for the replacement of automotive and motorized equipment used by the Parks Department; **ESTABLISHING** new capital improvement

program project account no. 980x203x232035, "Burnet Woods Dog Park," for the purpose of providing resources for the development of the Burnet Woods Dog Park; ESTABLISHING new capital improvement program project account no. 980x203x232036, "Sawyer Point Improvements," for the purpose of providing resources for improvements to Sawyer Point; ESTABLISHING new capital improvement program project account no. 980x203x232037, "Mt. Airy Bike Course," for the purpose of providing resources for the development of the Mt. Airy Forest Bike Course; AUTHORIZING the transfer and appropriation of \$300,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment and Donations," to newly established capital improvement program project account no. 980x203x232035, "Burnet Woods Dog Park," for the purpose of providing resources for the development of the Burnet Woods Dog Park; AUTHORIZING the transfer and appropriation of \$75,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment and Donations," to newly established capital improvement program project account no. 980x203x232036, "Sawyer Point Improvements," for the purpose of providing resources for improvements to Sawyer Point; AUTHORIZING the transfer and appropriation of \$140,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment and Donations," to newly established capital improvement program project account no. 980x203x232037, "Mt. Airy Bike Course," for the purpose of providing resources for the development of the Mt. Airy Forest Bike Course; and further AUTHORIZING the transfer and appropriation of \$248,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment and Donations," to capital improvement program project account no. 980x203x222018, "Parks Fleet Replacement," for the purpose of providing resources for the replacement of automotive and motorized equipment used by the Parks Department.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

15. [202300709](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 3/1/2023, **ESTABLISHING** new capital improvement program project account no. 980x236x232314, "Streetcar Wash Port - OTP2 Grant," for the purpose of providing resources for the design, engineering, and construction of an external streetcar parking area and wash port connected to the existing streetcar maintenance and operations facility; AUTHORIZING the City Manager to accept and appropriate grant resources in an amount up to \$2,000,000 from the Ohio Department Transportation Ohio Transit Partnership Program ("OTP2") to Fund No. 455, "Streetcar Operations," for the purpose of providing resources for preventative maintenance, equipment, and facility upgrades for the streetcar system; AUTHORIZING the City Manager to accept and appropriate grant resources in an amount up to \$256,517 from the Federal Transit Administration ("FTA") Urbanized Area Formula Funding program (49 U.S.C. 5307) (ALN 20.507) to Fund No. 455, "Streetcar Operations," for the purpose of providing resources for streetcar preventative maintenance support; AUTHORIZING the Director of Finance to deposit OTP2 and FTA

grant resources into Fund No. 455, "Streetcar Operations"; AUTHORIZING the transfer and appropriation of an amount up to \$1,000,000 from the unappropriated surplus of Fund No. 455, "Streetcar Operations," into newly established capital improvement program project account no. 980x236x232314, "Streetcar Wash Port - OTP2 Grant," for the purpose of providing resources for the design, engineering, and construction of an external streetcar parking area and wash port connected to the existing streetcar maintenance and operations facility; AUTHORIZING the transfer and appropriation of an amount up to \$1,256,517 from the unappropriated surplus of Fund No. 455, "Streetcar Operations," to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 for the purpose of providing streetcar preventative maintenance support; and further AUTHORIZING the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

16. [202300710](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 3/1/2023, **AUTHORIZING** the City Manager or her designee to apply for, accept, and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$26,000,000 from the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the purpose of providing resources for replacing aging water mains, as well as designing, and constructing drinking water facilities for Greater Cincinnati Water Works.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

17. [202300711](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 3/1/2023, **AUTHORIZING** the City Manager or her designee to apply for, accept and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$5,000,000 from the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the purpose of assisting with the cost of private lead service line replacement projects.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

18. [202300712](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 3/1/2023, **ESTABLISHING** capital improvement program project account no. 980x164x231643, "Findlay Recreation Area Improvements - TIF," for the purpose of providing resources for the design and construction of new state-of-the-art recreation permanent improvements, including, but not limited to, acquiring, improving, and equipping parks, parkways, playgrounds, and

recreation centers, in and around Findlay Park in the Over-the-Rhine neighborhood, and for the design and construction of permanent improvements to the streetscape along Vine Street between Liberty Street and the intersection of Findlay and McMicken Streets; AUTHORIZING the transfer and appropriation of the sum of \$1,698,000 from the unappropriated surplus of Downtown/OTR East Equivalent Fund 483 to newly established capital improvement program project account no. 980x164x231643, "Findlay Recreation Area Improvements - TIF," for the purpose of providing resources for the design and construction of new state-of-the-art recreation permanent improvements, including, but not limited to, acquiring, improving, and equipping parks, parkways, playgrounds, and recreation centers, in and around Findlay Park in the Over-the-Rhine neighborhood and for the design and construction of permanent improvements to the streetscape along Vine Street between Liberty Street and the intersection of Findlay and McMicken Streets; DECLARING expenditures from capital improvement program project account no. 980x164x231643, "Findlay Recreation Area Improvements - TIF," to be for a public purpose; and AMENDING Ordinance 342-2020 to allow for the reimbursement of \$50,000 to the Cincinnati Center City Development Corporation for an advance of Phase I design services.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

19. [202300722](#) **REPORT**, dated 3/1/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Tusculum Street Fest.

Recommendation FILE

Sponsors: City Manager

CLERK OF COUNCIL

20. [202300713](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Stephan Pryor, Advertising/Promotions, 1639 Hamer Street, Suite 6, Cincinnati, Ohio 45202.

Recommendation FILE

Sponsors: Clerk of Council

21. [202300714](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent J. Douglas Moormann, Development Strategies Group, Vice President, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (TUSCULUM RIDGE PROPERTIES)

Recommendation FILE

Sponsors: Clerk of Council

22. [202300715](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Charles H. Gerhardt, III, Government Strategies Group, President & CEO, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (TUSCULUM RIDGE PROPERTIES)

Recommendation FILE

Sponsors: Clerk of Council

23. [202300725](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Colleen Reynolds, Government Affairs, Partner, 225 E 5th Street, Suite 1900, Cincinnati, Ohio 45202. (CLIFTON CULTURAL ARTS CENTER)

Recommendation FILE

Sponsors: Clerk of Council

BUDGET AND FINANCE COMMITTEE

24. [202300661](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/23/2023, **AUTHORIZING** the City Manager to apply for and accept funds in an amount up to \$2,000 from the Ohio Department of Development's TechCred Credential Reimbursement Program for eligible costs incurred by the Cincinnati Police Department in providing its employees with technology-focused credentials; and **AUTHORIZING** the Director of Finance to deposit the reimbursed funds into General Fund revenue account no. 050x8533.

Recommendation

PASS

Sponsors: City Manager

25. [202300662](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/23/2023, **AUTHORIZING** the City Manager to apply for, accept, and appropriate grant funds from the Ohio Environmental Protection Agency (Ohio EPA) in the amount of up to \$10,000 for the purpose of reimbursing the costs incurred by the Greater Cincinnati Water Works to purchase valve exercising equipment needed to meet the new Ohio EPA public water system asset management program requirements; and **AUTHORIZING** the Finance Director to deposit any such grant funds received into Water Works Fund No. 101x8527.

Recommendation PASS

Sponsors: City Manager

26. [202300669](#) **RESOLUTION (LEGISLATIVE)** submitted by Sheryl M. M. Long, City Manager, on 2/23/2023, **DECLARING** the need for emergency repairs that have been made to sidewalks, sidewalk areas, curbs, and/or gutters at a variety of locations in the City and the need for levying assessments for the cost of such repairs on the abutting properties in accordance with Cincinnati Municipal Code Sections 721-149 to 721-169.

Recommendation PASS

Sponsors: City Manager

27. [202300670](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/23/2023, **AUTHORIZING** the City Manager to execute two Lease Agreements with Signature Engines, Inc. pursuant to which the City will extend the company's use and occupancy of Lunken Airport Lease Area 23 and Lease Area 24 for up to an additional 20 years.

Recommendation PASS

Sponsors: City Manager

28. [202300671](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/23/2023, **AUTHORIZING** the City Manager to vacate and convey to Experimental

Holdings, Inc. certain portions of an unnamed alley designated as public right-of-way generally located between Walworth Avenue and Columbia Parkway in the Columbia Tusculum and East End neighborhoods of Cincinnati.

Recommendation PASS

Sponsors: City Manager

29. [202300676](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/23/2023, **AUTHORIZING** the City Manager and the Director of Greater Cincinnati Water Works to enter into a contract for the 2022-2023 Storm Sewer Rehabilitation Lining project, notwithstanding the provisions of Chapter 320, "Compliance Guidelines for Construction Contracts Issued by Water Works and the Department of Sewers," of the Cincinnati Municipal Code.

Recommendation PASS

Sponsors: City Manager

HEALTHY NEIGHBORHOODS COMMITTEE

30. [202300324](#) **MOTION**, submitted by Vice Mayor Kearney and Councilmembers Parks and Walsh, **WE MOVE** that the City Administration create a bonding program for MBE and WBE contractors who have proven themselves with the City through previous project completions in order to overcome one of the major barriers to equitable opportunities. The City Administration should consider self-bonding, working with bonding agencies and/or co-signing for first-time bonds when the MBE and WBE company meets the City's pre-determined qualifications such as *successfully* completing projects for the City totaling at least \$1 million and limiting the upper end of our bonding threshold. Successful completion of projections should be clearly defined as approval by the City Manager's Office. **WE FURTHER MOVE** that City Council receive a report at quarterly on MBEs and WBEs that have participated in the City's bonding program, and the status of the projects, in order to assess the efficacy of the City's bonding program. (STATEMENT ATTACHED)

Recommendation ADOPT

Sponsors: Kearney, Parks and Walsh

SUPPLEMENTAL ITEMS

EQUITABLE GROWTH & HOUSINGS COMMITTEE

31. [202300556](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/8/2023, **AMENDING** the official zoning map of the City of Cincinnati to rezone certain real property in the area generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west in the Avondale neighborhood from the CC-A, "Commercial Community - Auto-Oriented," CC-P, "Commercial Community - Pedestrian," and OG, "Office General," zoning districts to Planned Development District No. 97, "Queen City Hills." (Subject to the [Temporary Prohibition List](#) <https://www.cincinnati-oh.gov/law/ethics/city-business>)

Recommendation PASS EMERGENCY

Sponsors: City Manager

32. [202300740](#) **MOTION**, submitted by Councilmembers Keating, Owens, Harris and Walsh, **WE MOVE** that the City of Cincinnati Administration craft an amended version of Ordinance Item No. 2023-00702 to include a bonus incentive for multi-family developments along public transit lines/proposed BRT Routes (see attached). Specifically, we ask the Administration to create a bonus incentive that increases the maximum abated amount in market improvement value of a residential multi-family unit located on a public transit line. The incentive should increase the maximum abated market improvement value on a per unit basis, so that a two-unit building has an additional incentive of \$75,000, a three-unit building has a higher additional incentive of \$150,000, and the four-unit building has the highest additional incentive of \$225,000. This should be called the "Public Transit Corridor Incentive." This bonus will double the abatement amount of residential multi-family developments when paired with the "Missing Middle Bonus," further incentivizing much needed two, three, and four family units along public transit corridors. (STATEMENT ATTACHED)

Recommendation ADOPT

Sponsors: Keating, Owens, Harris and Walsh

ANNOUNCEMENTS

Adjournment



AFTAB PUREVAL

City of Cincinnati, Office of the Mayor

Feb 2023

APPOINTMENT

I hereby appoint Pete Metz to the Southwest Ohio Regional Transit Board to fill the unexpired term of Brendon Cull, expiring on December 16, 2023 . This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval

WORK EXPERIENCE

Cincinnati USA Regional Chamber

Cincinnati, OH

Vice President, Civic & Regional Partnerships

February 2023-present

- Engage civic, community, and public sector leaders to represent the Chamber on issues related to major community projects, economic growth and development, transportation, and more.
- Oversee the the Center for Research & Data, managing staff and guiding effort to deliver data-driven analysis regarding vital regional economic indicators and outcomes.
- Manage the operations of the Cincinnati Futures Commission, an independent group of C-Suite leaders convened to support economic growth and fiscal sustainability in the city.
- Serve on external commissions and working groups to advance Chamber priorities and support community projects, such as affordable housing, trail development, and transit expansion.

Director, The Connected Region

August 2021-January 2023

Manager, Transportation Initiatives

September 2016-August 2021

- Led Chamber transportation efforts, including advocacy with local, state & federal elected leaders and community partners to create a transportation system that connects people to jobs and fosters regional growth
- Guided policy on urban growth issues, including housing, zoning, and the built environment
- Independently managed consulting teams to add capacity to Chamber's strategic initiatives, delivering reports, strategic plans, project design and public relations outputs
- Developed *The Connected Region* platform, a vision for the region's transportation future focused on transit investment, infrastructure maintenance and repair, innovation, and multi-modal connectivity
- Spearheaded development of national partnership focused on transit, rideshare, and urban mobility

The Move Forward PAC (Issue 22 & Issue 7)

Cincinnati, OH

Senior Advisor

August 2019-May 2020

- Led policy development, oversaw coalition management, and advised on all facets of strategy for successful passage of Issue 22 and Issue 7, Hamilton County's first successful measures to support transit and infrastructure
- Managed a \$2M fundraising effort, raising funds from business, labor, civic, philanthropic and grassroots donors
- Served as public surrogate in media (TV, print, radio), at community forums, and before interest groups
- Coordinated relationships with national partners in the transit, infrastructure, and climate sectors

Office of Vice Mayor David Mann, City of Cincinnati

Cincinnati, OH

Chief of Staff

December 2014-September 2016

- Serve as chief strategist, advisor, and negotiator for Vice Mayor on key policy areas with a focus on budgets, economic development, transportation, housing, human services, and planning
- Draft legislation, motions, and resolutions that advanced the office's policy agenda

David Pepper for Attorney General

Cincinnati, OH

Finance Director

June 2013-December 2014

- Managed finance operation for statewide campaign that raised \$5.1M
- Supervised five staff across three cities in their day-to-day responsibilities
- Developed and implemented fundraising strategy with candidate, senior staff, and consultants

American Council on Renewable Energy (ACORE)

Washington, D.C.

Transportation Associate

April 2012-April 2013

Transportation for America (T4 America)

Washington, D.C.

Outreach & Field Fellow

August 2011-April 2012

BOARD MEMBERSHIP

Ohio Kentucky Indiana Regional Council of Governments – Board Member

2017-present

Northsiders Engaged in Sustainable Transformation (NEST) –Board President

2018-present

Corporation for Findlay Market – Board Member

2021-present

EDUCATION

The Ohio State University

Columbus, OH

B.A. in Political Science

June 2011



AFTAB PUREVAL

City of Cincinnati, Office of the Mayor

Feb 2023

REAPPOINTMENT

I hereby reappoint Gwen Robinson to the Southwest Ohio Regional Transit Board for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval

202300721

Date: February 24, 2023

To: Councilmember Victoria Parks
From: Emily Smart Woerner, City Solicitor *ESW*
Subject: **Resolution – Black History Month Gwen McFarlin**

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING Gwen McFarlin as a 2023 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for her service to the Black community and residents of the City of Cincinnati and Hamilton County.

ESW/LES/(lnk)
Attachment
379037

EESW

RESOLUTION NO. _____ - 2023

RECOGNIZING Gwen McFarlin as a 2023 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for her service to the Black community and residents of the City of Cincinnati and Hamilton County.

WHEREAS, Ms. McFarlin received a Bachelor's degree in Nursing from Miami University, followed by a Master's degree in Healthcare Administration from the University of Cincinnati; and

WHEREAS, Ms. McFarlin has been a longtime activist in Cincinnati and in Hamilton County fighting for racial equity and social justice; and

WHEREAS, Ms. McFarlin was the first Black woman to be elected as a Springfield Township Trustee, where she served from 1995 until 2018; and

WHEREAS, Ms. McFarlin was the first Black woman to be elected as Chair of the Hamilton County Democratic Party; and

WHEREAS, Ms. McFarlin has worked with many notable figures in Cincinnati government, such as Marian Spencer and Roxanne Qualls; and

WHEREAS, Ms. McFarlin serves as Chair of the Hamilton County Board of Elections and has overseen multiple election cycles with record turnout; and

WHEREAS, Ms. McFarlin has volunteered with Junior Achievement and the Girl Scouts of America to guide young people on a path to success; and

WHEREAS, Ms. McFarlin has shown herself to be a true public servant and has dedicated her life to serving the residents of Cincinnati and Hamilton County; now, therefore,

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

Section 1. That the Mayor and this Council hereby recognize Gwen McFarlin for her dedication and years of service to the City of Cincinnati.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to Ms. McFarlin through the office of Councilmember Victoria Parks.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Victoria Parks

202300688

Date: February 23, 2023

To: Councilmembers Mark Jeffreys, Jeff Cramerding, Reggie Harris and Seth Walsh
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Resolution – Amazon Unionization**

Transmitted herewith is a resolution captioned as follows:

EXPRESSING the support of the Mayor and City Council of the efforts of Amazon workers at the Cincinnati/Northern Kentucky International Airport to form a union.

EESW/KKF(jdr)
Attachment
378490

EESW

RESOLUTION NO. _____ - 2023

EXPRESSING the support of the Mayor and City Council of the efforts of Amazon workers at the Cincinnati/Northern Kentucky International Airport to form a union.

WHEREAS, Amazon is one of the biggest companies in the United States with net sales in Q4 2022 of \$149.2 billion, an increase of nine percent over the prior year, and profit of \$2.7 billion in the third quarter alone; and

WHEREAS, the Amazon Air Hub at the Cincinnati/Northern Kentucky International Airport ("KCVG") is Amazon's largest airport hub in the world, and Amazon plans to expand KCVG in the next few years; and

WHEREAS, there are approximately 4,500 Amazon workers at KCVG; and

WHEREAS, Amazon workers at KCVG work long hours in all weather conditions and use heavy machinery to handle air freight and sort packages for millions of working families across the United States, often at a frenetic pace that leads to injuries; and

WHEREAS, a group of Amazon workers at KCVG recently began organizing to form a union to increase hourly wages and improve working conditions; and

WHEREAS, many of the Amazon workers at KCVG live in the City of Cincinnati; and

WHEREAS, unions have been and continue to be a core foundational institution that ensure worker safety and better benefits and wages that build the middle class, and the right to form a union has been successfully upheld in courts throughout the United States; now, therefore,

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

Section 1. That the Mayor and this Council stand in support of the Amazon workers at the Amazon Air Hub at the Cincinnati/Northern Kentucky International Airport ("KCVG") in their effort to form a union and fight for better wages and fair working conditions.

Section 2. That a copy of this resolution be spread upon the minutes of Council and that a copy be provided by Councilmember Mark Jeffreys to the Cincinnati AFL-CIO Labor Council to be shared with Amazon workers at the KCVG Air Hub.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmembers Jeffreys, Cramerding, Harris, and Walsh



202300732

Meeka D. Owens
Cincinnati City Council

February 28, 2023

MOTION

Strategic Alignment of OneOhio Settlement Allocations

WE MOVE that the City Administration provide a strategic alignment report in coordination with the priorities and strategies outlined by the OneOhio Region 2 Foundation Governance Board. The report should provide recommendations for both short-term and long-term use of the OneOhio Settlement Funds that have been and will be disbursed, outlining how the City's portion can be used to benefit City residents. These recommendations should be made to complement the allocations by the OneOhio Region 2 Board and Hamilton County. Funds should be used to support projects or initiatives that are highly-leveragable and able to obtain funding from other sources as well.

WE FURTHER MOVE that this report be submitted to Council in the next sixty (60) days.

Councilmember Meeka D. Owens

President Pro Tempore Victoria Parks

STATEMENT

In March 2020, the State of Ohio and local governments throughout the state organized the OneOhio Memorandum of Understanding. This MOU gives the local governments of Ohio, including Hamilton County and the City of Cincinnati, a direct role in allocating funds from the opioid lawsuit settlement proceeds and implementing strategies for community recovery from the opioid crisis. In addition, the MOU established a mechanism to disburse settlement payments. Funds can be used for numerous purposes under the MOU, including prevention, treatment, recovery, public awareness, criminal justice, or other crucial services.

As part of the R2 Board's work, several subcommittees were created to make recommendations related to four priority areas: Prevention, Treatment, Addressing the Needs of Criminal Justice Involved (with a subset for First Responders), and Recovery Housing. The Hamilton County Addiction Response Coalition recommended the following services and allocations: Treatment / Recovery 60%; Prevention 10%; Interdiction 10%; Harm Reduction 10%; Faith Community 5%; and Business Community 5%.

The time to act is now as the settlement funds become available. Already, the City of Cincinnati has already received three payments for an overall total of \$537,940.34.¹ It is imperative that as a City we are working with our regional partners to make the most impact with the funds distributed to the region. Over the last several months, the OneOhio Region 2 Recovery Foundation Governance Board (“R2 Board”), which includes Cincinnati and Hamilton County, has been organizing to establish priorities and best practices for allocating these funds.

¹ The first two payments were from the settlement with McKesson, Cardinal, and AmerisourceBergen. \$166,157.75 was received from the first payment and \$174,623.69 from the second payment, for a total of \$340,781.44. There will be a total of 18 payments from the settlement, which should total more than \$3.0 million over the 18 years. An additional, one-time payment of \$197,158.90 was received from Janssen; other one-time payments are anticipated to be made to the City over time.

Date: 03/01/2023

To: Mayor and Members of City Council 202300693
From: Sheryl M. M. Long, City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Hyde Park Blast)**

In accordance with Cincinnati Municipal Code, Chapter 765; (Hyde Park Blast) has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Police Department, Fire Department, Health Department, Parks Department, Department of Building and Inspections, Department of Community and Economic Development, Department of Finance, Department of Public Services, and Department of Transportation and Engineering). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Hyde Park Blast
EVENT SPONSOR/PRODUCER: Hyde Park Blast
CONTACT PERSON: Lori Salzarulo
LOCATION: Hyde Park Square - Various streets through Hyde Park
DATE(S) AND TIME(S): 6/24/2023 7:00AM to 6/25/2023 1:00AM
EVENT DESCRIPTION: 4 Mile Race, Kids Race, Bike Criterium, Block Party
ANTICIPATED ATTENDANCE: 3,000
ALCOHOL SALES: ☒ YES. ☐ NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: (Hyde Park Blast)

cc: Colonel Teresa A. Theetge, Police Chief

Date: March 1, 2023

To: Mayor and Members of City Council

202300694

From: Sheryl M. M. Long, City Manager

Subject: **Liquor License – New**

FINAL RECOMMENDATION REPORT

OBJECTIONS: Department of Buildings & Inspections

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 8022840
PERMIT TYPE: NEW
CLASS: C1 C2
NAME: SHAHS DA LLC
DBA: NONE LISTED
110 W MITCHELL AVE
CINCINNATI, OH 45217

On January 18, 2023, Clifton Town Meeting was notified of this application and do not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
☐ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: March 14, 2023

Date: March 1, 2023

To: Mayor and Members of City Council

202300695

From: Sheryl M. M. Long, City Manager

Subject: **Liquor License – Transfer of Ownership**

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 5002265
PERMIT TYPE: TRFO
CLASS: D5
NAME: RESTAURANT ROYCE LLC
DBA: ROYCE
501 VINE ST
CINCINNATI, OH 45202

As of today's date, the Department of Buildings & Inspections has declined comment with their investigation.

On January 18, 2023, Downtown Residents Council was notified of this application and do not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
☐ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: March 10, 2023

Date: March 1, 2023

202300700

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: **Liquor License – Transfer of Ownership**

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 0533227
PERMIT TYPE: TRFO
CLASS: D5J D6
NAME: BC WINE LLC
DBA: EMMA
3227 RIVERSIDE DR 1ST FL
CINCINNATI, OH 45226

As of today's date, the Department of Buildings & Inspections has declined comment with their investigation.

On January 18, 2023, East End Area Council was notified of this application and do not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
☐ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: March 14, 2023

Date: March 1, 2023

To: Mayor and Members of City Council

202300701

From: Sheryl M. M. Long, City Manager

Subject: **Liquor License – Transfer of Ownership**

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 6547700
PERMIT TYPE: TRFO
CLASS: D1 D2 D3 D6
NAME: 1000 DELTA LL LLC
DBA: NONE LISTED
1000 DELTA AV 1ST FL & PATIO
CINCINNATI, OH 45209

As of today's date, the Department of Buildings & Inspections has declined comment with their investigation.

On January 24, 2023, Mt. Lookout Community Council was notified of this application and do not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
☐ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: March 14, 2023

March 1, 2023

To: Mayor and Members of City Council

From: Sheryl M.M. Long, City Manager

202300703

Subject: Emergency Ordinance: Establishing the Salary Range for the classification of Law Fellow

Attached is an Emergency Ordinance captioned:

ESTABLISHING, the classification and salary range schedule for the new employment classification of the Law Fellow, and **ORDAINING** Section 163 of Division Law, Chapter 307, of the Cincinnati Municipal Code.

Classification	Minimum (Annual)	Maximum (Annual)
Law Fellow	\$ 48,000	\$58,000

The Human Resources Director has approved to establish the salary schedule for the employment classification of Law Fellow. The Department of Human Resources has done due diligence and conducted appropriate internal comparisons to ensure that the new salary range is consistent with the scope of services and the level of responsibility of the position, with factors considered throughout the evaluation process including liability, scope of responsibility, judgment and independent action, and accountability. The modification of the classification is necessary to fit the needs of the City, and consistent with the organizational changes described herein.

The Administration recommends passage of this Emergency Ordinance.

cc: Edward G. Ramsey, Human Resources Director

EMERGENCY

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-2023

ESTABLISHING the classification and salary range schedule for the new employment classification of Law Fellow, and **ORDAINING** Section 163 of Division Law, Chapter 307, of the Cincinnati Municipal Code.

WHEREAS, the Human Resources Department has determined the creation of the Law Fellow classification specification is necessary to fit the needs of the Law Department, to recruit and retain quality attorneys in the Law Department's salary schedule, and to better serve Cincinnati residents; and

WHEREAS, the Law Fellow program provides opportunities to increase operational efficiencies while maintaining a standard of excellence and a clear pathway for continued growth and career progression for affected employees; and

WHEREAS, the Human Resources Department has done due diligence to ensure that the new classification and salary range is consistent with the scope of services and the level of responsibility of the position of Law Fellow, with factors considered throughout the evaluation process including scope of responsibility, judgment and independent action, and accountability; now, therefore,

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

Section 1. That new Section 163 of Division Law, Chapter 307 of the Cincinnati Municipal Code is hereby established as shown below:

Classification	Minimum Annual	Maximum Annual
Law Fellow	\$48,000	\$58,000

Section 2. 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 establish the classification and salary range of Law Fellow in the Law Department to recruit and retain qualified employees.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

March 1, 2023

202300704

To: Mayor and Members of City Council

From: Sheryl M.M. Long, City Manager

Subject: **COUNCIL REPORT – Parking Enforcement, Meters & Residential Permits**

REFERENCE DOCUMENT #202202004 and #202300645

The City Council referred Item # 202202004, at its session on November 2, 2022, and Item #202300645, at its session on February 15, 2023, for review and report:

MOTION #202202004

Parking Enforcement, Meters & Residential Permits

WE MOVE that, the Administration report back to council in ninety (90) days with:

- The number of parking tickets issued per year for the past five years by neighborhood [BALANCE OF MOTION ON FILE]

MOTION #202300645

Parking Enforcement, Meters & Residential Permits

WE MOVE for the Administration to engage with business owners who operate in the area around Green and Pleasant Street in Over-The-Rhine [BALANCE OF MOTION ON FILE]

ANALYSIS OF REQUESTED INFORMATION

1. The number of parking tickets issued per year for the past five years by neighborhood

See attached citation data table.

2. What resources, if any, would be needed to ensure parking rules and regulations are enforced across the city—particularly in high volume areas during peak times like the urban basin and neighborhood business districts during events, evenings, and weekends

Management of the parking system consists of staffing for enforcement, collections, and maintenance for all parking system assets. The Department of Community & Economic Development's Parking Division (Parking Division) has sufficient staffing for all of these functions during all operating hours of the parking system. Parking enforcement is comprised of a balanced mix of routes which are generally designed around metered parking and restricted zones. These routes are then supplemented by complaint-based enforcement in various neighborhoods. Furthermore, the Parking Division works closely with Cincinnati Police Department (CPD) to staff events and special assignments. With our existing resources, the Parking Division believes that we are sufficiently enforcing within these areas. However, adding parking enforcement officers would allow for more directed enforcement, additional routes, and concentration in areas experiencing peak hour demand and safety issues. An increase in enforcement personnel would require an increase to the Parking Division staffing level and budget. The below table outlines the outcomes the costs in salary/fringe benefits and associated enforcement hours and revenue that would result. Note that these figures do not assume turnover in the positions and a full year of activity.

Parking Enforcement Officer (PEO)	Additional enforcement hours	Costs (salary, benefits)	Citation revenue	Net
4	5280	\$260,000	\$540,000	\$280,000

3. Any recommendations on how to better manage existing parking assets like meters and designated residential spaces to ensure turnover and on-street parking availability

Management of parking assets involves both up to date equipment and sufficient staffing for enforcement. One budget scenario for increasing enforcement within the on-street parking system was provided above. Related to equipment, the Parking Division is moving to reduce the City's reliance on single space meters which have a higher cost per space to maintain than efficiently deployed multi-space kiosks and mobile payment options. This is being accomplished by expanding the purchase and

use of multi-space meter zones (kiosks), expanding the use of the City’s “mobile only” payment zones, and creating strategies to drive adoption of mobile payment options for metered parking, specifically by adding another mobile payment provider to the City’s current platform. Mobile only payment zones are the most efficient to manage as they require little physical alteration to the existing infrastructure to add or remove paid parking alternatives. The Administration can promote efficient management through parking equipment in two specific ways. First, when stakeholders request the addition of paid parking to an area where parking is presently unrestricted, the Parking Division can implement paid parking in mobile payment only zones rather than meters. Second, the Parking Division can continue replacing existing meters with multi-space kiosks and/or mobile payment zones.

Further, the Parking Division recently took over the administrative responsibility of managing the Residential Parking Permit program (RPPP) from the Department of Transportation and Engineering (DOTE). Upon taking over administration of the RPPP, the Parking Division has implemented a digital permitting system. The new system replaces the former “hang tag” system with a digital, user-managed system. The system allows for quick access to visitor permits, payments, and customer service support. The Parking Division continues to look for ways to improve the customer experience of existing residential zones through the digital system.

Finally, Parking Division is also reviewing options for creating better incentives to generate on-street parking turnover for businesses. Currently, customers cannot occupy a paid parking space for more than the marked time period, which is commonly two hours. If they exceed the marked time period, they can receive a ticket for an overtime parking violation. In many other cities, the overtime parking violation process is being replaced by tiered increase rate structure programs. The initial findings in some markets are showing positive results for both creating the desired turnover to support businesses and maximizing potential on-street parking revenue. Utilizing tiered rates can increase turnover as an alternative to increased enforcement of existing hour limitations.

4. What resources would be needed to remove defunct parking meter posts (as shown in Exhibit A of the Motion) and, if appropriate, install parking stalls in their place?

A top priority for the Parking Division in FY2024 is the removal of obsolete parking meter poles. Within the Administration, Parking Division is working with DOTE (work order creation) to identify all the defunct parking meter posts and schedule removal through the Department of Public Services (DPS). Currently there are 700-800 poles estimated in need of removal. This number will increase by 500-600 as we implement the expanded multi-space meter zones and mobile only payment pilot zones throughout the City.

Removal of defunct parking meter polls will not begin until early FY24, due to current DPS projects (including mobile parking sign upgrades) and preparation for snow operations. An estimate of completion of removal of all defunct poles is difficult due to competing DPS capacity demands and increasing number of poles needing removal; however, Parking Division estimates that the majority of currently defunct poles can be removed by the end of CY2023.

Additionally, the Parking Division is assessing alternative removal options to expedite removal—including removal by Parking Division staff or utilizing a third-party contractor. The Administration may return to City Council for additional resources to facilitate expedited removal. Alternatively, Council may identify expedited removal as a priority for resources in the FY 24 budget process.

5. How long it would take for the City to devise a comprehensive on-street usage plan in Over the Rhine north of Liberty Street, Pendleton, and the West End. This plan would be akin to Southern Over the Rhine's SPP plan, which has all curb space allocated appropriately as metered parking, residential parking, etc.

The OTR North parking study timing and cost does not include Pendleton (which already has an RPP) or the West End, as a portion of the West End is already covered by an RPP. DCED requested Walker Consultants submit a proposal based on the following scope of services: Study Objectives: 1) To document existing on-street parking space inventory, usage, and restrictions and recommend changes that could improve parking space availability in OTR North. 2) To identify and document options for improving usage of off-street parking assets and adding to the off-street parking space inventory. The cost for the study will be approximately \$126,000 inclusive of reimbursables.

Alternatively, the Cincinnati Center City Development Corporation (3CDC) has offered to undertake a more limited inventory of existing space to submit to the Administration for evaluation reclassification of spaces between metered, residential, and restricted spaces. 3CDC and the Administration have begun coordinating this effort with existing City resources (like a recent roadway signage inventory) to begin the inventory process. The Administration recommends this lower-cost option.

The Administration estimates that the initial curb inventory will be completed by mid-April. Once the curb inventory is completed, the Administration will draft a proposed Special Permit Parking Area (SPPA) for OTR-North that would create residential spaces. The Administration will seek public input on the proposed designation prior to proposing the SPPA for Council consideration. To leave ample time for public feedback and revisions, the Administration does not expect to submit SPPA legislation prior to October of 2023. As requested in Motion Item # 202300645, engagement activities for the SPPA will include reaching out to the Corporation for Findlay Market and seeking input from their vendors.

SUMMARY OF RECOMMENDATIONS

The Administration recommends the following actions:

1. The Administration will review staffing levels of the Parking Division to determine if additional personnel is appropriate for FY 24 to accommodate more directed enforcement, additional routes and concentration in areas experiencing peak hour demand and safety issues.
2. The Administration recommends conducting a feasibility analysis to determine if a tiered increase rate structure should replace the current overtime parking enforcement process for increasing on-street parking turnover.
3. The Administration will review options for completing the removal of obsolete parking meter poles and may make budget recommendations as early as FY24 if additional resources are required.
4. The Administration recommends proceeding with 3CDC to undertake a limited curb inventory for the purpose of evaluating a special residential permit parking area for north Over-The-Rhine.

Attachment: I. Citation data table

Copies: Markiea L. Carter, Director, DCED
John S. Brazina, Director, DOTE

March 1, 2023

To: Mayor and Members of City Council 202300707

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – Fire: Capital Resources Transfer for Fleet Change Orders**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer and return to source of the sum of \$22,508 from capital improvement program project account no. 980x272x232704, “Fire Equipment,” to the unappropriated surplus of Income Tax Permanent Improvement Fund 758; and further **AUTHORIZING** the transfer and appropriation of \$22,508 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to capital improvement program project account no. 980x981x232505, “Fleet Replacements,” for the purpose of providing resources to purchase additional safety features on fire apparatus.

Approval of this Emergency Ordinance authorizes the transfer of \$22,508 from existing Cincinnati Fire Department (CFD) capital improvement program project account no. 980x272x232704, “Fire Equipment,” to the existing Department of Public Services (DPS) capital improvement program project account no. 980x981x232505, “Fleet Replacements,” for the purpose of providing resources for additional safety features on fire apparatus.

CFD ordered new vehicles utilizing FY 2023 Capital Budget dollars allocated to DPS Division of Fleet Services. While observing the construction of the ordered vehicles, minor safety enhancements were identified as necessities to ensure firefighter safety. Fleet Services does not have additional capital resources available to cover the additional costs related to change orders. The Fire Department is committing existing capital resources in their budget to purchase the additional safety features.

The transfer of resources to purchase additional safety features on Fire Apparatus is in accordance with the “Sustain” goal to “[m]anage our financial resources” and strategy to “[b]etter coordinate our capital improvement spending” as described on pages 199-201 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to transfer capital resources and process the necessary change orders to complete the acquisition of the new fire apparatus.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment



EMERGENCY

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- 2023

AUTHORIZING the transfer and return to source of the sum of \$22,508 from capital improvement program project account no. 980x272x232704, “Fire Equipment,” to the unappropriated surplus of Income Tax Permanent Improvement Fund 758; and further **AUTHORIZING** the transfer and appropriation of \$22,508 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to capital improvement program project account no. 980x981x232505, “Fleet Replacements,” for the purpose of providing resources to purchase additional safety features on fire apparatus.

WHEREAS, the Cincinnati Fire Department, in partnership with the Division of Fleet Services of the Department of Public Services, ordered new fire apparatus utilizing FY 2023 Capital Budget resources; and

WHEREAS, after the new fire apparatus were ordered, additional safety features were identified as necessary to ensure firefighter safety; and

WHEREAS, the Division of Fleet Services does not have additional resources available to cover the unanticipated cost of adding these safety features; and

WHEREAS, sufficient resources in capital improvement program project account no. 980x272x232704, “Fire Equipment,” can be made available for this purpose; and

WHEREAS, the transfer of resources to purchase additional safety features on fire apparatus is in accordance with the “Sustain” goal to “[m]anage our financial resources” and strategy to “[b]etter coordinate our capital improvement spending” as described on pages 199-201 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the transfer and return to source of the sum of \$22,508 from capital improvement program project account no. 980x272x232704, “Fire Equipment,” to the unappropriated surplus of Income Tax Permanent Improvement Fund 758 is hereby authorized.

Section 2. That the transfer and appropriation of \$22,508 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to capital improvement program project account

no. 980x981x232505, “Fleet Replacements,” is hereby authorized for the purpose of providing resources to purchase additional safety features on fire apparatus.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 and 2 herein.

Section 4. 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 transfer capital resources and process the necessary change orders to complete the acquisition of the new fire apparatus.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

March 1, 2023

To: Mayor and Members of City Council 202300708

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – Parks: Commissioner Funds and Capital Projects

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept and deposit a donation in an amount of up to \$763,000 from the Cincinnati Park Board Commissioners' Fund into Fund No. 430, "Parks Private Endowment and Donations," for the purpose of providing resources for the development of the Burnet Woods Dog Park, improvements to Sawyer Point, and development of the Mt. Airy Forest Bike Course, and for the replacement of automotive and motorized equipment used by the Parks Department; **ESTABLISHING** new capital improvement program project account no. 980x203x232035, "Burnet Woods Dog Park," for the purpose of providing resources for the development of the Burnet Woods Dog Park; **ESTABLISHING** new capital improvement program project account no. 980x203x232036, "Sawyer Point Improvements," for the purpose of providing resources for improvements to Sawyer Point; **ESTABLISHING** new capital improvement program project account no. 980x203x232037, "Mt. Airy Bike Course," for the purpose of providing resources for the development of the Mt. Airy Forest Bike Course; **AUTHORIZING** the transfer and appropriation of \$300,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment and Donations," to newly established capital improvement program project account no. 980x203x232035, "Burnet Woods Dog Park," for the purpose of providing resources for the development of the Burnet Woods Dog Park; **AUTHORIZING** the transfer and appropriation of \$75,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment and Donations," to newly established capital improvement program project account no. 980x203x232036, "Sawyer Point Improvements," for the purpose of providing resources for improvements to Sawyer Point; **AUTHORIZING** the transfer and appropriation of \$140,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment and Donations," to newly established capital improvement program project account no. 980x203x232037, "Mt. Airy Bike Course," for the purpose of providing resources for the development of the Mt. Airy Forest Bike Course; and further **AUTHORIZING** the transfer and appropriation of \$248,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment and Donations," to capital improvement program project account no. 980x203x222018, "Parks Fleet Replacement," for the purpose of providing resources for the

replacement of automotive and motorized equipment used by the Parks Department.

Approval of this Ordinance will authorize the City Manager to accept and deposit \$763,000 from the Cincinnati Park Board Commissioners' Fund to Parks Private Endowment and Donations Fund 430.

In addition, the Ordinance authorizes the establishment of three new capital improvement program project accounts and authorizes the transfer and appropriation of resources from the unappropriated surplus of Parks Private Endowment and Donations Fund 430 as follows:

- \$300,000 to 980x203x232035, "Burnet Woods Dog Park"
- \$75,000 to 980x203x232036, "Sawyer Point Improvements"
- \$140,000 to 980x203x232037, "Mt. Airy Bike Course"
- \$248,000 to 980x203x222018, "Parks Fleet Replacement"

Development of the Burnet Woods Dog Park, Sawyer Point, and the Mt. Airy Forest Bike Course as well as providing resources for automotive and motorized equipment used by the Parks Department are in accordance with the "Collaborate" goal to "[w]ork in synergy with the Cincinnati community"; specifically, the strategy to "[u]nite our communities" as described on pages 207 – 212 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment



AUTHORIZING the City Manager to accept and deposit a donation in an amount up to \$763,000 from the Cincinnati Park Board Commissioners' Fund into Fund No. 430, "Parks Private Endowment and Donations," for the purpose of providing resources for the development of the Burnet Woods Dog Park, improvements to Sawyer Point, and development of the Mt. Airy Forest Bike Course, and for the replacement of automotive and motorized equipment used by the Parks Department; **ESTABLISHING** new capital improvement program project account no. 980x203x232035, "Burnet Woods Dog Park," for the purpose of providing resources for the development of the Burnet Woods Dog Park; **ESTABLISHING** new capital improvement program project account no. 980x203x232036, "Sawyer Point Improvements," for the purpose of providing resources for improvements to Sawyer Point; **ESTABLISHING** new capital improvement program project account no. 980x203x232037, "Mt. Airy Bike Course," for the purpose of providing resources for the development of the Mt. Airy Forest Bike Course; **AUTHORIZING** the transfer and appropriation of \$300,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment and Donations," to newly established capital improvement program project account no. 980x203x232035, "Burnet Woods Dog Park," for the purpose of providing resources for the development of the Burnet Woods Dog Park; **AUTHORIZING** the transfer and appropriation of \$75,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment and Donations," to newly established capital improvement program project account no. 980x203x232036, "Sawyer Point Improvements," for the purpose of providing resources for improvements to Sawyer Point; **AUTHORIZING** the transfer and appropriation of \$140,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment and Donations," to newly established capital improvement program project account no. 980x203x232037, "Mt. Airy Bike Course," for the purpose of providing resources for the development of the Mt. Airy Forest Bike Course; and further **AUTHORIZING** the transfer and appropriation of \$248,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment and Donations," to capital improvement program project account no. 980x203x222018, "Parks Fleet Replacement," for the purpose of providing resources for the replacement of automotive and motorized equipment used by the Parks Department.

WHEREAS, the Cincinnati Board of Parks Commissioners ("Park Board") approved the allocation of \$300,000 from the Commissioners' Fund to support development and installation of the new Burnet Woods Dog Park, for which the Clifton community is raising additional funds; and

WHEREAS, the Park Board approved the allocation of \$75,000 from the Commissioners' Fund to support improvements to Sawyer Point; and

WHEREAS, the Park Board approved the allocation of \$140,000 from the Commissioners' Fund to support the creation of a mountain bike skills course at Mt. Airy Forest, for which the Cincinnati Off Road Alliance has been raising additional funds; and

WHEREAS, the Park Board approved the allocation of an additional \$248,000 from the Commissioners' Fund to cover cost increases caused by external delays and supply chain issues experienced in carrying out the replacement of aging vehicles and equipment identified in its 2021 Fleet Review; and

WHEREAS, no matching funds or new FTEs are associated with the acceptance of this donation; and

WHEREAS, development of the Burnet Woods Dog Park, improvements to Sawyer Point, and development of the Mt. Airy Forest Bike Course, in addition to the provision of resources for the replacement of automotive and motorized equipment used by the Parks Department, are in accordance with the "Collaborate" goal to "[w]ork in synergy with the Cincinnati community" and the strategy to "[u]nite our communities," as described on pages 207 – 212 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 Manager is hereby authorized to accept and deposit a donation in an amount up to \$763,000 from the Cincinnati Park Board Commissioners' Fund into Fund No. 430, "Parks Private Endowment and Donations," for the purpose of providing resources for the development of the Burnet Woods Dog Park, improvements to Sawyer Point, and development of the Mt. Airy Forest Bike Course, and for the replacement of automotive and motorized equipment used by the Parks Department.

Section 2. That new capital improvement program project account no. 980x203x232035, "Burnet Woods Dog Park," is hereby established for the purpose of providing resources for the development of the Burnet Woods Dog Park.

Section 3. That new capital improvement program project account no. 980x203x232036, "Sawyer Point Improvements," is hereby established for the purpose of providing resources for improvements to Sawyer Point.

Section 4. That new capital improvement program project account no. 980x203x232037, “Mt. Airy Bike Course,” is hereby established for the purpose of providing resources for the development of the Mt. Airy Forest Bike Course.

Section 5. That the City Manager is hereby authorized to transfer and appropriate \$300,000 from the unappropriated surplus of Fund No. 430, “Parks Private Endowment and Donations,” to newly established capital improvement program project account no. 980x203x232035, “Burnet Woods Dog Park,” for the purpose of providing resources for the development of the Burnet Woods Dog Park.

Section 6. That the City Manager is hereby authorized to transfer and appropriate \$75,000 from the unappropriated surplus of Fund No. 430, “Parks Private Endowment and Donations,” to newly established capital improvement program project account no. 980x203x232036, “Sawyer Point Improvements,” for the purpose of providing resources for improvements to Sawyer Point.

Section 7. That the City Manager is hereby authorized to transfer and appropriate \$140,000 from the unappropriated surplus of Fund No. 430, “Parks Private Endowment and Donations,” to newly established capital improvement program project account no. 980x203x232037, “Mt. Airy Bike Course,” for the purpose of providing resources for the development of the Mt. Airy Forest Bike Course.

Section 8. That the City Manager is hereby authorized to transfer and appropriate \$248,000 from the unappropriated surplus of Fund No. 430, “Parks Private Endowment and Donations,” to capital improvement program project account no. 980x203x222018, “Parks Fleet Replacement,” for the purpose of providing resources for the replacement of automotive and motorized equipment used by the Parks Department.

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 8 herein.

Section 10. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

March 1, 2023

To: Mayor and Members of City Council 202300709

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – DOTE: Streetcar OTP2 and FTA Grants**

Attached is an Emergency Ordinance captioned:

ESTABLISHING new capital improvement program project account no. 980x236x232314, “Streetcar Wash Port – OTP2 Grant,” for the purpose of providing resources for the design, engineering, and construction of an external streetcar parking area and wash port connected to the existing streetcar maintenance and operations facility; **AUTHORIZING** the City Manager to accept and appropriate grant resources in an amount up to \$2,000,000 from the Ohio Department Transportation Ohio Transit Partnership Program (“OTP2”) to Fund No. 455, “Streetcar Operations,” for the purpose of providing resources for preventative maintenance, equipment, and facility upgrades for the streetcar system; **AUTHORIZING** the City Manager to accept and appropriate grant resources in an amount up to \$256,517 from the Federal Transit Administration (“FTA”) Urbanized Area Formula Funding program (49 U.S.C. 5307) (ALN 20.507) to Fund No. 455, “Streetcar Operations,” for the purpose of providing resources for streetcar preventative maintenance support; **AUTHORIZING** the Director of Finance to deposit OTP2 and FTA grant resources into Fund No. 455, “Streetcar Operations”; **AUTHORIZING** the transfer and appropriation of an amount up to \$1,000,000 from the unappropriated surplus of Fund No. 455, “Streetcar Operations,” into newly established capital improvement program project account no. 980x236x232314, “Streetcar Wash Port – OTP2 Grant,” for the purpose of providing resources for the design, engineering, and construction of an external streetcar parking area and wash port connected to the existing streetcar maintenance and operations facility; **AUTHORIZING** the transfer and appropriation of an amount up to \$1,256,517 from the unappropriated surplus of Fund No. 455, “Streetcar Operations,” to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 for the purpose of providing streetcar preventative maintenance support; and further **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

This Emergency Ordinance does the following:

1. Establishes new capital improvement program project account no. 980x236x232314, “Streetcar Wash Port – OTP2 Grant,” to provide resources for the design, engineering, and construction of an external streetcar parking area and wash port connected to the existing streetcar maintenance and operations facility;
2. Authorizes the City Manager to accept and appropriate grant resources in the amount up to \$2,000,000 from the OTP2 to Fund No. 455, “Streetcar Operations,” to provide resources for preventative maintenance, equipment, and facility upgrades for the streetcar system;

3. Authorizes the City Manager to accept and appropriate grant resources in an amount up to \$256,517 from the Federal Transit Administration Urbanized Area Formula Funding program (“FTA UAFF”) to Fund No. 455, “Streetcar Operations,” to provide resources for streetcar preventative maintenance support;
4. Authorizes the Director of Finance to deposit OTP2 and FTA grant resources into Fund No. 455, “Streetcar Operations”;
5. Authorizes the transfer and appropriation of an amount up to \$1,000,000 from the unappropriated surplus of Fund No. 455, “Streetcar Operations,” into newly established capital improvement program project account no. 980x236x232314, “Streetcar Wash Port – OTP2 Grant”;
6. Authorizes the transfer and appropriation of an amount up to \$1,256,517 from the unappropriated surplus of Fund No. 455, “Streetcar Operations,” to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200; and
7. Authorizes the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Council approved Ordinance No. 0089-2022, which authorized the City Manager to apply for grant resources in an amount up to \$2,839,000 from the Ohio Department of Transportation (“ODOT”) under the OTP2 for the purpose of providing resources for preventative maintenance, equipment, and facility upgrades for the streetcar system. The City was awarded OTP2 grant resources in an amount up to \$2,000,000.

The FTA UAFF provides federal resources to urbanized areas for transit-related capital and operating assistance and for transportation planning. The City receives annual funding from the FTA UAFF for streetcar preventative maintenance support, which requires City Council authorization to be accepted.

The OTP2 grant requires a twenty percent local match for preventative maintenance, which will be met using existing resources available in Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 that are anticipated to be offset by federal resources. The OTP2 grant also requires a twenty percent local match for capital improvements, which will be satisfied using ODOT transportation development credits. The FTA UAFF grant requires a twenty-five percent local match, which will be met using existing resources available in Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200.

Utilizing Federal Transit Administration and Ohio Transit Partnership Program grant resources to support the streetcar is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” as described on pages 129-138 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept federal and state grant resources in order to begin projects within the State of Ohio’s FY 2023 budget cycle.

The Administration recommends passage of this Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment



EMERGENCY

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- 2023

ESTABLISHING new capital improvement program project account no. 980x236x232314, “Streetcar Wash Port – OTP2 Grant,” for the purpose of providing resources for the design, engineering, and construction of an external streetcar parking area and wash port connected to the existing streetcar maintenance and operations facility; **AUTHORIZING** the City Manager to accept and appropriate grant resources in an amount up to \$2,000,000 from the Ohio Department Transportation Ohio Transit Partnership Program (“OTP2”) to Fund No. 455, “Streetcar Operations,” for the purpose of providing resources for preventative maintenance, equipment, and facility upgrades for the streetcar system; **AUTHORIZING** the City Manager to accept and appropriate grant resources in an amount up to \$256,517 from the Federal Transit Administration (“FTA”) Urbanized Area Formula Funding program (49 U.S.C. 5307) (ALN 20.507) to Fund No. 455, “Streetcar Operations,” for the purpose of providing resources for streetcar preventative maintenance support; **AUTHORIZING** the Director of Finance to deposit OTP2 and FTA grant resources into Fund No. 455, “Streetcar Operations”; **AUTHORIZING** the transfer and appropriation of an amount up to \$1,000,000 from the unappropriated surplus of Fund No. 455, “Streetcar Operations,” into newly established capital improvement program project account no. 980x236x232314, “Streetcar Wash Port – OTP2 Grant,” for the purpose of providing resources for the design, engineering, and construction of an external streetcar parking area and wash port connected to the existing streetcar maintenance and operations facility; **AUTHORIZING** the transfer and appropriation of an amount up to \$1,256,517 from the unappropriated surplus of Fund No. 455, “Streetcar Operations,” to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 for the purpose of providing streetcar preventative maintenance support; and further **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

WHEREAS, on April 13, 2022, Council approved Ordinance No. 0089-2022, which authorized the City Manager to apply for grant resources in an amount up to \$2,839,000 from the Ohio Department of Transportation (“ODOT”) under the Ohio Department Transportation Ohio Transit Partnership Program (“OTP2”) for the purpose of providing resources for preventative maintenance, equipment, and facility upgrades for the streetcar system; and

WHEREAS, the City was awarded OTP2 grant resources in an amount up to \$2,000,000; and

WHEREAS, the Federal Transit Administration Urbanized Area Formula Funding program (49 U.S.C. 5307) (ALN 20.507) (“FTA UAFF”) provides federal resources to urbanized areas for transit-related capital and operating assistance and for transportation planning; and

WHEREAS, the City receives annual funding from the FTA UAFF for streetcar preventative maintenance support; and

WHEREAS, the OTP2 grant requires a twenty percent local match for preventative maintenance, which will be met using resources currently available in Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 and which are anticipated to be offset by federal resources; and

WHEREAS, the OTP2 grant also requires a twenty percent local match for capital improvements, which will be satisfied using ODOT transportation development credits; and

WHEREAS, the FTA UAFF grant requires a twenty-five percent local match, which will be met using resources currently available in Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200; and

WHEREAS, there are no new FTEs associated with the OTP2 or FTA grants; and

WHEREAS, utilizing Federal Transit Administration and Ohio Transit Partnership Program grant resources to support the streetcar is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” as described on pages 129-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the establishment of capital improvement program project account no. 980x236x232314, “Streetcar Wash Port – OTP2 Grant,” is hereby authorized for the purpose of providing resources for the design, engineering, and construction of an external streetcar parking area and wash port connected to the existing streetcar maintenance and operations facility.

Section 2. That the City Manager is authorized accept and appropriate grant resources in an amount up to \$2,000,000 from the Ohio Department Transportation Ohio Transit Partnership Program (“OTP2”) to Fund No. 455, “Streetcar Operations,” for the purpose of providing resources for preventative maintenance, equipment, and facility upgrades for the streetcar system.

Section 3. That the Director of Finance is hereby authorized to deposit grant resources in an amount up to \$2,000,000 from the OTP2 into Fund No. 455, “Streetcar Operations.”

Section 4. That the City Manager is authorized to accept and appropriate grant resources in an amount up to \$256,517 from the Federal Transit Administration Urbanized Area Formula

Funding Program (49 U.S.C. 5307) (ALN 20.507) (“FTA UAFF”) to Fund No. 455, “Streetcar Operations,” for the purpose of providing resources for streetcar preventative maintenance support.

Section 5. That the Director of Finance is hereby authorized to deposit grant resources in an amount up to \$256,517 from the FTA UAFF into Fund No. 455, “Streetcar Operations.”

Section 6. That the transfer and appropriation of an amount up to \$1,000,000 from the unappropriated surplus of Fund No. 455, “Streetcar Operations,” into newly established capital improvement program project account no. 980x236x232314, “Streetcar Wash Port – OTP2 Grant,” is hereby authorized for the purpose of providing resources for the design, engineering, and construction of an external streetcar parking area and wash port connected to the existing streetcar maintenance and operations facility.

Section 7. That the transfer and appropriation of an amount up to \$1,256,517 from the unappropriated surplus of Fund No. 455, “Streetcar Operations,” to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 is hereby authorized for the purpose of providing streetcar preventative maintenance support.

Section 8. That the City Manager is hereby authorized to enter into any agreements necessary for the receipt and administration of these grant resources.

Section 9. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 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 accept federal and state grant resources in order to begin projects within the State of Ohio's FY 2023 budget cycle.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

March 1, 2023
202300710

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – GCWW: OEPA & Ohio Water Development Authority (OWDA) Loan for Water Main Replacement

Attached is an Ordinance captioned:

AUTHORIZING the City Manager or her designee to apply for, accept, and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$26,000,000 from the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the purpose of providing resources for replacing aging water mains, as well as designing, and constructing drinking water facilities for Greater Cincinnati Water Works.

Approval of this Ordinance would authorize the City Manager or her designee to apply for, accept, and appropriate Water Supply Revolving Loan Account (WSRLA) funding in the amount of up to \$26,000,000 from the Ohio Environmental Protection Agency (OEPA) and the Ohio Water Development Authority (OWDA) for the purpose of providing resources for replacing aging water mains, as well as designing, and constructing drinking water facilities for Greater Cincinnati Water Works (GCWW). This Ordinance further authorizes the Finance Director to receive and deposit the loan funds into Water Works Capital Fund revenue account no. 756x8569.

WSRLA funding is currently available from the OEPA and OWDA for the purpose of replacing aging water mains, and planning, designing, and constructing drinking water facilities for GCWW. Each year the Administration applies for various funding sources to augment the City's Capital Improvement Program (CIP).

This funding will be used for the Bevis, Bonaparte, Clarion; Cappel, Carnation; Clearview, Hermosa; Dayton, Horace, Naehar, Whiteman, Baymiller, York; Dunore, Crooked Stone, Old Ludlow; Kirbert, Oakland, Olive, Enright, Wieman, Terry, Voss, Van Vey McPherson; Lisbon, Girard, Fairhurst; Symmes Fowler; and Ferguson, Kellywood, N. Overlook, Relleum, Rulison, Shirley, West High water main projects as part of GCWW's water main replacement program.

The water main replacement program is in accordance with the "Sustain" goal to "Become a healthier Cincinnati" and strategy to "Create a healthy environment and reduce energy consumption," as described on pages 181-186 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Verna Arnette, GCWW, Interim Executive Director
Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment



AUTHORIZING the City Manager or her designee to apply for, accept, and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$26,000,000 from the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the purpose of providing resources for replacing aging water mains, as well as designing, and constructing drinking water facilities for Greater Cincinnati Water Works.

WHEREAS, each year the Administration applies for various funding sources to augment the City's Capital Improvement Program; and

WHEREAS, Water Supply Revolving Loan Account funding in the amount of up to \$26,000,000 is available from the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the purpose of replacing aging water mains, planning, designing, and constructing drinking water facilities for Greater Cincinnati Water Works ("GCWW"); and

WHEREAS, this funding will be used for the Bevis, Bonaparte, Clarion; Cappel, Carnation; Clearview, Hermosa; Dayton, Horace, Naeher, Whiteman, Baymiller, York; Dunore, Crooked Stone, Old Ludlow; Kirbert, Oakland, Olive, Enright, Wieman, Terry, Voss, Van Vey McPherson; Lisbon, Girard, Fairhurst; Symmes Fowler; and Ferguson, Kellywood, N. Overlook, Relleum, Rulison, Shirley, West High water main projects as part of GCWW's water main replacement program; and

WHEREAS, GCWW's water main replacement program is in accordance with the "Sustain" goal to "Become a healthier Cincinnati" and strategy to "Create a healthy environment and reduce energy consumption," as described on pages 181-186 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 Manager or her designee is hereby authorized to apply for, accept, and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$26,000,000 from the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the purpose of replacing aging water mains as well as planning, designing, and constructing drinking water facilities for the Greater Cincinnati Water Works.

Section 2. That the Finance Director is authorized to receive and deposit the loan funds into Water Works Capital Fund revenue account no. 756x8569.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the loan and Sections 1 and 2 hereof.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

March 1, 2023

To: Mayor and Members of City Council 202300711

From: Sheryl M. M. Long, City Manager

Subject: **Ordinance – GCWW: OEPA and Ohio Water Development Authority (OWDA) Loan to Fund Private Lead Service Line Replacement**

Attached is an Ordinance captioned:

AUTHORIZING the City Manager or her designee to apply for, accept and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$5,000,000 from the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the purpose of assisting with the cost of private lead service line replacement projects.

Approval of this Ordinance authorizes the City Manager or her designee to apply for, accept and appropriate Water Supply Revolving Loan Account (“WSRLA”) loan funding in the amount of up to \$5,000,000 from the Ohio Environmental Protection Agency (“OEPA”) and the Ohio Water Development Authority (“OWDA”) for the purpose of assisting with the cost of private lead service line replacement projects. This Ordinance further authorizes the Finance Director to receive and deposit the loan funds into Private Lead Service Line Replacement Fund revenue account no. 312x8569.

WSRLA funding in the amount of up to \$5,000,000 is available from the OEPA and the OWDA in the form of grant-like principal forgiveness and zero-interest loan funding to public water systems for private lead service line replacement projects. The WSRLA funding is being offered to public water systems at a proportion of 53% principal forgiveness to 47% zero-interest loan funding. The City of Cincinnati Greater Cincinnati Water Works (“GCWW”) operates a program that aims to replace all public and private lead service lines within the utility’s service area to reduce the risk of lead in water. Therefore, GCWW desires to apply for up to \$5,000,000 in WSRLA funding for the replacement of private lead services lines in the form of up to \$2,650,000 in principal forgiveness and \$2,350,000 in zero-interest loan funding.

This funding will be used for the private lead service line replacements associated with the Bevis, Bonaparte, Clarion; Cappel, Carnation; Clearview, Hermosa; Dayton, Horace, Naehar, Whiteman, Baymiller, York; Dunore, Crooked Stone, Old Ludlow; Kirbert, Oakland, Olive, Enright, Wieman, Terry, Voss, Van Vey McPherson; Lisbon, Girard, Fairhurst; Symmes Fowler; and Ferguson, Kellywood, N. Overlook, Relleum, Rulison, Shirley, West High water main projects as part of GCWW’s water main replacement program, as well as the Beech, Eighth, St. Lawrence, and Jonathan, Ruth, Woodburn, private lead service line branch-only replacement projects.

Assisting with the cost of private lead service line replacement projects is in accordance with the “Sustain” initiative goal to “Become a Healthier Cincinnati” and strategy to

"Create a Healthy Environment and Reduce Energy Consumption" as described on page 181-186 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Verna Arnette, GCWW, Interim Executive Director
Andrew M. Dudas, Budget Director
Karen Alder, Finance Director



Attachment

AUTHORIZING the City Manager or her designee to apply for, accept and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$5,000,000 from the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the purpose of assisting with the cost of private lead service line replacement projects.

WHEREAS, Water Supply Revolving Loan Account (“WSRLA”) funding in the amount of up to \$5,000,000 is available from the Ohio Environmental Protection Agency and the Ohio Water Development Authority in the form of grant-like principal forgiveness and zero-interest loan funding to public water systems for private lead service line replacement projects; and

WHEREAS, the WSRLA funding is being offered to public water systems at a proportion of 53% principal forgiveness to 47% zero-interest loan funding; and

WHEREAS, the City of Cincinnati Greater Cincinnati Water Works (“GCWW”) currently operates a program that aims to replace all public and private lead service lines within the utility’s service area to reduce the risk of lead in water; and

WHEREAS, GCWW desires to apply for up to \$5,000,000 in WSRLA funding for the replacement of private lead services lines in the form of up to \$2,650,000 in principal forgiveness and \$2,350,000 in zero-interest loan funding; and

WHEREAS, this funding will be used for the private lead service line replacements associated with the Bevis, Bonaparte, Clarion; Cappel, Carnation; Clearview, Hermosa; Dayton, Horace, Naehar, Whiteman, Baymiller, York; Dunore, Crooked Stone, Old Ludlow; Kirbert, Oakland, Olive, Enright, Wieman, Terry, Voss, Van Vey McPherson; Lisbon, Girard, Fairhurst; Symmes Fowler; and Ferguson, Kellywood, N. Overlook, Relleum, Rulison, Shirley, West High water main projects as part of GCWW’s water main replacement program, as well as the Beech, Eighth, St. Lawrence, and Jonathan, Ruth, Woodburn, private lead service line branch-only replacement projects; and

WHEREAS, assisting with the cost of private lead service line replacement projects is in accordance with the “Sustain” initiative goal to “Become a Healthier Cincinnati” and strategy to “Create a Healthy Environment and Reduce Energy Consumption” as described on page 181-186 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 Manager or her designee is hereby authorized to apply for, accept and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$5,000,000, comprised of up to \$2,650,000 in principal forgiveness and \$2,350,000 in zero-interest loan funding from the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the purpose of replacing private lead service lines within the utility's service area.

Section 2. That the Finance Director is hereby authorized to receive and deposit the loan funds into Private Lead Service Line Replacement Fund revenue account no. 312x8569.

Section 3. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the provisions of Sections 1 and 2 hereof.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

March 1, 2023
202300712

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – DCED: Findlay Recreation Area Improvements – TIF

Attached is an Emergency Ordinance captioned:

ESTABLISHING capital improvement program project account no. 980x164x231643, “Findlay Recreation Area Improvements - TIF,” for the purpose of providing resources for the design and construction of new state-of-the-art recreation permanent improvements, including, but not limited to, acquiring, improving, and equipping parks, parkways, playgrounds, and recreation centers, in and around Findlay Park in the Over-the-Rhine neighborhood, and for the design and construction of permanent improvements to the streetscape along Vine Street between Liberty Street and the intersection of Findlay and McMicken Streets; **AUTHORIZING** the transfer and appropriation of the sum of \$1,698,000 from the unappropriated surplus of Downtown/OTR East Equivalent Fund 483 to newly established capital improvement program project account no. 980x164x231643, “Findlay Recreation Area Improvements - TIF,” for the purpose of providing resources for the design and construction of new state-of-the-art recreation permanent improvements, including, but not limited to, acquiring, improving, and equipping parks, parkways, playgrounds, and recreation centers, in and around Findlay Park in the Over-the-Rhine neighborhood and for the design and construction of permanent improvements to the streetscape along Vine Street between Liberty Street and the intersection of Findlay and McMicken Streets; **DECLARING** expenditures from capital improvement program project account no. 980x164x231643, “Findlay Recreation Area Improvements - TIF,” to be for a public purpose; and **AMENDING** Ordinance 342-2020 to allow for the reimbursement of \$50,000 to the Cincinnati Center City Development Corporation for an advance of Phase I design services.

Approval of this Emergency Ordinance will authorize the establishment of new capital improvement program project account no. 980x164x231643, “Findlay Recreation Area Improvements - TIF,” for the purpose of providing resources for the design and construction of new state-of-the-art recreation permanent improvements, including but not limited to, acquiring, improving, and equipping parks, parkways, playgrounds and recreation centers, in and around Findlay Park in the Over-the-Rhine (OTR) neighborhood, and for the design and construction of permanent improvements to the streetscape along Vine Street between Liberty Street and the intersection of Findlay and McMicken Streets. Furthermore, this Emergency Ordinance authorizes the transfer and appropriation of \$1,698,000 from the

unappropriated surplus of the Downtown/OTR East Equivalent Fund 483 to newly established capital improvement program project account no. 980x164x231643, “Findlay Recreation Area Improvements - TIF”.

Additionally, this Emergency Ordinance declares expenditures from newly established capital improvement program project account no. 980x164x231643, “Findlay Recreation Area Improvements - TIF,” to be for a public purpose and amends Ordinance No. 0342-2020 to allow for the reimbursement of \$50,000 to the Cincinnati Center City Development Corporation (3CDC) for an advance of Phase I design services.

Improvements to Findlay Park are in accordance with the “Live” goal to “[b]uild a robust public life,” as well as the strategy to “[d]evelop and maintain inviting and engaging public spaces to encourage social interaction between different types of people,” as described on pages 147-152 of Plan Cincinnati (2012).

The Over-the-Rhine Community Council, Downtown Residents Council, and Mt. Auburn Community Council have all provided letters of support for the funding appropriation. The City Administration hosted a Community Engagement Meeting on November 21, 2022 of which a summary can be found here:

<https://www.cincinnati-oh.gov/planning/community-engagement-meetings1/past-community-engagement-meetings/public-engagement-session-for-the-findlay-community-and-recreation-center1/>

The reason for the emergency is the immediate need to continue the design of the Findlay Park area recreation improvements and the Vine Street streetscape improvements so that community outreach, design, and construction may continue as quickly as possible.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director



Attachment



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ESTABLISHING capital improvement program project account no. 980x164x231643, “Findlay Recreation Area Improvements - TIF,” for the purpose of providing resources for the design and construction of new state-of-the-art recreation permanent improvements, including, but not limited to, acquiring, improving, and equipping parks, parkways, playgrounds, and recreation centers, in and around Findlay Park in the Over-the-Rhine neighborhood, and for the design and construction of permanent improvements to the streetscape along Vine Street between Liberty Street and the intersection of Findlay and McMicken Streets; **AUTHORIZING** the transfer and appropriation of the sum of \$1,698,000 from the unappropriated surplus of Downtown/OTR East Equivalent Fund 483 to newly established capital improvement program project account no. 980x164x231643, “Findlay Recreation Area Improvements - TIF,” for the purpose of providing resources for the design and construction of new state-of-the-art recreation permanent improvements, including, but not limited to, acquiring, improving, and equipping parks, parkways, playgrounds, and recreation centers, in and around Findlay Park in the Over-the-Rhine neighborhood and for the design and construction of permanent improvements to the streetscape along Vine Street between Liberty Street and the intersection of Findlay and McMicken Streets; **DECLARING** expenditures from capital improvement program project account no. 980x164x231643, “Findlay Recreation Area Improvements - TIF,” to be for a public purpose; and **AMENDING** Ordinance 342-2020 to allow for the reimbursement of \$50,000 to the Cincinnati Center City Development Corporation for an advance of Phase I design services.

WHEREAS, Ordinance No. 0342-2020 authorized the City to engage with Cincinnati Center City Development Corporation (“3CDC”), which is uniquely qualified to act as the development manager for the Findlay Park recreation improvements due to its successful experiences designing, planning, and completing redevelopment of public spaces throughout the Central Business District and Over-the-Rhine, including the successful redevelopment of Fountain Square, Washington Park, and Ziegler Park as development manager; and

WHEREAS, Ordinance No. 0109-2022 authorized the transfer and appropriation of \$450,000 for the purpose of providing additional resources for the costs of continued design work and construction of new state-of-the-art recreation permanent improvements, including, but not limited to, acquiring, improving, and equipping parks, parkways, playgrounds, and recreation centers, in and around Findlay Park, representing the second phase of the recreation improvements including soft costs associated with the redevelopment in order to identify the specific design elements to include as part of the improvements; and

WHEREAS, the City desires to further engage 3CDC for (i) the continued design and construction of new state-of-the-art recreation permanent improvements, including, without limitation, acquiring, improving, and equipping parks, parkways, playgrounds, and recreation centers in and around Findlay Park in Over-the-Rhine; and (ii) the design and construction of

permanent improvements to the streetscape along Vine Street between Liberty Street and the intersection of Findlay and McMicken Streets (collectively, “Phase III”); and

WHEREAS, 3CDC will use this funding to contract with and manage consultants’ performance of services, which services include but are not limited to (i) advancement of design, (ii) development of construction cost estimates and timelines, (iii) procurement of project financing, and (iv) continuation of community engagement; and

WHEREAS, the transfer and appropriation of \$1,698,000 is necessary to (i) cover costs related to Phases I and II that exceeded initial estimates, including up to \$53,197.63 for Phase I (\$3,197.63 for cost overruns and \$50,000 to be reimbursed to 3CDC) and up to \$159,098.94 for Phase II, and (ii) provide additional resources for Phase III, including coverage of costs already incurred on Phase III; and

WHEREAS, the expenditures will be for a public purpose because they will benefit and serve the Downtown/OTR East TIF District Incentive District by increasing neighborhood vitality; and

WHEREAS, Ordinance No. 0342-2020 also authorized the appropriation of \$50,000 of City funds for Phase I of the project; and

WHEREAS, Ordinance No. 0342-2020 characterized \$50,000 of in-kind services from 3CDC as a match to the \$50,000 City contribution, when it should have been identified as a reimbursable expense, and so Ordinance No. 0342-2020 must be amended; and

WHEREAS, improvements to Findlay Park are in accordance with the “Live” goal to “[b]uild a robust public life,” as well as the strategy to “[d]evelop and maintain inviting and engaging public spaces to encourage social interaction between different types of people,” as described on pages 147-152 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That capital improvement program project account no. 980x164x231643, “Findlay Recreation Area Improvements – TIF,” is hereby established for the purpose of providing resources for the design and construction of new state-of-the-art recreation permanent improvements, including, but not limited to, acquiring, improving, and equipping parks, parkways, playgrounds, and recreation centers, in and around Findlay Park in the Over-the-Rhine neighborhood, and for the design and construction of permanent improvements to the streetscape along Vine Street between Liberty Street and the intersection of Findlay and McMicken Streets.

Section 2. That the transfer and appropriation of \$1,698,000 from the unappropriated surplus of Downtown/OTR East Equivalent Fund 483 to newly established capital improvement program project account no. 980x164x231643, “Findlay Recreation Area Improvements – TIF,” is hereby authorized for the purpose of providing resources for the design and construction of new state-of-the-art recreation permanent improvements, including, but not limited to, acquiring, improving, and equipping parks, parkways, playgrounds, and recreation centers, in and around Findlay Park in the Over-the-Rhine neighborhood, and for the design and construction of permanent improvements to the streetscape along Vine Street between Liberty Street and the intersection of Findlay and McMicken Streets, is hereby authorized.

Section 3. That Council hereby declares that the “Findlay Recreation Area Improvements – TIF” capital improvement program project (a) constitutes a Public Infrastructure Improvement (as defined in Section 5709.40(A)(8) of the Ohio Revised Code) that will benefit and/or serve the District 4-Downtown/OTR East District Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43; and (b) serves a public purpose because the project will provide resources for the continued design and construction of new state-of-the-art recreation permanent improvements and streetscape improvements, increasing neighborhood vitality.

Section 4. That Section 5 of Ordinance 0342-2020, approved by Council on October 14, 2020, be amended as follows:

Section 5. That the City Manager is hereby authorized to accept ~~in-kind~~
~~donations from 3CDC constituting design, community engagement, and~~
~~development services valued at \$50,000 that are necessary to complete the~~
~~Recreation Improvements~~ an advance from 3CDC constituting design, community

engagement, and development services valued at \$50,000 that are necessary to complete the Recreation Improvements, which advance will be reimbursed from future appropriations of project funding.

Section 5. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 4 hereof.

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 to continue the design of the Findlay Park area recreation improvements and the Vine Street streetscape improvements so that community outreach, design, and construction may continue as quickly as possible.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

New ordinance language underscored. Deleted ordinance language indicated by strikethrough.

Date: 3/1/2023

202300722

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Tusculum Street Fest)**

In accordance with Cincinnati Municipal Code, Chapter 765; (Tusculum Street Fest) has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Police Department, Fire Department, Health Department, Parks Department, Department of Building and Inspections, Department of Community and Economic Development, Department of Finance, Department of Public Services, and Department of Transportation and Engineering). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Tusculum Street Fest
EVENT SPONSOR/PRODUCER: Tusculum Street Fest
CONTACT PERSON: Lori Salzarulo
LOCATION: Eastern Ave. from Tennyson St. to Carrel St.
DATE(S) AND TIME(S): 6/17/2023 3:00pm to 11:00pm
EVENT DESCRIPTION: Street festival for the Tusculum neighborhood
ANTICIPATED ATTENDANCE: 2,000
ALCOHOL SALES: ☒ YES. ☐ NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: (T.B.D.)

cc: Colonel Teresa A. Theetge, Police Chief

Clerk of Council

801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

\$25.00 FILING FEE*202300713***LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

A. LEGISLATIVE AGENT INFORMATION

1. Full Name Stephan Pryor
2. Occupation Advertising / Promotions
3. Title/Position _____
4. Business Address 10391 Homer St 16
City Cinti State OH Zip(+4) 45202
5. Telephone Number (513) 604-1564
6. Date of Engagement as Legislative Agent 2/23/23

B. EMPLOYER INFORMATION

1. Full name of company or organization _____
2. Type of Industry _____
3. Business Address _____
City _____ State _____ Zip(+4) _____

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.

Development, Promotions

28FEB28PM2:09

CLERK OF COUNCIL

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

<input checked="" type="checkbox"/> Agriculture	<input checked="" type="checkbox"/> Environment	<input checked="" type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input checked="" type="checkbox"/> Arts/Entertainment	<input checked="" type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input checked="" type="checkbox"/> Communications/Media	<input checked="" type="checkbox"/> Insurance	<input checked="" type="checkbox"/> Social Svs./Human Svs.
<input checked="" type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input checked="" type="checkbox"/> Science and Technology
<input checked="" type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input checked="" type="checkbox"/> State Employees
<input checked="" type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input checked="" type="checkbox"/> State Government
<input checked="" type="checkbox"/> Energy/Utilities	<input checked="" type="checkbox"/> Public Interest	<input checked="" type="checkbox"/> Transportation

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Stephan Pryor
Type or Print Name of Legislative Agent

[Signature]
Signature of Legislative Agent

2/25/23
Date

Type or Print Name of Persons Signing for Employer

BY: _____
Signature for Employer

Title

Date

Clerk of Council

801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

\$25.00 FILING FEE**LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

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A. LEGISLATIVE AGENT INFORMATION

1. Full Name J. Douglas Moormann
2. Occupation Development Strategies Group
3. Title/Position Vice President
4. Business Address 700 Walnut Street, Suite 450

Street

Suite Number

Cincinnati, OH 45202

City

State

Zip(+4)
5. Telephone Number (513) 651-4100
6. Date of Engagement as Legislative Agent February 16, 2023

B. EMPLOYER INFORMATION

1. Full name of company or organization Tusculum Ridge Properties
2. Type of Industry Real Estate
3. Business Address 4242 Airport Rd

Street

Suite Number

Cincinnati, OH 45226

City

State

Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.

Activities related to real estate development.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input checked="" type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

J. Douglas Moormann

Type or Print Name of Legislative Agent



Signature of Legislative Agent

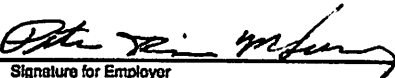
February 17, 2023

Date



Type or Print Name of Persons Signing for Employer

BY:



Signature for Employer

Development Manager

Title

2-17-2023

Date

Clerk of Council

801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

\$25.00 FILING FEE*202300715***LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

A. LEGISLATIVE AGENT INFORMATION

1. Full Name Charles H. Gerhardt, III
2. Occupation Government Strategies Group
3. Title/Position President & CEO
4. Business Address 700 Walnut Street, Suite 450

Street

Suite Number

Cincinnati, OH 45202

City

State

Zip(+4)
5. Telephone Number (513) 651-4100
6. Date of Engagement as Legislative Agent February 16, 2023

B. EMPLOYER INFORMATION

1. Full name of company or organization Tusculum Ridge Properties
2. Type of Industry Real Estate
3. Business Address 4242 Airport Rd

Street

Suite Number

Cincinnati, OH 45226

City

State

Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.

Activities related to real estate development.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input checked="" type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Charles H. Gerhardt, III
Type or Print Name of Legislative Agent


Signature of Legislative Agent

February 17, 2023
Date

Peter O. McGarry
Type or Print Name of Persons Signing for Employer

BY: 
Signature for Employer

Development Manager
Title

2-17-2023
Date

Clerk of Council

801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

707300725
\$25.00 FILING FEE

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

A. LEGISLATIVE AGENT INFORMATION

1. Full Name Colleen Reynolds
2. Occupation Government Affairs
3. Title/Position Partner
4. Business Address 255 E 5th Street 1900
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
5. Telephone Number (513) 832-5449
6. Date of Engagement as Legislative Agent 02/23/2023

B. EMPLOYER INFORMATION

1. Full name of company or organization Clifton Cultural Arts Center
2. Type of Industry Arts
3. Business Address 2728 Short Vine St
Street Suite Number
Cincinnati OH 45219
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.

Funding

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input checked="" type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

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ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Colleen Reynolds

Type or Print Name of Legislative Agent

Colleen M. Reynolds

Signature of Legislative Agent

2/24/2023

Date

L Mooney

Type or Print Name of Persons Signing for Employer

L Mooney

Signature for Employer

Executive Director

Title

2/24/2023

Date

February 23, 2023

To: Mayor and Members of City Council 202300661

From: Sheryl M. M. Long, City Manager

Subject: **Ordinance – Police: FY 2023 Ohio Department of Development (ODOD) TechCred Credential Reimbursement Program**

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for and accept funds in an amount up to \$2,000 from the Ohio Department of Development's TechCred Credential Reimbursement Program for eligible costs incurred by the Cincinnati Police Department in providing its employees with technology-focused credentials; and **AUTHORIZING** the Director of Finance to deposit the reimbursed funds into General Fund revenue account no. 050x8533.

This Ordinance authorizes the City Manager to apply for and accept funds in an amount of up to \$2,000 from the Ohio Department of Development's TechCred Credential Reimbursement Program for eligible costs incurred by the Cincinnati Police Department in providing its employees with technology-focused credentials. This Ordinance also authorizes the Finance Director to deposit the reimbursed funds into General Fund revenue account no. 050x8533.

The TechCred Credential Reimbursement Program has been designed to elevate Ohio's workforce. Employees can earn industry-recognized credentials that take a year or less to complete, and employers are reimbursed for a portion of the cost.

The reimbursement program application deadline was January 31, 2023. As a result, an application for this program was submitted prior to an Ordinance receiving approval from the City Council. Should an Ordinance not receive approval, the reimbursement will not be accepted.

While the program does not require matching funds, agency contribution is preferred and favored. Therefore, the Cincinnati Police Department has agreed to match \$1,205, which will be provided from Federal Asset Forfeiture – Justice Fund 367.

There are no new FTEs associated with this reimbursement.

Acceptance of this reimbursement is in accordance with the "Live" goal to "[c]reate a more livable community" as described on pages 156-163 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew Dudas, Budget Director
Karen Alder, Finance Director

Attachment



AUTHORIZING the City Manager to apply for and accept funds in an amount of up to \$2,000 from the Ohio Department of Development’s TechCred Credential Reimbursement Program for eligible costs incurred by the Cincinnati Police Department in providing its employees with technology-focused credentials; and **AUTHORIZING** the Director of Finance to deposit the reimbursed funds into General Fund revenue account no. 050x8533.

WHEREAS, the TechCred Credential Reimbursement Program (“TechCred”) has been designed to elevate the skills of Ohio’s workforce by reimbursing employers for costs associated with employees’ acquiring technology-focused, industry-recognized credentials requiring one year or less to complete using external training providers; and

WHEREAS, TechCred reimburses employers for a portion of the cost of the credential program for employees, limits the maximum reimbursement provided by the program per credential, and favors agency contribution; and

WHEREAS, the Cincinnati Police Department (“CPD”) is requesting reimbursement from TechCred of up to \$2,000; and

WHEREAS, the reimbursement program requires matching funds of \$1,205 that will be provided from Federal Asset Forfeiture-Justice Fund 367; and

WHEREAS, no additional FTEs are required by the reimbursement program; and

WHEREAS, the TechCred application deadline was January 31, 2023, and CPD already submitted its application, but no funds will be accepted without Council approval; and

WHEREAS, acceptance of this reimbursement is in accordance with the “Live” goal to “[c]reate a more livable community” as described on pages 156-163 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 Manager is hereby authorized to apply for and accept funds in an amount of up to \$2,000 from the Ohio Department of Development’s TechCred Credential

Reimbursement Program for eligible costs incurred by the Cincinnati Police Department in providing its employees with technology-focused credentials.

Section 2. That the Director of Finance is hereby authorized to deposit the reimbursed funds into General Fund revenue account no. 050x8533.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 and 2 herein.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

February 23, 2023

To: Mayor and Members of City Council

202300662

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – GCWW: OEPA Equipment Grant

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate grant funds from the Ohio Environmental Protection Agency (Ohio EPA) in the amount of up to \$10,000 for the purpose of reimbursing the costs incurred by the Greater Cincinnati Water Works to purchase valve exercising equipment needed to meet the new Ohio EPA public water system asset management program requirements; and **AUTHORIZING** the Finance Director to deposit any such grant funds received into Water Works Fund No. 101x8527.

Approval of this Ordinance will authorize the City Manager to apply for, accept, and appropriate grant funds from the Ohio Environmental Protection Agency (OEPA) in an amount of up to \$10,000 for the purpose of reimbursing costs incurred by the Greater Cincinnati Water Works (GCWW) to purchase valve exercising equipment needed to meet the new OEPA public water system asset management program requirements.

GCWW is developing a robust asset management program to meet new OEPA asset management program requirements and to maintain the infrastructure needed to provide a continuous source of safe drinking water. To meet the requirements, GCWW must acquire the necessary equipment for exercising valves in the distribution system. As part of the State of Ohio's H2Ohio Initiative to improve water infrastructure and develop the technical capacity of public water systems, the OEPA offered grants to reimburse public water systems for the initial costs of valve exercising equipment.

No local match or additional FTE are required for this grant funding. To meet the deadline of January 25, 2023, the grant application was submitted prior to passage of this Ordinance. However, no resources will be accepted without City Council approval.

The acceptance of grant funding to defray the costs of valve exercising equipment is in accordance with the "Sustain" initiative goal to "Become a healthier Cincinnati" and strategy to "Create a healthy environment and reduce energy consumption" as described on pages 179-186 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Verna Arnette, GCWW, Interim Executive Director
Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment



AUTHORIZING the City Manager to apply for, accept, and appropriate grant funds from the Ohio Environmental Protection Agency (Ohio EPA) in the amount of up to \$10,000 for the purpose of reimbursing the costs incurred by the Greater Cincinnati Water Works to purchase valve exercising equipment needed to meet the new Ohio EPA public water system asset management program requirements; and **AUTHORIZING** the Finance Director to deposit any such grant funds received into Water Works Fund No. 101x8527.

WHEREAS, the Greater Cincinnati Water Works (GCWW) has been working to develop a robust asset management program to meet new Ohio EPA asset management program requirements and to maintain the infrastructure needed to provide a continuous source of safe drinking water; and

WHEREAS, to meet the asset management program requirements, GCWW is in need of equipment for exercising valves in the distribution system; and

WHEREAS, as part of the State of Ohio's H2Ohio Initiative to improve water infrastructure and develop the technical capacity of public water systems, the Ohio Environmental Protection Agency (Ohio EPA) has offered grants to reimburse public water systems for the initial costs of valve exercising equipment with a grant application deadline of January 25, 2023; and

WHEREAS, no local match is required, and acceptance of the grant funds will not require the addition of any FTEs; and

WHEREAS, the acceptance of grant funding to defray the costs of valve exercising equipment is in accordance with the "Sustain" initiative goal to "Become a healthier Cincinnati" and strategy to "Create a healthy environment and reduce energy consumption" as described on pages 179-186 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 Manager is hereby authorized to apply for, accept, and appropriate grant funds in the amount of up to \$10,000 from the Ohio Environmental Protection Agency (Ohio EPA) for the purpose of reimbursing costs incurred by the Greater Cincinnati Water Works to purchase valve exercising equipment necessary to meet Ohio EPA requirements.

Section 2. That the Director of Finance is hereby authorized to receive and deposit the grant monies into Water Works Fund No. 101x8527.

Section 3. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the provisions of Sections 1 and 2 hereof.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: February 23, 2023

202300669

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: LEGISLATIVE RESOLUTION – 2022 SIDEWALK SAFETY PROGRAM - EMERGENCY
SIDEWALK REPAIRS AT A VARIETY OF LOCATIONS

Attached is a legislative resolution captioned as follows:

DECLARING the need for emergency repairs that have been made to sidewalks, sidewalk areas, curbs, and/or gutters at a variety of locations in the City and the need for levying assessments for the cost of such repairs on the abutting properties in accordance with Cincinnati Municipal Code Sections 721-149 to 721-169.

This resolution will declare the necessity of special assessments upon certain property bounding and abutting streets within the City of Cincinnati, as noted in Attachment I, for the purpose of paying the cost and expense of repairing, reconstructing, and constructing concrete sidewalks, driveways, and curbs consistent with Ohio Revised Code Chapter 729 and Cincinnati Municipal Code Requirements.

The property owners have been notified of the need for repairs. The property owners that did not make the necessary repairs, according to City requirements, have had the work completed by the City. Property owners that have not paid their bill, for costs incurred by the City, will be assessed in accordance with the Ohio Revised Code.

Ultimately, unpaid assessments will be certified to the Hamilton County Auditor for collection by the Hamilton County Treasurer, in the same manner as real estate taxes.

The Administration recommends passage of the attached resolution.

Attachment I – Locations of Sidewalk Repairs

cc: John S. Brazina, Director, Transportation and Engineering

Legislative Resolution

JRS

RESOLUTION NO. _____ - 2023

DECLARING the need for emergency repairs that have been made to sidewalks, sidewalk areas, curbs, and/or gutters at a variety of locations in the City and the need for levying assessments for the cost of such repairs on the abutting properties in accordance with Cincinnati Municipal Code Sections 721-149 to 721-169.

WHEREAS, Chapter 721 of the Cincinnati Municipal Code requires property owners to keep the sidewalks, sidewalk area, curbs, and gutters abutting their properties safe and in good repair; and

WHEREAS, City inspectors have documented the need for emergency sidewalk repairs adjacent to each of the properties listed in Exhibit A attached hereto and incorporated herein by reference (the “Properties”); and

WHEREAS, Cincinnati Municipal Code Section 721-165 authorizes the City to make emergency repairs without prior notice to the abutting property owner if necessary to provide for public safety and also to bill the owner for the cost of the work; and

WHEREAS, for the Properties, the City provided prior written notice of the emergency sidewalk conditions and the need for repairs to each property owner, which included notice that failure by an owner to permanently repair an emergency condition would result in the City performing the repair at the property owner’s cost; and

WHEREAS, under Cincinnati Municipal Code Section 721-169, if a property owner fails to pay the City’s bill for the cost of the work within 30 days, the City may levy an assessment on the abutting property for the cost of the work, which shall be collected by the County Treasurer in the same manner as real estate taxes; and

WHEREAS, by this resolution the City declares the need for emergency repairs to sidewalks, sidewalk areas, curbs, or gutters abutting the Properties and the need for the levying of an assessment, by subsequent ordinance, for the cost of the work against each such property if the property owner fails to pay the City’s bill within 30 days; now, therefore,

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

Section 1. That the making of emergency repairs to the sidewalks, sidewalk areas, curbs and/or gutters abutting certain properties at certain miscellaneous locations within the City, as identified in Exhibit A attached hereto and incorporated herein by reference, is hereby declared necessary for public safety in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169.

Section 2. That the work performed by the City shall be accomplished in accordance with plans and specifications on file in the Clerk of Council's office which are hereby approved.

Section 3. That Council finds that the City shall be responsible for two percent of the cost of the work and that the balance of the cost of the work shall be charged to the abutting property owners in the amounts shown in Exhibit A hereto.

Section 4. That a property owner who fails to pay the City's bill within 30 days shall, by subsequent ordinance, have an assessment levied upon such property for the cost of the work which shall be collected by the County Treasurer.

Section 5. That if a property owner does not pay the assessment in cash and, prior to the billing statement due date, does not indicate to the Director of the City's Department of Transportation and Engineering the property owner's election to pay the assessment over three, five, or ten years, the City shall assess the property for a period of three years. The interest rate charged shall correspond to the City-adopted rates in effect at the time Council passes the assessing ordinance for the respective property. The 2023 rates are 7.18% for three years, 6.94% for five years, and 6.79% for ten years. Assessments not timely paid shall be certified to the County Auditor for collection by the County Treasurer in the same manner as real estate taxes are collected.

Section 6. That notice of the passage of this resolution shall be given pursuant to Chapter 729 of the Ohio Revised Code and Section 721.153 of the Cincinnati Municipal Code.

Section 7. That this legislative resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

EXHIBIT A

2022 SSP Emergency Repairs

Total Construction Cost: \$117,113.10

2022 Dist 2 (Spring) Emergency Repair	\$27,476.52
2022 Dist 3 (Spring) Emergency Repair	\$22,118.22
2022 Dist 4 (Spring) Emergency Repair	\$57,258.00
2022 Dist 5 (Spring) Emergency Repair	\$10,260.36

Group Name: 2022 Dist 2 (Spring) Emergency Repair

	Location:	Parcel:	Construction Cost:
1	1626 DE SALES Ln	0055-0006-0138	\$3,508.32
2	3001 ERIE Av	0039-0006-0137	\$3,788.40
3	3220 GLENGYLE Av	0044-0003-0074	\$344.40
4	1235 GRACE Av	0043-0A01-0113	\$688.80
5	1237 GRACE Av	0043-0A01-0112	\$692.40
6	1255 GRACE Av	0043-0A01-0111	\$1,377.60
7	3211 HARDISTY Av	0044-0003-0052	\$344.40
8	2753 JOHNSTONE PI	0056-0001-0040	\$1,305.00
9	2840 LINWOOD Av	0046-0003-0077	\$258.30
10	2848 LINWOOD Av	0046-0003-0187	\$1,036.80
11	2860 LINWOOD Av	0046-0003-0062	\$1,722.00
12	2982 LINWOOD Av	0043-0A01-0080	\$430.50
13	3000 LINWOOD Av	0043-0A01-0004	\$2,152.50
14	3252 LINWOOD Av	0044-0002-0083	\$430.50
15	3266 LINWOOD Av	0044-0002-0144	\$1,205.40
16	5439 MADISON Rd	0036-0001-0273	\$2,204.16
17	3225 OBSERVATORY Av	0039-0001-0061	\$2,583.00
18	3529 OBSERVATORY Av	0038-0007-0058	\$1,131.00
19	3655 PAXTON Av	0039-0006-0042	\$1,377.60
20	4838 STEWART Av	0036-0001-0088	\$551.04
21	2917 UTOPIA PI	0043-0A01-0062	\$344.40

Group Name: 2022 Dist 3 (Spring) Emergency Repair

	Location:	Parcel:	Construction Cost:
22	2720 EUGENIE Ln	0208-0061-0034	\$2,169.72
23	2917 FISCHER PI	0208-0055-0201	\$2,066.40
24	2990 HARRISON Av	0208-0056-0094	\$7,099.74
25	3028 S Hegry Cir	0248-0001-0252	\$964.32
26	4664 LINDA Dr	0180-0080-0498	\$1,239.84
27	2835 MCKINLEY Av	0208-0057-0032	\$430.50
28	2680 MONTANA Av	0209-0002-0032	\$800.40
29	2412 MUSTANG Dr	0209-0005-0222	\$7,347.30

Group Name: 2022 Dist 4 (Spring) Emergency Repair

	Location:	Parcel:	Construction Cost:
30	299 BODMANN Av	0087-0005-0119	\$8,628.00
31	810 CLEVELAND Av	0107-0010-0092	\$1,722.00
32	1118 CYPRESS St	0063-0003-0135	\$1,033.20
33	655 EDEN PARK Dr	0071-0001-0116	\$6,135.00
34	216 EHRMAN Av	0216-0045-0026	\$774.90
35	2306 PARK Av	0063-0003-0134	\$2,066.40
36	2347 PARK Av	0063-0003-0063	\$2,479.68
37	42 PARKWAY Av	0244-0005-0070	\$1,033.20
38	55 PARKWAY Av	0244-0004-0001	\$516.60
39	133 PARKWAY Av	0244-0002-0077	\$2,066.40
40	136 PARKWAY Av	0244-0003-0056	\$3,030.72
41	139 PARKWAY Av	0244-0002-0069	\$3,874.50
42	157 PARKWAY Av	0244-0002-0001	\$4,046.70
43	208 PARKWAY Av	0243-0004-0082	\$258.30
44	209 PARKWAY Av	0243-0004-0053	\$1,033.20
45	214 PARKWAY Av	0243-0004-0013	\$430.50
46	4084 READING Rd	0109-0005-0058	\$2,066.40
47	1519 ROBINWOOD Av	0117-0A07-0364	\$688.80
48	933 ROGERS PI	0067-0001-0151	\$2,583.00
49	2181 VICTORY Pkwy	0063-0004-0072	\$861.00
50	124 WILDWOOD St	0244-0002-0040	\$3,379.50
51	153 WILDWOOD St	0244-0002-0020	\$2,335.50
52	170 WILDWOOD St	0244-0002-0013	\$3,539.10
53	176 WILDWOOD St	0244-0002-0071	\$516.60
54	8221 WOODBINE Av	0244-0003-0033	\$258.30
55	8230 WOODBINE Av	0244-0003-0047	\$1,291.50
56	8257 WOODBINE Av	0244-0003-0055	\$609.00

Group Name: 2022 Dist 5 (Spring) Emergency Repair

	Location:	Parcel:	Construction Cost:
57	6119 TAHITI Dr	0237-0001-0106	\$3,744.00
58	3911 TURRILL St	0194-0011-0206	\$4,993.80
59	1570 WITTLOU Av	0247-0002-0046	\$1,522.56

February 23, 2023

202300670

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: ORDINANCE – LUNKEN AIRPORT LEASE WITH SIGNATURE ENGINES, INC.

Attached is an ordinance captioned as follows:

AUTHORIZING the City Manager to execute two Lease Agreements with Signature Engines, Inc. pursuant to which the City will extend the company's use and occupancy of Lunken Airport Lease Area 23 and Lease Area 24 for up to an additional 20 years.

The City currently leases space at Lunken Airport, known as Lease Areas 23 and 24 ("Leased Premises"), to Signature Engines, Inc. ("Lessee") pursuant to leases that expired on May 31, 2022. However, the Lessee has continued to lease the Leased Premises on a month-to-month basis since that time under the same terms.

The Lessee desires to renew its leasehold interest for up to an additional 20 years (namely, an initial term of 5 years, with three 5-year renewal options), as further described in the attached Lease Agreements.

The City's Real Estate Services Division, in consultation with the City's Airport Manager, and after considering airport industry standards and FAA requirements, has determined by appraisal that the fair market rental value of Lease Area 23 is approximately \$19,829.00 annually, and the fair market rental value of Lease Area 24 is approximately \$21,301.00 annually, both of which the Lessee has agreed to pay.

Pursuant to Cincinnati Municipal Code Section 331-5, Council may authorize the lease of City-owned property without competitive bidding in those cases in which it determines that it is in the best interest of the City.

The Lessee has occupied and continues to occupy the Leased Premises, and the City's execution of this Lease will not result in a change in use of the Leased Premises. Therefore, review and approval of a change in the use of Leased Premises by the City Planning Commission is not required.

The Administration recommends passage of the attached ordinance.

Attachment I – Lease Area No. 23

Attachment II – Lease Area No. 24

cc: John S. Brazina, Director, Transportation and Engineering

- 2023

AUTHORIZING the City Manager to execute two *Lease Agreements* with Signature Engines, Inc. pursuant to which the City will extend the company's use and occupancy of Lunken Airport Lease Area 23 and Lease Area 24 for up to an additional 20 years.

WHEREAS, the City of Cincinnati ("City") owns Lunken Airport in the East End and Linwood neighborhoods, which is under the management of the City's Department of Transportation and Engineering ("DOT"); and

WHEREAS, the City currently leases space at the Airport, known as Lease Areas 23 and 24, as more particularly depicted and described in the *Lease Agreements* attached to this ordinance as Attachment A and Attachment B and incorporated herein by reference ("Leased Premises"), to Signature Engines, Inc., an Ohio corporation ("Lessee"), pursuant to leases that expired on May 31, 2022, however Lessee has continued to lease the Leased Premises on a month-to-month basis since that time under the same terms; and

WHEREAS, Lessee desires to extend its use and occupancy of the Leased Premises for up to an additional 20 years (namely, an initial term of 5 years, with three 5-year renewal options), as further described in the *Lease Agreements*; and

WHEREAS, the City's Real Estate Services Division, in consultation with the City's Airport Manager after considering airport industry standards and FAA requirements, has determined by appraisal that the fair market rental value of Lease Area 23 is approximately \$19,829.00 per year, and the fair market rental value of Lease Area 24 is approximately \$21,301.00 per year, which Lessee has agreed to pay (with rent for the renewal periods to be adjusted as described in the *Lease Agreements*); and

WHEREAS, pursuant to Section 331-5, Cincinnati Municipal Code, Council may authorize the lease of City-owned property without competitive bidding in those cases in which it determines that it is in the best interest of the City; and

WHEREAS, Lessee has occupied and continues to occupy the Leased Premises, the City's execution of this Lease will not result in a change in use of the Leased Premises, therefore review and approval of a change in use of the Leased Premises by City Planning Commission is not required; now, therefore,

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

Section 1. That the City Manager is hereby authorized to execute two *Lease Agreements* with Signature Engines, Inc., an Ohio corporation ("Lessee"), in substantially the forms attached

as Attachment A and Attachment B to this ordinance and incorporated herein by reference, pursuant to which the City of Cincinnati will extend Lessee's leasehold interests in Lease Areas 23 and 24 at Lunken Airport ("Leased Premises") for an initial term of 5 years, with three 5-year renewal options (for a total of up to 20 years).

Section 2. That the rent set forth in the *Lease Agreements* reflects the fair market rental value of the Leased Premises, as determined by appraisal by the City's Real Estate Services Division in consultation with the City's Airport Manager after considering airport industry standards and FAA requirements.

Section 3. That eliminating competitive bidding in connection with the City's lease of the Leased Premises is in the best interest of the City because Lessee has been a good and responsible tenant at the Airport and the City desires to retain Lessee as a tenant.

Section 4. That the proper City officials are hereby authorized to take all necessary and proper actions to carry out the provisions and intent of this ordinance and the *Lease Agreements*, including, without limitation, executing any and all ancillary documents associated with the *Lease Agreements*, such as amendments or supplements to the *Lease Agreements* deemed by the City Manager to be in the vital and best interests of the City.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

Contract No. _____

Property: Lunken Airport – Lease Area 23, Hangar #7
(4761 Airport Road)

LEASE AGREEMENT

THIS LEASE AGREEMENT (“**Lease**”) is made and entered into on the Effective Date (as defined on the signature page hereof) by and between the **CITY OF CINCINNATI**, an Ohio municipal corporation, the address of which is 801 Plum Street, Cincinnati, OH 45202 (the “**City**”), and **SIGNATURE ENGINES, INC.**, an Ohio corporation, the address of which for purposes of this Lease is 4760 Airport Road, Cincinnati, OH 45226 (“**Lessee**”).

Recitals:

A. The City owns Lunken Airport, which is under the management and control of the City’s Department of Transportation and Engineering (“**DOT**”).

B. Pursuant to a *Lunken Airport Lease Agreement* dated January 13, 2015, by and between the City and Lessee (the “**Existing Lease**”), Lessee currently leases the portion of the Airport known as Lease Area 23 (containing approximately 34,252 square feet, including Hangar 7, containing approximately 9,588 square feet), as depicted on Exhibit A (*Site Map*) and described on Exhibit B (*Description of Leased Premises*) hereto (the “**Leased Premises**”), for the non-exclusive right for parking, storage, maintenance, servicing, repair, and sale of aircraft, aircraft assemblies, aircraft accessories, aircraft radio and electronic equipment and component part thereof, and for other general aeronautical purposes (the “**Permitted Use**”).

C. The term of the Existing Lease expired on May 31, 2022, Lessee has continued to occupy the Leased Premises on a month-to-month basis since then, and the parties now desire to enter into a new lease pursuant to which the City will lease the Leased Premises to Lessee for an additional term of up to twenty years (namely, an initial term of 5 years with three 5-year renewal option).

D. The City has determined that the Leased Premises are not needed for any municipal purpose during the term of this Lease.

E. The City has determined that competitive bidding in connection with the lease of the Leased Premises is impractical and that eliminating competitive bidding is in the best interest of the City because the City has determined that Lessee’s proposed business is aviation-related as required by the FAA and will be suitable and advantageous given the other mix of tenants at the Airport.

F. The rent set forth in this Lease reflects the current fair market rental value of the Leased Premises, as determined by appraisal by the City’s Real Estate Services Division and the Airport Manager taking into consideration airport industry standards and FAA requirements.

G. Because Lessee currently occupies the Leased Premises for the Permitted Use, the City’s execution of this Lease will not result in a change in use of the Leased Premises, therefore approval by City Planning Commission is not required.

H. Execution of this Lease was authorized by Ordinance No. [____], passed by Cincinnati City Council on [_____].

NOW, THEREFORE, the parties hereby agree as follows:

1. Leased Premises.

(A) Grant. The City hereby leases the Leased Premises to Lessee, and Lessee hereby leases the Leased Premises from the City, on the terms and conditions set forth herein. The City makes no representations or warranties to Lessee regarding the physical condition of the Airport or Leased Premises and Lessee accepts the Leased Premises in “as is” condition. The rights herein granted to Lessee are subject and subordinate to any and all existing covenants, easements, restrictions and other matters of record affecting the Leased Premises, and to any and all existing agreements between the City and the federal government pertaining to the Airport.

(B) City’s Right to Enter. The City’s employees, agents and contractors shall have the right to enter upon the Leased Premises, at any reasonable time and from time to time, for the purpose of examining the condition of the Leased Premises, determining Lessee’s compliance with the provisions of this Lease, accessing any public utility installations as shown on drawings at the office of the Airport Manager, and for any other proper purpose. The City shall use reasonable efforts to avoid disrupting Lessee’s business operations and shall promptly repair any damage to the Leased Premises caused by the City’s entry. The City shall use reasonable efforts to notify Lessee prior to entering upon the Leased Premises except that no notice shall be required in the event of an emergency.

2. Term; Renewal Periods.

(A) Initial Term (5 years). The initial term of this Lease (“**Initial Term**”) shall commence effective as of the first day of the calendar month following the Effective Date (as defined on the signature page hereof) (the “**Commencement Date**”), and, unless extended or sooner terminated as herein provided, shall expire at 11:59 p.m. on the day prior to the fifth anniversary of the Commencement Date. As used herein, the first “**Lease Year**” shall mean 12 full calendar months from the Commencement Date to 11:59 p.m. on the day prior to the first anniversary of the Commencement Date. Each subsequent Lease Year shall be 12 full calendar months.

(B) Renewal Period (three 5-year renewal periods). Provided Lessee is not in default under this Lease beyond any applicable cure period at the time it exercises a renewal option, Lessee shall have the option to extend the Term of this Lease, for three renewal periods of five years (for a total Term, including the initial Term, of 20 Lease Years), exercisable by giving written notice thereof to the City at least ninety (90) days (but no earlier than 9 months) prior to the expiration of the Initial Term or the then-existing renewal period, as applicable (the “**Written Notice of Renewal**”). Each renewal period shall be on the same terms and conditions as set forth herein (except that, after the third renewal period, there shall be no additional renewal options unless agreed to by the parties in a written amendment to this Lease). As used herein, the “**Term**” of this Lease means the Initial Term and, if applicable, the renewal periods. (The foregoing shall not be construed as preventing Lessee from negotiating with the City to further the extend the Term or negotiating the terms of a new lease with the City, upon the expiration of the third renewal period, any such further extension of the Term or new lease being subject to approval by City Council and, if applicable, the FAA.)

(C) Lessee’s Right to Abate Rent and Terminate the Lease if Unable to Use the Leased Premises for Permitted Use. If, during the Term, Lessee, through no fault of its own, is permanently prevented from using the Leased Premises for the Permitted Use, and/or from safely accessing and using the Airport runways for take-offs and landings, the same shall not be a default by the City, however (i) if Lessee is prevented from using the Leased Premises for the Permitted Use for longer than 30 consecutive days, Lessee shall not be required to pay base rent for the remainder of the time during which Lessee is prevented from using the Leased Premises for the Permitted Use, and (ii) from and after such 30-day period during which Lessee is prevented from using the Leased Premises for the Permitted Use, Lessee shall have the right to terminate this Lease by notifying the City thereof in writing no less than 60 days prior to the effective date of such termination. (For clarity, occasional and temporary interruptions in Lessee’s use of the Airport runways for maintenance and repairs shall not give rise to a temporary rent abatement or termination right under this paragraph.)

3. Rent.

(A) Base Rent. Beginning on the Commencement Date, Lessee shall pay annual base rent in equal monthly installments, in advance, on the first business day of each month, in the amounts calculated in this paragraph (namely, fixed for the Initial Term, with CPI adjustments for each renewal period). The monthly installment of rent for any partial calendar month at the beginning or end of the Term shall be prorated on a per diem basis. Notwithstanding the rent adjustments provided for herein, in no event shall annual base rent decrease.

(i) Initial Term (Lease Years 1-5 (fixed)). For Lease Years 1-5, annual base rent shall be equal to the following amount: **\$19,829.00/year.**

(ii) Renewal Period (Lease Years 6-20) (CPI adjustment). Effective as of the first day of Lease Year 6, annual base rent shall increase to an amount that is equal to the product of multiplying the annual base rent payable during the Initial Term by a fraction, the numerator of which is the CPI most recently published 60 days prior to the rent adjustment date, and the denominator of which is the CPI most recently published 60 days prior to the Commencement Date. As used herein, "CPI" means the Consumer Price Index, All Urban Consumers, U. S. City Average (1982-1984=100) published from time to time by the United States Bureau of Labor Statistics. Lessee shall make all CPI rent adjustment computations under this section 3(A) and shall send written notice of each CPI-based rent adjustment, together with Lessee's computations ("**Lessee's Rent Adjustment Notice**"), to DOTE (to the two addresses set forth in section 11 below) and to the City's Real Estate Services Division (801 Plum Street, Room 122, Cincinnati, OH 45202) no less than 30 days prior to the rent adjustment date.

(B) Place of Payment. As used herein, "rent" shall mean base rent and all other amounts payable by Lessee to the City under this Lease. Rent shall be payable to "Treasurer – City of Cincinnati" and mailed or delivered to: City of Cincinnati, 465 Wilmer Avenue, Cincinnati, OH 45226, Attn: Lunken Airport Manager, or to such other address as the City may from time to time specify in writing.

(C) Late Payments. If any payment of rent is not paid when due, a late charge of 5% of the amount past due shall automatically become due and payable. If rent is outstanding for longer than 30 days, such past due amount shall bear interest at the rate of 10% per annum until paid.

4. Permitted Use; Hours of Operation.

(A) Permitted Use.

(i) Provided Lessee has obtained all valid permits from the City and any and all other required permits, Lessee shall use the Leased Premises for the Permitted Use and for no other activities whatsoever without the City's prior written consent. (For clarity, Lessee's right to use the Leased Premises is exclusive as to other users of the Airport, however nothing herein shall limit or prevent the City from granting third parties the right to use other space at the Airport for the Permitted Use or from using the Airport runways.) Lessee shall not deviate from the Permitted Use without the City's prior written approval (and if required, as determined by the City, without the prior written approval of the FAA).

(ii) Notwithstanding the provisions of this Lease prohibiting Lessee from subleasing space in the Leased Premises to third parties without the City's consent, the City hereby agrees that Lessee may permit third parties to use portions of the hangar to store their planes, including charging them a rental fee, provided such use is in compliance with all other provisions of this Lease.

(iii) The City agrees that it shall not prohibit Lessee or such parties from using their own fuel at the Leased Premises (i.e., the City shall not, for example, promulgate a new rule that requires them to purchase fuel from the City or someone else at the Airport).

(B) Required Hours of Operation. Throughout the Term, Lessee shall continuously operate its

business at the Leased Premises on such days and during such hours as Lessee determines from time to time to be commercially reasonable (except that temporary closures in the event of an emergency, damage by casualty, or periodic remodeling shall not be deemed a default under this Lease).

5. Utilities; Real Estate Taxes; Other Expenses. This is a “triple net” lease for the City, and during the Term of this Lease, Lessee shall pay (i) any and all utility charges associated with the Leased Premises, (ii) all real estate taxes and assessments levied against the Leased Premises (including the two semi-annual tax bills issued by the Hamilton County Treasurer following the expiration or termination of the Term, payable in arrears), and (iii) any and all other expenses associated with the Leased Premises, including without limitation any and all other fees required to be paid under Chapter 402 (*Airport*) of the Cincinnati Municipal Code (“**CMC**”). *Lessee acknowledges and agrees that the City shall not be liable for any expenses associated with the Leased Premises during the Term of this Lease.* Lessee shall have the right to contest the amount or validity of real estate taxes and assessments on the Leased Premises and any alterations thereto by appropriate legal proceedings in its own name. The City shall have the right to participate in such legal proceedings at the City’s election. Lessee shall pay all costs and expenses arising from such legal proceedings.

6. Maintenance and Repairs; Other Operating Requirements.

(A) **Maintenance and Repairs.** Lessee shall maintain the Leased Premises in good, clean, and safe condition and repair, shall not permit any waste or nuisance on the Leased Premises, shall not permit any debris or rubbish to accumulate in open space, and shall keep the Leased Premises free from unreasonable accumulations of snow and ice and other obstructions. Without limitation of the foregoing, Lessee shall replace all light bulbs and filters, provide water sprinkler system inspection and repair, provide trash removal, window washing, grass cutting and proper maintenance of landscaped areas, and maintain and keep in good condition and repair the exterior and interior structural portions and roof of any and all buildings, structures, hangars, fences, fixtures, pavement, HVAC, electrical, plumbing and mechanical fixtures, and any and all other improvements located on the Leased Premises, reasonable wear and tear excepted, and in compliance with all applicable building and fire codes, airport regulations and other laws (collectively, “**Applicable Laws**”).

(B) **Protection from Aircraft Engine Blasts.** Lessee shall provide an approved means of protection for persons and property from jet aircraft engine blasts or exhaust emissions at any time jet aircraft is operated on the Leased Premises.

(C) **Parking.** Lessee shall provide within the limits of the Leased Premises, at its own cost, a parking area for motor vehicles sufficient for vehicle parking needs of Lessee, its agents, employees and customers.

(D) **Fuel Facilities.** Lessee shall have sole responsibility for the operation, maintenance, repair and replacement of the fuel storage and distribution facilities located on the Leased Premises. Lessee shall be responsible for all required inspections and State of Ohio annual registration and fees.

(E) **Permits.** Lessee shall obtain all required permits and shall pay all required permit fees associated with Lessee’s activities at the Leased Premises.

(F) **Changes to Land Grade or Level.** Lessee shall not make any changes in the land grade or level of the Leased Premises that might affect the abutting properties without the prior written consent of DOTE.

(G) **Compliance with Federal Air Regulations.** Lessee shall comply with Federal Air Regulations Part 77 and shall not penetrate any designated runway clear zone.

(H) **Flood Plain.** Lessee acknowledges that (i) the Leased Premises are located in a flood plain, (ii) FEMA requires that all improvements constructed within a flood plain comply with precise, rigorous

construction standards, (iii) City building officials will not issue construction permits if the plans are not in compliance with the FEMA standards specific to flood plains, and (iv) compliance may add significant additional time and costs to the design and construction of any leasehold improvements.

(I) Alterations and Future Improvements. (i) Lessee shall not alter or remove the Leased Premises except in accordance with section 12 below. Any and all alterations to the Leased Premises, and any and all new improvements, shall require the prior written consent of DOTE and shall comply with the minimum aesthetic and architectural standards and requirements adopted by the City (if any) that are applicable to the exterior of all other buildings and structures at the Airport. If modification to the terrain surrounding the Leased Premises, including the existing adjacent taxiway, is required to conform to FAA regulations or requirements or is otherwise necessary to accommodate or support new improvements or alterations to existing improvements, Lessee shall bear all costs of such modification.

(ii) *Minor, Non-Structural Improvements (Minor Changes):* The foregoing notwithstanding, if Lessee desires to make minor, non-structural improvements to the existing leasehold improvements (defined as non-structural improvements costing, in the aggregate per project, less than **\$5,000**, and which enhance, and not diminish, the value of the existing leasehold improvements; herein, "**Minor Changes**"), Lessee may make such Minor Changes provided [a] Lessee notifies DOTE thereof in writing at least fifteen (15) days prior to making such Minor Changes, including providing DOTE with proposed, professionally prepared plans and specifications if available, and [b] Lessee satisfactorily addresses any and all concerns about the intended Minor Changes raised by DOTE during such 15-day period. Lessee shall ensure that such Minor Changes are made by qualified contractors in good-standing (i.e., not debarred by the City, state or federal government), that all required permits are obtained and that the Minor Changes are made in compliance with all other laws and governmental requirements, that no liens are placed upon the Leased Premises in connection with the work, and that Lessee does not disrupt the rights of other users at the Airport during the work. All leasehold improvements and alterations thereof made by Lessee during the Term of this Lease shall be deemed to be fixtures and shall become part of the existing leasehold improvements and the property of the City upon attachment.

(J) Determinations by DOTE. All determinations of the City, including determinations by the DOTE Director, with respect to the construction, alteration, maintenance, repair, restoration or removal of improvements at the Leased Premises shall be based upon confirmation that the improvements (i) are structurally sound, (ii) comply with the safety standards and requirements applicable to all other buildings and structures at the Airport, (iii) are consistent with the quality and appearance of Airport facilities adjacent to the Leased Premises, and (iv) comply with all other requirements under this Lease applicable to the Existing Leasehold Improvements.

7. Insurance.

(A) Insurance. Throughout the Term, Lessee shall maintain the following insurance:

(i) special peril (formerly known as "all-risk") full replacement cost insurance on the existing leasehold improvements, naming the City and Lessee as their interests may appear;

(ii) property insurance on any and all personal property of Lessee from time to time located at the Leased Premises in the amount of the full replacement cost thereof;

(iii) Commercial General Liability insurance of at least One Million Dollars (\$1,000,000) per occurrence, combined single limit, naming the City as an additional insured, or such additional amounts as the City or its insurance or risk advisors may determine from time to time to be customary for similar-sized airport facilities;

(iv) automobile liability insurance in the amount of \$1,000,000 per occurrence, naming the City as an additional insured; and

(v) workers compensation insurance as required by law.

(B) Policy Requirements. Lessee's insurance policies shall (i) be written in standard form by insurance companies authorized to do business in Ohio and having an A.M. Best rating of A VII or better, (ii) provide that they may not be canceled or modified without at least thirty (30) days prior written notice to the City, and (iii) be primary and non-contributory with respect to insurance maintained by the City. No later than the Commencement Date, and annually thereafter, Lessee shall provide the City with a certificate of insurance evidencing the insurance required to be maintained by Lessee hereunder.

(C) Waiver of Subrogation. Lessee hereby waives all claims and rights of recovery, and on behalf of Lessee's insurers, rights of subrogation, against the City, its employees, agents, contractors and subcontractors with respect to any and all damage to or loss of property that is covered or that would ordinarily be covered by the insurance required under this Lease to be maintained by Lessee, even if such loss or damage arises from the negligence of the City, its employees, agents, contractors or subcontractors; it being the agreement of the parties that Lessee shall at all times protect itself against such loss or damage by maintaining adequate insurance. Lessee shall cause its property insurance policies to include a waiver of subrogation provision consistent with the foregoing waiver.

(D) Indemnity. The City assumes no responsibility for any acts, errors or omissions of Lessee or any employee, agent, contractor, subcontractor, representative or any other person acting or purporting to act for or on behalf of Lessee. Lessee shall defend, indemnify and hold the City, its employees, agents, contractors and subcontractors ("**Indemnified Parties**") harmless from and against all costs (including without limitation legal costs), losses, claims, demands, actions, suits, judgments, claims for relief, damages and liability suffered or incurred by or asserted against the Indemnified Parties or any one or more of them as a result of or arising from the acts of Lessee, its employees, agents, licensees, invitees, contractors, subcontractors or anyone else acting at the request of Lessee in connection with Lessee's activities at or with respect to the Leased Premises or in connection with any breach by Lessee under this Lease.

8. Casualty; Eminent Domain.

(A) Casualty. If the Leased Premises are damaged or destroyed by fire or other casualty, Lessee shall have the right to terminate this Lease by giving written notice thereof to the City within ninety (90) days after the occurrence of the casualty. If Lessee terminates this Lease: (i) Lessee's rental and other obligations under this Lease shall terminate effective as of the effective date of termination set forth in Lessee's notice of termination; and (ii) Lessee shall turn over to the City all property insurance proceeds payable in connection therewith, for use by the City in restoring the Leased Premises or clearing the site. If Lessee does not so terminate this Lease: (i) Lessee shall not be relieved of any obligations, financial or otherwise, under this Lease during any period in which the Leased Premises are being repaired or restored (it being the agreement of the parties that Lessee shall purchase business interruption insurance, if it so chooses, to alleviate such financial burden); and (ii) Lessee shall repair and restore the Leased Premises, as expeditiously as possible, and to the extent practicable, to substantially the same condition in which they were in immediately prior to such occurrence. The City and Lessee shall jointly participate in filing claims and taking such other actions pertaining to the payment of insurance proceeds resulting from such occurrence, and if the proceeds are insufficient to fully repair and restore the Existing Leasehold Improvements, the City shall not be required to make up the deficiency. Lessee shall handle all construction in accordance with the applicable requirements set forth in this Lease.

(B) Eminent Domain. If the entirety of the Leased Premises are taken by exercise of eminent domain (federal, state, or local), this Lease shall automatically terminate, effective as of the date on which Lessee is required to surrender possession. In such instance, or if Lessee terminates this Lease in its entirety under paragraph 8(C) below: (i) Lessee's rental and other obligations under this Lease shall terminate effective as of the date that Lessee surrenders possession; and (ii) Lessee shall turn over to the City all eminent domain proceeds payable in connection therewith (excluding eminent domain proceeds awarded to Lessee in the event of a taking by the City).

(C) Partial Taking. If only a portion of the Leased Premises is taken by exercise of eminent domain, Lessee shall have the right to terminate this Lease (in its entirety or only as to the portion of the Leased Premises taken) by giving written notice thereof to the City within ninety (90) days after the date on which Lessee is required to surrender possession. If Lessee terminates this Lease as to only the portion of the Leased Premises taken: (i) Lessee's rental and other obligations under this Lease pertaining to such portion of the Leased Premises shall terminate effective as of the date that Lessee surrenders possession of such portion (and all obligations of Lessee under this Lease pertaining to the untaken portion of the Leased Premises shall remain in effect, without any abatement of rent during reconstruction or otherwise); (ii) Lessee shall turn over to the City all eminent domain proceeds allocable to the portion of the Leased Premises taken (excluding eminent domain proceeds awarded to Lessee in the event of a taking by the City); and (iii) Lessee shall use the balance of the eminent domain proceeds to repair and restore the untaken portion of the Leased Premises, as expeditiously as possible, and to the extent practicable, to substantially the same condition in which they were in immediately prior to such taking. The City and Lessee shall jointly participate in filing claims and taking such other actions pertaining to the payment of eminent domain proceeds resulting from such occurrence, and if the proceeds are insufficient to fully repair and restore the existing leasehold improvements, the City shall not be required to make up the deficiency. Lessee shall handle all construction in accordance with the applicable requirements set forth in this Lease.

9. Default; Remedies.

(A) Default by Lessee. Each of the following shall constitute an event of default by Lessee under this Lease:

(i) If Lessee fails to pay rent or any other sum payable to the City hereunder when due, and such failure to pay continues for longer than ten (10) days after Lessee receives written notice thereof from the City;

(ii) If Lessee fails to perform or observe any of the other covenants, terms or conditions contained in this Lease, and such failure continues for longer than twenty (20) days after Lessee receives written notice thereof from the City; provided, however, that if such failure is not reasonably susceptible of being cured within such 20-day period, an event of default shall not be deemed to have occurred if Lessee commences to cure such failure within such 20-day period and thereafter diligently pursues such cure to completion and, in fact, cures such failure within ninety (90) days after Lessee receives written notice of the default from the City. The foregoing notwithstanding, if the failure creates a dangerous condition or otherwise constitutes an emergency as determined by the City, an event of default shall be deemed to have occurred if Lessee fails to promptly take corrective action upon discovering such dangerous condition or emergency (and in any event within no later than 24 hours, depending upon the nature of the emergency and the steps needed to address it); and

(iii) The commencement of levy, execution or attachment proceedings against Lessee, any principal (which shall be defined as any individual or entity having an ownership interest in Lessee of more than 25%) or partner of Lessee, or any of the assets of Lessee, or the application for or appointment of a liquidator, receiver, custodian, sequester, conservator, trustee, or other similar judicial officer; or the insolvency in the bankruptcy or equity sense, of Lessee or any principal or partner of Lessee; or the assignment for the benefit of creditors, or the admission in writing of an inability to pay debts generally as they become due, or the ordering of the winding-up or liquidation of the affairs of Lessee or any principal or partner of Lessee; or the commencement of a case by or against Lessee or any principal or partner of Lessee under any insolvency, bankruptcy, creditor adjustment, debtor rehabilitation or similar laws, state or federal, or the determination by any of them to request relief under any insolvency, bankruptcy, creditor adjustment, debtor rehabilitation or similar proceeding, state or federal, including, without limitation, the consent by any of them to the appointment of or taking possession by a receiver, liquidator, assignee, trustee, custodian, sequester or similar official for it or for any of its respective property or assets (unless, in the case of involuntary proceedings, the same shall be dismissed within ninety (90) days after institution).

(B) **Remedies.** Upon the occurrence of an event of default by Lessee that continues beyond the applicable notice and cure period (if any) provided for under paragraph (A) above, the City shall be entitled to (i) terminate this Lease by giving Lessee written notice thereof, (ii) take such actions in the way of "self help" as the City determines to be reasonably necessary or appropriate to cure or lessen the impact of such default, all at the expense of Lessee, and (iii) exercise any and all other rights and remedies under this Lease or available at law or in equity, including without limitation pursuing an action for specific performance; all such rights and remedies being cumulative. Lessee shall be liable for all costs and damages, including without limitation legal fees, suffered or incurred by the City as a result of a default of Lessee under this Lease or the City's enforcement or termination of this Lease. Lessee shall pay all such costs and damages within thirty (30) days after receiving documentation from the City of the amount due. The failure of the City to insist upon the strict performance of any covenant or duty or to pursue any remedy under this Lease shall not constitute a waiver of the breach of such covenant or of such remedy. Nothing contained in this Lease shall limit or prejudice the right of a party to prove for and obtain as damages incident to a termination of this Lease in any bankruptcy, reorganization or other court proceedings, the maximum amount allowed by any statute or rule of law in effect when such damages are to be proved.

(C) **Default by the City.** If the City defaults under this Lease, and such failure continues for longer than sixty (60) days after the City receives written notice thereof from Lessee, Lessee shall have the right to terminate this Lease by giving written notice thereof to City, and shall have the right to pursue all other rights and remedies available at law or in equity. The failure of Lessee to insist upon the strict performance of any covenant or duty or to pursue any remedy under this Lease shall not constitute a waiver of the breach of such covenant or of such remedy.

10. Assignment and Subletting. Lessee acknowledges that the City is entering into this transaction because of the City's confidence that Lessee has the financial means and business experience that are necessary to successfully operate Lessee's business in accordance with the provisions of this Lease. Lessee acknowledges that the City shall not be expected to consent to a proposed assignment or sublease by Lessee of its interests under this Lease to any person or entity in whom the City does not have similar confidence. Any attempt by Lessee to assign, sublease, or otherwise transfer its interests under this Lease to a third party without the City's prior written consent shall be null and void and shall, at the option of the City, constitute a default of Lessee under this Lease. No assignment or sublease by Lessee of its rights or obligations under this Lease to an affiliate or any other third party shall relieve Lessee from any liability to the City under this Lease.

11. Notices. All notices given by the parties hereunder shall be deemed given if personally delivered, or delivered by Federal Express, UPS or other recognized overnight courier, or mailed by U.S. registered or certified mail, postage prepaid, return receipt requested, addressed to the parties at their addresses below or at such other addresses as either party may designate by notice to the other party given in the manner prescribed herein. Notices shall be deemed given on the date of receipt.

To the City:

City of Cincinnati
Dept of Transportation & Engineering
801 Plum Street, Suite 450
Cincinnati, OH 45202

To Lessee:

Signature Engines, Inc.
Lunken Airport, Hangar 6
4760 Airport Road
Cincinnati, OH 45226
Attn: Bill Schmidt

with a copy to:

Lunken Airport
Attn: Airport Manager
465 Wilmer Avenue,
Cincinnati, OH 45226

If Lessee sends a notice to the City alleging that the City is in default under this Lease, it shall simultaneously send a copy of such notice by U.S. certified mail to: City Solicitor, City of Cincinnati, 801 Plum Street, Room 214, Cincinnati, OH 45202.

12. Surrender; Holdover.

(A) Surrender at end of Lease Term. At the end of the Term, Lessee shall peaceably surrender the Leased Premises to the City free and clear of all leasehold mortgages and other liens (except those, if any, created by the City). As provided in paragraph 6(l) above, Lessee shall not be permitted to remove any improvements and acknowledges that the City would not enter into this Lease on the terms and conditions set forth herein but for Lessee's obligation to surrender all improvements constructed by Lessee during the Term of this Lease to the City, free and clear of all liens, at the end of the Term.

(B) Lessee's Right to Remove Items of Personal Property. No later than the last day of the Term, Lessee shall remove all of Lessee's personal property at the Leased Premises (excluding trade fixtures, which shall not be removed) and shall repair any and all damage to the Leased Premises caused by the installation or removal thereof and otherwise restore the Leased Premises to a safe, clean and satisfactory condition.

(C) Holdover. If Lessee fails to surrender possession of the Leased Premises to the City at the end of the Term, such holdover shall be deemed as creating a tenancy-at-will on all of the same terms and conditions as set forth herein (except for the duration of the Term and except that base rent payable during the holdover period shall be equal to two hundred percent of the base rent in effect at the end of the Term), terminable by either party at any time by giving written notice thereof to the other party. Lessee shall be liable for all costs and damages suffered or incurred by the City as a result of Lessee's failure to surrender possession at the end of the Term, including without limitation costs and damages suffered or incurred by the City during the holdover period.

(D) Documents to be Delivered to City. At the end of the Term, Lessee shall deliver to the City originals or copies of all books and records, operating manuals, contracts with third parties (but only if the City has expressly agreed to accept an assignment of such contracts), warranty information, and all other written materials and documents that are in Lessee's possession or under Lessee's control and that are reasonably needed in order for there to be a seamless transition with respect to the operation and maintenance of the Leased Premises for the Permitted Use.

13. Compliance with Laws.

(A) Compliance with Laws. Lessee shall comply with all federal, state, and local laws, ordinances, rules and regulations, including without limitation all applicable building and zoning codes of the City of Cincinnati pertaining to the Airport, all applicable requirements set forth in Chapter 402 (*Airport*) of the CMC, and all requirements under Title 49 of the Code of Federal Regulations, as the same may be enacted or modified from time to time.

(B) Non-Discrimination.

- i. Lessee agrees to comply with pertinent statutes, Executive Orders, and such rules as are promulgated to ensure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participating in any activity conducted with or benefiting from Federal assistance. If the Lessee transfers its obligation to another, the transferee is obligated in the same manner as the Lessee. This provision obligates the Lessee for the period during which the property is owned, used or possessed by the Lessee and the airport remains obligated to the Federal Aviation Administration. This provision is in addition to that required by Title VI of the Civil Rights Act of 1964

- ii. With reference to 49 CFR Subtitle A, Part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation", the purpose of which "is to effectuate the provisions of Title VI of the Civil Rights Act of 1964 . . . to the end that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Transportation", Lessee shall include the foregoing provision in every agreement or concession pursuant to which any person or persons, other than Lessee, operates any facility at the Leased Premises providing services to the public and shall include therein a provision granting the City the right to take such action as the United States may direct to enforce such covenant. Lessee shall defend, indemnify, and hold harmless the City from any and all claims and demands of third persons, including the United States of America, resulting from Lessee's noncompliance with any of the provisions of this section and shall reimburse the City for any and all losses or expenses incurred by reason of such noncompliance.

14. General Provisions.

(A) Entire Agreement. This Lease (including the exhibits hereto) contains the entire agreement between the parties with respect to the subject matter hereof and supersedes any and all prior discussions, negotiations, representations or agreements, written or oral, between them respecting the subject matter hereof.

(B) Amendments. This Lease may be amended only by a written amendment signed by both parties.

(C) Governing Law. This Lease shall be governed by and construed in accordance with the laws of the City of Cincinnati and the State of Ohio. All actions regarding this Lease shall be brought in the Hamilton County Court of Common Pleas, and Lessee agrees that venue in such court is proper. Lessee hereby waives trial by jury with respect to any and all disputes arising under this Lease.

(D) Binding Effect. This Lease shall be binding upon and shall inure to the benefit of and be enforceable by and against the parties and their respective successors and permitted assigns.

(E) Captions. The captions of the various sections and paragraphs of this Lease are not part of the context hereof and are only guides to assist in locating such sections and paragraphs and shall be ignored in construing this Lease.

(F) Severability. If any part of this Lease is held to be void, illegal or unenforceable by a court of law, such part shall be deemed severed from this Lease, and the balance of this Lease shall remain in full force and effect.

(G) No Recording. This Lease shall not be recorded in the Hamilton County Recorder's office.

(H) Time. Time is of the essence with respect to the performance by Lessee of its obligations under this Lease.

(I) No Third-Party Beneficiaries. The parties hereby agree that no third-party beneficiary rights are intended to be created by this Lease.

(J) No Brokers. Lessee represents that it has not dealt with a real estate broker, salesperson or other person who might claim entitlement to a fee or other compensation as a result of the parties' execution of this Lease.

(K) Official Capacity. All representations, warranties, covenants, agreements, and obligations of the City under this Lease shall be effective to the extent authorized and permitted by applicable law. None of those representations, warranties, covenants, agreements, or obligations shall be deemed to be a representation, warranty, covenant, agreement, or obligation of any present or future member, officer, agent or employee of the City in other than his or her official capacity. No official executing or approving the City's participation in this Lease shall be personally liable under this Lease.

(L) Representation as to Authority. Lessee represents that it has the power and authority to enter into and perform its obligations under this Lease without the consent of anyone who is not a party to this Lease and that the execution and performance of this Lease has been duly authorized by all necessary actions on Lessee's part.

(M) FAA Subordination Clause. This Lease shall be subordinate to the provisions of any existing or future agreements between the City and the United States Government, including any and all grant assurances relating to the maintenance, development, or operation of the Airport, the execution of which agreements has been or will be required as a condition precedent to the granting of federal funds for the maintenance, development, or operation of the Airport to the extent that the provisions of any such existing or future agreements are generally required by the United States at other civil air carrier airports receiving federal funds.

15. **CR# 35-2022 Conditions**. None.

16. **Exhibits**. The following exhibits are attached hereto and made a part hereof:
Exhibit A - *Site Map*
Exhibit B - *Legal Description of Leased Premises*

[*Signature Pages Follow*]

This Lease is executed by the parties on the dates indicated below their respective signatures, effective as of the later of such dates (the "**Effective Date**").

Signature Engines, Inc., an Ohio corporation

By: _____

Printed name: _____

Title: _____

Date: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by _____, the _____ of **Signature Engines, Inc.**, an Ohio corporation, on behalf of the corporation. This is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

[*City Signature Page Follows*]

City of Cincinnati

By: _____

Printed name: _____

Title: _____

Date: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by _____, the _____ of the **City of Cincinnati**, an Ohio municipal corporation, on behalf of the municipal corporation. This is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

Recommended by:

John S. Brazina, Director
Department of Transportation and Engineering

Fred Anderton, Lunken Airport Manager

Approved as to Form:

Assistant City Solicitor

Certified Date: _____

Fund/Code: _____

Amount: _____

By: _____
Karen Alder, City Finance Director

EXHIBIT A

SITE MAP

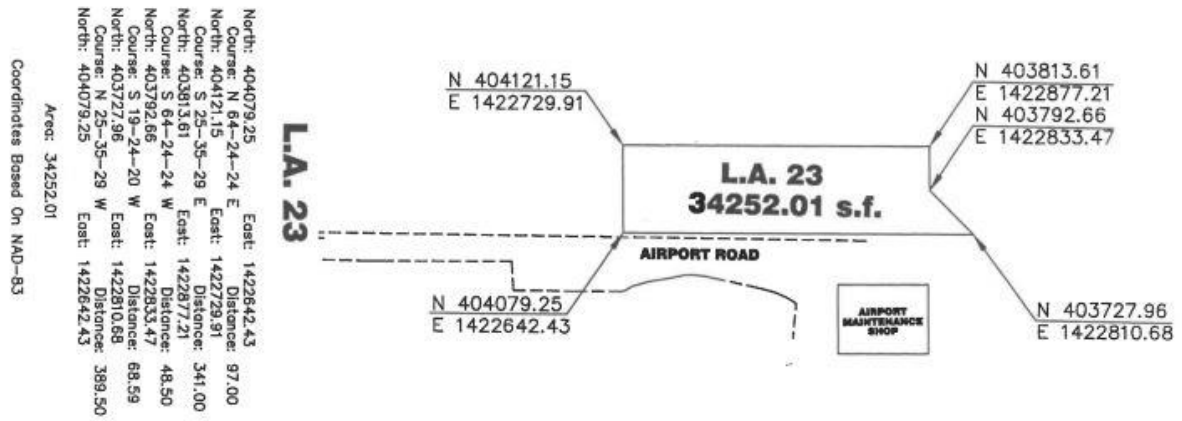


EXHIBIT B

LEGAL DESCRIPTION OF LEASED PREMISES

Lunken Airport
Lease Area 23

Situated in Section 24, Town 5, F.R. 1, Spencer Township, Hamilton County, Ohio, and being part of Columbia Old Town, as recorded in Deed Book 56, Page 654, Hamilton County, Ohio Records and being more particularly described as follows:

Ohio State Coordinates (South Zone)

North: 404079.25	East: 1422642.43
North: 404121.15	East: 1422729.91
North: 403813.61	East: 1422877.21
North: 403792.66	East: 1422833.47
North: 403727.96	East: 1422810.68
North: 404079.25	East: 1422642.43

Containing 34,252.01± S.F.

Coordinates Based On NAD-83

Contract No. _____

Property: Lunken Airport – Lease Area 24, Hangar #6
(4760 Airport Road)

LEASE AGREEMENT

THIS LEASE AGREEMENT (“**Lease**”) is made and entered into on the Effective Date (as defined on the signature page hereof) by and between the **CITY OF CINCINNATI**, an Ohio municipal corporation, the address of which is 801 Plum Street, Cincinnati, OH 45202 (the “**City**”), and **SIGNATURE ENGINES, INC.**, an Ohio corporation, the address of which for purposes of this Lease is 4760 Airport Road, Cincinnati, OH 45226 (“**Lessee**”).

Recitals:

A. The City owns Lunken Airport, which is under the management and control of the City’s Department of Transportation and Engineering (“**DOT**”).

B. Pursuant to a *Lunken Airport Lease Agreement* dated June 6, 2007, by and between the City and Lessee (the “**Existing Lease**”), Lessee currently leases the portion of the Airport known as Lease Area 24 (containing approximately 34,781 square feet, including Hangar 6, containing approximately 10,875 square feet), as depicted on Exhibit A (Site Map) and described on Exhibit B (Description of Leased Premises) hereto (the “**Leased Premises**”), for the non-exclusive right for parking, storage, maintenance, servicing, repair, and sale of aircraft, aircraft assemblies, aircraft accessories, aircraft radio and electronic equipment and component part thereof, and for other general aeronautical purposes (the “**Permitted Use**”).

C. The term of the Existing Lease expired on May 31, 2022, Lessee has continued to occupy the Leased Premises on a month-to-month basis since then, and the parties now desire to enter into a new lease pursuant to which the City will lease the Leased Premises to Lessee for an additional term of up to twenty years (namely, an initial term of 5 years with three 5-year renewal options).

D. The City has determined that the Leased Premises are not needed for any municipal purpose during the term of this Lease.

E. The City has determined that competitive bidding in connection with the lease of the Leased Premises is impractical and that eliminating competitive bidding is in the best interest of the City because the City has determined that Lessee’s proposed business is aviation-related as required by the FAA and will be suitable and advantageous given the other mix of tenants at the Airport.

F. The rent set forth in this Lease reflects the current fair market rental value of the Leased Premises, as determined by appraisal by the City’s Real Estate Services Division and the Airport Manager taking into consideration airport industry standards and FAA requirements.

G. Because Lessee currently occupies the Leased Premises for the Permitted Use, the City’s execution of this Lease will not result in a change in use of the Leased Premises, therefore approval by City Planning Commission is not required.

H. Execution of this Lease was authorized by Ordinance No. [____], passed by Cincinnati City Council on [_____].

NOW, THEREFORE, the parties hereby agree as follows:

1. Leased Premises.

(A) Grant. The City hereby leases the Leased Premises to Lessee, and Lessee hereby leases the Leased Premises from the City, on the terms and conditions set forth herein. The City makes no representations or warranties to Lessee regarding the physical condition of the Airport or Leased Premises and Lessee accepts the Leased Premises in "as is" condition. The rights herein granted to Lessee are subject and subordinate to any and all existing covenants, easements, restrictions and other matters of record affecting the Leased Premises, and to any and all existing agreements between the City and the federal government pertaining to the Airport.

(B) City's Right to Enter. The City's employees, agents and contractors shall have the right to enter upon the Leased Premises, at any reasonable time and from time to time, for the purpose of examining the condition of the Leased Premises, determining Lessee's compliance with the provisions of this Lease, accessing any public utility installations as shown on drawings at the office of the Airport Manager, and for any other proper purpose. The City shall use reasonable efforts to avoid disrupting Lessee's business operations and shall promptly repair any damage to the Leased Premises caused by the City's entry. The City shall use reasonable efforts to notify Lessee prior to entering upon the Leased Premises except that no notice shall be required in the event of an emergency.

2. Term; Renewal Periods.

(A) Initial Term (5 years). The initial term of this Lease ("**Initial Term**") shall commence effective as of the first day of the calendar month following the Effective Date (as defined on the signature page hereof) (the "**Commencement Date**"), and, unless extended or sooner terminated as herein provided, shall expire at 11:59 p.m. on the day prior to the fifth anniversary of the Commencement Date. As used herein, the first "**Lease Year**" shall mean 12 full calendar months from the Commencement Date to 11:59 p.m. on the day prior to the first anniversary of the Commencement Date. Each subsequent Lease Year shall be 12 full calendar months.

(B) Renewal Periods (three 5-year renewal periods). Provided Lessee is not in default under this Lease beyond any applicable cure period at the time it exercises a renewal option, Lessee shall have the option to extend the Term of this Lease, for three renewal periods of five years each (for a total Term, including the initial Term, of 20 Lease Years), exercisable by giving written notice thereof to the City at least ninety (90) days (but no earlier than 9 months) prior to the expiration of the Initial Term or the then-existing renewal period, as applicable (the "**Written Notice of Renewal**"). Each renewal period shall be on the same terms and conditions as set forth herein (except that, after the third renewal period, there shall be no additional renewal options unless agreed to by the parties in a written amendment to this Lease). As used herein, the "**Term**" of this Lease means the Initial Term and, if applicable, the renewal periods. (The foregoing shall not be construed as preventing Lessee from negotiating with the City to further extend the Term or negotiating the terms of a new lease with the City, upon the expiration of the renewal periods, any such further extension of the Term or new lease being subject to approval by City Council and, if applicable, the FAA.)

(C) Lessee's Right to Abate Rent and Terminate the Lease if Unable to Use the Leased Premises for Permitted Use. If, during the Term, Lessee, through no fault of its own, is permanently prevented from using the Leased Premises for the Permitted Use, and/or from safely accessing and using the Airport runways for take-offs and landings, the same shall not be a default by the City, however (i) if Lessee is prevented from using the Leased Premises for the Permitted Use for longer than 30 consecutive days, Lessee shall not be required to pay base rent for the remainder of the time during which Lessee is prevented from using the Leased Premises for the Permitted Use, and (ii) from and after such 30-day period during which Lessee is prevented from using the Leased Premises for the Permitted Use, Lessee shall have the right to terminate this Lease by notifying the City thereof in writing no less than 60 days prior to the effective date of such termination. (For clarity, occasional and temporary interruptions in Lessee's use of the Airport runways for maintenance and repairs shall not give rise to a temporary rent abatement or termination right under this paragraph.)

3. Rent.

(A) **Base Rent.** Beginning on the Commencement Date, Lessee shall pay annual base rent in equal monthly installments, in advance, on the first business day of each month, in the amounts calculated in this paragraph (namely, fixed for the Initial Term, with CPI adjustments for the renewal period). The monthly installment of rent for any partial calendar month at the beginning or end of the Term shall be prorated on a per diem basis. Notwithstanding the rent adjustments provided for herein, in no event shall annual base rent decrease.

(i) **Initial Term (Lease Years 1-5 (fixed)).** For Lease Years 1-5, annual base rent shall be equal to the following amount: **\$21,301.00/year.**

(ii) **Renewal Period (Lease Years 6-20) (CPI adjustment).** Effective as of the first day of Lease Year 6, annual base rent shall increase to an amount that is equal to the product of multiplying the annual base rent payable during the Initial Term by a fraction, the numerator of which is the CPI most recently published 60 days prior to the rent adjustment date, and the denominator of which is the CPI most recently published 60 days prior to the Commencement Date. As used herein, “CPI” means the Consumer Price Index, All Urban Consumers, U. S. City Average (1982-1984=100) published from time to time by the United States Bureau of Labor Statistics. Lessee shall make all CPI rent adjustment computations under this section 3(A) and shall send written notice of each CPI-based rent adjustment, together with Lessee’s computations (“**Lessee’s Rent Adjustment Notice**”), to DOTE (to the two addresses set forth in section 11 below) and to the City’s Real Estate Services Division (801 Plum Street, Room 122, Cincinnati, OH 45202) no less than 30 days prior to the rent adjustment date.

(B) **Place of Payment.** As used herein, “rent” shall mean base rent and all other amounts payable by Lessee to the City under this Lease. Rent shall be payable to “Treasurer – City of Cincinnati” and mailed or delivered to: City of Cincinnati, 465 Wilmer Avenue, Cincinnati, OH 45226, Attn: Lunken Airport Manager, or to such other address as the City may from time to time specify in writing.

(C) **Late Payments.** If any payment of rent is not paid when due, a late charge of 5% of the amount past due shall automatically become due and payable. If rent is outstanding for longer than 30 days, such past due amount shall bear interest at the rate of 10% per annum until paid.

4. Permitted Use; Hours of Operation.

(A) Permitted Use.

(i) Provided Lessee has obtained all valid permits from the City and any and all other required permits, Lessee shall use the Leased Premises for the Permitted Use and for no other activities whatsoever without the City’s prior written consent. (For clarity, Lessee’s right to use the Leased Premises is exclusive as to other users of the Airport, however nothing herein shall limit or prevent the City from granting third parties the right to use other space at the Airport for the Permitted Use or from using the Airport runways.) Lessee shall not deviate from the Permitted Use without the City’s prior written approval (and if required, as determined by the City, without the prior written approval of the FAA).

(ii) Notwithstanding the provisions of this Lease prohibiting Lessee from subleasing space in the Leased Premises to third parties without the City’s consent, the City hereby agrees that Lessee may permit third parties to use portions of the hangar to store their planes, including charging them a rental fee, provided such use is in compliance with all other provisions of this Lease.

(iii) The City agrees that it shall not prohibit Lessee or such parties from using their own fuel at the Leased Premises (i.e., the City shall not, for example, promulgate a new rule that requires them to purchase fuel from the City or someone else at the Airport).

(B) Required Hours of Operation. Throughout the Term, Lessee shall continuously operate its business at the Leased Premises on such days and during such hours as Lessee determines from time to time to be commercially reasonable (except that temporary closures in the event of an emergency, damage by casualty, or periodic remodeling shall not be deemed a default under this Lease).

5. Utilities; Real Estate Taxes; Other Expenses. This is a “triple net” lease for the City, and during the Term of this Lease, Lessee shall pay (i) any and all utility charges associated with the Leased Premises, (ii) all real estate taxes and assessments levied against the Leased Premises (including the two semi-annual tax bills issued by the Hamilton County Treasurer following the expiration or termination of the Term, payable in arrears), and (iii) any and all other expenses associated with the Leased Premises, including without limitation any and all other fees required to be paid under Chapter 402 (*Airport*) of the Cincinnati Municipal Code (“**CMC**”). *Lessee acknowledges and agrees that the City shall not be liable for any expenses associated with the Leased Premises during the Term of this Lease.* Lessee shall have the right to contest the amount or validity of real estate taxes and assessments on the Leased Premises and any alterations thereto by appropriate legal proceedings in its own name. The City shall have the right to participate in such legal proceedings at the City’s election. Lessee shall pay all costs and expenses arising from such legal proceedings.

6. Maintenance and Repairs; Other Operating Requirements.

(A) Maintenance and Repairs. Lessee shall maintain the Leased Premises in good, clean, and safe condition and repair, shall not permit any waste or nuisance on the Leased Premises, shall not permit any debris or rubbish to accumulate in open space, and shall keep the Leased Premises free from unreasonable accumulations of snow and ice and other obstructions. Without limitation of the foregoing, Lessee shall replace all light bulbs and filters, provide water sprinkler system inspection and repair, provide trash removal, window washing, grass cutting and proper maintenance of landscaped areas, and maintain and keep in good condition and repair the exterior and interior structural portions and roof of any and all buildings, structures, hangars, fences, fixtures, pavement, HVAC, electrical, plumbing and mechanical fixtures, and any and all other improvements located on the Leased Premises, reasonable wear and tear excepted, and in compliance with all applicable building and fire codes, airport regulations and other laws (collectively, “**Applicable Laws**”).

(B) Protection from Aircraft Engine Blasts. Lessee shall provide an approved means of protection for persons and property from jet aircraft engine blasts or exhaust emissions at any time jet aircraft is operated on the Leased Premises.

(C) Parking. Lessee shall provide within the limits of the Leased Premises, at its own cost, a parking area for motor vehicles sufficient for vehicle parking needs of Lessee, its agents, employees and customers.

(D) Fuel Facilities. Lessee shall have sole responsibility for the operation, maintenance, repair and replacement of the fuel storage and distribution facilities located on the Leased Premises. Lessee shall be responsible for all required inspections and State of Ohio annual registration and fees.

(E) Permits. Lessee shall obtain all required permits and shall pay all required permit fees associated with Lessee’s activities at the Leased Premises.

(F) Changes to Land Grade or Level. Lessee shall not make any changes in the land grade or level of the Leased Premises that might affect the abutting properties without the prior written consent of DOTE.

(G) Compliance with Federal Air Regulations. Lessee shall comply with Federal Air Regulations Part 77 and shall not penetrate any designated runway clear zone.

(H) Flood Plain. Lessee acknowledges that (i) the Leased Premises are located in a flood plain, (ii)

FEMA requires that all improvements constructed within a flood plain comply with precise, rigorous construction standards, (iii) City building officials will not issue construction permits if the plans are not in compliance with the FEMA standards specific to flood plains, and (iv) compliance may add significant additional time and costs to the design and construction of any leasehold improvements.

(I) Alterations and Future Improvements. (i) Lessee shall not alter or remove the Leased Premises except in accordance with section 12 below. Any and all alterations to the Leased Premises, and any and all new improvements, shall require the prior written consent of DOTE and shall comply with the minimum aesthetic and architectural standards and requirements adopted by the City (if any) that are applicable to the exterior of all other buildings and structures at the Airport. If modification to the terrain surrounding the Leased Premises, including the existing adjacent taxiway, is required to conform to FAA regulations or requirements or is otherwise necessary to accommodate or support new improvements or alterations to existing improvements, Lessee shall bear all costs of such modification.

(ii) *Minor, Non-Structural Improvements (Minor Changes):* The foregoing notwithstanding, if Lessee desires to make minor, non-structural improvements to the existing leasehold improvements (defined as non-structural improvements costing, in the aggregate per project, less than **\$5,000**, and which enhance, and not diminish, the value of the existing leasehold improvements; herein, **"Minor Changes"**), Lessee may make such Minor Changes provided [a] Lessee notifies DOTE thereof in writing at least fifteen (15) days prior to making such Minor Changes, including providing DOTE with proposed, professionally prepared plans and specifications if available, and [b] Lessee satisfactorily addresses any and all concerns about the intended Minor Changes raised by DOTE during such 15-day period. Lessee shall ensure that such Minor Changes are made by qualified contractors in good-standing (i.e., not debarred by the City, state or federal government), that all required permits are obtained and that the Minor Changes are made in compliance with all other laws and governmental requirements, that no liens are placed upon the Leased Premises in connection with the work, and that Lessee does not disrupt the rights of other users at the Airport during the work. All leasehold improvements and alterations thereof made by Lessee during the Term of this Lease shall be deemed to be fixtures and shall become part of the existing leasehold improvements and the property of the City upon attachment.

(J) Determinations by DOTE. All determinations of the City, including determinations by the DOTE Director, with respect to the construction, alteration, maintenance, repair, restoration or removal of improvements at the Leased Premises shall be based upon confirmation that the improvements (i) are structurally sound, (ii) comply with the safety standards and requirements applicable to all other buildings and structures at the Airport, (iii) are consistent with the quality and appearance of Airport facilities adjacent to the Leased Premises, and (iv) comply with all other requirements under this Lease applicable to the Existing Leasehold Improvements.

7. Insurance.

(A) Insurance. Throughout the Term, Lessee shall maintain the following insurance:

(i) special peril (formerly known as "all-risk") full replacement cost insurance on the existing leasehold improvements, naming the City and Lessee as their interests may appear;

(ii) property insurance on any and all personal property of Lessee from time to time located at the Leased Premises in the amount of the full replacement cost thereof;

(iii) Commercial General Liability insurance of at least One Million Dollars (\$1,000,000) per occurrence, combined single limit, naming the City as an additional insured, or such additional amounts as the City or its insurance or risk advisors may determine from time to time to be customary for similar-sized airport facilities;

(iv) automobile liability insurance in the amount of \$1,000,000 per occurrence, naming the City as an additional insured; and

(v) workers compensation insurance as required by law.

(B) Policy Requirements. Lessee's insurance policies shall (i) be written in standard form by insurance companies authorized to do business in Ohio and having an A.M. Best rating of A VII or better, (ii) provide that they may not be canceled or modified without at least thirty (30) days prior written notice to the City, and (iii) be primary and non-contributory with respect to insurance maintained by the City. No later than the Commencement Date, and annually thereafter, Lessee shall provide the City with a certificate of insurance evidencing the insurance required to be maintained by Lessee hereunder.

(C) Waiver of Subrogation. Lessee hereby waives all claims and rights of recovery, and on behalf of Lessee's insurers, rights of subrogation, against the City, its employees, agents, contractors and subcontractors with respect to any and all damage to or loss of property that is covered or that would ordinarily be covered by the insurance required under this Lease to be maintained by Lessee, even if such loss or damage arises from the negligence of the City, its employees, agents, contractors or subcontractors; it being the agreement of the parties that Lessee shall at all times protect itself against such loss or damage by maintaining adequate insurance. Lessee shall cause its property insurance policies to include a waiver of subrogation provision consistent with the foregoing waiver.

(D) Indemnity. The City assumes no responsibility for any acts, errors or omissions of Lessee or any employee, agent, contractor, subcontractor, representative or any other person acting or purporting to act for or on behalf of Lessee. Lessee shall defend, indemnify and hold the City, its employees, agents, contractors and subcontractors ("**Indemnified Parties**") harmless from and against all costs (including without limitation legal costs), losses, claims, demands, actions, suits, judgments, claims for relief, damages and liability suffered or incurred by or asserted against the Indemnified Parties or any one or more of them as a result of or arising from the acts of Lessee, its employees, agents, licensees, invitees, contractors, subcontractors or anyone else acting at the request of Lessee in connection with Lessee's activities at or with respect to the Leased Premises or in connection with any breach by Lessee under this Lease.

8. Casualty; Eminent Domain.

(A) Casualty. If the Leased Premises are damaged or destroyed by fire or other casualty, Lessee shall have the right to terminate this Lease by giving written notice thereof to the City within ninety (90) days after the occurrence of the casualty. If Lessee terminates this Lease: (i) Lessee's rental and other obligations under this Lease shall terminate effective as of the effective date of termination set forth in Lessee's notice of termination; and (ii) Lessee shall turn over to the City all property insurance proceeds payable in connection therewith, for use by the City in restoring the Leased Premises or clearing the site. If Lessee does not so terminate this Lease: (i) Lessee shall not be relieved of any obligations, financial or otherwise, under this Lease during any period in which the Leased Premises are being repaired or restored (it being the agreement of the parties that Lessee shall purchase business interruption insurance, if it so chooses, to alleviate such financial burden); and (ii) Lessee shall repair and restore the Leased Premises, as expeditiously as possible, and to the extent practicable, to substantially the same condition in which they were in immediately prior to such occurrence. The City and Lessee shall jointly participate in filing claims and taking such other actions pertaining to the payment of insurance proceeds resulting from such occurrence, and if the proceeds are insufficient to fully repair and restore the Existing Leasehold Improvements, the City shall not be required to make up the deficiency. Lessee shall handle all construction in accordance with the applicable requirements set forth in this Lease.

(B) Eminent Domain. If the entirety of the Leased Premises are taken by exercise of eminent domain (federal, state, or local), this Lease shall automatically terminate, effective as of the date on which Lessee is required to surrender possession. In such instance, or if Lessee terminates this Lease in its entirety under paragraph 8(C) below: (i) Lessee's rental and other obligations under this Lease shall terminate effective as of the date that Lessee surrenders possession; and (ii) Lessee shall turn over to the City all eminent domain proceeds payable in connection therewith (excluding eminent domain proceeds awarded to Lessee in the event of a taking by the City).

(C) Partial Taking. If only a portion of the Leased Premises is taken by exercise of eminent domain, Lessee shall have the right to terminate this Lease (in its entirety or only as to the portion of the Leased Premises taken) by giving written notice thereof to the City within ninety (90) days after the date on which Lessee is required to surrender possession. If Lessee terminates this Lease as to only the portion of the Leased Premises taken: (i) Lessee's rental and other obligations under this Lease pertaining to such portion of the Leased Premises shall terminate effective as of the date that Lessee surrenders possession of such portion (and all obligations of Lessee under this Lease pertaining to the untaken portion of the Leased Premises shall remain in effect, without any abatement of rent during reconstruction or otherwise); (ii) Lessee shall turn over to the City all eminent domain proceeds allocable to the portion of the Leased Premises taken (excluding eminent domain proceeds awarded to Lessee in the event of a taking by the City); and (iii) Lessee shall use the balance of the eminent domain proceeds to repair and restore the untaken portion of the Leased Premises, as expeditiously as possible, and to the extent practicable, to substantially the same condition in which they were in immediately prior to such taking. The City and Lessee shall jointly participate in filing claims and taking such other actions pertaining to the payment of eminent domain proceeds resulting from such occurrence, and if the proceeds are insufficient to fully repair and restore the existing leasehold improvements, the City shall not be required to make up the deficiency. Lessee shall handle all construction in accordance with the applicable requirements set forth in this Lease.

9. Default; Remedies.

(A) Default by Lessee. Each of the following shall constitute an event of default by Lessee under this Lease:

(i) If Lessee fails to pay rent or any other sum payable to the City hereunder when due, and such failure to pay continues for longer than ten (10) days after Lessee receives written notice thereof from the City;

(ii) If Lessee fails to perform or observe any of the other covenants, terms or conditions contained in this Lease, and such failure continues for longer than twenty (20) days after Lessee receives written notice thereof from the City; provided, however, that if such failure is not reasonably susceptible of being cured within such 20-day period, an event of default shall not be deemed to have occurred if Lessee commences to cure such failure within such 20-day period and thereafter diligently pursues such cure to completion and, in fact, cures such failure within ninety (90) days after Lessee receives written notice of the default from the City. The foregoing notwithstanding, if the failure creates a dangerous condition or otherwise constitutes an emergency as determined by the City, an event of default shall be deemed to have occurred if Lessee fails to promptly take corrective action upon discovering such dangerous condition or emergency (and in any event within no later than 24 hours, depending upon the nature of the emergency and the steps needed to address it); and

(iii) The commencement of levy, execution or attachment proceedings against Lessee, any principal (which shall be defined as any individual or entity having an ownership interest in Lessee of more than 25%) or partner of Lessee, or any of the assets of Lessee, or the application for or appointment of a liquidator, receiver, custodian, sequester, conservator, trustee, or other similar judicial officer; or the insolvency in the bankruptcy or equity sense, of Lessee or any principal or partner of Lessee; or the assignment for the benefit of creditors, or the admission in writing of an inability to pay debts generally as they become due, or the ordering of the winding-up or liquidation of the affairs of Lessee or any principal or partner of Lessee; or the commencement of a case by or against Lessee or any principal or partner of Lessee under any insolvency, bankruptcy, creditor adjustment, debtor rehabilitation or similar laws, state or federal, or the determination by any of them to request relief under any insolvency, bankruptcy, creditor adjustment, debtor rehabilitation or similar proceeding, state or federal, including, without limitation, the consent by any of them to the appointment of or taking possession by a receiver, liquidator, assignee, trustee, custodian, sequester or similar official for it or for any of its respective property or assets (unless, in the case of involuntary proceedings, the same shall be dismissed within ninety (90) days after institution).

(B) **Remedies.** Upon the occurrence of an event of default by Lessee that continues beyond the applicable notice and cure period (if any) provided for under paragraph (A) above, the City shall be entitled to (i) terminate this Lease by giving Lessee written notice thereof, (ii) take such actions in the way of "self help" as the City determines to be reasonably necessary or appropriate to cure or lessen the impact of such default, all at the expense of Lessee, and (iii) exercise any and all other rights and remedies under this Lease or available at law or in equity, including without limitation pursuing an action for specific performance; all such rights and remedies being cumulative. Lessee shall be liable for all costs and damages, including without limitation legal fees, suffered or incurred by the City as a result of a default of Lessee under this Lease or the City's enforcement or termination of this Lease. Lessee shall pay all such costs and damages within thirty (30) days after receiving documentation from the City of the amount due. The failure of the City to insist upon the strict performance of any covenant or duty or to pursue any remedy under this Lease shall not constitute a waiver of the breach of such covenant or of such remedy. Nothing contained in this Lease shall limit or prejudice the right of a party to prove for and obtain as damages incident to a termination of this Lease in any bankruptcy, reorganization or other court proceedings, the maximum amount allowed by any statute or rule of law in effect when such damages are to be proved.

(C) **Default by the City.** If the City defaults under this Lease, and such failure continues for longer than sixty (60) days after the City receives written notice thereof from Lessee, Lessee shall have the right to terminate this Lease by giving written notice thereof to City, and shall have the right to pursue all other rights and remedies available at law or in equity. The failure of Lessee to insist upon the strict performance of any covenant or duty or to pursue any remedy under this Lease shall not constitute a waiver of the breach of such covenant or of such remedy.

10. Assignment and Subletting. Lessee acknowledges that the City is entering into this transaction because of the City's confidence that Lessee has the financial means and business experience that are necessary to successfully operate Lessee's business in accordance with the provisions of this Lease. Lessee acknowledges that the City shall not be expected to consent to a proposed assignment or sublease by Lessee of its interests under this Lease to any person or entity in whom the City does not have similar confidence. Any attempt by Lessee to assign, sublease, or otherwise transfer its interests under this Lease to a third party without the City's prior written consent shall be null and void and shall, at the option of the City, constitute a default of Lessee under this Lease. No assignment or sublease by Lessee of its rights or obligations under this Lease to an affiliate or any other third party shall relieve Lessee from any liability to the City under this Lease.

11. Notices. All notices given by the parties hereunder shall be deemed given if personally delivered, or delivered by Federal Express, UPS or other recognized overnight courier, or mailed by U.S. registered or certified mail, postage prepaid, return receipt requested, addressed to the parties at their addresses below or at such other addresses as either party may designate by notice to the other party given in the manner prescribed herein. Notices shall be deemed given on the date of receipt.

To the City:

City of Cincinnati
Dept of Transportation & Engineering
801 Plum Street, Suite 450
Cincinnati, OH 45202

To Lessee:

Signature Engines, Inc.
Lunken Airport, Hangar 6
4760 Airport Road
Cincinnati, OH 45226
Attn: Bill Schmidt

with a copy to:

Lunken Airport
Attn: Airport Manager
465 Wilmer Avenue,
Cincinnati, OH 45226

If Lessee sends a notice to the City alleging that the City is in default under this Lease, it shall simultaneously send a copy of such notice by U.S. certified mail to: City Solicitor, City of Cincinnati, 801 Plum Street, Room 214, Cincinnati, OH 45202.

12. Surrender; Holdover.

(A) Surrender at end of Lease Term. At the end of the Term, Lessee shall peaceably surrender the Leased Premises to the City free and clear of all leasehold mortgages and other liens (except those, if any, created by the City). As provided in paragraph 6(l) above, Lessee shall not be permitted to remove any improvements and acknowledges that the City would not enter into this Lease on the terms and conditions set forth herein but for Lessee's obligation to surrender all improvements constructed by Lessee during the Term of this Lease to the City, free and clear of all liens, at the end of the Term.

(B) Lessee's Right to Remove Items of Personal Property. No later than the last day of the Term, Lessee shall remove all of Lessee's personal property at the Leased Premises (excluding trade fixtures, which shall not be removed) and shall repair any and all damage to the Leased Premises caused by the installation or removal thereof and otherwise restore the Leased Premises to a safe, clean and satisfactory condition.

(C) Holdover. If Lessee fails to surrender possession of the Leased Premises to the City at the end of the Term, such holdover shall be deemed as creating a tenancy-at-will on all of the same terms and conditions as set forth herein (except for the duration of the Term and except that base rent payable during the holdover period shall be equal to two hundred percent of the base rent in effect at the end of the Term), terminable by either party at any time by giving written notice thereof to the other party. Lessee shall be liable for all costs and damages suffered or incurred by the City as a result of Lessee's failure to surrender possession at the end of the Term, including without limitation costs and damages suffered or incurred by the City during the holdover period.

(D) Documents to be Delivered to City. At the end of the Term, Lessee shall deliver to the City originals or copies of all books and records, operating manuals, contracts with third parties (but only if the City has expressly agreed to accept an assignment of such contracts), warranty information, and all other written materials and documents that are in Lessee's possession or under Lessee's control and that are reasonably needed in order for there to be a seamless transition with respect to the operation and maintenance of the Leased Premises for the Permitted Use.

13. Compliance with Laws.

(A) Compliance with Laws. Lessee shall comply with all federal, state, and local laws, ordinances, rules and regulations, including without limitation all applicable building and zoning codes of the City of Cincinnati pertaining to the Airport, all applicable requirements set forth in Chapter 402 (*Airport*) of the CMC, and all requirements under Title 49 of the Code of Federal Regulations, as the same may be enacted or modified from time to time.

(B) Non-Discrimination.

- i. Lessee agrees to comply with pertinent statutes, Executive Orders, and such rules as are promulgated to ensure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participating in any activity conducted with or benefiting from Federal assistance. If the Lessee transfers its obligation to another, the transferee is obligated in the same manner as the Lessee. This provision obligates the Lessee for the period during which the property is owned, used or possessed by the Lessee and the airport remains obligated to the Federal Aviation Administration. This provision is in addition to that required by Title VI of the Civil Rights Act of 1964.

- ii. With reference to 49 CFR Subtitle A, Part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation", the purpose of which "is to effectuate the provisions of Title VI of the Civil Rights Act of 1964 . . . to the end that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Transportation", Lessee shall include the foregoing provision in every agreement or concession pursuant to which any person or persons, other than Lessee, operates any facility at the Leased Premises providing services to the public and shall include therein a provision granting the City the right to take such action as the United States may direct to enforce such covenant. Lessee shall defend, indemnify, and hold harmless the City from any and all claims and demands of third persons, including the United States of America, resulting from Lessee's noncompliance with any of the provisions of this section and shall reimburse the City for any and all losses or expenses incurred by reason of such noncompliance.

14. General Provisions.

(A) Entire Agreement. This Lease (including the exhibits hereto) contains the entire agreement between the parties with respect to the subject matter hereof and supersedes any and all prior discussions, negotiations, representations or agreements, written or oral, between them respecting the subject matter hereof.

(B) Amendments. This Lease may be amended only by a written amendment signed by both parties.

(C) Governing Law. This Lease shall be governed by and construed in accordance with the laws of the City of Cincinnati and the State of Ohio. All actions regarding this Lease shall be brought in the Hamilton County Court of Common Pleas, and Lessee agrees that venue in such court is proper. Lessee hereby waives trial by jury with respect to any and all disputes arising under this Lease.

(D) Binding Effect. This Lease shall be binding upon and shall inure to the benefit of and be enforceable by and against the parties and their respective successors and permitted assigns.

(E) Captions. The captions of the various sections and paragraphs of this Lease are not part of the context hereof and are only guides to assist in locating such sections and paragraphs and shall be ignored in construing this Lease.

(F) Severability. If any part of this Lease is held to be void, illegal or unenforceable by a court of law, such part shall be deemed severed from this Lease, and the balance of this Lease shall remain in full force and effect.

(G) No Recording. This Lease shall not be recorded in the Hamilton County Recorder's office.

(H) Time. Time is of the essence with respect to the performance by Lessee of its obligations under this Lease.

(I) No Third-Party Beneficiaries. The parties hereby agree that no third-party beneficiary rights are intended to be created by this Lease.

(J) No Brokers. Lessee represents that it has not dealt with a real estate broker, salesperson or other person who might claim entitlement to a fee or other compensation as a result of the parties' execution of this Lease.

(K) Official Capacity. All representations, warranties, covenants, agreements, and obligations of the City under this Lease shall be effective to the extent authorized and permitted by applicable law. None of those representations, warranties, covenants, agreements, or obligations shall be deemed to be a representation, warranty, covenant, agreement or obligation of any present or future member, officer, agent or employee of the City in other than his or her official capacity. No official executing or approving the City's participation in this Lease shall be personally liable under this Lease.

(L) Representation as to Authority. Lessee represents that it has the power and authority to enter into and perform its obligations under this Lease without the consent of anyone who is not a party to this Lease and that the execution and performance of this Lease has been duly authorized by all necessary actions on Lessee's part.

(M) FAA Subordination Clause. This Lease shall be subordinate to the provisions of any existing or future agreements between the City and the United States Government, including any and all grant assurances relating to the maintenance, development, or operation of the Airport, the execution of which agreements has been or will be required as a condition precedent to the granting of federal funds for the maintenance, development, or operation of the Airport to the extent that the provisions of any such existing or future agreements are generally required by the United States at other civil air carrier airports receiving federal funds.

15. **CR# 35-2022 Conditions**. None.

16. **Exhibits**. The following exhibits are attached hereto and made a part hereof:
Exhibit A - *Site Map*
Exhibit B - *Legal Description of Leased Premises*

[*Signature Pages Follow*]

This Lease is executed by the parties on the dates indicated below their respective signatures, effective as of the later of such dates (the "**Effective Date**").

Signature Engines, Inc., an Ohio corporation

By: _____

Printed name: _____

Title: _____

Date: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by _____, the _____ of **Signature Engines, Inc.**, an Ohio corporation, on behalf of the corporation. This is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

[*City Signature Page Follows*]

City of Cincinnati

By: _____

Printed name: _____

Title: _____

Date: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by _____, the _____ of the **City of Cincinnati**, an Ohio municipal corporation, on behalf of the municipal corporation. This is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

Recommended by:

John S. Brazina, Director
Department of Transportation and Engineering

Fred Anderton, Lunken Airport Manager

Approved as to Form:

Assistant City Solicitor

Certified Date: _____

Fund/Code: _____

Amount: _____

By: _____
Karen Alder, City Finance Director

EXHIBIT A

SITE MAP

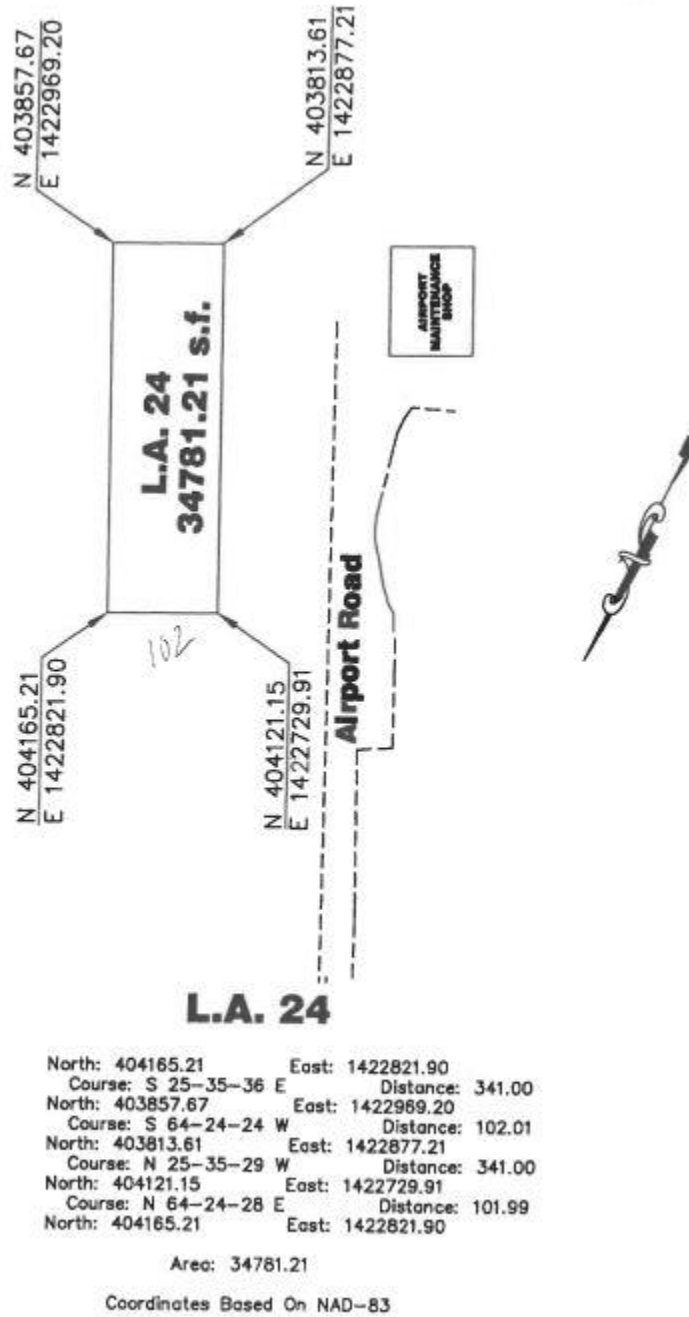


EXHIBIT B

LEGAL DESCRIPTION OF LEASED PREMISES

Lunken Airport
Lease Area 24

Situated in Section 24, Town 5, F.R. 1, Spencer Township, Hamilton County, Ohio, and being part of Columbia Old Town, as recorded in Deed Book 56, Page 654, Hamilton County, Ohio Records and being more particularly described as follows:

Ohio State Coordinates (South Zone)

North: 404165.21	East: 1422821.90
North: 403857.67	East: 1422969.20
North: 403813.61	East: 1422877.21
North: 404121.15	East: 1422729.91
North: 404165.21	East: 1422821.90

Containing 34,781.21 ± S.F.

Coordinates Based On NAD-83

Date: February 23, 2023

202300671

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: ORDINANCE – VACATION OF UNNAMED ALLEY BETWEEN COLUMBIA PARKWAY
AND WALWORTH AVENUE

Attached is an ordinance captioned as follows:

AUTHORIZING the City Manager to vacate and convey to Experimental Holdings, Inc. certain portions of an unnamed alley designated as public right-of-way generally located between Walworth Avenue and Columbia Parkway in the Columbia Tusculum and East End neighborhoods of Cincinnati.

The City of Cincinnati owns certain portions of an unnamed alley designated as public right-of-way, generally located between Walworth Avenue and Columbia Parkway in the Columbia Tusculum and East End neighborhoods (“Property”), including an approximately 0.025-acre portion of the unnamed alley, which is under the management and control of the City’s Department of Transportation and Engineering (“DOTE”).

Experimental Holdings, Inc. (“Petitioner”) desires to purchase the Property from the City for consolidation with Petitioner’s adjoining real property. On April 22, 2022, City Council approved Ordinance No. 97-2022, which authorized the City Manager to sell the Property located between Walworth Avenue and Columbia Parkway to Experimental Holdings, Inc., which is more particularly depicted in Attachment A – Property Exchange Agreement.

The City Manager, upon consultation with DOTE, has determined that the Property is not needed for transportation or any other municipal purpose, that there is good cause to vacate the Property, and that such vacation will not be detrimental to the general interest.

The City’s Real Estate Services Division has determined that the approximate fair market value of the Property is \$23,500, which the Petitioner has agreed to pay.

The City Planning Commission approved the sale of the Property at its meeting on November 18, 2022.

The Administration recommends passage of the attached ordinance.

Attachment A – Property Exchange Agreement
Attachment B – Vacation Plat
Attachment C – Legal Description

cc: John S. Brazina, Director, Transportation and Engineering

AUTHORIZING the City Manager to vacate and convey to Experimental Holdings, Inc. certain portions of an unnamed alley designated as public right-of-way generally located between Walworth Avenue and Columbia Parkway in the Columbia Tusculum and East End neighborhoods of Cincinnati.

WHEREAS, on April 22, 2022, Council approved Ordinance No. 97-2022, which ordinance authorized the City Manager to sell certain real property lying between Walworth Avenue and Columbia in the Columbia Tusculum and East End neighborhoods to Experimental Holdings, Inc., an Ohio corporation (“Petitioner”), which property is more particularly depicted and described in the *Property Exchange Agreement* attached to this ordinance as Attachment A and incorporated herein by reference (“Sale Property”); and

WHEREAS, pursuant to a plat of subdivision concerning the Benjamin F. Strader Subdivision of Pendleton recorded on May 24, 1866, in Plat Book 2, Page 284, Hamilton County, Ohio Recorder’s Office, Benjamin F. Strader dedicated portions of the Sale Property and adjacent properties to public use for an unnamed alley (“Alley”); and

WHEREAS, on or before the platting of Columbia Avenue through the Benjamin F. Strader Subdivision of Pendleton pursuant to a plat recorded on May 2, 1871, in Plat Book 3, Page 257, the City likely vacated the Alley; however, no record of such vacation can be located; and

WHEREAS, in accordance with the sale of the Sale Property authorized by Ordinance No. 97-2022, Petitioner has petitioned the City to vacate certain portions of the Alley, as more particularly depicted on the *Vacation Plat* attached to this ordinance as Attachment B and incorporated herein by reference (such portion being an undeveloped paper alley, referred to herein as the “Vacation Property”); and

WHEREAS, Eli Krafte-Jacobs, Esq., a reputable attorney practicing in Hamilton County, Ohio, has certified that the City and Petitioner own all real property abutting the Vacation Property; and

WHEREAS, pursuant to Ohio Revised Code Sec. 723.04, the City may, upon petition, vacate a street or alley if it has determined that there is good cause for the vacation and that the vacation will not be detrimental to the general interest; and

WHEREAS, pursuant to Cincinnati Municipal Code Section 331-1, the City may sell real property that is not needed for municipal purposes; and

WHEREAS, the City Manager, in consultation with DOTE, has determined that: (i) the Vacation Property is not needed for transportation purposes or any other municipal purpose; (ii) there is good cause to vacate the Vacation Property; and (iii) the vacation of the Vacation Property will not be detrimental to the general interest; and

WHEREAS, the City's Real Estate Services Division has determined that the approximate fair market value of the Sale Property in Ordinance No. 97-2022, which fair market value a professional appraisal determined to be \$23,500, includes the approximate contributory fair market value of the Vacation Property; and

WHEREAS, pursuant to Cincinnati Municipal Code Section 331-5, Council may authorize the sale of City-owned real property without competitive bidding in those cases in which it determines that it is in the best interest of the City and eliminating competitive bidding in connection with the City's vacation of the Vacation Property is appropriate because the City and Petitioner own all real property abutting the Vacation Property, and, as a practical matter, no one other than an abutting property owner would have any use for it; and

WHEREAS, the City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the vacation of the Vacation Property at its regularly scheduled meeting on November 18, 2022; now, therefore,

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

Section 1. That the City Manager is hereby authorized to do all things necessary to vacate and sell to Experimental Holdings, Inc., an Ohio corporation ("Petitioner"), an approximately 0.025-acre portion of an unnamed alley designated as public right-of-way by plat pursuant to the Benjamin F. Strader Subdivision of Pendleton recorded on May 24, 1866, in Plat Book 2, Page 284, Hamilton County, Ohio Recorder's Office, as more particularly described on the *Vacation Plat* attached to this ordinance as Attachment B and incorporated herein by reference ("Vacation Property"), which Vacation Property is more particularly described below and on the legal descriptions attached to this ordinance as Attachment C and incorporated herein by reference:

Tract I:

Situated in Section 31, Town 4, Fractional Range 2, Miami Purchase, City of Cincinnati, Columbia Township, Hamilton County, Ohio, and being the vacation of the entire 10.00-foot alley adjacent to and to the north of Lot 3 of B. F. Strader's Addition to the Town of Pendleton as recorded in Plat

Book 2, Page 284 and further described as follows:

Beginning at a point found by measuring from the southeast corner of said Lot 3, said point being on the northerly right-of-way line of Walworth Avenue, along the easterly line of said Lot 3, North 35°16'33" East, 97.01 feet to the South line of an existing 10-foot alley and the true point of beginning;

thence from the point of beginning thus found, leaving said easterly line, along said southerly line, North 52°15'55" West, 30.03 feet to a point on the westerly line of said Lot 3;

thence leaving said southerly line, along said westerly line extended, North 35°16'33" East, 10.01 feet to a point on the northerly line of the aforementioned 10.00-foot alley;

thence leaving said westerly line, along said northerly line, South 52°15'55" East, 30.03 feet to a point on the extended easterly line of aforementioned Lot 3;

thence leaving said northerly line, along said easterly line, South 35°16'33" West, 10.01 feet to the point of beginning containing 300.32 square feet or 0.007 acres of land.

The above description was prepared by Todd K. Turner of Tri-State Location Services, Registered Surveyor #7684 in the State of Ohio, and is based on a Vacation Plat dated August 15, 2022, and recorded in the Hamilton County, Ohio records.

Basis of Bearings: Ohio State Plane Coordinate System, Southerly Zone
All of the above-described recording references are to the Hamilton County, Ohio records.

Tract II:

Situated in Section 31, Town 4, Fractional Range 2, Miami Purchase, City of Cincinnati, Columbia Township, Hamilton County, Ohio, and being the vacation of the entire 10.00-foot alley adjacent to and to the north of Lot 2 of B. F. Strader's Addition to the Town of Pendleton as recorded in Plat Book 2, Page 284 and further described as follows:

Beginning at a point found by measuring from the southeast corner of said Lot 2, said point being on the northerly right-of-way line of Walworth Avenue, along the easterly line of said Lot 2, North 35°16'33" East, 97.76 feet to the South line of an existing 10-foot alley and the true point of beginning;

thence from the point of beginning thus found, leaving said easterly line, along said southerly line, North 52°15'55" West, 30.03 feet to a point on the westerly line of said Lot 2;

thence leaving said southerly line, along said westerly line extended, North 35°16'33" East, 10.01 feet to a point on the northerly line of the aforementioned 10.00-foot alley; thence leaving said westerly line, along said northerly line, South 52°15'55" East, 30.03 feet to a point on the extended easterly line of aforementioned Lot 2;

thence leaving said northerly line, along said easterly line, South 35°16'33" West, 10.01 feet to the point of beginning containing 300.32 square feet or 0.007 acres of land.

The above description was prepared by Todd K. Turner of Tri-State Location Services, Registered Surveyor #7684 in the State of Ohio, and is based on a Vacation Plat dated August 15, 2022, and recorded in the Hamilton County, Ohio records.

Basis of Bearings: Ohio State Plane Coordinate System, Southerly Zone
All of the above-described recording references are to the Hamilton County, Ohio records.

Tract III:

Situated in Section 31, Town 4, Fractional Range 2, Miami Purchase, City of Cincinnati, Columbia Township, Hamilton County, Ohio, and being the vacation of the entire 10.00-foot alley adjacent to and to the north of Lot 1 of B. F. Strader's Addition to the Town of Pendleton as recorded in Plat Book 2, Page 284 and further described as follows:

Beginning at a point found by measuring from the southeast corner of said Lot 1, said point being on the northerly right-of-way line of Walworth Avenue, along the easterly line of said Lot 1, North 35°16'33" East, 92.82 feet to the South line of an existing 10-foot alley and the true point of beginning;

thence from the point of beginning thus found, leaving said easterly line, along said southerly line, North 52°15'55" West, 49.79 feet to a point on the westerly line of said Lot 1;

thence leaving said southerly line, along said westerly line extended, North 32°35'53" East, 10.04 feet to a point on the northerly line of the aforementioned 10.00-foot alley; thence leaving said westerly line, along said northerly line, South 52°15'55" East, 50.26 feet to a point on the extended easterly line of aforementioned Lot 1;

thence leaving said northerly line, along said easterly line, South 35°16'33" West, 10.01 feet to the point of beginning containing 500.24 square feet or 0.011 acres of land.

The above description was prepared by Todd K. Turner of Tri-State Location Services, Registered Surveyor #7684 in the State of Ohio, and is based on a Vacation Plat dated August 15, 2022, and recorded in the Hamilton County, Ohio records.

Basis of Bearings: Ohio State Plane Coordinate System, Southerly Zone
All of the above-described recording references are to the Hamilton County, Ohio records.

Section 2. That the Vacation Property is not needed for transportation or other municipal purposes, that there is good cause to vacate and sell the Vacation Property, and that such vacation and sale will not be detrimental to the general interest.

Section 3. That the City's Real Estate Services Division has determined that the approximate fair market value of the Sale Property in Ordinance No. 97-2022, which fair market value a professional appraisal determined to be \$23,500, includes the approximate contributory fair market value of the Vacation Property.

Section 4. That eliminating competitive bidding in connection with the City's sale of the Vacation Property is in the best interest of the City because the City and Petitioner own all real property that abuts the Vacation Property; and, as a practical matter, no one other than an abutting property owner would have any use for the Vacation Property.

Section 5. That the proceeds from the sale of the Vacation Property, if any, shall be deposited into Property Management Fund 209 to pay the fees for services provided by the City's Real Estate Services Division in connection with the sale, and that the City's Finance Director is hereby authorized to deposit amounts in excess amounts thereof into Parks Improvement Fund 752.

Section 6. That, pursuant to Ohio Revised Code Sec. 723.041, any affected public utility shall be deemed to have a permanent easement in the Vacation Property to maintain, operate, renew, reconstruct, and remove its utility facilities and for purposes of access to said facilities.

Section 7. That the City Manager and other City officials are hereby authorized to take all necessary and proper actions to carry out the provisions of this ordinance, including, without limitation, executing any and all ancillary agreements, deeds, plats, or other documents necessary to facilitate the vacation and sale of the Vacation Property to Petitioner.

Section 8. That the City Solicitor shall cause an authenticated copy of this ordinance to be duly recorded in the Hamilton County, Ohio Recorder's Office.

Section 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

Contract No: _____

Project: property exchange;
land between Columbia Parkway and Walworth Ave

PROPERTY EXCHANGE AGREEMENT

THIS AGREEMENT is made and entered into effective as of the Effective Date (as defined on the signature page hereof) by and between the **CITY OF CINCINNATI**, an Ohio municipal corporation, the address of which is 801 Plum Street, Cincinnati, OH 45202 (the "**City**"), and **EXPERIMENTAL HOLDINGS, INC.**, an Ohio corporation, the address of which is P.O. Box 8189, Cincinnati, OH 45208 ("**Developer**").

Recitals:

A. The City owns one parcel of undeveloped land (Hamilton County Auditor's Parcel No. 30-1-58) lying between Columbia Parkway to the north and Walworth Avenue to the south as shown on Exhibit A (Site Map) hereto (the "**City Parcel**"), which is under the management and control of the Board of Park Commissioners of the City of Cincinnati (the "**Park Board**").

B. Developer owns two adjoining parcels of undeveloped land, one on each side of the City Parcel (Hamilton County Auditor Parcel Nos. 30-1-222 and 30-1-60), also shown on Exhibit A (the "**Developer Parcels**").

C. Developer desires to purchase the southern portion of the City Parcel to create a buildable site, for the construction of up to 3 single-family homes, and in exchange is agreeable to selling to the City the northern portions of the Developer Parcels for use by the City as additional greenspace along Columbia Parkway. The property to be sold by the City to Developer (the "**City Sale Property**"), and the property to be sold by Developer to the City (the "**Developer Sale Property**"), are depicted on Exhibit B (City Sale Property & Developer Sale Property) hereto.

D. The City Sale Property is not needed for park purposes or any other municipal purpose.

E. The City's Real Estate Services Division has determined, by appraisal, that: (i) the fair market value of the City Sale Property is approximately \$25,000, and (ii) the fair market value of the Developer Sale Property is approximately \$1,500, a difference of \$23,500, which Developer has agreed to pay.

F. Section 16 of Article VIII of the Ohio Constitution provides that it is in the public interest and a proper public purpose for the City to enhance the availability of adequate housing and to improve the economic and general well-being of the people of the City by providing or assisting in providing housing.

G. The City has determined that it is in the best interest of the City to eliminate competitive bidding in connection with the sale of the City Sale Property because selling the City Sale Property to Developer, and purchasing the Developer Sale Property from Developer, will accomplish two important objectives, namely: (i) it will enable Developer to assemble a buildable site to accommodate the construction of single family homes, thereby putting the currently undeveloped land to its highest and best use; and (ii) it will enable the City to acquire and maintain additional greenspace along Columbia Parkway.

H. The Cincinnati Park Board approved the sale of the City Sale Property to Developer at its meeting on April 18, 2019.

I. Cincinnati Planning Commission, having the authority to approve the change in the use of City-owned property, approved the sale of the City Sale Property to Developer at its meeting on September 6, 2019.

I. The City's sale of the City Sale Property to Developer was authorized by Ordinance no. 97-2022 passed by Cincinnati City Council on April 27, 2022.

NOW, THEREFORE, in consideration of the foregoing premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. CLOSING.

(A) Purchase Price. The purchase price for the City Sale Property is \$25,000, and the purchase price for the Developer Sale Property is \$1,500. At Closing (defined below), Developer shall pay the City an amount equal to the purchase price of the City Sale Property (\$25,000) minus the purchase price of the Developer Sale Property (\$1,500), which equals \$23,500.

(B) Closing Date. The closing on the transaction ("**Closing**") will take place 60 days after the Effective Date, or on such other date as the parties may agree upon. The Closing shall take place at City Hall. At Closing, the City shall accept the Developer Sale Property in "as is" condition, and Developer shall accept the City Sale Property in "as is" condition. If for any reason the Closing has not occurred within sixty (60) days from the date Cincinnati City Council authorizes the transaction, then, unless such date is mutually extended in writing by the parties, this Agreement shall automatically terminate and thereafter neither party shall have any further rights or obligations hereunder.

(C) Cut-Ups; New Legal Descriptions. Prior to Closing, Developer, at its sole cost, shall perform all necessary survey work and prepare all necessary plats and legal descriptions (including residual descriptions) in order to create the City Sale Property and the Developer Sale Property as legal parcels on the tax maps of the Hamilton County Auditor.

(D) Deeds. At Closing, the City shall convey title to the City Sale Property to Developer by Quitclaim Deed in substantially the form of Exhibit C (Quitclaim Deed – City Sale Property) hereto (the "**City's Deed**"), and Developer shall convey title to the Developer Sale Property to the City by General Warranty Deed in substantially the form of Exhibit D (General Warranty Deed – Developer Sale Property) hereto ("**Developer's Deed**").

(E) Proration of Property Taxes; Closing Documents; Closing Costs. At Closing, (i) there shall be no proration of real estate taxes and assessments with respect to the City Sale Property, and from and after the Closing Developer shall pay all real estate taxes and assessments on the City Sale Property thereafter coming due, and (ii) real estate taxes and assessments with respect to the Developer Sale Property will be prorated as of the date of Closing in accordance with local custom (with such proration to be based upon the acreage of the Developer Sale Property as a percentage of the total acreage of the larger parcel from which the Developer Sale Property is being created). If, upon receipt of the actual tax bills for the Developer Sale Property, it is determined that Developer's estimated prorated share of the taxes and assessments through the date of the Closing, as reflected on the settlement statement, was less than Developer's actual prorated share, Developer shall pay the additional amount to the City within 30 days after receipt of the tax bill. At Closing, the parties shall execute a customary settlement statement; Developer shall deliver a customary title affidavit to the City, and the City shall deliver a customary title affidavit to Developer, using the City's standard forms; and the parties shall execute any and all other closing documents as may be necessary or appropriate and as approved by both parties. Developer shall pay all transfer taxes, conveyance fees, and recording costs payable to the Hamilton County Auditor and Hamilton County Recorder and any and all other closing costs associated with the Closing (except that Developer shall not be required to pay any attorneys fees for the City). *As a material inducement to the City to enter into this Agreement on the terms and conditions set forth herein, the City shall not be required to pay any closing costs associated with the Closing.*

(F) Owner's Title Insurance. At Closing, in lieu of a title policy, Developer shall deliver a General Warranty Deed for the Developer Sale Property.

(H) Phase One Environmental Assessment. No less than fourteen (14) days prior to Closing, Developer, at no cost to the City, shall provide the City with a phase one assessment prepared by Westech Environmental Solutions, evidencing that the Developer Sale Property is free of environmental contamination and that the environmental condition of the Developer Sale Property is otherwise acceptable to the City's Office of Environment and Sustainability.

(I) CR Conditions. As a condition of Closing, the following conditions, as identified in the City's Coordinated Report (**CR #111-2018**) ("**CR Conditions**") shall be satisfied:

(i) *DOTe:* The City's Deed shall include a requirement that any future development on the City Sale Property will require review by the City's Department of Transportation and Engineering ("DOTe") to ensure that the development will not affect the stability of the drilled pier wall that supports Columbia Parkway, and to ensure that there will be an appropriate buffer between Columbia Parkway and the proposed development.

(ii) *SMU:* The City's Deed shall include a requirement that any future development on the City Sale Property will require review by the City's Stormwater Management Utility ("SMU") to ensure that overland flow issues are appropriately addressed.

(iii) *Buildings and Inspections :* The City's Deed shall include a requirement that any future development on the City Sale Property shall conform to all Hillside Overlay Development regulations, and abide by height limitations of the maximum building envelope of 35 ft for the structures, as well as any Park Board requirements that prohibit the encroachment of buildings on the views from Columbia Parkway.

(J) Contingencies; Right to Terminate. If, for any reason, the Closing conditions are not satisfied or cannot be satisfied, as determined by either party in its sole discretion, such party shall have the right to terminate this Agreement, effective immediately, by written notice to the other party, whereupon neither party shall thereafter have any further rights or obligations hereunder.

2. NOTICES. All notices given by the parties hereunder shall be deemed given if personally delivered, or delivered by Federal Express, UPS or other recognized overnight courier, or mailed by U.S. registered or certified mail, postage prepaid, return receipt requested, addressed to the parties at their respective addresses set forth in the introductory paragraph of this Agreement. Notices shall be deemed given on the date of receipt. If Developer sends a notice to the City alleging that the City is in default under this Agreement, Developer shall simultaneously send a copy of such notice by U.S. certified mail to: City Solicitor, City of Cincinnati, 801 Plum Street, Room 214, Cincinnati, OH 45202.

3. REPRESENTATIONS, WARRANTIES, AND COVENANTS OF DEVELOPER. Developer makes the following representations, warranties and covenants to induce the City to enter into this Agreement:

(i) Developer is a corporation duly organized and validly existing under the laws of the State of Ohio, has been properly qualified to do business in the State of Ohio, and is not in violation of any laws of the State of Ohio relevant to the transactions contemplated by this Agreement.

(ii) Developer has full power and authority to execute and deliver this Agreement and to carry out the transactions provided for therein. This Agreement has by proper action been duly authorized, executed and delivered by Developer and all actions necessary have been taken to constitute this Agreement, when executed and delivered, valid and binding obligations of Developer.

(iii) The execution, delivery and performance by Developer of this Agreement and the consummation of the transactions contemplated hereby will not violate any applicable laws, or any writ or decree of any court or governmental instrumentality, or the organizational documents of Developer, or any mortgage, indenture, contract, agreement or other undertaking to which Developer is a party or which purports to be binding upon Developer or upon any of its assets, nor is Developer in violation or default of any of the foregoing.

(iv) There are no actions, suits, proceedings or governmental investigations pending, or to the knowledge of Developer, threatened against or affecting Developer or any of its members, at law or in equity or before or by any governmental authority.

(v) Developer shall give prompt notice in writing to the City of the occurrence or existence of any litigation, labor dispute or governmental proceeding or investigation affecting Developer or any of its members that could reasonably be expected to interfere substantially with its normal operations or materially and adversely affect its financial condition.

(vi) The statements made in the documentation provided by Developer to the City that are descriptive of Developer or the proposed development project have been reviewed by Developer and do not contain any untrue statement of a material fact or omit to state any material fact necessary in order to make such statements, in light of the circumstances under which they were made, not misleading.

(vii) Developer does not owe any outstanding fines, penalties, judgments, water or other utility charges or other amounts to the City.

4. GENERAL PROVISIONS.

(A) Assignment. Developer shall not assign its rights or interests under this Agreement to any third party without the prior written consent of the City, which consent may be withheld in the City's sole discretion.

(B) Entire Agreement. This Agreement (including all exhibits) contain the entire agreement between the parties with respect to the subject matter hereof and supersedes any and all prior discussions, negotiations, representations or agreements, written or oral, between them respecting the subject matter hereof.

(C) Amendments. This Agreement may be amended only by a written amendment signed by both parties.

(D) Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the City of Cincinnati and the State of Ohio. All actions regarding this Agreement shall be brought in the Hamilton County Court of Common Pleas, and Developer agrees that venue in such court is proper. Developer hereby waives trial by jury with respect to any and all disputes arising under this Agreement.

(E) Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of and be enforceable by and against the parties and their respective successors and permitted assigns.

(F) Captions. The captions of the various sections and paragraphs of this Agreement are not part of the context hereof and are only guides to assist in locating such sections and paragraphs and shall be ignored in construing this Agreement.

(G) Severability. If any part of this Agreement is held by a court of law to be void, illegal or unenforceable, such part shall be deemed severed from this Agreement, and the balance of this Agreement shall remain in full force and effect.

(H) No Recording. This Agreement shall not be recorded in the Hamilton County Recorder's office.

(I) Time. Time is of the essence with respect to the performance by the parties of their respective obligations under this Agreement.

(J) No Third-Party Beneficiaries. The parties hereby agree that no third party beneficiary rights are intended to be created by this Agreement.

(K) No Brokers. The City and Developer represent to each other that they have not dealt with a real estate broker, salesperson or other person who might claim entitlement to a fee or other compensation as a result of the parties' execution of this Agreement.

(L) Official Capacity. All representations, warranties, covenants, agreements and obligations of the City under this Agreement shall be effective to the extent authorized and permitted by applicable law. None of those representations, warranties, covenants, agreements or obligations shall be deemed to be a representation, warranty, covenant, agreement or obligation of any present or future officer, agent, employee or attorney of the City in other than his or her official capacity.

5. EXHIBITS. The following exhibits are attached hereto and made a part hereof:

Exhibit A - *Site Map*

Exhibit B - *City Sale Property & Developer Sale Property*

Exhibit C - *Quitclaim Deed – City Sale Property*

Exhibit D - *General Warranty Deed - Developer Sale Property*

[*signature pages follow*]

This Agreement is executed by the parties on the dates indicated below their signatures, effective as of the later of such dates (the “**Effective Date**”).

CITY OF CINCINNATI

By: _____

Printed name: _____

Title: _____

Date: _____, 2022

Recommended by:

Steve Pacella, Interim Director,
Cincinnati Park Board

Approved as to Form:

Assistant City Solicitor

Certified Date: _____

Fund/Code: _____

Amount: _____

By: _____
Karen Alder, City Finance Director

[*Developer Signature Page Follows*]

EXPERIMENTAL HOLDINGS, INC.,
an Ohio corporation

By: _____

Printed name: _____

Title: _____

Date: _____, 2022

Exhibit A to Property Exchange Agreement Site Map

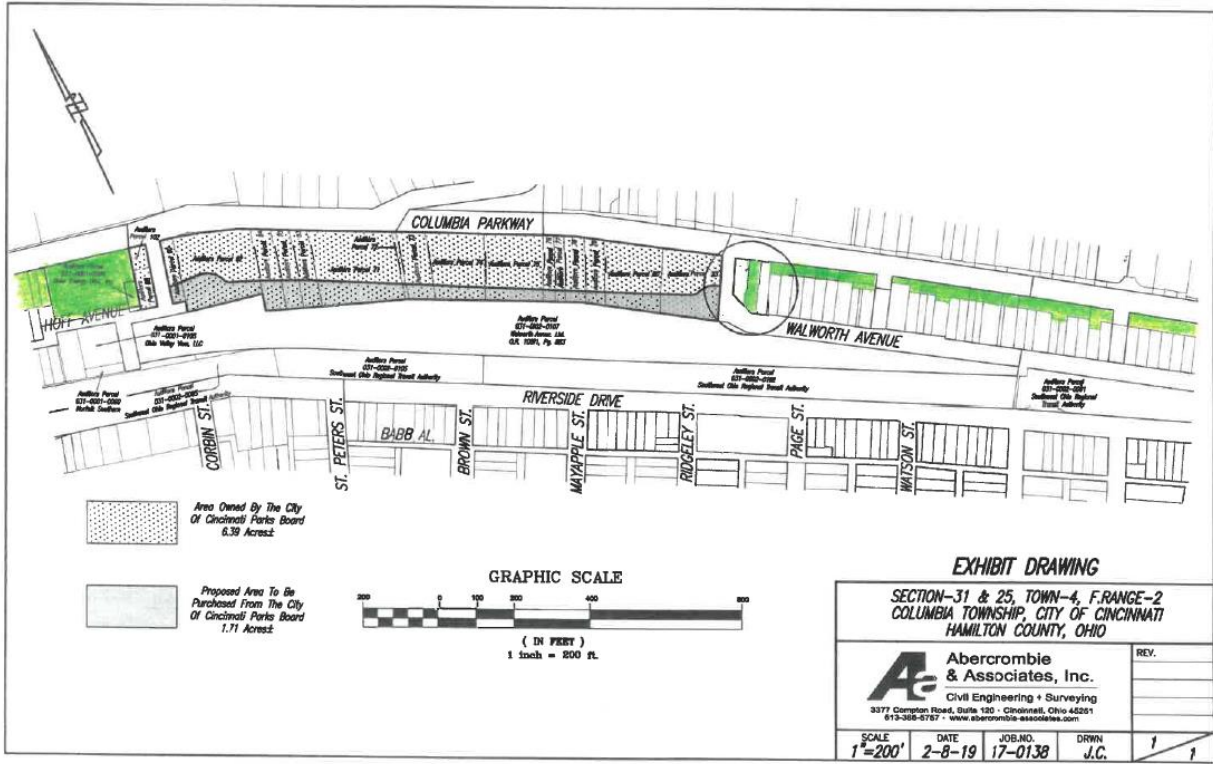


Exhibit B to Property Exchange Agreement

City Sale Property & Developer Sale Property

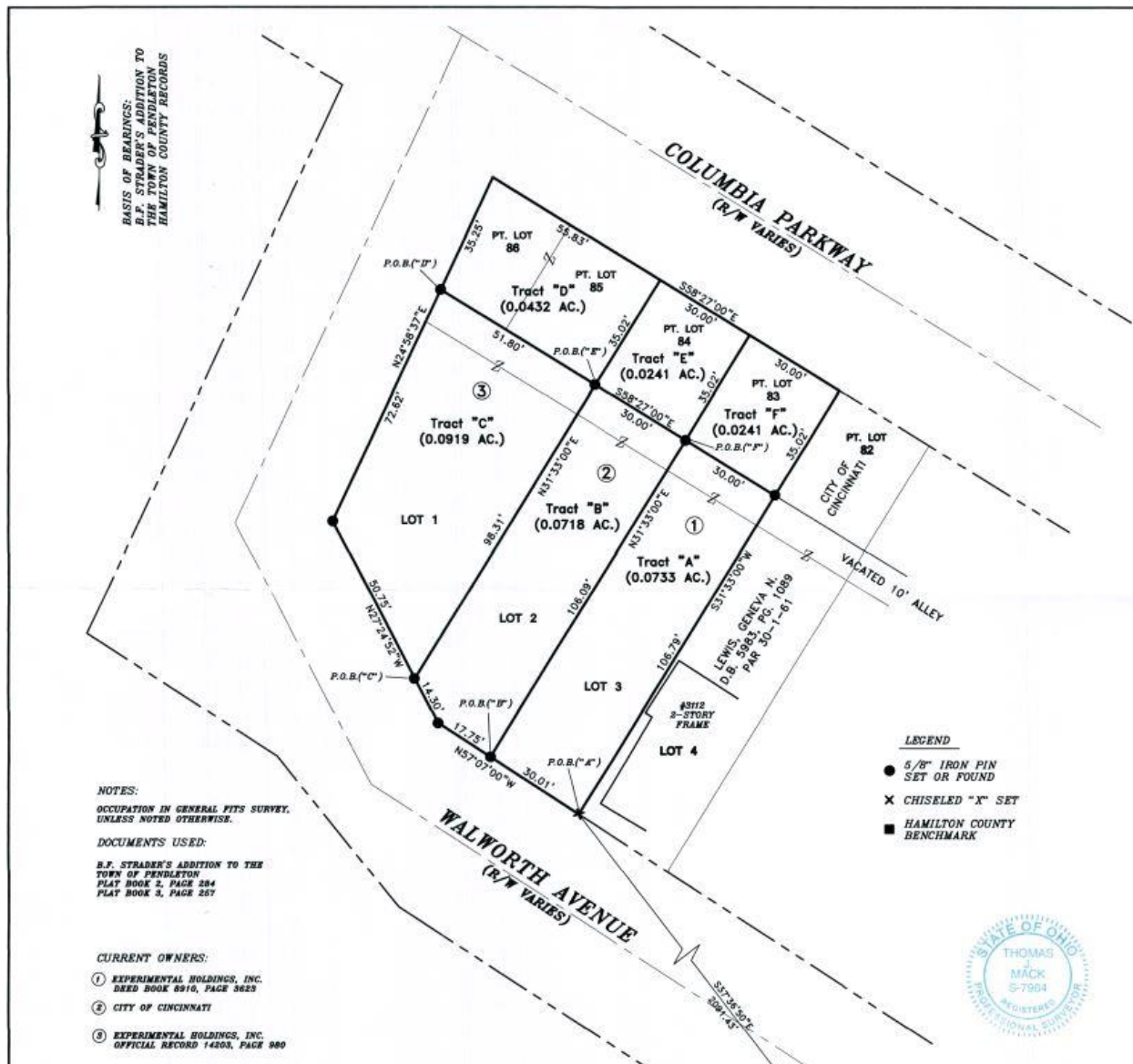


Exhibit C
to Property Exchange Agreement
Quitclaim Deed – City Sale Property

SEE ATTACHED

[SPACE ABOVE FOR RECORDER'S USE]

QUITCLAIM DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the "**City**"), for valuable consideration paid, hereby grants and conveys to **EXPERIMENTAL HOLDINGS, INC.**, an Ohio corporation, the tax-mailing address of which is P.O. Box 8189, Cincinnati, OH 45208 ("**Grantee**"), all of the City's right, title and interest in and to the real property shown on Exhibit A (*Survey Plat*) and described on Exhibit B (*Legal Description*) hereto (the "**Property**"):

Street Address: undeveloped land on Walworth Avenue, Cincinnati, OH

Auditor's Parcel No: cut-up of Auditor parcel # 30-1-58

Prior instrument reference: Official Record _____, Page _____, Hamilton County, Ohio Records.

THIS TRANSFER IS SUBJECT TO, AND THE CITY HEREBY CREATES, THE FOLLOWING EASEMENTS, COVENANTS, AND RESTRICTIONS.

(1) Any future development shall require review by the City's Department of Transportation and Engineering to ensure that the development will not affect the stability of the drilled pier wall that supports Columbia Parkway, and to ensure that there will be an appropriate buffer between Columbia Parkway and the proposed development.

(2) Any future development shall require review by the City's Stormwater Management Utility to ensure that overland flow issues are appropriately addressed.

(3) Any future development shall conform to all Cincinnati Zoning Code regulations concerning Hillside Overlay Districts, as well as any Cincinnati Park Board requirements that prohibit the encroachment of buildings on views from Columbia Parkway.

The foregoing covenants shall "run with the land" and be binding upon Grantor and its successors-in-interest and shall inure to the benefit of the City of Cincinnati.

This conveyance was authorized by Ordinance No. ____-2022, passed by Cincinnati City Council on _____, 2022.

Executed on _____, 2022.

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022 by _____, the _____ of the City of Cincinnati, an Ohio municipal corporation, on behalf of the municipal corporation. This is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

Approved as to Form:

Assistant City Solicitor

This instrument prepared by:
City of Cincinnati Law Department
801 Plum Street
Cincinnati, Ohio 45202

EXHIBIT A to Quitclaim Deed

Survey Plat

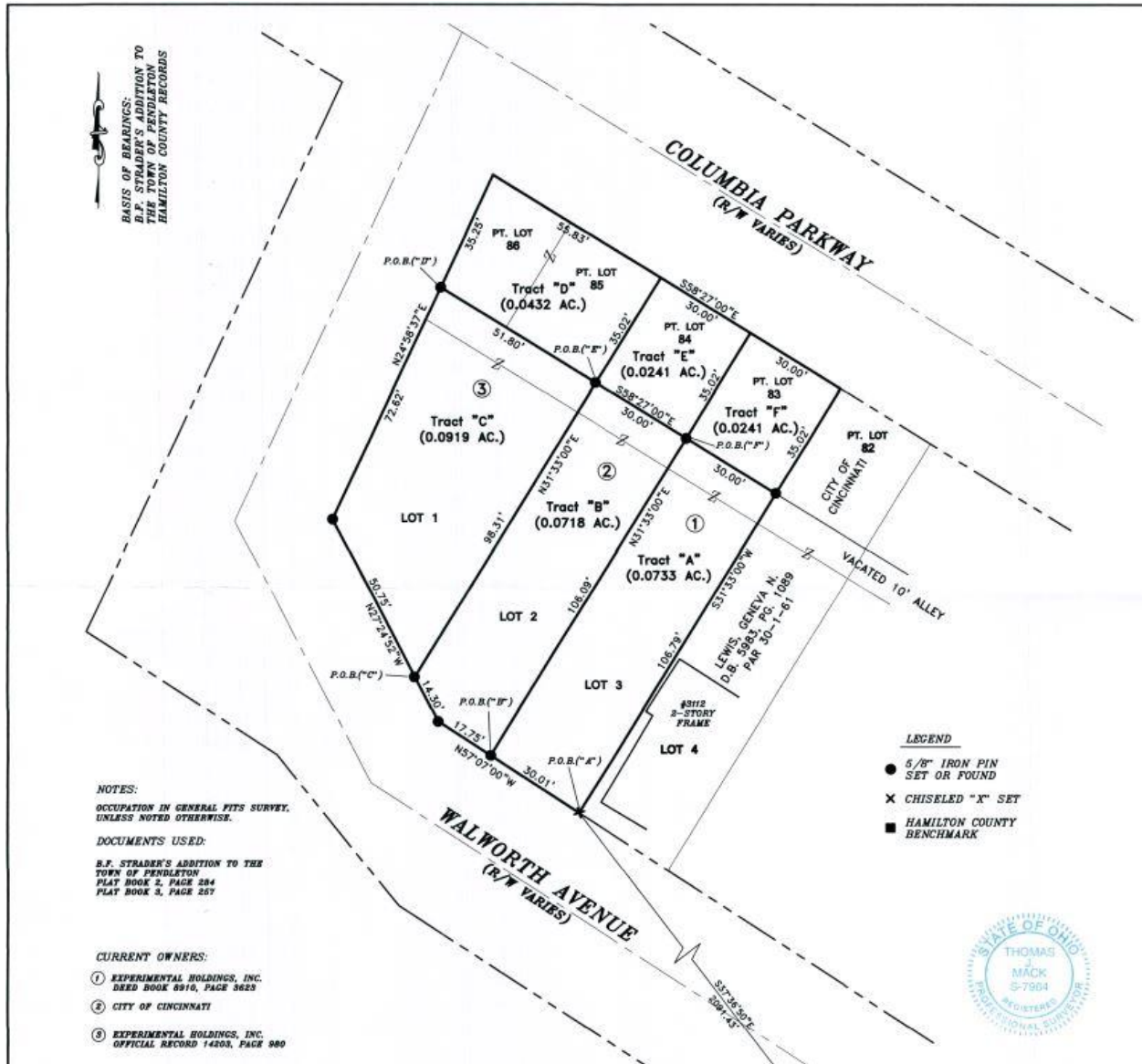


EXHIBIT B
to Quitclaim Deed

LEGAL DESCRIPTION

Situated in the State of Ohio, Hamilton County, City of Cincinnati, being in Section 31, Town 4, Fractional Range 2, Miami Purchase, and being all of Lot 2 of B.F. Strader's Addition to the Town of Pendleton and a portion of a vacated 10 foot wide alley per Plat Book 2, Page 284 and Plat Book 3, Page 257 of the Hamilton County, Ohio Recorder's Office and being more particularly described as follows:

Commencing at a chiseled "X" set at the southeast corner of Lot 3 of said B.F. Strader's Addition, said chiseled "X" being North 37° 36' 50" West, 2091.43 feet from Hamilton County Benchmark #6963, thence, North 57° 07' 00" West, along the northerly line of Walworth Avenue, 30.01 feet to a 5/8" dia. iron pin set, said 5/8" dia. iron pin set also being the True Point of Beginning for the following described tract:

thence, from said True Point of Beginning, North 57° 07' 00" West, along the northerly line of Walworth Avenue, 17.75 feet to a 5/8" dia. iron pin set;

thence, North 21° 24' 52" West, continuing along said northerly line of Walworth Avenue, 14.30 feet to a 5/8" dia. iron pin set at the southeast corner of Lot 1 of said B.F. Strader's Addition;

thence, North 31° 33' 00" East, along the easterly line of said Lot 1, 98.31 feet to a 5/8" dia. iron pin set at the southwest corner of Lot 84 of said B.F. Strader's Addition;

thence, South 58° 27' 00" East, along the southerly line of said Lot 84, 30.00 feet to a 5/8" dia. iron pin set at the southeast corner of Lot 84 of said B.F. Strader's Addition;

thence, South 31° 33' 00" West, along the westerly line of Lot 3 of B.F. Strader's Addition, 106.09 feet to the True Point of Beginning, containing 0.0718 acres (3,128.86 sq. ft.) of land, more or less. Subject, however, to all legal rights-of-way of previous record.

Basis of Bearings: Plat Book 2, Page 284 and Plat Book 3, Page 257 of the Hamilton County, Ohio Recorder's Office. Being a part of the land conveyed to the City of Cincinnati in Deed Book 1807, Page 358, Hamilton County Recorder's Office.

Exhibit D
to Property Exchange Agreement

General Warranty Deed – Developer Sale Property

SEE ATTACHED

[SPACE ABOVE FOR RECORDER'S USE]

GENERAL WARRANTY DEED

EXPERIMENTAL HOLDINGS, INC., an Ohio corporation ("**Grantor**"), for valuable consideration paid, hereby grants and conveys, with general warranty covenants, to the **CITY OF CINCINNATI**, an Ohio municipal corporation, the tax-mailing address of which is 801 Plum Street, Cincinnati, OH 45202 (the "**City**"), the real property shown on Exhibit A (Survey Plat) and described on Exhibit B (Legal Description) hereto (the "**Property**"):

Street Address: undeveloped land along Columbia Parkway, Cincinnati, OH

Auditor's Parcel No: cut-up of Auditor parcels # 30-1-222 and 30-1-60

Prior instrument reference: Official Record 14208, Page 980; Official Record 8910, Page 3623, Hamilton County, Ohio Records.

Conveyance Between Adjoining Lot Owners. This conveyance is a transfer between adjoining lot owners made in compliance with Section 711.001, Subsection (B)(1) Ohio Revised Code, and does not create an additional building site nor violate any zoning regulation or other public regulation in the parcel hereby conveyed or the balance of the parcel retained by the grantor herein. The parcel hereby conveyed may not hereafter be conveyed separately from Grantee's adjoining parcel nor any structure erected thereon without the prior approval of the authority having jurisdiction of plats.

Executed on _____, 2022.

EXPERIMENTAL HOLDINGS, INC.,
an Ohio corporation

By: _____

Printed name: _____

Title: _____

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022 by _____ (name), the _____(title) of EXPERIMENTAL HOLDINGS, INC., an Ohio corporation, on behalf of the corporation. This is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

Acceptance of this instrument was authorized by Ordinance No. 97-2022, passed by Cincinnati City Council on April 27, 2022.

Accepted By:

CITY OF CINCINNATI

By: _____
Printed name: _____
Title: _____

Approved as to Form:

Assistant City Solicitor

This instrument prepared by:
City of Cincinnati Law Department
801 Plum Street
Cincinnati, Ohio 45202

EXHIBIT A to General Warranty Deed

Survey Plat

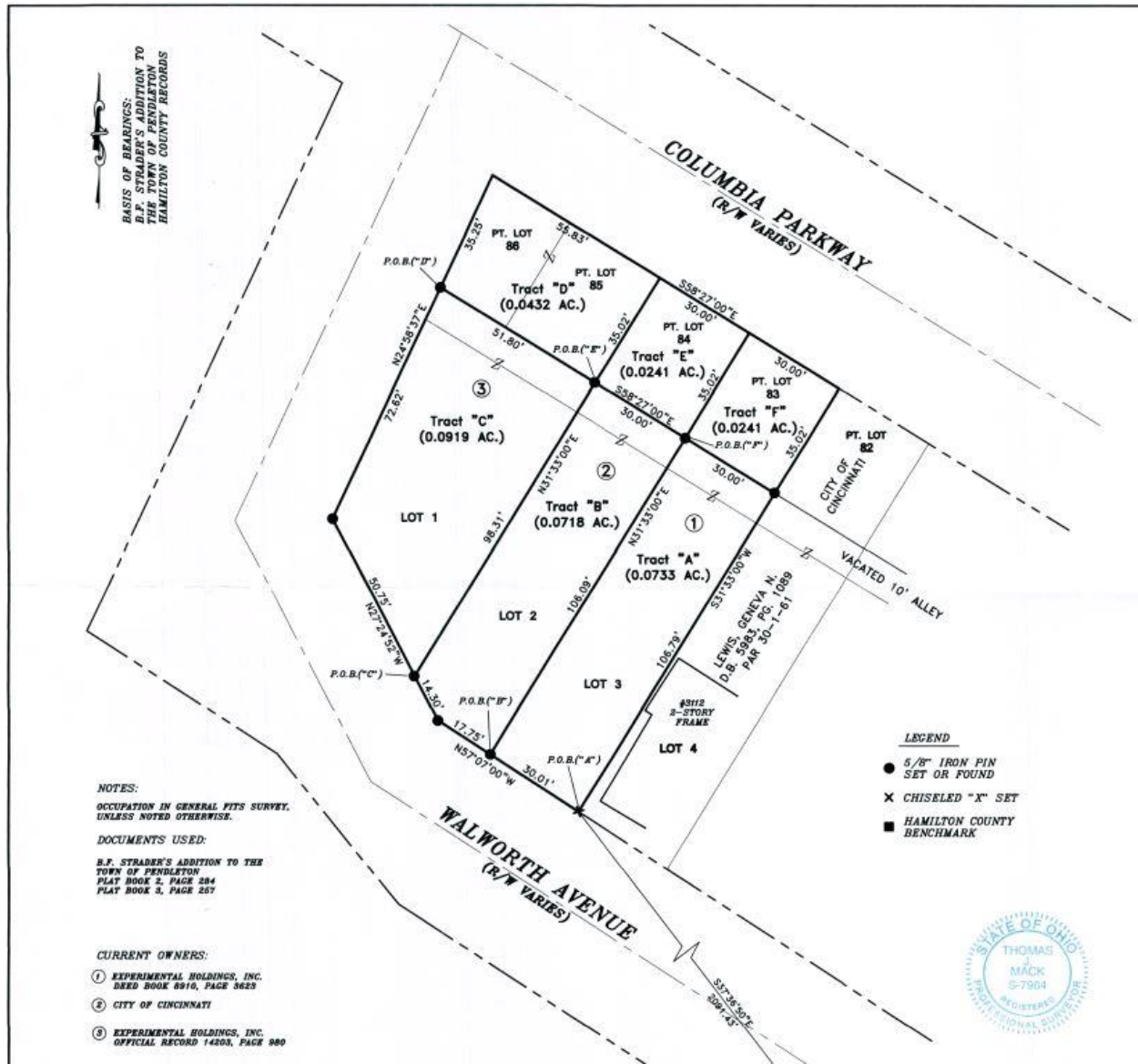


EXHIBIT B
to General Warranty Deed

LEGAL DESCRIPTION

Tract I:

Situated in the State of Ohio, Hamilton County, City of Cincinnati, being in Section 31, town 4, Fractional Range 2, Miami Purchase, and being part of Lots 85 and 86 of B.F. Strader's Addition to the Town of Pendleton and a portion of a vacated 10 foot wide alley per Plat Book 2, Page 284 and Plat Book 3, Page 257 of the Hamilton County, Ohio Recorder's Office and being more particularly described as follows:

Commencing at a chiseled "X" set at the southeast corner of Lot 3 of said B.F. Strader's Addition, said chiseled "X" being North 37° 36' 50" West, 2091.43 feet from Hamilton County Benchmark #6963, thence, North 57° 07' 00" West, along the northerly line of Walworth Avenue (R/W varies), 47.76 feet to a 5/8" dia. iron pin set, thence, North 27° 24' 52" West, continuing along said northerly line of Walworth Avenue, 65.05 feet to a 5/8" dia. iron pin set, thence, North 24° 58' 37" West, continuing along the easterly line of Walworth Avenue, 72.62 feet to a 5/8" dia. iron pin set at the southwest corner of Lot 86 of said B.F. Strader's Addition; said 5/8" dia. iron pin set also being the True Point of Beginning for the following described tract:

thence, from said True Point of Beginning, North 24° 58' 37" East, along said easterly line of Walworth Avenue, 35.25 feet to the southerly line of Columbia Parkway (R/W varies);

thence, South 58° 27' 00" East, along said southerly line of Columbia Parkway, 55.83 feet;

thence, South 31° 33' 00" West, along the westerly line of Lot 84 of said B.F. Strader's Addition, 35.02 feet to a 5/8" dia. iron pin set at the southwest corner of said Lot 84;

thence, North 58° 27' 00" West, along the southerly line of Lots 85 and 86 of said B.F. Strader's Addition, 51.80 feet to the True Point of Beginning, containing 0.0432 acres (1,884.61 sq. ft.) of land, more or less.

Subject, however, to all legal rights-of-way of previous record. Basis of Bearings: Plat Book 2, Page 284 and Plat Book 3, Page 257 of the Hamilton County, Ohio Recorder's Office. Previous Deed Reference: Deed Book 9670, Page 1112 of the Hamilton County, Ohio Recorder's Office.

Tract II:

Situated in the State of Ohio, Hamilton County, City of Cincinnati, being in Section 31, town 4, Fractional Range 2, Miami Purchase, and being part of Lot 83 of B.F. Strader's Addition to the Town of Pendleton and a portion of a vacated 10 foot wide alley per Plat Book 2, Page 284 and Plat Book 3, Page 257 of the Hamilton County, Ohio Recorder's Office and being more particularly described as follows:

Commencing at a chiseled "X" set at the southeast corner of Lot 3 of said B.F. Strader's Addition, said chiseled "X" being North 37° 36' 50" West, 2091.43 feet from Hamilton County Benchmark #6963, thence, North 57° 07' 00" West, along the northerly line of Walworth Avenue (R/W varies), 30.01 feet to a 5/8" dia. iron pin set, thence, North 31° 33' 00" East, along the westerly line of Lot 3 of said B.F. Strader's Addition, 106.09 feet to a 5/8" dia. iron pin set at the southeast corner of Lot 84 of said B.F. Strader's Addition; said 5/8" dia. iron pin set also being the True Point of Beginning for the following described tract:

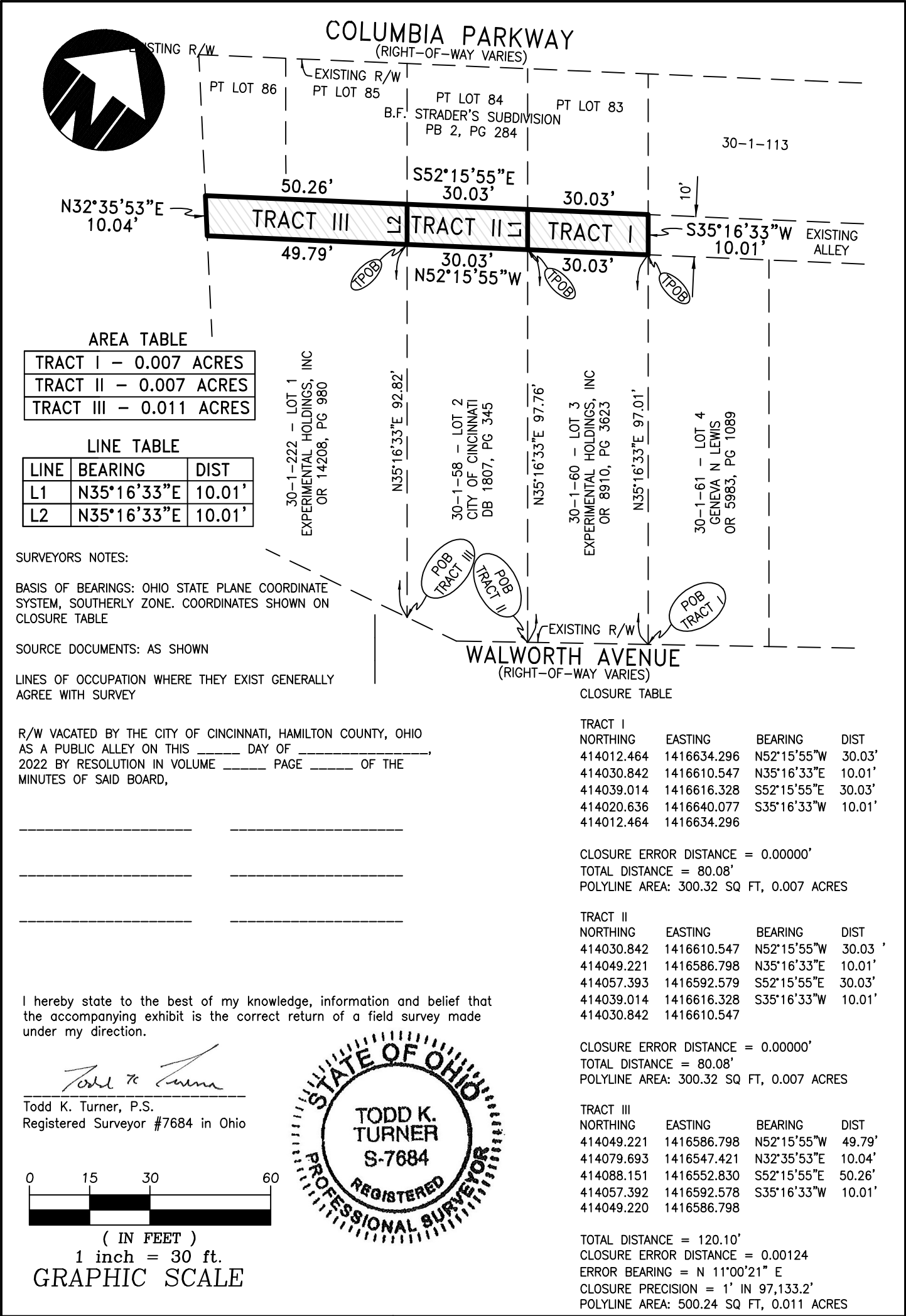
thence, from said True Point of Beginning, North 31° 33' 00" East, along the easterly line of said Lot 84, 35.02 feet to the southerly line of Columbia Parkway (R/W varies);

thence, South 58° 27' 00" East, along said southerly line of Columbia Parkway, 30.00 feet;

thence, South 31° 33' 00" West, along the westerly line of Lot 82 of said B.F. Strader's Addition, 35.02 feet to a 5/8" dia. iron pin set at the southwest corner of said Lot 82;

thence, North 58° 27' 00" West, along the southerly line of Lot 83 of said B.F. Strader's Addition, 30.00 feet to the True Point of Beginning, containing 0.0241 acres (1,050.60 sq. ft.) of land, more or less.

Subject, however, to all legal rights-of-way of previous record. Basis of Bearings: Plat Book 2, Page 284 and Plat Book 3, Page 257 of the Hamilton County, Ohio Recorder's Office. Previous Deed Reference: Deed Book 8910, Page 3623 of the Hamilton County, Ohio Recorder's Office.



TRI-STATE LOCATION SERVICES 4514 FOREST TRAIL LANE LIBERTY TOWNSHIP, OH 45011-2483 (P) 513-829-7722	VACATION PLAT	
	SECTION 31, TOWN 4, FRACTIONAL RANGE 2 MIAMI PURCHASE, CITY OF CINCINNATI COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO	
	DRAWN BY: T.K.T., P.S.	DATE: AUGUST 15, 2022
	SCALE: 1" = 30'	JOB NUMBER: 2022-286

TRACT I - ALLEY VACATION

Situated in Section 31, Town 4, Fractional Range 2, Miami Purchase, City of Cincinnati, Columbia Township, Hamilton County, Ohio and being the vacation of the entire 10.00 foot alley adjacent to and to the north of Lot 3 of B. F. Strader's T. Bland's Subdivision as recorded in Plat Book 2, Page 284 and further described as follows:

Beginning at a point found by measuring from the southeast corner of said Lot 3, said point being on the northerly right-of-way line of Walworth Avenue, along the easterly line of said Lot 3, North 35°16'33" East, 97.01 feet to the South line of an existing 10 foot alley and the true point of beginning;

thence from the point of beginning thus found, leaving said easterly line, along said southerly line, North 52°15'55" West, 30.03 feet to a point on the westerly line of said Lot 3;

thence leaving said southerly line, along said westerly line extended, North 35°16'33" East, 10.01 feet to a point on the northerly line of the aforementioned 10.00 foot alley;

thence leaving said westerly line, along said northerly line, South 52°15'55" East, 30.03 feet to a point on the extended easterly line of aforementioned Lot 3;

thence leaving said northerly line, along said easterly line, South 35°16'33" West, 10.01 feet to the point of beginning containing 300.32 square feet or 0.007 acres of land.

The above description was prepared by Todd K. Turner of Tri-State Location Services, Registered Surveyor #7684 in the State of Ohio, and is based on a Vacation Plat dated August 15, 2022 and recorded in the Hamilton County, Ohio records.

Basis of Bearings: Ohio State Plane Coordinate System, Southerly Zone

All of the above described recording references are to the Hamilton County, Ohio records.



TRACT II - ALLEY VACATION

Situated in Section 31, Town 4, Fractional Range 2, Miami Purchase, City of Cincinnati, Columbia Township, Hamilton County, Ohio and being the vacation of the entire 10.00 foot alley adjacent to and to the north of Lot 2 of B. F. Strader's T. Bland's Subdivision as recorded in Plat Book 2, Page 284 and further described as follows:

Beginning at a point found by measuring from the southeast corner of said Lot 2, said point being on the northerly right-of-way line of Walworth Avenue, along the easterly line of said Lot 2, North 35°16'33" East, 97.76 feet to the South line of an existing 10 foot alley and the true point of beginning;

thence from the point of beginning thus found, leaving said easterly line, along said southerly line, North 52°15'55" West, 30.03 feet to a point on the westerly line of said Lot 2;

thence leaving said southerly line, along said westerly line extended, North 35°16'33" East, 10.01 feet to a point on the northerly line of the aforementioned 10.00 foot alley;

thence leaving said westerly line, along said northerly line, South 52°15'55" East, 30.03 feet to a point on the extended easterly line of aforementioned Lot 2;

thence leaving said northerly line, along said easterly line, South 35°16'33" West, 10.01 feet to the point of beginning containing 300.32 square feet or 0.007 acres of land.

The above description was prepared by Todd K. Turner of Tri-State Location Services, Registered Surveyor #7684 in the State of Ohio, and is based on a Vacation Plat dated August 15, 2022 and recorded in the Hamilton County, Ohio records.

Basis of Bearings: Ohio State Plane Coordinate System, Southerly Zone

All of the above described recording references are to the Hamilton County, Ohio records.



Todd K. Turner

TRACT III - ALLEY VACATION

Situated in Section 31, Town 4, Fractional Range 2, Miami Purchase, City of Cincinnati, Columbia Township, Hamilton County, Ohio and being the vacation of the entire 10.00 foot alley adjacent to and to the north of Lot 1 of B. F. Strader's T. Bland's Subdivision as recorded in Plat Book 2, Page 284 and further described as follows:

Beginning at a point found by measuring from the southeast corner of said Lot 1, said point being on the northerly right-of-way line of Walworth Avenue, along the easterly line of said Lot 1, North 35°16'33" East, 92.82 feet to the South line of an existing 10 foot alley and the true point of beginning;

thence from the point of beginning thus found, leaving said easterly line, along said southerly line, North 52°15'55" West, 49.79 feet to a point on the westerly line of said Lot 1;

thence leaving said southerly line, along said westerly line extended, North 32°35'53" East, 10.04 feet to a point on the northerly line of the aforementioned 10.00 foot alley;

thence leaving said westerly line, along said northerly line, South 52°15'55" East, 50.26 feet to a point on the extended easterly line of aforementioned Lot 1;

thence leaving said northerly line, along said easterly line, South 35°16'33" West, 10.01 feet to the point of beginning containing 500.24 square feet or 0.011 acres of land.

The above description was prepared by Todd K. Turner of Tri-State Location Services, Registered Surveyor #7684 in the State of Ohio, and is based on a Vacation Plat dated August 15, 2022 and recorded in the Hamilton County, Ohio records.

Basis of Bearings: Ohio State Plane Coordinate System, Southerly Zone

All of the above described recording references are to the Hamilton County, Ohio records.



February 23, 2023

To: Mayor and Members of City Council 202300676

From: Sheryl M.M. Long, City Manager

Subject: Ordinance 2022-2023 Storm Sewer Rehabilitation Lining Project

Attached is an Ordinance captioned:

AUTHORIZING the City Manager and the Director of Greater Cincinnati Water Works to enter into a contract for the 2022-2023 Storm Sewer Rehabilitation Lining project, notwithstanding the provisions of Chapter 320, “Compliance Guidelines for Construction Contracts Issued by Water Works and the Department of Sewers,” of the Cincinnati Municipal Code.

The City needs to enter a contract for the 2022-20223 Storm Sewer Rehabilitation Lining project (No. 233C929030) which would provide for the rehabilitation of approximately 10,400 feet of deteriorating storm sewer mains and inlet covers located in the City’s Central Business District and other City neighborhoods. Failure to complete this project could result diminished capacity of the storm sewers and potential for localized flooding. Despite issuing invitation to bid on the project three separate times, no bids were received for this project due to the potential bidders inability to meet the apprenticeship requirements of Cincinnati Municipal Code Chapter 320 “Compliance Guidelines for Construction Contracts Issued by Water Works and the Department of Sewers”. Additionally, the small capital budget of the Stormwater Management Utility, prevents this project from qualifying for a “Specialized Construction” exemption, despite the highly technical expertise needed and available from only a limited number of specialized contractors. Therefore, the attached ordinance authorizes the City Manager and Director of the Greater Cincinnati Water Works to enter a contract for the 2022-2023 Storm Sewer Rehabilitation Lining project (No. 233C929030) notwithstanding the provisions of Cincinnati Municipal Code Chapter 320.

The Administration recommends passage of this Ordinance.

cc: Verna J. Arnette, GCWW, Interim Executive Director

AUTHORIZING the City Manager and the Director of Greater Cincinnati Water Works to enter into a contract for the 2022-2023 Storm Sewer Rehabilitation Lining project, notwithstanding the provisions of Chapter 320, “Compliance Guidelines for Construction Contracts Issued by Water Works and the Department of Sewers,” of the Cincinnati Municipal Code.

WHEREAS, the City needs to enter into a contract for the 2022-2023 Storm Sewer Rehabilitation Lining project (No. 233C929030), in order to rehabilitate approximately 10,400 feet of deteriorating storm sewer mains and inlet connections in the Central Business District and other City neighborhoods; and

WHEREAS, the City’s Office of Procurement has thrice issued invitations to bid on the project without receiving any bids, with potential bidders indicating that they did not submit bids due to their inability to meet the apprenticeship requirements of the Chapter 320, “Compliance Guidelines for Construction Contracts Issued by Water Works and the Department of Sewers” of the Cincinnati Municipal Code; and

WHEREAS, due to the relatively small capital budget of the Stormwater Management Utility, this project does not fall under the expenditure limit for the exemption for procurement of a Specialized Construction, even though the construction method needed requires highly technical expertise which is available from a limited pool of specialized contractors; and

WHEREAS, the failure to complete the project to rehabilitate the project could result in diminished or failing ability of the storm sewers to capture and convey stormwater runoff in the Central Business District and other City neighborhoods, which could lead to localized flooding during wet weather events; now, therefore,

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

Section 1. That the City Manager and the Director of Greater Cincinnati Water Works are hereby authorized to enter into contracts for the 2022-2023 Storm Sewer Rehabilitation Lining project (No. 233C929030), notwithstanding the provisions of Chapter 320, “Compliance Guidelines for Construction Contracts Issued by Water Works and the Department of Sewers,” of the Cincinnati Municipal Code.

Section 2. That the proper City officials are authorized to carry out the terms of Section 1 herein.

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

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

City of Cincinnati

Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

January 6, 2023

MOTION

Equitable Development: Cincinnati Bonding Program

WE MOVE that the City Administration create a bonding program for MBE and WBE contractors who have proven themselves with the City through previous project completions in order to overcome one of the major barriers to equitable opportunities. The City Administration should consider self-bonding, working with bonding agencies and/or co-signing for first-time bonds when the MBE or WBE company meets the City's pre-determined qualifications such as *successfully* completing projects for the City totaling at least \$1 million and limiting the upper end of our bonding threshold. Successful completion of projects should be clearly defined as approval by the City Manager's Office.

WE FURTHER MOVE that City Council receive a report at quarterly on MBEs and WBEs that have participated in the City's bonding program, and the status of the projects, in order to assess the efficacy of the City's bonding program.

Councilmember Seth Walsh

President Pro Tem Victoria Parks

Vice Mayor Jan-Michele Lemon Kearney

STATEMENT

Many smaller minority-owned and women-owned companies face the barrier of being unable to secure bonds, and as a result, they are prevented from participating in larger projects. The inability to secure bonding is the major barrier to growth for many contractors. Examples of reasons for denial include inadequate cash savings and/or credit scores. And yet, neither cash savings nor credit scores can improve without the opportunity to work on larger, more lucrative projects.

Councilmember Seth Walsh is intimately familiar with the “glass ceiling” that creates a barrier to growth for MBE and WBE contractors through his years of experience leading the College Hill Community Urban Redevelopment Corporation. In his experience a critical hurdle that smaller contractors must overcome is securing bonding for the first time. Subsequent bonding follows more easily.

Simultaneously, the City provides funding for smaller neighborhood projects each year that struggle to find quality contractors to work with in order to complete the projects in a timely and high quality manner.

Therefore, a program by the City to help contractors overcome the hurdle of first-time bonding, while incentivizing participation in smaller projects with the City, would create equitable opportunities for growth for MBE and WBE contractors.

The City’s bonding program should include clear, pre-determined qualifications such as the successful completion of projects for the City, such as completing projects totaling at least \$1 million. City Administration should be able to determine companies that are ready for larger projects and eligible for the City’s bonding program, being mindful to keep the City’s liability to a minimum. Criteria must be clear so that contractors understand the steps they must take to become eligible.

City Council should receive a report at least semi-annually on MBEs and WBEs that have participated in the City’s bonding program, and the status of the projects, in order to assess the efficacy of the City’s bonding program.

CAL → Budget & Finance
J-mck

February 8, 2023

To: Mayor and Members of City Council 202300556
From: Sheryl M. M. Long, City Manager
Subject: Emergency Ordinance – Planned Development #97, Queen City Hills

Transmitted is an Emergency Ordinance captioned:

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property in the area generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west in the Avondale neighborhood from the CC-A, “Commercial Community – Auto-Oriented,” CC-P, “Commercial Community – Pedestrian,” and OG, “Office General,” zoning districts to Planned Development District No. 97, “Queen City Hills.”

The City Planning Commission recommended approval of the zone change at its February 3, 2023 meeting.

Summary:

Queen City Hills, the developer, proposes the redevelopment of one of the four corridor quadrant areas at Reading Road and E. Martin Luther King Jr. Drive in Avondale. It is approximately 5.85 acres in size and contains 15 parcels. The proposed Concept Plan and Development Program Statement is for the redevelopment into a large-scale, mixed-use development, referred to as the “Biotech Cincinnati Life Science Research Park for Innovation Corridor.” Major site components include a commercial development lab, a research lab and office space, street level retail space along E. Martin Luther King Jr. Drive, a structured parking garage and podium, a large public plaza, and multi-family housing.

The development team has been actively engaged with the Avondale Community Council regarding this project since 2019. Throughout 2019 and 2020, the development team met with Uptown Consortium and WEB Ventures monthly to discuss development goals. The development team has worked hard to ensure that the proposed project meets the Uptown District Design Guidelines, a set of development principles created through an intense community engagement process led by Uptown Consortium.

The City Planning Commission recommended the following on February 3, 2023, to City Council:

1. **ACCEPT** the Concept Plan and Development Program Statement as submitted; and
2. **ADOPT** the Department of City Planning and Engagement Findings as detailed in the report; and
3. **APPROVE** the proposed zone change from Commercial Community – Auto-oriented (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD), including a Concept Plan and Development Program Statement, at the southwest quadrant of the intersection of Reading Road and E. Martin Luther King Jr. Drive in Avondale.

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



EMERGENCY

City of Cincinnati

CHM

EESW

An Ordinance No. _____

- 2023

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property in the area generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west in the Avondale neighborhood from the CC-A, "Commercial Community – Auto-Oriented," CC-P, "Commercial Community – Pedestrian," and OG, "Office General," zoning districts to Planned Development District No. 97, "Queen City Hills."

WHEREAS, the Uptown Transportation Authority, LLC, Queen City Hills, LLC, The Central Community Health Board of Hamilton County, Inc., the YWCA Development Corporation, the Central Clinic, PI Land LLC, and the City of Cincinnati own certain real property in the Avondale neighborhood generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west, which property contains approximately 5.85 acres ("Property"); and

WHEREAS, Queen City Hills, LLC, an Ohio limited liability company ("Developer"), seeks to redevelop the Property over multiple phases into a mixed-use development containing a parking garage containing approximately 850 to 1,250 parking spaces, a commercial development lab comprising up to approximately 350,000 square feet, a research lab and office space comprising up to approximately 225,000 square feet, retail space comprising up to approximately 25,000 square feet, and residential multi-family housing comprising up to approximately 120-400 dwelling units ("Project"); and

WHEREAS, Developer has sufficient control over the Property to affect the Project and has petitioned the City to rezone the Property from the CC-A, "Commercial Community – Auto-Oriented," CC-P, "Commercial Community – Pedestrian," and OG, "Office General," zoning districts to Planned Development District No. 97, "Queen City Hills" ("PD-97"), to undertake the Project; and

WHEREAS, Developer has submitted a concept plan and development program statement for PD-97, which concept plan and development program statement describe the land use and development regulations that will govern the development, which documents meet the requirements of Cincinnati Municipal Code Section 1429-09; and

WHEREAS, on February 3, 2023, the City Planning Commission approved the rezoning of the Property from the CC-A, "Commercial Community – Auto-Oriented," CC-P, "Commercial Community – Pedestrian," and OG, "Office General," zoning districts to PD-97, upon a finding that: (i) Developer's concept plan and development program statement are consistent with applicable plans and policies and are compatible with surrounding development; (ii) the concept plan and development program statement enhance the potential for superior

urban design in comparison with the development under the base district regulations that would apply if the plan were not approved; (iii) deviations from the base district regulations applicable to the Property at the time of Developer's application are justified by compensating benefits of the concept plan and development program statement; and (iv) the concept plan and development program statement include adequate provisions for utility services, refuse collection, open space, landscaping and buffering, pedestrian circulation, traffic circulation, building design, and building location; and

WHEREAS, a committee of Council held a public hearing on the proposed rezoning of the Property following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the rezoning, finding it in the interest of the public's health, safety, morals, and general welfare; and

WHEREAS, the Project is consistent with the *Avondale QOL: Avondale's Quality of Life Movement* (2020), which plan identifies the Project location for mixed-use and institutional uses (pages 64-65); and

WHEREAS, the Project is consistent with the *MLK Reading Road Corridor Study* (2014), which plan identifies the Project location as a gateway and provides a goal to "[e]stablish mixed-use gateways along MLK at the intersections of Eden, Burnet, and Reading," (page 68); and

WHEREAS, the Project is consistent with *Plan Cincinnati* (2012), particularly a goal of the Compete Initiative Area to "[c]ultivate our position as the most vibrant and economically healthy part of our region," (page 114); and

WHEREAS, the Council considers the establishment of PD-97 to be 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 the Council hereby adopts as its own independent findings the Department of City Planning and Engagement's and the Cincinnati Planning Commission's findings that the planned development proposed by Queen City Hills, LLC, an Ohio limited liability company ("Developer"), for the approximately 5.85 acres of real property located in the Avondale neighborhood in the area generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west ("Property") conforms to the requirements of Cincinnati Municipal Code Sections 1429-05, 1429-09, and 1429-11.

Section 2. That the shape and area of the City’s official zoning map in the location of the Property is hereby amended from the CC-A, “Commercial Community – Auto-Oriented,” CC-P, “Commercial Community – Pedestrian,” and OG, “Office General,” zoning districts to Planned Development District No. 97, “Queen City Hills” (“PD-97”). The Property is identified on the map attached hereto as Exhibit “A” and made a part hereof, and it is more particularly described on Exhibit “B,” attached hereto and made a part hereof.

Section 3. That the development program statement, attached hereto as Exhibit “C” and made a part hereof, and that the concept plan, attached hereto as Exhibit “D” and made a part hereof, are hereby approved. The approved concept plan and development program statement shall govern the use and development of the Property during the effective period of PD-97.

Section 4. That, should PD-97 lapse pursuant to provisions of Cincinnati Municipal Code Chapter 1429, “Planned Development Districts,” the Property shall revert to the CC-A, “Commercial Community – Auto-Oriented,” CC-P, “Commercial Community – Pedestrian,” and OG, “Office General,” zoning districts in effect immediately prior to the effective date of PD-97.

Section 5. 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 immediate need to allow Developer to proceed with its development plans so that the City may receive and enjoy the corresponding benefits at the earliest possible date.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

EXHIBIT A

Proposed Zone Change from Commercial Community-Auto (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD) in Avondale

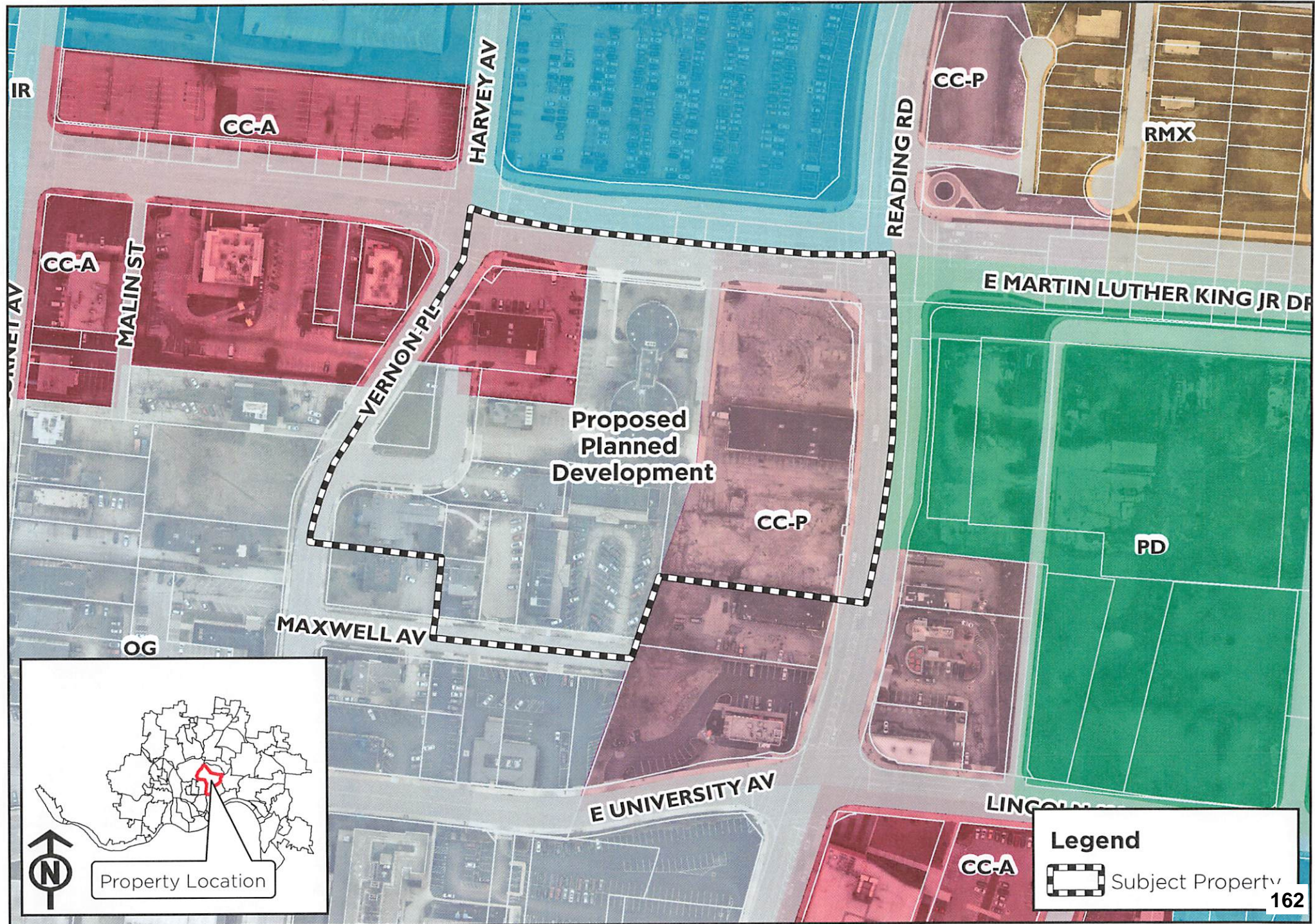


EXHIBIT B

Date: December 19, 2022
Description: Re-Zoning
Location: City of Cincinnati
Hamilton County, Ohio



Situated in Section 8, Town 3, Fractional Range 2, Between the Miamis, Mill Creek Township, The City of Cincinnati, Hamilton County, Ohio and being 7.8030 acres to be re-zoned to Planned Development (PD) and being further described as follows:

Beginning at the intersection of the centerline of Martin Luther King Drive East and the centerline of Reading Road (U.S. #42) and being the **True Point of Beginning**;

thence, with the centerline of said Reading Road (U.S. #42) for the following two courses:

- 1) South 00° 06' 56" West, 173.57 feet;
- 2) with a curve to the right, having a central angle of 11° 35' 33", a radius of 1432.39 feet, an arc length of 289.81 feet, and a chord bearing and distance of South 05° 54' 43" West, 289.32 feet;

thence, leaving the centerline of said Reading Road (U.S. #42), North 82° 20' 14" West, 287.76 feet to the northwest corner of Lot A of Harry Wahking Heirs Subdivision as recorded in Plat Book 14, Page 54;

thence, with the west line of said Lot A extended, South 20° 01' 16" West, 117.45 feet to the centerline of Maxwell Avenue;

thence, with the centerline of said Maxwell Avenue, North 83° 25' 54" West, 269.44 feet;

thence, leaving the centerline of said Maxwell Avenue, North 06° 34' 06" East, 110.00 feet;

thence, North 83° 25' 54" West, 179.46 feet to the centerline of Vernon Place;

thence, with the centerline of said Vernon Place for the following three courses:

- 1) with a curve to the right, having a central angle of 24° 50' 44", a radius of 400.00 feet, an arc length of 173.45 feet, and a chord bearing and distance of North 21° 57' 19" East, 172.10 feet;
- 2) North 34° 22' 41" East, 275.91 feet;
- 3) North 06° 14' 10" East, 53.69 feet to the centerline of said Martin Luther King Drive East;

thence, leaving the centerline of said Vernon Avenue and with the centerline of said Martin Luther King Drive East for the following five courses:

- 1) South 78° 39' 46" East, 95.02 feet;
- 2) with a curve to the left, having a central angle of 05° 21' 40", a radius of 1046.74 feet, an arc length of 97.94 feet, and a chord bearing and distance of South 81° 20' 36" East, 97.91 feet;
- 3) South 84° 01' 26" East, 181.00 feet;
- 4) with a curve to the left, having a central angle of 02° 00' 00", a radius of 3824.72 feet, an arc length of 133.51 feet, and a chord bearing and distance of South 85° 01' 26" East, 133.50 feet;

5) South 86° 01' 26" East, 60.14 feet to the **True Point of Beginning** containing 7.8030 acres.

Basis of Bearings: NAD83(2011) Ohio State Plane Coordinates, South Zone (3402).

The above description is a complete, proper and legal description of the property by deeds and plats of record.



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Jeffrey O. Lambert Registered Surveyor #7568 in the State of Ohio

EXHIBIT C

**CONCEPT PLAN & DEVELOPMENT PROGRAM STATEMENT
ZONING AMENDMENT REQUEST AND ZONING CHANGE REQUEST**

**REZONE OG, CC-A and CC-P ZONING TO PD
for
UPTOWN INNOVATION CORRIDOR
Located at
SOUTHWEST CORNER OF READING RD & MLK BLVD**

1. APPLICANT/PETITIONER:

Queen City Hills, LLC (via the developer, Foxx-Danis, LLC "Developer")
324 W. 9th Street
Cincinnati, OH 45202

As may be subsequently assigned.

2. SUMMARY OF REQUEST

Applicant is requesting the rezoning of the 15 street addresses ("Subject Property") shown in the schedule below from various current zoning to Planned Development ("PD").

The Subject Property has various current zoning classifications, which are noted in the schedule below. These current classifications include General Office and Community Commercial and publicly owned land. The total area to be re-zoned is approximately 7.80 acres. See Appendix H.

Applicant is requesting the rezoning of the Subject Property to allow a large-scale, mixed-use redevelopment ("Proposed Development") to be developed on the Subject Property, which is generally located in the southwest quadrant of the Martin Luther King Drive. and Reading Rd. intersection. Based on proximity of buildings, the various uses, complexities of the site and in-depth discussions with City staff, Applicant believes that Planned Development will best suit the ability to develop the best project on the Subject Property in keeping with the wishes of the community and the City.

3. PROJECT NARRATIVE

QCH has assembled the land parcels necessary to develop 5.85 acres of land. The consolidated properties, located at the southwest corner of Martin Luther King Dr. and Reading Rd. will be re-zoned as a planned development with design focusing on the Uptown District Design Guidelines. The project is an innovative mix of complementary uses to create a vibrant place to work, live and play. Major site components include:

- A state of the art, Commercial Development Lab. This clinical phase research, manufacturing, and product development entity, focused on bridging academic, proof of concept cell and gene therapeutic research through later stage evaluation, in support of emerging biotech and pharmaceutical companies in preparation for late-stage registration/pivotal trials, commercial approval and global distribution.
- A Research Lab and Office Center will provide incubator lab space, general office space as well as support the functions of the Commercial Development Lab. Together, these labs will help attract the best and brightest to this Bio-Tech Life Sciences Research Park
- A Multi-Family Housing Development will provide a mix of studio, two- and three-bedroom units coupled with interior and exterior amenities. These residential units will provide the scientific and medial professionals with ideal places to live and play.

- A street level Retail Space facing Martin Luther King Drive providing opportunities for food, shopping and /or entertainment, helping to further fulfill the play component of this multi-use development.
- A structured parking garage and podium with entrances off of MLK Dr., Vernon Ave., and Maxwell St. The garage will serve as the base for the Research Lab and Housing Units and will also contain the sites stormwater retention system.
- A large Public Plaza is set atop the parking garage, weaving between the Commercial Development Lab, the Research Lab and Office Center and Multi-Family Housing and connecting down to the MLK level via a grand sweeping staircase

Each component contributes to the overall ambiance and sense of place to enhance the others both in design and function.

Design and construction is planned to be accomplished in three phases.

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This proposed development will improve the vacant and underutilized existing properties and create a dynamic mixed-use environment providing places for life science professionals to work, live and play.

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Location of Development

This proposed PD Zoning District, referred to as the Biotech Cincinnati Life Science Research Park for Innovation Corridor, is located on Southwest Corner of Martin Luther King Blvd and Reading Road generally bound by Vernon Place on the West and Maxwell Avenue on the south and Reading Road on the east.

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In addition, a portion of the existing Vernon Place public right-of-way (between Maxwell Avenue and Martin Luther King Drive) will be vacated and included in the new Planned Development District. See appendix N.

A request for a Coordinated Report was submitted to the city's office of Real Estate Services (RES) on 11/03/22 and the Coordinated Report was received on 12/12/22. See Appendix M. The development team will work the city to get a clear Coordinated Report and purchase the city-owned properties/right-of-way needed for the project.

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The Commercial Lab Building will research and manufacture medical-use products in the four-level structure. The items produced will ship from a loading dock positioned at grade, accessing Reading Road. The dock will be screened from view via its location on the campus, and will feature additional landscape screening, to meet the Uptown District requirements.

Building specifications:

Area: Up to 350,000 sq. ft.

Height: 175' above grade.

Research Lab and Office Center

The Research Lab and Office Center will house tenants that primarily provides professional, executive, management, or administrative services, such as accounting, architectural, computer software consulting, data management, engineering, medical or other health care professionals, insurance, investment, law, and/or real estate offices, etc. Co-workspaces may also occur. These would combine office, athletic, or reception uses or other social workspaces and requires membership for use of the space. Incubator spaces may be included to provide public and private collaboration and providing management, mentoring, workspace, or other services for business, academic, no-profit, institutional or start-up organizations. Commercial laboratories may be included. These facilities include medical, optical, orthotic, prosthetic, or dental laboratory services, photographic, analytical, or testing services and scientific wet/dry lab research facilities.

Building specifications:

Area: Up to 225,000 sq. ft.

Height: 175' above grade

Multi-Family Housing Development

Multi-Family Housing Development will provide a mix of studio, two- and three-bedroom units coupled with interior and exterior amenities. The units will sit one level higher than the ground plain for enhanced security and provide the required fire truck access to the site. The intended housing provided will focus on congregate housing- Apartments and dwellings with communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services, and other support services appropriate to the residents. The dwellings are defined as one or more rooms with a single kitchen, designed for occupancy by one family for living and sleeping purposes. Dwelling includes: rowhouse, multi-family dwellings and loft dwellings.

Building specifications:

Number of Units: 120-400 units

Height: 125' above grade

Retail Space

The Retail space facing Martin Luther King Drive. The Retail services provided could include: the following: food service (eating and drinking establishments, full-service restaurants, limited-service restaurants, breweries, Distilleries, food market, food preparation, or drinking establishment. Other options include convenience market (limited goods), patio/garden store (limited service), personal services (barber/beauty shop, nail salon, tanning salon, massage therapy, electrolysis, seamstress, tailor, shoe repair, dry cleaner, self-service laundry and photo studio. Retail sales, including alcohol, furniture and home furnishing, electronics and appliances, clothing and shoes, jewelry, luggage and leather

goods, hobbies shop, books, periodicals and music, department stores, office supplies, gifts and novelties, pets, hardware, video stores and auto parts. Banking and financial institutions.

Area: Up to 25,000 sq. ft.

Height: Up to 35' above grade

Structured Parking Garage, Podium and Public Plaza

On grade, and lower-level parking spaces (garage) will be provided to support the activities that will occur on the campus. It will be sized per local zoning code to support the new square footage created at the campus, and the buildings' mixed-uses. The principal use will be a surface parking lot, and parking garage offering parking to the public and is the principal use of the premises.

The rooftop amenity spaces (plazas) that are generated above the parking garage, will prove supplemental activity space to support the infrastructure created at the development.

Parking Spaces: 850-1250 parking spaces

Height: 50' above grade

City CSR Review

The city held a Coordinated Site Review (CSR) meeting on Tuesday 12/13/22 to discuss the project. It was determined at that meeting that the project could move forward with the Planned Development re-zoning. The CSPRO Committee review letter is included in Appendix G.

Set Back Lines:

The Setback lines will be determined by the Final PD Development planning process, however the Appendix J – Uptown Innovation District Design Guidelines that indicate the conceptual right of way and recommended setbacks for the Innovation Corridor as envisioned by UCI- Uptown Consortium Inc (also depicted in Appendix O). Buildings will generally be set back 0-20' from the public right-of-way.

Building Heights and Areas:

Final height measurements will be determined at the time of any filing for final development plan. See Section "Description of Proposed Land Uses, Buildings and Structures" above and Appendix "B" for approximate building heights and areas.

Streetscapes:

Final streetscaping planning has not been finalized but will incorporate the guidelines shown in Appendix J – Uptown Innovation District Design Guidelines. This work will include sidewalk widths and open space requirements and Calculations. See appendix O. Final streetscape design to be submitted with final development plan.

Pedestrian circulation and walkability to and through the site by public sidewalks along all streets will be a minimum of 8'-10'-0" on all perimeters as indicated on page 55 of Appendix J – Uptown Innovation District Design Guidelines. Our Sidewalk "Amenity Zone and Zero setback will be considered as shown on page 58 and 59 of the attached Appendix J – Uptown Innovation District Design Guidelines.

Streetscape along Reading Road and MLK will include viable trees to provide overhead shade, and site furnishing amenity space for potential outdoor engaging pedestrian zones and an extension of active retail/entertainment venues.

Landscape Open Spaces are proposed in our upper plazas and courtyards. Refer to site plans included in this PD submission.

Density and Open Space: Ord._1429-09 (e)

The project includes up to 80,000 SF of plaza/amenity space on two levels above the parking garage. This open space would account for over 25% of the project's total 5.85-acre development area.

Refuse Collection: Ord._142909 (a)

Trash and waste facilities shall be provided on-site and located in areas to limit visibility. The design team will coordinate the details of trash operations with Rumpke prior to Final Development Plan submittal.

Geotechnical

See Appendix E.

Hazardous Materials

See Appendix F

Drainage

Onsite detention facilities will be installed to control site runoff per MSD standards. It is likely that a concrete vault will be included under a ramp in the parking garage to meet the storage requirements. The stormwater outlet for the project will likely be the existing 12" combination sewer on MLK.

Landscaping and Buffering:

Final landscaping and buffering will follow the Appendix J – Uptown Innovation District Design Guidelines and be determined at the time of any filing for a final permit application.

Please see page 76 of Appendix J – Uptown Innovation District Design Guidelines to see general criteria and parameters of Landscape species and objective zones to which designer should consider before submission.

Buffer planting shall be used to help define spaces, screen utilities and service functions and semi-private space when they exist.

Traffic Control

Bayer Becker has coordinated the nature of the project with DOTE and have agreed upon the scope of the Traffic Impact Study (TIS) that DOTE will require. The traffic counts from November 2022 are included in Appendix K. Bayer Becker is currently working through the model for the TIS and will coordinate all findings with DOTE. The results of the TIS will help guide vehicular access to, from, through, and around the site for the Final Development Plans.

Sewage

See Appendix L for MSD's "Conditional Availability of Sewers" for Building #1 and the rest of the Queen City Hills development site. The existing public combination sewers in Reading Road, MLK, and Vernon Place will be utilized for sanitary service to the proposed buildings.

The existing public sanitary sewer in Harvey Avenue/Vernon Place will be removed to make way for the new development; and a new 8" public sanitary sewer will be installed in (the re-aligned) Vernon Place to maintain upstream flows.

Water

A Water Availability Application (WAA) and Preliminary Application (PA) have been submitted to GCWW for review and approval. The existing public water mains in Reading Road, MLK, and Vernon Place will be utilized for fire and domestic service to the proposed buildings.

The existing public water main in Harvey Avenue/Vernon Place will be removed to make way for the new development; and a new 8" public water main will be installed in (the re-aligned) Vernon Place to maintain the water loop.

Electric & Natural Gas Service

Duke Energy has existing electric and gas facilities in the area to serve the proposed development. The design team is currently working with Duke Energy on a plan for proposed service, as well as providing adequate clearances from existing overhead electric lines along public roadways to the proposed buildings.

Communication Service

The design team will work with local utility providers to provide communication service to the proposed buildings.

DEVELOPMENT CONTROLS

Parking

A two-level structured parking garage with a podium deck is planned to serve the proposed buildings on site. Between 850 and 1250 parking stalls are anticipated to support the project. The layout and circulation of the garage, as well as total parking count, will be confirmed with the Final Development Plans.

Retail and Commercial

The retail, entertainment and other commercial uses will contribute to the development Live, Work and Play Components of the program. These components are critical to the viability and sustainability of the development. It is our goal to provide a sense of Place and Destination for visiting community as well as day to day employee living at the development. The intended uses for the project shall include retail, micro restaurant shops, selfcare services, fitness, recreation, and entertainment zones along with other general commercial uses not listed in the primary program use statement.

Exterior Lighting

Final exterior lighting will be determined at the time of final permit submission. All site lighting shall enhance the development and encourage community engagement during and after hours. All exterior lighting will adhere to City requirements for life safety and follow the Appendix J – Uptown Innovation District Design Guidelines while providing sensitive softening solutions for the housing components of the development.

Signage

Final Environmental Graphics and key signage will be evaluated and submitted at the time of final permit by a signage consultant team. Wayfinding to public amenities as well as retail will be another critical component to sustain a successful development. The project will generally adhere to CC-A zoning design standards for signage.

Project Schedule

See Appendix D

Re-Zone Plat

See Appendix H

Site Plan

See Appendix A

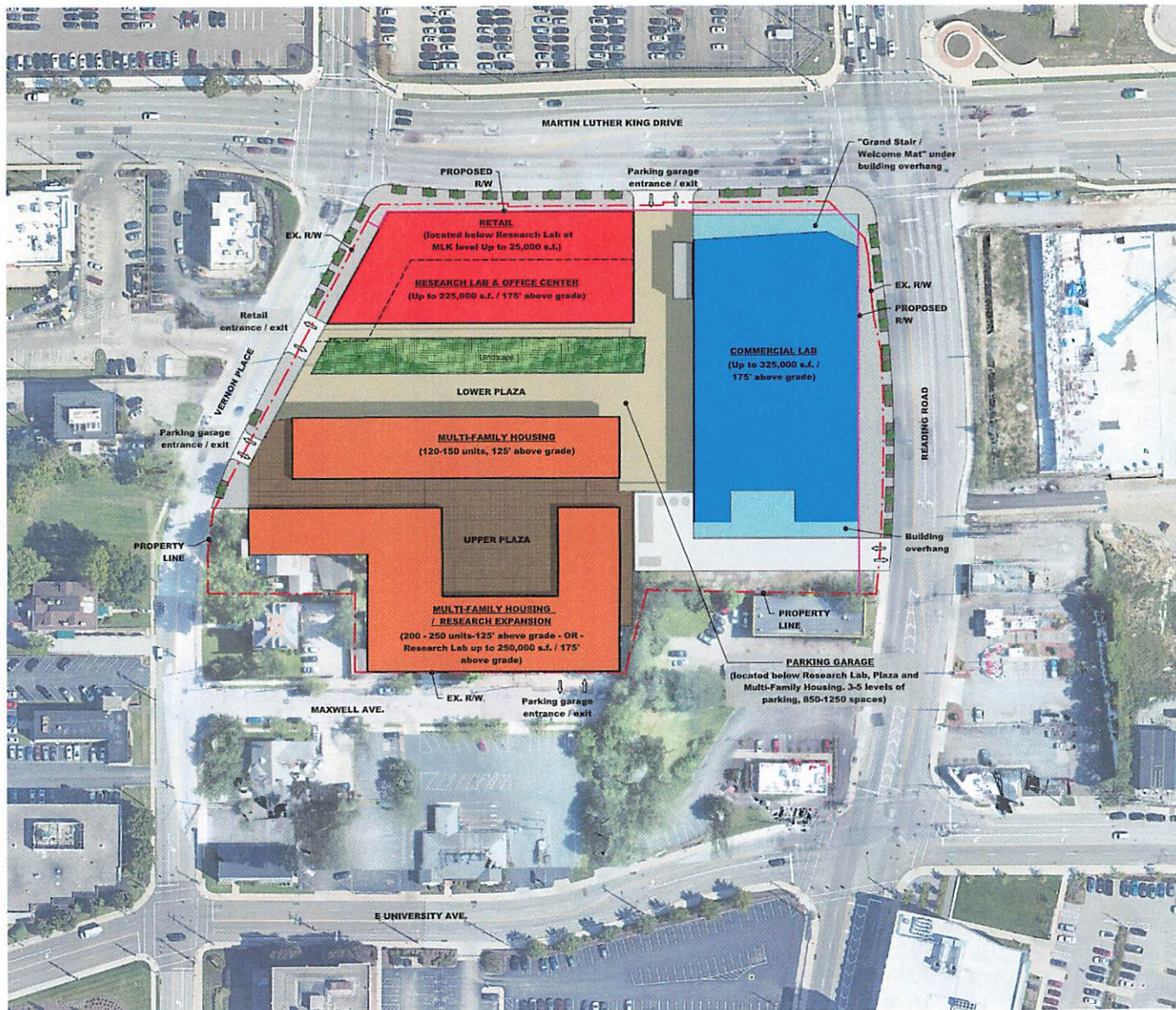
Artistic Renderings

See Appendix B

List of Appendices:

- A - Site Plan
- B - Renderings
- C - Property Control Letters
- D - Project Schedule
- E - Geotech Report
- F - Hazmat Reports
- G – CSPRO Committee Letter
- H - Rezoning Map
- I - Rezoning Legal Description
- J – Uptown Innovation District Design Guidelines
- K - Traffic Counts
- L - Conditional Availability of Sewers
- M - Coordinated Report
- N - Major Subdivision Plan
- O - Streetscape Design Standards

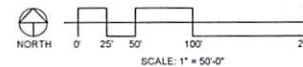
EXHIBIT D



OVERALL SITE PLAN

DATE: 12/21/2022

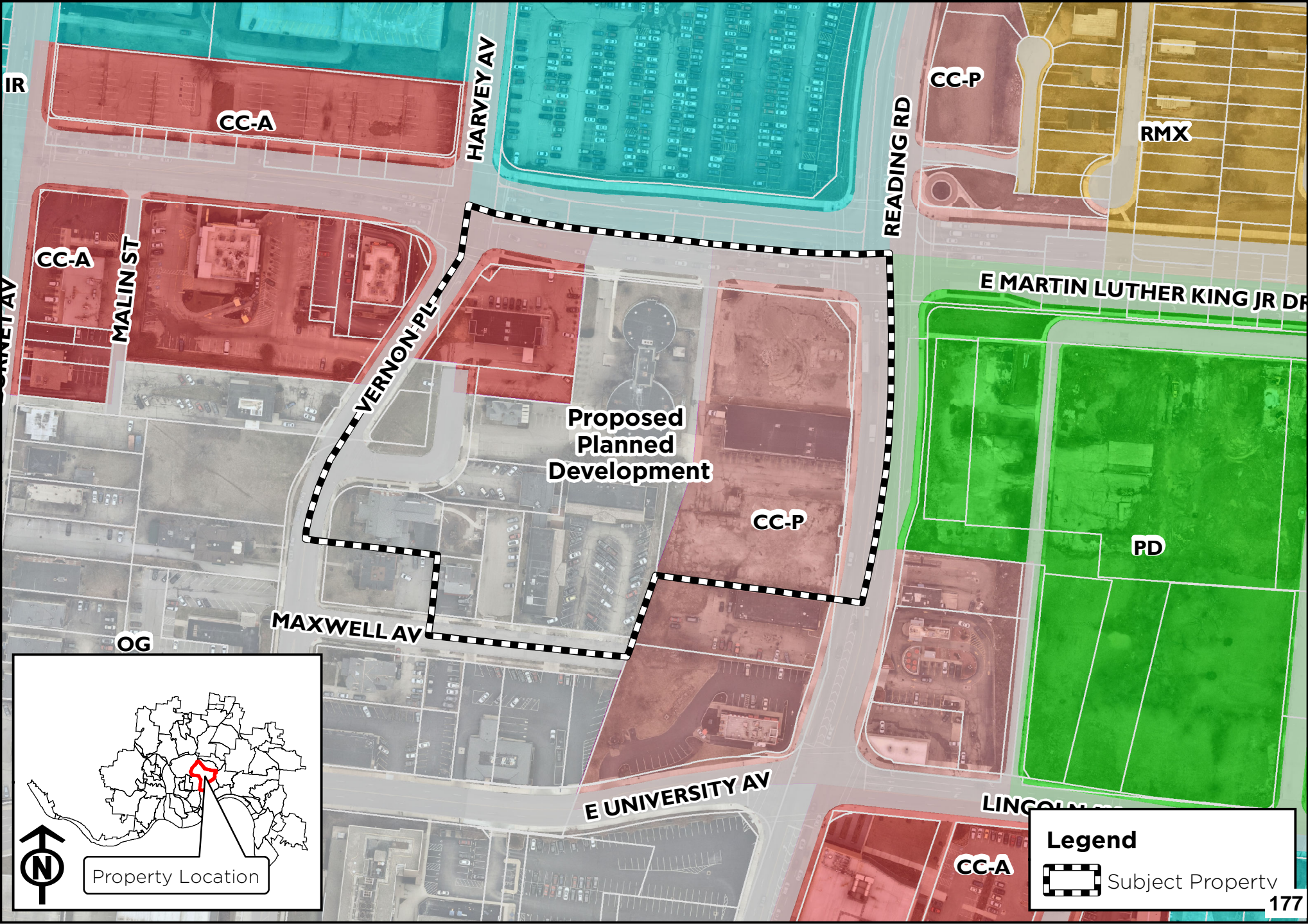
BUILDING SETBACKS:
PROPOSED BUILDINGS WILL BE SET BACK
FROM THE PUBLIC RIGHT-OF-WAY 0-20'



DANIS·FOXX

CINCINNATI
50 E-Business Way
Cincinnati, Ohio 45241
513.984.9696

Proposed Zone Change from Commercial Community-Auto (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD) in Avondale



Date: December 19, 2022
Description: Re-Zoning
Location: City of Cincinnati
Hamilton County, Ohio



Situated in Section 8, Town 3, Fractional Range 2, Between the Miamis, Mill Creek Township, The City of Cincinnati, Hamilton County, Ohio and being 7.8030 acres to be re-zoned to Planned Development (PD) and being further described as follows:

Beginning at the intersection of the centerline of Martin Luther King Drive East and the centerline of Reading Road (U.S. #42) and being the **True Point of Beginning**;

thence, with the centerline of said Reading Road (U.S. #42) for the following two courses:

- 1) South 00° 06' 56" West, 173.57 feet;
- 2) with a curve to the right, having a central angle of 11° 35' 33", a radius of 1432.39 feet, an arc length of 289.81 feet, and a chord bearing and distance of South 05° 54' 43" West, 289.32 feet;

thence, leaving the centerline of said Reading Road (U.S. #42), North 82° 20' 14" West, 287.76 feet to the northwest corner of Lot A of Harry Wahking Heirs Subdivision as recorded in Plat Book 14, Page 54;

thence, with the west line of said Lot A extended, South 20° 01' 16" West, 117.45 feet to the centerline of Maxwell Avenue;

thence, with the centerline of said Maxwell Avenue, North 83° 25' 54" West, 269.44 feet;

thence, leaving the centerline of said Maxwell Avenue, North 06° 34' 06" East, 110.00 feet;

thence, North 83° 25' 54" West, 179.46 feet to the centerline of Vernon Place;

thence, with the centerline of said Vernon Place for the following three courses:

- 1) with a curve to the right, having a central angle of 24° 50' 44", a radius of 400.00 feet, an arc length of 173.45 feet, and a chord bearing and distance of North 21° 57' 19" East, 172.10 feet;
- 2) North 34° 22' 41" East, 275.91 feet;
- 3) North 06° 14' 10" East, 53.69 feet to the centerline of said Martin Luther King Drive East;

thence, leaving the centerline of said Vernon Avenue and with the centerline of said Martin Luther King Drive East for the following five courses:

- 1) South 78° 39' 46" East, 95.02 feet;
- 2) with a curve to the left, having a central angle of 05° 21' 40", a radius of 1046.74 feet, an arc length of 97.94 feet, and a chord bearing and distance of South 81° 20' 36" East, 97.91 feet;
- 3) South 84° 01' 26" East, 181.00 feet;
- 4) with a curve to the left, having a central angle of 02° 00' 00", a radius of 3824.72 feet, an arc length of 133.51 feet, and a chord bearing and distance of South 85° 01' 26" East, 133.50 feet;

5) South 86° 01' 26" East, 60.14 feet to the **True Point of Beginning** containing 7.8030 acres.

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Building specifications:

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Height: 175' above grade

Multi-Family Housing Development

Multi-Family Housing Development will provide a mix of studio, two- and three-bedroom units coupled with interior and exterior amenities. The units will sit one level higher than the ground plain for enhanced security and provide the required fire truck access to the site. The intended housing provided will focus on congregate housing- Apartments and dwellings with communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services, and other support services appropriate to the residents. The dwellings are defined as one or more rooms with a single kitchen, designed for occupancy by one family for living and sleeping purposes. Dwelling includes: rowhouse, multi-family dwellings and loft dwellings.

Building specifications:

Number of Units: 120-400 units

Height: 125' above grade

Retail Space

The Retail space facing Martin Luther King Drive. The Retail services provided could include: the following: food service (eating and drinking establishments, full-service restaurants, limited-service restaurants, breweries, Distilleries, food market, food preparation, or drinking establishment. Other options include convenience market (limited goods), patio/garden store (limited service), personal services (barber/beauty shop, nail salon, tanning salon, massage therapy, electrolysis, seamstress, tailor, shoe repair, dry cleaner, self-service laundry and photo studio. Retail sales, including alcohol, furniture and home furnishing, electronics and appliances, clothing and shoes, jewelry, luggage and leather

goods, hobbies shop, books, periodicals and music, department stores, office supplies, gifts and novelties, pets, hardware, video stores and auto parts. Banking and financial institutions.

Area: Up to 25,000 sq. ft.

Height: Up to 35' above grade

Structured Parking Garage, Podium and Public Plaza

On grade, and lower-level parking spaces (garage) will be provided to support the activities that will occur on the campus. It will be sized per local zoning code to support the new square footage created at the campus, and the buildings' mixed-uses. The principal use will be a surface parking lot, and parking garage offering parking to the public and is the principal use of the premises.

The rooftop amenity spaces (plazas) that are generated above the parking garage, will prove supplemental activity space to support the infrastructure created at the development.

Parking Spaces: 850-1250 parking spaces

Height: 50' above grade

City CSR Review

The city held a Coordinated Site Review (CSR) meeting on Tuesday 12/13/22 to discuss the project. It was determined at that meeting that the project could move forward with the Planned Development re-zoning. The CSPRO Committee review letter is included in Appendix G.

Set Back Lines:

The Setback lines will be determined by the Final PD Development planning process, however the Appendix J – Uptown Innovation District Design Guidelines that indicate the conceptual right of way and recommended setbacks for the Innovation Corridor as envisioned by UCI- Uptown Consortium Inc (also depicted in Appendix O). Buildings will generally be set back 0-20' from the public right-of-way.

Building Heights and Areas:

Final height measurements will be determined at the time of any filing for final development plan. See Section "Description of Proposed Land Uses, Buildings and Structures" above and Appendix "B" for approximate building heights and areas.

Streetscapes:

Final streetscaping planning has not been finalized but will incorporate the guidelines shown in Appendix J – Uptown Innovation District Design Guidelines. This work will include sidewalk widths and open space requirements and Calculations. See appendix O. Final streetscape design to be submitted with final development plan.

Pedestrian circulation and walkability to and through the site by public sidewalks along all streets will be a minimum of 8'-10'-0" on all perimeters as indicated on page 55 of Appendix J – Uptown Innovation District Design Guidelines. Our Sidewalk "Amenity Zone and Zero setback will be considered as shown on page 58 and 59 of the attached Appendix J – Uptown Innovation District Design Guidelines.

Streetscape along Reading Road and MLK will include viable trees to provide overhead shade, and site furnishing amenity space for potential outdoor engaging pedestrian zones and an extension of active retail/entertainment venues.

Landscape Open Spaces are proposed in our upper plazas and courtyards. Refer to site plans included in this PD submission.

Density and Open Space: Ord._1429-09 (e)

The project includes up to 80,000 SF of plaza/amenity space on two levels above the parking garage. This open space would account for over 25% of the project's total 5.85-acre development area.

Refuse Collection: Ord._142909 (a)

Trash and waste facilities shall be provided on-site and located in areas to limit visibility. The design team will coordinate the details of trash operations with Rumpke prior to Final Development Plan submittal.

Geotechnical

See Appendix E.

Hazardous Materials

See Appendix F

Drainage

Onsite detention facilities will be installed to control site runoff per MSD standards. It is likely that a concrete vault will be included under a ramp in the parking garage to meet the storage requirements. The stormwater outlet for the project will likely be the existing 12" combination sewer on MLK.

Landscaping and Buffering:

Final landscaping and buffering will follow the Appendix J – Uptown Innovation District Design Guidelines and be determined at the time of any filing for a final permit application.

Please see page 76 of Appendix J – Uptown Innovation District Design Guidelines to see general criteria and parameters of Landscape species and objective zones to which designer should consider before submission.

Buffer planting shall be used to help define spaces, screen utilities and service functions and semi-private space when they exist.

Traffic Control

Bayer Becker has coordinated the nature of the project with DOTE and have agreed upon the scope of the Traffic Impact Study (TIS) that DOTE will require. The traffic counts from November 2022 are included in Appendix K. Bayer Becker is currently working through the model for the TIS and will coordinate all findings with DOTE. The results of the TIS will help guide vehicular access to, from, through, and around the site for the Final Development Plans.

Sewage

See Appendix L for MSD's "Conditional Availability of Sewers" for Building #1 and the rest of the Queen City Hills development site. The existing public combination sewers in Reading Road, MLK, and Vernon Place will be utilized for sanitary service to the proposed buildings.

The existing public sanitary sewer in Harvey Avenue/Vernon Place will be removed to make way for the new development; and a new 8" public sanitary sewer will be installed in (the re-aligned) Vernon Place to maintain upstream flows.

Water

A Water Availability Application (WAA) and Preliminary Application (PA) have been submitted to GCWW for review and approval. The existing public water mains in Reading Road, MLK, and Vernon Place will be utilized for fire and domestic service to the proposed buildings.

The existing public water main in Harvey Avenue/Vernon Place will be removed to make way for the new development; and a new 8" public water main will be installed in (the re-aligned) Vernon Place to maintain the water loop.

Electric & Natural Gas Service

Duke Energy has existing electric and gas facilities in the area to serve the proposed development. The design team is currently working with Duke Energy on a plan for proposed service, as well as providing adequate clearances from existing overhead electric lines along public roadways to the proposed buildings.

Communication Service

The design team will work with local utility providers to provide communication service to the proposed buildings.

DEVELOPMENT CONTROLS

Parking

A two-level structured parking garage with a podium deck is planned to serve the proposed buildings on site. Between 850 and 1250 parking stalls are anticipated to support the project. The layout and circulation of the garage, as well as total parking count, will be confirmed with the Final Development Plans.

Retail and Commercial

The retail, entertainment and other commercial uses will contribute to the development Live, Work and Play Components of the program. These components are critical to the viability and sustainability of the development. It is our goal to provide a sense of Place and Destination for visiting community as well as day to day employee living at the development. The intended uses for the project shall include retail, micro restaurant shops, selfcare services, fitness, recreation, and entertainment zones along with other general commercial uses not listed in the primary program use statement.

Exterior Lighting

Final exterior lighting will be determined at the time of final permit submission. All site lighting shall enhance the development and encourage community engagement during and after hours. All exterior lighting will adhere to City requirements for life safety and follow the Appendix J – Uptown Innovation District Design Guidelines while providing sensitive softening solutions for the housing components of the development.

Signage

Final Environmental Graphics and key signage will be evaluated and submitted at the time of final permit by a signage consultant team. Wayfinding to public amenities as well as retail will be another critical component to sustain a successful development. The project will generally adhere to CC-A zoning design standards for signage.

Project Schedule

See Appendix D

Re-Zone Plat

See Appendix H

Site Plan

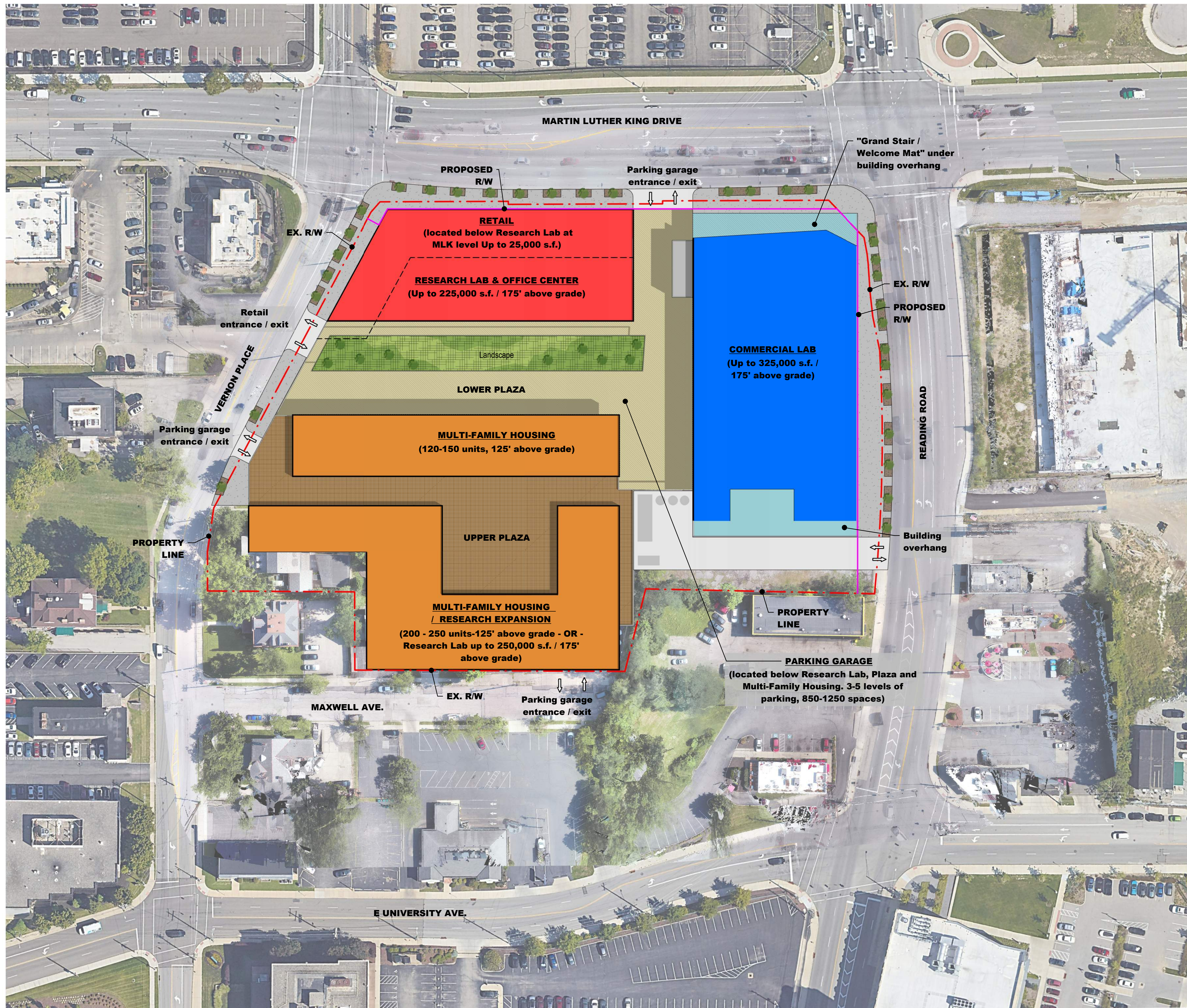
See Appendix A

Artistic Renderings

See Appendix B

List of Appendices:

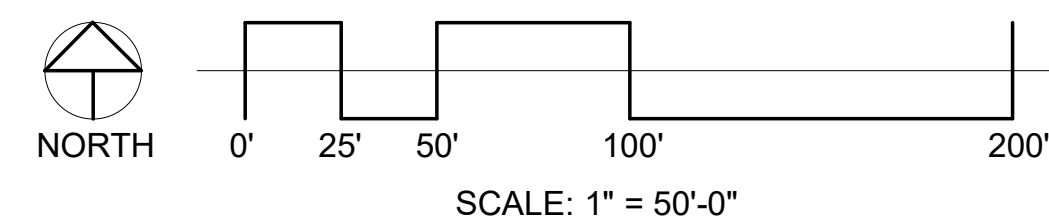
- A - Site Plan
- B - Renderings
- C - Property Control Letters
- D - Project Schedule
- E - Geotech Report
- F - Hazmat Reports
- G – CSPRO Committee Letter
- H - Rezoning Map
- I - Rezoning Legal Description
- J – Uptown Innovation District Design Guidelines
- K - Traffic Counts
- L - Conditional Availability of Sewers
- M - Coordinated Report
- N - Major Subdivision Plan
- O - Streetscape Design Standards



OVERALL SITE PLAN

DATE: 12/21/2022

BUILDING SETBACKS:
PROPOSED BUILDINGS WILL BE SET BACK
FROM THE PUBLIC RIGHT-OF-WAY 0-20'



DANIS·FOXX

CINCINNATI
50 E-Business Way
Cincinnati, Ohio 45241
513.984.9696

SUBJECT: A report and recommendation on a proposed zone change from Commercial Community – Auto-oriented (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD), including a Concept Plan and Development Program Statement, at the southwest quadrant of the intersection of Reading Road and E. Martin Luther King Jr. Drive in Avondale.

GENERAL INFORMATION:

Location: 15 parcels at the southwest corner of E. Martin Luther King Jr. Drive and Reading Road, generally bound by E. Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west (Exhibit 1)

Petitioner: **Bayer Becker**
1404 Race Street, Suite 204
Cincinnati, OH 45202

Developer: **Queen City Hills, LLC**
324 W. 9th Street
Cincinnati, OH 45202

Property Owners: **Central Clinic**
311 Albert Sabin Way
Cincinnati, OH 45229

Central Community Health Board
532 Maxwell Avenue
Cincinnati, OH 45219

City of Cincinnati
801 Plum Street
Cincinnati, OH 45202

SGA Enterprises, Inc.
233 Anderson Road
Fort Mitchell, KY 41017

YWCA Development Corp.
898 Walnut Street
Cincinnati, OH 45202

Uptown Transportation Authority
3440 Burnet Avenue, Suite 130
Cincinnati, OH 45229

EXHIBITS:

Provided in addition to this report are the following attachments:

- Exhibit 1: Location Map
- Exhibit 2: Zone Change Application
- Exhibit 3: Development Program Statement
 - Appendix A Site Plan
 - Appendix B Renderings
 - Appendix C Property Control Letters
 - Appendix D Project Schedule
 - Appendix E Geotech Report Summary (Full file available upon request)
 - Appendix F Hazmat Report Summary (Full file available upon request)
 - Appendix G Coordinated Site Review Letter (CPRE220071)
 - Appendix H Rezoning Map
 - Appendix I Rezoning Legal Description
 - Appendix J Uptown Innovation District Design Guidelines
 - Appendix K Traffic Counts
 - Appendix L Conditional Availability of Sewers
 - Appendix M Coordinated Report Summary (Full file available upon request)
 - Appendix N Major Subdivision Plan
 - Appendix O Streetscape Design Standards

BACKGROUND:

The subject property represents one of the four corridor quadrant areas at Reading Road and E. Martin Luther King Jr. Drive. It is approximately 5.85 acres in size and contains 15 parcels generally bound by E. Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west in the Avondale neighborhood. The consolidated site is a vacant and cleared lot; any remaining buildings will be demolished to accommodate the proposed project. Much of the site is currently zoned Office General (OG), with the eastern portion of the site zoned Commercial Community-Pedestrian (CC-P), and the northwest corner zoned Commercial Community-Auto-oriented (CC-A). Additionally, a portion of the existing Vernon Place right-of-way (between Maxwell Avenue and E. Martin Luther King Jr. Drive) is proposed to be vacated and included in the new Planned Development.

ADJACENT LAND USE AND ZONING:

The existing zoning and land use surrounding the subject site is as follows:

North:

Zoning: Institutional-Residential (IR)
Existing Use: Parking lot for University of Cincinnati (UC) Medical Center

East:

Zoning: Planned Development (PD); Commercial Community-Pedestrian (CC-P)
Existing Use: UC Digital Futures Building; fast food restaurant and retail

South:

Zoning: Office General (OG); Commercial Community-Pedestrian (CC-P)
Existing Use: Bank and small office buildings; fast food restaurant and retail

West:

Zoning: Office General (OG); Commercial Community – Auto-oriented (CC-A)
Existing Use: Small office buildings; fast food restaurants

PROPOSED DEVELOPMENT:

The proposed Concept Plan and Development Program Statement is for the redevelopment of the 5.85-acre site into a large-scale, mixed-use development, referred to as the “Biotech Cincinnati Life Science Research Park for Innovation Corridor.” Major site components include a commercial development lab, a research lab and office space, street level retail space along E. Martin Luther King Jr. Drive, a structured parking garage and podium, a large public plaza, and multi-family housing.

Phasing

The petitioner anticipates the development occurring under the following phasing program:

Phase 1: Full site preparation, including utility infrastructure, deep foundations, rough grading, and retaining walls.

Phase 2A: Construction of the commercial development lab, parking garage, and retail component. It is anticipated that the application for a Final Development Plan for the deep foundations of the garage would occur within approximately 60 days. An application for a Final Development Plan for Building 1 and the garage would follow within approximately 180 days.

Phase 2B: Construction of the research lab and office center.

Phase 3: Construction of multi-family housing and amenity deck with associated upper parking garage podium.

Future Uses

The petitioner has outlined the following to be permitted in the proposed Planned Development:

Component	Uses	Square Footage	Height
Commercial Development Lab	Research, manufacturing of medical-use products, shipping	Up to 350,000 sq. ft.	Max. 175-feet above grade
Research Lab and Office Center	Office space, co-working space, and/or commercial lab	Up to 225,000 sq. ft.	Max. 175-feet above grade
Retail Space	Food service, convenience market, personal services, retail sales, banking and financial institutions	Up to 25,000 sq. ft.	Max. 35-feet above grade
Structured Parking Garage, Podium, and Public Plaza	Private and public parking; rooftop plazas over parking	850-1250 parking spaces	Max. 50-feet above grade
Multi-family Housing Development	Apartments and dwellings with communal facilities and services. Could include rowhomes, multi-family dwellings, and loft dwellings.	120-400 units	Max. 125-feet above grade

BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:

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

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

The proposed zone change area is approximately 7.80 contiguous acres, of which 5.85 acres will be developed.

- b. ***Ownership*** – *Evidence that the petitioner has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development are required.*

The petitioner has provided a list of all properties included in the requested zone change area with the current property owners. The proposed zone change area includes a total of 15 properties, all of which are under the control of or will be under the control of Queen City Hills, LLC prior to permitting. Each property owner has authorized the inclusion of their property in the rezoning application (Appendix C).

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

The submitted Concept Plan and Development Program Statement indicates multiple buildings on the consolidated parcel.

- d. **Historic Landmarks and Districts** – *Whenever a Planned Development application is filed for a property wholly or partially located within a historic landmark, historic district, or involving a historic structure, the Historic Conversation Board shall advise the City Planning Commission relating to approval of the Final Development Plan.*

No portion of the site is located within a historic district, nor does it contain any historic landmark.

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

No portion of the site is located within a Hillside Overlay District.

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

No portion of the site is located within an Urban Design Overlay District.

CONCEPT PLAN AND DEVELOPMENT PROGRAM STATEMENT:

According to §1429-09 of the Cincinnati Zoning Code, *Concept Plan and Development Program*, a petition to rezone a property to PD must include a Concept Plan and Development Program Statement (Exhibit 3). The purpose is to describe the proposed use or uses to be conducted in the PD District. The Concept Plan and Development Program Statement must include text or diagrams that specify:

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

The petitioner has submitted a Development Program Statement (Exhibit 3) that includes sufficient information regarding proposed uses, building locations, street rights-of-way, building set back lines, building heights, and pedestrian circulation systems. Preliminary geotechnical and environmental site assessments have also been provided as part of the application.

- b. **Ownership** – *Evidence that the petitioner has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development.*

The petitioner has provided a list of all properties included in the requested zone change area with the current property owners. The proposed zone change area includes a total of 15 properties, all of which are under the control of or will be under the control of Queen City Hills, LLC prior to permitting. Each property owner has authorized the inclusion of their property in the rezoning application (Appendix C).

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

The petitioner has provided a phasing schedule for the Concept Plan. There are four (4) anticipated phases for the overall development and the petitioner intends to file separate Final Development Plans for each. The estimated time schedule provided as part of the Concept Plan and Development Program Statement is outlined in the *Proposed Development* section of this report.

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

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

- e. ***Density and Open Space*** – *Any other information requested by the Director of City Planning or the City Planning Commission*

The project includes up to 80,000 square feet of plaza/amenity space on two levels above the parking garage. This open space would account for over 25% of the project’s total 5.85-acre development area. The petitioner intends for the existing sidewalk widths to be maintained or widened for a minimum of 8-10 feet on all perimeters. Streetscape elements along Reading Road and E. Martin Luther King Jr. Drive will include viable trees to provide overhead shade, and site furnishing amenity space for potential outdoor engaging pedestrian zones and an extension of active retail/entertainment venues. Final details related to open space calculations, dimensions, and elements in the public right-of-way will be required at time of Final Development Plan submittal.

FINAL DEVELOPMENT PLAN:

Pursuant to §1429-13 of the Cincinnati Zoning Code, a Final Development Plan must be filed for any portion of an approved Concept Plan that the petitioner wishes to develop; this plan must conform substantially to the approved Concept Plan and Development Program Statement. The Final Development Plan requirements anticipate changes from the Concept Plan by requiring significantly more detail. Approval of the Final Development Plan would allow the petitioner to obtain the necessary permits to proceed with development. The process allows the City Planning Commission to authorize staff to approve Minor Amendments that might be necessary and establishes the process for Major Amendments that must be reviewed and approved.

COORDINATED SITE REVIEW:

The proposed zone change and Concept Plan went through a Development Design Review as part of the City’s Coordinated Site Review process in December 2022. A Coordinated Site Review meeting with the petitioner was held on December 13, 2022 to allow the petitioner the opportunity to understand the comments outlined by each of the Departments. No objections were voiced in regard to the zone change or Concept Plan at this meeting. The petitioner has received a copy of the comments from each department from this review process (Appendix G).

Of note, the Department of Transportation and Engineering (DOTE) will require a Traffic Impact Study. The petitioner has coordinated with DOTE and agreed upon the scope of the study that is required. The traffic counts from November 2022 are included in Appendix K. Bayer Becker is currently working through the model for the study and will coordinate all findings with DOTE. The results of the study will help guide vehicular access to, from, through, and around the site for the Final Development Plans.

DIVERSITY AND ECONOMIC INCLUSION:

The developer, Queen City Hills, LLC, is proud to be the only minority developer in the Uptown Innovation Corridor. They are proactively working with Minority Business Enterprises (MBEs), Women Business Enterprises, and Small Business Enterprises (SBEs) for the proposed development. Additionally, the development team has continued working with WEB Ventures, a Cincinnati-based firm dedicated to ensuring diversity and inclusion in the Uptown Innovation Corridor.

PUBLIC COMMENT:

The development team has been actively engaged with the Avondale Community Council regarding this project since 2019. Throughout 2019 and 2020, the development team met with Uptown Consortium and WEB Ventures monthly to discuss development goals. The development team has worked hard to ensure that the proposed project meets the Uptown District Design Guidelines, a set of development principles created through an intense community engagement process led by Uptown Consortium (Appendix J). The guidelines were developed in partnership with the University of Cincinnati, Cincinnati Children's Hospital Medical Center, UC Health, TriHealth, and the Cincinnati Zoo and Botanical Garden to establish a vision and framework for the corridor.

The Department of City Planning and Engagement held a virtual Public Staff Conference on the proposed zone change on January 12, 2023. Notices were sent to property owners within a 400-foot radius of the subject property, the Avondale Community Council (ACC), and the Avondale Development Corporation (ADC). Three community members, in addition to City staff and the development team, were in attendance. One public member asked about the traffic in the area and asked about pedestrian safety. The development team shared that the Traffic Impact Study was underway and that Uptown Consortium was working to ensure a safer environment for pedestrians and invited the community member to take part in those conversations.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed zone change, Concept Plan, and Development Program Statement is consistent with the Compete Initiative Area, particularly within the Goal to "Cultivate our position as the most vibrant and economically healthy part of our region (page 114), specifically "Focus development on the existing centers of activity" (page 116). The proposed development will transform the southwest quadrant of the Uptown Innovation Corridor.

Avondale QOL: Avondale's Quality of Life Movement (2020)

The proposed zone change is consistent with the *Avondale QOL: Avondale's Quality of Life Movement*, the neighborhood plan for the area. It is specifically consistent with the Future Land Use Map which identifies the area for mixed use/institutional. The proposed zone change would permit a mixed-use development at the E. Martin Luther King Jr. Drive and Reading Road intersection.

MLK Reading Road Corridor Study (2014)

The project location is identified as a gateway in the *MLK Reading Road Corridor Study*: "Establish mixed-use gateways along MLK at the intersections of Eden, Burnet and Reading" (p. 68). The proposed development implements this idea of a gateway at Reading Road and E. Martin Luther King Jr. Drive. Additionally, the plan recommends "Focusing new residential development within walking distance of existing neighborhood centers to bolster commercial demand" (p. 63). Later phases of the project include a multi-family housing component.

CITY PLANNING COMMISSION ACTION:

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

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

The proposed uses (laboratory, office, retail, multi-family housing, and parking) are compatible with applicable plans (see “Consistency with Plans” section above) and the surrounding land use patterns. Adjacent uses include auto-oriented businesses, institutional office buildings, and parking.

2. *The PD Concept Plan and Development Program Statement enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved;*

The concept plan proposes a design that allows for a mix of uses. The site can be maximized by taking advantage of the entire area due to the proposed height and proximity of the buildings, planned multiple uses and complexities of the site.

3. *Deviations from the base district regulations applicable to the property at the time of the PD application are justified by compensating benefits of the PD Concept Plan and Development Program Statement;*

The proposed land use for this property provides productive use on what is now a mostly vacant site. The PD zoning district allows the developer to be innovative in site development, combining quality building design with practical common open space.

4. *The PD Concept Plan and Development Program Statement includes adequate provisions for utility services, refuse collection, open space, landscaping, pedestrian circulation and traffic circulation, building design and building location.*

All aspects are outlined in the Concept Plan and Development Program Statement as submitted or will be detailed in the Final Development Plan.

ANALYSIS:

The 5.85-acre proposed mixed-use development will reactivate currently vacant or underutilized properties into a mixed-use development and anchor the southwest corner of the E. Martin Luther King Jr. Drive and Reading Road intersection within the Innovation Corridor. The Planned Development allows for the coordinated development of fifteen (15) existing parcels.

While this is a development of significant scale, the petitioner has worked to engage with the community and various City Departments to address concerns and improve the quality of the development. The Department of City Planning and Engagement is of the opinion that Planned Development is an appropriate zoning designation for this site as it allows for continued public engagement through all phases of the development. A Planned Development also provides assurance to the City and the community of the intended uses and scale for the site, and any significant modification to this would

constitute as a Major Amendment to the Concept Plan and require public engagement and a public hearing process.

FINDINGS:

It is the opinion of staff of the Department of City Planning that the Concept Plan and Development Program Statement is in compliance with §1429-05 and §1429-11 (a) *City Planning Commission Action*. The proposal is consistent with the purpose of the Planned Development District Regulations.

CONCLUSIONS:

The staff of the Department of City Planning and Engagement supports the proposed zone change from Commercial Community – Auto-oriented (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD) including the Concept Plan and Development Program Statement to allow for a mixed-use development for the following reasons:

1. The proposed development is consistent with comprehensive and neighborhood plans, including *Plan Cincinnati* (2012), *Avondale QOL: Avondale's Quality of Life Movement* (2020), and the *MLK Reading Road Corridor Study* (2014).
2. The area to be rezoned will allow for the construction of the proposed mixed-use development at the setback, scale, and density outlined in the Concept Plan and Program Development Statement.
3. The PD zoning district is appropriate in this area and requires a more extensive public process than a regular zone change, which will allow community members to have additional opportunities to be heard during the Final Development Plans for the proposal.

RECOMMENDATION:

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

1. **ACCEPT** the Concept Plan and Development Program Statement as submitted; and
2. **ADOPT** the Department of City Planning and Engagement Findings as detailed on page 8 of this report; and
3. **APPROVE** the proposed zone change from Commercial Community – Auto-oriented (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD), including a Concept Plan and Development Program Statement, at the southwest quadrant of the intersection of Reading Road and E. Martin Luther King Jr. Drive in Avondale.

Respectfully submitted:



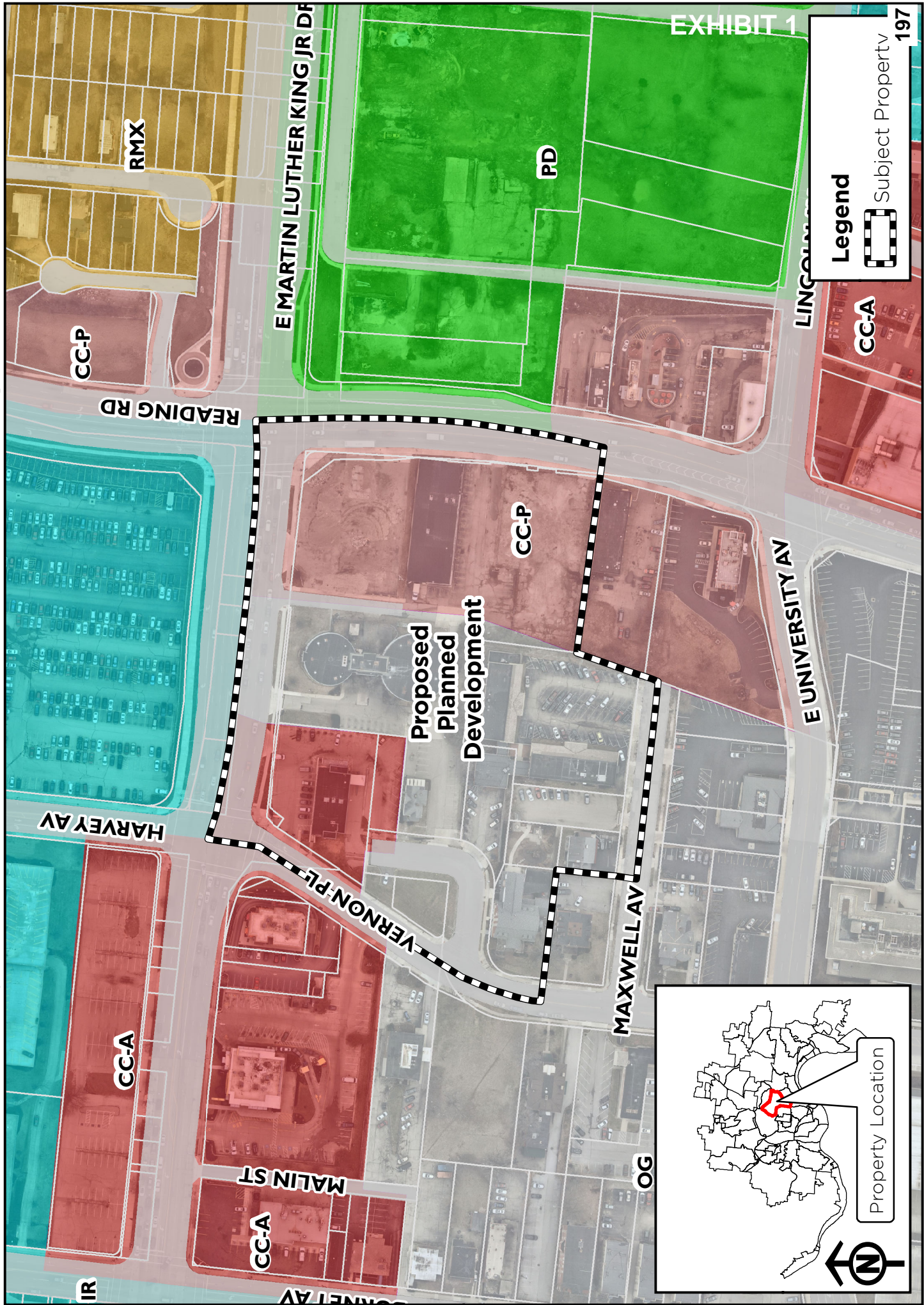
Stacey Hoffman, Senior City Planner
Department of City Planning and Engagement

Approved:



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

Proposed Zone Change from Commercial Community-Auto (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD) in Avondale



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

To: The Honorable Council of the City of Cincinnati

Date: 12/22/23

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

Location of Property (Street Address): See "Development Program Statement"
attached for addresses and parcel ID numbers.

Area Contained in Property (Excluding Streets): Approximately 7.80 acres


Present Use of Property: Existing uses on site include office/manufacturing, health services, and a bank (with associated surface parking).

Proposed Use of Property & Reason for Change: The proposed uses include office/lab/research, residential, and retail.
Two levels of structured parking are planned beneath the west portion of the site with a podium plaza above.

Property Owner's Signature: 

Name Typed: Edwin J. Rigaud III (Owner's Agent)

Address: 324 W. 9th Street, Cincinnati OH 45202 Phone: 561-870-2441

Agent Signature: 

Name Typed: Michael P. Dooley

Address: 1404 Race Street, Suite 204 Cincinnati, OH 45202 Phone: 513-492-9851

Please Check if the Following Items are Attached

Application Fee X

Copies of Plat X

Copies of Metes and Bounds X

**CONCEPT PLAN & DEVELOPMENT PROGRAM STATEMENT
ZONING AMENDMENT REQUEST AND ZONING CHANGE REQUEST**

**REZONE OG, CC-A and CC-P ZONING TO PD
for
UPTOWN INNOVATION CORRIDOR
Located at
SOUTHWEST CORNER OF READING RD & MLK BLVD**

1. APPLICANT/PETITIONER:

Queen City Hills, LLC (via the developer, Foxx-Danis, LLC “Developer”)
324 W. 9th Street
Cincinnati, OH 45202

As may be subsequently assigned.

2. SUMMARY OF REQUEST

Applicant is requesting the rezoning of the 15 street addresses (“Subject Property”) shown in the schedule below from various current zoning to Planned Development (“PD”).

The Subject Property has various current zoning classifications, which are noted in the schedule below. These current classifications include General Office and Community Commercial and publicly owned land. The total area to be re-zoned is approximately 7.80 acres. See Appendix H.

Applicant is requesting the rezoning of the Subject Property to allow a large-scale, mixed-use redevelopment (“Proposed Development”) to be developed on the Subject Property, which is generally located in the southwest quadrant of the Martin Luther King Drive. and Reading Rd. intersection. Based on proximity of buildings, the various uses, complexities of the site and in-depth discussions with City staff, Applicant believes that Planned Development will best suit the ability to develop the best project on the Subject Property in keeping with the wishes of the community and the City.

3. PROJECT NARRATIVE

QCH has assembled the land parcels necessary to develop 5.85 acres of land. The consolidated properties, located at the southwest corner of Martin Luther King Dr. and Reading Rd. will be re-zoned as a planned development with design focusing on the Uptown District Design Guidelines. The project is an innovative mix of complementary uses to create a vibrant place to work, live and play. Major site components include:

- A state of the art, Commercial Development Lab. This clinical phase research, manufacturing, and product development entity, focused on bridging academic, proof of concept cell and gene therapeutic research through later stage evaluation, in support of emerging biotech and pharmaceutical companies in preparation for late-stage registration/pivotal trials, commercial approval and global distribution.
- A Research Lab and Office Center will provide incubator lab space, general office space as well as support the functions of the Commercial Development Lab. Together, these labs will help attract the best and brightest to this Bio-Tech Life Sciences Research Park
- A Multi-Family Housing Development will provide a mix of studio, two- and three-bedroom units coupled with interior and exterior amenities. These residential units will provide the scientific and medial professionals with ideal places to live and play.

- A street level Retail Space facing Martin Luther King Drive providing opportunities for food, shopping and /or entertainment, helping to further fulfill the play component of this multi-use development.
- A structured parking garage and podium with entrances off of MLK Dr., Vernon Ave., and Maxwell St. The garage will serve as the base for the Research Lab and Housing Units and will also contain the sites stormwater retention system.
- A large Public Plaza is set atop the parking garage, weaving between the Commercial Development Lab, the Research Lab and Office Center and Multi-Family Housing and connecting down to the MLK level via a grand sweeping staircase

Each component contributes to the overall ambiance and sense of place to enhance the others both in design and function.

Design and construction is planned to be accomplished in three phases.

- Phase 1: Full site development, including utility infrastructure, deep foundations, rough grading and retaining walls.
- Phase 2A: Construction of Commercial Development Lab, Parking Garage, Retail
- Phase 2B: Construction of the Research Lab and Office Center.
- Phase 3: Construction of Multi-Family Housing and amenity deck with associated upper parking garage podium.,

This proposed development will improve the vacant and underutilized existing properties and create a dynamic mixed-use environment providing places for life science professionals to work, live and play.

PLAN ELEMENTS

Location of Development

This proposed PD Zoning District, referred to as the Biotech Cincinnati Life Science Research Park for Innovation Corridor, is located on Southwest Corner of Martin Luther King Blvd and Reading Road generally bound by Vernon Place on the West and Maxwell Avenue on the south and Reading Road on the east.

Ownership & Property Addresses Ord._1429-09 (b)

The properties comprising the development site are listed individually below.

Owner	Address	Parcel ID	Zoning
Central Clinic	(Part of) 512 Maxwell Ave	091-0001-0112	OG
Central Community Health Board of Hamilton County	530 Maxwell Avenue	091-0001-0103	OG
Central Community Health Board of Hamilton County	3020 Vernon Place	091-0001-0107	OG
SGA Enterprises Inc	-	106-0001-0243	OG
SGA Enterprises Inc	3026 Harvey Avenue	106-0001-0150	CC-A
SGA Enterprises Inc	3028 Harvey Avenue	106-0001-0254	CC-A

YWCA Development Corp	516 Maxwell Avenue	091-0001-0102	OG
YWCA Development Corp	(Part of) 512 Maxwell Ave	091-0001-0101	OG
YWCA Development Corp	3006 Vernon Place	091-0001-0100	OG
Uptown Transportation Authority	515 Martin Luther King Drive	091-0001-0201	CC-P
City of Cincinnati	-	106-0001-0328	CC-A
City of Cincinnati	3049 Reading Road	106-0001-0218	CC-P
City of Cincinnati	(Part of city parcel)	091-0002-0215	CC-P
City of Cincinnati	(Part of) 439 E. Martin Luther King Drive	106-0001-0143	CC-A
City of Cincinnati	(Part of) 2915 Vernon Place	091-0001-0031	OG

In addition, a portion of the existing Vernon Place public right-of-way (between Maxwell Avenue and Martin Luther King Drive) will be vacated and included in the new Planned Development District. See appendix N.

A request for a Coordinated Report was submitted to the city's office of Real Estate Services (RES) on 11/03/22 and the Coordinated Report was received on 12/12/22. See Appendix M. The development team will work the city to get a clear Coordinated Report and purchase the city-owned properties/right-of-way needed for the project.

Existing Conditions (QCH-Bioscience Research Park)

The majority of proposed QCH consolidated site is a vacant and cleared lot. Demolition is currently being completed for the old Schaffer single story light industry building company on Reading Road as well as 3 story nursing home on Martin Luther King Drive (MLK). Also, on the proposed PD Development there is an existing 2 Story PNC Office Building (12,612 sq. ft.) on the east corner of MLK and Vernon Place and on the south adjacent parcel we have a Central Community Health Office (25,870 sq. ft.) fronting on Maxwell Ave. The last two properties Describe where have an existing 2 story 11,316 YWCA building and a small two and half story 1,155 sq ft Central Health Clinic building along Maxwell Ave. All existing facilities are preparing for demolition for the new QCH development.

Community Engagement

QCH has actively engaged with Avondale Community Council and Cincinnati City Council since fall 2019. We participated in the Avondale Neighborhood Conversation with Uptown Consortium in November 2019 and attended several ACC meetings. City council approved the TIF boundaries for the SW quadrant (December 2019). QCH presented a \$20K gift to ACC for their inclusive development efforts in late 2019. Through 2019 and 2020 we engaged with Uptown Consortium and WEB Ventures monthly to discuss the development goals and continue to do so. QCH also recently participated in the ACC's Thanksgiving food drive, and will be leading a community winter hiking program through Avon Woods this January in partnership with Cincy Parks.

Description of Proposed Land Uses, Buildings and Structures Ord._1429-13(i)

QCH has assembled the land parcels necessary to develop 5.85 acres of land. The consolidated properties will be re-zoned as a planned development with design focusing on the Uptown District Design Guidelines. The project is an innovative mix of complementary uses to create a vibrant place to work, live and play. Major site components to include:

Commercial Development Lab

The Commercial Lab Building will research and manufacture medical-use products in the four-level structure. The items produced will ship from a loading dock positioned at grade, accessing Reading Road. The dock will be screened from view via its location on the campus, and will feature additional landscape screening, to meet the Uptown District requirements.

Building specifications:

Area: Up to 350,000 sq. ft.

Height: 175' above grade.

Research Lab and Office Center

The Research Lab and Office Center will house tenants that primarily provides professional, executive, management, or administrative services, such as accounting, architectural, computer software consulting, data management, engineering, medical or other health care professionals, insurance, investment, law, and/or real estate offices, etc. Co-workspaces may also occur. These would combine office, athletic, or reception uses or other social workspaces and requires membership for use of the space. Incubator spaces may be included to provide public and private collaboration and providing management, mentoring, workspace, or other services for business, academic, no-profit, institutional or start-up organizations. Commercial laboratories may be included. These facilities include medical, optical, orthotic, prosthetic, or dental laboratory services, photographic, analytical, or testing services and scientific wet/dry lab research facilities.

Building specifications:

Area: Up to 225,000 sq. ft.

Height: 175' above grade

Multi-Family Housing Development

Multi-Family Housing Development will provide a mix of studio, two- and three-bedroom units coupled with interior and exterior amenities. The units will sit one level higher than the ground plain for enhanced security and provide the required fire truck access to the site. The intended housing provided will focus on congregate housing- Apartments and dwellings with communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services, and other support services appropriate to the residents. The dwellings are defined as one or more rooms with a single kitchen, designed for occupancy by one family for living and sleeping purposes. Dwelling includes: rowhouse, multi-family dwellings and loft dwellings.

Building specifications:

Number of Units: 120-400 units

Height: 125' above grade

Retail Space

The Retail space facing Martin Luther King Drive. The Retail services provided could include: the following: food service (eating and drinking establishments, full-service restaurants, limited-service restaurants, breweries, Distilleries, food market, food preparation, or drinking establishment. Other options include convenience market (limited goods), patio/garden store (limited service), personal services (barber/beauty shop, nail salon, tanning salon, massage therapy, electrolysis, seamstress, tailor, shoe repair, dry cleaner, self-service laundry and photo studio. Retail sales, including alcohol, furniture and home furnishing, electronics and appliances, clothing and shoes, jewelry, luggage and leather

goods, hobbies shop, books, periodicals and music, department stores, office supplies, gifts and novelties, pets, hardware, video stores and auto parts. Banking and financial institutions.

Area: Up to 25,000 sq. ft.

Height: Up to 35' above grade

Structured Parking Garage, Podium and Public Plaza

On grade, and lower-level parking spaces (garage) will be provided to support the activities that will occur on the campus. It will be sized per local zoning code to support the new square footage created at the campus, and the buildings' mixed-uses. The principal use will be a surface parking lot, and parking garage offering parking to the public and is the principal use of the premises.

The rooftop amenity spaces (plazas) that are generated above the parking garage, will prove supplemental activity space to support the infrastructure created at the development.

Parking Spaces: 850-1250 parking spaces

Height: 50' above grade

City CSR Review

The city held a Coordinated Site Review (CSR) meeting on Tuesday 12/13/22 to discuss the project. It was determined at that meeting that the project could move forward with the Planned Development re-zoning. The CSPRO Committee review letter is included in Appendix G.

Set Back Lines:

The Setback lines will be determined by the Final PD Development planning process, however the Appendix J – Uptown Innovation District Design Guidelines that indicate the conceptual right of way and recommended setbacks for the Innovation Corridor as envisioned by UCI- Uptown Consortium Inc (also depicted in Appendix O). Buildings will generally be set back 0-20' from the public right-of-way.

Building Heights and Areas:

Final height measurements will be determined at the time of any filing for final development plan. See Section "Description of Proposed Land Uses, Buildings and Structures" above and Appendix "B" for approximate building heights and areas.

Streetscapes:

Final streetscaping planning has not been finalized but will incorporate the guidelines shown in Appendix J – Uptown Innovation District Design Guidelines. This work will include sidewalk widths and open space requirements and Calculations. See appendix O. Final streetscape design to be submitted with final development plan.

Pedestrian circulation and walkability to and through the site by public sidewalks along all streets will be a minimum of 8'-10'-0" on all perimeters as indicated on page 55 of Appendix J – Uptown Innovation District Design Guidelines. Our Sidewalk "Amenity Zone and Zero setback will be considered as shown on page 58 and 59 of the attached Appendix J – Uptown Innovation District Design Guidelines.

Streetscape along Reading Road and MLK will include viable trees to provide overhead shade, and site furnishing amenity space for potential outdoor engaging pedestrian zones and an extension of active retail/entertainment venues.

Landscape Open Spaces are proposed in our upper plazas and courtyards. Refer to site plans included in this PD submission.

Density and Open Space: Ord._1429-09 (e)

The project includes up to 80,000 SF of plaza/amenity space on two levels above the parking garage. This open space would account for over 25% of the project's total 5.85-acre development area.

Refuse Collection: Ord._142909 (a)

Trash and waste facilities shall be provided on-site and located in areas to limit visibility. The design team will coordinate the details of trash operations with Rumpke prior to Final Development Plan submittal.

Geotechnical

See Appendix E.

Hazardous Materials

See Appendix F

Drainage

Onsite detention facilities will be installed to control site runoff per MSD standards. It is likely that a concrete vault will be included under a ramp in the parking garage to meet the storage requirements. The stormwater outlet for the project will likely be the existing 12" combination sewer on MLK.

Landscaping and Buffering:

Final landscaping and buffering will follow the Appendix J – Uptown Innovation District Design Guidelines and be determined at the time of any filing for a final permit application.

Please see page 76 of Appendix J – Uptown Innovation District Design Guidelines to see general criteria and parameters of Landscape species and objective zones to which designer should consider before submission.

Buffer planting shall be used to help define spaces, screen utilities and service functions and semi-private space when they exist.

Traffic Control

Bayer Becker has coordinated the nature of the project with DOTE and have agreed upon the scope of the Traffic Impact Study (TIS) that DOTE will require. The traffic counts from November 2022 are included in Appendix K. Bayer Becker is currently working through the model for the TIS and will coordinate all findings with DOTE. The results of the TIS will help guide vehicular access to, from, through, and around the site for the Final Development Plans.

Sewage

See Appendix L for MSD's "Conditional Availability of Sewers" for Building #1 and the rest of the Queen City Hills development site. The existing public combination sewers in Reading Road, MLK, and Vernon Place will be utilized for sanitary service to the proposed buildings.

The existing public sanitary sewer in Harvey Avenue/Vernon Place will be removed to make way for the new development; and a new 8" public sanitary sewer will be installed in (the re-aligned) Vernon Place to maintain upstream flows.

Water

A Water Availability Application (WAA) and Preliminary Application (PA) have been submitted to GCWW for review and approval. The existing public water mains in Reading Road, MLK, and Vernon Place will be utilized for fire and domestic service to the proposed buildings.

The existing public water main in Harvey Avenue/Vernon Place will be removed to make way for the new development; and a new 8" public water main will be installed in (the re-aligned) Vernon Place to maintain the water loop.

Electric & Natural Gas Service

Duke Energy has existing electric and gas facilities in the area to serve the proposed development. The design team is currently working with Duke Energy on a plan for proposed service, as well as providing adequate clearances from existing overhead electric lines along public roadways to the proposed buildings.

Communication Service

The design team will work with local utility providers to provide communication service to the proposed buildings.

DEVELOPMENT CONTROLS

Parking

A two-level structured parking garage with a podium deck is planned to serve the proposed buildings on site. Between 850 and 1250 parking stalls are anticipated to support the project. The layout and circulation of the garage, as well as total parking count, will be confirmed with the Final Development Plans.

Retail and Commercial

The retail, entertainment and other commercial uses will contribute to the development Live, Work and Play Components of the program. These components are critical to the viability and sustainability of the development. It is our goal to provide a sense of Place and Destination for visiting community as well as day to day employee living at the development. The intended uses for the project shall include retail, micro restaurant shops, selfcare services, fitness, recreation, and entertainment zones along with other general commercial uses not listed in the primary program use statement.

Exterior Lighting

Final exterior lighting will be determined at the time of final permit submission. All site lighting shall enhance the development and encourage community engagement during and after hours. All exterior lighting will adhere to City requirements for life safety and follow the Appendix J – Uptown Innovation District Design Guidelines while providing sensitive softening solutions for the housing components of the development.

Signage

Final Environmental Graphics and key signage will be evaluated and submitted at the time of final permit by a signage consultant team. Wayfinding to public amenities as well as retail will be another critical component to sustain a successful development. The project will generally adhere to CC-A zoning design standards for signage.

Project Schedule

See Appendix D

Re-Zone Plat

See Appendix H

Site Plan

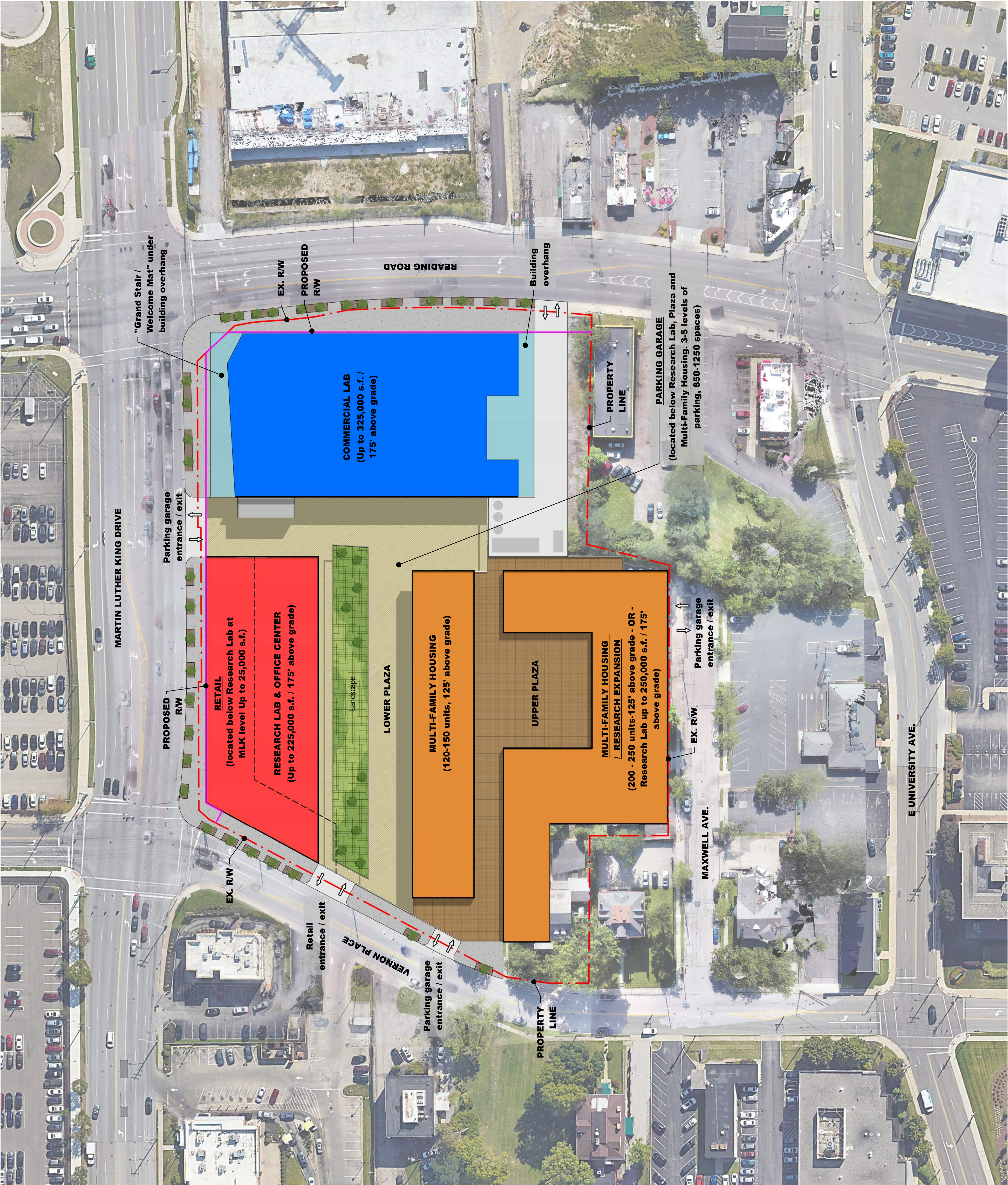
See Appendix A

Artistic Renderings

See Appendix B

List of Appendices:

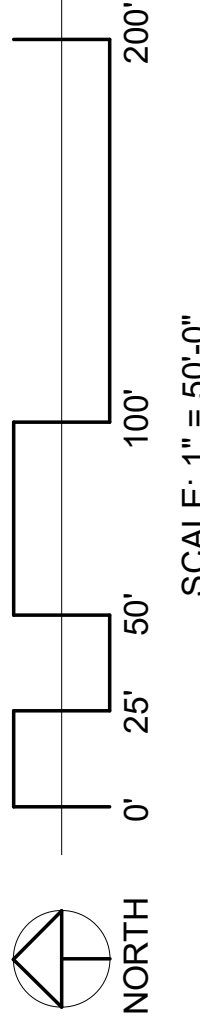
- A - Site Plan
- B - Renderings
- C - Property Control Letters
- D - Project Schedule
- E - Geotech Report
- F - Hazmat Reports
- G – CSPRO Committee Letter
- H - Rezoning Map
- I - Rezoning Legal Description
- J – Uptown Innovation District Design Guidelines
- K - Traffic Counts
- L - Conditional Availability of Sewers
- M - Coordinated Report
- N - Major Subdivision Plan
- O - Streetscape Design Standards



OVERALL SITE PLAN

DATE: 12/21/2022

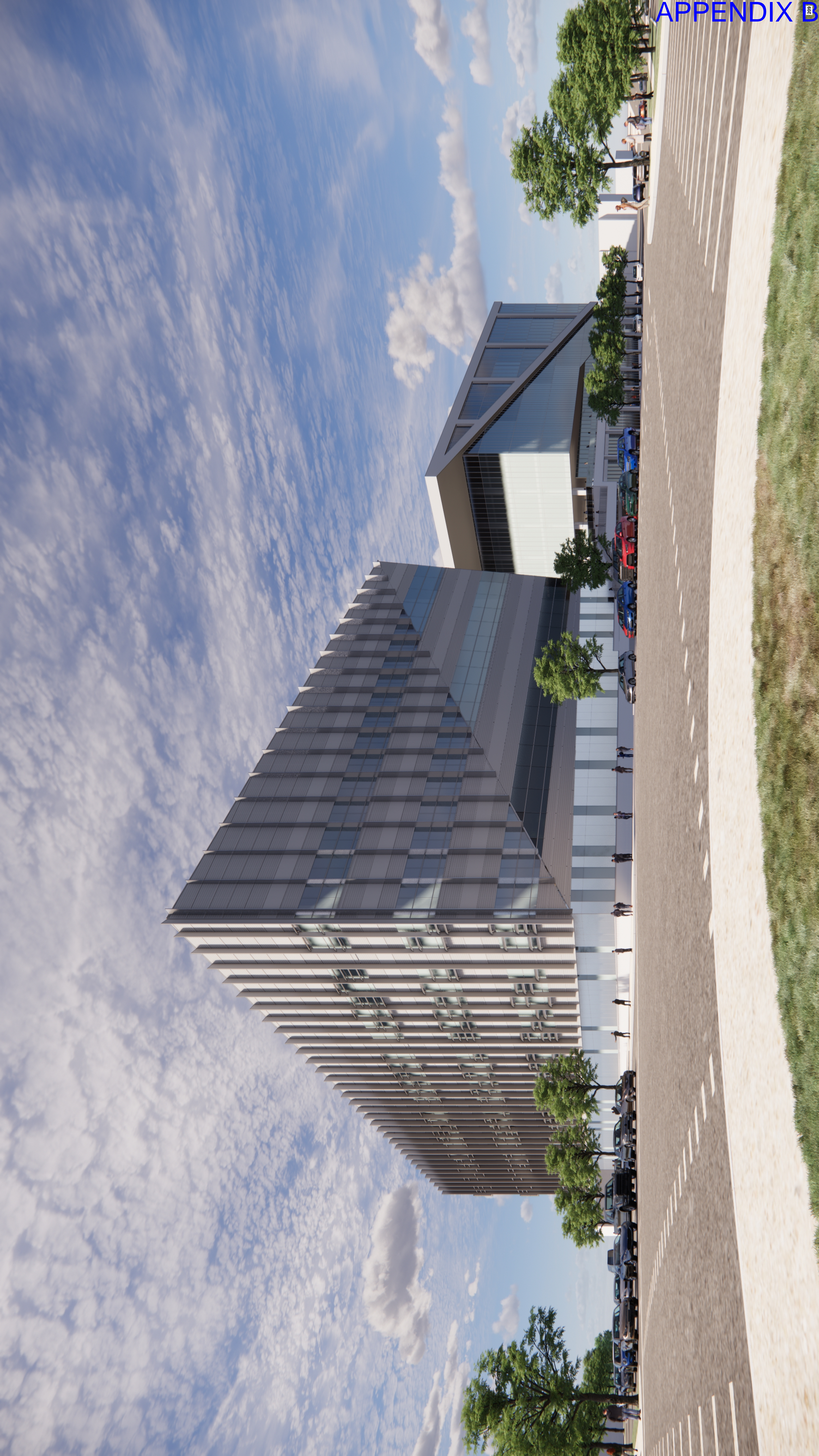
BUILDING SETBACKS:
PROPOSED BUILDINGS WILL BE SET BACK
FROM THE PUBLIC RIGHT-OF-WAY 0-20'

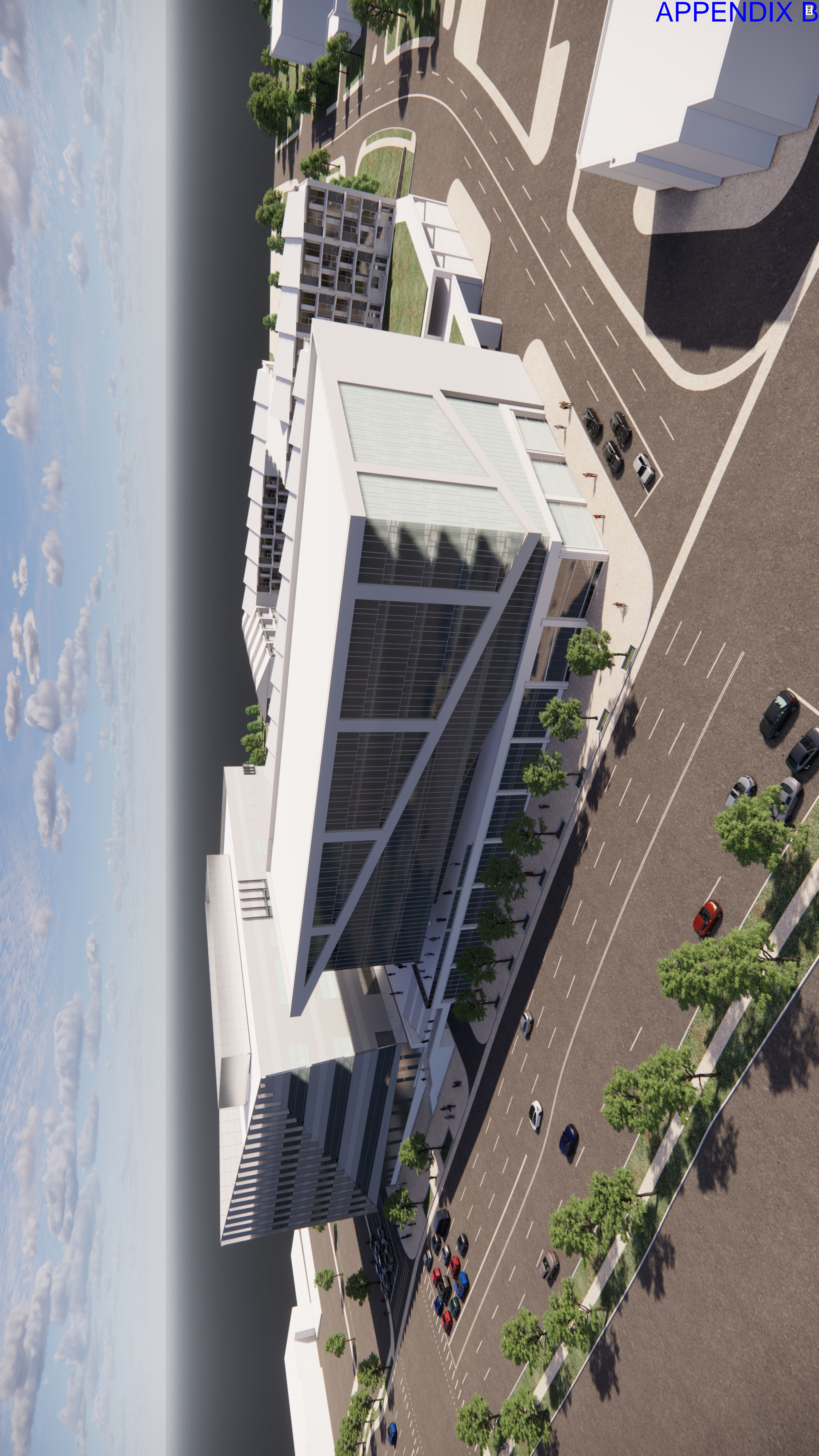


DANIS•FOXX

CINCINNATI
50 E-Business Way
Cincinnati, Ohio 45241
513.984.9696







To: The Honorable Council of the City of Cincinnati and
The Planning Commission of the City of Cincinnati

RE: Queen City Hills/Proposed Re-zoning to Planned Development District

On behalf of Central Clinic, we authorize the inclusion of the following property in the rezoning application to a Planned Development District, commonly referred to as the Queen City Hills development:

- Part of 512 Maxwell Avenue (Parcel No. 091-0001-0112)
 - Existing Zoning Designation: OG

Thank you for your consideration,

Central Clinic

By: 

Name: Walter S. Smitson, Ph.D.

Its Authorized Representative

Date: 12/16/2022

To: The Honorable Council of the City of Cincinnati and
The Planning Commission of the City of Cincinnati

RE: Queen City Hills/Proposed Re-zoning to Planned Development District

On behalf of Central Community Health Board of Hamilton County, we authorize the inclusion of the following properties in the rezoning application to a Planned Development District, commonly referred to as the Queen City Hills development:

- 530 Maxwell Avenue (Consolidated Tax Parcel No. 091-0001-0103)
 - Existing Zoning Designation: OG
- 3020 Vernon Place (Parcel No. 091-0001-0107)
 - Existing Zoning Designation: OG

Thank you for your consideration,

Central Community Health Board of Hamilton County

By: _____

Name: _____

Its Authorized Representative

Date: _____

To: The Honorable Council of the City of Cincinnati and The Planning Commission of the City of Cincinnati

Re: Queen City Hills/Proposed Re-Zoning to Planned Development District

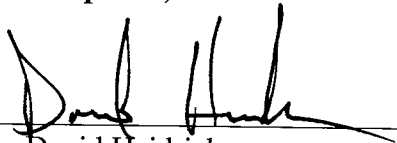
On behalf of SGA Enterprises, Inc., we authorize the inclusion of the following properties in the re-zoning application to a Planned Development District, commonly referred to as the Queen City Hills Development:

- 3026 Harvey Avenue (Parcel No. 106-0001-0150)
 - Existing Zoning Designation: CC-A
- 3028 Harvey Avenue (Consolidated Tax Parcel No. 106-0001-0254)
 - Existing Zoning Designation: CC-A
- Parcel No. 106-0001-0243
 - Existing Zoning Designation: OG

Thank you for your consideration,

SGA Enterprises, Inc.

By:



Name: David Heidrich

Its: Authorized Representative

Date: December 20, 2023

To: The Honorable Council of the City of Cincinnati and
The Planning Commission of the City of Cincinnati

RE: Queen City Hills/Proposed Re-zoning to Planned Development District

On behalf of YWCA Development Corp, we authorize the inclusion of the following properties in the rezoning application to a Planned Development District, commonly referred to as the Queen City Hills development:

- 516 Maxwell Avenue (Parcel No. 091-0001-0102)
 - Existing Zoning Designation: OG
- Part of 512 Maxwell Avenue (Parcel No. 091-0001-0101)
 - Existing Zoning Designation: OG
- 3006 Vernon Place (Parcel No. 091-0001-0100)
 - Existing Zoning Designation: OG

Thank you for your consideration,

YWCA Development Corp



By:

Name: Jean M. Treuthart, Interim CEO

Its Authorized Representative

Date: 12/20/2022

To: The Planning Commission of the City of Cincinnati

RE: Queen City Hills/Proposed Re-zoning to Planned Development District

On behalf of the Uptown Transportation Authority, I consent to the rezoning of the following property as provided in the Concept Plan and Development Program Statement submitted by Queen City Hills for a Planned Development District at the southwest corner of Martin Luther King Drive and Reading Road.

- 515 Martin Luther King Drive (Consolidated Tax Parcel No. 091-0001-0201)
(Existing Zoning Designation: CC-P)

Beth Robinson
President & CEO

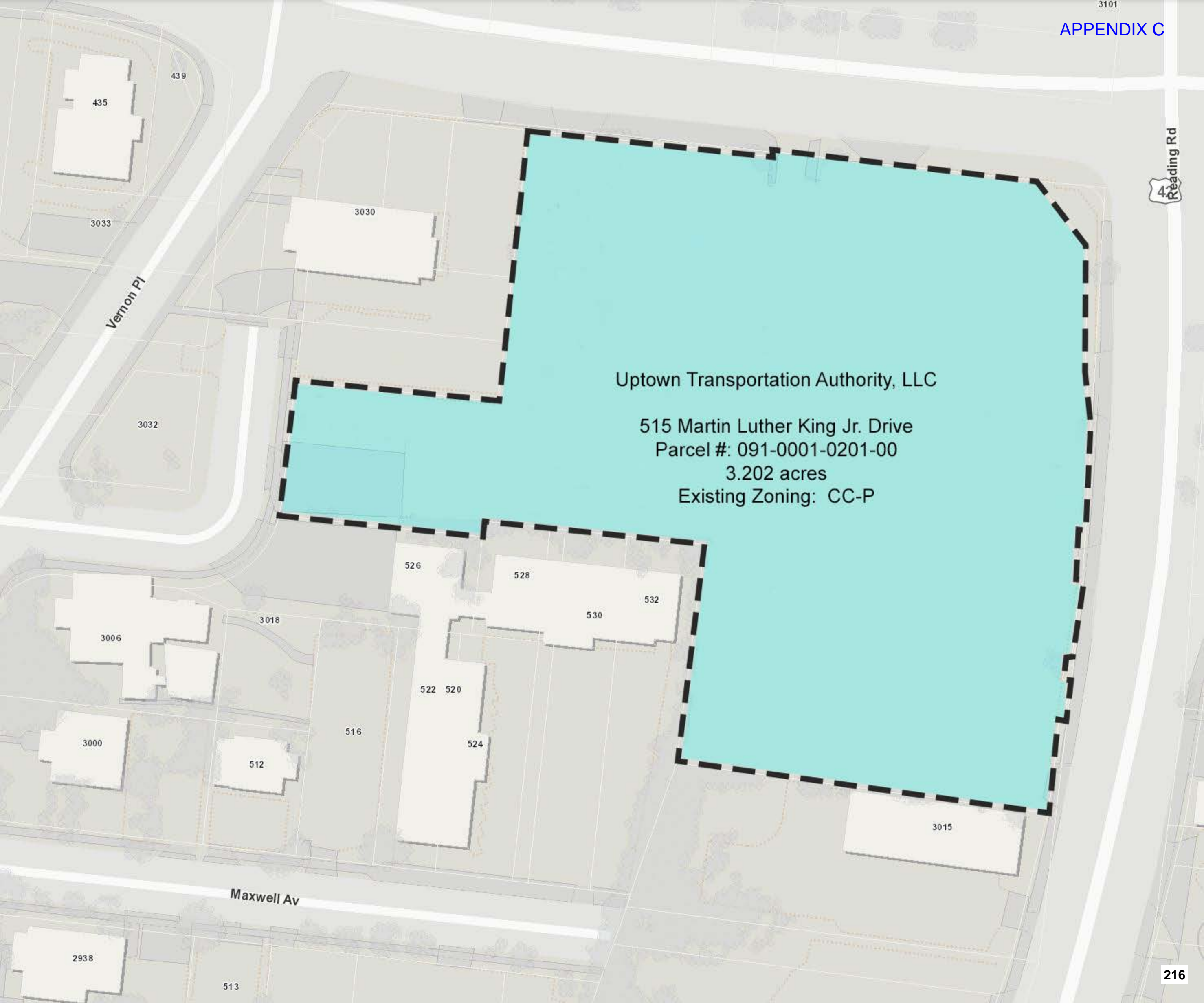
Uptown Transportation Authority

By: 

Name: Beth Robinson

Its: Authorized Representative

Date: December 20, 2022



Uptown Transportation Authority, LLC

515 Martin Luther King Jr. Drive

Parcel #: 091-0001-0201-00

3.202 acres

Existing Zoning: CC-P

4
Reading Rd

Maxwell Av

To: The Honorable Council of the City of Cincinnati and
The Planning Commission of the City of Cincinnati

RE: Queen City Hills/Proposed Re-zoning to Planned Development District

On behalf of the City of Cincinnati, we authorize the inclusion of the following properties in the rezoning application to a Planned Development District, commonly referred to as the Queen City Hills development:

- Consolidated Tax Parcel No. 106-0001-0328
 - Existing Zoning Designation: CC-A
- 3049 Reading Road (Parcel No. 106-0001-0218)
 - Existing Zoning Designation: CC-P
- A portion of Consolidated Tax Parcel No. 091-0002-0215
 - Existing Zoning Designation: CC-P
- A portion of 439 E. Martin Luther King Drive (Consolidated Tax Parcel No. 106-0001-0143)
 - Existing Zoning Designation: CC-A
- A portion of 2915 Vernon Place (Consolidated Tax Parcel No. 091-0001-0031)
 - Existing Zoning Designation: OG

In addition, a portion of the existing Vernon Place public right-of-way (between Maxwell Avenue and Martin Luther King Drive) will be vacated and included in the new Planned Development District.

Thank you for your consideration,

City of Cincinnati

By: _____

Name: _____

Its Authorized Representative

Date: _____

To: The Honorable Council of the City of Cincinnati and
The Planning Commission of the City of Cincinnati

RE: Queen City Hills/Proposed Re-zoning to Planned Development District

On behalf of The Central Community Health Board of Hamilton County, Inc., we authorize the inclusion of the following properties in the rezoning application to a Planned Development District, commonly referred to as the Queen City Hills development:

- 530 Maxwell Avenue (Consolidated Tax Parcel No. 091-0001-0103)
 - Existing Zoning Designation: OG
- 3020 Vernon Place (Parcel No. 091-0001-0107)
 - Existing Zoning Designation: OG

Thank you for your consideration,

The Central Community Health Board of Hamilton County, Inc.

By: 

Name: Donna Jablonski

Its: President/CEO

Date: 

QCH- Bldg 1 - 12/21/22

ID	Task Description	Dur.	Start	Finish	Q2	Q3	Q4	2023	2024	2025	2026	2027	2028	2029	Q1	Q2	Q3	Q4	2030	Q1																								
53	Foundations, Drilled Piers, Site utilities - SD/DD's	20 d	12/23/22	1/19/23																																								
54	Foundations, Drilled Piers, Site Utilities - CD's	20 d	1/20/23	2/16/23																																								
55	Concrete superstructure	40 d	1/20/23	3/16/23																																								
56	Core and Shell Package, MEP	60 d	3/9/23	5/31/23																																								
57	Fit-Out (Interiors) Package	50 d	5/12/23	7/20/23																																								
58	Planned Development	223 d	8/30/22	7/6/23																																								
59	Concept PD - Overall project	73 d	11/14/22	2/22/23																																								
60	Coordinated Site Review Submission	0 d	11/14/22	11/14/22																																								
61	City Review CSR Submission	21 d	11/15/22	12/13/22																																								
62	Coordinated Site Review Meeting - QCH, MN, THP, BB, Danis	0 d	12/13/22	12/13/22																																								
63	Prepare Concept PD Submission	6 d	12/14/22	12/21/22																																								
64	Submit Concept Overall Project PD	0 d	12/21/22	12/21/22																																								
65	Public Staff Conference for Overall Project - PC conference on 1/12/23	16 d	12/22/22	1/12/23																																								
66	Planning Commission for Overall Project - Planning Commission mtg on 2/03/23, PC meets 1st & 3rd Friday of every mo.	16 d	1/13/23	2/3/23																																								
67	Council Review - Concept Planned Development	13 d	2/6/23	2/22/23																																								
68	Council Approval - Concept PD for Overall Project - City Council mtng every Wednesday	0 d	2/22/23	2/22/23																																								
69	Final Development Plan (FDP) for Foundations	83 d	12/28/22	4/21/23																																								
70	Schematic Level Building Drawings (CRB/MN) - Bldg 1 & Garage Foundations only	20 d	12/28/22	1/24/23																																								
71	Schematic Level Garage Drawings (MN/THP) - Bldg 1 & Garage foundations only	20 d	12/28/22	1/24/23																																								
72	Submit for Coordinated Site Review (Site/Fnd)	9 d	1/25/23	2/6/23																																								
73	City Review - 2nd CSR (Foundations)	25 d	2/7/23	3/13/23																																								
74	2nd CSR Meeting on 3/14/23	1 d	3/14/23	3/14/23																																								
75	Submit Final Development Plan (FDP) for foundations - submit on 3/17/22	3 d	3/15/23	3/17/23																																								
76	2nd Public Staff Conference (FDP for Foundations) Public Staff Conference on Tues. 4/04/23	12 d	3/20/23	4/4/23																																								
77	Planning Commission Review	24 d	3/20/23	4/20/23																																								
78	Planning Commission Approval - Planning Commission Mtg on Fri. 4/21/23. (PC meets 1st & 3rd Friday) every mo.	1 d	4/21/23	4/21/23																																								
79	Final Development Plan (FDP) For Garage and Building 1 - Schedule TBD	223 d	8/30/22	7/6/23																																								
80	Building Drawings (CRB/MN)	20 d	8/30/22	9/26/22																																								
81	Garage Drawings (MN/THP)	20 d	8/30/22	9/26/22																																								
82	Submit for Coordinated Site Review (Final)	4 d	4/24/23	4/27/23																																								
83	3rd CSR (Final PD)	20 d	4/28/23	5/25/23																																								
84	Submit Final PD (Final DP)	10 d	5/26/23	6/8/23																																								
85	3rd Public Staff Conference (Final PD)	10 d	6/9/23	6/22/23																																								
86	Planning Commission Review	10 d	6/23/23	7/6/23																																								
87	Planning Commission Approval	0 d	7/6/23	7/6/23																																								
88	Approval to build on UCI Property	81 d	12/1/22	3/23/23																																								
89	Submit UCI Coordinated agreement	5 d	12/1/22	12/7/22																																								
90	Coordinated Agreement review and comments	44 d	12/8/22	2/7/23																																								
91	Community Engagement	66 d	12/13/22	3/14/23																																								
92	Submit Community Benefit Agreement	1 d	2/8/23	2/8/23																																								
93	Community Benefit Agreement Executed	5 d	3/15/23	3/21/23																																								
94	QCH land transfer from UCI or approval to start	1 d	3/22/23	3/22/23																																								
95	Building 1 land transfer from UCI or approval to start	1 d	3/22/23	3/22/23																																								
96	QCH Project released for Construction	1 d	3/23/23	3/23/23																																								
Status Date: 11/30/22					Progress					Milestone					Project Summary					Summary																								
Type:					Critical																																							
Job #:					Task																																							
By:																																												
View: 07 - DGC External Published Status																																												
Print Date: 12/21/22																																												
Page 2 of 6																																												

ID	Task Description	Dur.	Start	Finish	Q2	Q3	Q4	2023	2024	2025	2026	2027	2028	2029	2030
					Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
146	Elevators	220 d	4/6/23	2/7/24					<div><div></div></div> Elevators						
147	Curtainwall Glass and Glazing	120 d	6/1/23	11/15/23					<div><div></div></div> Curtainwall Glass and Glazing						
148	Emergency Generator and Transfer Switch	264 d	4/6/23	4/9/24					<div><div></div></div> Emergency Generator and Transfer Switch						
149	Bulk Gas Farms and Generation	120 d	5/12/23	10/26/23					<div><div></div></div> Bulk Gas Farms and Generation						
150	Modular Clean Room Solutions	220 d	7/21/23	5/23/24					<div><div></div></div> Modular Clean Room Solutions						
151	Custom / Panelized Clean Room Solutions	220 d	7/21/23	5/23/24					<div><div></div></div> Custom / Panelized Clean Room Solutions						
152	Roofing System Components	200 d	6/1/23	3/6/24					<div><div></div></div> Roofing System Components						
153	Construction	1302 d	3/21/23	3/15/28											
154	Shared Early Site Package	288 d	3/24/23	4/30/24											
155	Site Fencing for Construction	10 d	3/24/23	4/6/23					<div><div></div></div> Site Fencing for Construction						
156	Construction start - Erosion Control	10 d	3/24/23	4/6/23					<div><div></div></div> Construction start - Erosion Control						
157	Strip topsoil & stockpile offsite	10 d	3/31/23	4/13/23					<div><div></div></div> Strip topsoil & stockpile offsite						
158	Install shoring I-Beams and wood lagging - if req'd	66 d	4/21/23	7/21/23					<div><div></div></div> Install shoring I-Beams and wood lagging - if req'd						
159	Site Utilities	66 d	8/25/23	11/24/23					<div><div></div></div> Site Utilities						
160	Electric taps into the site -Bldg 1 (2 services?)	66 d	8/25/23	11/24/23					<div><div></div></div> Electric taps into the site -Bldg 1 (2 services?)						
161	Water Service into the site - Bldng 1	66 d	8/25/23	11/24/23					<div><div></div></div> Water Service into the site - Bldng 1						
162	Sanitary service tap to site - Bldng 1	66 d	8/25/23	11/24/23					<div><div></div></div> Sanitary service tap to site - Bldng 1						
163	Storm tap to site required or through garage - Bldng 1	66 d	8/25/23	11/24/23					<div><div></div></div> Storm tap to site required or through garage - Bldng 1						
164	Electric items	106 d	12/5/23	4/30/24					<div><div></div></div> Electric items						
165	Duke price temporary relocation of line to east of Reading so drilled piers can start in NE corner- Bldng 1	20 d	12/5/23	1/1/24					<div><div></div></div> Duke price temporary relocation of line to east of Reading so drilled piers can start in NE corner- Bldng 1						
166	Approval of Duke's quote	10 d	1/2/24	1/15/24					<div><div></div></div> Approval of Duke's quote						
167	Duke order material and schedule work (3 mo duration)	66 d	1/16/24	4/16/24					<div><div></div></div> Duke order material and schedule work (3 mo duration)						
168	Relocate overhead electric along Reading Road so drilled piers can start in NE corner	10 d	4/17/24	4/30/24					<div><div></div></div> Relocate overhead electric along Reading Road so drilled piers can start in NE corner						
169	Building 1	735 d	3/24/23	1/15/26											
170	Shared Site & Foundations - Bldng 1	327 d	3/24/23	6/24/24											
171	Site Fencing for Construction	10 d	3/24/23	4/6/23					<div><div></div></div> Site Fencing for Construction						
172	Construction start - Erosion Control	10 d	3/24/23	4/6/23					<div><div></div></div> Construction start - Erosion Control						
173	Strip topsoil & stockpile offsite	5 d	3/31/23	4/6/23					<div><div></div></div> Strip topsoil & stockpile offsite						
174	Install shoring I-Beams and wood lagging - if req'd	20 d	4/7/23	5/4/23					<div><div></div></div> Install shoring I-Beams and wood lagging - if req'd						
175	Site grading building pad for drilled piers/found, - Bldng 1	10 d	4/21/23	5/4/23					<div><div></div></div> Site grading building pad for drilled piers/found, - Bldng 1						
176	Drilled Piers for perimeter walls where reqrd - Bldng 1	10 d	4/28/23	5/11/23					<div><div></div></div> Drilled Piers for perimeter walls where reqrd - Bldng 1						
177	Perimeter walls - Bldng 1	40 d	5/12/23	7/6/23					<div><div></div></div> Perimeter walls - Bldng 1						
178	Grading for rtng wll btwn Bldng 1/garage for drilled piers	15 d	4/21/23	5/11/23					<div><div></div></div> Grading for rtng wll btwn Bldng 1/garage for drilled piers						
179	Drilled Piers start at n-s rtng wall (Col A)	10 d	5/5/23	5/18/23					<div><div></div></div> Drilled Piers start at n-s rtng wall (Col A)						
180	Retaining wall -n-s btwn Bldng 1/Garage form & pour	50 d	5/12/23	7/20/23					<div><div></div></div> Retaining wall -n-s btwn Bldng 1/Garage form & pour						
181	Drilled Piers Columns 1 thru 9	10 d	5/19/23	6/1/23					<div><div></div></div> Drilled Piers Columns 1 thru 9						
182	Retaining walls cure	22 d	6/9/23	7/10/23					<div><div></div></div> Retaining walls cure						
183	Backfill Retaining wall @ Col line A	10 d	7/21/23	8/3/23					<div><div></div></div> Backfill Retaining wall @ Col line A						
184	Backfill walls & level up the pad w/ lime - Blding 1	10 d	7/28/23	8/10/23					<div><div></div></div> Backfill walls & level up the pad w/ lime - Blding 1						
185	Drilled Piers balance of - Bldng 1 after Bfill of walls	10 d	8/11/23	8/24/23					<div><div></div></div> Drilled Piers balance of - Bldng 1 after Bfill of walls						
186	L0 -Foundations Bldng 1 for Columns 1 thru 9	25 d	6/2/23	7/6/23					<div><div></div></div> L0 -Foundations Bldng 1 for Columns 1 thru 9						
187	L0/L1 - columns 1 thru 9	21 d	7/7/23	8/4/23					<div><div></div></div> L0/L1 - columns 1 thru 9						
188	L0 - Foundations Bldng 1 for Columns 10 thru 14	15 d	8/25/23	9/14/23					<div><div></div></div> L0 - Foundations Bldng 1 for Columns 10 thru 14						
189	L0/L1 - columns 10 thru 14	12 d	9/15/23	10/2/23					<div><div></div></div> L0/L1 - columns 10 thru 14						
190	L0 - Underground plumbing for SOG phase 1	20 d	4/30/24	5/27/24					<div><div></div></div> L0 - Underground plumbing for SOG phase 1						
191	L0 -Underground electric for SOG phase 1	20 d	5/7/24	6/3/24					<div><div></div></div> L0 -Underground electric for SOG phase 1						
192	L1 -Pour SOG - (55,000 sf - 6 pours)	20 d	5/28/24	6/24/24					<div><div></div></div> L1 -Pour SOG - (55,000 sf - 6 pours)						
193	Superstructure - Bldng 1	357 d	8/25/23	1/6/25											
194	L2 - Mobilize decking - (220k sf ttl)	5 d	8/25/23	8/31/23					<div><div></div></div> L2 - Mobilize decking - (220k sf ttl)						
195	L2 - Form Deck - (30' fir to fir) - 55K sf @ 6k/wk	46 d	9/1/23	11/3/23					<div><div></div></div> L2 - Form Deck - (30' fir to fir) - 55K sf @ 6k/wk						
196	L2 - Pour SOD	50 d	10/6/23	12/14/23					<div><div></div></div> L2 - Pour SOD						

Status Date: 11/30/22

Job #:

Task

By:

Progress

Milestone

Summary

Print Date: 12/21/22

View: 07 - DGC External Published Status

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ID	Task Description	Dur.	Start	Finish	2023	2024	2025	2026	2027	2028	2029	2030	
					Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1
250	Drilled Piers- garage - podium	50 d	6/2/23	8/10/23		<div>Drilled Piers- garage - podium</div>							
251	Storm Detention - assume under the garage	20 d	7/14/23	8/10/23		<div>Storm Detention - assume under the garage</div>							
252	Electric taps into the site - Garage - podium	66 d	7/14/23	10/13/23		<div>Electric taps into the site - Garage - podium</div>							
253	Water Service into the site - Garage - podium - # feeds?	66 d	7/14/23	10/13/23		<div>Water Service into the site - Garage - podium - # feeds?</div>							
254	Sanitary service tap to site - Garage - podium #	66 d	7/14/23	10/13/23		<div>Sanitary service tap to site - Garage - podium #</div>							
255	Storm Tap for garage - podium	66 d	7/14/23	10/13/23		<div>Storm Tap for garage - podium</div>							
256	Move overhead electric to underground along MLK - If Duke allows	66 d	1/2/24	4/2/24		<div>Move overhead electric to underground along MLK - If Duke allows</div>							
257	Relocate Water feed from Vernon Place	50 d	9/1/23	11/9/23		<div>Relocate Water feed from Vernon Place</div>							
258	Relocate Storm from Vernon Place	50 d	9/1/23	11/9/23		<div>Relocate Storm from Vernon Place</div>							
259	Relocate Gas from Vernon Place	50 d	9/1/23	11/9/23		<div>Relocate Gas from Vernon Place</div>							
260	Relocate electric from Vernon Place	50 d	9/1/23	11/9/23		<div>Relocate electric from Vernon Place</div>							
261	North Garage, Plaza & Podium - Phase 2	556 d	6/9/23	7/25/25		<div>North Garage, Plaza & Podium - Phase 2</div>							
262	Construction	300 d	8/11/23	10/3/24		<div>Construction</div>							
263	Retaining walls btwn Retail/garage	50 d	6/16/23	8/24/23		<div>Retaining walls btwn Retail/garage</div>							
264	Column Foundations spread footings	50 d	6/9/23	8/17/23		<div>Column Foundations spread footings</div>							
265	Construction SOG 117,000 sf + Rtl (795') 13 pours	40 d	8/18/23	10/12/23		<div>Construction SOG 117,000 sf + Rtl (795') 13 pours</div>							
266	SOD 115,000 sf (812')	80 d	9/29/23	1/18/24		<div>SOD 115,000 sf (812')</div>							
267	SOD Plaza 115,000 (825')	80 d	1/19/24	5/9/24		<div>SOD Plaza 115,000 (825')</div>							
268	Complete Garage	260 d	5/10/24	5/8/25		<div>Complete Garage</div>							
269	Substantial Complete Garage	1 d	7/25/25	7/25/25		<div>Substantial Complete Garage</div>							
270	Research Tower - Phase 2	383 d	3/15/24	9/2/25		<div>Research Tower - Phase 2</div>							
271	Superstructure (170,000 sf) - assumes no impact for Vernon RC	110 d	3/15/24	8/15/24		<div>Superstructure (170,000 sf) - assumes no impact for Vernon ROW</div>							
272	Core & Shell (170,000 sf)	154 d	7/17/24	2/17/25		<div>Core & Shell (170,000 sf)</div>							
273	Research Tower fitout (170,000 Sf) NIC	209 d	10/17/24	8/5/25		<div>Research Tower fitout (170,000 Sf) NIC</div>							
274	Substantial completion	1 d	8/6/25	8/6/25		<div>Substantial completion</div>							
275	Tenant move in	20 d	8/6/25	9/2/25		<div>Tenant move in</div>							
276	Retail - Phase 2	225 d	10/9/24	8/19/25		<div>Retail - Phase 2</div>							
277	White Box - Landlord	100 d	10/9/24	2/25/25		<div>White Box - Landlord</div>							
278	Tenant Fit-Out NIC	144 d	1/1/25	7/21/25		<div>Tenant Fit-Out NIC</div>							
279	Substantial Completion	1 d	7/22/25	7/22/25		<div>Substantial Completion</div>							
280	Tenant Move in	20 d	7/23/25	8/19/25		<div>Tenant Move in</div>							
281	Final Site Package - Phase 2	140 d	1/3/25	7/17/25		<div>Final Site Package - Phase 2</div>							
282	Amenities, Plaza, Landscape, Features	140 d	1/3/25	7/17/25		<div>Amenities, Plaza, Landscape, Features</div>							
283	Multi Family Phase 3 - 330 unit, 300,000 sf	669 d	8/22/25	3/15/28		<div>Multi Family Phase 3 - 330 unit, 300,000 sf</div>							
284	Phase 3 - site and retaining walls	88 d	8/22/25	12/23/25		<div>Phase 3 - site and retaining walls</div>							
285	Phase 3 - Garage-Podium SOG 56,000 sf	30 d	12/24/25	2/3/26		<div>Phase 3 - Garage-Podium SOG 56,000 sf</div>							
286	Phase 3 SOD - Garage-Podium 58,000 sf	50 d	2/4/26	4/14/26		<div>Phase 3 SOD - Garage-Podium 58,000 sf</div>							
287	Phase 3 - Podium 104,000 sf	70 d	4/15/26	7/21/26		<div>Phase 3 - Podium 104,000 sf</div>							
288	Phase - Multifamily 330 units	400 d	7/22/26	2/1/28		<div>Phase - Multifamily 330 units</div>							
289	Phase 3 - Substantial Completion	1 d	2/2/28	2/2/28		<div>Phase 3 - Substantial Completion</div>							
290	Phase 3 - Owner Equipment/furniture move in	20 d	2/3/28	3/1/28		<div>Phase 3 - Owner Equipment/furniture move in</div>							
291	Phase 3 - Tennant Move in	10 d	3/2/28	3/15/28		<div>Phase 3 - Tennant Move in</div>							
292	Phase 3 - sitework	240 d	3/3/27	2/1/28		<div>Phase 3 - sitework</div>							
293	Phase 3 - Amenities, Plaza, Landscape, Features	240 d	3/3/27	2/1/28		<div>Phase 3 - Amenities, Plaza, Landscape, Features</div>							

MEMORANDUM



Date: September 23, 2022
From: S. Taylor Taluskie, P.E. and Jeffrey D. Dunlap, P.E. - Terracon
To:
 Preliminary Foundation Recommendations
 Proposed Queen City Hills Development
Re: Martin Luther King Boulevard and Reading Road
 Cincinnati, Ohio
 Terracon Project Number: N1215314

The purpose of this memorandum is to provide preliminary foundation recommendations for the proposed Queen City Hills development located at the southwest corner of Martin Luther King Boulevard and Reading Road in Cincinnati, Ohio. Terracon recently completed seventeen test borings at the site. Additional subsurface exploration using test borings and geophysical methods are currently being considered. The recommendations in this memorandum are for initial design purposes only. Final recommendations will be provided in our final geotechnical report, which will be issued after the additional subsurface explorations are complete.

Based on information provided by the design team, we understand that the eastern part of the development will contain a 4-story Building 1 with a slab-on-grade elevation of Elevation 812 feet. The western portion of the development will consist of a 2-story parking garage with a lowest slab-on-grade elevation of Elevation 789 feet, with portions possibly having a lowest floor elevation of about Elevation 801 feet. Five- to six-story office/lab and multi-family housing will be constructed on the podium level (Elevation 812 feet) above the parking garages.

Based on the recent test borings, Building 1 will predominantly have a combination of existing fill, new structural fill and native soils exposed at the slab-on-grade subgrade elevation. In the parking garage area, it is anticipated that a combination of existing fill soil, native cohesive soil, structural fill soil, weathered shale and limestone bedrock, and relatively unweathered gray shale and limestone bedrock will be exposed at the lowest slab-on-grade subgrade elevation. Please refer to the attached boring logs, Top of Estimated Gray Bedrock Elevation Map exhibit, and the Subsurface Profile exhibit attached to this memorandum. Please note that the elevation contours have been interpolated between widely-spaced test boring locations that have been completed at this time and some variation during construction should be anticipated. Once additional test borings are completed and geophysical testing is completed, changes to the top of gray shale and limestone bedrock contours should be anticipated.

Based on the soil and bedrock conditions encountered in the initial test borings, the anticipated



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Memorandum – Preliminary Foundation Recommendations

Proposed Queen City Hills Development ■ Cincinnati, Ohio

September 23, 2022 ■ Terracon Project Number N1215314



soil and bedrock at the various floor elevations and the anticipated structural loads, it is our opinion that the proposed structures can be supported on a combination of spread footings bearing in relatively unweathered shale and limestone bedrock and straight-sided drilled shafts socketed into competent relatively unweathered gray shale and limestone. It has been our experience that it is acceptable to support building foundations on both drilled shafts and shallow footings, provided they bear on similar bedrock materials (i.e. drilled shafts and footings all bear on gray shale and limestone bedrock).

Please note that at Boring B-8, where stacked bricks were encountered to the top of gray shale and limestone bedrock elevation, other types of foundation support may be required depending on the lateral extent of the conditions encountered at Boring B-8. Further geophysical and test pit study have been recommended in the vicinity of Boring B-8 to further study the lateral extent of the conditions encountered at Boring B-8.

SHALLOW FOUNDATIONS

It appears that supporting portions of parking garage structure on shallow spread footings bearing a minimum of 24 inches into the competent gray shale and limestone bedrock is feasible. Please refer to the Top of Estimated Gray Bedrock Elevation Map exhibit for the estimated top of gray shale and limestone bedrock elevations. The attached Subsurface Profile exhibit can also be used to estimate where shallow spread footings bearing in competent gray shale and limestone is feasible. The following design parameters are applicable for shallow foundations bearing a minimum of 24 inches into the gray shale and limestone bedrock.

Design Parameters – Compressive Loads

ITEM	DESCRIPTION
Maximum Net Allowable Bearing pressure ^{1, 2}	25,000 psf (foundations bearing in gray shale and limestone bedrock)
Required Bearing Stratum ³	Minimum penetration of 24 inches into the specified bedrock material.
Minimum Foundation Dimensions	Columns: 30 inches Continuous: 18 inches
Ultimate Passive Resistance ⁴ (equivalent fluid pressures)	1250 pcf (gray shale and limestone bedrock)
Ultimate Coefficient of Sliding Friction ⁵	0.45 (gray shale and limestone bedrock)
Minimum Embedment below Finished Grade ⁶	Exterior footings in unheated areas: 30 inches Interior footings in heated areas: 12 inches
Estimated Total Settlement from Structural Loads ²	Less than about 1 inch

Memorandum – Preliminary Foundation Recommendations

Proposed Queen City Hills Development ■ Cincinnati, Ohio

September 23, 2022 ■ Terracon Project Number N1215314



ITEM	DESCRIPTION
Estimated Differential Settlement ^{2,7}	About 1/2 of total settlement
<ol style="list-style-type: none"> 1. The maximum net allowable bearing pressure is the pressure in excess of the minimum surrounding overburden pressure at the footing base elevation. An appropriate factor of safety has been applied. Values assume that exterior grades are no steeper than 20% within 10 feet of structure. 2. Values provided are for maximum column loads of 1,000 to 1,500 kips and maximum wall loads of 8 to 10 klf. 3. Unsuitable materials such as soils or brown or brown and gray weathered shale and limestone bedrock should be over-excavated and replaced with lean concrete having minimum 28-day f'c=2,000 psi. 4. Use of passive earth pressures require the sides of the excavation for the spread footing foundation to be nearly vertical and the concrete placed neat against these vertical faces or that the footing forms be removed and compacted structural fill be placed against the vertical footing face. If Ultimate Coefficient of Sliding Friction is used to resist lateral forces, then passive earth pressure should be ignored. 5. Can be used to compute sliding resistance where foundations are placed on suitable soil/materials. Should be neglected for foundations subject to net uplift conditions. If passive earth pressure is used to resist lateral forces, then ultimate coefficient of sliding friction should be ignored. 6. Embedment necessary to minimize the effects of frost and/or seasonal water content variations. For sloping ground, maintain depth below the lowest adjacent exterior grade within 5 horizontal feet of the structure. 7. Differential settlements are as measured over a span of 50 feet or between adjacent columns. 	

DEEP FOUNDATIONS

A deep foundation system consisting of straight-sided drilled shafts socketed adequately in the interbedded gray shale and limestone bedrock and grade beams are recommended for support of Building 1 and portions of the parking garage structure where competent gray shale and limestone bedrock are not present at or within a reasonable depth below the floor slab subgrade elevation. Recommendations for the preliminary design of the drilled shafts are provided in the following sections.

Drilled Shaft Design Parameters

ITEM	DESCRIPTION
Bearing Material	Competent, interbedded gray shale and limestone bedrock
Minimum Shaft Diameter	30 inches
Minimum Socket Length	One-shaft diameter or 5 feet into the bearing stratum, whichever is greater.
Minimum Shaft Length	3-shaft diameters or 10 feet (whichever is greater).
Allowable End Bearing Capacity ¹	50,000 psf over the cross-sectional area of the base

Memorandum – Preliminary Foundation Recommendations

Proposed Queen City Hills Development ■ Cincinnati, Ohio

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ITEM	DESCRIPTION
Allowable Unit Side Resistance^{2,3}	Compression: 2,500 psf only for the bedrock socket portion in excess of the minimum socket. Uplift: 500 psf for shaft portion within at least stiff natural cohesive soils; 2,000 psf for the bedrock socket portion within the recommended bearing material. Uplift capacity within undocumented fill should be ignored
Estimated Total Settlement⁴	Up to about ½ inch
Estimated Differential Settlement⁴	On the order of about 2/3 rd total settlement
<ol style="list-style-type: none"> 1. The recommended net allowable bearing capacity is over the cross-sectional area of the shaft base and is applicable for shafts meeting the minimum socket length. 2. The recommended values assume direct contact between shaft concrete and bedrock/natural soils. We recommend that the side resistance in existing undocumented fill be ignored. The side resistance should also be ignored within frost depth. 3. Effective weight of shaft can be added to uplift capacity. 4. In addition to elastic compression of the shaft. The estimated settlements are for a single shaft and specific evaluation will be required for shaft groups. Settlements will depend on structural loading, embedment/socket in bedrock, and variations in bedrock composition (percent shale and limestone in the bedrock matrix) and strength. 	

The approximate top-of-interbedded gray shale and limestone bedrock contours (based on test completed borings performed thus far for this study) is attached to this memorandum to aid the structural engineer in determining an estimated drilled shaft tip elevation for preliminary design purposes. Field variations should be expected, and the actual bearing depth/elevation will be determined, during construction, based on conditions encountered in each shaft excavation. As previously indicated some variation in the presented top of gray shale and limestone bedrock contours should be anticipated once additional test borings and geophysical testing is complete.

Tensile reinforcement should extend to the bottom of shafts subjected to uplift loading. Drilled shafts should have a minimum center-to-center spacing of three (3)-shaft diameters to avoid group effect under axial loading, since side friction in the bedrock is recommended for part of the drilled shaft capacity. Closer spacing may require a reduction in axial load capacity and specific evaluation will be required.

We trust that the information in this memorandum will meet your current needs. If you have any questions regarding the preliminary recommendations or require additional information, please contact the writers.

Attachments:

Exploration Plan

Test Boring Logs

Top of Estimated Gray Bedrock Elevation Map

Subsurface Profile



Phase I Environmental Site Assessment

Bank Property
3030 Vernon Place
Cincinnati, Hamilton County, Ohio 45219

Prepared for:
Queen City Hills
50 E-Business Way, Suite 400
Cincinnati, Ohio 45241

WESTECH File No.: 22.1075.100
Report Date: October 3, 2022

8090 Furlong Drive, Cleves, Ohio 45002
Phone 513.353.0700 **FAX** 513.353.1701
Internet www.gowestech.com

1.0 Executive Summary

WESTECH Environmental Solutions (WESTECH) has performed a Phase I Environmental Site Assessment (ESA) in conformance with the scope and limitations of ASTM Standard Practice E 1527-21 of the bank property located at 3030 Vernon Place, Cincinnati, Hamilton County, Ohio 45219 (subject property). Any exceptions to or deletions from the ASTM Standard Practice are described in Sections 2.4 and 2.5 of this report.

This executive summary is provided for convenience and should not substitute for review of the complete report, including all attachments. Based on the data collected during the Phase I ESA, the findings and conclusions of WESTECH are summarized below.

This assessment has revealed no evidence of recognized environmental conditions in connection with the subject property.

3030 Vernon Place, Cincinnati, Hamilton County, Ohio 45219	Yes	No
Recognized Environmental Condition (REC)¹	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historical Recognized Environmental Condition (HREC)²	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Controlled Recognized Environmental Condition (CREC)³	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>De minimis</i> Condition (DC)⁴ DC #1: A small area of hydraulic oil staining was observed at the base of the elevator hydraulic oil aboveground storage tank located in the basement of the building at the subject property. The observed staining was not indicative of a significant release of oil to the environment at the subject property. DC #2: A gas station was historically located to the northwest of the subject property. However, based on the likely hydrogeologically downgradient location of this site and the duration of time since the site was last reported as a gas station, it is not likely that a release from this site would pose a significant environmental concern to the subject property. DC #3: A gas station was historically located to the east of the subject property. However, the underground storage tanks (USTs) at this site were closed by removal, and the release at this site received no further action (NFA) status from the Ohio State Fire Marshal's Bureau of Underground Storage Tank Regulations (BUSTR).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Business Environmental Risk (BER)⁵	<input type="checkbox"/>	<input checked="" type="checkbox"/>
¹ "(1) the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment. (A de minimis condition is not a recognized environmental condition.)" ² "A previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and		

3030 Vernon Place, Cincinnati, Hamilton County, Ohio 45219	Yes	No
<p>meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (for example, activity and use limitations or other property use limitations). A historical recognized environmental condition is not a recognized environmental condition.”</p> <p>³ “Recognized environmental condition affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (for example, activity and use limitations or other property use limitations).”</p> <p>⁴ “A condition related to a release that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. A condition determined to be a de minimis condition is not a recognized environmental condition nor a controlled recognized environmental condition.”</p> <p>⁵ “A risk which can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of commercial real estate, not necessarily related to those environmental issues required to be investigated in this practice. Consideration of BER issues may involve addressing one or more non-scope considerations.”</p>		



December 12, 2022

Mr. Mike Dooley
Bayer Becker
1404 Race Street, Suite 204
Cincinnati, Ohio 45202

Re: 515 East Martin Luther King Drive | Queen City Hills (D) – **(CPRE220071)** Final
Recommendations

Dear Mr. Dooley,

This letter is to inform you that our CSR Advisory-TEAM and CSPRO Committee has reviewed your proposed project **515 East Martin Luther King Drive** in the Community of Avondale. It is my understanding that you are proposing to construct a mixed-use development project consisting of offices/labs/research, residential, retail and two levels of structured parking beneath the west portion of the site with a podium plaza above. The information provided is the recommendations of the City of Cincinnati and must be followed as you move forward with your project. As a reminder, we will have a **WebEx conference call meeting** with you on **December 13, 2022 @ 10 am** to discuss this information. Please see the feedback listed below. Thank you for developing within the City of Cincinnati.

City Planning and Engagement – Planning Division

Immediate Requirements to move the project forward:

1. The project requires a zone change to Planned Development (PD). The zone change application requires a Concept Plan and Development Program Statement. All items outlined in Chapter 1429-09 of the Cincinnati Zoning Code must be submitted in conjunction with the application.
2. Additional information is needed to determine if a major subdivision and/or subdivision improvement plan are necessary.

Requirements to obtain permits:

1. A Consolidation Plat should be recorded with Hamilton County.
2. Following approval of the zone change, Concept Plan and Development Program Statement, a Final Development Plan is required for each portion of the site that the applicant wishes to develop.

Recommendations:

1. The applicant is encouraged to engage with the Avondale Community Council and Avondale Development Corporation regarding the proposed plans for the site.

Contact:

- **Stacey Hoffman** | City Planning | 513-352-4890 | stacey.hoffman@cincinnati-oh.gov



City Planning and Engagement – Zoning Division

Immediate Requirements to move the project forward:

1. None- the proposal is to re-zone to a PD and thus the City Planning Department handles the zoning review.

Requirements to obtain permits:

- None

Recommendations:

- None

Contact:

- **Wes Munzel** | ZPE | 513-352-2442 | weston.munzel@cincinnati-oh.gov

Metropolitan Sewer District (MSD)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. Detention will be reviewed by Jeff Chen at jeff.chen@cincinnati-oh.gov or 513-244-1357 per Section 303 of the MSD Rules and Regulations. For additional site storm water requirements within the City of Cincinnati, contact the Stormwater Management Utility (SMU) at 513.591.5050.

Recommendations

- None

Contact:

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

Stormwater Management Utility (SMU)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. Detention
 - Detention will be under MSD calculations for design.
 - Submit following documents - detention calculations, drainage map, detailed drawing of Detention Control structure with elevations, detentions shop drawings (manufacturer drawing), major storm calculations / flood routing
2. Storm Requirements
 - Calculations for storm water conveyance system.
3. Utility Plan
 - Label all pipes materials
 - In the public R/W, pipes to be DIP or RCP
 - Show Top & Invert elevations for all Appurtenances
 - Show slopes for all pipes
 - Show downspouts ties to the sewer system. Add note "All downspouts to tie to the sewer system".
 - Curb cuts: driveway aprons at min. 5' away from SMU inlets
 - Ties into Curb inlets are not permitted.

- Easement requirements: if a pipe crosses a private property line, developer must submit separately a "recorded private drainage easement" if applicable.
- May need catch basin between new D/W and Vernon Place due to the illumination of catch basin on MLK, need to look at replacing catch basin on Bartle to catch runoff from site.
- Need to look at adding catch basins on Vernon Place around new D/Ws.
- 4. Grading Plan
 - Grading must show existing and proposed contours
 - Impervious surfaces are NOT permitted to drain towards adjacent properties.
 - Contours changes are NOT allowed to push more runoff towards adjacent properties (as compared to pre-development conditions).
 - Runoff from all pavements must be captured and conveyed to the stormwater system. Only 800 sf of pavement may sheet flow to the public R/W.
- 5. Erosion & Sediment Control Plan is required.
 - Refer to link: <https://cincinnati-oh.gov/stormwater/construction-and-design/standards/sediment-and-erosion-control/>
- 6. SMU Standards Plans Notes is required.
 - Refer to link: <https://www.cincinnati-oh.gov/stormwater/construction-and-design/standards/smu-standard-plan-notes-april-2022/>
- 7. SMU will require an As-Built survey at the end of construction. The survey should include the following information:
 - State Plane Coordinates (N,E) for all MH's and Catch Basins
 - Inverts and Top elevations for all MHs and Catch Basins
 - Slopes, sizes, and materials for all storm lines.

Recommendation:

- None

Contact:

- **Kevin Gold** | SMU | 513-222-3643 | kevin.gold@gcww.cincinnati-oh.gov

Water Works

Immediate Requirements to move the project forward:

1. Currently Greater Cincinnati Water Works is reviewing the Preliminary Application (CIN 338) for water main relocation in Vernon Place. For information regarding this process please contact Phil Young at 513-591-6567 or Phillip.Young@gcww.cincinnati-oh.gov.
2. **The proposed water main alignment, including fire hydrant location and tap locations, is not approved at this conceptual review, and will be approved during the GCWW Preliminary Application and Design Plan approval process.** It is advised that GCWW has a water main construction project in East Martin Luther King Drive.

Requirements to obtain permits:

1. No building permits will be approved for the proposed development, and no new water service can be sold for the development, until the necessary water main abandonment and replacement work has been constructed to GCWW standards.
2. Before any building permits are approved, the owner/developer will be required to meet all conditions of the approved preliminary application. This generally includes the completion of approved plans, all submittals including environmental report, easement plat, contractor bond and letter of intent.

3. Greater Cincinnati Water Works (GCWW) will need a stamped and recorded consolidated plat for each parcel based on the Major Subdivision Plat C2.0 before any building permits are approved.
4. If Air Lots are created, each parcel/air lot must receive separate domestic water service. Fire service may be shared between air lots. An air lot covenant will be required. Water services must be metered upon leaving the right of way.
5. Each parcel will need to have its own water service branch. Water service lines are not to cross parcel lines. If water service branch(es) does need to cross parcel lines a water service easement will be required. Please contact Rick Roell for more information regarding easements.
6. The subject development property is receiving water service from the 6" public water main in Maxwell Avenue, the 8" public water main in Vernon Place, the 12" public water main in E Martin Luther King Drive and the 12" public water main in Reading Road.

Address	Branch #	Size	Meter #	Size	Notes
512 Maxwell Av.	H-86153	1"	073243	1"	Lead on private side*
524 Maxwell Av.	H-50865	1"	079286	1"	
526 Maxwell Av.	H-201812	3/4"	201812	5/8"	
530 Maxwell Av.	H-176823	1"	176823	1"	
3023 Reading Rd.	H-182803	2"	182803	2"	
3027 Reading Rd.	H-176387	2"	176387	3/4"	
3035 Reading Rd.	H-175810	1.5"	175810	1.5"	
3041 Reading Rd.	H-107243	1.5"	102511	1"	
3041 Reading Rd.	H-231578	2"	231578	2"	
3024 Vernon Pl.	H-34722	3/4"	104521	5/8"	Lead on private side*
3030 Vernon Pl.	H-229918	1.5"	229918	1.5"	

*Please note that there are known health risks with lead service lines. Greater Cincinnati Water Works records indicate the existing water service lines (H-86153 and H-34722) at this site are Lead Service lines. In accordance with CMC Chapter 401 Division M, should be replaced with copper service line if it is to remain.

7. If the existing water service branch for this project is not to be used for this development, it must be properly disconnected at the owner's / developer's expense. Owner would be required to fill out the online Discontinuance Form (FOD) at <https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/fod/> authorizing removal of any existing water service branch before any new water service can be sold.
8. Abandoned branches will require a drawing showing which branches are to be physically removed from the main. Each branch will need to show the branch number. Submit to Phil Young at Phillip.Young@gcww.cincinnati-oh.gov

Recommendations:

1. The Owner(s)/Developer(s) will need to hire a Greater Cincinnati Water Works certified licensed and bonded plumber and fire protection company to perform the private water service branch design work and installation.
2. The Owner(s)/Developer(s) must have a licensed plumber that is bonded and certified with GCWW and fire protection company to fill out the Online Branch application



<https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/> for water service.

3. Contact Phil Young, Water Works, 513-591-6567, Phillip.Young@gcww.cincinnati-oh.gov for any Water main extension questions.

Contact:

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

Fire Department

Immediate Requirements to move the project forward:

1. The minimum fire flow requirement for this project is 2,000 gallons/per/minutes (GPM) @ 20 pressure/per/square inch (psi) (138Kpa).
2. The two closest Fire Hydrants currently to this project are 515 East MLK Drive and 3037 Reading Road.

Requirements to obtain Permits:

1. Emergency Responder Radio Coverage is required for any buildings over 20,000 sq feet.
2. A site plan will be needed to show that there are at least two readily accessible fire hydrants within 400' from all parts of the structures.
3. Fire Department Connections are to be within 50' of a fire hydrant.
4. Hydrants and FDC placement is not to block fire apparatus access to the structures.
5. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet.
6. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

Recommendations:

- None

Contact:

- **Robert A. Hart** | Fire Dept. | 513-357-7597 | robert.hart@cincinnati-oh.gov

Office of Environment and Sustainability (OES)

Immediate Requirements to move forward with project:

- None

Requirements to obtain permits:

1. Commercial waste, including construction and demolition debris, generated during this development project must utilize a City franchised commercial waste collection service per Cincinnati Municipal Code Chapter 730. Additional information can be found at <https://www.cincinnati-oh.gov/oes/commercial-waste-hauler-program/>.
2. If offsite sourced fill is to be placed onsite, then it must receive OES environmental approval when it exceeds 500 cubic yards as per City Municipal Code Chapters 1101 and 1031.
3. This project may need to include a new City permanent public utility easement. The City's acquisition of the easement must receive environmental approval from OES.
4. This project appears to be requesting funding incentives from the City. Depending on the incentive, this project may require environmental approval from OES.

Recommendations:



1. A section of the property addressed at 3041 Reading Road appears to have historical use as a gas station. Due to this historical use, proper due diligence should be completed prior to development.
2. The following recommendation is based on State of Ohio requirements:
 - a) Due to the age of the existing site building, asbestos, lead based paint, and other hazardous building materials should be surveyed and, if needed, abatement should be conducted following all applicable state regulations prior to its demolition.
3. The following recommendations are based on adopted City of Cincinnati environmental and sustainability policies:
 - a) The development goal should be to earn at a minimum the LEED Certified rating level.
 - b) Rooftop solar should be considered in the design as a renewable energy source.
 - c) Site parking should include electric vehicle charging stations.
 - d) Site areas designated for trash dumpsters should also have at least equal space designated for recycling dumpsters.
 - e) The use of trees in the landscape design should be included to enhance urban forestry.
 - f) The use of pervious surfaces should be maximized to the extent practical in the design.

Contact:

- **Amanda Testerman** | OES | 513-352-5310 | amanda.testerman@cincinnati-oh.gov

Parks Department (Urban Forestry)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

- None

Recommendations:

1. If they would like to add any street trees or replacements, contact Urban Forestry (Jacob Edwards) to discuss layout of cut-outs and plantings.

Contact:

- **Jacob Edwards** | Urban Forestry | 513-861-9070 | jacob.edwards@cincinnati-oh.gov

Department of Transportation & Engineering (DOTE)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. A Traffic Impact Study is required. DOTE will provide additional conditions required based on the TIS.
2. The property and right of way needs addressed. Work with DOTE on the necessary vacation/dedication needed. Vernon needs to be 10' minimum from curb to back of walk.
3. Work with DOTE on the streetscape plans for the entire site.
4. The driveway on MLK needs to be the City standard design for right in/out.
5. All driveway aprons are to meet City standards.

6. How will the gates operate? The gates on Vernon and Maxwell will need to be 20' minimum into the garage. The gate placement for the MLK entrance will be determined by the TIS.
7. Any encroachments over the property line into the right of way requires permission, either a RSP or easement depending on the encroachment.
8. Meet all utility clearance requirements. Typical clearance is 10'.
9. Remove unused driveway apron/street openings and restore to City standards.
10. All work in the right of way will require a DOTE permit and needs to meet City standards.
11. Multiple addresses will need to be assigned for this development; each building/space will be addressed on the street it is accessed from. Contact DTEaddress@cincinnati-oh.gov to have addresses assigned prior to submitting building permit applications.

Recommendations:

- None

Contact:

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

Buildings & Inspections – Buildings**Immediate Requirements to move the project forward:**

- None

Requirements to obtain permits:

1. There is no building code analysis or information.
2. It is recommended that a meeting is scheduled to discuss any building code and permitting issues that may arise.

Recommendations:

- None

Contact:

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

Law Department**Immediate Requirements to move the project forward:**

- None

Requirements to obtain permits:

1. The vacation and sale of public right of way requires the following:
 - Coordinated Report
 - Appraisal
 - City Planning Commission Approval
 - City Council Approval

Recommendations:

- None

Contact:

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



Department of Community & Economic Development (DCED)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

- None

Recommendations:

- None

Contact:

- **Bob Bertsch** | DCED | 513-352-3773 | robert.bertsch@cincinnati-oh.gov

Health Department

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

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

Recommendations:

- None

Contact:

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

Police Department

Immediate Requirements to move the project forward:

- None currently.

Requirements to obtain permits:

- No comments.

Recommendations:

- None

Contact:

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

FINAL ACTION: The CSR Advisory-TEAM and CSPRO Committee believes that the proposed project plans are moving in the appropriate direction and recommends that the project move forward to City Planning Commission subject to the following condition.

- **The subject development must follow the requirements listed above to ensure that the development meets the requirements of all agencies as they apply for all permits.**



Sincerely,


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

AD:RDR:hs


Rodney D. Ringer,
Development Manager

Date: December 19, 2022

Description: The District at Clifton Heights
Re-Zoning

Location: City of Cincinnati
Hamilton County, Ohio



Situated in Section 8, Town 3, Fractional Range 2, Between the Miamis, Mill Creek Township, The City of Cincinnati, Hamilton County, Ohio and being 7.8030 acres to be re-zoned to Planned Development (PD) and being further described as follows:

Beginning at the intersection of the centerline of Martin Luther King Drive East and the centerline of Reading Road (U.S. #42) and being the **True Point of Beginning**;

thence, with the centerline of said Reading Road (U.S. #42) for the following two courses:

- 1) South 00° 06' 56" West, 173.57 feet;
- 2) with a curve to the right, having a central angle of 11° 35' 33", a radius of 1432.39 feet, an arc length of 289.81 feet, and a chord bearing and distance of South 05° 54' 43" West, 289.32 feet;

thence, leaving the centerline of said Reading Road (U.S. #42), North 82° 20' 14" West, 287.76 feet to the northwest corner of Lot A of Harry Wahking Heirs Subdivision as recorded in Plat Book 14, Page 54;

thence, with the west line of said Lot A extended, South 20° 01' 16" West, 117.45 feet to the centerline of Maxwell Avenue;

thence, with the centerline of said Maxwell Avenue, North 83° 25' 54" West, 269.44 feet;

thence, leaving the centerline of said Maxwell Avenue, North 06° 34' 06" East, 110.00 feet;

thence, North 83° 25' 54" West, 179.46 feet to the centerline of Vernon Place;

thence, with the centerline of said Vernon Place for the following three courses:

- 1) with a curve to the right, having a central angle of 24° 50' 44", a radius of 400.00 feet, an arc length of 173.45 feet, and a chord bearing and distance of North 21° 57' 19" East, 172.10 feet;
- 2) North 34° 22' 41" East, 275.91 feet;
- 3) North 06° 14' 10" East, 53.69 feet to the centerline of said Martin Luther King Drive East;

thence, leaving the centerline of said Vernon Avenue and with the centerline of said Martin Luther King Drive East for the following five courses:

- 1) South 78° 39' 46" East, 95.02 feet;
- 2) with a curve to the left, having a central angle of 05° 21' 40", a radius of 1046.74 feet, an arc length of 97.94 feet, and a chord bearing and distance of South 81° 20' 36" East, 97.91 feet;
- 3) South 84° 01' 26" East, 181.00 feet;
- 4) with a curve to the left, having a central angle of 02° 00' 00", a radius of 3824.72 feet, an arc length of 133.51 feet, and a chord bearing and distance of South 85° 01' 26" East, 133.50 feet;

5) South 86° 01' 26" East, 60.14 feet to the **True Point of Beginning** containing 7.8030 acres.

Basis of Bearings: NAD83(2011) Ohio State Plane Coordinates, South Zone (3402).

The above description is a complete, proper and legal description of the property by deeds and plats of record.



A handwritten signature in blue ink, appearing to read "Jeffrey O. Lambert", written over a horizontal line.

Jeffrey O. Lambert Registered Surveyor #7568 in the State of Ohio

UPTOWN INNOVATION DISTRICT

DESIGN GUIDELINES



04.03.2019

ACKNOWLEDGEMENTS

UPTOWN INNOVATION CORRIDOR

Many community leaders, stakeholders and experts have devoted their time and talents to the creation and implementation of the Uptown Innovation Corridor. They will continue to play pivotal roles as the Corridor story unfolds.

UPTOWN CONSORTIUM BOARD OF DIRECTORS

Neville Pinto, Board Chair & President, University of Cincinnati

Michael Fisher, Vice Chair & President & CEO, Cincinnati Children's Hospital Medical Center

Mark Clement, President & CEO, TriHealth

Richard Lofgren, President & CEO, UC Health

Thane Maynard, Executive Director, Cincinnati Zoo and Botanical Garden

Robert Ambach, Senior Vice President for Administration & Finance, University of Cincinnati

Peter Gilbert, Executive Vice President & COO, UC Health

Dave Jenike, Vice President of Operations & COO, Cincinnati Zoo & Botanical Garden

Brian Krause, Vice President of Finance, TriHealth

Beth Robinson, President & CEO, Uptown Consortium, Inc.

Beth Stautberg, Senior Vice President & General Counsel, Cincinnati Children's Hospital Medical Center

UPTOWN CONSORTIUM

Franz A. Stansbury, Director, Real Estate

CONSULTANTS

MKSK, Landscape Architecture, Planning, Urban Design Firm

SASAKI, Planning and Design Firm

Landwise Advisors, Market Analyst

Grayscale Collaborative, Design Advisor



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OVERVIEW

UPTOWN INNOVATION DISTRICT

UPTOWN INNOVATION CORRIDOR

The Uptown Innovation District is that rare development opportunity merging location, amenities and market trends. As with dozens of cities across the United States and internationally, the Corridor is leveraging renewed interest in the urban core to create a magnet for high-growth firms, tech and creative start-ups and the people they employ.

Years of preparation have positioned the Corridor to join the international ranks of successful innovation districts, and the unparalleled opportunities it offers to improve the community and foundation of Uptown and Cincinnati.

The Uptown Consortium has led an intensive planning and community engagement effort to establish a vision and framework for the Corridor. In partnership with the Mayor and Cincinnati City Council, the Consortium has secured crucial infrastructure and established site control that will allow the Corridor to progress in a manner consistent with innovation district best practices: well-designed spaces, pedestrian-friendly grids, varied housing choices and an amenities-rich environment.

The opening of the I-71 interchange at Martin Luther King Boulevard – itself a decade in the making – is perhaps the most visible sign of the Corridor’s emergence. Another important component is the University of Cincinnati’s 1819 Innovation Hub. It represents a \$38 million investment and is managed by the University of Cincinnati Research Institute.

The most important components of a successful innovation district have long been in place. Uptown is the region’s center of research and innovation, led by the University of Cincinnati, Cincinnati Children’s Hospital Medical Center, UC Health, TriHealth,

and the Cincinnati Zoo and Botanical Garden and their many spin-off and supporting entities. These anchor institutions drive the innovation economy and, combined with proximity and location, are the foundation of the Corridor.

These Uptown Innovation District Design Guidelines represent one of the next critical steps in advancing Cincinnati’s world class innovation district. With improved access from I-71, location at the intersection of two of the City’s key corridors, vacant and underutilized land, and strategic site control, it is essential to put in place design standards to guide the next round of public and private investment that will fully realize the Innovation Corridor over the next decade. These guidelines will also protect and leverage the substantial public and institutional investment that has already been made along this corridor.

These guidelines outline development principles, design foundation and guidelines that provide a framework for landowners, developers, organizations and companies that look to partner with Uptown. Following national models, this document provides guidance and an overall vision for how the Corridor should develop — from the buildings, amenities, infrastructure and public spaces to how it all integrates with the Uptown community and the regional innovation economy.

There are six sections in this document. Section One is an overview describing the mission, application, and founding principles of these guidelines. Section Two establishes the development principles advancing Uptown stakeholders’ shared vision for creating a healthy, sustainable, and complete community. Section Three, Four and Five discuss in more detail what makes great streets, spaces and places respectively. Section Six is the design guidelines providing general recommendations of standards for design to provide a high quality

DESIGN GUIDELINES DISTRICT FOCUS AREA



public realm. Section Seven provides a hierarchy of streets, complete streets standards and streetscapes, and guidelines to create a cohesive and high-quality public realm experience. It also provides character guidelines for plazas, gateways, and other unique public and quasi-public spaces within the District. And lastly, Section Eight outlines the material palette: a catalogue of materials to ensure a cohesive and high-quality public realm that identifies and ties the District together.

The design guidelines focus area is defined generally by the four quadrants at the MLK and Reading Road intersection. It also establishes guidelines for the streets bounding these blocks - Lincoln Ave., Vernon Pl., Harvey Ave., Hickman Ave., and Whittier St. — providing an appropriate transition from the neighborhood edge into the District.

OVERVIEW

DISTRICT PLAN

THE UPTOWN INNOVATION CORRIDOR EMBODIES THE BEST POSSIBILITIES OF CINCINNATI'S URBAN FUTURE, ONE OF CUTTING-EDGE INNOVATION, A VIBRANT CITYSCAPE, AND BROADLY SHARED PROSPERITY.

As the ongoing work of the Uptown Consortium demonstrates, the Uptown Innovation Corridor is well positioned in the region as an engine of innovation and economic growth. Its cluster of higher education institutions, hospitals, R&D and innovation centers, cultural institutions, and private businesses has attracted significant research funding and job growth in the past decade; a fact that underlines the full potential of the agglomeration effect of innovation activities.

Within this context, the Consortium initiated a planning and design process to advance a distinctive, coordinated vision. The planning effort features the following elements:

1. Market analysis to establish an up-to-date understanding of regional employment drivers, market conditions, and real estate economics;
2. District concept plan to illustrate a unified district/ corridor plan and a compelling story and experience, with a focus on the four quadrants area;
3. Development principles to convey the fundamental physical development characteristics that are critical to realizing the Consortium's vision;
4. Design guidelines to provide specific recommendations for the design of the public realm and private exterior realm within the district.



DISTRICT CONCEPT PLAN

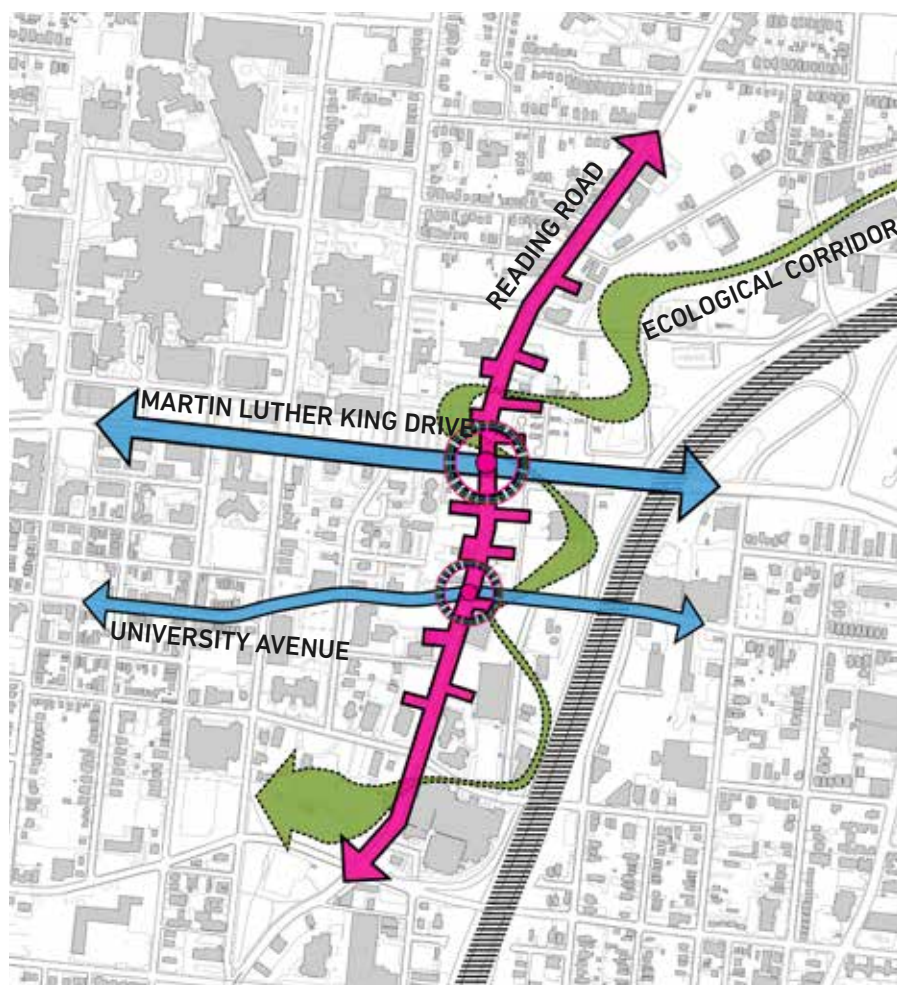


CONNECTED DISTRICT

INNOVATION DISTRICT CONCEPT

The plan emphasizes a highly connected, integrated district anchored by and organized around four critical corridors:

- Reading Road
- Martin Luther King Jr. Drive
- University Avenue
- Ecological Park



DISTRICT CORRIDORS

Reading Road

- Central spine and “main street” of the district.
- Accommodates multi-modal pedestrian, bicycle, transit, and vehicular circulation.
- Public spaces and front doors create an active corridor, connecting the street to interior block innovation and green spaces.

Martin Luther King Jr. Drive

- Critical, highly visible gateway.
- High-volume transportation corridor and urban boulevard.
- Defines the image and initial visual experience of the district.

Ecological Corridor

- Green network that weaves active and passive parks, open spaces, and ecological functions through the district.
- Contributes to a unique district character that links development areas, creates a collaborative common ground, and enhances ecology.

University Avenue

- Primary link between the university and the district.
- Forms the “innovation heart” of the district at its intersection with Reading Road at the 1819 Innovation Hub.

CONCEPTUAL DEVELOPMENT LOOKING NORTH**CONCEPTUAL DEVELOPMENT LOOKING WEST**

DEVELOPMENT PRINCIPLES

GREAT STREETS, SPACES, PLACES

THE DEVELOPMENT PRINCIPLES, COUPLED WITH THE DESIGN GUIDELINES, WILL GUIDE THE CONSORTIUM'S CURRENT AND FUTURE DECISION-MAKING REGARDING THE LOCATION, PLANNING AND DESIGN, AND QUALITY OF NEW DEVELOPMENT PROJECTS.

The principles are intended to achieve the following objectives:

1. Ensure that the district is planned, designed, and developed in an orderly, consistent, and high quality urbanistic manner.
2. Ensure that each individual project contributes in a complementary manner to the larger district vision and plan.
3. Provide predictability and instill confidence that development quality will be consistent for the duration of buildout—from the first project to the last.
4. Provide planning and design guidance and direction to all entities considering the development of property in the district.
5. Provide the Consortium with planning and design criteria by which to review and evaluate proposed development plans.

GREAT STREETS

1. **URBANITY:** Organize continuous building frontage along primary streets to reinforce Uptown's identity as an urban place.
2. **ACTIVITY:** Focus urban retail uses and other ground-floor active programming at key locations along primary streets to encourage an active pedestrian street and 18/7 urban environment.
3. **MOBILITY:** Integrate safe connections for all modes of travel by separating the pedestrian and bicycle zone from the vehicular and transit zone.
4. **STREETSCAPE:** Create a distinct, pedestrian street character throughout the district with the creation of a street tree canopy and water management landscapes along primary streets.
5. **QUALITY:** Prioritize architectural and landscape design, material, and construction quality along key streets to reinforce Uptown's identity as a leading innovation district.



The Avenue, Washington DC

GREAT SPACES

6. **ECOLOGY:** Reserve the ecological corridor along I-71 and respect existing topography to create a signature green space that supports the emerging innovation community.
7. **COLLABORATION:** Promote collaboration by establishing gathering spaces along the Reading Road corridor to share technologies and ideas, and create a close-knit ecosystem to foster creative growth.
8. **PERMEABILITY:** Create mid-block pedestrian visibility, access and connections between primary streets and open/green space amenities to welcome the community.
9. **PARKING:** Minimize the impact of parking on the public realm throughout the district by minimizing surface lots, screening garages, and utilizing below grade parking when possible. Ensure surface lots are designed to be programmable, usable spaces when not required for parking.



Hafencity, Hamburg, Germany

GREAT PLACES

10. **DENSITY:** Concentrate density on priority sites to create a vibrant, complete place at each phase of development.
11. **MIXED-USE:** Mix diverse programs within individual buildings and a block to activate the site, maximize investment, and balance land use.
12. **IDENTITY:** Ensure a unified Uptown identity along primary streets through streetscape and public realm design while encouraging complementary design within individual developments and buildings.
13. **TRANSPARENCY:** Buildings should be of high quality, modern design that reflects the image of the Innovation Corridor. Designs should include transparency, articulation, shading, form, materials, and other elements that link indoor and outdoor spaces and create a vibrant urban character.
14. **TRANSITION:** Address residential neighborhood edges with complementary scale, program, and character.



University Park, Cambridge, MA

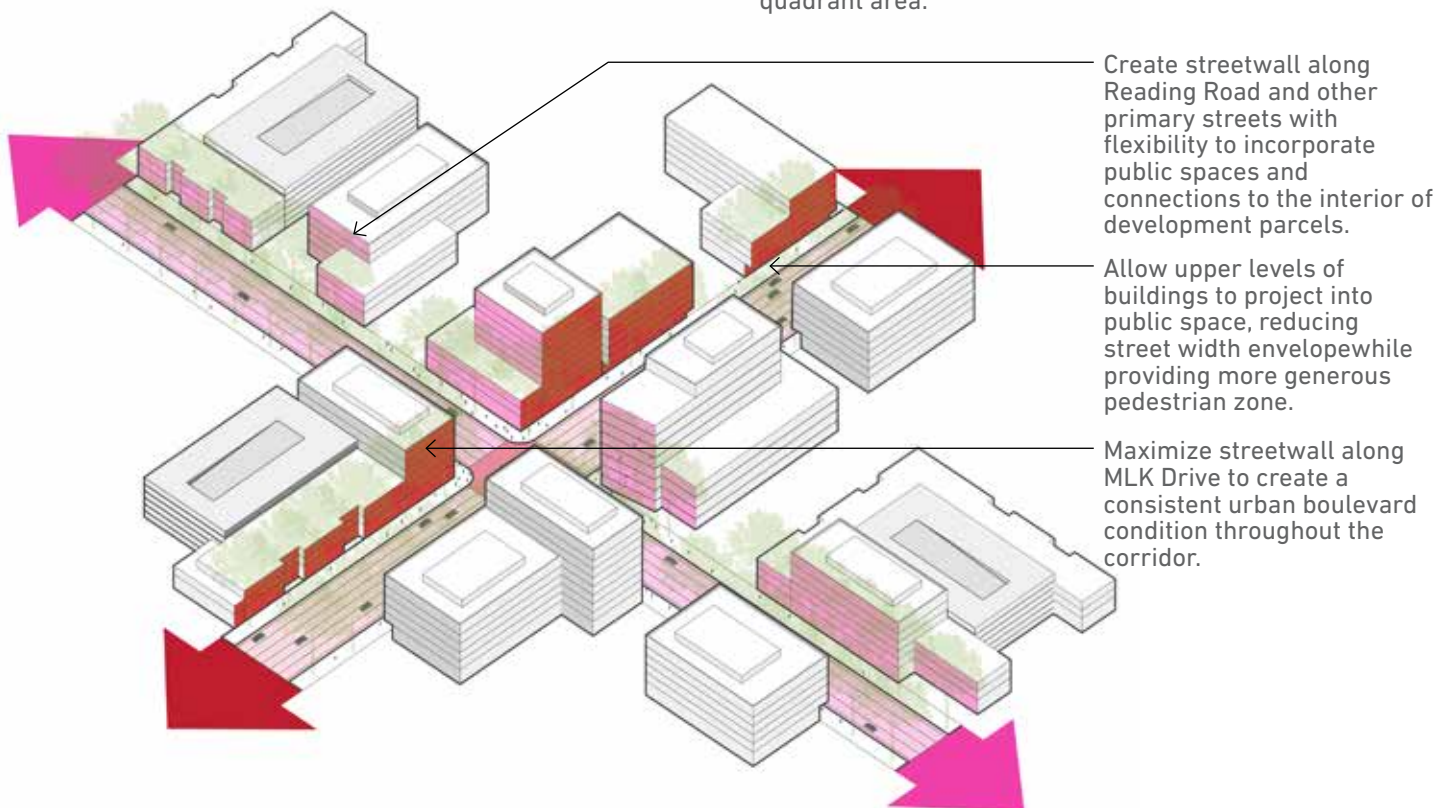
GREAT STREETS

1.URBANITY

**ORGANIZE CONTINUOUS BUILDING FRONTAGE
ALONG PRIMARY STREETS TO REINFORCE
UPTOWN'S IDENTITY AS AN URBAN PLACE.**

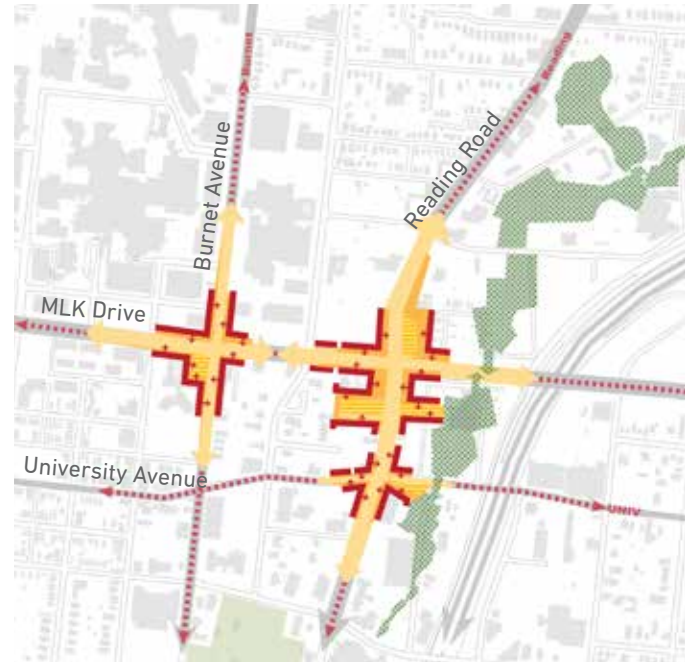


Plan showing application of Urbanity principle in four quadrant area.

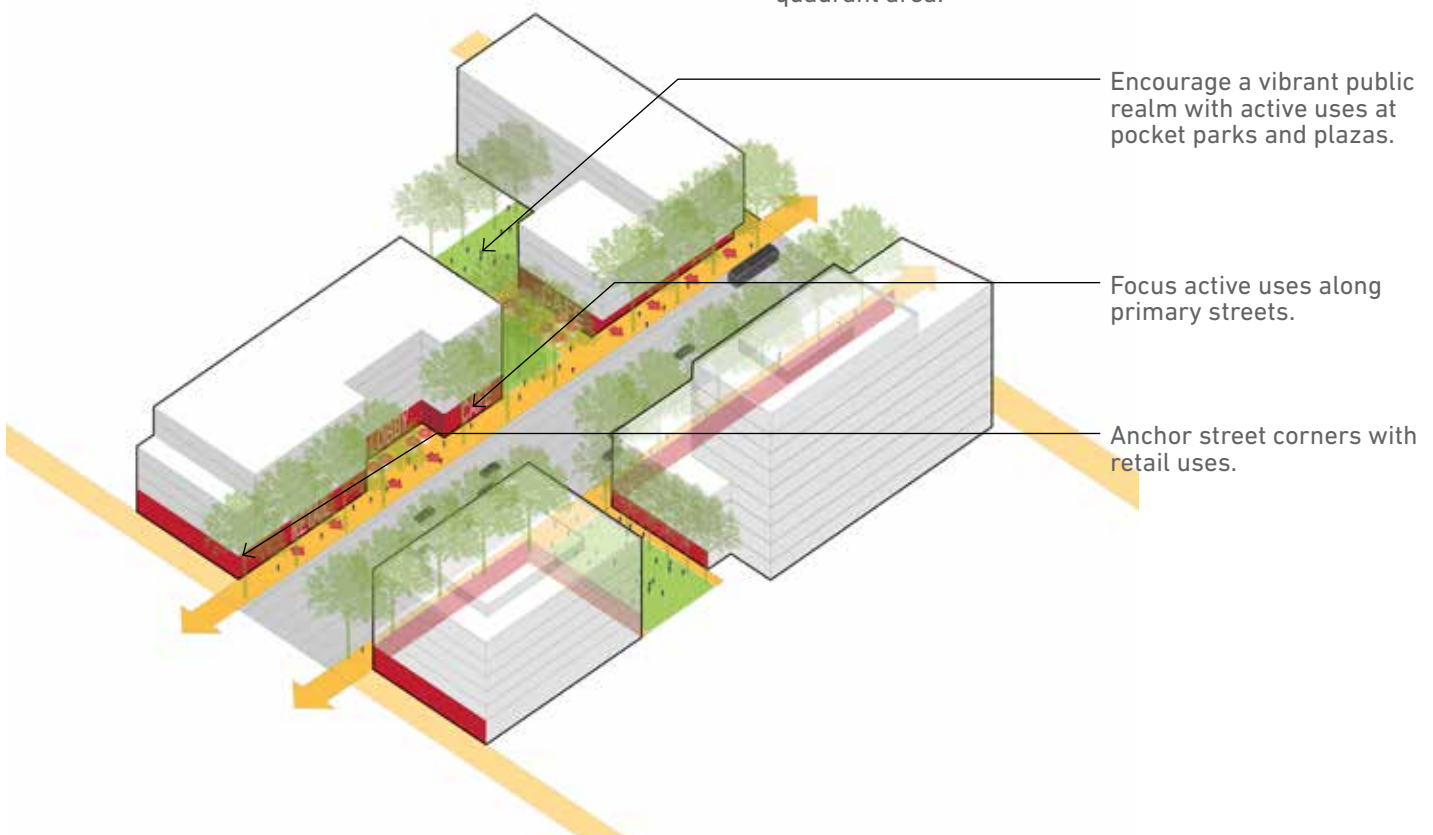


2.ACTIVITY

FOCUS URBAN RETAIL USES AND OTHER GROUND-FLOOR ACTIVE PROGRAMMING AT KEY LOCATIONS ALONG PRIMARY STREETS TO ENCOURAGE AN ACTIVE PEDESTRIAN STREET AND 18/7 URBAN ENVIRONMENT.

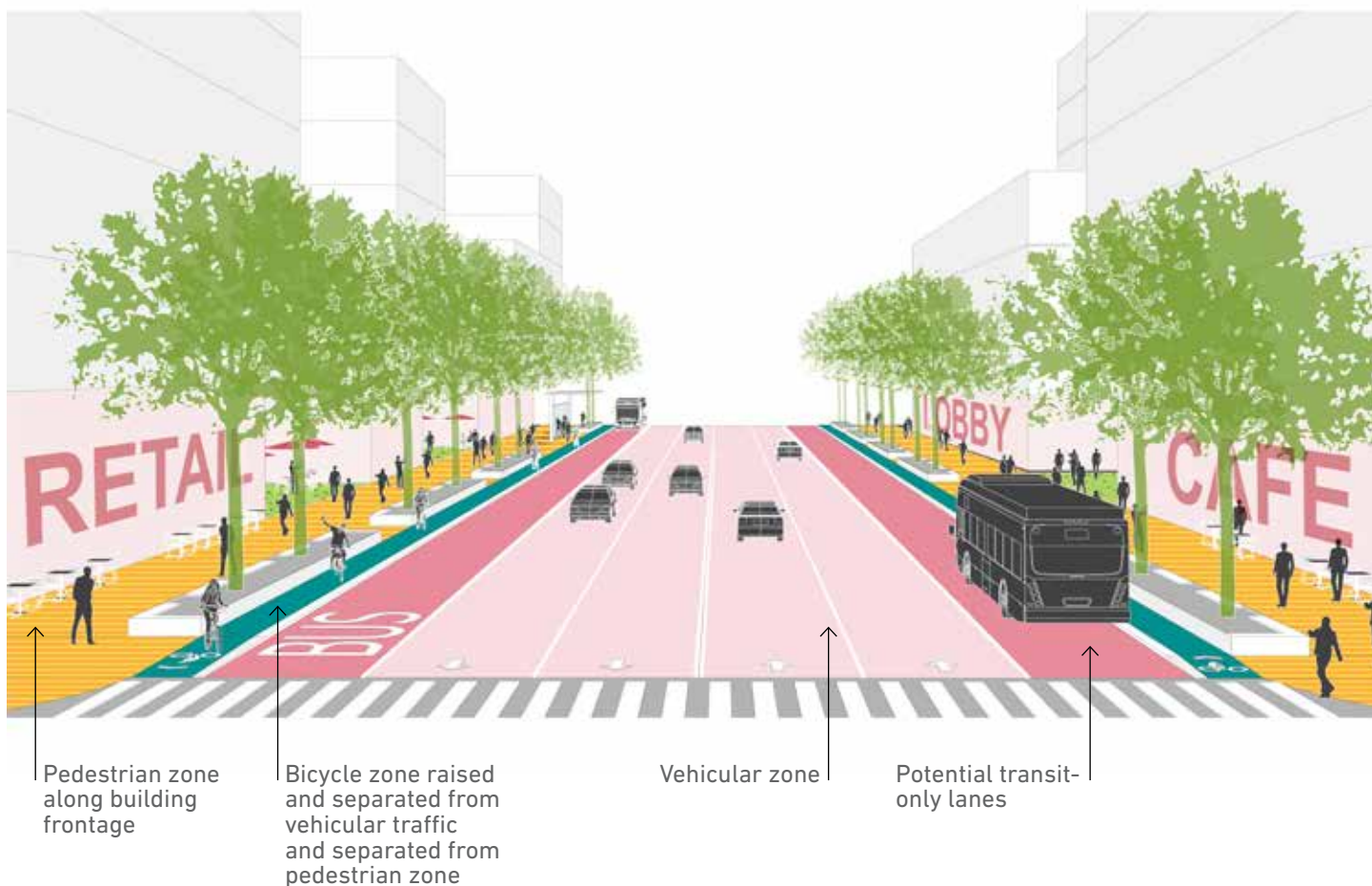


Plan showing application of Activity principle in four quadrant area.

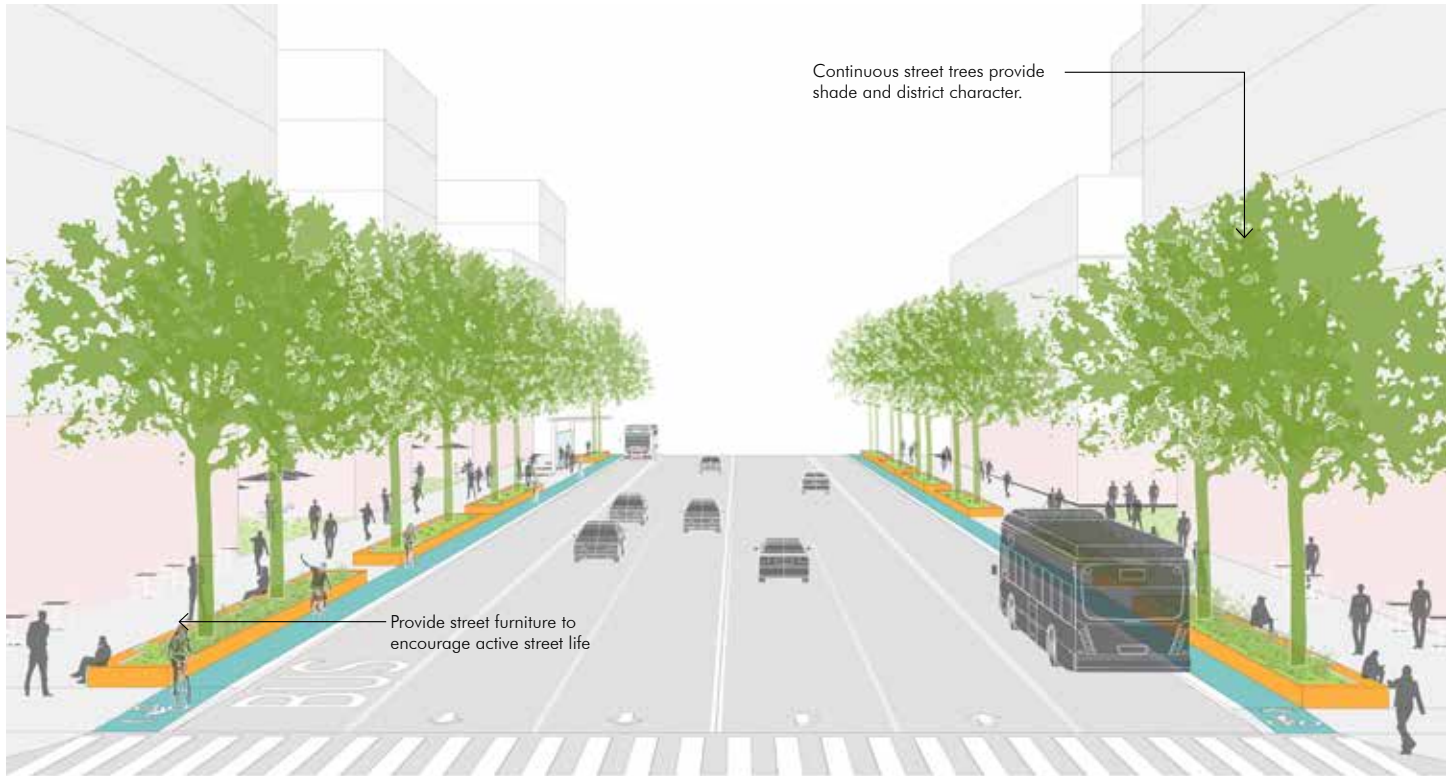


3. MOBILITY

INTEGRATE SAFE CONNECTIONS FOR ALL MODES OF TRAVEL BY SEPARATING THE PEDESTRIAN AND BICYCLE ZONE FROM THE VEHICULAR AND TRANSIT ZONE.



4. STREETSCAPE



Plan showing application of Streetscape principle in four quadrant area.

CREATE A DISTINCT, PEDESTRIAN STREET CHARACTER THROUGHOUT THE DISTRICT WITH THE CREATION OF A STREET TREE CANOPY AND WATER MANAGEMENT LANDSCAPES ALONG PRIMARY STREETS.

5. QUALITY

PRIORITIZE ARCHITECTURAL AND LANDSCAPE DESIGN, MATERIAL, AND CONSTRUCTION QUALITY ALONG KEY STREETS TO REINFORCE UPTOWN'S IDENTITY AS A LEADING INNOVATION DISTRICT.



Example material and construction elements:

1. Planting areas designed to manage stormwater
2. Integrated bench and planter wall
3. Stone pavers
4. Stone/brick edge detail along concrete walk
5. Contrasting color pavers
6. High quality, modern street furniture
7. Native landscape
8. Unified signage and lighting design



GREAT STREETS: KENDALL SQUARE EXAMPLE

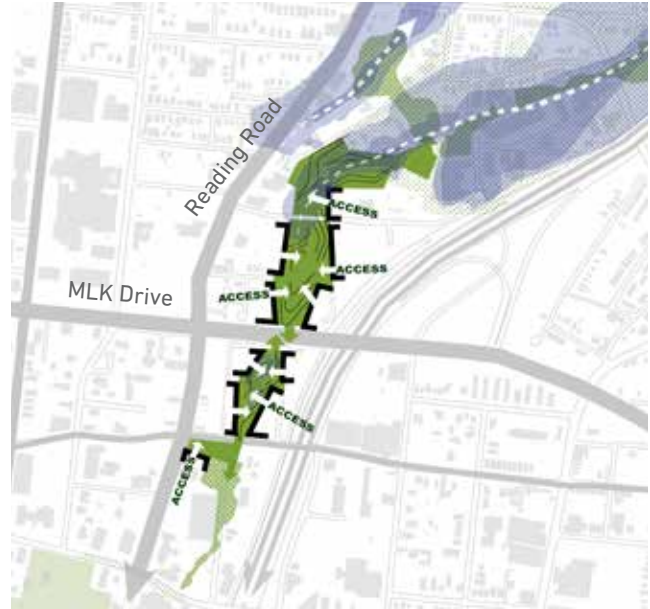
Binney Street at Kendall Square in Cambridge, Massachusetts exemplifies many of the principles of great streets planned for the Uptown Innovation Corridor.

1. **Urbanity:** Buildings are organized along the street including upper level overhangs to reduce perceived street width while providing generous sidewalk areas.
2. **Activity:** Retail uses and other ground floor programming are located along the street.
3. **Streetscape:** Continuous street trees and planting unify the street, provide shade and water management, and improve the pedestrian experience.
4. **Mobility:** A generous pedestrian zone and dedicated bicycle lane are separated from each other and vehicular traffic, providing safe connections for all modes of travel.

GREAT SPACES

6. ECOLOGY

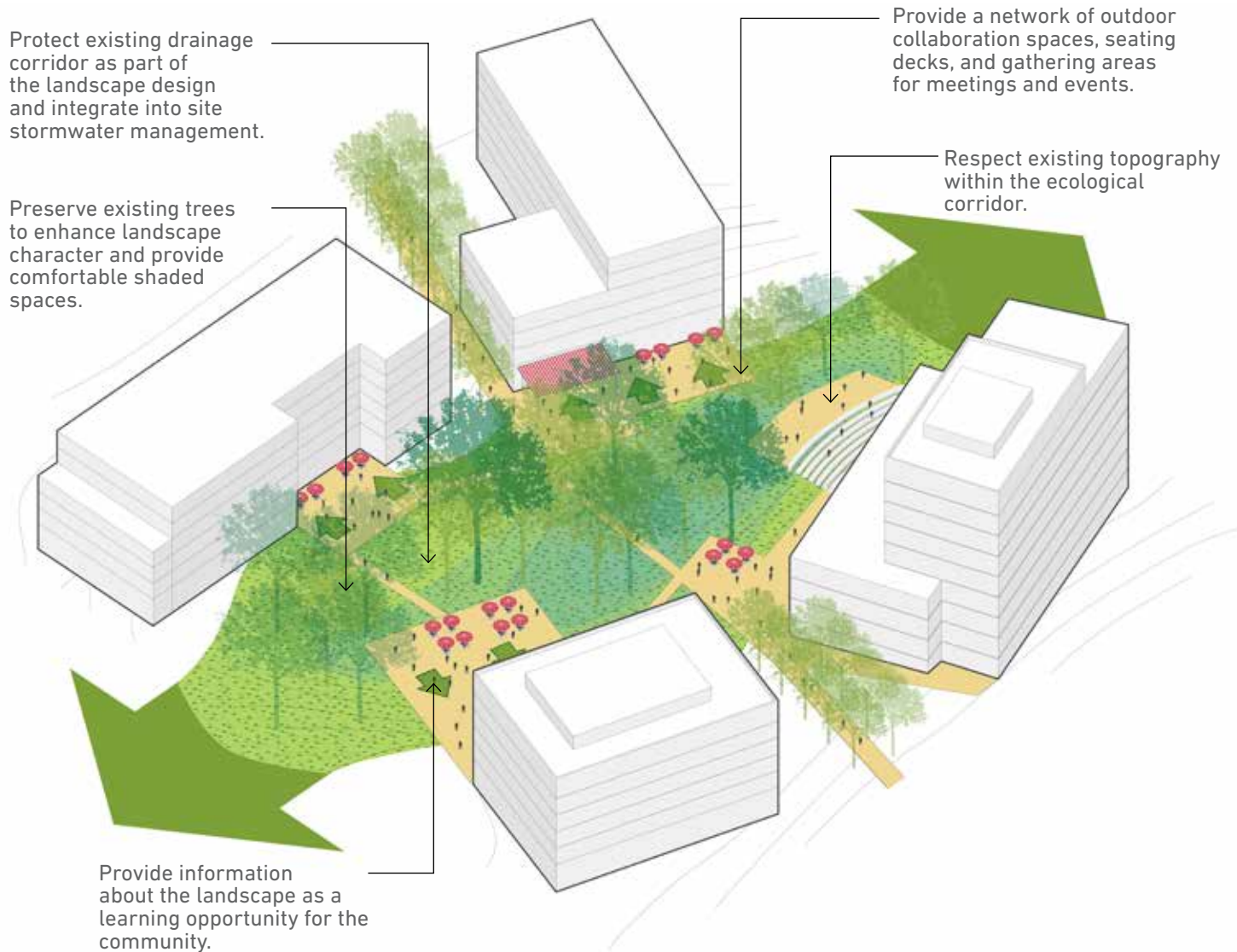
RESERVE THE ECOLOGICAL CORRIDOR ALONG I-71 AND RESPECT EXISTING TOPOGRAPHY TO CREATE A SIGNATURE GREEN SPACE AND RECREATION CORRIDOR TO SUPPORT THE EMERGING INNOVATION COMMUNITY.



Plan showing ecological corridor along I-71 in four quadrant area

Below: Conceptual view of ecological corridor featuring shared outdoor collaboration spaces, native landscape, and stormwater management





7. COLLABORATION

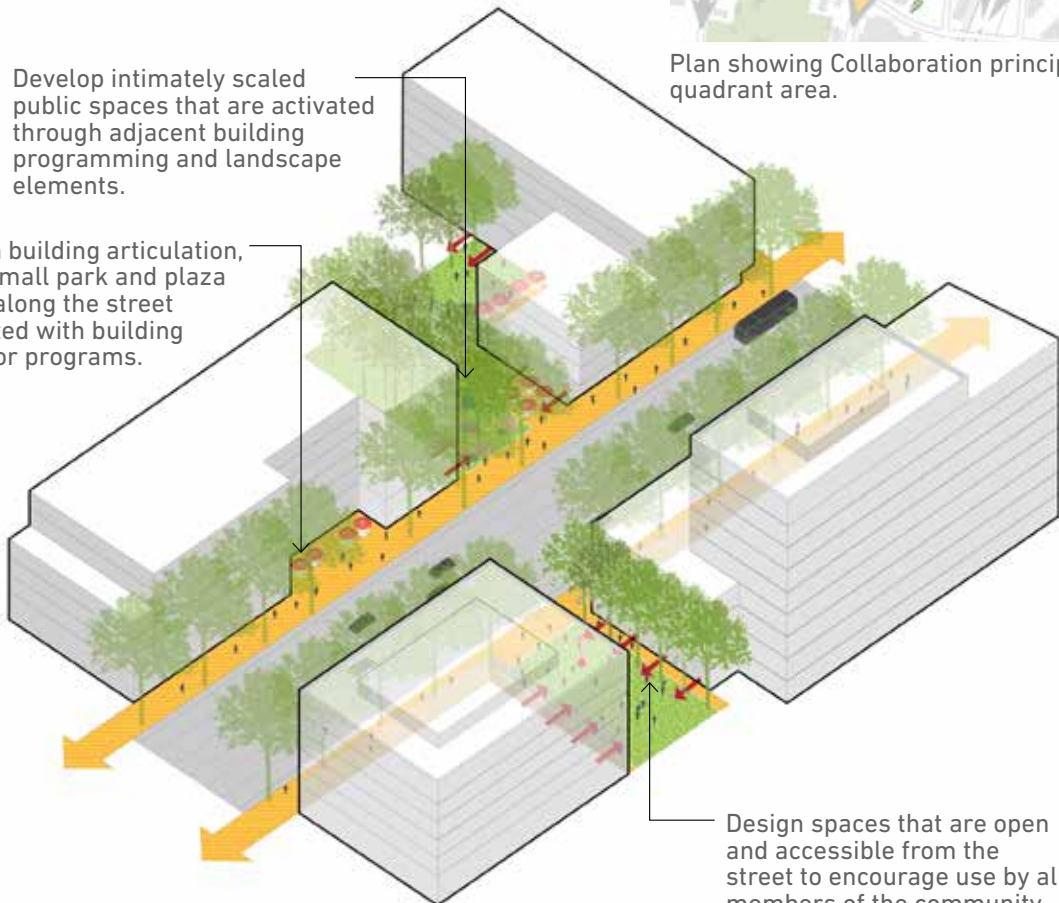
PROMOTE INSTITUTIONAL AND NEIGHBORHOOD COLLABORATION BY ESTABLISHING GATHERING SPACES ALONG THE READING ROAD CORRIDOR TO SHARE TECHNOLOGIES AND IDEAS, AND CREATE A CLOSE-KNIT ECOSYSTEM TO FOSTER CREATIVE GROWTH.



Plan showing Collaboration principle applied in four quadrant area.

Develop intimately scaled public spaces that are activated through adjacent building programming and landscape elements.

Through building articulation, create small park and plaza spaces along the street associated with building entries or programs.



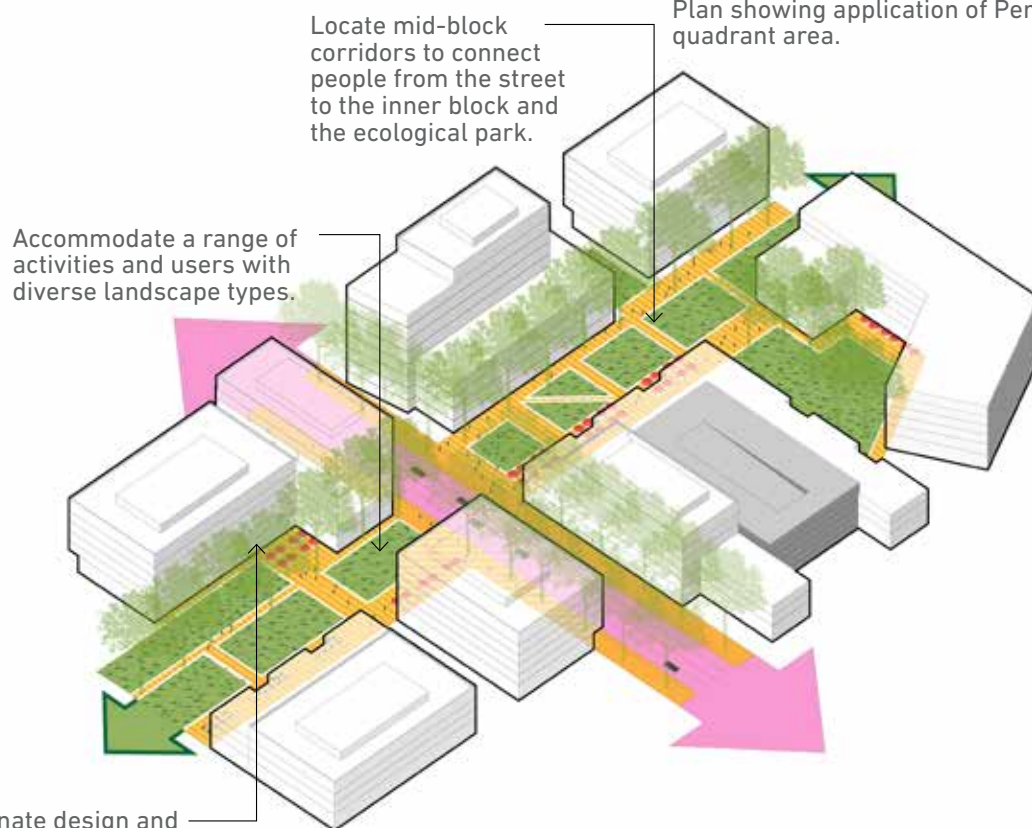
Design spaces that are open and accessible from the street to encourage use by all members of the community.

8. PERMEABILITY

CREATE MID-BLOCK PEDESTRIAN VISIBILITY, ACCESS AND CONNECTIONS BETWEEN PRIMARY STREETS AND CIVIC/GREEN SPACE AMENITIES TO WELCOME THE COMMUNITY.



Plan showing application of Permeability principle in four quadrant area.



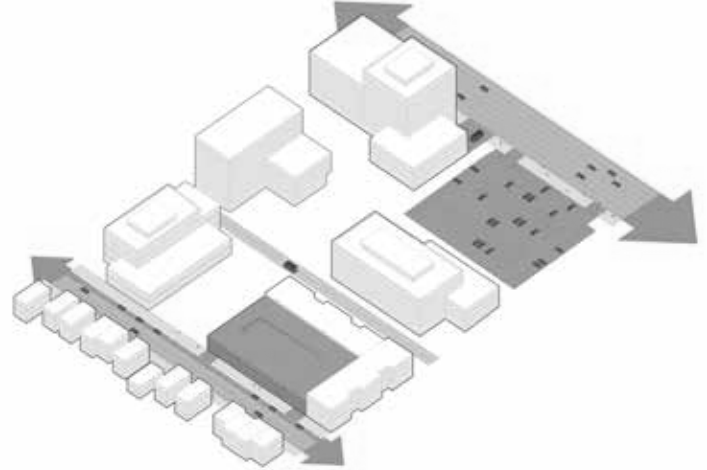
Locate mid-block corridors to connect people from the street to the inner block and the ecological park.

Accommodate a range of activities and users with diverse landscape types.

Coordinate design and programming with surrounding buildings to encourage active use of outdoor spaces.

9. COLLABORATION

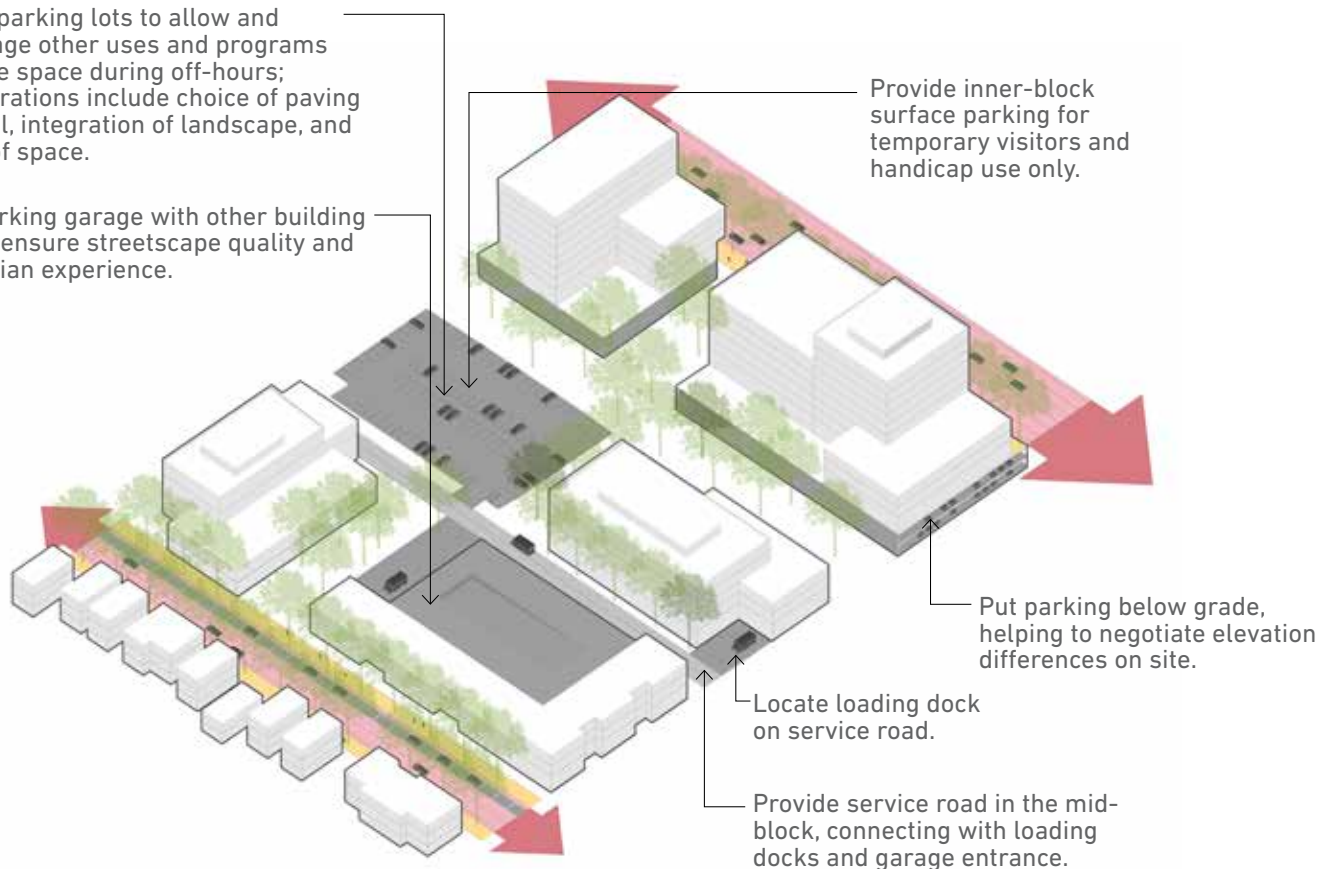
MINIMIZE THE IMPACT OF PARKING ON THE PUBLIC REALM THROUGHOUT THE DISTRICT BY MINIMIZING SURFACE LOTS, SCREENING GARAGES, AND UTILIZING BELOW GRADE PARKING WHEN POSSIBLE. ENSURE SURFACE LOTS ARE DESIGNED TO BE PROGRAMMABLE, USABLE SPACES WHEN NOT REQUIRED FOR PARKING.



DON'T - Streetfront Parking

Design parking lots to allow and encourage other uses and programs to utilize space during off-hours; considerations include choice of paving material, integration of landscape, and layout of space.

Hide parking garage with other building uses to ensure streetscape quality and pedestrian experience.





GREAT SPACES: HAFENCITY, HAMBURG EXAMPLE

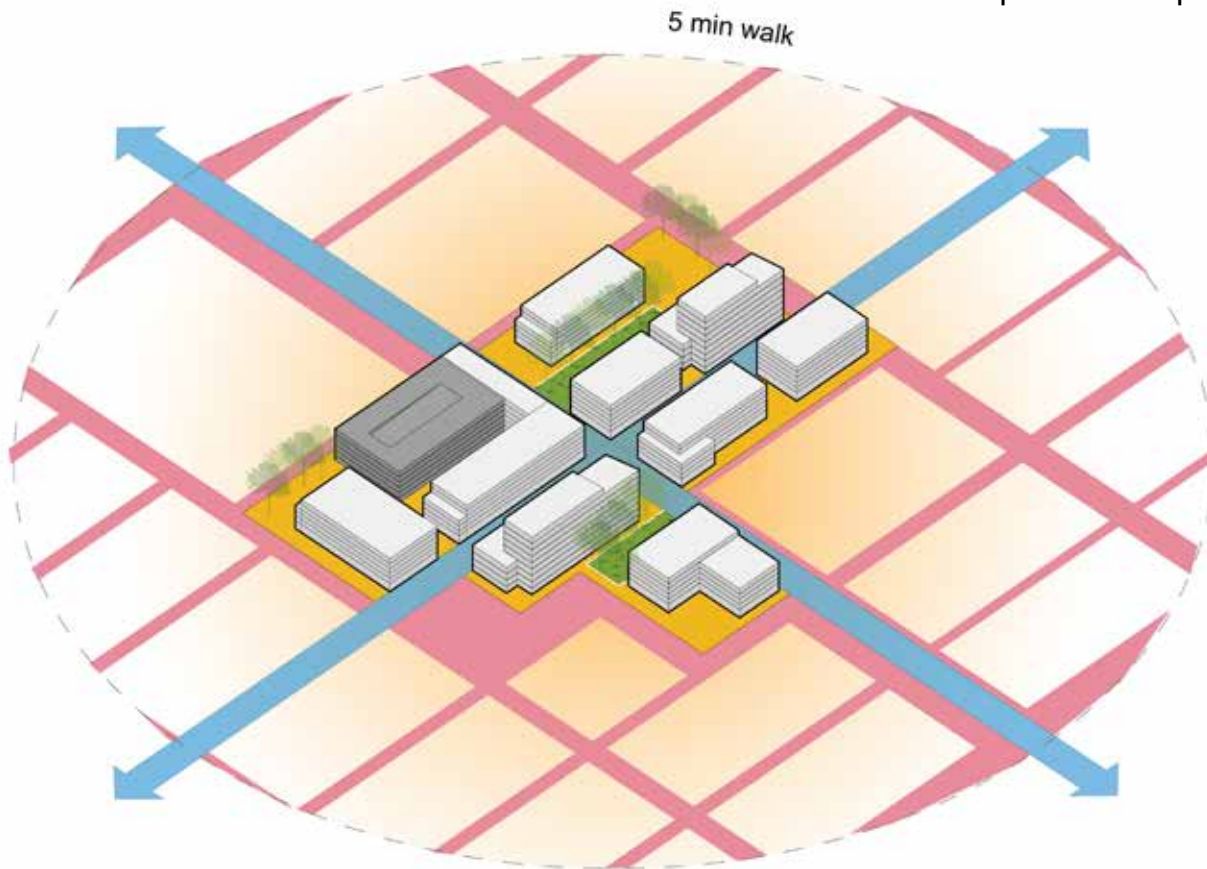
The main plaza at HafenCity in Hamburg, Germany exhibits many of the principles of great spaces planned for the Uptown Innovation Corridor.

1. **Urbanity:** Buildings help define the space with enclosure and ground level uses.
2. **Collaboration:** Gathering space with multiple program elements creates a space for collaboration and interaction.
3. **Quality:** High quality pavers, benches, lighting, and materials as well as special elements create a unique yet unified quality to the space.
4. **Activity:** Retail uses are located along the plaza bringing activity to the space.

GREAT PLACES

10.DENSITY

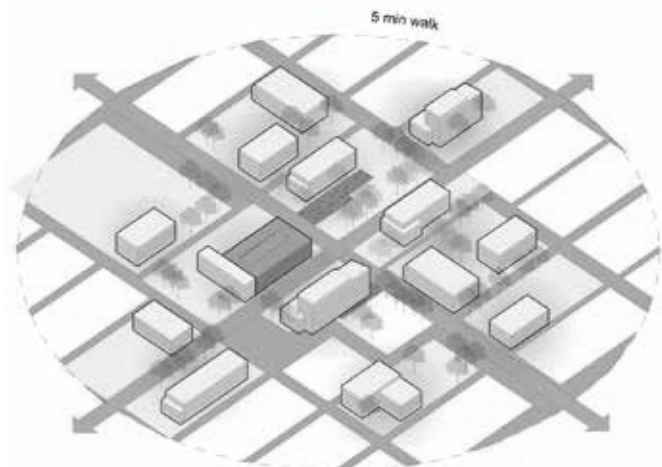
DO - Compact Development



ENCOURAGE AND CONCENTRATE DENSITY ON PRIORITY DEVELOPMENT SITES TO CREATE A VIBRANT, COMPLETE PLACE AT EACH PHASE OF DEVELOPMENT.

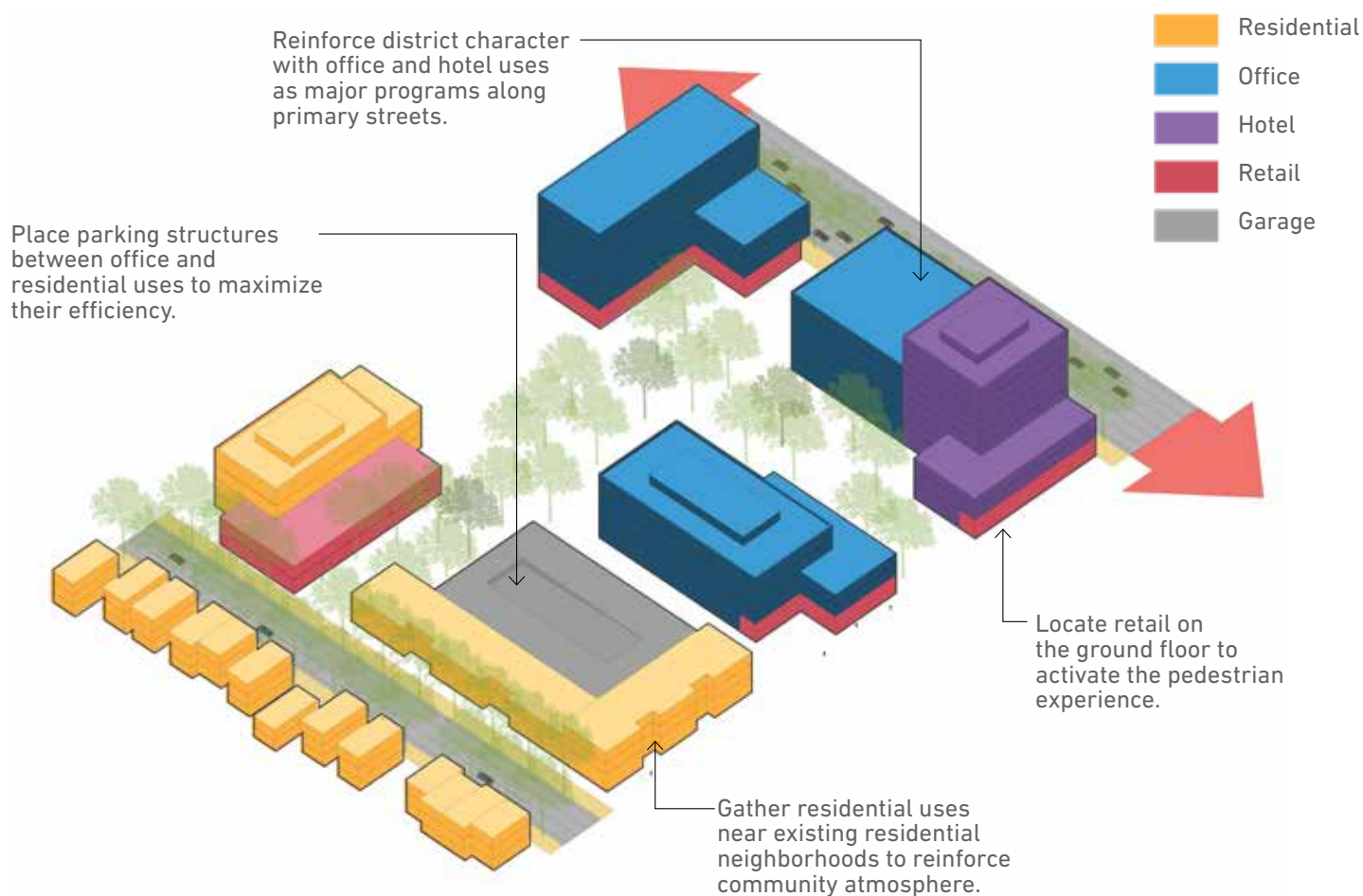
CAREFULLY PLAN PHASES SO THAT THEY FIT TOGETHER AND COMPLEMENT EACH OTHER ACROSS TIME AND ARE NOT FRAGMENTED.

DON'T - Fragmented Development



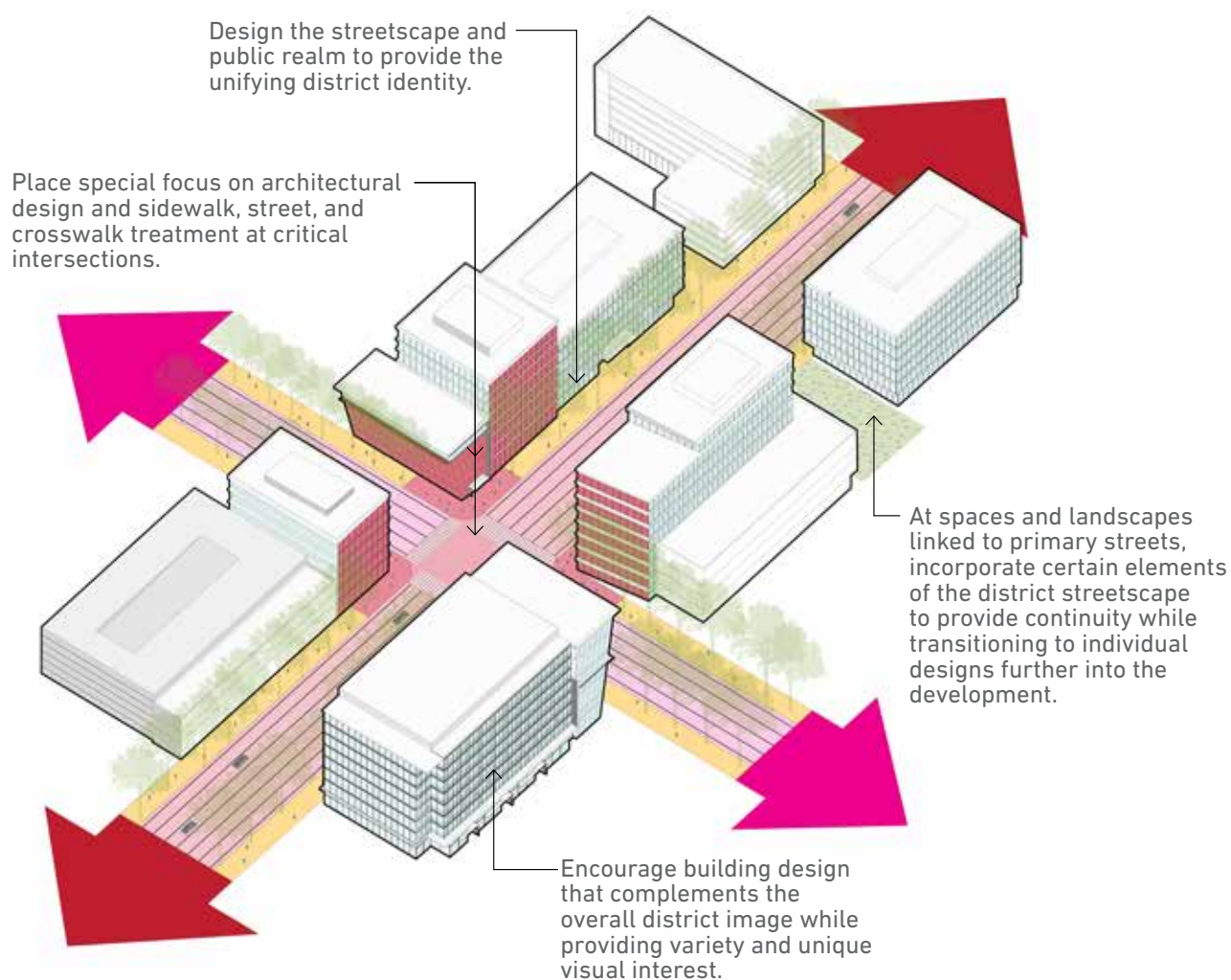
11.MIXED-USE

MIX DIVERSE PROGRAMS WITHIN INDIVIDUAL BUILDINGS AND BLOCKS TO ACTIVATE SITES, MAXIMIZE INVESTMENT, AND BALANCE LAND USES.



12.IDENTITY

CREATE A UNIFIED UPTOWN IDENTITY ALONG PRIMARY STREETS THROUGH STREETSCAPE AND PUBLIC REALM DESIGN WHILE ENCOURAGING COMPLEMENTARY, YET UNIQUE DESIGN WITHIN INDIVIDUAL DEVELOPMENTS AND BUILDINGS.



13. TRANSPARENCY

BUILDINGS SHOULD BE OF HIGH QUALITY, MODERN DESIGN THAT REFLECTS THE IMAGE OF THE INNOVATION CORRIDOR. DESIGNS SHOULD INCLUDE TRANSPARENCY, ARTICULATION, SHADING, FORM, MATERIALS, AND OTHER ELEMENTS THAT LINK INDOOR AND OUTDOOR SPACES AND CREATE A VIBRANT URBAN CHARACTER.



14. TRANSITION

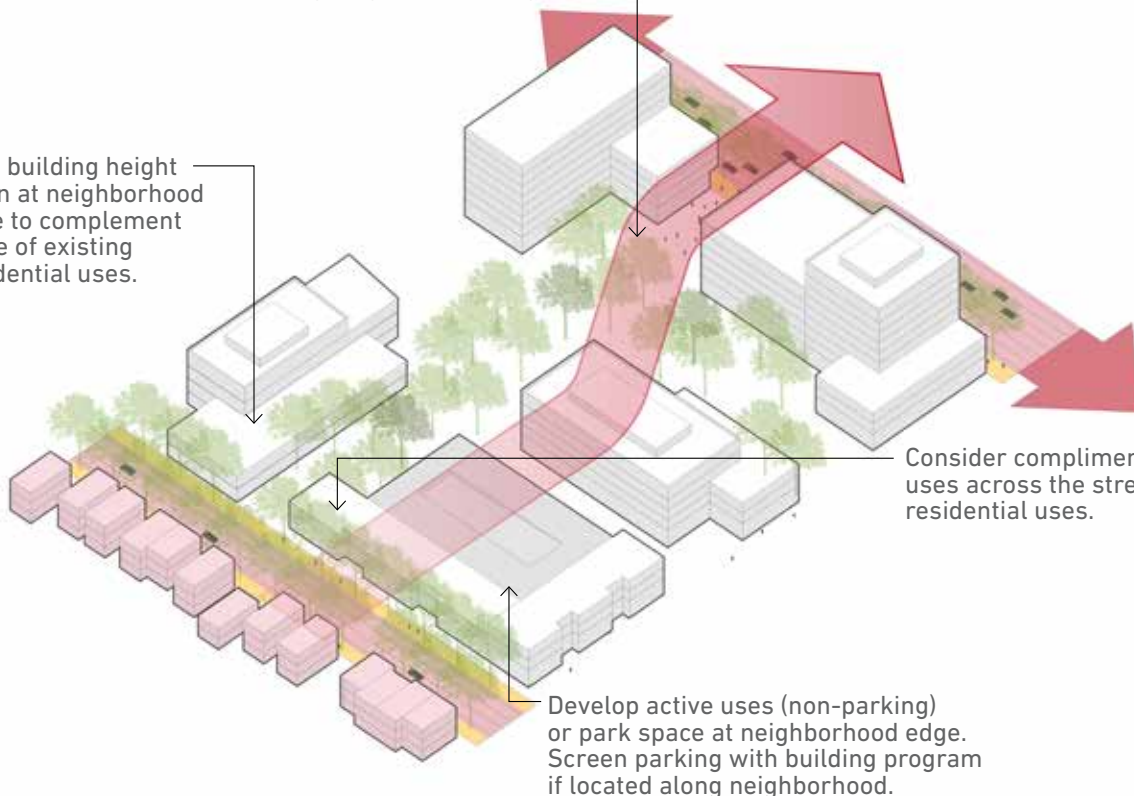
ADDRESS RESIDENTIAL NEIGHBORHOOD EDGES WITH COMPLEMENTARY PROGRAM, DESIGN, SCALE, AND CHARACTER.



Plan showing application of Transition principle in four quadrant area.

Step building height down at neighborhood edge to complement scale of existing residential uses.

Transition massing to larger scale as it moves away from existing neighborhood edge.



Consider complimentary residential uses across the street from existing residential uses.

Develop active uses (non-parking) or park space at neighborhood edge. Screen parking with building program if located along neighborhood.



GREAT PLACES: UNIVERSITY PARK, CAMBRIDGE, MA EXAMPLE

University Park at MIT is an urban mixed-use district featuring office, research, residential, and retail uses. The scale and form of development respond to the community context, with higher densities closer to Massachusetts Avenue and MIT, and progressively lower densities approaching existing residential neighborhoods.

1. **Density:** Initial development was concentrated in a compact area around a central park to create a sense of completion and a unique place early in the development phasing.
2. **Collaboration:** A central park creates a gathering space for collaboration and contemplation.
3. **Transition:** Large scale, mixed-use buildings transition to smaller scale residential buildings at the neighborhood edge to complement the community context.
4. **Mixed-use:** The development includes a mix of office, laboratory, hotel, residential, and retail uses.

DESIGN GUIDELINES

DESIGN FOUNDATIONS

DESIGN FOUNDATIONS

Great streets and memorable places are signature components of successful Innovation District. They can be achieved with a wide variety of design elements, as illustrated in these examples. These guidelines outline design standards specifically developed for the Uptown Innovation District.

A key component of Great Streets is multiple modes and catering to pedestrians.

GREAT STREETS

Great streets help to define important places by establishing an image and sense of identity. Streets that serve as major connections to and through the Innovation Districts provide an opportunity to “set the tone” for the district’s appearance. Streetscape elements and materials, when thoughtfully designed and installed, can be used to create a visual signature that represents the character, quality, and activity of a place. The use of consistent and coordinated palettes of materials, colors, textures and patterns will create a cohesive visual identity for the public realm of the District.

GREAT PLACES

Great places evolve through a combination of public and private actions and activities that shape the physical environment. Businesses and residents will change over time, and with them, building facades, signs and outdoor spaces like patios and front yards. These changes add character that helps to create a sense of place. The design of public streets, however, is the unifying force and should incorporate consistent and coordinated elements, while private developments provide visual variety along the street.

HIGH QUALITY

High quality, durable and aesthetically pleasing materials are critical to creating places where people are comfortable and enjoy spending time. The goal in urban areas and Innovation Districts is to mix uses and get people outside and walking between uses. Thus great streets should be designed like great parks, with attention to detail in all aspects of construction and installation. Quality materials like brick and stone add value to the public realm, transitions between different materials should be seamless, and no aspects of the street design should appear as an afterthought.

PUBLIC WORKS

Public works include a wide variety of infrastructure elements and facilities ranging in purpose from the purely utilitarian to the highly ornamental. Public roadways fall in the middle of this spectrum. They serve a basic utilitarian function by providing mobility and access and must be designed to meet safety, maintenance, and transportation service standards. But streets are also part of the built environment that people physically experience on a daily basis. The visual experiential quality of the public right-of-way is critical. Streets within the Uptown Innovation District should function as an extension of the public open space system.

PUBLIC REALM DESIGN PRINCIPLES

1



ENGAGING PEDESTRIAN ZONES

Create generous and high-quality pedestrian zones that encourage people to walk and stroll. The most successful pedestrian zones are at least wide enough for two pairs of people walking abreast to comfortably pass; and have ample and attractive pedestrian-scale lighting, planting, and street trees. At the pedestrian scale, people notice and experience materials and quality, so details and construction level are very important.

2



ACTIVE RETAIL ZONES

Encourage active retail adjacent to the public realm along sidewalks by placing buildings close to the sidewalk with transparent storefronts and frontage/forecourt space for outdoor dining, display, and interactive seating.

3



INVEST IN THE CORNERS

Focus investment and the highest quality materials and design around the street corners, as corners are where multiple streams of people and modes cross and often places of great vitality. Corners are also important places for wayfinding and identity placemaking.

4



EMBRACE MULTIMODEL

Design streets to encourage and support multiple modes of transportation. In the 21st century great streets must be multi-modal, serving the diverse mobility needs of the population. This means accommodating walkers, joggers, strollers, dogs, wheelchairs, scooters, bicyclists, vehicles, parking & drop-off, autonomous vehicles, trucks, deliveries, busses, and future transit technologies. Great streets provide dedicated zones for pedestrian, bicycle, and vehicular travel. There are challenges to provide for all modes in built street environments, so communities may need to prioritize different modes throughout the street network but be sure to support them all within the district.

PUBLIC REALM DESIGN PRINCIPLES

5



PLACES FOR STAYING

Encourage the inclusion of lushly landscaped forecourts, pocket parks, pedestrian allees, and open courtyards along streets that invite people outside to relax and interact. These spaces should draw people off the sidewalk and could include outdoor dining, play, and other activities. These are especially effective mid-block to provide access from the sidewalk to the interior of the block and rear parking areas, as well as to reduce the perception of fortress building massing and impenetrable blocks.

6



APPROPRIATE SPACIAL STRUCTURE

Size and place buildings and landscape zones along streets to appropriately frame the street corridor. The wider the street, the more important it is for taller, vertical architecture and trees to line the street and space, helping to create an appropriate scale. For large streets like MLK Boulevard and Reading Road, buildings should be at least five stories in size and placed close to the street corridor edge, with a wider streetscape zone to allow for a robust street tree and pedestrian area. Robust plantings reinforce spatial structure and are also a fundamental part of great streets.

7



IMPORTANCE OF STREET TREES

Incorporate street trees fully into the public realm. Street trees provide a myriad of beneficial public and private benefits: from aesthetics, to shade, to storm water, to air quality, to habitat, to nature, to pleasing people, to increased property value. To achieve these benefits, the right tree species, placement, and planting soil must be selected. Proper street trees are deciduous, grow tall, and are pruned so that the bottom of the canopy is above the first floor - providing visibility to storefronts and signs while providing summer shade, fall color, winter sun, and spring flowers.

8



INTEGRATE WATER MANAGEMENT

Design streetscapes that integrate water management into the overall design. Addressing storm water requirements is often a challenge for new development. The design and re/construction of streets is the best time to incorporate water management to help with storm water quantity and quality requirements. From street trees and planters, to opportunities for bioretention and bioswales, to incorporation of pervious pavers and pavement, streetscapes and the public realm provide opportunities to address water management and sustainability.

9



MULTI-FUNCTIONAL SPACES

Promote flexible design of streets, streetscape, and public spaces so that they can be used in different ways at different times. For example, parking zones or medians can be designed to serve as additional plaza and event space on weekends or evenings for things like farmer's markets or festivals. Or they could be designed to convert into outdoor dining in certain locations. Considerations could include material selection, the use of curbless edges, the placement of additional electric capacity, etc. The key is to build in flexibility in strategic locations.

10



TRANSITIONS + MIXING ZONES

Carefully design areas of transition, such as those where different modes or activities intersect, or where public space/right-of-way borders private space. Areas such as streets or drives crossing the pedestrian zone, or where a bike/mobility lane abuts a sidewalk, should be designed with material changes that help signal where this is occurring and how to safely navigate it. It is equally important for the transition between public and private space to be subtle, so that private frontage feels both visually and functionally a part of the street corridor while allowing for some individual expression.

11

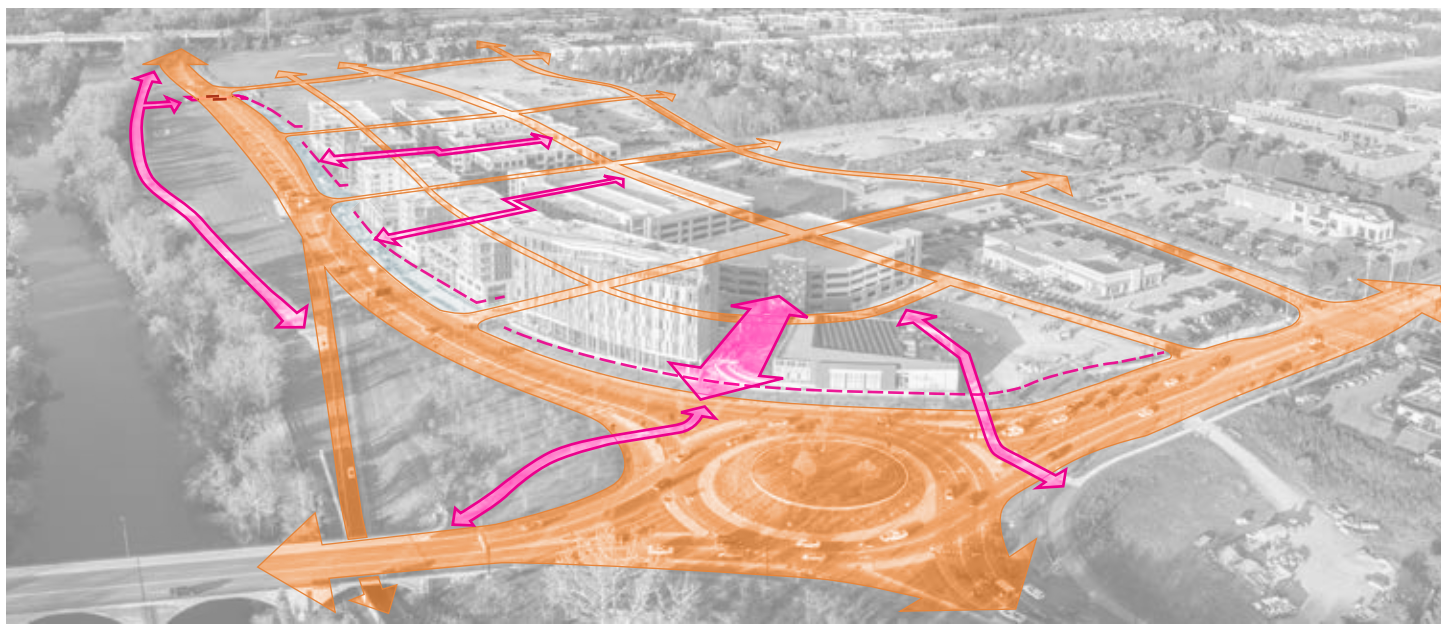


RETHINKING LEFTOVER SPACES

Focus on the potential of all spaces. In urban districts, there should be no "leftover" space. Streets, blocks, and sites should be designed to create places with purpose. Leftover spaces can sap the energy of innovation districts and divide areas. Design or convert unprogrammed spaces into contributing and intentional spaces. This may be placing trails and seating in natural areas, creating plazas or greens, converting an area into a dog park, or incorporating public art, just to name a few strategies.

DESIGN GUIDELINES

BLOCK PATTERN



INTENT

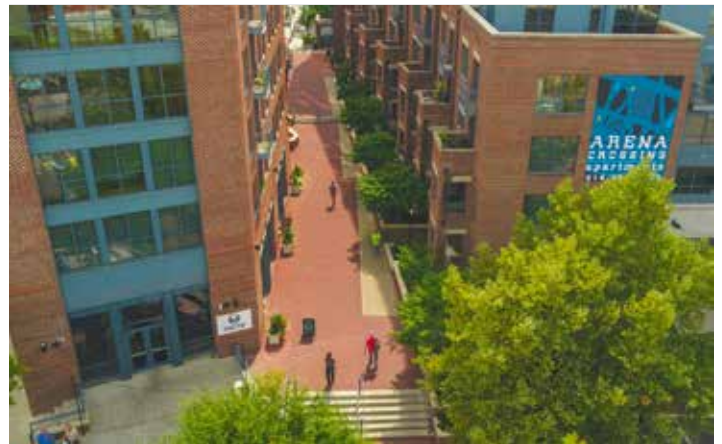
Short blocks that are approachable and can be traveled easily by foot contribute to a pedestrianized environment. Right-sized permeable blocks create an environment conducive of pedestrian movement.

The best and most walkable urban environments have blocks no larger than 300 x600 feet. Districts with blocks at this scale are inviting to people and establish a foundation for a vibrant and active place. They enhance connectivity and add corners which are important location for retail activity. Large blocks, aka “superblocks”, with fortress-like building walls, impede desired activity and should be avoided. The use of alleys, pedestrian vias, a building arcades that provide pedestrian passage through blocks are important, facilitating walkability, adding character, and creating more opportunities for commerce and interactions.

GENERAL GUIDELINES

- 1 Require walkable blocks that are scaled to the pedestrian experience by encouraging block sizes between 400 and 600 ft.
- 2 Connect new development to existing sidewalks.
- 3 Encourage pedestrian cut-through to break block size and increase pedestrian connectivity and permeability
- 4 Encourage activation of pedestrian cut-through and internal roads
- 5 Avoid conflict between pedestrian circulation and vehicle access

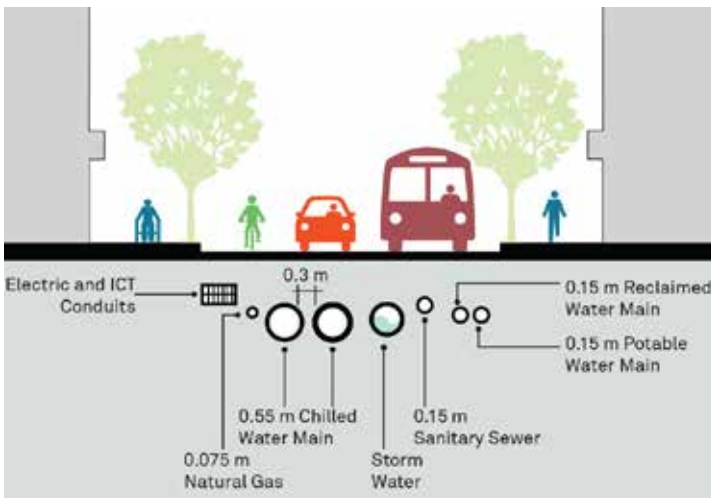
DO



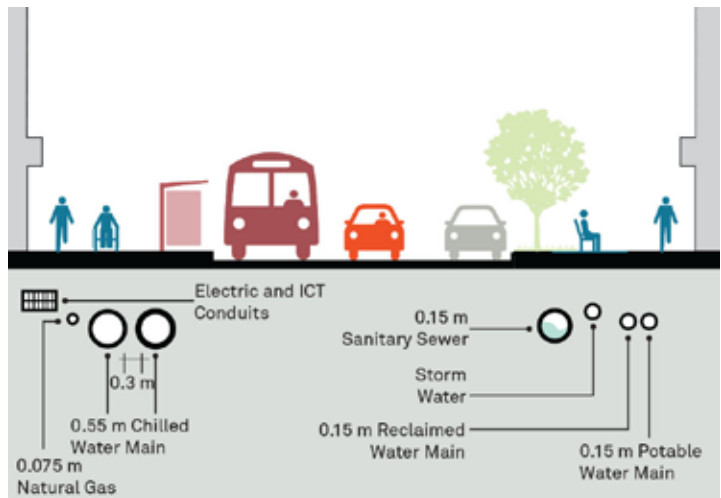
DESIGN GUIDELINES

UTILITIES

OPTION 1. Install Utilities in the Roadbed



OPTION 2. Install Utilities Adjacent to the Roadbed



Source: Adapted by Global Street Design Guide published by Island Press.

INTENT

Commonly found utilities in the public realm are water supply and firefighting, stormwater and wastewater, electricity and communications, greeninfrastructure, lighting and gas. Minimize the utilities visual impact enhance the pedestrian experience while keeping quality service provided.

The two diagrams above illustrates the underground utilities placement guidance adapted by Global Street Design.

GENERAL GUIDELINES

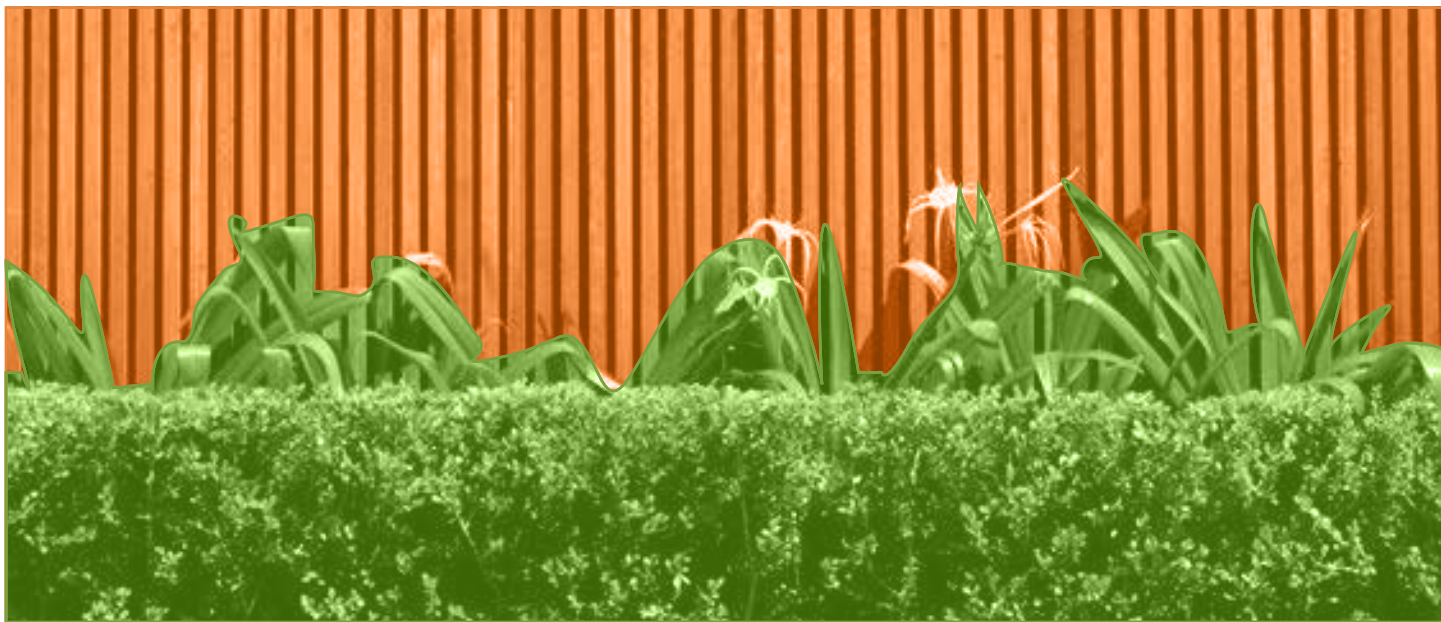
- 1 Whenever feasible bury utilities.
- 2 Encourage the use of green renewable energy sources.
- 3 Locate “back-of-house” utilities out of sight but accessible for service.
- 4 Minimize number of utilities at corners to maximize the pedestrian experience.
- 5 Utilize adequate planting or architectural screening.
- 6 Encourage artistic expressions on utility boxes.

DO



DESIGN GUIDELINES

WALLS, FENCING, AND SCREENING



INTENT

Upright structures such as wall, fences and screening positively impact walkability when properly designed, and installed. It is used to protect pedestrians from potential dangerous or unsightly areas. It is also an opportunity to add lighting, seating and artistic expression to the streetscape.

GENERAL GUIDELINES

- 1 Use durable and lasting materials and ensure it is compatible of adjacent buildings as design should complement its architectural and integrated to it.
- 2 No walls are allowed between the street and any building, except low retaining walls and screening for authorized off-street loading area.
- 3 If utilizing a landscape screen refer to species in this guideline (page#)
- 4 Encourage seating walls in areas of high pedestrian traffic. Seating wall should be between 16-18 inches tall and 18" deep.
- 5 Allow and encourage artistic expression to amenitize streetscape.

D0



DESIGN GUIDELINES

PARKING LOTS



INTENT

On-site parking can be accommodated in surface parking lots, although structured and on-street is preferred. Surface parking lots must be designed and placed to provide proper access without compromising the public realm or pedestrian activity. Surface parking lot can be utilized as part of a phasing implementation strategy.

GENERAL GUIDELINES

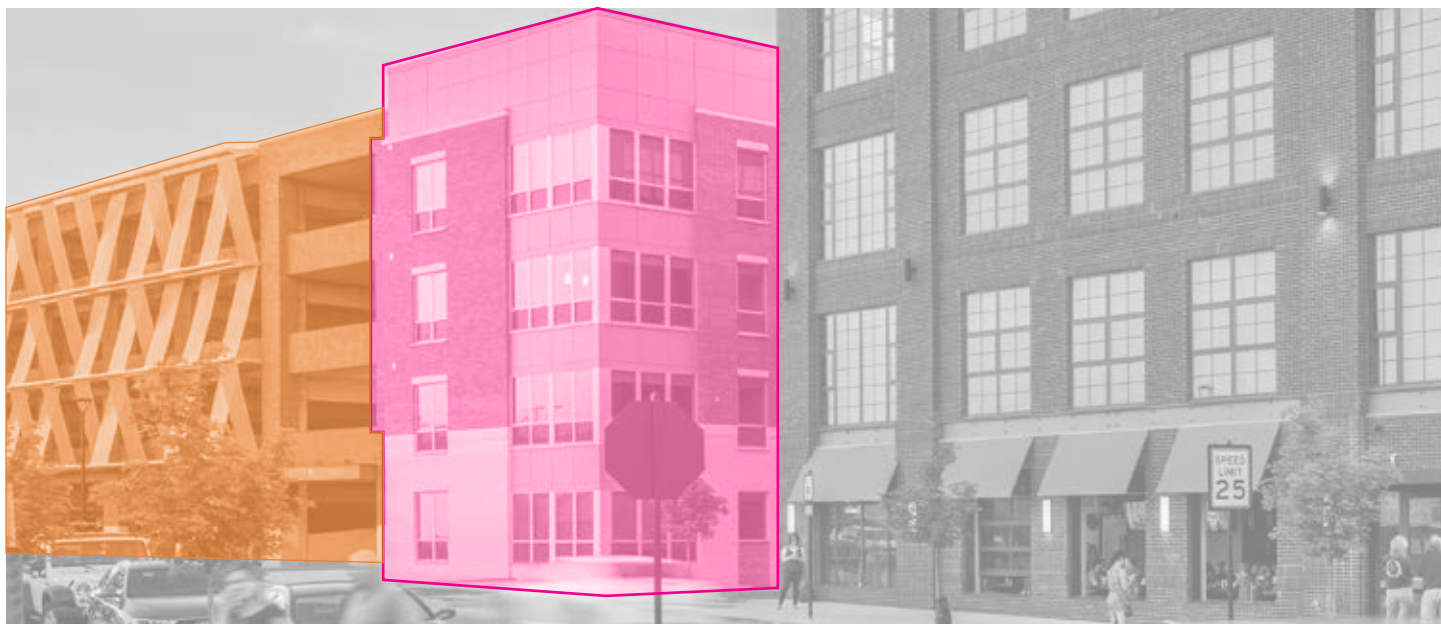
- 1 On-street parking and structured parking is encouraged where possible.
- 2 Parking should be located behind buildings. If parking lots are visible from a street, they should be buffered or screened with landscaping or low walls.
- 3 Parking lots should be accessed by alley or side street where possible.
- 4 Encourage the use of tree canopy, bioswales, and low-impact site development strategies.

DO



DESIGN GUIDELINES

PARKING STRUCTURES



INTENT

Parking structures are crucial to dense development, but they should not distract from the overall character or environment. Parking structures should be designed in a way that adequately accommodates parking needs while adding to the aesthetic quality of a place or fitting in with the surrounding context.

GENERAL GUIDELINES

- 1 Parking should be structured.
- 2 Parking should be wrapped with, screened, or built with materials and articulation that complement the surrounding context.
- 3 Surface parking lots should be prohibited except when part of project phasing.
- 4 Parking structures should be accessed by alleys and side streets.
- 5 Ground-level street frontage should include active storefronts or pedestrian spaces.
- 6 Encourage the use of public art, lighting and creative materials.

DO



DESIGN GUIDELINES

BUILDING PLACEMENT



INTENT

The placement of buildings, entries, drives, parking, service areas and public spaces are important to the block pattern. Appropriate placement of buildings creates a street wall that provides a consistent edge, maintains a human scale, and establishes the overall character or feel of a place.

Orienting building façades to the sidewalk edge establishes a street wall that promotes safety and comfort in the pedestrian realm.

Outdoor dining brings lively activity from the private realm into the public realm. Ensure that outdoor dining and other active ground floor uses do not encroach on the flow of pedestrian traffic.

Terraced walls respond to major changes of elevation while maintaining walking paths and providing additional seating.

Parking areas tucked into the middle of the block provide more opportunity for vibrant pedestrian areas along the street wall.

GENERAL GUIDELINES

- 1 Building frontage should be aligned uniformly and along the sidewalk edge.
- 2 Public areas within buildings should face the public realm.
- 3 On-site parking should not be visible from the street where possible and should not conflict with pedestrian activity.
- 4 Ensure that outdoor dining does not interrupt pedestrian traffic.

DO



DESIGN GUIDELINES

BUILDING MASSING & ARTICULATION



INTENT

The general shape of buildings or series of buildings should be designed with scale, proportion in mind to maintain compatibility with surrounding buildings and promote a pedestrian-scaled public realm. Articulation of building facades can help break down the scale of large buildings and accentuate certain site or building elements through the use of architecture features, materials, fenestration, awnings, balconies, heights and setbacks.

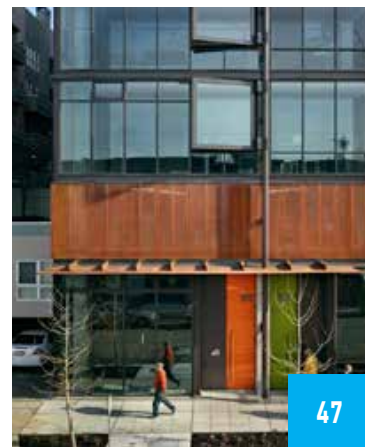
Providing definition between the ground floor and upper floors of buildings creates variety in the private realm. Stepping upper stories back from the primary façade helps the overall achieve a human scale by reducing the impact of tall buildings along the street wall.

Divide larger buildings and their façades into smaller modules so that the form and massing can better relate to its surroundings. Horizontal and vertical elements provide variety and visual appeal that relates to its surrounding context. Design street level stories at a human scale such that they relate to the pedestrian user and adjacent properties.

GENERAL GUIDELINES

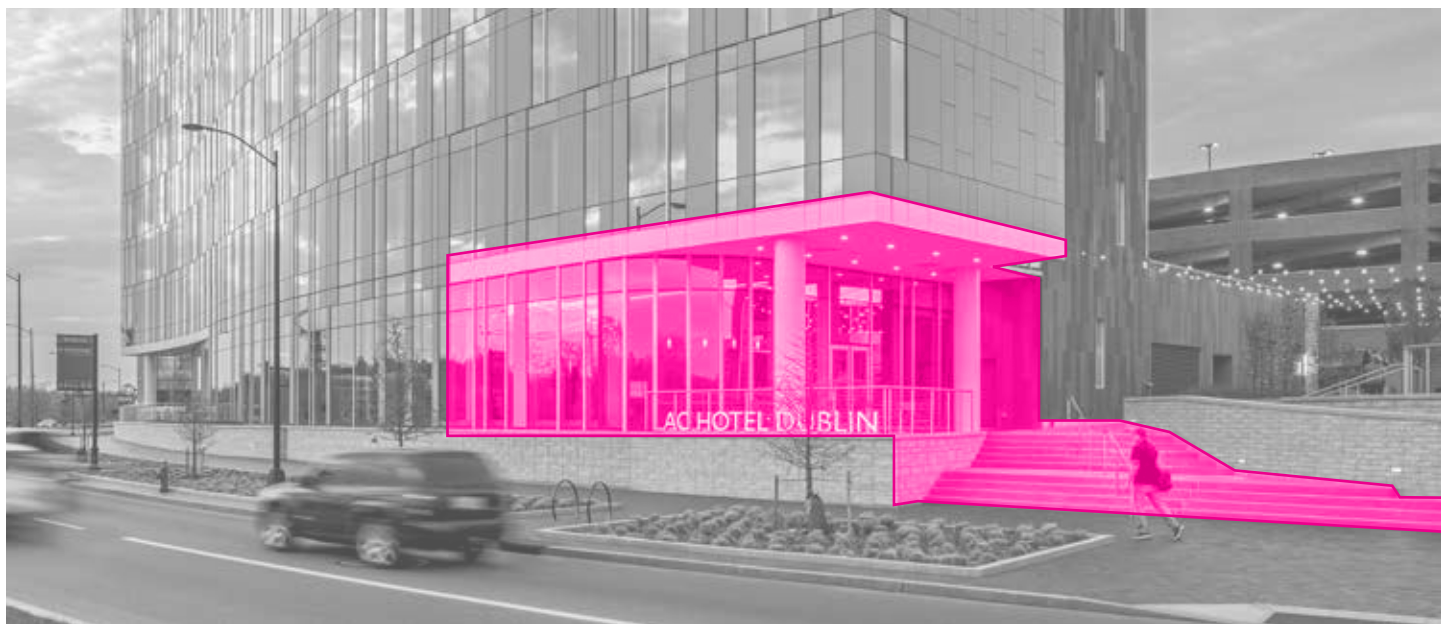
- 1 Building mass, scale, articulation and proportion should reflect and complement its surrounding context.
- 2 The ground floor should be articulated differently than the upper floors to create pedestrian scale.
- 3 Transparency of the ground floor should be maximized to allow views of activity.
- 4 Avoid monotonous facades and encourage the use of horizontal and vertical articulation to express facade widths.
- 5 For buildings at corners, accentuate the corner with architectural elements.
- 6 Encourage the use of creative facade materials and details.

D0



DESIGN GUIDELINES

BUILDING ENTRY



INTENT

A building entry is an access point into a building. Building entries should be located and designed to promote activity and walkability. Building entries can also be used to articulate building facades and differentiate storefronts. Buildings need to interact seamlessly with adjoining sidewalks, streets and open spaces.

Successful entries are distinct and legible to pedestrians, without dominating a building's overall composition. Locating entrances along active areas of the public realm promotes a steady flow of pedestrian traffic into and out of buildings. Large buildings with multiple entrances create variety and provide flexibility to accommodate future uses.

Clean, transparent windows make a more active and interesting ground floor for pedestrians. Restaurants with open windows and doors draw in visitors and pronounce their purpose as a destination. Separated residential entries that face onto the public realm create an inviting street edge.

Corner entrance can either be setback or with doors on both sides of the street. While the former requires only one entrance the latter addresses each side equally.

GENERAL GUIDELINES

- 1 Entrances must face the public realm and be located at active and convenient locations to encourage walkability.
- 2 Entrances must be accessible by all levels of physical ability.
- 3 For buildings at corners, entrances should be used to anchor the intersection.
- 4 Entrances must be articulated using architectural elements such as awnings, signs, recessed entries, materials or furnishings and/or landscape elements.
- 5 Entrances should be designed to pronounce their purpose and differentiated by use.

D0



PUBLIC REALM

ZONES OF THE PUBLIC REALM

ZONES OF THE PUBLIC REALM

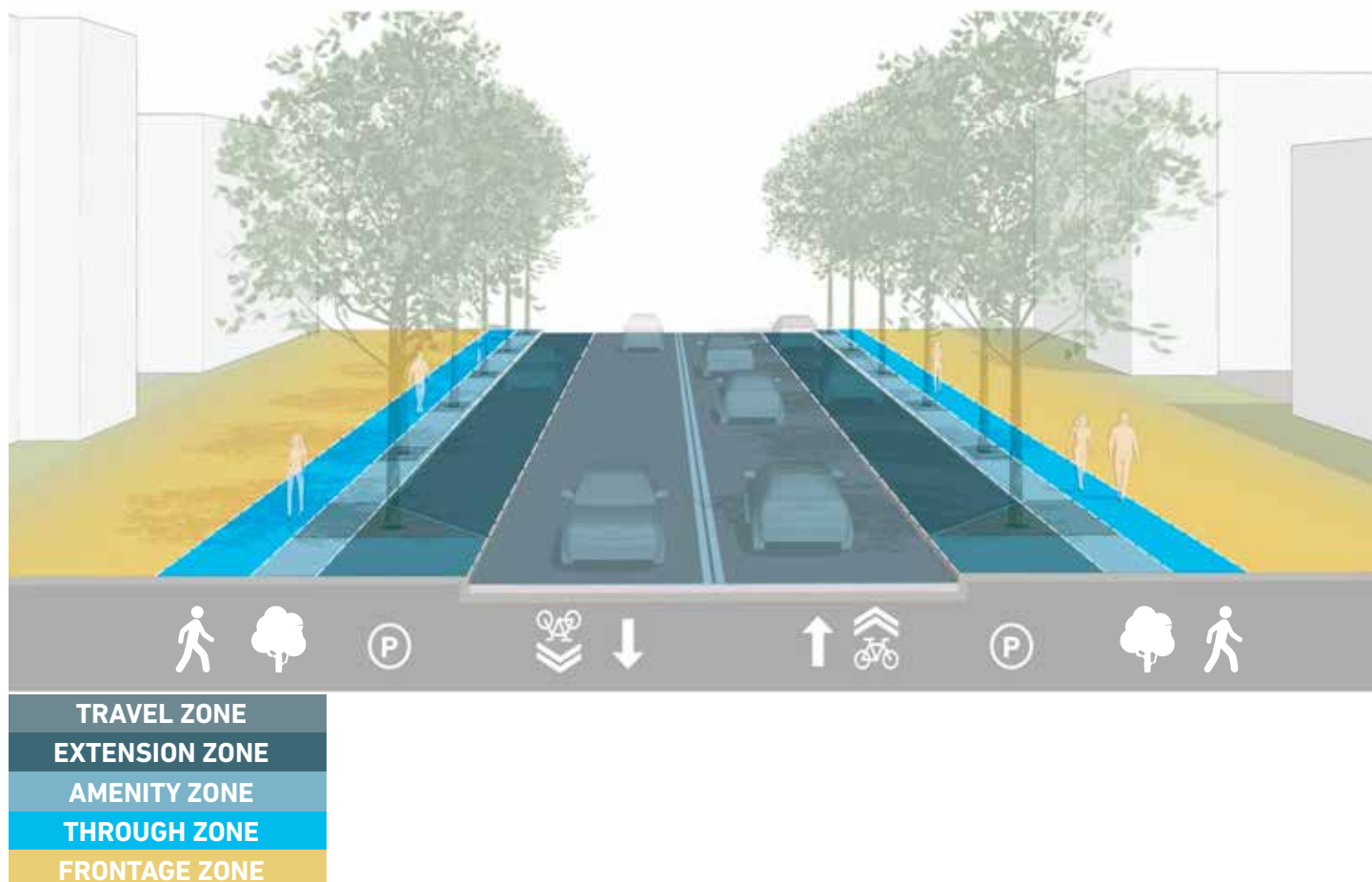
The public realm is the space around, and between buildings that is publicly accessible, including streets, sidewalk, parks and open spaces. This area is predominately within public rights-of-way, but also includes privately owned public space (POPS), land which, though privately owned, open to and is made available to the public.

For the purpose of these guidelines, the public realm is categorized into five zones. Each zone

includes unique features and functions of the public realm. The diagram below illustrates the five zone types while the following page further describes each zone as well as how this document addresses each zone.

To achieve great streets, it is imperative to get the design of this space correct. Complete Streets principles are also critical in Innovation Districts and this document embraces those principles to accommodate all modes of travel within the District.

ZONE TYPES



TRAVEL ZONE

The Travel Zone is the portion of the street dedicated to the through movement of vehicular traffic. Generally auto-oriented, the Travel Zone also accommodates mass transit systems and on-street bike facilities such as bike lanes and sharrows.

EXTENSION ZONE

This area, typically used for parallel, on-street parking, is also where pedestrian space may be extended into the parking lane, via features such as bulb-outs and mid-block curb extensions. This document prescribes which types of street should accommodate on-street parking and where pedestrian friendly Extension Zone techniques may be used.

AMENITY ZONE

This area, generally still within the public right-of-way, is adjacent to the sidewalk and is home to street trees, landscaping, transit stops, street lights, traffic control and wayfinding signs, and site furnishings. Also referred to as the buffer zone, this area provides physical separation between the pedestrian and vehicular travel zones. This area may be a planted streetscape or an extension of the Through Zone hardscape or a combination thereof. The Amenity Zone may also include the area generally referred to as an edge zone, which is the area used by people getting in and out of vehicles parked at the curbside. This document prescribes dimensional, material, and landscaping standards for the Amenity Zone.

THROUGH ZONE

This is the portion of the sidewalk dedicated to the unobstructed, linear through movement for pedestrian travel along the street. The Through Zone is subject to specific standards to comply with the Americans with Disabilities Act (ADA). These standards recommend sidewalk widths which allow two parties walking abreast to pass each other comfortably. This document prescribes dimensional and material standards for the Through Zone.

FRONTAGE ZONE

This is the area adjacent to the property line where transitions between the public sidewalk and ROW and the private forecourt and building face occurs. It provides a zone of transition from the sidewalk to building entries while also activating building fronts. This area is predominantly, but not exclusively, privately owned. This document prescribes standards for setbacks, landscaping, and appropriate street-side activities within the Frontage Zone.

CONDITIONAL ZONES

Certain portions of the streetscape require special consideration in terms of the spacing and placement of streetscape elements.

- + Intersections/Corners
- + Transit Stops
- + ADA Parking
- + Driveways
- + Medians

STREET HIERARCHY

OVERVIEW

Public works include a wide variety of infrastructure elements and facilities ranging in purpose from the purely utilitarian to the highly ornamental. Public roadways often fall in the middle of this spectrum. They serve a basic utilitarian function by providing mobility and access and must be designed to meet safety and transportation service standards. But streets are also part of the built environment that people physically experience on a daily basis. They establish the baseline experience for people moving through them. To create the desired identity

and environment desired in the Uptown Innovation District, the visual quality of the public right-of-way is critical.

Street design must be a balance of providing for the safe and effective movement of people in various modes and the creation of an appealing aesthetic and foundational sense of place. Streets can be classified into groups based upon the traffic and modes they accommodate and the type of character they establish. Provided here is the street hierarchy for the Uptown Innovation District study area.

STREET HIERARCHY







STREET DESIGN MATRIX

We have classified the streets into seven types in three groups. The arterial streets that carry traffic to and through the area are identified as “Signature Boulevard” (Martin Luther King Jr. Boulevard) and “Primary Avenue” (Reading Road). The collector streets that provide access within the Uptown District and surrounding neighborhoods are “District Avenue” (Harvey Avenue/Vernon Place and University Avenue/Lincoln Avenue) and “Neighborhood Collector” (Ridgeway Avenue, Whittier Street, Winslow Avenue, etc.). The last group are internal streets and ways, a number of

which do not exist today and which will be built as the area and blocks develop. They are “ceremonial street”, “courtyard commons”, and “pedestrian way”. These internal streets and ways may include both publicly-dedicated streets and private streets. Generally, the vehicular traffic volumes range from greatest – Signature Boulevard, to least – Courtyard Commons.

The following matrix summarizes the characteristics and define parameters for each of the street types.

						MEDIAN	TRAVEL LANES	LANE WIDTH	SPEED	ROW WIDTH	BIKE FACILITIES
ARTERIAL	SIGNATURE BOULEVARD	●	●	◐	◐	Allowed Turn Lane Planted	6	12'	30-40 mph	100' - 132'	Off-Street Through Zone
	PRIMARY AVENUE	●	●	◐	◐	Allowed Turn Lane	4 - 5	11'	25-35 mph	74' - 112'	On-Street Bike Lanes
COLLECTOR	DISTRICT AVENUE	◐	●	◐	◐	Prohibited	2 - 3	11'	25-35 mph	60' - 72'	On-Street Bike Lanes
	NEIGHBORHOOD CONNECTOR	○	●	●	●	Prohibited	2	10'	25 mph or less	48' - 52'	On-Street Sharrows
INTERNAL STREETS	CEREMONIAL STREET	○	●	◐	◐	Allowed Planted Programed	2	10'	25 mph or less	52' - 166' Street may be private.	Off-Street Through Zone
	COURTYARD COMMONS	○	◐	◐	◐	Allowed	2	10'	20 mph or less	40' - 60' Street may be private.	Off-Street Through Zone
	PEDESTRIAN VIADOR	○	○	◐	●	n/a	n/a	n/a	n/a	18'-45' Alley private	Shared Through Zone
		COMPLETE STREETS BALANCING MODE EMPHASIS					● Mode Emphasized ◐ Mode Balanced with Other Modes ○ Mode Not Emphasized				

STREETSCAPE HIERARCHY

OVERVIEW

While the Street Hierarchy focuses on travel and modes, the Streetscape Hierarchy provides additional guidance for the street and streetscape design – particularly behind the curb. To create the identity and environment desired in the Uptown Innovation District, the visual quality of the public right-of-way and the private frontage behind it is crucial. Intersections also represent important identity and wayfinding opportunities. This matrix

highlights the component public realm zones and streetscapes of the various street types.

The objective is to create a distinct pedestrian street character throughout the district that encourages an active pedestrian environment. Fundamental components include the creation of a street canopy, and aesthetically-pleasing, comfortable, and appropriately lighted sidewalks. It is also important to provide for on-street parking to support active first-floor uses.

STREETSCAPES



STREETSCAPE DESIGN MATRIX

This also helps to describe the character of the quasi-public space between the right-of-way and building face on private property. These are the expanded outdoor seating, entry, forecourt, and pocket park areas that create an engaging street and place. They should be of materials and function as an extension of the public street and open space system.

It is expected that these streetscapes are all complementary and part of the same general

identity. Streets within the Uptown Innovation District should prioritize architectural/ landscape design, high-quality materials, and construction quality to reinforce Uptown's identity as a leading innovation district.

The following pages further expand upon these design details.

The following matrix summarizes the characteristics and define parameters for each of the streetscape and public realm types.

		EXTENSION ZONE	AMENITY ZONE	THROUGH ZONE	FRONTAGE ZONE	AMENITY ZONE PERMEABILITY	ON-STREET PARKING	LIGHTING	STREET TREES	MATERIAL PALETTE
ARTERIAL	SIGNATURE BOULEVARD	n/a	8'	12' - 20'	0' - 35'	Low	Not Allowed	Street, pedestrian and accent	Canopy	Palatte A
	PRIMARY AVENUE	0' - 8'	8'	10'	0' - 10'	Medium	Permitted	Street, pedestrian and accent	Standard	Palatte A
COLLECTOR	DISTRICT AVENUE	8' - 12'	6' - 12'	8' - 9'	0' - 30'	Medium	Permitted	Street, pedestrian and accent	Standard	Palatte B
	NEIGHBORHOOD CONNECTOR	0' - 8'	4' - 6'	4' - 6'	0' - 15'	High	Encouraged	Street and pedestrian	Standard	Palatte C
INTERNAL STREETS	CEREMONIAL STREET	8'	8'	8' - 10'	0' - 10'	High	Encouraged	Street, pedestrian and accent	Standard	Palatte A
	COURTYARD COMMONS	n/a	4' - 6' *	10' *	0' - 10'	High	Encouraged	Street, pedestrian and accent	Ornamental	Palatte B,C
	PEDESTRIAN VIADOR	n/a	n/a	n/a	n/a	n/a	n/a	Pedestrian and accent	Ornamental	Palatte A
PUBLIC REALM STREETSCAPE										

RIGHT-OF-WAY

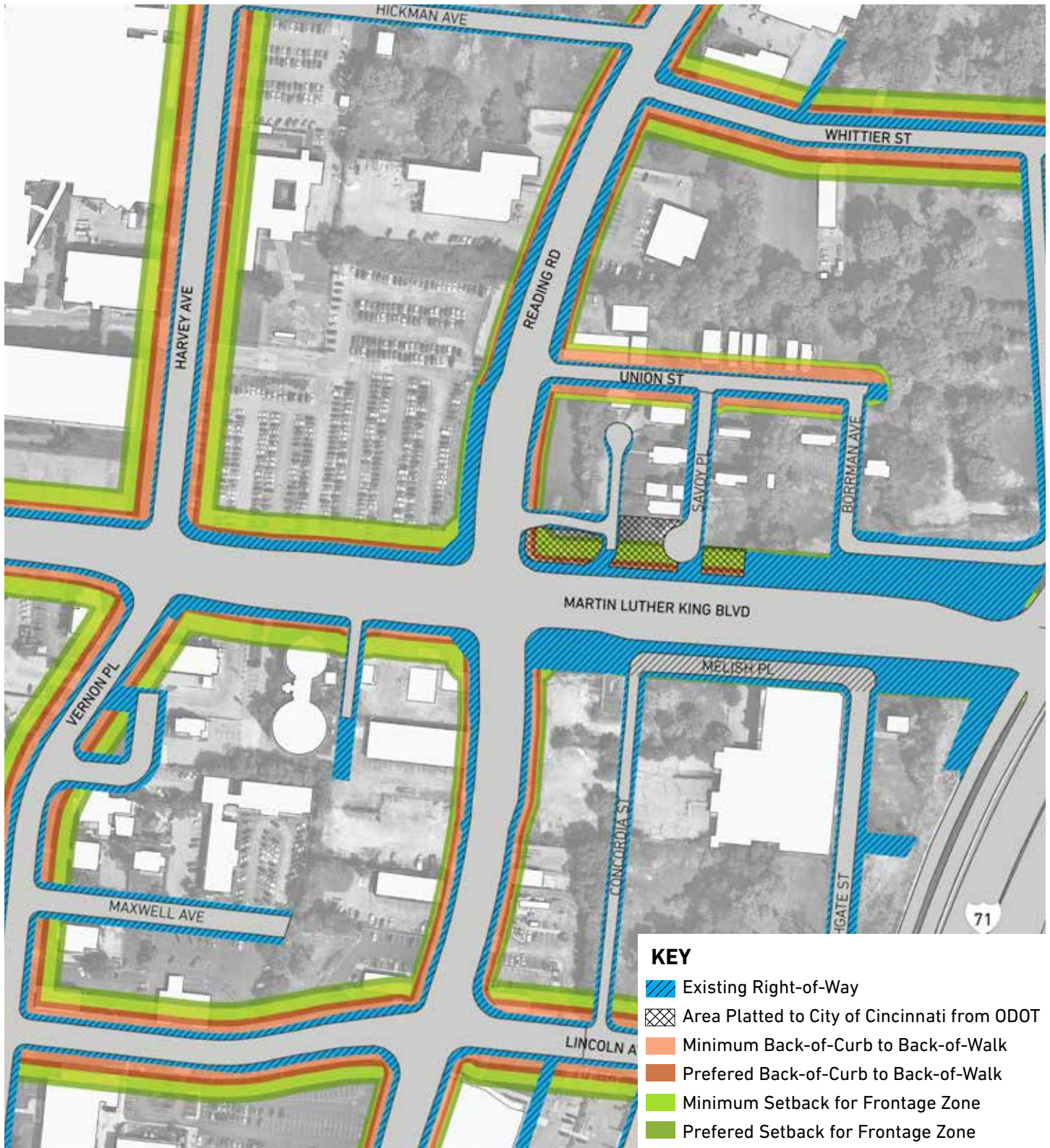
IMPLICATIONS OF THE RIGHT-OF-WAY

The amount of right-of-way necessary to achieve the streetscape hierarchy for the Uptown Innovation District varies depending upon the location within the district. This is because existing right-of-way varies along streets and blocks, and because the design of the street responds to its classification and location. As a result, there are areas within the district where additional right-of-way, streetscape easements, or private landowner partnerships will be necessary. Creating the appropriate and desired streetscape will require coordination and cooperation between public agencies, the city of Cincinnati, and private landowners. Because the four corners of the focus area are slated for complete transformation, it is possible to achieve this vision and meet the guidelines.

To provide a more detailed understanding of these issues, the desired streetscape hierarchy has been compared to the existing right-of-way. The map to the right highlights the existing right-of-way, and areas where additional ground will be needed to achieve the identified streetscape. Blue hatched areas highlight the existing right-of-way. Orange highlights the area where additional ground is needed to achieve the minimum identified streetscape. Red highlights the area needed to achieve the preferred identified streetscape. The combined blue, orange, and red areas are necessary to achieve the desired streetscape for the Uptown Innovation District. The green areas highlight the proposed building setback.

Note, these dimensions are based upon the Street and Streetscape Hierarchy.

PROPOSED RIGHT-OF-WAY/EASEMENT



SIGNATURE BOULEVARD

STREETSCAPE OVERVIEW

Martin Luther King Jr. Boulevard is Uptown's signature boulevard and the main east-west connector and entry way to the Innovation District. It is the signature gateway from the new I-71 interchange and must immediately establish a positive impression. It must also be made a comfortable pedestrian experience. To accomplish this along a wide, ten-lane corridor requires substantial, majestic street trees, a wide pedestrian thoroughway, and five-plus story development that frames the street. The preferred condition is a large tree planter zone (8') that buffers a combined bicycle and pedestrian multiuse way (15 ft.) and private frontage zone in front of new signature buildings. It is important to create a double-row of street trees on each side of MLK east of Reading and this can be achieved because the needed ground is publicly-controlled.

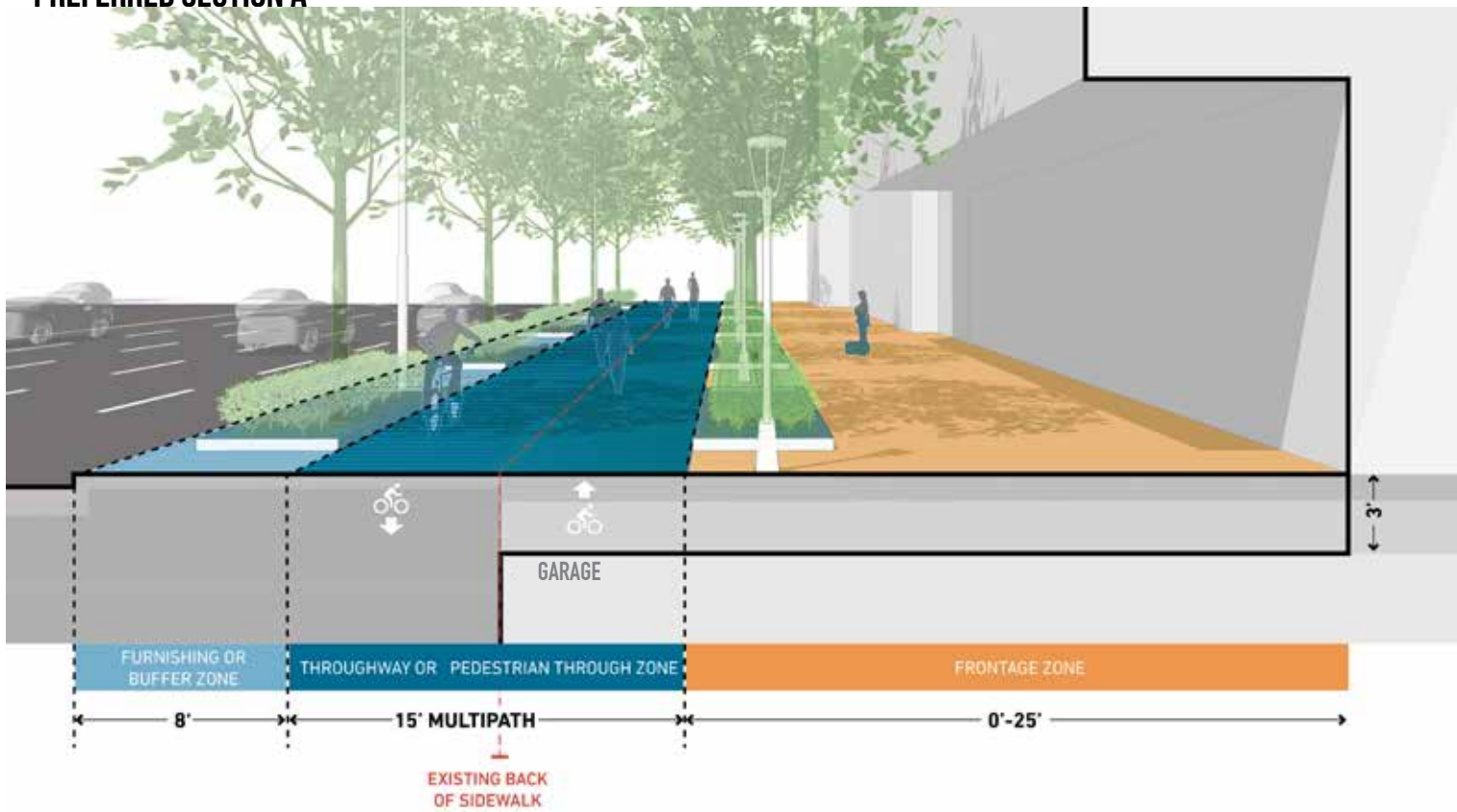
STREETSCAPE APPLICATION ZONES



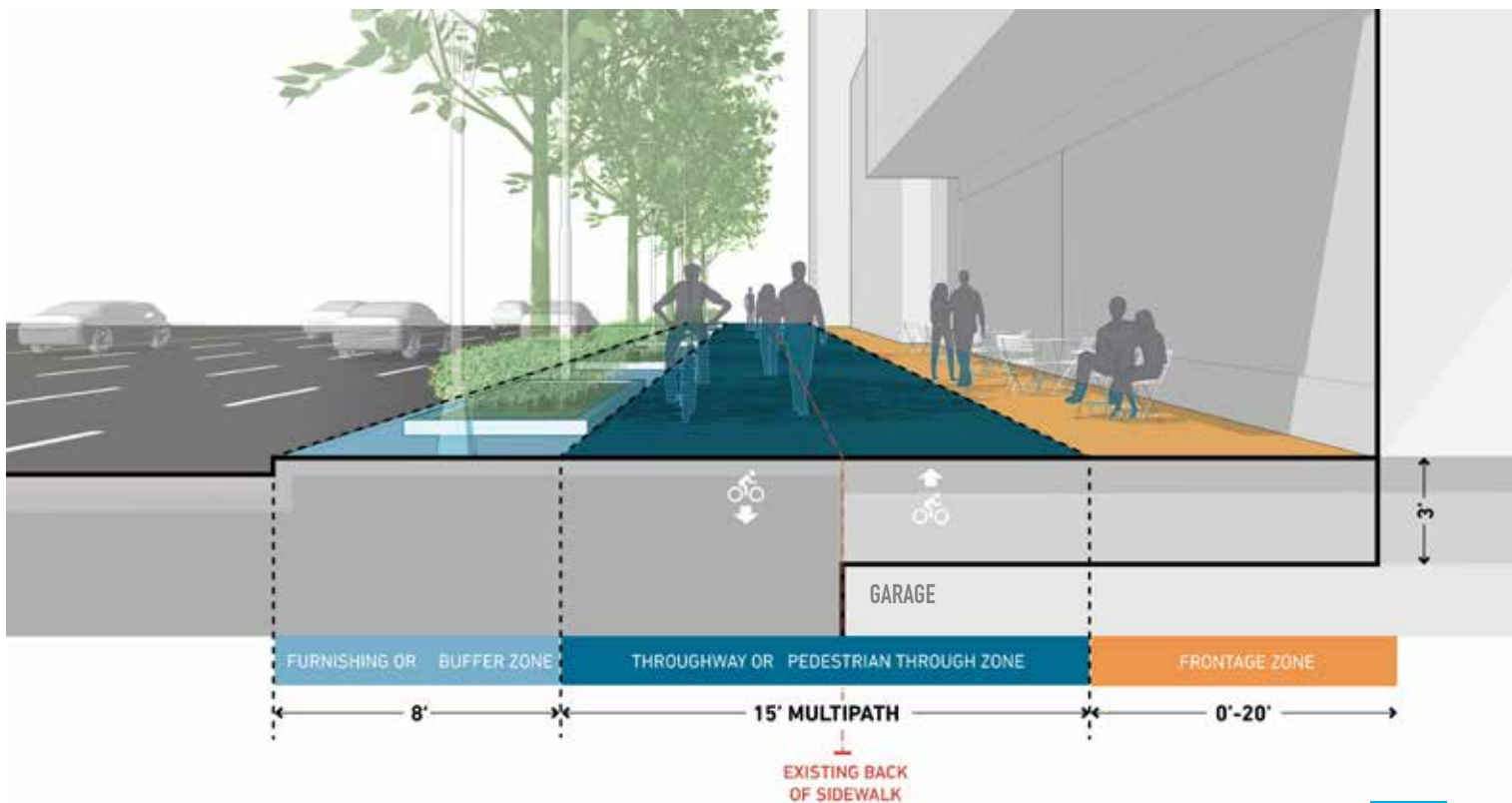
STREETSCAPE DESIGN STANDARDS

EXTENSION ZONE	N/A
AMENITY ZONE	8'
THROUGH ZONE	12' - 20'
FRONTAGE ZONE	0' - 35'
AMENITY ZONE PERMEABILITY	LOW
ON-STREET PARKING	NOT PERMITTED
MATERIAL PALETTE	PALETTE A (SEE PAGE ##)
LIGHTING	PALETTE # (SEE PAGE ##)
STREET TREES	CANOPY (SEE PAGE ##)
SIGNAGE	PALETTE # (SEE PAGE ##)

PREFERRED SECTION A



PREFERRED SECTION B



SIGNATURE BOULEVARD

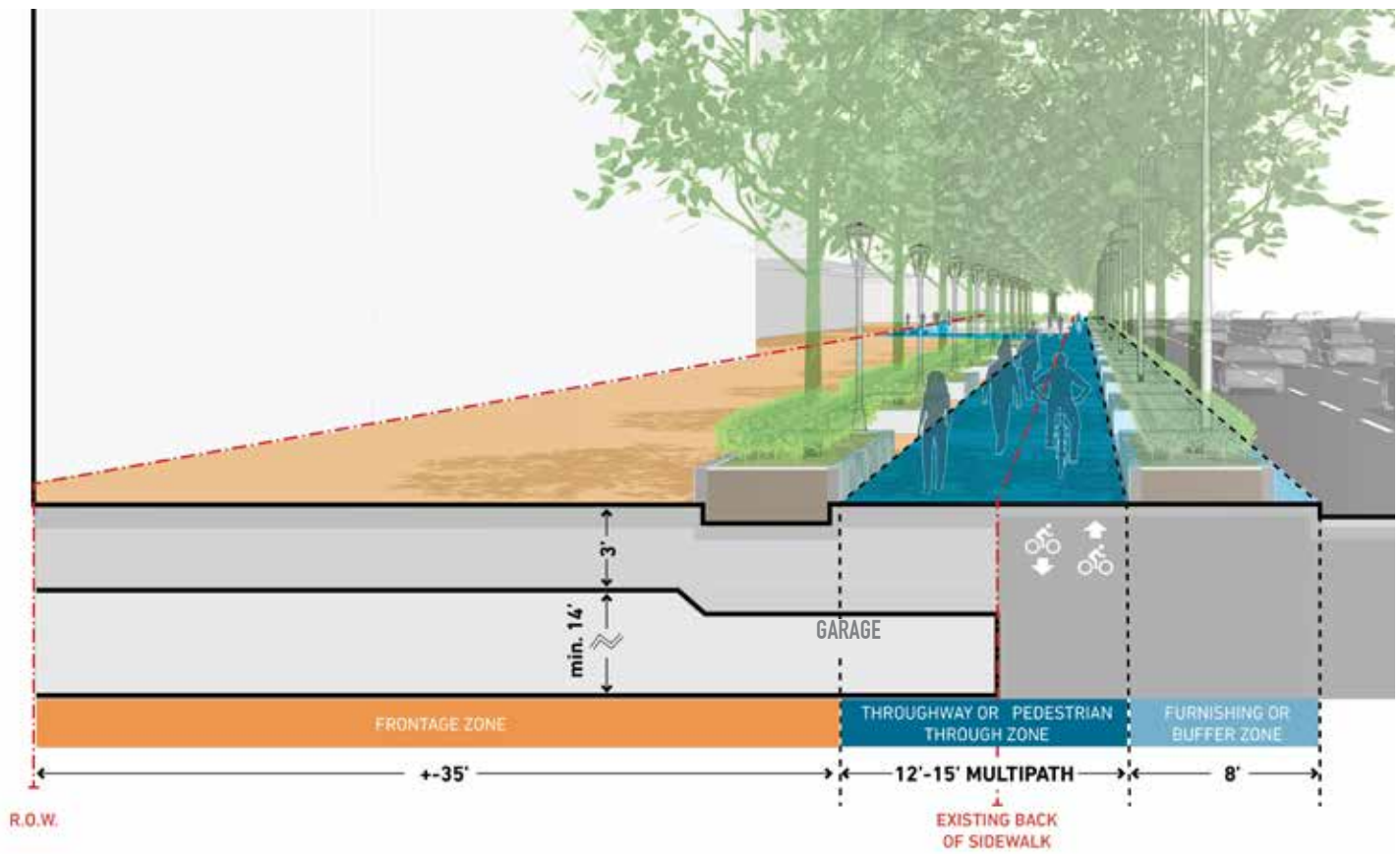
SPECIAL CONDITIONS - MELISH PLACE

The design of the south side of MLK Blvd. between I-71 and Reading Road is complicated by the presence of Melish Place. While this street can be abandoned and there is enough ROW to meet the Guidelines, below this street are substantial regional utilities that cannot be moved or substantially buried. As a result, this requires a special condition. On the roughly third of the block closest to Reading Road, the utilities can be buried, and the desired streetscape can be achieved. On the third closest to

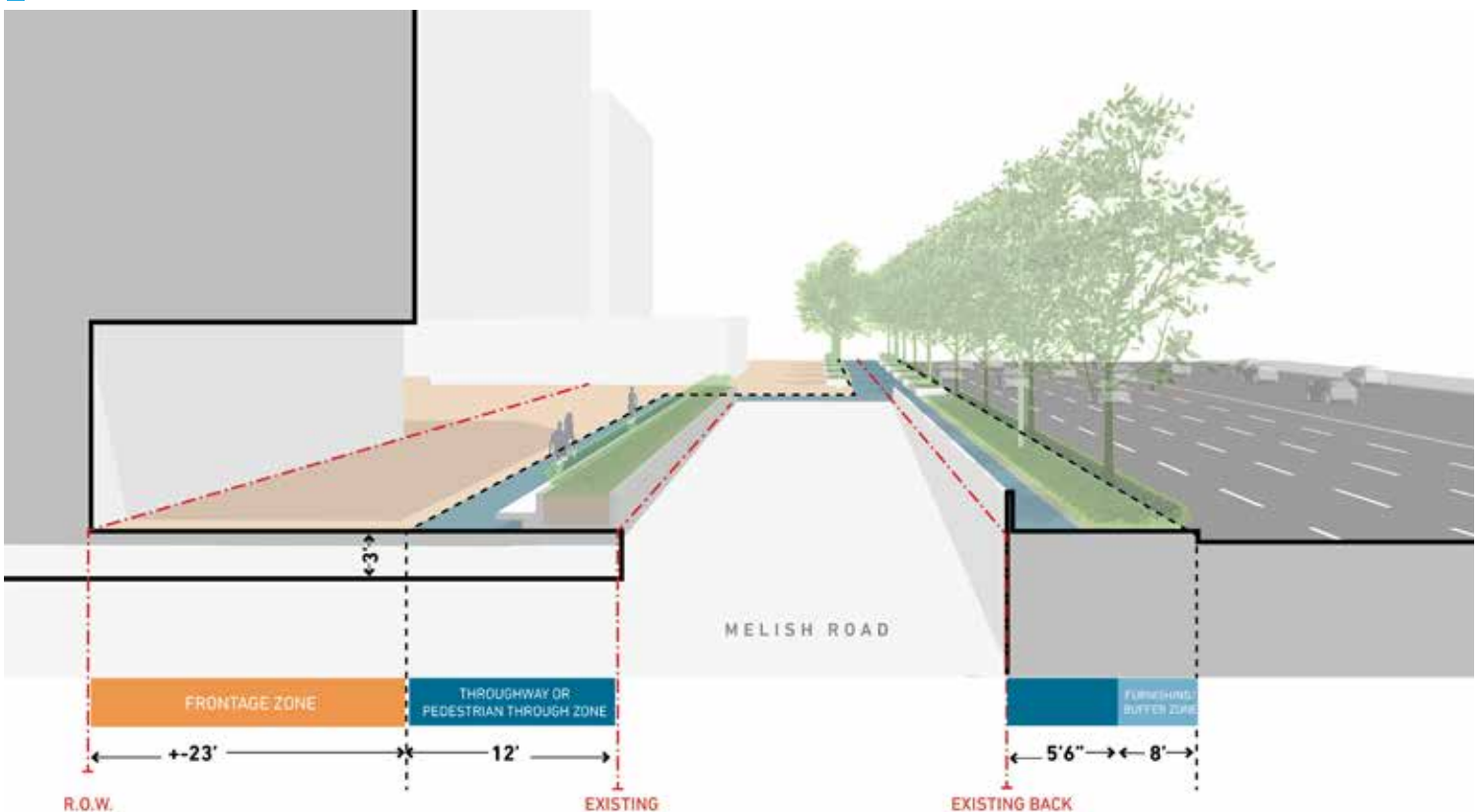
I-71, a cap or parking garage transfer slab should extend over the Melish easements and support the desired streetscape, with parking below that still allows access to the utilities (14' vertical clearance is required). In the middle third, where there is not enough height for a below grade structure, an opening can be provided, and the pedestrian sidewalk rerouted closer to the buildings. The buildings in this area can have recessed first floors to create a comfortable and engaging streetscape environment.



PREFERRED SECTION C.1



PREFERRED SECTION C.2



PRIMARY AVENUE

STREETSCAPE OVERVIEW

The primary avenue is the main north-south connector and is also a major entryway to the Innovation District. This six lanes corridor needs to be designed to provide a comfortable pedestrian experience. Buffering the wide street that is highly traveled is critical, this preferred condition is a large tree planter zone between the pedestrian zone and the street.

STREETSCAPE APPLICATION ZONES



STREETSCAPE DESIGN STANDARDS

EXTENSION ZONE 0' - 8'

AMENITY ZONE 8'

THROUGH ZONE 10'

FRONTAGE ZONE 0' - 10'

AMENITY ZONE PERMEABILITY MEDIUM

ON-STREET PARKING PERMITTED

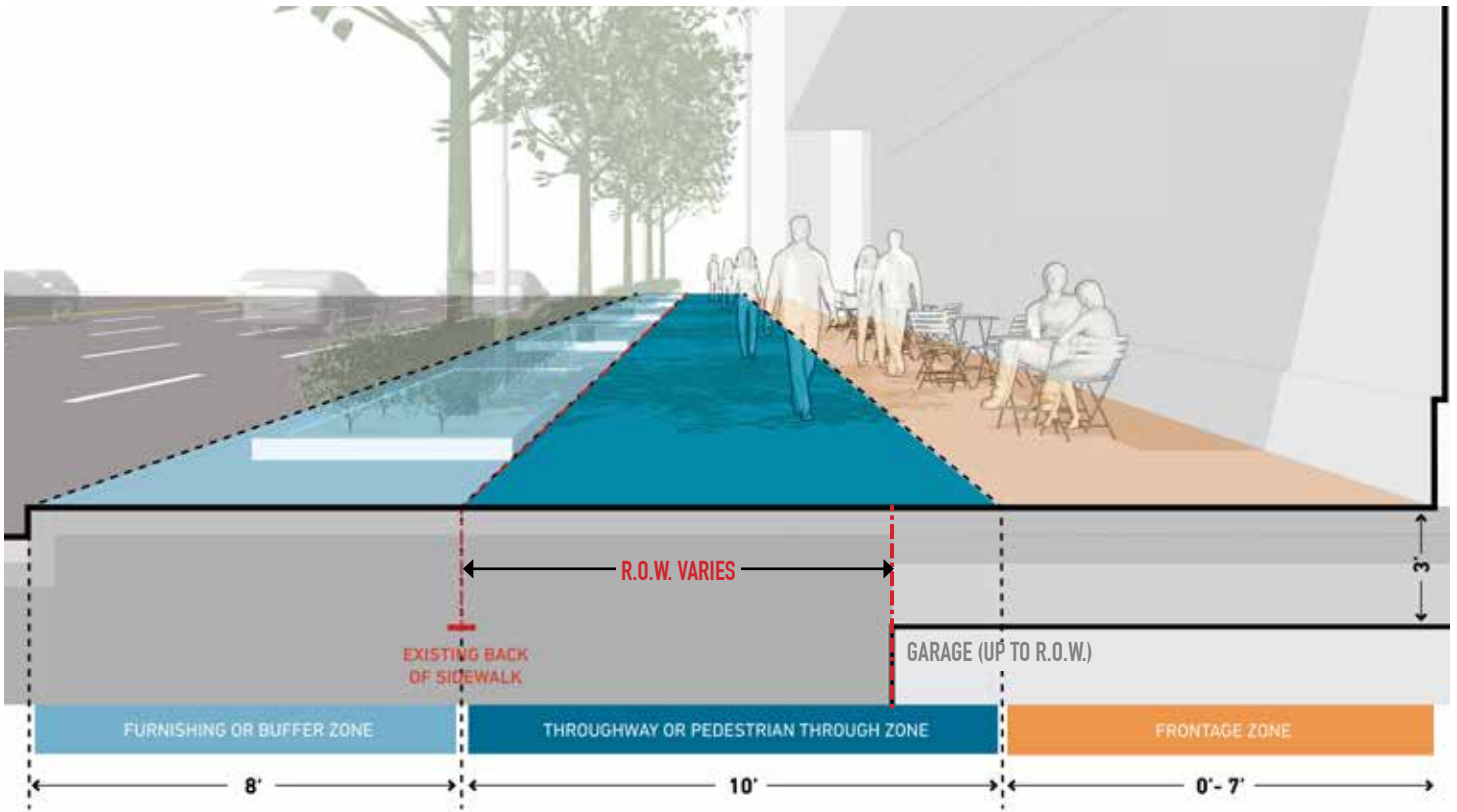
MATERIAL PALETTE PALETTE A (SEE PAGE ##)

LIGHTING PALETTE # (SEE PAGE ##)

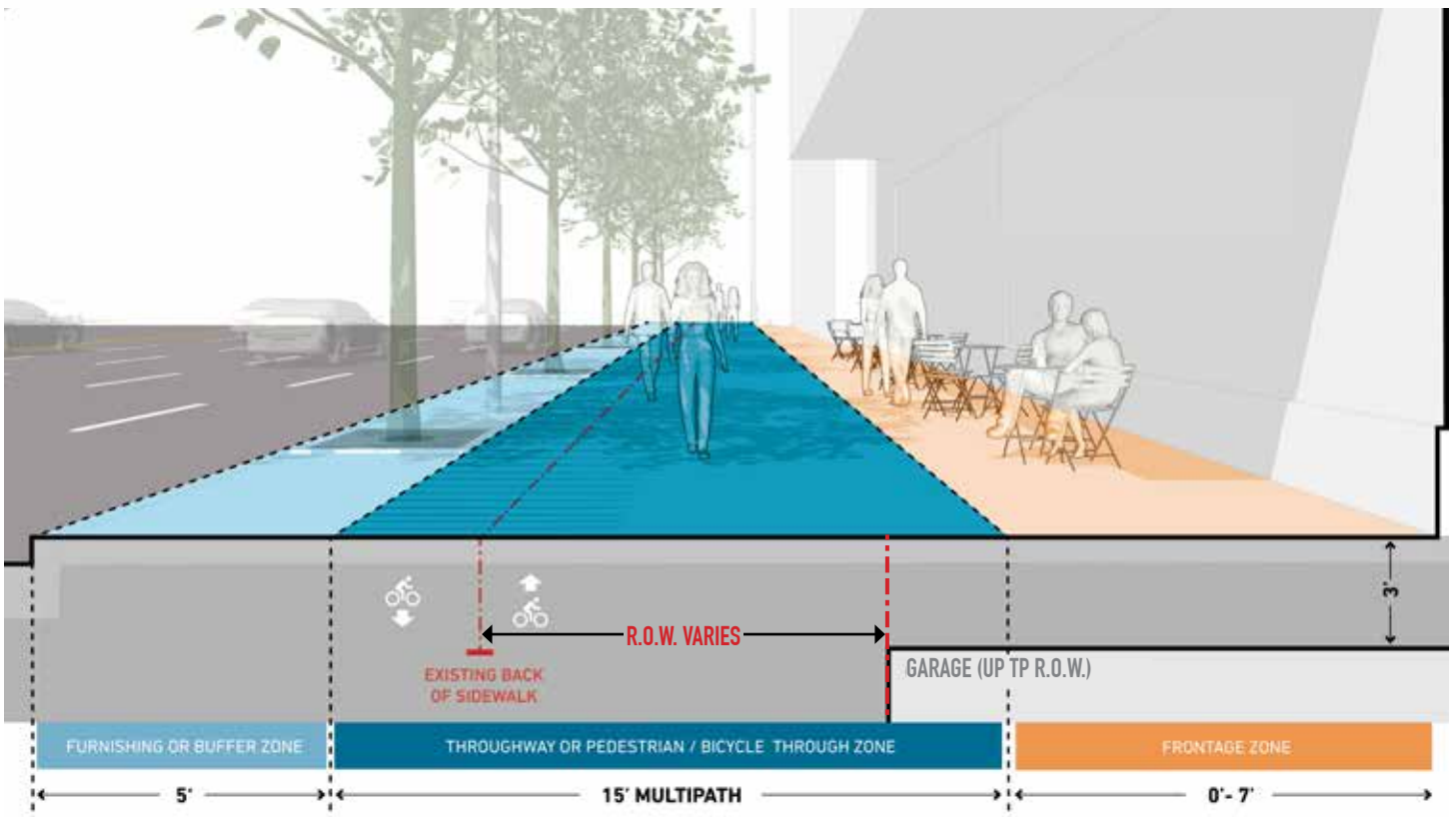
STREET TREES CANOPY (SEE PAGE ##)

SIGNAGE PALETTE # (SEE PAGE ##)

PREFERRED SECTION A



PREFERRED SECTION A - ALTERNATE



DISTRICT AVENUE

STREETSCAPE OVERVIEW

The district avenues are important district streets but are secondary to the signature boulevard and primary avenue. District avenues do not carry the vehicular volumes of those streets and therefore are generally four to five lane sections, often with off-peak on-street parking. Most have sidewalks adjacent to the curb. As the blocks along the edges of these streets redevelop, there is the opportunity to create dedicated parking, a moderate buffer zone with street trees, and curb extensions at intersections for pedestrian safety. Street trees location may need to be adjusted to the outboard side of the sidewalk depending on utility locations, though this is not preferred. Where traffic conditions allow, reducing street sections to two or three travel lanes with dedicated parking and and/or bike lanes is recommended.

STREETSCAPE APPLICATION ZONES



STREETSCAPE DESIGN STANDARDS

EXTENSION ZONE 8' - 12'

AMENITY ZONE 6' - 12'

THROUGH ZONE 8' - 9'

FRONTAGE ZONE + 30'

AMENITY ZONE PERMEABILITY MEDIUM

ON-STREET PARKING PERMITTED

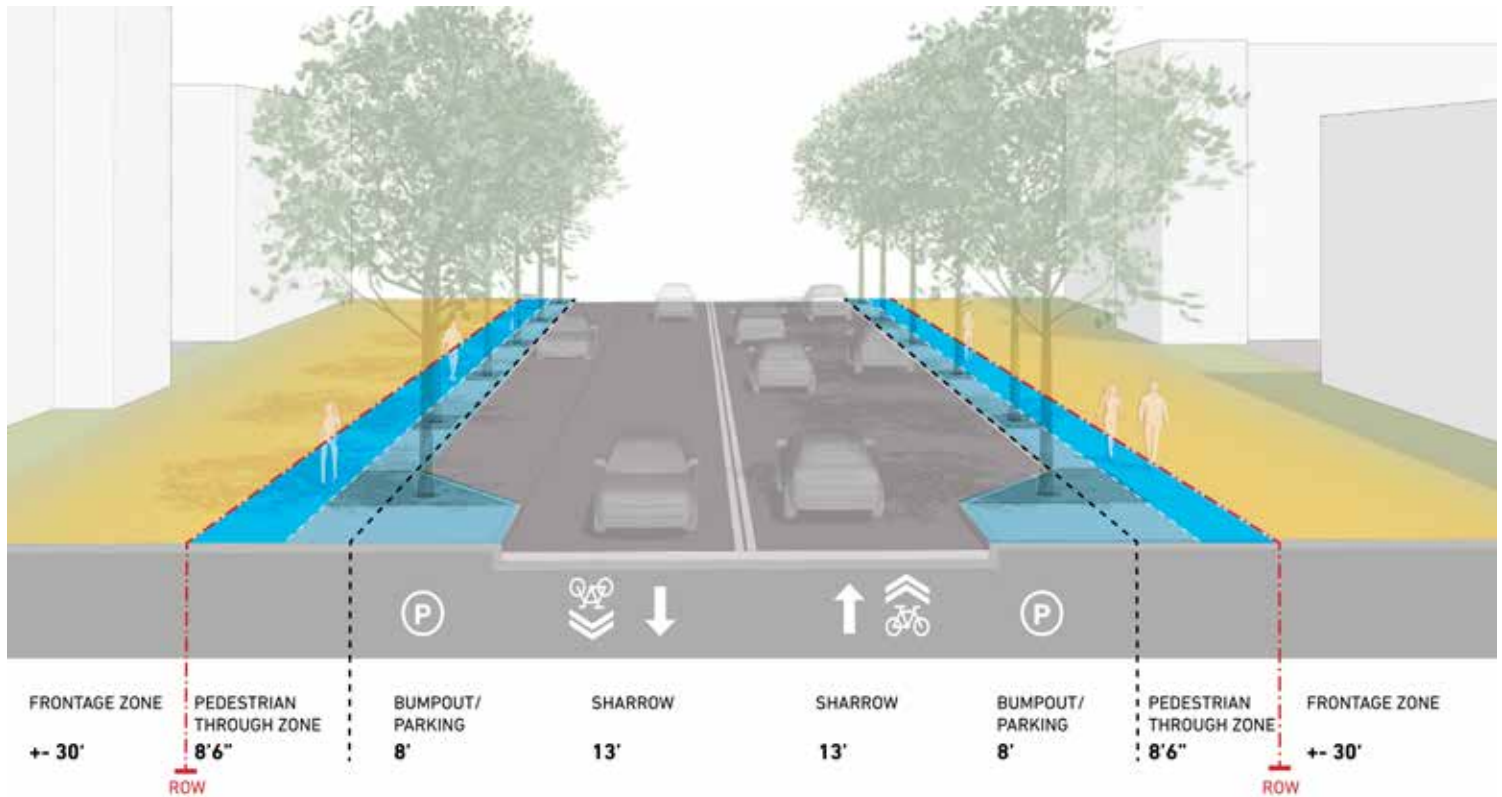
MATERIAL PALETTE PALETTE B (SEE PAGE ##)

LIGHTING PALETTE # (SEE PAGE ##)

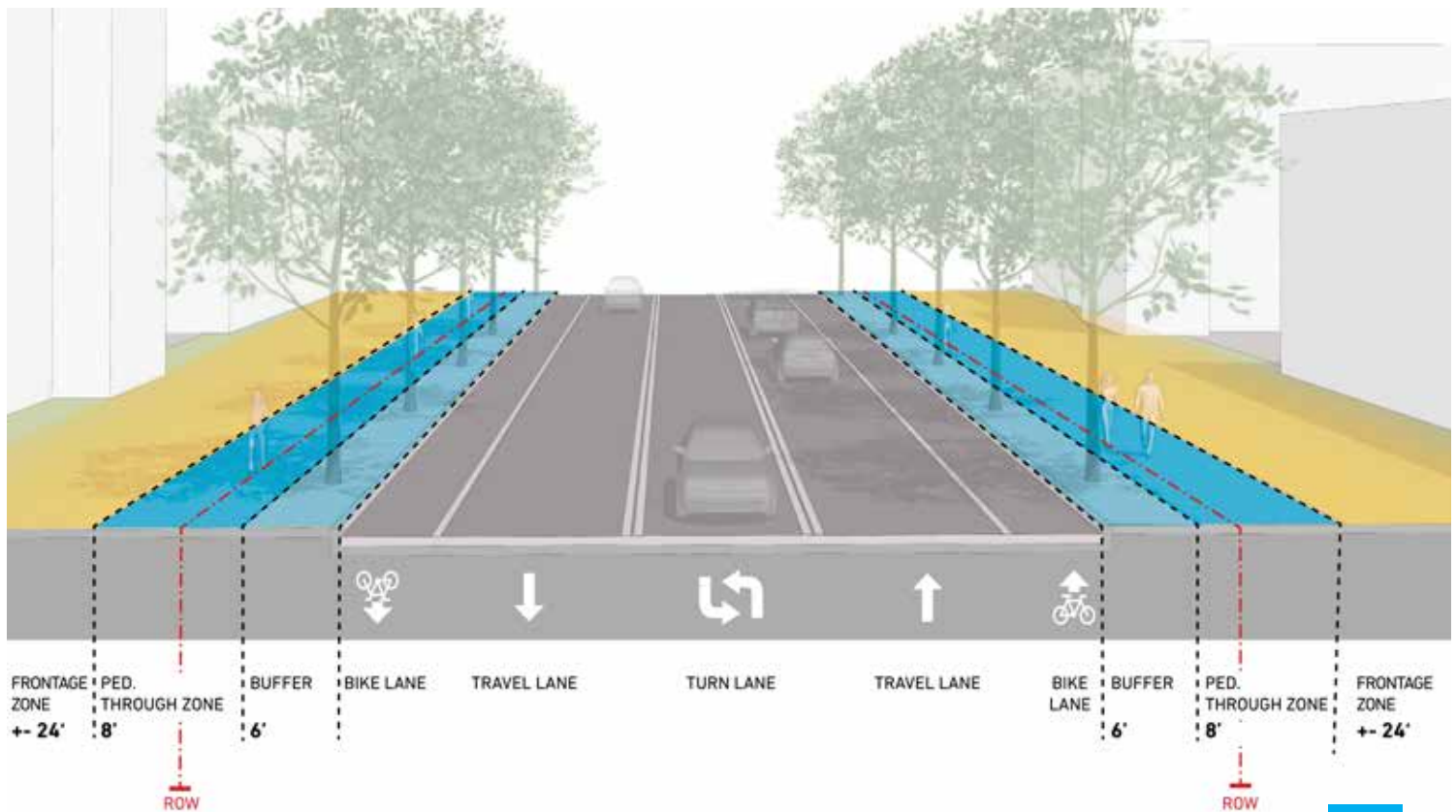
STREET TREES STANDARD (SEE PAGE ##)

SIGNAGE PALETTE # (SEE PAGE ##)

PREFERRED SECTION A



PREFERRED SECTION B



NEIGHBORHOOD CONNECTOR

STREETSCAPE OVERVIEW

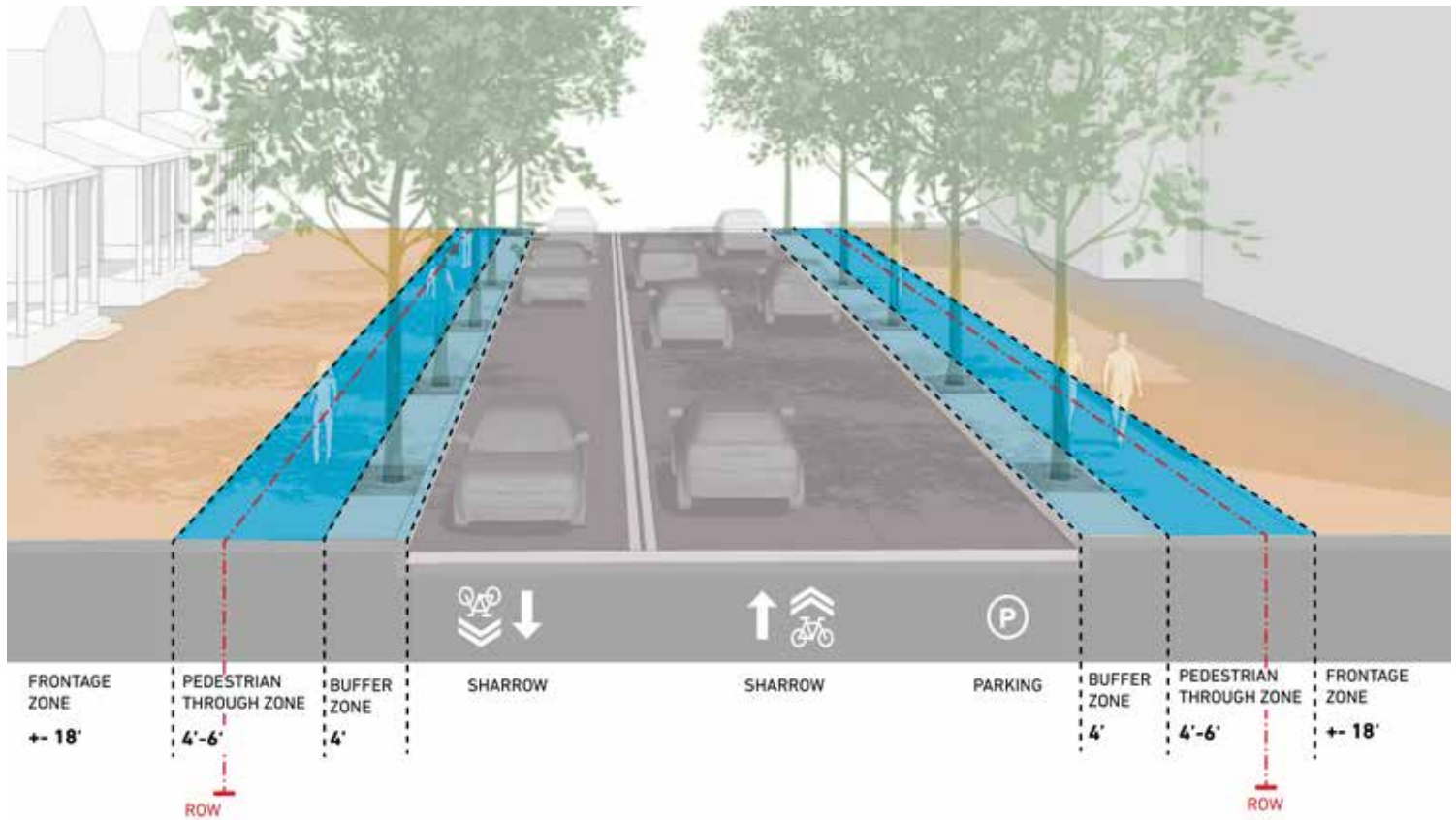
The neighborhood transition streets generally border existing residential areas and are smaller in scale with lower traffic volumes. The purpose of Neighborhood Connectors is to transition from the Innovation District back into the existing surrounding neighborhood. The preferred street condition is two travel lanes with dedicated on-street parking on one side of the street. This is similar to the existing condition. The desired streetscape is a moderate tree buffer zone that separates the pedestrian zone from the travel lanes and creates a tree-lined street.

STREETSCAPE APPLICATION ZONES



STREETSCAPE DESIGN STANDARDS

EXTENSION ZONE	0' - 8'
AMENITY ZONE	0' - 6'
THROUGH ZONE	4' - 6'
FRONTAGE ZONE	+15'
AMENITY ZONE PERMEABILITY	HIGH
ON-STREET PARKING	ENCOURAGED
MATERIAL PALETTE	PALETTE C (SEE PAGE ##)
LIGHTING	PALETTE # (SEE PAGE ##)
STREET TREES	STANDARD (SEE PAGE ##)
SIGNAGE	PALETTE # (SEE PAGE ##)

PREFERRED SECTION A

CEREMONIAL STREET

STREETSCAPE OVERVIEW

Ceremonial streets are new internal streets to the Uptown Innovation District blocks. These will likely be privately built and may remain private streets or be publicly dedicated. As such, they may take many forms. The guidelines' objectives for these streets is to create attractive and welcoming entrances into the development that are striking and visible from Reading Road. These streets should provide a sense of arrival for visitors into the internal parking and circulation system of the District. As such they are slow-speed streets and should be designed to be flexible spaces and encourage pedestrian connectivity across them. They could even include central gathering greens or plazas. Because they will be new roads, they can be designed with appropriate space for comfortable pedestrian walks and lush landscape.

STREETSCAPE APPLICATION ZONES



STREETSCAPE DESIGN STANDARDS

EXTENSION ZONE 0' - 8'

AMENITY ZONE 8'

THROUGH ZONE 8' - 10'

FRONTAGE ZONE 0' - 10'

AMENITY ZONE PERMEABILITY HIGH

ON-STREET PARKING ENCOURAGED

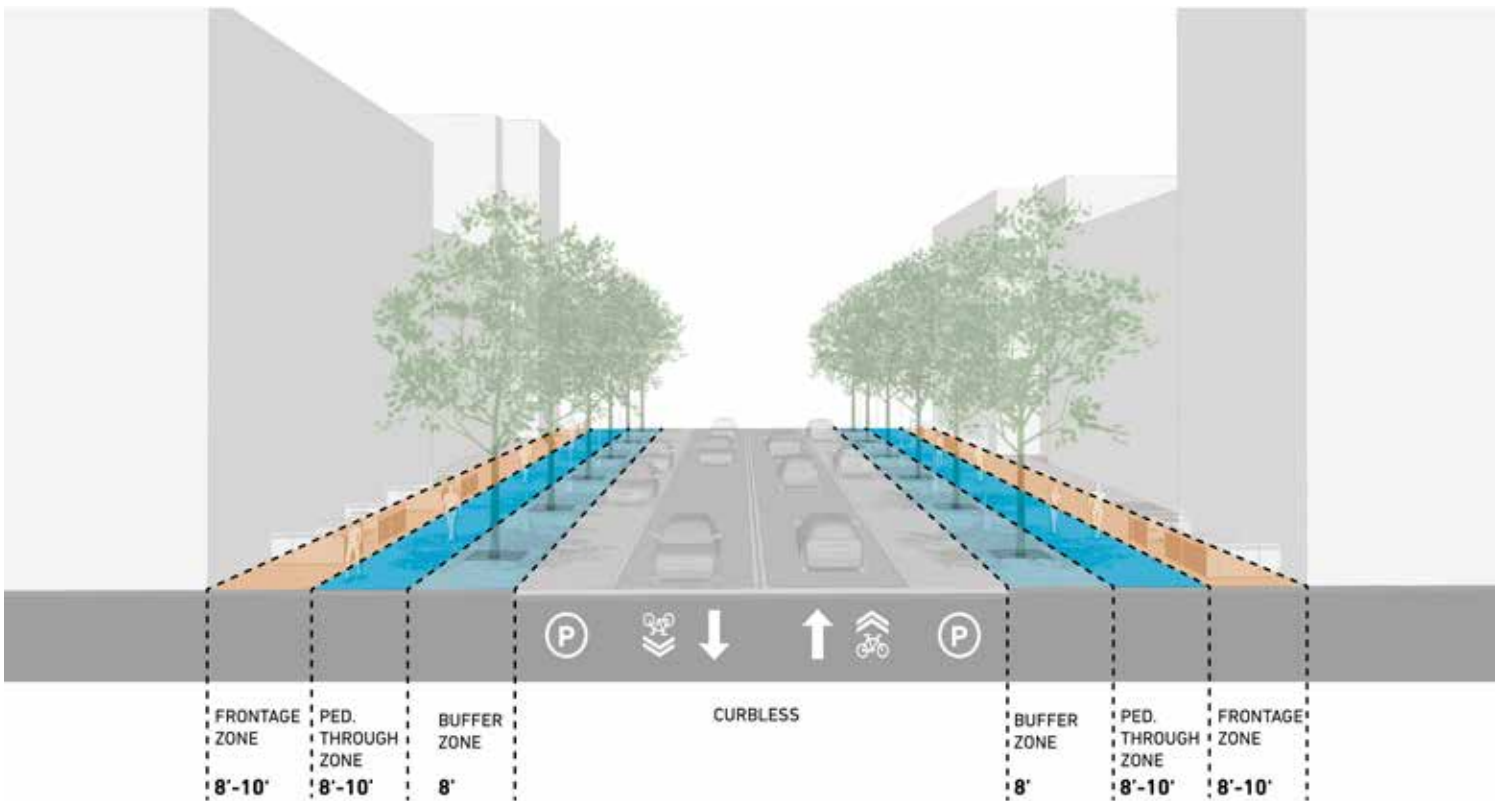
MATERIAL PALETTE PALETTE B (SEE PAGE ##)

LIGHTING PALETTE # (SEE PAGE ##)

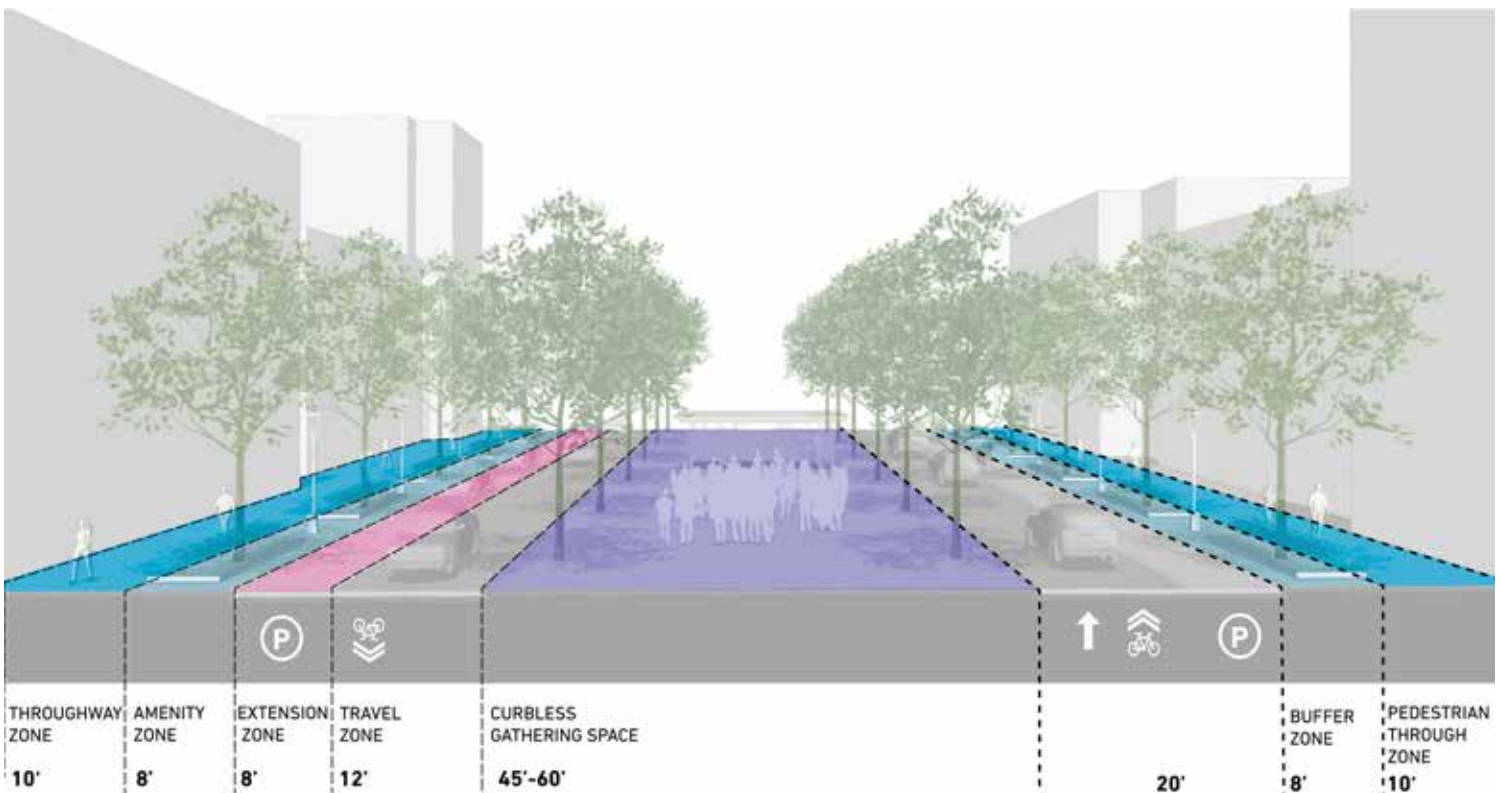
STREET TREES STANDARD (SEE PAGE ##)

SIGNAGE PALETTE # (SEE PAGE ##)

PREFERRED SECTION A



PREFERRED SECTION B



COURTYARD COMMONS

STREETSCAPE OVERVIEW

Courtyard Commons are primarily new private streets that allow access internal to the blocks and are primarily for access to individual buildings and parking. These streets do not serve through traffic. Although specifically for those working, living, or visiting the Innovation District, these streets should be built to public street standards including street pedestrian zones, tree amenity zones, and lighting. These will typically be narrow two-lane roads without parking, although parking could be included if desired. They can also be service alleys.

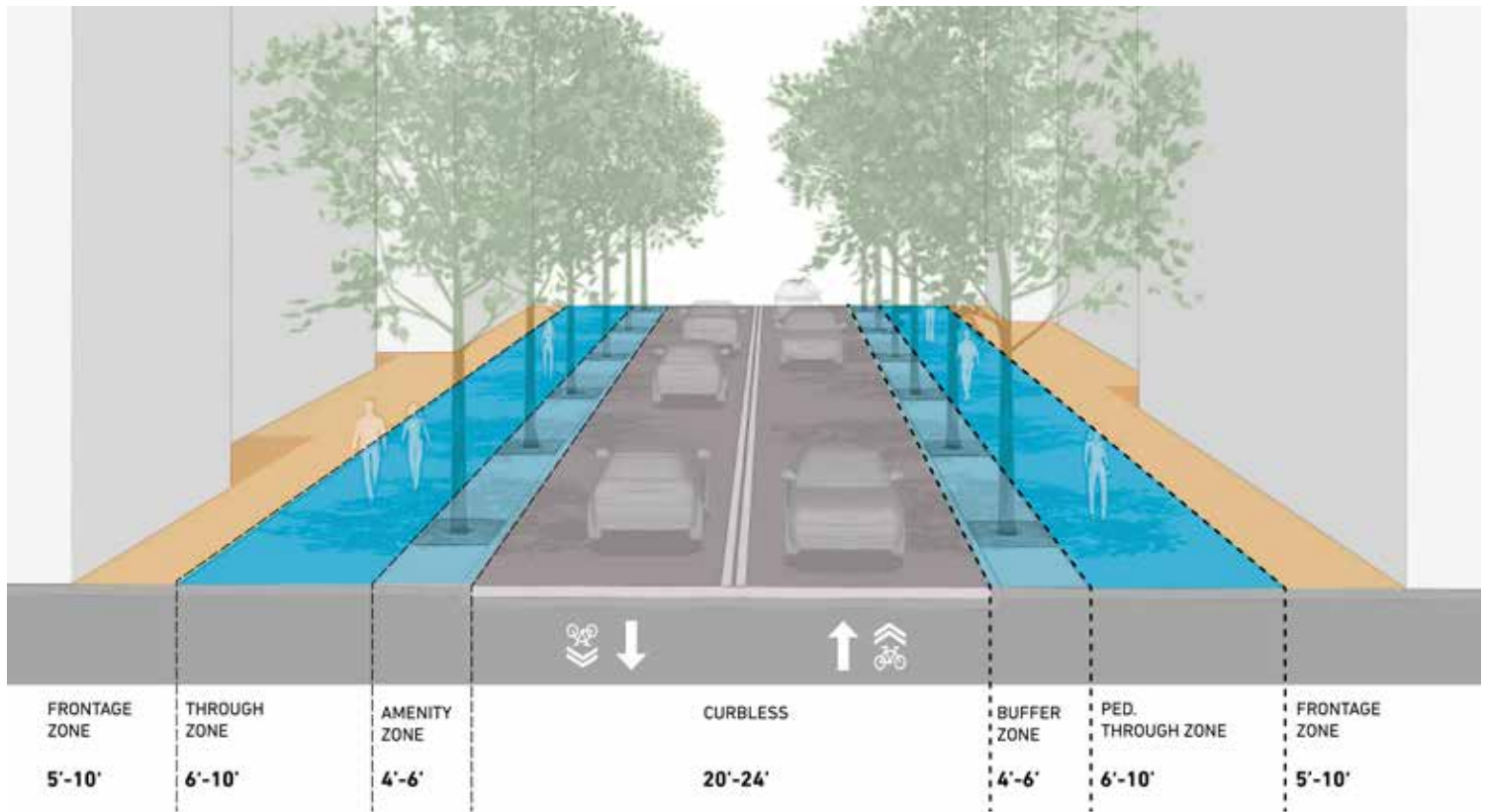
STREETSCAPE APPLICATION ZONES



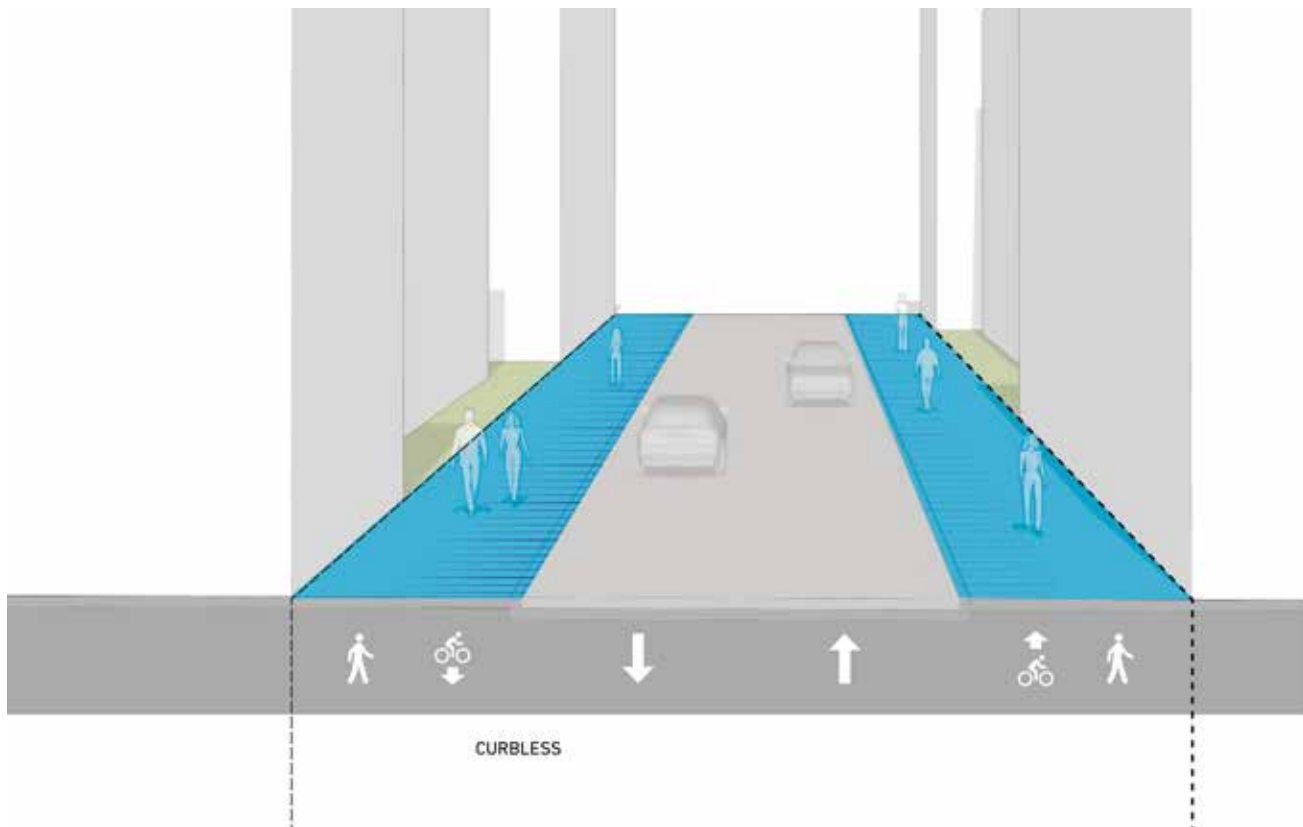
STREETSCAPE DESIGN STANDARDS

EXTENSION ZONE	N/A
AMENITY ZONE	4' - 6'*
THROUGH ZONE	10'*
FRONTAGE ZONE	0' - 10'
AMENITY ZONE PERMEABILITY	HIGH
ON-STREET PARKING	ENCOURAGED
MATERIAL PALETTE	PALETTE B (SEE PAGE ##)
LIGHTING	PALETTE # (SEE PAGE ##)
STREET TREES	ORNAMENTAL (SEE PAGE ##)
SIGNAGE	PALETTE # (SEE PAGE ##)

PREFERRED SECTION A



PREFERRED SECTION B



PEDESTRIAN VIADOR

STREETSCAPE OVERVIEW

The pedestrian viadors are critically important to provide pedestrian access from the surrounding streets through the blocks and between developments within the Innovation District. They help to break down the overall size of the district's blocks and should be used to prevent buildings from becoming too long or imposing. These pedestrian viadors should be designed to feel safe and inviting for pedestrians and should be well lit. Viadors are part of what caters to the walkable, mixed-use nature of innovation districts.

STREETSCAPE APPLICATION ZONES



PASSAGEWAY

Passive pedestrian connections. Throughway or contemplation spaces.

ACTIVATION & PROGRAMING

Active pedestrian environment through activation and programing. Brings the community together to experience and exchange ideas.

PEDESTRIAN VIADOR BENCHMARKS

PASSAGEWAY



ACTIVATION & PROGRAMING

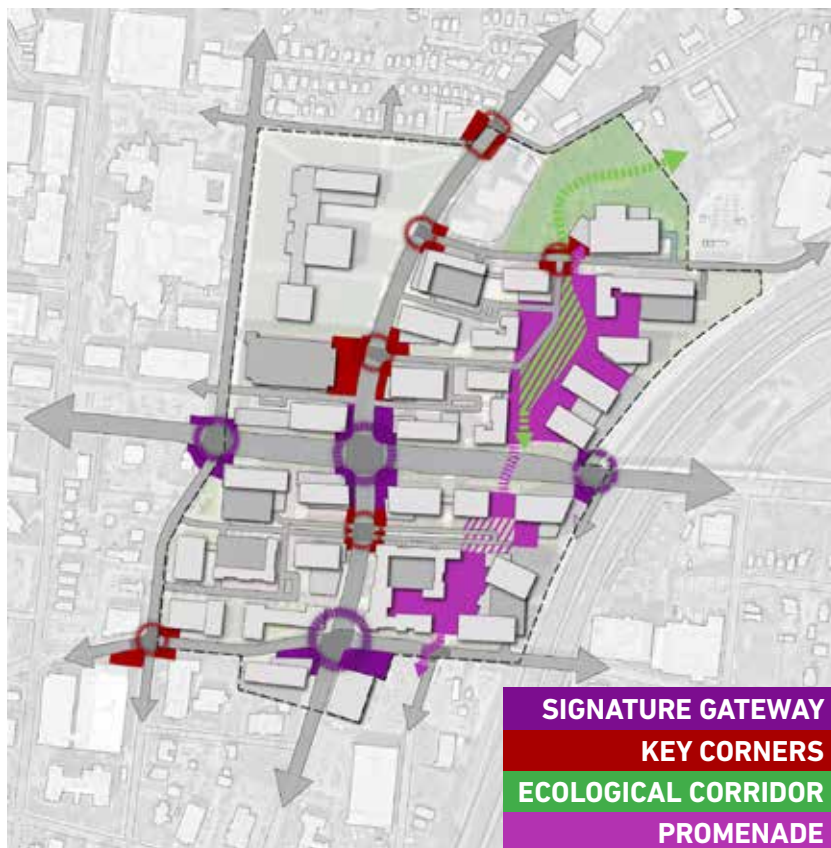


PLACES FOR STAYING

OVERVIEW

Great places are anchored by a variety of elements that appeal to the human condition and scale. They are often unique and defining to the place. One potential defining character of the Uptown Innovation District is the “ecological corridor.” This is an opportunity to incorporate the natural ravine that bifurcates the east side of the district and could even serve as a connection to the Wasson Way trail network. It could be extended as a signature promenade through the southern quarter of the district. Other opportunities include defining key corners as gateways and places for activity; as well as the creation of signature plazas to foster special events, gathering, and interaction. Connecting to nature, neighbors, and those one would not otherwise meet should be hallmarks of the Uptown Innovation District.

GREAT PLACES



SIGNATURE PLAZAS

Ample setbacks at significant intersections. Commercial activity should also be focused on these nodes.

KEY CORNERS

Smaller plazas centered on key corners as well as areas fronting buildings which generate significant pedestrian traffic.

ECOLOGICAL CORRIDOR

Preserve natural features and systems. Allow for recreational trails. Provide alternative connection to district from Wasson Way.

PROMENADE

Incorporate nature into hardscape. Will allow for physical and visual north-south connections to the Ecological Corridor as well as east-west connectivity.

BENCHMARKS

SIGNATURE PLAZAS



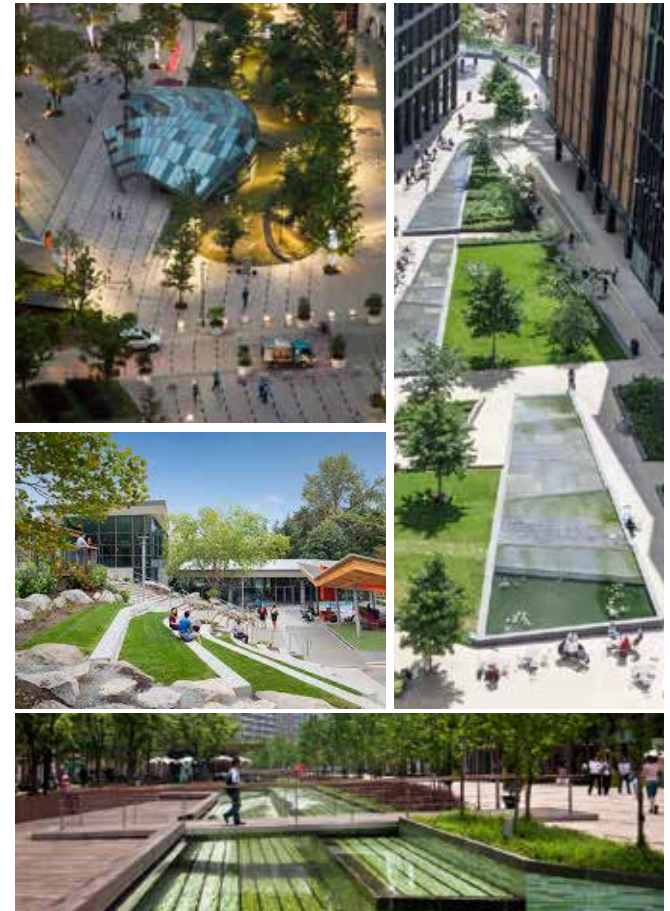
KEY CORNERS



ECOLOGICAL COORIDOR



PROMENADE



MATERIAL PALETTE

PALETTE A

PALETTE A OVERVIEW

The Uptown Innovation District must prioritize architectural and landscape design, material, and construction quality along key streets to reinforce Uptown's identity as a leading innovation district. The building architecture of the district is expected to be a high-quality, modern design that reflects the image of the innovation corridor. This includes transparency, articulation, shading, form, materials, and other elements that link indoor and outdoor spaces to create a vibrant urban character.

The streetscape must reflect this and establish the foundational character of the district. The palette of materials and components should be modern, clean, durable, forward-looking, and sustainable. The signature and primary streets and gateways of the district must have particular emphasis of the highest quality materials and engaging design.

Palette 'A' consists of the highest quality materials including signature and custom design furnishings. Primary use along the arterials and more visible streets within the Innovation District as indicated in the matrix.

PRIMARY HARDSCAPE

GRANITE PAVERS



ARCHITECTURAL FINISH CONCRETE



ACCENT MATERIAL

ARCHITECTURAL FINISH CONCRETE



PREMIUM CONCRETE UNIT PAVERS



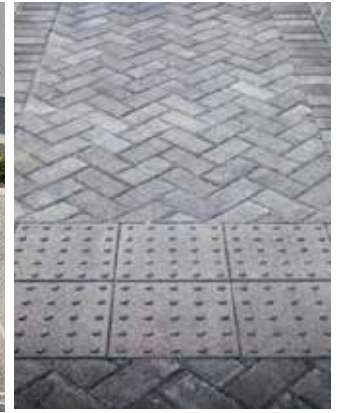
CURBS



GRANITE CURB



PAVER CROSSING



STREET FURNITURE



SIGNATURE DESIGN



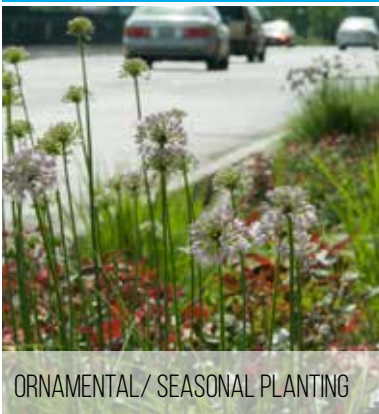
SEATING



SIGNATURE/CUSTOM SEATING



PLANTINGS



ORNAMENTAL/ SEASONAL PLANTING



LANDSCAPED EDGE



CURBED STREETSCAPE PLANTERS



PALETTE B

PALETTE A OVERVIEW

Palette 'B' is complementary to Palette 'A' and reflects similar high quality. Includes clean design and premium and customizable furnishings. Land

Its intended use is along the collector streets, particularly the District Avenues, within the Innovation District as indicated in the matrix.

PRIMARY HARDSCAPE



ARCHITECTURAL FINISH CONCRETE

ACCENT MATERIAL



STONE ACCENT PAVER



PREMIUM CONCRETE PAVERS

CURBS

GRANITE CURB

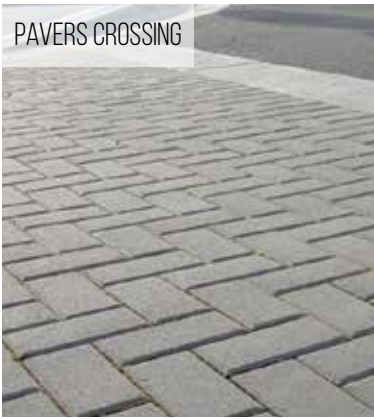


CONCRETE CURB



CROSSINGS

PAVERS CROSSING



THERMOPLASTIC CROSSING



STREET FURNITURE

CLEAN DESIGN



SEATING

PREMIUM/CUSTOMIZED SEATING



PLANTINGS

HARDY PLANTINGS/SEASONAL PLANTINGS



LANDSCAPED EDGE

SIMPLE LANDSCAPE EDGE



PALETTE C

PALETTE A OVERVIEW

Palette 'C' is a simplified version of palettes 'A' and 'B'. Includes clean and simple design, standard furnishings and low maintenance landscaping. Its primary use is along the Neighborhood Connector streets at the neighborhood edges of the Innovation District, as indicated in the matrix.

PRIMARY HARDSCAPE



ARCHITECTURAL FINISH CONCRETE

ACCENT MATERIAL



TOP SEEDED CONCRETE



CONCRETE UNIT PAVERS

CURBS

CONCRETE CURB



CROSSINGS

STANDARD STRIPPING



STANDARD THERMOPLASTIC



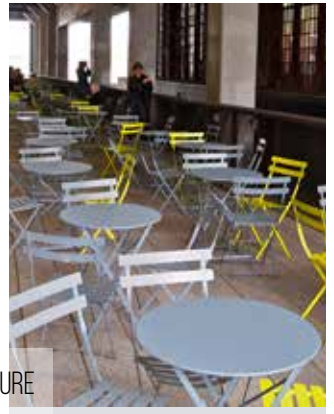
STREET FURNITURE

SIMPLE/BASIC DESIGN



SEATING

STANDARD BENCHES + MOVABLE FURNITURE



PLANTINGS

LOW MAINTENANCE PLANTING



LANDSCAPED EDGE

OPEN PLANTER



LIGHTING

OVERVIEW

Lighting and the character of the related fixtures and poles reinforces the district identity and helps create special, memorable experiences. Sleek, timeless fixtures have been selected for the Uptown Innovation District. The street lights complement those that already exist along the central Uptown section of MLK Boulevard.

In addition to consistently spaced and placed street lights, appropriate and thorough pedestrian lighting contributes to a safe and comfortable pedestrian environment. Distinctive pedestrian lights could be used to highlight retail and gathering places within the district. Likewise, additional accent lights, bollard lights, catenary lights and other artistic lighting are encouraged to activate public spaces and outdoor dining areas.



LIGHTING STANDARDS

STREET LIGHTING

Pavement illumination
Glare (75-90 degrees)
Illumination uniformity
Vertical object illumination
Higher illumination levels
Coordinate color temperatures for all
20'-30' tall

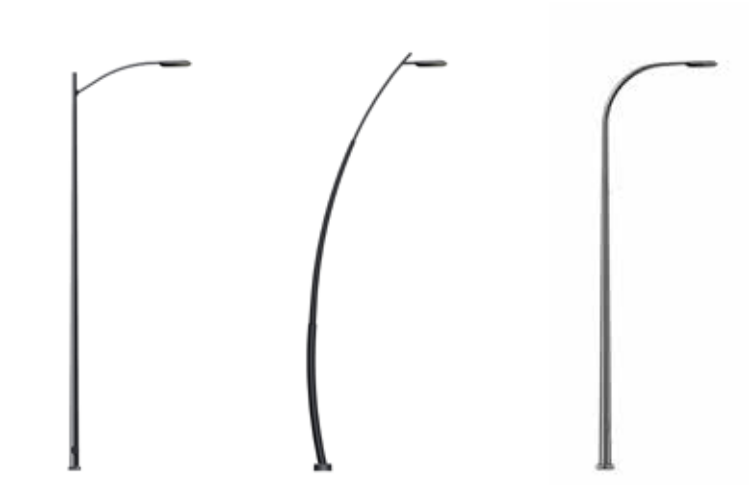
PEDESTRIAN LIGHTING

Daytime appearance of fixture
Glare (0-75 degrees)
Diffused horizontal illuminance patterns
Warm light color — outdoor dining
2700k LED all other others 3000-3500k LED
Lower illumination levels
10'-15' tall

ACCENT LIGHTING

Various types
Artistic
Uploight/Downlight
Placemaking

STREET LIGHTING



PEDESTRIAN LIGHTING



ACCENT LIGHTING



LANDSCAPE

STREET TREES

Trees and landscaping are critically important to the creation of great streets. In fact, few streets can be great without them. Street trees and landscape help to balance the modern design and aesthetic of innovation districts and introduce nature and sustainability into the corridors.

In addition to the environmental and aesthetic quality improvements, trees and lush landscaping have been shown to have positive effects on consumer behavior in business districts. Across multiple studies, consumers are more likely to stay longer, visit more often, and spend more money in business districts that feature high quality streetscapes.

Street trees in particular must be carefully selected and placed within street corridors to coordinate with utility, lighting, and clear zone requirements. Street tree species have been selected that are tolerant of urban environments and have a high canopy that not only provides needed shade and comfort for pedestrians, but also allows for better visibility of storefronts and signage. Careful attention to design must be made to ensure that street trees are planted in appropriate, quality soils with ample volume to improve longevity and health. Following initial planting, they will need to be properly limbed and maintained to ensure they become high canopy trees.

GENERAL SELECTION CRITERIA

- + USDA Plant Hardiness to Zone 5
- + Adaptable to a variety of soil conditions, pH 6.6
- + Native or indigenous, if possible
- + Relatively disease free or resistant cultivar
- + Strong, withstands winds and ice
- + Easy to transplant

SOIL DEPTHS

Trees are recommended based upon their potential size at maturity and the available soil volumes where they are to be planted. Based on best practices, large street tree canopy require 1200-1500 cubic feet (CF) of soil, small street trees 800-1000 CF, and ornamental trees 600-800 CF.

LANDSCAPE MATRIX

The following matrix summarizes the different landscape components' characteristics:

	HEIGHT	WIDTH	SIZE	SPACING	SOIL DEPTH
LARGE STREET TREES	50'-75'	30'-60'	4" caliper minimum	approx. 30-40'	36"
SMALL STREET TREES	25'-45'	15'-35'	4" caliper minimum	approx. 30'	30"
ORNAMENTAL TREES	20'-25'	10'-20'	15' height, multi-stem	-	24" min.
SHRUBS	12"-60"	24"	#5 CONT. or B&B	36"-48" O.C.	18" min.
VINES, & GROUNDCOVERS	6"-18"	NA	#1, #2, #3 CONT.	4"-12" O.C.	12" min.
GRASSES & PERENNIALS	6"-30"	12"-30"	PEAT POT OR #1 CONT.	12"-18" O.C.	18" min.

LARGE STREET TREES

NORTHERN RED OAK



Quercus rubra

Size: 60' Height, 60' Width

Flowers: Inconspicuous

Fall Color: Brilliant Red

Size: 4" Caliper Minimum planted size, 6" recommended. Larger planted size preferred for high visibility areas.

LONDON PLANETREE



Platanus x acerifolia

Size: 60' Height, 40' Width

Flowers: Inconspicuous

Fall Color: Yellow/Brown

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

TULIP POPLAR



Liriodendron tulipifera L.

Size: 70' Height, 35' Width

Flowers: Yellow, Showy

Fall Color: Orange/Yellow

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

PIN OAK



Quercus palustris

Size: 60' Height, 30' Width

Flowers: Inconspicuous

Fall Color: Brilliant Red

Size: 4" Caliper Minimum planted size, 6" recommended. Larger planted size preferred for high visibility areas.

PRINCETON ELM



Ulmus americana 'Princeton'

Size: 50' Height, 35' Width

Flowers: Insignificant

Fall Color: Yellow

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

SMALL STREET TREES

RED RAGE TUPELO



Nyssa sylvatica 'Red Rage'

Size: 35' Height, 20' Width

Flowers: Inconspicuous

Fall Color: Brilliant Red

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

SKYLINE HONEYLOCUST



Gleditsia triacanthos var. inermis 'Skyline'

Size: 45' Height, 35' Width

Flowers: Yellow, inconspicuous

Fall Color: Golden Yellow

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

PRINCETON SENTRY GINKGO



Ginkgo biloba 'Princeton Sentry'

Size: 40' Height, 15' Width

Flowers: Green

Fall Color: Yellow

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

FRONTIER ELM

Ulmus (carpinifolia x parvifolia)
'Frontier'

Size: 30' Height, 20' Width

Flowers: Inconspicuous

Fall Color: purple-red

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

SUN VALLEY RED MAPLE

Acer rubrum 'Sun Valley'

Size: 30' Height, 20' Width

Flowers: Inconspicuous

Fall Color: Brilliant Red

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

LANDSCAPE TREES

WHITESPIRE BIRCH



Betula populifolia 'Whitespire'

Size: 30' Height, 20' Width

Flowers: Yellow (male), Green (female)

Fall Color: Yellow

Size: 15' height single or multi-stem. Larger planted size preferred for high visibility areas.

Note: For use in high visibility landscape areas or large planters

AUTUMN BRILLIANCE SERVICEBERRY



Amelanchier x grandifolia

Size: 20' Height, 15' Width

Flowers: White

Fall Color: Bright Red

Size: 15' height single or multi-stem. Larger planted size preferred for high visibility areas.

Note: For use in high visibility landscape areas or large planters

EASTERN REDBUD



Cercis canadensis

Size: 20' Height, 25' Width

Flowers: Purple

Fall Color: Bright Red

Size: 15' height single or multi-stem. Larger planted size preferred for high visibility areas.

Note: For use in high visibility landscape areas or large planters

SHRUBS

GROW LOW SUMAC



Rhus aromatica 'Gro-Low'

Size: #3 CONT, 24" Height, 24" Width

Flowers: Insignificant

Fall Color: Red

Spacing: 30" O.C.

EVERLOW YEW



Taxus x media 'Everlow'

Size: 18" Height, 24" Width

Flowers: Insignificant

Fall Color: Green

Spacing: 24" O.C.

DWARF KOREAN LILAC



Syringa meyeri 'Palibin'

Size: #5 CONT, 5' Height, 5' Width

Flowers: Insignificant

Fall Color: Pink

Spacing: 36" O.C.

SHRUBS

PRAGUE VIBURNUM



Viburnum x pragense

Size: B&B, 12" Height,

Flowers: White

Fall Color: NA

Spacing: 36" O.C.

OAKLEAF HYDRANGEA



Hydrangea quercifolia 'sikes dwarf'

Size: B&B, 36" Height

Flowers: White

Fall Color: Red

Spacing: 30" O.C.

GRASSES, VINES, & GROUNDCOVERS

BIG BLUE LILYTURF



Liriope muscari 'Big Blue'

Size: #1 CONT, 18" Height

Flowers: Blue

Fall Color: Green

Spacing: 15" O.C.

GREEN SHEEN PACHYSANDRA



Pachysandra terminalis 'green sheen'

Size: #1 CONT, 10" Height

Flowers: Light Purple

Fall Color: Green

Spacing: 15" O.C.

LITTLE KITTEN DWARF MAIDEN GRASS



Miscanthus sinensis 'Little Kitten'

Size: #2 CONT, 3' Height,
24"-30" Width

Flowers: Tan

Fall Color: Bronze

Spacing: 18" O.C.

GRASSES, VINES, & GROUNDCOVERS

KARLEY ROSE FOUNTAIN GRASS



Pennisetum orientale
'Karley Rose'

Size: #3 CONT, 24" Height

Flowers: Pink

Fall Color: Bronze

Spacing: 18" O.C.

SHENANDOAH RED SWITCH GRASS



Panicum virgatum
'Shenandoah'

Size: #2 CONT, 3' Height

Flowers: Pink

Fall Color: Burgundy

Spacing: 24" O.C.

PRAIRIE DROPSEED



Sporobolus heterolepis

Size: #2 CONT, 15" Height

Flowers: Tan

Fall Color: Orange

Spacing: 15" O.C.

SILVER LACE VINE

Polygonum aubertii

Size: #2 CONT, 6" Height

Flowers: White

Fall Color: N/A, Semi-Evergreen

Spacing: 24" O.C.

Note: Aggressive Vine for Vertical Surfaces, will grow to 25-30'.
Drought tolerant

BOSTON IVY

Parthenocissus tricuspidata
'Veitchii'

Size: #2 CONT, 6" Height

Flowers: Inconspicuous

Fall Color: Deep Red

Spacing: 24" O.C.

Note: Aggressive Vine for Vertical Surfaces, will grow to 25-40'.
Drought tolerant

BALTIC IVY

Hedera helix 'Baltica'

Size: Peat pots, 6" length

Flowers: Inconspicuous

Fall Color: Evergreen/bronze

Spacing: 4" O.C.

Note: Aggressive Vine for Vertical Surfaces, will grow to 25-40'.
Drought tolerant

PERENNIALS

GOLDSTURM RUDBECKIA



Rudbeckia fulgida 'Goldsturm'

Size: #2 CONT, 30" Height

Flowers: Yellow

Fall Color: N/A

Spacing: 15" O.C.

Note:

LITTLE SPIRE RUSSIAN SAGE



Perovskia atriplicifolia 'Little Spire'

Size: #2 CONT, 18" Height

Flowers: Purple

Fall Color: N/A

Spacing: 18" O.C.

Note:

WHITE SWAN PURPLE CONEFLOWER



Echinacea purpurea 'White Swan'

Size: #2 CONT, 18" Height

Flowers: Salmon, White

Fall Color: N/A

Spacing: 18" O.C.

Note:

DRAGON'S BLOOD STONECROP

Sedum spurium
'Dragon's Blood'

Size: #2 CONT, 6" Height

Flowers: Red

Fall Color: Burgundy

Spacing: 12" O.C.

Note:

WINEBERRY CANDY DAYLILY

Heemerocallis
'Wineberry Candy'

Size: #2 CONT, 18" Height

Flowers: Red/Yellow

Fall Color: None

Spacing: 16" O.C.

Note:

SIGNAGE

SIGNAGE OVERVIEW

Because the Uptown Innovation District will be a transformed area with new development and places, it is important to develop and incorporate a signage and wayfinding system that both represents the new district and is part of an overall Uptown wayfinding system. The creation of the Uptown Innovation District presents an opportunity to tell the district's story, stimulate economic development, and create community pride and identity. Place branding is about discovering what makes a place unique and then sharing that story with residents, businesses, and visitors in interesting ways. Often, place branding manifests in signage and environmental graphics, both of which contribute to a unified brand for a community.

Within the Innovation District there are numerous locations that would be well-suited for different types and scales of environmental graphics. District gateways are major points

WAYFINDING CORRIDORS HIERARCHY



FAMILY OF SIGNS

A - GATEWAY

Signs welcoming and directing travelers as they enter the district

B - TRAFFIC SIGN

Traffic signs or road signs are signs erected at the side of or above roads to give instructions or provide information to road users.

C - CYCLE SIGN

On-street and off-street bike wayfinding

D - GROUND SIGN

Intended primarily for buildings with greater front and corner side required build zones or setbacks.

E - DIRECTORY SIGN

Directory signs are intended to provide identification for upper story tenants and/or tenants that are otherwise not permitted an individual sign. Directory signs may also be used for restaurant menus and other similar uses.

FAMILY OF SIGNS

of entry into the Innovation District, like at the intersection of MLK Boulevard and Reading Road. Placemaking strategies like signature architecture, art installations, super graphics, and large signage would be most appropriate in these locations. Likewise, district thresholds are the points that signify the start or termination of the Innovation District. Here, signature streetscape gestures or public art works could be installed that relate to the district's identity. These thresholds should also help direct vehicular traffic towards the core of the Innovation District through wayfinding signage.

Within the Innovation District blocks, pedestrian-scale signage and graphics would be most

appropriate. The addition of artistic crosswalks, pedestrian wayfinding signage, parking identification, and branded banners could contribute to the District's distinctive identity and create a more interesting pedestrian environment.

This system needs to be designed for the Uptown Innovation District. Examples of other district branding and wayfinding are below. Some topics to consider when branding the Innovation District include the appropriate symbolism that represents the entire district experience; the mediums through which the identity will be shared; the creation of an identity for the Innovation District as part of the larger Uptown area; and how to direct people here.





Bayer Becker
6900 Tylersville Road
Suite A
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513-336-6600 wardellwilcox@bayerbecker.com

Count Name: King and Reading
Site Code: 21-0192
Start Date: 11/09/2022
Page No: 3

Turning Movement Peak Hour Data (7:15 AM)

Start Time	Reading Road Southbound					Martin Luther King Drive Westbound					Reading Road Northbound					Martin Luther King Drive Eastbound					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
7:15 AM	34	86	37	1	158	36	530	5	0	571	7	23	25	0	55	23	244	27	0	294	930
7:30 AM	42	110	61	1	214	44	469	11	0	524	3	42	35	0	83	18	333	29	0	380	1077
7:45 AM	43	92	54	0	189	38	416	14	0	468	7	62	25	0	94	20	267	29	0	316	1278
8:00 AM	29	89	32	0	150	40	471	16	0	527	5	43	34	0	82	41	266	23	0	330	1089
Total	148	377	184	2	711	158	1886	46	0	2090	22	170	122	0	314	102	1110	108	0	1320	4435
Approach %	20.8	53.0	25.5	0.3	-	7.6	89.0	2.2	0.0	-	7.0	54.1	38.9	0.0	-	7.7	84.1	8.2	0.0	-	-
Total %	3.3	8.5	4.1	0.0	16.0	3.6	42.5	1.0	0.0	47.1	0.5	3.8	2.8	0.0	7.1	2.3	25.0	2.4	0.0	29.7	-
PHF	0.860	0.857	0.754	0.500	0.831	0.898	0.890	0.719	0.000	0.915	0.786	0.685	0.803	0.000	0.835	0.622	0.833	0.931	0.000	0.868	0.868
All Vehicles (no classification)	148	377	184	2	711	158	1886	46	0	2090	22	170	122	0	314	102	1110	108	0	1320	4435
% All Vehicles (no classification)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0



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Turning Movement Peak Hour Data (4:30 PM)

Start Time	Reading Road Southbound					Martin Luther King Drive Westbound					Reading Road Northbound					Martin Luther King Drive Eastbound				
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total
4:30 PM	31	127	57	0	215	35	234	15	0	284	52	90	36	0	178	17	421	17	0	455
4:45 PM	32	94	86	0	212	33	228	9	0	270	30	71	34	0	135	14	398	19	0	431
5:00 PM	43	156	81	0	280	36	211	16	0	263	55	91	30	0	176	15	428	31	0	474
5:15 PM	27	121	74	0	222	35	248	12	0	295	59	121	42	0	222	35	465	30	0	530
Total	133	498	298	0	929	139	921	52	0	1112	196	373	142	0	711	81	1712	97	0	1890
Approach %	14.3	53.6	32.1	0.0	-	12.5	82.8	4.7	0.0	-	27.6	52.5	20.0	0.0	-	4.3	90.6	5.1	0.0	-
Total %	2.9	10.7	6.4	0.0	20.0	3.0	20.0	1.1	0.0	23.9	4.2	8.0	3.1	0.0	15.3	1.7	36.8	2.1	0.0	40.6
PHF	0.773	0.798	0.866	0.000	0.829	0.965	0.928	0.813	0.000	0.942	0.831	0.771	0.845	0.000	0.801	0.579	0.920	0.782	0.000	0.892
All Vehicles (no classification)	133	498	298	0	929	139	921	52	0	1112	196	373	142	0	711	81	1712	97	0	1890
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0



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Start Date: 11/09/2022
Page No: 3

Turning Movement Peak Hour Data (7:15 AM)

Start Time	Harvey Avenue Southbound						Martin Luther King Drive Westbound						Vernon Place Northbound						Martin Luther King Drive Eastbound							
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Int. Total
7:15 AM	7	11	30	0	48	180	399	16	0	595	8	25	9	0	42	20	276	48	0	344	20	276	48	0	344	1029
7:30 AM	12	17	52	0	81	143	353	25	0	521	10	43	10	0	63	16	291	39	0	346	16	291	39	0	346	1011
7:45 AM	8	37	37	0	82	125	367	15	0	507	11	41	9	0	61	17	272	41	0	330	17	272	41	0	330	980
8:00 AM	18	28	38	0	84	140	349	20	0	509	17	37	14	0	68	10	252	24	0	286	10	252	24	0	286	947
Total	45	93	157	0	295	588	1468	76	0	2132	46	146	42	0	234	63	1091	152	0	1306	63	1091	152	0	1306	3967
Approach %	15.3	31.5	53.2	0.0	-	27.6	68.9	3.6	0.0	-	19.7	62.4	17.9	0.0	-	4.8	83.5	11.6	0.0	-	4.8	83.5	11.6	0.0	-	-
Total %	1.1	2.3	4.0	0.0	7.4	14.8	37.0	1.9	0.0	53.7	1.2	3.7	1.1	0.0	6.0	1.6	27.5	3.8	0.0	32.9	1.6	27.5	3.8	0.0	32.9	-
PHF	0.625	0.628	0.755	0.000	0.878	0.817	0.919	0.76	0.000	0.896	0.676	0.849	0.750	0.000	0.860	0.788	0.937	0.792	0.000	0.944	0.788	0.937	0.792	0.000	0.944	0.964
All Vehicles (no classification)	45	93	157	0	295	588	1468	76	0	2132	46	146	42	0	234	63	1091	152	0	1306	63	1091	152	0	1306	3967
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0



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Start Date: 11/09/2022
Page No: 5

Turning Movement Peak Hour Data (4:30 PM)

Start Time	Harvey Avenue Southbound					Martin Luther King Drive Westbound					Vernon Place Northbound					Martin Luther King Drive Eastbound					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
4:30 PM	48	73	60	0	181	29	267	8	0	304	22	23	9	0	54	7	351	12	0	370	909
4:45 PM	33	55	65	0	153	38	252	11	0	301	16	27	11	0	54	9	390	13	0	412	920
5:00 PM	42	68	47	0	157	31	247	4	0	282	19	34	14	0	67	8	394	13	0	415	921
5:15 PM	29	47	60	0	136	46	266	10	0	322	11	24	4	0	39	7	460	20	0	487	984
Total	152	243	232	0	627	144	1032	33	0	1209	68	108	38	0	214	31	1595	58	0	1684	3734
Approach %	24.2	38.8	37.0	0.0	-	11.9	85.4	2.7	0.0	-	31.8	50.5	17.8	0.0	-	1.8	94.7	3.4	0.0	-	-
Total %	4.1	6.5	6.2	0.0	16.8	3.9	27.6	0.9	0.0	32.4	1.8	2.9	1.0	0.0	5.7	0.8	42.7	1.6	0.0	45.1	-
PHF	0.792	0.832	0.892	0.000	0.866	0.783	0.966	0.750	0.000	0.939	0.773	0.794	0.679	0.000	0.799	0.861	0.867	0.725	0.000	0.864	0.949
All Vehicles (no classification)	152	243	232	0	627	144	1032	33	0	1209	68	108	38	0	214	31	1595	58	0	1684	3734
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0



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Count Name: Reading & University & Lincoln
Site Code: 21-0192
Start Date: 11/09/2022
Page No: 3

Turning Movement Peak Hour Data (7:30 AM)

Start Time	Reading Road Southbound					Lincoln Avenue Westbound					Reading Road Northbound					University Avenue Eastbound					
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Int. Total
7:30 AM	8	86	43	0	137	17	29	0	0	46	13	110	27	0	150	0	10	8	0	18	351
7:45 AM	21	95	43	0	159	11	27	0	0	38	13	118	22	0	153	0	13	7	0	20	370
8:00 AM	14	92	57	0	163	20	26	2	0	48	15	104	21	0	140	8	8	12	0	28	379
8:15 AM	24	89	47	0	160	17	15	1	0	33	13	70	19	0	102	2	11	3	0	16	311
Total	67	362	190	0	619	65	97	3	0	165	54	402	89	0	545	10	42	30	0	82	1411
Approach %	10.8	58.5	30.7	0.0	-	39.4	58.8	1.8	0.0	-	9.9	73.8	16.3	0.0	-	12.2	51.2	36.6	0.0	-	-
Total %	4.7	25.7	13.5	0.0	43.9	4.6	6.9	0.2	0.0	11.7	3.8	28.5	6.3	0.0	38.6	0.7	3.0	2.1	0.0	5.8	-
PHF	0.698	0.953	0.833	0.000	0.949	0.813	0.836	0.375	0.000	0.859	0.900	0.852	0.824	0.000	0.891	0.313	0.808	0.625	0.000	0.732	0.931
All Vehicles (no classification)	67	362	190	0	619	65	97	3	0	165	54	402	89	0	545	10	42	30	0	82	1411
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0



Bayer Becker
6900 Tylersville Road
Suite A

Mason, Ohio, United States 45040
513-336-6600 wardellwilcox@bayerbecker.com

Count Name: Reading & University & Lincoln
Site Code: 21-0192
Start Date: 11/09/2022
Page No: 5

Turning Movement Peak Hour Data (4:15 PM)

Start Time	Reading Road Southbound					Lincoln Avenue Westbound					Reading Road Northbound					University Avenue Eastbound					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
4:15 PM	9	148	20	0	177	48	13	6	0	67	1	114	4	0	119	8	44	51	0	103	466
4:30 PM	12	152	19	0	183	49	16	9	0	74	4	134	6	0	144	25	34	54	0	113	514
4:45 PM	10	144	20	0	174	41	20	3	0	64	2	93	3	0	98	23	50	34	0	107	443
5:00 PM	17	157	16	0	190	39	19	11	0	69	5	122	9	0	136	20	41	26	0	87	482
Total	48	601	75	0	724	177	68	29	0	274	12	463	22	0	497	76	169	165	0	410	1905
Approach %	6.6	83.0	10.4	0.0	-	64.6	24.8	10.6	0.0	-	2.4	93.2	4.4	0.0	-	18.5	41.2	40.2	0.0	-	-
Total %	2.5	31.5	3.9	0.0	38.0	9.3	3.6	1.5	0.0	14.4	0.6	24.3	1.2	0.0	26.1	4.0	8.9	8.7	0.0	21.5	-
PHF	0.706	0.957	0.938	0.000	0.953	0.903	0.850	0.659	0.000	0.926	0.600	0.864	0.611	0.000	0.863	0.760	0.845	0.764	0.000	0.907	0.927
All Vehicles (no classification)	48	601	75	0	724	177	68	29	0	274	12	463	22	0	497	76	169	165	0	410	1905
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0



Bayer Becker
6900 Tylersville Road
Suite A

Mason, Ohio, United States 45040
513-336-6600 wardelwilcox@bayerbecker.com

Count Name: University & Vernon
Site Code: 21-0192
Start Date: 11/09/2022
Page No: 3

Turning Movement Peak Hour Data (7:30 AM)

Start Time	Vernon Place Southbound					University Avenue Westbound					Vernon Place Northbound					University Avenue Eastbound					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
7:30 AM	27	19	2	0	48	23	32	3	0	58	1	16	5	0	22	2	24	22	0	48	176
7:45 AM	40	27	9	0	76	20	35	8	0	63	2	25	4	0	31	7	18	15	0	40	210
8:00 AM	23	22	10	0	55	21	30	9	0	60	3	32	6	0	41	8	17	9	0	34	190
8:15 AM	23	22	1	0	46	13	35	2	0	50	2	24	4	0	30	4	11	14	0	29	155
Total	113	90	22	0	225	77	132	22	0	231	8	97	19	0	124	21	70	60	0	151	731
Approach %	50.2	40.0	9.8	0.0	-	33.3	57.1	9.5	0.0	-	6.5	78.2	15.3	0.0	-	13.9	46.4	39.7	0.0	-	-
Total %	15.5	12.3	3.0	0.0	30.8	10.5	18.1	3.0	0.0	31.6	1.1	13.3	2.6	0.0	17.0	2.9	9.6	8.2	0.0	20.7	-
PHF	0.706	0.833	0.550	0.000	0.740	0.837	0.943	0.611	0.000	0.917	0.667	0.758	0.792	0.000	0.756	0.656	0.729	0.682	0.000	0.786	0.870
All Vehicles (no classification)	113	90	22	0	225	77	132	22	0	231	8	97	19	0	124	21	70	60	0	151	731
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0



Bayer Becker
6900 Tylersville Road
Suite A

Mason, Ohio, United States 45040
513-336-6600 wardellwilcox@bayerbecker.com

Count Name: University & Vernon
Site Code: 21-0192
Start Date: 11/09/2022
Page No: 5

Turning Movement Peak Hour Data (4:15 PM)

Start Time	Vernon Place Southbound						University Avenue Westbound						Vernon Place Northbound						University Avenue Eastbound					
	Right	Thru	Left	U-Turn	App. Total		Right	Thru	Left	U-Turn	App. Total		Right	Thru	Left	U-Turn	App. Total		Right	Thru	Left	U-Turn	App. Total	Int. Total
4:15 PM	20	43	22	0	85		3	21	1	0	25		12	13	3	0	28		1	66	13	0	80	218
4:30 PM	17	50	32	0	99		6	30	2	0	38		10	16	4	0	30		8	78	13	0	99	266
4:45 PM	21	36	20	0	77		2	35	1	0	38		8	10	3	0	21		11	75	27	0	113	249
5:00 PM	21	33	35	0	89		11	39	2	0	52		6	22	6	0	34		6	56	13	0	75	250
Total	79	162	109	0	350		22	125	6	0	153		36	61	16	0	113		26	275	66	0	367	983
Approach %	22.6	46.3	31.1	0.0	-		14.4	81.7	3.9	0.0	-		31.9	54.0	14.2	0.0	-		7.1	74.9	18.0	0.0	-	-
Total %	8.0	16.5	11.1	0.0	35.6		2.2	12.7	0.6	0.0	15.6		3.7	6.2	1.6	0.0	11.5		2.6	28.0	6.7	0.0	37.3	-
PHF	0.940	0.810	0.779	0.000	0.884		0.500	0.801	0.750	0.000	0.736		0.750	0.593	0.667	0.000	0.831		0.591	0.881	0.611	0.000	0.812	0.924
All Vehicles (no classification)	79	162	109	0	350		22	125	6	0	153		36	61	16	0	113		26	275	66	0	367	983
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0		100.0	100.0	100.0	-	100.0		100.0	100.0	100.0	-	100.0		100.0	100.0	100.0	-	100.0	100.0



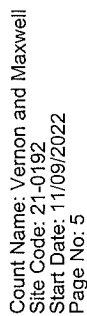
Bayer Becker
6900 Tylersville Road
Suite A

Mason, Ohio, United States 45040
513-336-6600 wardelwilcox@bayerbecker.com

Count Name: Vernon and Maxwell
Site Code: 21-0192
Start Date: 11/09/2022
Page No: 3

Turning Movement Peak Hour Data (7:30 AM)

Start Time	Vernon Place Southbound					Maxwell Avenue Westbound					Vernon Place Northbound				
	Thru	Left	U-Turn	App. Total	Right	Left	U-Turn	App. Total	Right	Thru	U-Turn	App. Total	Right	Thru	Int. Total
7:30 AM	54	2	0	56	2	0	0	2	2	49	0	51	2	49	109
7:45 AM	78	4	0	82	1	0	0	1	5	58	0	63	5	58	146
8:00 AM	58	6	0	64	2	1	0	3	5	59	0	64	5	59	131
8:15 AM	48	3	1	52	3	1	0	4	4	41	0	45	4	41	101
Total	238	15	1	254	8	2	0	10	16	207	0	223	16	207	487
Approach %	93.7	5.9	0.4	-	80.0	20.0	0.0	-	7.2	92.8	0.0	-	7.2	92.8	-
Total %	48.9	3.1	0.2	52.2	1.6	0.4	0.0	2.1	3.3	42.5	0.0	45.8	3.3	42.5	-
PHF	0.763	0.625	0.250	0.774	0.667	0.500	0.000	0.625	0.800	0.877	0.000	0.871	0.800	0.877	0.834
All Vehicles (no classification)	238	15	1	254	8	2	0	10	16	207	0	223	16	207	487
% All Vehicles (no classification)	100.0	100.0	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0



Mason, Ohio, United States 45040
36-6600 wardellwilcox@bayerbecke

Turning Movement Peak Hour Data (4:15 PM)

Start Time	Vernon Place Southbound				Maxwell Avenue Westbound				Vernon Place Northbound				Int. Total
	Thru	Left	U-Turn	App. Total	Right	Left	U-Turn	App. Total	Right	Thru	U-Turn	App. Total	
4:15 PM	77	1	0	78	4	3	0	7	1	25	0	26	111
4:30 PM	96	3	0	99	7	5	0	12	1	38	0	39	150
4:45 PM	78	1	1	80	5	1	0	6	1	37	0	38	124
5:00 PM	79	3	0	82	7	3	0	10	1	44	0	45	137
Total	330	8	1	339	23	12	0	35	4	144	0	148	522
Approach %	97.3	2.4	0.3	-	65.7	34.3	0.0	-	2.7	97.3	0.0	-	-
Total %	63.2	1.5	0.2	64.9	4.4	2.3	0.0	6.7	0.8	27.6	0.0	28.4	-
PHF	0.859	0.667	0.250	0.856	0.821	0.600	0.000	0.729	1.000	0.818	0.000	0.822	0.870
All Vehicles (no classification)	330	8	1	339	23	12	0	35	4	144	0	148	522
% All Vehicles (no classification)	100.0	100.0	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	100.0	100.0



November 30, 2022

Kam Smith
Bayer Becker
1404 Race Street
Suite 204
Cincinnati, OH 45202

Subject: Conditional Availability of Sewers
Office Medical Lab 60,000sf
Auditor's Parcel Number 0091-0001-0201, -0215, -0218, -0330, & -0331
3041 Reading Road
Cincinnati
APD Number CMD2200208

Dear Mr. Smith,

Your sewer availability request for the property referenced above has been processed and approved. Sanitary sewer service is available via the connection to the existing public sewer in Reading Road, subject to the following requirements and conditions:

1. All plans and construction shall comply with the latest edition of the MSD Rules and Regulations which governs the design, construction, maintenance, operation, and use of sanitary and combined sewers. This document can be downloaded from the MSD website at https://www.msdbg.org/Doing_business/msd-rules-regulations/index.html.
2. Due to the age, pipe material type, and diameter of the sanitary sewer, special considerations should be made to protect MSDGC's infrastructure during construction. Any damage to the sanitary sewer is to be remediated at the cost of the contractor. Once the connection point to the sewer has been uncovered, MSDGC's on-site inspector will need to verify any necessary repairs to the sanitary sewer that must be completed before the work can take place.
3. In instances where the overflow rim of the lowest plumbing fixture in any proposed structure is below the elevation of the rim of the next upstream manhole in the sewer system to which the proposed structure is connected, a backwater valve shall be installed in accordance with Section 614 of the MSD Rules and Regulations.
4. This development shall be subject to the requirements of Article XV of the MSD Rules and Regulations, which requires filing the appropriate Waste Discharge Permit Application as a condition of obtaining sewer service. These forms can be downloaded from the MSD website at https://www.msdbg.org/Customer_care/Industrial_and_Commercial_Customers/index.html. Additional information can be obtained by contacting the MSD Division of Industrial waste at 513.557.7000.
5. A tap permit must be obtained in accordance with Section 1201 of the MSD Rules and Regulations. After the tap permit is issued, the sewer contractor must contact the MSD Field Office at 513.244.1369 for sewer inspection.
6. All sewer tappers making building sewer connections to the MSD sewer system shall be licensed and bonded by MSD in accordance with Section 1212 of the MSD Rules and Regulations.
7. The person to whom a tap permit or special permit is issued shall be responsible for obtaining any additional permits required to open-cut any public street, road, or highway from the appropriate

public authority that has jurisdiction in accordance with Section 1210 of the MSD Rules and Regulations.

8. Each structure or each dwelling is to be provided with a separate water service and meter and shall also be serviced by a separate and completely independent building sewer tapping into the sanitary or combined sewer system in accordance with Section 1202 of the MSD Rules and Regulations.
9. All storm and sanitary sewer flows shall be separated within the development site before discharging to the combined sewer system in accordance with Section 302 of the MSD Rules and regulations.
10. Storm detention shall be provided in accordance with Section 303 of the MSD Rules and Regulations. MSD will require additional detention regulations due to downstream capacity issues, which will be determined during the Detailed Review.
11. For additional site stormwater requirements within the City of Cincinnati, contact the City of Cincinnati's Stormwater Management Utility (SMU) at 513.591.5050.

The conditional availability of sewer service as described in this letter is effective until one year from the date of this letter and may be extended for one additional year in accordance with Article V, Section 510 of the MSD Rules and Regulations. Extension requests may be made within thirty (30) days of the expiration date of this application. Subsequent extension requests may or may not be granted depending on the availability of sewer credits, the hydraulic capacity of the sewer system, and/or other factors that may affect MSD's ability to accept additional sanitary flows into our sewer system.

This determination of sewer availability is based on the best information available at this time to the Metropolitan Sewer District of Greater Cincinnati and is subject to modification or revocation resulting from regulatory action taken by the United States Environmental Protection Agency, the State of Ohio Environmental Protection Agency, from federal consent decrees, or other judicial action ordered by federal courts of the United States Government or the courts of the State of Ohio.

If you have any questions, please call William Weinheimer at 513.557.7019 or me at 513.557.7188.

Sincerely,



Robert Franklin
Engineering Tech. Supervisor, Development Services
Metropolitan Sewer District of Greater Cincinnati

RF: WW

c: Availability File, Cincinnati, Katherine Keough-Jurs



November 30, 2022

Kam Smith
Bayer Becker
1404 Race Street
Suite 204
Cincinnati, OH 45202

Subject: Conditional Availability of Sewers
Mixed Use Retail – 24,000sf Office – 30,000sf, Apartments 100 1-Br, 200 2-Br
Auditor's Parcel Number 0091-0001-0201, -0100 to -0109, -0112
0106-0001-0145, -0146, -0149, -0150, -0204, -0243, -0254 to -0260, -0328
515 E. Martin Luther King Jr Drive
Cincinnati
APD Number CMD2200209

Dear Mr. Smith,

Your sewer availability request for the property referenced above has been processed and approved. Sanitary sewer service is available via the connection to the proposed public sewer in Vernon Place, subject to the following requirements and conditions:

1. All plans and construction shall comply with the latest edition of the MSD Rules and Regulations which governs the design, construction, maintenance, operation, and use of sanitary and combined sewers. This document can be downloaded from the MSD website at https://www.msdbg.org/Doing_business/msd-rules-regulations/index.html.
2. Due to the age, pipe material type, and diameter of the sanitary sewer, special considerations should be made to protect MSDGC's infrastructure during construction. Any damage to the sanitary sewer is to be remediated at the cost of the contractor. Once the connection point to the sewer has been uncovered, MSDGC's on-site inspector will need to verify any necessary repairs to the sanitary sewer that must be completed before the work can take place.
3. In instances where the overflow rim of the lowest plumbing fixture in any proposed structure is below the elevation of the rim of the next upstream manhole in the sewer system to which the proposed structure is connected, a backwater valve shall be installed in accordance with Section 614 of the MSD Rules and Regulations.
4. A mainline sewer extension is required for the proposed development. Concept and detail plans must be submitted for MSD review and approval in accordance with Articles VI and VII of the latest revision of the MSD Rules and Regulations.

A Permit to Install is required from the Ohio EPA before MSD will grant final approval of Detail Plans for sanitary sewer construction. The permit application shall be prepared by a Registered Ohio Professional Engineer for submittal by MSD to the Ohio EPA. No construction of a mainline extension can begin prior to obtaining a PTI from the Ohio EPA.

A public sanitary sewer easement shall be dedicated for all portions of the proposed mainline extension which will be located outside of a dedicated public right of way. This easement shall be dedicated by plat, prepared in accordance with MSD, Hamilton County, and State of Ohio standards, and shall be submitted to MSD for review prior to execution by the grantors. All public sewer easements shall be a minimum of 20 feet in width, and MSD reserves the right to require a wider

easement if site conditions warrant.

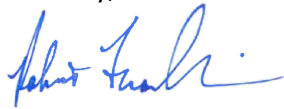
5. A public sewer traverses the proposed development site. No soil grading shall take place within the boundaries of recorded or prescribed easements until an Excavation/Fill permit has been obtained in accordance with Section 406 of the MSD Rules and Regulations. Additionally, no permanent structures or retaining walls may be constructed over a public sewer or within a recorded public easement as set forth in Sections 206 and 207 of the MSD Rules and Regulations until the sewer is properly abandoned and the new sewer is constructed.
6. A tap permit must be obtained in accordance with Section 1201 of the MSD Rules and Regulations. After the tap permit is issued, the sewer contractor must contact the MSD Field Office at 513.244.1369 for sewer inspection.
7. All sewer tappers making building sewer connections to the MSD sewer system shall be licensed and bonded by MSD in accordance with Section 1212 of the MSD Rules and Regulations.
8. The person to whom a tap permit or special permit is issued shall be responsible for obtaining any additional permits required to open-cut any public street, road, or highway from the appropriate public authority that has jurisdiction in accordance with Section 1210 of the MSD Rules and Regulations.
9. Each structure or each dwelling is to be provided with a separate water service and meter and shall also be serviced by a separate and completely independent building sewer tapping into the sanitary or combined sewer system in accordance with Section 1202 of the MSD Rules and Regulations.
10. All storm and sanitary sewer flows shall be separated within the development site before discharging to the combined sewer system in accordance with Section 302 of the MSD Rules and regulations.
11. Storm detention shall be provided in accordance with Section 303 of the MSD Rules and Regulations. MSD will require additional detention regulations due to downstream capacity issues, which will be determined during the Detailed Review.
12. For additional site stormwater requirements within the City of Cincinnati, contact the City of Cincinnati's Stormwater Management Utility (SMU) at 513.591.5050.

The conditional availability of sewer service as described in this letter is effective until one year from the date of this letter and may be extended for one additional year in accordance with Article V, Section 510 of the MSD Rules and Regulations. Extension requests may be made within thirty (30) days of the expiration date of this application. Subsequent extension requests may or may not be granted depending on the availability of sewer credits, the hydraulic capacity of the sewer system, and/or other factors that may affect MSD's ability to accept additional sanitary flows into our sewer system.

This determination of sewer availability is based on the best information available at this time to the Metropolitan Sewer District of Greater Cincinnati and is subject to modification or revocation resulting from regulatory action taken by the United States Environmental Protection Agency, the State of Ohio Environmental Protection Agency, from federal consent decrees, or other judicial action ordered by federal courts of the United States Government or the courts of the State of Ohio.

If you have any questions, please call William Weinheimer at 513.557.7019 or me at 513.557.7188.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Franklin".

Robert Franklin
Engineering Tech. Supervisor, Development Services
Metropolitan Sewer District of Greater Cincinnati

RF: WW

c: Availability File, Cincinnati, Katherine Keough-Jurs

**CITY MANAGER'S
COORDINATED REPORT TO CITY COUNCIL****SUBJECT: CR #97-2022 – Queen City Hills Development****TRANSPORTATION/ENGINEERING – RECOMMENDATION**

Date: 11/16/2022

Bob Vickrey

NO OBJECTION

PUBLIC SERVICES – RECOMMENDATION

Date: 11/4/2022

Joel Koopman

NO OBJECTION

METROPOLITAN SEWER - RECOMMENDATION

Date: 11/4/2022

Rob Kern

CONDITIONS**STORMWATER MGT UTILITY- RECOMMENDATION**

Date: 11/14/2022

Nick Christopf

CONDITIONS**GREATER CINCINNATI WATER WORKS - RECOMMENDATION**

Date: 11/10/2022

Cheri Bush

PARTIAL OBJECTIONS/CONDITIONS**ECONOMIC DEVELOPMENT & COMMUNITY DEVELOPMENT - RECOMMENDATION** Date: 12/1/2022

Mary Poole

NO OBJECTION

CITY PLANNING AND ENGAGEMENT - RECOMMENDATION

Date: 12/5/2022

Katherine Keough-Jurs

CONDITIONS**DUKE ENERGY – GENERAL**

Date: 12/1/2022

Michael Abel

CONDITIONS**DUKE ENERGY, GAS - RECOMMENDATION**

Date: 10/29/2022

Jesse Orth

CONDITIONS**DUKE ENERGY, ELECTRIC- RECOMMENDATION**

Date:

Matthew Reis

*NO RESPONSE matthew.ries@duke-energy.com***ALTAFIBER - RECOMMENDATION**

Date: 11/22/2022

Breck Cowan

CONDITIONS

Page 2 of 2
CR#97-2022
Date: 12/6/2022

SUBJECT: CR #97-2022 – Queen City Hills Development

FIRE DEPARTMENT – RECOMMENDATION Chief Michael A. Washington, Sr.	Date: 11/17/2022
NO OBJECTION	
POLICE DEPARTMENT – RECOMMENDATION Interim Chief Teresa A Theetge	Date: 11/15/2022
NO OBJECTION	
BUILDINGS & INSPECTIONS Arthur Dahlberg	Date: 11/21/2022
CONDITIONS	
PARKS DEPARTMENT – RECOMMENDATION Matt DiBona	Date: 12/6/2022
NO OBJECTION	
RECREATION COMMISSION – RECOMMENDATION Matt Schiller	Date: 11/9/2022
NO OBJECTION	
COMMUNICATIONS TECHNOLOGY- RECOMMENDATION Chris Abernathy	Date: 11/21/2022
NO OBJECTION	
OFFICE OF ENVIRONMENT AND SUSTAINABILITY- RECOMMENDATION Howard Miller	Date: 12/5/2022
NO OBJECTION	

-
- The diagram illustrates a sidewalk cross-section divided into three distinct zones, each with a specific color and pattern:
- FURNISHINGS OR BUFFER ZONE:** Represented by a light blue solid rectangle on the left side of the sidewalk.
 - THROUGHWAY OR PEDESTRIAN THROUGH ZONE:** Represented by a blue rectangle with a diagonal hatched pattern in the center of the sidewalk.
 - FRONTAGE ZONE:** Represented by an orange solid rectangle on the right side of the sidewalk.

VERNON PLACE
CATEGORY: DISTRICT AVENUE
STREETSCAPE DIMENSIONS:
 BUFFER ZONE - 6'-12'
 THROUGH ZONE - 8'-9'
 FRONTAGE ZONE - 0'-30'

MARTIN LUTHER KING DRIVE
CATEGORY: SIGNATURE BOULEVARD
STREETSCAPE DIMENSIONS:
 BUFFER ZONE - 8'
 THROUGH ZONE - 12'-20'
 FRONTAGE ZONE - 0'-35'

READING ROAD
CATEGORY: PRIMARY AVENUE
STREETSCAPE DIMENSIONS:
 BUFFER ZONE - 8'
 THROUGH ZONE - 10'
 FRONTAGE ZONE - 0'-10'

MAXWELL AVENUE
CATEGORY: COURTYARD COMMONS
STREETSCAPE DIMENSIONS:
 BUFFER ZONE - 4'-6'
 THROUGH ZONE - 10'
 FRONTAGE ZONE - 0'-10'

PROP R/W

PROP R/W

PROP R/W

C1.0

Drawing:	21-0192 PL
Drawn by:	MPD
Checked By:	
Issue Date:	12-14-2022
Sheet:	

bayer
bayer
www.bayerbecker.com
1404 Race Street, Suite 204
Cincinnati, OH 45202 - 513.834.6151

QUEEN CITY HILLS
CITY OF CINCINNATI
HAMILTON COUNTY, OHIO

STREETSCAPE DESIGN STANDARDS EXHIBIT

QUEEN CITY HILLS

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HAMILTON COUNTY, OHIO

STREETSCAPE DESIGN STANDARDS EXHIBIT

ALSHEYAB, RAWAN 3014 BURNETT AVE CINCINNATI, OH 45219	Avondale Community Council 3635 Reading Road, #100 Cincinnati, OH 45229	Avondale Development Corp. 3635 Reading Road, #200 Cincinnati, OH 45229
BURNET APARTMENTS LLC 2718 VINE ST CINCINNATI, OH 45219	BURNET R & S CORP INC 4555 LAKE FOREST DR, SUITE 410 CINCINNATI, OH 45242	CARNATION FUNDING COMPANY LLC 155 NORTH WACKER DR, #4250 CHICAGO IL 60606
CENTRAL CLINIC 311 ALBERT SABIN WAY CINCINNATI, OH 45229	CENTRAL COMMUNITY HEALTH BOARD OF HAMILTON COUNTY 532 MAXWELL AVE CINCINNATI, OH 45219	CINCINNATI CHILDRENS HOSPITAL MEDICAL CENTER 3333 BURNET AVE CINCINNATI, OH 45229
COLDIRON PROPERTIES LLC 3024 BURNETT AVE CINCINNATI, OH 45219	DIGITAL FUTURES OFFICE 2 LLC 3200 MADISON RD, SUITE 2B CINCINNATI, OH 45209	FIRST NATIONAL BANK OF CINTI THE US BANK TAX DEP 2800 E LAKE ST MINNEAPOLIS, MN 55406
UPTOWN TRANSPORTATION AUTHORITY LLC 3440 BURNET AVE, STE 130 CINCINNATI, OH 45229	JEBRIL, NIDAL 3016 READING RD CINCINNATI, OH 45206	MCDONALDS CORPORATION PO BOX 66351 CHICAGO, IL 60666
MERRILL, JERRI ANN 17219 ST ROUTE 136 WINCHESTER, OH 45697	MESA PROPERTIES LLC 3955 MONTGOMERY RD CINCINNATI, OH 45212	MLK INVESTORS I LLC 2135 DANA AVE, SUITE 200 CINCINNATI, OH 45207
OUDEH, ABEDALSALAM & ABDALLAH ODEH 3000 READING RD CINCINNATI, OH 45206	PI LAND LLC 8033 HAMILTON AVENUE CINCINNATI, OH 45231	PORT OF GREATER CINCINNATI DEVELOPMENT AUTHORITY 3 E FOURTH ST, SUITE 300 CINCINNATI, OH 45202
READING ROAD PROPERTY 11843 KEMPER SPRINGS DR CINCINNATI, OH 45240	REILLY U & H MGMT LLC 7215 ALGONQUIN DR CINCINNATI, OH 45243	SGA ENTERPRISES INC 2333 ANDERSON RD FT MITCHELL, KY 41017
STATE OF OHIO 505 S STATE ROUTE 741 LEBANON, OH 45036	STATE OF OHIO FBO THE UNIVERSTIY OF CINCINNATI 2618 MCMICKEN CIR CINCINNATI, OH 45221	STERLING MEDICAL ASSOCIATES INC 2936 VERNON PL CINCINNATI, OH 45219
TEKO LAND GROUP LTD 3665 ERIE AVE CINCINNATI, OH 45208	TERRAZA 7 LLC 11995 EL CAMINO REAL SAN DIEGO, CA 92130	UC HEALTH 3200 BURNET AVE CINCINNATI, OH 45229

UCF HOLDINGS LLC
ATTN: THOMAS FREEMAN
P O BOX 19970
CINCINNATI, OH 45219

UNIVERSITY OF CINCINNATI
BOARD OF TRUSTEES
PO BOX 210623
CINCINNATI, OH 45221-0623

YWCA DEVELOPMENT CORP
898 WALNUT ST
CINCINNATI, OH 45202

VERNON INVESTMENTS LLC
2939 VERNON PL
CINCINNATI, OH 45219

VERNON PLACE HOLDINGS LLC
5710 WOOSTER PIKE, #320
CINCINNATI, OH 45227

VERNON PLACE LTD PARTNERSHIP
2925 VERNON PL
CINCINNATI, OH 45219

February 8, 2023

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

Dear Members of Council:

We are transmitting herewith an Emergency Ordinance captioned as follows:

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property in the area generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west in the Avondale neighborhood from the CC-A, “Commercial Community – Auto-Oriented,” CC-P, “Commercial Community – Pedestrian,” and OG, “Office General,” zoning districts to Planned Development District No. 97, “Queen City Hills.”

The City Planning Commission recommended approval of the zone change at its February 3, 2023 meeting.

Summary:

Queen City Hills, the developer, proposes the redevelopment of one of the four corridor quadrant areas at Reading Road and E. Martin Luther King Jr. Drive in Avondale. It is approximately 5.85 acres in size and contains 15 parcels. The proposed Concept Plan and Development Program Statement is for the redevelopment into a large-scale, mixed-use development, referred to as the “Biotech Cincinnati Life Science Research Park for Innovation Corridor.” Major site components include a commercial development lab, a research lab and office space, street level retail space along E. Martin Luther King Jr. Drive, a structured parking garage and podium, a large public plaza, and multi-family housing.

The development team has been actively engaged with the Avondale Community Council regarding this project since 2019. Throughout 2019 and 2020, the development team met with Uptown Consortium and WEB Ventures monthly to discuss development goals. The development team has worked hard to ensure that the proposed project meets the Uptown District Design Guidelines, a set of development principles created through an intense community engagement process led by Uptown Consortium.

The City Planning Commission recommended the following on February 3, 2023, to City Council:

1. **ACCEPT** the Concept Plan and Development Program Statement as submitted; and
2. **ADOPT** the Department of City Planning and Engagement Findings as detailed in the report; and
3. **APPROVE** the proposed zone change from Commercial Community – Auto-oriented (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD), including a Concept Plan and Development Program Statement, at the southwest quadrant of the intersection of Reading Road and E. Martin Luther King Jr. Drive in Avondale.

Motion to Approve: Mr. Weber
Seconded: Ms. Kearney

Ayes: Ms. Kearney
Mr. Samad
Mr. Stallworth
Mr. Weber


THE CITY PLANNING COMMISSION



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

February 8, 2023

To: Chelsey Pettyjohn, Office of the Clerk of Council

From: Katherine Keough-Jurs, FAICP, Director, Department of City Planning & Engagement 

Copies to: Stacey Hoffman, Senior City Planner, Department of City Planning & Engagement

Subject: Scheduling of Emergency Ordinance – Planned Development #97, Queen City Hills

The above referenced Emergency Ordinance is requested to be scheduled for the Equitable Growth and Housing Committee on February 28, 2023. 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 Mayor and City Council;
- 2) A copy of the City Planning Commission staff report dated February 3, 2023;
- 3) The Emergency Ordinance (Transmitted by Law);
- 4) Mailing labels for the notice of the public hearing; and
- 5) A copy of the mailing labels for your file.

City of Cincinnati

Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

February 27, 2023



MOTION

Public Transit Line/BRT Development Incentives

WE MOVE that the City of Cincinnati Administration craft an amended version of Ordinance Item No. 2023-00702 to include a bonus incentive for multi-family developments along public transit lines/proposed BRT Routes (see attached). Specifically, we ask the Administration to create a bonus incentive that increases the maximum abated amount in market improvement value of a residential multi-family unit located on a public transit line. The incentive should increase the maximum abated market improvement value on a per unit basis, so that a two-unit building has an additional incentive of \$75,000, a three-unit building has a higher additional incentive of \$150,000, and the four-unit building has the highest additional incentive of \$225,000. This should be called the "Public Transit Corridor Incentive." This bonus will double the abatement amount for residential multi-family developments when paired with the "Missing Middle Bonus," further incentivizing much needed two, three, and four family units along public transit corridors.


Councilmember Liz Keating

Councilmember Reggie Harris


Councilmember Meeka D. Owens

Councilmember Seth Walsh

Wb



12177-13-13

The following is a list of the names of the persons who have been named in the various reports of the Committee on the Assassinations of President John F. Kennedy. The names are listed in alphabetical order of the last name. The names are listed in the order in which they appear in the reports. The names are listed in the order in which they appear in the reports.

Office of the
Director

James A. ...

STATEMENT

The City should take a global view of the region's priorities and consider the following:

- Waiting three years to consider this amendment to the current policy will hold the region back and miss an opportunity to take advantage of the critical and impactful Connected Communities and Reinventing METRO work.
- With the passage of Issue 7, the region has made a significant investment in public transit including Bus Rapid Transit (BRT).
- The region is facing a housing deficit and needs to produce more housing units to meet the demand and increase affordability throughout the City.
- The City needs to continue to grow to increase its tax revenue as costs continue to rise. As the City works towards job growth, it should focus on getting its people to and from jobs.
- In addition to providing access to jobs, public transit infrastructure connects riders to education, healthcare, childcare, recreation, and all the Cincinnati area has to offer.
- Connecting housing development to public transit infrastructure helps reduce the cost of living in Cincinnati by reducing the cost burden of owning a car, increasing affordability in Cincinnati.
- Many Metro bus routes are not zoned for commercial multi-family buildings but are zoned for residential multi-family. Adding incentives for transit-oriented development in the Residential Tax Abatement Policy is critical for the biggest impact city-wide.
- The City can work towards equity by increasing housing supply to lower demand and create naturally affordable units; increasing access to public transit through housing options and locations; creating pathways to home ownership through residential multi-family incentives.
- The City has aggressive sustainability goals through the Green Cincinnati Plan. Enhancing the region's public transit infrastructure through housing development incentives helps reduce the reliance on cars and takes advantage of the taxpayer investment in public transit.

