



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda - Final

Equitable Growth & Housing

Chairperson, Jeff Cramerding
Vice Chairperson, Reggie Harris
Councilmember, Meeka Owens
Councilmember, Mark Jeffreys
Councilmember, Anna Albi
Vice Mayor, Jan-Michele Kearney
Councilmember, Victoria Parks
Councilmember, Scotty Johnson
Councilmember, Seth Walsh

Tuesday, March 26, 2024

1:00 PM

Council Chambers, Room 300

AGENDA

Start of Public Hearing

1. [202400567](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/22/2024, **AMENDING** the official zoning map of the City of Cincinnati to rezone certain real property located at 3060 Durrell Avenue in the Evanston neighborhood from the RMX, "Residential Mixed," zoning district to Planned Development District No. 98, "The Mingo." (Subject to the [Temporary Prohibition List](#) <https://www.cincinnati-oh.gov/law/ethics/city-business>)

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)
[Attachment A](#)
[Attachment B](#)
[Attachment C](#)
[Attachment D](#)
[Legislative Record](#)
[CPC Memo to Clerk](#)

End of Public Hearing

2. [202400917](#) **REPORT**, dated 3/26/2024, submitted Sheryl M. M. Long, City Manager, regarding Financing Options for The Mingo. (Ref. Doc. #202400567).

Sponsors: City Manager

Attachments: [Report](#)
[Attachment](#)

February 22, 2024

To: Mayor and Members of City Council 202400567
From: Sheryl M. M. Long, City Manager
Subject: Ordinance for the Rezoning of 3060 Durrell Avenue to Planned Development No. 98 in Evanston

Transmitted is an Ordinance captioned:

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property located at 3060 Durrell Avenue in the Evanston neighborhood from the RMX, “Residential Mixed,” zoning district to Planned Development District No. 98, “The Mingo.”

The City Planning Commission recommended approval of the zone change at its February 16, 2024 meeting.

Summary:

The petitioner, Kinglsey and Company, requested a zone change to a planned development for the redevelopment of the existing site into a multi-family development consisting of two apartment buildings with a total of 240 market-rate and affordable units, ranging from studio apartments to three-bedroom apartments.

The City Planning Commission recommended the following on February 16, 2024 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 on pages 3-9 of this report; and
3. **APPROVE** the proposed zone change from Residential Mixed (RMX) to a Planned Development (PD), including a Concept Plan and Development Program Statement, located at 3060 Durrell Avenue in Evanston.

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

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property in the area generally located at 3060 Durrell Avenue in the Evanston neighborhood from the RMX, “Residential Mixed,” zoning district to Planned Development District No. 98, “The Mingo.”

WHEREAS, 3060 Durrell Investors, LLC (“Owner”) owns approximately 4.513 acres of real property in the Evanston neighborhood generally located at 3060 Durrell Avenue (“Property”), which Property the Owner’s affiliate, Kingsley Consulting, LLC, doing business as Kingsley + CO. (“Petitioner”), seeks to redevelop over multiple phases into approximately 67,880 square feet of multi-family residential across two buildings containing 240 apartments, 248 off-street parking spaces, and approximately one acre of open and amenity space including a swimming pool, patios, and a dog park (“Project”); and

WHEREAS, the Owner and the Petitioner have sufficient control over the Property to affect the Project and have petitioned the City to rezone the Property from the RMX, “Residential Mixed,” zoning district to Planned Development District No. 98, “The Mingo” (“PD-98”), to undertake the Project; and

WHEREAS, the Petitioner has submitted a concept plan and development program statement for PD-98, which documents describe the land use and development regulations that will govern the development and conform with the requirements of Cincinnati Municipal Code Section 1429-09; and

WHEREAS, on February 16, 2024, the City Planning Commission approved the rezoning of the Property from the RMX, “Residential Mixed,” zoning district to PD-98, upon a finding that: (i) the Petitioner’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 the Petitioner’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 Plan Cincinnati (2012), particularly a goal of the Live Initiative Area to “[p]rovide a full spectrum of housing options, and improve housing quality and affordability” as described on page 164, and the strategy to “[p]rovide quality healthy housing for all income levels” as described on page 165; and

WHEREAS, the Project is also consistent with the Evanston Work Plan (2019), including the goal to “[c]reate a sustainable, mixed income neighborhood without displacement” as described on page 40; and

WHEREAS, Council considers the establishment of PD-98 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 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 3060 Durrell Investors, LLC and its affiliate, Kingsley Consulting, LLC, doing business as Kingsley + CO., for the real property generally located at 3060 Durrell Avenue in the Evanston neighborhood as shown on the map attached hereto as Attachment A and incorporated herein by reference 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 real property shown on the map attached hereto as Attachment A and incorporated herein by reference, and being more particularly described on the legal description attached hereto as Attachment B and incorporated herein by reference, is hereby amended from the RMX, “Residential Mixed,” zoning district to Planned Development District No. 98, “The Mingo” (“PD-98”).

Section 3. That the development program statement, attached hereto as Attachment C and incorporated herein by reference, and that the concept plan, attached hereto as Attachment D and incorporated herein by reference, are hereby approved. The approved concept plan and

development program statement shall govern the use and development of the subject property during the effective period of PD-98.

Section 4. That, should PD-98 lapse pursuant to provisions of Cincinnati Municipal Code Chapter 1429, "Planned Development Districts," the Property shall revert to the RMX, "Residential Mixed," zoning district in effect immediately prior to the effective date of PD-98.

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

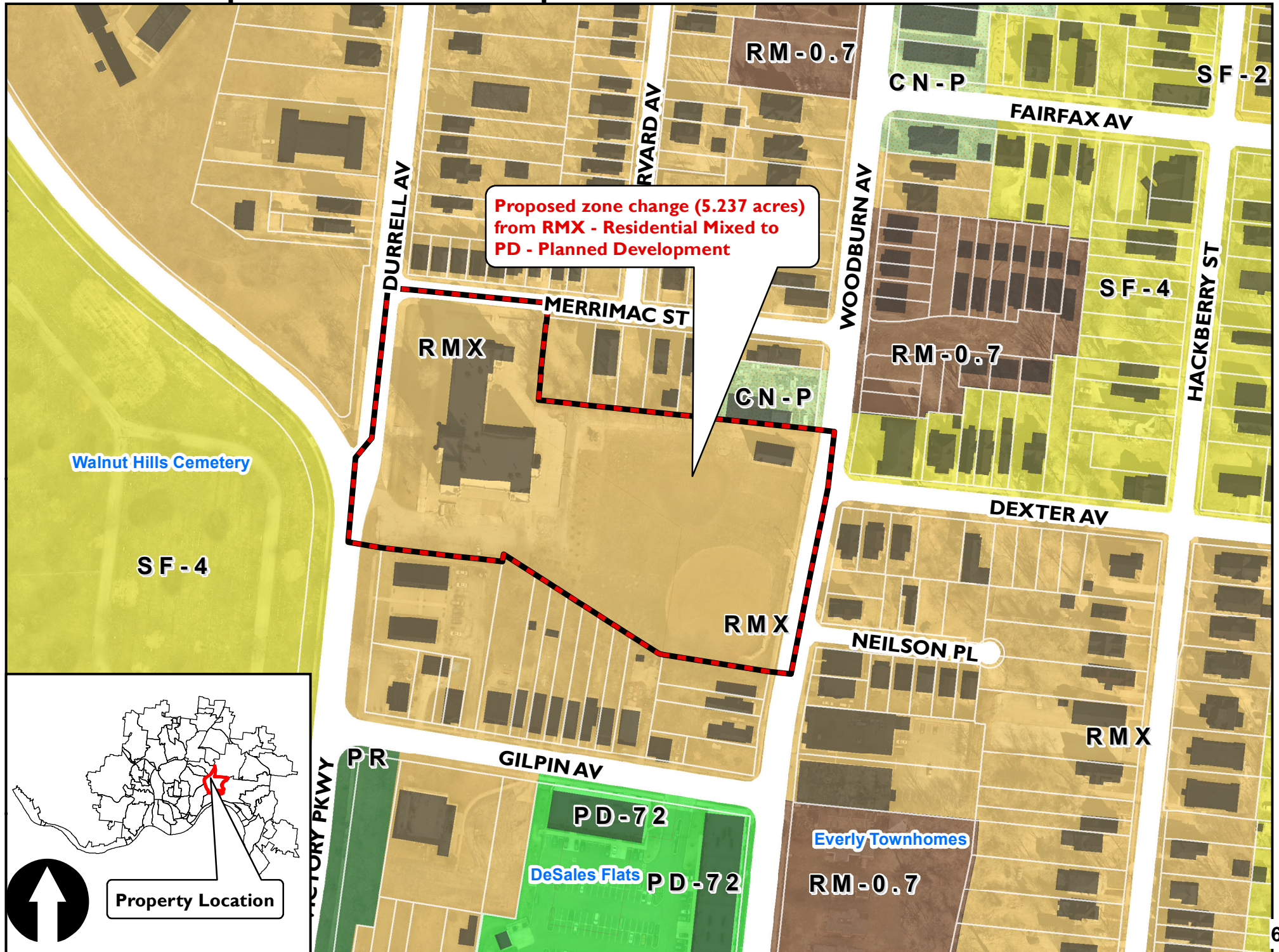
Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Proposed Planned Development at 3060 Durrell Ave in Evanston

Exhibit A



LEGAL DESCRIPTION
(Zoning Description – 5.237 Acres)

Situated in Section 2, Town 3, Fractional Range 2, Miami Purchase, City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

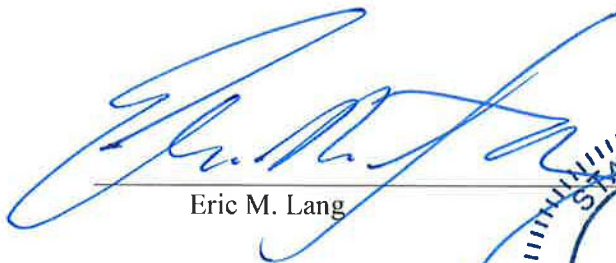
Beginning at point at the intersection of the centerlines of Merrimac Street (40' R/W) and Durrell Avenue (60' R/W); Thence with said centerline of said Merrimac Street, S 83°57'44" E for a distance of 234.25' to a point; Thence leaving said centerline with the west lines and south line of the lands conveyed to 1521 Halsburg LLC as recorded in O.R. 13315, Pg. 220; Thence with the Westerly line of said Halsburg and its extension for the following five (5) courses and distances:

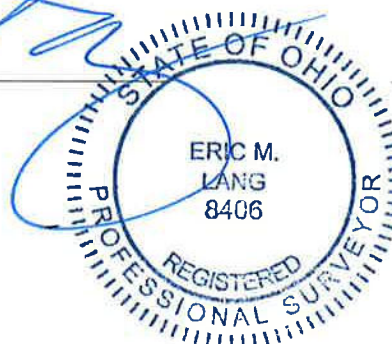
1. S 06°02'16" W for a distance of 29.93' to a point;
2. N 83°57'44" W for a distance of 0.58' to a point;
3. S 06°02'16" W for a distance of 72.75' to a point;
4. S 83°57'44" E for a distance of 0.58' to a point;
5. S 06°02'16" W for a distance of 38.43' to a rebar set at the Southwest corner of said Halsburg;

Thence with the Southerly line of said Halsburg and its extension, S 83°57'44" E a distance of 431.85' to point in the centerline of Woodburn Avenue (60' R/W); Thence with said centerline S 10°44'27" W for a distance of 358.42' to a point; Thence leaving said centerline with the north line of the lands conveyed to Martha Rainge & Druvillar White Rainge and its extension, as recorded in D.B. 3341, Pg. 598; N 80°48'38" W for a distance of 191.22' to a point on the Northerly line of lands conveyed to Eugene & Rebecca D. Caldwell as recorded in D.B. 4137, Pg. 688; Thence with the Northerly line of said Caldwell and its extension, N 57°16'45" W for a distance of 266.98' to a rebar set at the Northerly most corner of lands conveyed to KM Real Estate Holding Company LTD as recorded in O.R. 9290, Pg. 3504; Thence with the Westerly line of said KM Real Estate S 09°11'22" W for a distance of 10.89' to a rebar set on the Northeasterly corner of the lands conveyed to Sagesse Financial Inc.; Thence with the north line of said Sagessee and its extension N 83°18'57" W a distance of 225.66' to a point on the centerline of Victory Parkway (100' R/W); Thence with said centerline N 05°53'14" E for a distance of 234.27' to a point; Thence N 21°01'28" E for a distance of 76.59' to a point; Thence N 05°53'14" E for a distance of 67.99' to the **Point of Beginning**.

Containing 5.237 acres, more or less, and being subject to all legal highways and any and all easements of record.

The above description is based on a field survey made under the direct supervision of Eric M. Lang, Ohio Registration No. 8406, on May 25, 2023. Bearings hereon are based on the Ohio State Plane Coordinate System, South Zone Grid, NAD '83 (2011-CORS) as per GPS observations from the Ohio Department of Transportation's Virtual Reference System (VRS).


Eric M. Lang



August 31, 2023
Date

**AMENDED AND RESTATED
CONCEPT PLAN & DEVELOPMENT PROGRAM STATEMENT**

**ZONING CHANGE REQUEST FOR
3060 DURRELL AVENUE, EVANSTON, CINCINNATI, OHIO**

1. Applicant/Petitioner.

Kingsley + Co. (the “Developer”)
PO Box 19967
Cincinnati, Ohio 45219

2. Authorized Representative/Agent.

Taft Stettinius & Hollister LLP
Sonya S. Jindal Tork, Esq.
425 Walnut Street, Suite 1800
Cincinnati, Ohio 45202

3. Summary of Request.

Kingsley + Co. is requesting a zone change from Residential - Mixed (RMX) to Planned Development (PD) for the property located at 3060 Durrell Avenue.

4. Plan Elements. (Cincinnati Zoning Code §1429-09(a) and §1429-09(e))

- a. **Project Description:** Kingsley + Co., a minority-owned developer, presents *The Mingo*, a transformative mixed-income housing project located at 3060 Durrell Avenue, in the heart of the vibrant neighborhood of Evanston, Cincinnati. Honoring the legacies of beloved and tireless community activists, Reverend Peterson Mingo and his wife, Regina Mingo, The Mingo will revitalize the former site of Christ Temple Full Gospel Baptist Church, where Reverend Mingo served as pastor and nurtured at-risk youth through organizations he founded including the Evanston Bulldogs and The Village. The Mingo tackles Cincinnati's urgent and critical need for mixed-income housing, offering diverse housing options alongside a dedicated business/co-working space, empowering residents to pursue entrepreneurial dreams and remote work opportunities.
- b. **Project Objectives:** In direct alignment with key priorities, goals, and objectives outlined in Plan Cincinnati and the Evanston Workplan, this proposal aims to:
 - i. Address the City's and Evanston's growing demand for diverse housing options through high-quality mixed-income units (75-110% AMI), contributing to Plan Cincinnati's target of expanding housing availability for all and promoting economic diversity and creating vibrant, inclusive

communities throughout the City and Evanston Workplan's goal of creating a mixed-income neighborhood without displacement.

- ii. Elevate the quality of life for Evanston residents by delivering modern amenities, fostering a lively and vibrant community atmosphere, and integrating business/co-working spaces, as envisioned in the Evanston Workplan.
 - iii. Champion sustainable and walkable urban living by encouraging pedestrian activity and supporting public transportation initiatives, aligning with both Plan Cincinnati and the Evanston Workplan.
- c. **Site Description:** The project is located on a 4.513-acre site at 3060 Durrell Avenue in the Evanston neighborhood. The site currently includes the former Christ Temple Full Gospel Baptist Church and ballfield, which will be demolished prior to construction commencement. The site offers ample space to accommodate the development of 240 mixed-income housing units and associated amenities. The location is well-suited for urban living, with convenient access to public transportation and proximity to the Evanston Business District and downtown East Walnut Hills.
- d. **Proposed Land Use:** The proposed land use includes:
- i. 240 mixed-income housing units, ranging from studios to 3-bedroom apartments and approximately consisting of the following:
 - Studios: 24 units
 - 1 Bedroom: 119 units
 - 2 Bedroom: 79 units
 - 3 Bedroom: 18 units
 - ii. On-site parking facilities underneath a podium.
 - iii. Amenities, including a pool, rooftop spaces, dog runs, and business/co-working areas for residents.
- e. **Zoning Information:** The project site is currently zoned RMX (Residential Mixed Use), and the Developer is seeking to rezone the site to a Planned Development (PD) zoning designation. This rezoning aligns well with the surrounding zoning designations. To the north of the property, single-family homes are present. To the south, a multi-family project had successfully applied for a Planned Development (PD) zoning status. Additionally, to the northeast, there is RM .7 zoning, which is dense multifamily zoning. Given the nearby zoning designations, this property is well-suited to fit within the neighborhood envelope and contribute positively to the community.

- f. **Amenities:** The development will feature a range of thoughtfully curated amenities designed to enhance the living experience of residents. These amenities will include a pool for relaxation, rooftop spaces for socializing, dedicated dog runs for pet owners, and a business/co-working area to support residents in their professional endeavors.
- g. **Building Height and Configuration and Density:** Incorporating valuable feedback from the community, the proposal balances density and critical housing needs while respecting the neighborhood’s character with two four-story buildings comprising 240 mixed-income units and specifically includes:
 - i. A four-story building facing Woodburn Ave, with a height of 48 feet; and
 - ii. A four-story building on a podium facing Durrell Avenue, with parking facilities situated underneath the podium, and a height of 60 feet.
- h. **Parking:** By increasing the number of parking spaces to 248 off-street parking spots, the project provides ample parking with a 1:1.03 unit-to-space ratio. The proposed parking will be in compliance with Sections 1425-25 “Off Street Parking and Loading Dimensions” and 1425-29 “Parking Lot Land Use” of the Cincinnati Municipal Code.
- i. **Open Space, Pedestrian Circulation and Streetscaping:**
 - i. The plans for dedicated sidewalks, landscaping, a pool, and on-site green spaces, including rooftop areas and dog runs, contribute to a pedestrian-friendly and community-oriented environment.
 - ii. Streetscape elements such as street trees, benches, and trash receptacles are intended to be included. Final details related to sidewalks, open space calculations, dimensions, and elements in the public right-of-way will be determined at the time of any filing for a Final Development Plan.
- j. **Proposed Landscaping and Buffering.** Final landscaping and buffering will be determined at the time of any filing for a Final Development Plan; however, we offer the following perspectives. Landscaping shall be provided in open space wherever it is possible to sustain plant life and not impede other land uses. Buffer planting shall be used, wherever possible, to define public and semi-private to private spaces, including but not limited to the separation between sidewalks and ground floor residential uses.
- k. **Access and Connectivity:** The project's strategic location near two bus stops and its walkable proximity to the Evanston Business District and downtown East Walnut Hills makes it easily accessible for residents and supports sustainable transportation options. Additionally, it is only a 5-minute drive to downtown Cincinnati and in close proximity to the University of Cincinnati and Xavier University.

- l. **Environmental Considerations:** The project will incorporate sustainable design principles to minimize its environmental footprint. Energy-efficient systems and environmentally friendly construction practices will be employed to reduce energy consumption and promote sustainability. The Developer will construct the building to LEED silver building standards.
 - m. **Exterior Lighting:** Final exterior lighting will be determined at the time of any filing for a Final Development Plan; however, we offer the following perspectives. All site lighting shall be positioned to effectively and safely illuminate streets and sidewalks. Lighting shall be shielded to ensure that light is directed away from adjacent residential properties. Proposed exterior lighting and height of lighting will confirm to §1421-39 of the Cincinnati Zoning Code.
 - n. **Signage:** Final signage will be determined at the time of any filing for a Final Development Plan. A signage plan will be submitted with the Final Development Plan and will follow the requirements of Section §1427 of the Cincinnati Zoning Code as a residential multi-family building.
 - o. **Refuse Storage, Fencing, and Walls:** Refuse storage, fencing, and walls will be in compliance with the associated sections of the Cincinnati Municipal Code per §1421-33 “Fences and Walls” and §1421-35” Refuse and Storage Areas.
 - p. **Revised Development/Concept Plan:** See Exhibit A for the Developer’s Revised Development/Concept Plan, which includes revised Site Context, Site Plans, Boundary & Topographic Survey, and Renderings.
 - q. **Rezoning Plat:** See Exhibit B.
5. **Ownership. (Cincinnati Zoning Code §1429-09(b))**

The properties comprising the development site are listed below and are currently owned by 3060 Durrell Investors LLC, the beneficial owner of which is Chinedum K. Ndukwe.

Address	Parcel ID	Owner	Beneficial Owner
3060 Durrell Ave	055-0002-0121-00	3060 Durrell Investors LLC	Chinedum K. Ndukwe
3060 Durrell Ave	055-0002-0039-90	3060 Durrell Investors LLC	Chinedum K. Ndukwe

6. **Schedule/Timeline. (Cincinnati Zoning Code §1429-09(c))**

The project will be constructed in a phased approach with two anticipated phases for the overall development:

- a. Phase I: The Woodburn building will be constructed first with an estimated 18-month construction schedule.

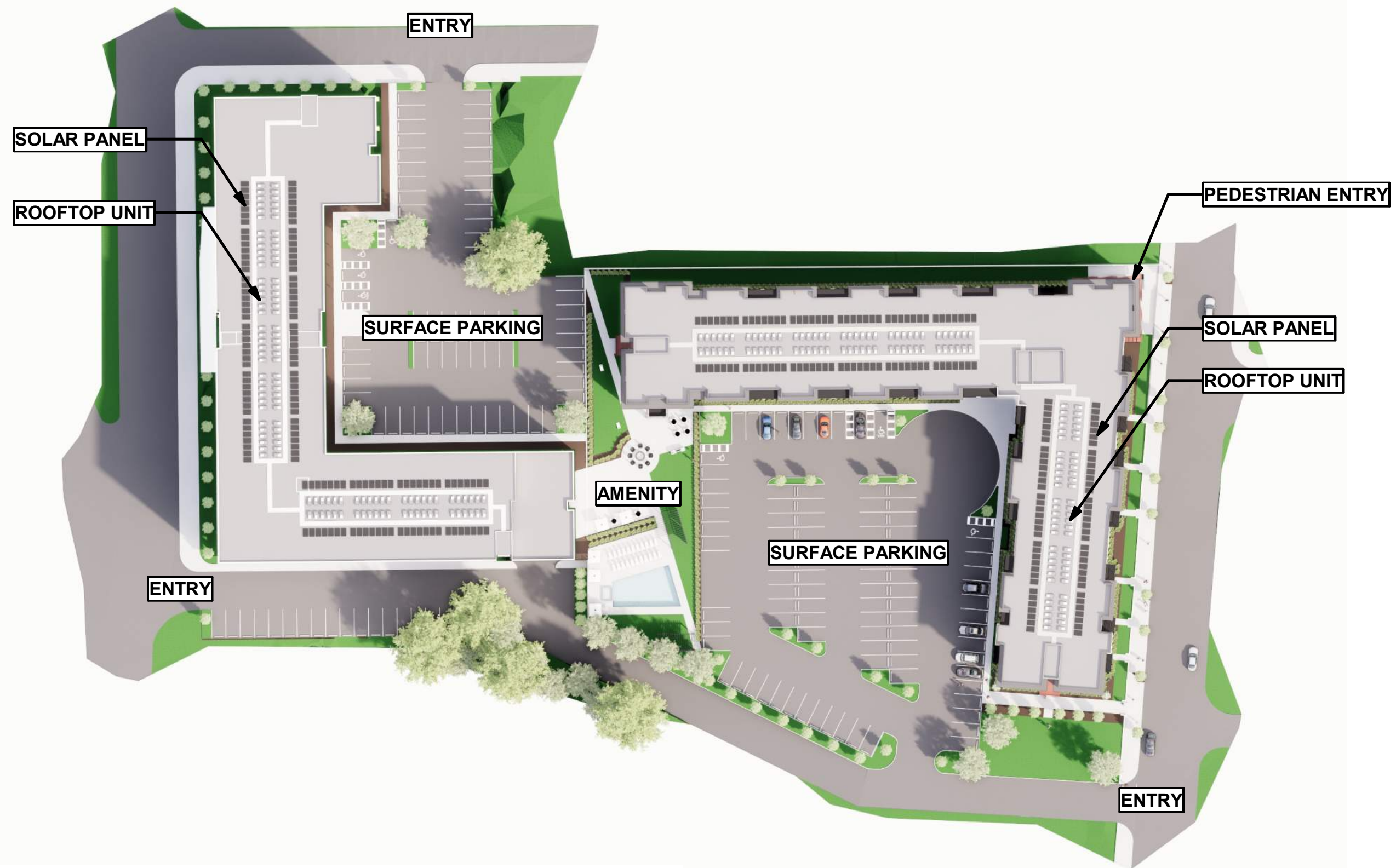
- b. Phase II: The Durrell building will start 4-6 months after the Woodburn building and will take 18 months to complete construction.
- 7. **Preliminary Reviews. (Cincinnati Zoning Code §1429-09(d))**
 - a. **Geo-technical, Sewage, Water, Drainage, Approval and Permitting.** After analysis through the City's Coordinated Site Review (CSR) process, the proposed project is poised to move forward. Following a CSR Advisory Team meeting, a separate meeting with the Developer addressed departmental feedback. The Developer received a letter with recommendations and requirements from the City and will continue collaborating with relevant agencies and departments like DOTE, MSD, GCWW, Duke Energy, and Cincinnati Bell dba Altafiber to ensure compliance. The project will adhere to all local regulations and requirements, and the necessary approvals and permits, including the rezoning to a Planned Development, will be obtained to ensure compliance with City guidelines.
 - b. **Refuse Collection:** Trash and waste facilities shall be provided on-site and located in areas to limit visibility.
- 8. **Community Engagement and Collaboration:** The Developer has actively collaborated with the community and the City throughout the planning process. For over a year, the Developer has been actively engaged with the Evanston Community Council and Evanston Business Association about the project. The Developer received a letter of support for the project from the Evanston Community Council. The Developer has proactively worked to further engage with the community and the City to address any concerns and improve the quality of the development, incorporating valuable feedback and adjusting elements of the plan to coincide with community wishes. (See Exhibit C). Examples include:
 - a. **Two Public Staff Conferences:** Committed to a collaborative approach, the Developer participated in two virtual public staff conferences, one on November 6, 2023, and another one on January 8, 2024, to gather community and City perspectives and feedback. Incorporating valuable suggestions, the Developer has revised its Concept Plan (see Exhibit A) and Development Program Statement. These revised documents address community concerns regarding design elements, parking, circulation, density, building height, open space, and impacts on the surrounding neighborhood, demonstrating responsiveness and flexibility. The initial plan has been significantly enhanced based on community feedback, resulting in revisions including the examples outlined below.
 - b. **Enhanced Design:** Incorporating brick and stone accents adds warmth and character, blending with the surrounding aesthetic and demonstrating a commitment to respect the existing fabric of the neighborhood. (See Exhibit A for new renderings and architectural design.)

- c. **More Responsive Density:** Decreasing the unit count by 60 (totaling 240 proposed units) ensures an appropriate scale for the site while still addressing the City's and Evanston's critical need for diverse housing options.
- d. **Decreased Building Height:** Decreasing the Durrell Avenue side building to four-stories, instead of five-stories, balances critical and pressing housing needs while respecting the neighborhood's character.
- e. **Ample Parking:** By increasing the number of parking spaces to 248 off-street parking spots, the project provides ample parking with a 1:1.03 unit-to-space ratio.
- f. **Inviting Streetscape, First-Floor Openness, and Enhanced Pedestrian Paths:** Extending sidewalks and adding front doors to first-floor Woodburn units to imitate the look and feel of nearby townhome developments on Woodburn, enhances pedestrian flow within the community, creates a welcoming and walkable environment connecting the development with the neighborhood and street-level engagement, and contributes to a vibrant community atmosphere.
- g. **Increased Vibrant, Open, and Green Spaces:** Increased landscaping and the expansion of open and green space, including rooftop areas and the addition of a dog park, contribute to a healthier, more vibrant and aesthetically pleasing community.
- h. **Sustainability & Environmental Friendliness:** Integrating environmentally friendly and sustainable elements into the design showcases the Developer's commitment to responsible development and aligning with Plan Cincinnati's environmental stewardship goals.

The Mingo at 3060 Durrell Avenue offers a plethora of public benefits, demonstrates responsiveness to community needs and wishes, and represents a significant step toward addressing the critical housing needs of Cincinnati residents, while fostering and supporting entrepreneurship, remote work opportunities, and sustainable urban living. The Mingo will create a vibrant, economically healthy, and inclusive community in the heart of Evanston, contributing positively to the City of Cincinnati's urban landscape, all in alignment with key priorities and objectives of Plan Cincinnati and the Evanston Workplan.

EXHIBITS

- A. Revised Development/Concept Plan (Site Context, Survey, Site Plans, Renderings)
- B. Rezoning Plat
- C. Community Engagement Summary



KINGSLEY DURRELL/MINGO DEVELOPMENT

NOT TO SCALE

SITE DEVELOPMENT

WOODBURN BUILDING FOOTPRINT: 34,130 SF
DURRELL BUILDING FOOTPRINT: 33,750 SF
TOTAL BUILDING FOOTPRINT: 67,880 SF

WOODBURN UNIT BREAKDOWN

ST.	1-BR	2-BR	3-BR
24	63	38	8
18%	46%	28%	6%

TOTAL: 133 UNITS

DURRELL UNIT BREAKDOWN

ST.	1-BR	2-BR	3-BR
-	56	41	10
-	52%	38%	10%

TOTAL: 107 UNITS

COMBINED IMPERMIABLE LOT COVERAGE: 152,799 SF
3.51 ACRES
78% COVERAGE

TOTAL LOT AREA: 4.513 ACRES

PROPOSED LOT-SPLIT BOUNDARY

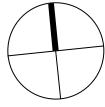
WOODBURN BUILDING
4 STORIES, 133 UNITS

DURRELL BUILDING
4 + 1 STORIES, 107 UNITS, 70 SPACES

PARKING

DURRELL		WOODBURN	
SURFACE SPACES	82	SURFACE SPACES	96
COVERED SPACES	70	TOTAL:	96 SPACES
TOTAL:	152 SPACES		INCL. 4HC - 1 VAN
	INCL. 4HC - 1 VAN		5 EV SPACES
	7 EV SPACES	COMBINED TOTAL:	248 SPACES
			1.0 SPACES/UNIT
			INCL. 8 HC - 2 VAN
			12 EV SPACES

3060 DURRELL AVENUE
CINCINNATI, OH 45207
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SCHEMATIC

PRELIMINARY
SITE PLAN

SD-100

SITE DEVELOPMENT

WOODBURN BUILDING FOOTPRINT: 34,130 SF
DURRELL BUILDING FOOTPRINT: 33,750 SF
TOTAL BUILDING FOOTPRINT: 67,880 SF

WOODBURN UNIT BREAKDOWN

ST.	1-BR	2-BR	3-BR
24	63	38	8
18%	46%	28%	6%

TOTAL: 133 UNITS

DURRELL UNIT BREAKDOWN

ST.	1-BR	2-BR	3-BR
-	56	41	10
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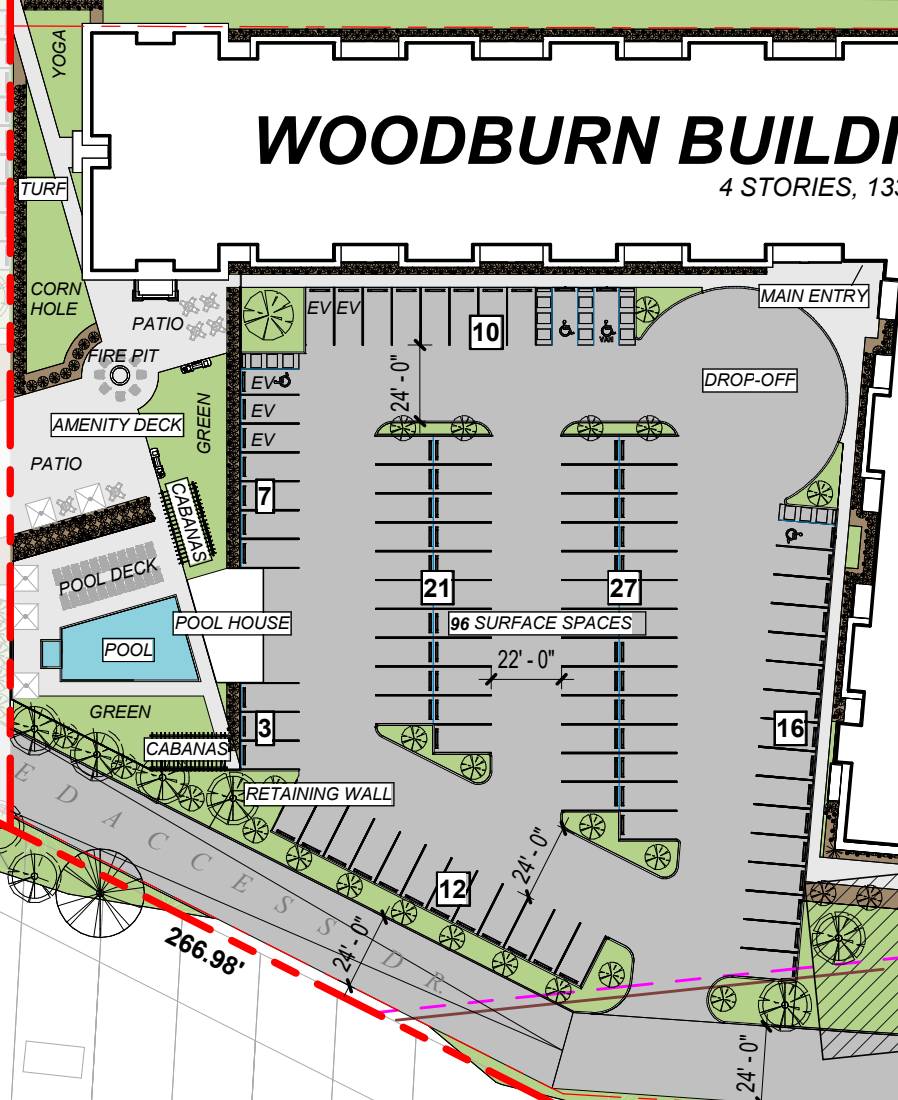
TOTAL: 107 UNITS

COMBINED IMPERMIABLE LOT COVERAGE: 152,799 SF
3.51 ACRES
78% COVERAGE

TOTAL LOT AREA: 4.513 ACRES

PROPOSED LOT-SPLIT BOUNDARY

WOODBURN BUILDING
4 STORIES, 133 UNITS



PARKING

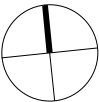
DURRELL

SURFACE SPACES	82
COVERED SPACES	70
TOTAL:	152 SPACES INCL. 4HC - 1 VAN 7 EV SPACES

WOODBURN

SURFACE SPACES	96
TOTAL:	96 SPACES INCL. 4HC - 1 VAN 5 EV SPACES

COMBINED TOTAL: 248 SPACES
1.0 SPACES/UNIT
INCL. 8 HC - 2 VAN
12 EV SPACES



SITE DEVELOPMENT

WOODBURN BUILDING FOOTPRINT: 34,130 SF
DURRELL BUILDING FOOTPRINT: 33,750 SF
TOTAL BUILDING FOOTPRINT: 67,880 SF

WOODBURN UNIT BREAKDOWN

ST.	1-BR	2-BR	3-BR
24	63	38	8
18%	46%	28%	6%

TOTAL: 133 UNITS

ASPHALT FOOTPRINT: 84,919 SF

COMBINED IMPERMIABLE LOT COVERAGE: 152,799 SF
3.51 ACRES
78% COVERAGE

TOTAL LOT AREA: 4.513 ACRES

DURRELL UNIT BREAKDOWN

ST.	1-BR	2-BR	3-BR
-	56	41	10
-	52%	38%	10%

TOTAL: 107 UNITS

PROPOSED LOT-SPLIT BOUNDARY

DURRELL BUILDING
4 + 1 STORIES, 107 UNITS, 70 SPACES

PARKING

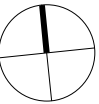
DURRELL

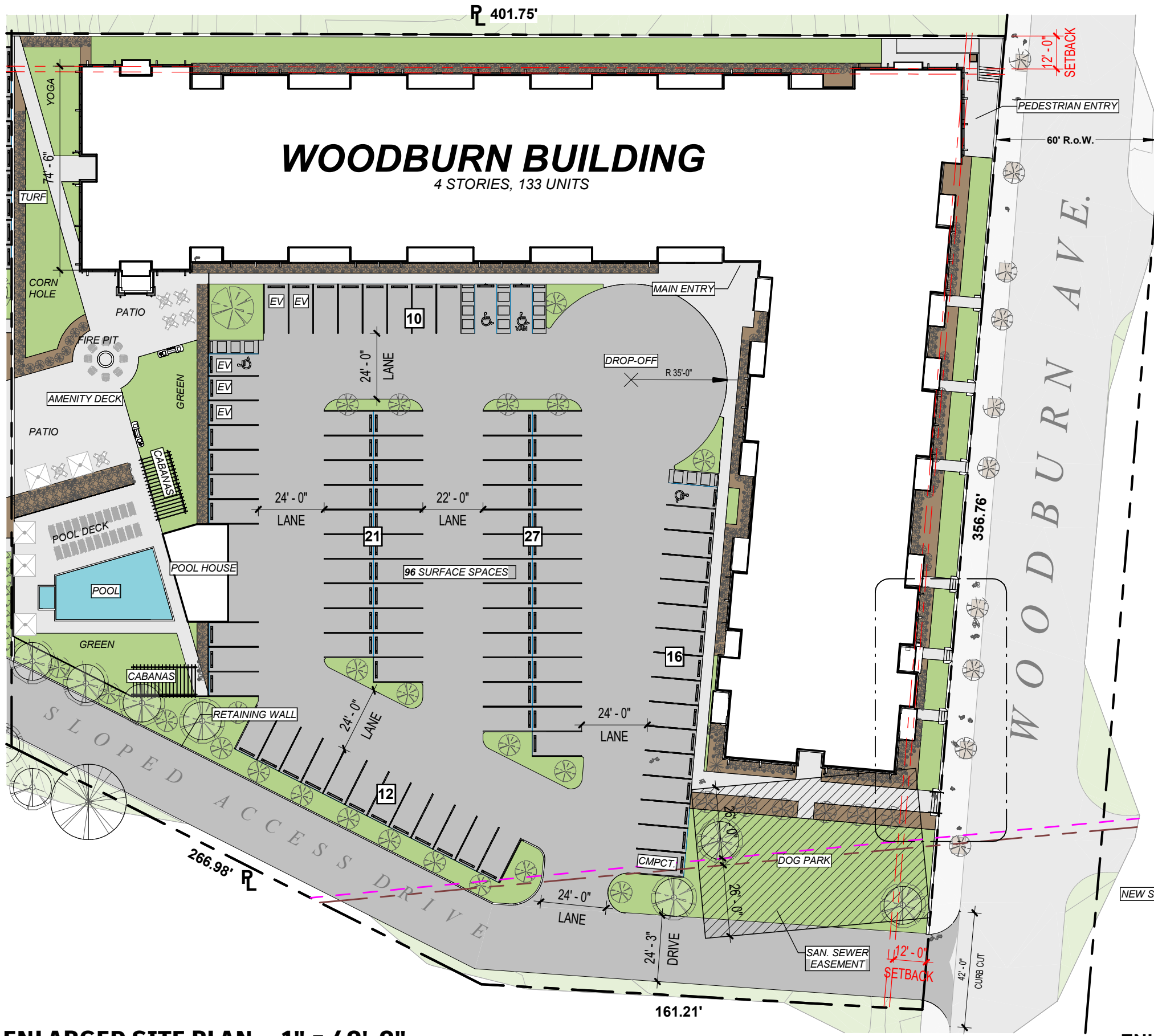
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COVERED SPACES	70
TOTAL:	152 SPACES INCL. 4HC - 1 VAN 7 EV SPACES

WOODBURN

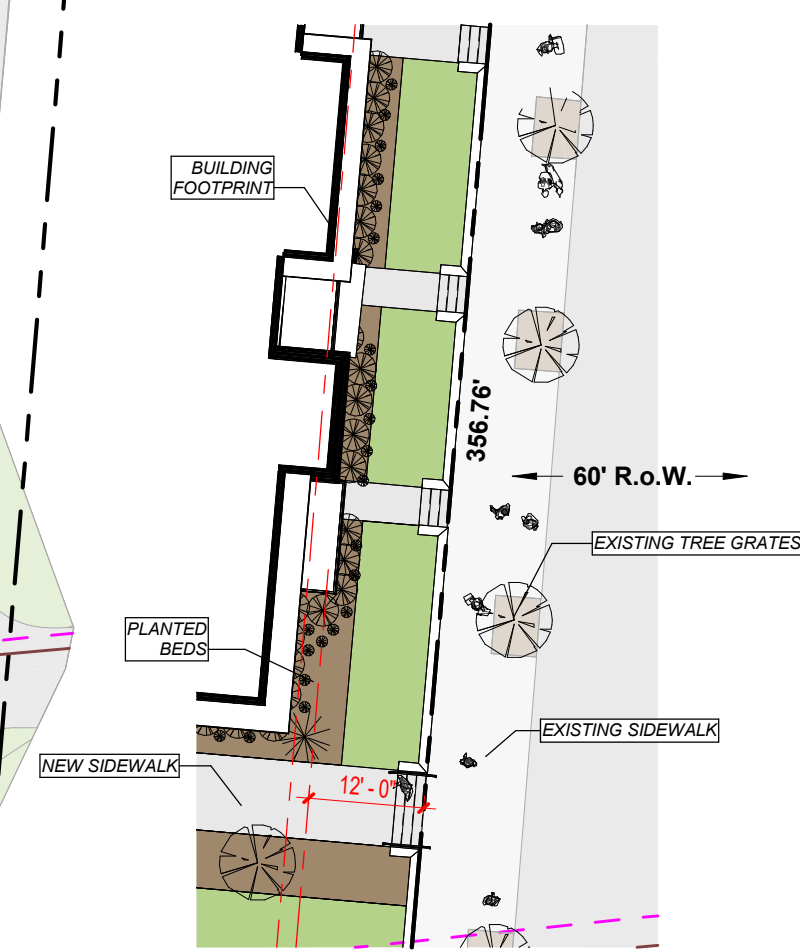
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INCL. 8 HC - 2 VAN
12 EV SPACES





ENLARGED SITE PLAN 1" = 40'-0"



ENLARGED STREETScape CONDITION

THE MINGO

3060 DURRELL AVE.
CINCINNATI, OH

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SCHEMATIC

DATE: 1/25/2024
PROJECT #: 22156

PRELIMINARY SITE PLAN

SD-300

BERARDI+
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P 614.221.1110 berardipartners.com

**Honorable City Planning Commission
Cincinnati, Ohio**

February 16, 2024

SUBJECT: A report and recommendation on a proposed zone change from Residential Mixed (RMX) to a Planned Development (PD), including a Concept Plan and Development Program Statement, located at 3060 Durrell Avenue in Evanston.

GENERAL INFORMATION:

Location: 3060 Durrell Avenue, Cincinnati, OH 45207

Petitioner: Kingsley and Company

Petitioner's Address: P.O. Box 19967, Cincinnati, OH 45219

Owner: 3060 Durrell Investors, LLC,

Owner's Address: P.O. Box 19967, Cincinnati, OH 45219

Request: To change the zoning of the property from Residential Mixed (RMX) to a Planned Development (PD) to allow for the construction of a four-story multi-family development of 240 apartments consisting of market rate and affordable housing units, including 248 parking spaces with some in an underground private garage, and other amenities such as a swimming pool and pool house, coworking spaces, cabanas, a fire pit area, ample greenspace, a dog park and other amenities.

EXHIBITS:

Provided in addition to this report are the following attachments:

- Exhibit A - Zoning Map
- Exhibit B – Zone Change Application
- Exhibit C – Legal Description
- Exhibit D – Existing Conditions Plat
- Exhibit E – Development Program Statement
- Exhibit F – Concept Plan
- Exhibit G – Proposed Renderings
- Exhibit H – Coordinated Site Review Letter
- Exhibit I – Community Engagement Summary
- Exhibit J – Correspondence

BACKGROUND:

The petitioner, Kingsley and Company, submitted an application for a proposed zone change to a Planned Development, including a Concept Plan and Development Program Statement, to develop a mixed income, multi-family development located at 3060 Durrell Avenue in Evanston. The current Residential – Mixed (RMX) zoning does not permit the proposed multi-family development.

The subject property is situated directly off Victory Parkway, between Durrell Avenue and Woodburn Avenue, and is approximately 4.51 acres. The proposed rezoning extends to the street centerlines and includes portions of the right-of-way along Durrell Avenue, Merrimac Street, and Woodburn Avenue bringing the rezoning proposal to a total of 5.24 acres. The site currently is home to the former Hoffman School and Hoffman Playground. The subject site borders the Walnut Hills neighborhood boundary and is near the East Walnut Hills neighborhood.

On June 2, 2023 the City Planning Commission reviewed a proposal to designate the Hoffman School as a local historic landmark. The City Planning Commission recommended denial of the designation of the Hoffman School and on June 26, 2023 City Council denied the designation. The school will be demolished to make room for the proposed multi-family development.

The applicant received approval on January 19, 2024, through the City’s subdivision process, to subdivide the site into two separate parcels to accommodate both proposed buildings on their own properties respectively. The western parcel along Victory Parkway and Durrell Avenue is 1.912 acres and the eastern parcel along Woodburn Avenue is 2.60 acres.

ADJACENT LAND USE AND ZONING:

The subject property is currently zoned Residential Mixed (RMX). The existing zoning and land use surrounding the subject site is as follows:

North:

Zoning: Commercial Neighborhood – Pedestrian (CN-P) and Residential Mixed (RMX)
Use: Commercial garage, multi-family apartment buildings and single-family dwellings.

East:

Zoning: Single Family Residential (SF-4) and Residential Mixed (RMX)
Use: Multi-family apartment buildings and single-family dwellings.

South:

Zoning: Planned Development #72, Residential Mixed (RMX) and Park and Recreation (PR)
Use: Multi-family apartment buildings and single-family dwellings.

West:

Zoning: Single Family Residential (SF-4) and Residential Mixed (RMX)
Use: Walnut Hills Cemetery and the Victory Parkway U.S. Navy Reserve.

PROPOSED DEVELOPMENT:

The proposed Concept Plan and Development Program Statement is for the redevelopment of the existing site into a multi-family development consisting of two apartment buildings with a total of 240 market-rate and affordable units, ranging from studio apartments to three-bedroom apartments (Exhibit F). The development is entitled “*The Mingo*,” named after Reverend Peterson Mingo and Regina Mingo who are members of Christ Temple Full Gospel Baptist Church. The Church is the most recent owner of the building and has operated within it for years.

Buildings

The Planned Development will consist of two separate buildings with one facing Woodburn Avenue and the other facing Victory Parkway and Durrell Avenue. The Woodburn Building is proposed as a four-story apartment building with frontage along Woodburn Avenue and will house approximately 133 of the proposed units. The building will have a height of 48-feet. The apartments will range from studio to three-bedroom apartments. The Durrell Building is proposed as a four-story apartment building with frontage along Durrell Avenue and Merrimac Street and will accommodate the other 107 units ranging from one-bedroom apartments to three-bedroom apartments. This four-story building will have an overall height of 60-feet and will be built upon a one-level underground parking podium.

Parking

The Woodburn Building will have a surface parking lot with 96 spaces at the entrance on Woodburn Avenue, with access to the proposed underground private garage for the Durrell Building. The Durrell Building will be constructed on a one-level underground parking garage containing 70 covered parking spaces and will have a surface parking lot with 82 spaces with an entry off Merrimac Street. The entire development has a ratio of 1.03 parking spaces per unit with approximately 248 off-street parking spaces, including handicap accessible and van spaces and EV parking. The proposed parking will be in compliance with Sections 1425-25 “Off Street Parking and Loading Dimensions” and 1425-29 “Parking Lot Land Use” of the Cincinnati Municipal Code.

Amenities

The proposal includes a swimming pool with a pool deck, pool house, cabanas, a firepit, corn hole areas, patios, and greenspace. It will also feature business/co-working spaces and a dog park along Woodburn Avenue. More details, including site plans, building plans, and elevations will be submitted with the Final Development Plan.

Open Space, Landscaping, and Buffering

The site will dedicate approximately one acre of open space (22% of the site), with landscaping, amenity spaces, and a dog park. A detailed landscaping plan will be submitted with the Final Development Plan. Both buildings will also have solar panels on the rooftop. Fencing, walls, refuse and storage areas will be in compliance with the associated sections of the Cincinnati Municipal Code per §1421-33 “Fences and Walls” and §1421-35 “Refuse and Storage Areas.”

Schedule

The development will be constructed in two phases, with the Woodburn building being Phase I and the Durrell building being Phase II. Phase I is expected to take approximately 18 months to complete and Phase II will start four to six months after commencing construction of Phase I (Exhibit E). The expected construction start date is intended for September of 2024, pending the Final Development Plan process and approvals.

BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:

Per §1429-05 of the Cincinnati Zoning Code, *Basic Requirements*, PD Districts and developments located 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 5.24 contiguous acres. The site itself is 4.51 acres.

- b. ***Ownership*** – *Evidence that the applicant 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, Kingsley and Company, owns both properties (Exhibit E).

- c. ***Multiple buildings on a lot*** – *More than one building is permitted on a lot.*

The submitted Concept Plan and Development Program Statement indicate one building on each lot.

- 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.*

The subject site is not located within the 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.*

The property is not 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 Statement*, a petition to rezone a property to PD must include a Concept Plan and Development Program Statement (Exhibit F and Exhibit G). 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 submitted Concept Plan and Development Program Statement includes sufficient information regarding proposed uses, building locations, site description, street and parking access, pedestrian circulation system, and open space and landscaping (Exhibit E). A geotechnical report will need to be submitted which will provide recommendations regarding earthwork, design, and construction of the project.

- b. **Ownership** – *Evidence that the applicant 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, Kingsley and Company, owns both properties (Exhibit E).

- 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.*

This proposed development will be constructed in two phases. The first phase will take approximately 18-months to construct with expected constructions starting in September 2024. (Exhibit E).

- d. **Preliminary Reviews** – *A preliminary review of geo-technical, sewage, water, drainage and refuse collection.*

The applicant team has been in contact with the City's Department of Transportation and Engineering (DOTE), Metropolitan Sewer District (MSD), Stormwater Management Utility (SMU), and Greater Cincinnati Water Works (GCWW). The project has also gone through the

City's Coordinated Site Review process and will have to submit their Final Development Plan to be reviewed as well.

*e. **Density and Open Space** – Calculations of density and open space area.*

The Development Program Statement explains it will dedicate over one acre to open space. The density of the site is approximately 53 units per acre throughout the entire development site. For further detail, see the "Analysis" portion starting on page seven of the staff report.

*f. **Other Information** - Any other information requested by the Director of City Planning or the City Planning Commission.*

A signage plan will be submitted with the Final Development Plan and will follow the requirements of Section 1427 of the Cincinnati Zoning Code as a residential multi-family building.

FINAL DEVELOPMENT PLAN:

Pursuant to §1429-13 of the Cincinnati Zoning Code, a Final Development Plan shall be submitted to the City Planning Commission after approval of the Concept Plan and Planned Development designation by City Council. 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 requires significantly more detail than the Concept Plan. 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 development was reviewed through the Development Design Review of the Coordinated Site Review (CSR) process on October 6, 2023. The Department of City Planning and Engagement indicated the need for a zone change for the project to move forward, because the RMX zoning does not permit multi-family developments of more than three units. No immediate objections were voiced regarding the zone change or Concept Plan, however, the Department of Transportation and Engineering (DOTE) identified the requirement for a Traffic Impact Study and to work with the Department to remove the driveway access from the Durrell Avenue and Victory Parkway entrance. The CSR letter to the petitioner with City Department feedback is included as Exhibit H; it outlines additional requirements needed to be met before permits are obtained.

PUBLIC COMMENT AND ENGAGEMENT:

There were two public staff conferences held by the Department of City Planning and Engagement for the proposed Planned Development. The first staff conference was held on November 6, 2023 via Zoom with 47 people in attendance including City staff and members from the applicant team. The majority of the people in attendance had concerns regarding the scale of the overall development, that not enough off-street parking and greenspace had been provided, disappointment about the loss of the former Hoffman School that would be demolished for the project, decreasing property values, and increased traffic congestion.

The second public staff conference was held on January 8, 2024 via Zoom with 33 people in attendance including City staff and the applicant team. Many in attendance were appreciative of the revisions made as a result of concerns stated in the first staff conference but some of the previous concerns were restated, including the community's desire for more off-street parking, the height of the Durrell Building, and the overall scale of

the development. A summary of the applicant team’s additional engagement efforts may be found in Exhibit I.

Notices were sent to property owners within a 400-foot radius of the subject property and the Evanston Community Council for both public staff conferences and the February 16, 2024 City Planning Commission meeting. The East Walnut Hills Assembly and Walnut Hills Area Council were additionally notified of the public meetings due to their proximity to the proposed development. Correspondence received from community members may be found in Exhibit J.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The zone change request is consistent with the Goal in the Live Initiative Area of *Plan Cincinnati* to “Provide a full spectrum of housing options, and improve housing quality and affordability” (p. 164) and the strategy to “Provide quality healthy housing for all income levels” (p. 165). This strategy aims to “Improve the quality and number of moderate to high-income rental and homeowner units” (p. 165). The proposed project will develop underutilized property into a residential community, providing new housing opportunities for the community and employees of nearby businesses and institutions.

This site’s location is within a Guiding Geographic Principle to “Focus revitalization on existing centers of activity” (p. 86). This adds to the overall goal of *Plan Cincinnati* to create walkable neighborhoods that contribute to neighborhood centers or neighborhood business districts. This location is in the Center of Activity for the Evanston 5 Points Neighborhood Business District which aims to target investment to geographic areas where there is already economic activity. The subject property is also near the East Walnut Hills Neighborhood Business District and other neighborhood assets. Lastly, there have been other residential projects, including both single-family and multi-family buildings, constructed along Woodburn Avenue the past few years, adding much needed housing units.

Evanston Work Plan (2019)

The zone change is also consistent with Goal 1 to “Create a sustainable, mixed income neighborhood without displacement” (p. 40). This proposed Planned Development contributes to the strategies within the plan by welcoming new residents and providing a broad spectrum of housing choices in the neighborhood that vary in price and type. This project will also promote African American participation and minority contractor involvement in construction projects stated verbatim in the Plan.

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 residential use is compatible with applicable plans (see “Consistency with Plans”) and the surrounding land use patterns. Adjacent land uses include multi- and single-family residential, and commercial. Three story multi-family and single-family homes are found north and south along Woodburn Avenue.

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 proposed Planned Development would permit a residential development on a site that has been underutilized. Additionally, the Concept Plan and Development Program Statement illustrates how the proposed project will accommodate residential and parking needs through the project overall, an underground garage and surface parking lots. The existing RMX zoning would only permit one to three units on a single lot, so the property would have to be subdivided into multiple lots to create more than three units overall. Also, the RMX zoning doesn't permit multi-family buildings of more than three units. The applicant team has designed a plan to maximize density appropriately, while creating open space and off-street parking spaces after taking in community feedback.

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 a productive use on what is currently a large site. The former Hoffman School is formerly home to the Christ Temple Full Gospel Baptist Church and a ballfield which will be demolished prior to construction. The proposed development is currently located in one zoning district, RMX, and within which the RMX district would not permit more than three units on a single lot. The PD zoning district allows the developer to be innovative in site development, combining quality site and building design, open space preservation, and increased community involvement through the Planned Development process.

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 and will be further detailed in the Final Development Plan.

DIVERSITY AND ECONOMIC INCLUSION:

Kingsley and Company, a certified Minority Business Enterprise and African American owned business, integrates innovative and inclusive practices into its real estate development and construction activities. They have a focus on revitalizing underserved and diverse neighborhoods in Cincinnati, such as Avondale, Paddock Hills, and Evanston. Kingsley and Company's approach to development aims to contribute to a more equitable and vibrant Cincinnati, one inclusive project at a time.

ANALYSIS:

A Planned Development would permit the construction of a multi-family development of more than three units on a single lot that is currently underutilized within the community. The applicant has received approval through the City Subdivision process to split the existing parcel into two lots so the Woodburn Building and Durrell Building will each be on their own lot respectively. For any development consisting of more than three units, a subdivision would be required to accommodate larger density with the current RMX zoning. The proposed Planned Development allows the applicant to provide the proposed density within two buildings with ample parking accommodation. The current zoning requires 1.5 off-street parking spaces for every unit, which would have required the applicant to provide 360 off-street parking spaces, 112 more than what is currently being proposed. The site is located along two Metro Bus routes and is within walking distance of the Evanston Five-Points Neighborhood Business District and existing retail, bars, and restaurants within the East Walnut Hills Neighborhood Business District and other neighborhood assets such as the Evanston Recreation Center, Walnut Hills Cemetery, Evanston Academy, Purcell Marian High School, and Scarborough Woods.

The development will provide a variety of studios to three-bedroom units at both affordable and market rate

prices which would be available for existing and new residents and employees. This proposed development adds much needed housing options to the Evanston neighborhood as well as the City of Cincinnati. The current zoning is the only residential multi-family zoning district within the Cincinnati Zoning Code that does not permit multi-family developments of more than three units.

The Zoning Code defines Multi-Family Dwellings as a building or group of buildings that contain three or more dwelling units (§ 1401-01-M8. - Multi-Family Dwelling). The RM-2.0 zoning district permits multi-family units at a ratio of 2,000 sq. ft. of lot space per unit. The RM-1.2 zoning district permits multi-family units at a ratio of 1,200 sq. ft. of lot space per unit, while the RM-0.7 zoning district permits 700 sq. ft. of lot space per unit. The chart below displays the permitted density of the other RM zoning districts compared to the proposed Planned Development.

	PD	RM-2.0	RM-1.2	RM-0.7
	<i>Proposed Units</i>	<i>Max Permitted Units</i>	<i>Max Permitted Units</i>	<i>Max Permitted Units</i>
Woodburn Building	133 units	57 units	94 units	161 units
2.6 acres (113,256 sq. ft.)	851 sq. ft./unit 51 units/acre	2,000 sq. ft./unit	1,200 sq. ft./unit	700 sq. ft./unit
Durrell Building	107 units	42 units	69 units	119 units
1.91 acres (83,199 sq. ft.)	778 sq. ft./unit 56 units/acre	2,000 sq. ft./unit	1,200 sq. ft./unit	700 sq. ft./unit

The RM-0.7 zoning district would permit the developer to produce more units than being proposed (within the setback requirements) and would permit the applicant to only have to provide 240 off street parking spots. However, the RM-0.7 zoning district has no height restrictions for multi-family buildings. The Department of City Planning and Engagement believes that a Planned Development is the most appropriate zoning designation for this site as it provides assurance to the City and the community of the intended use and scale for the site. Any significant modification to this would constitute as a Major Amendment to the Concept Plan and require public engagement and a public hearing process. It also allows for continued public engagement through all phases of the development and eliminates further need for any zoning relief.

The applicant team revised the Concept Plan and Development Program Statement, considering the community's feedback and concerns after the first public staff conference. The current submittal revised the overall unit count from 300 to 240 units, increased the off-street parking spaces to a total of 248 spaces, decreased the height of the Durrell Building from five stories to four stories for both buildings with increased greenspace and landscaping, and is now providing a dog park. The applicant also updated the proposed conceptual renderings to increase the aesthetic appeal. The final materials and color palettes will be provided as part of the Final Development Plan.

The impact on traffic and parking has also been considered by the developer as they have been in coordination with DOTE. Staff from the Department of City Planning and Engagement understands and acknowledges the concerns over the traffic congestion and need for parking, however the proposed development is adding much needed and desired residential units and amenities to the vibrant neighborhood. The applicant team has made multiple attempts to engage with the community and various City Departments to make them aware of the future development and to address concerns or comments and the team remains committed to working with the appropriate City Departments on their plans. The project will be reviewed through the Coordinated Site Review process when the Final Development Plan is submitted and will require another public staff conference and City Planning Commission approval.

FINDINGS:

It is the opinion of staff of the Department of City Planning and Engagement that the Concept Plan and Development Program Statement are in compliance with §1429-05 and §1429-09 and satisfies the criteria outlined in §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 Residential Mixed (RMX) to Planned Development (PD), including the Concept Plan and Development Program Statement, to allow for a multi-family development for the following reasons:

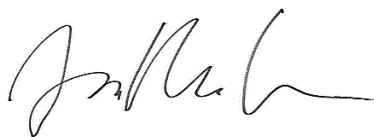
1. It is consistent with the goal in the Live Initiative Area of *Plan Cincinnati* to “Provide a full spectrum of housing options, and improve housing quality and affordability” (p. 164) and the strategy to “Provide quality healthy housing for all income levels” which aims to “Improve the quality and number of moderate to high-income rental and homeowner units” and is consistent with the *Evanston Work Plan* to “Create a sustainable, mixed income neighborhood without displacement.”
2. The PD zoning district requires a more extensive public process than a regular zone change which will allow community members to have additional engagement opportunities during the Final Development Plan process.
3. The PD zoning is appropriate given the property’s size and location within the Evanston neighborhood and close proximity to the Evanston Five Points Neighborhood Business District and the East Walnut Hills Neighborhood Business District. The zone change and Concept Plan are necessary to establish a well thought out PD that allows for the construction of the development for the four-story multi-family development of 240 apartments consisting of market rate and affordable housing units.

RECOMMENDATION:

The staff of the Department of City Planning and Engagement recommends 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 pages 3-9 of this report; and
3. **APPROVE** the proposed zone change from Residential Mixed (RMX) to a Planned Development (PD), including a Concept Plan and Development Program Statement, located at 3060 Durrell Avenue in Evanston.

Respectfully submitted:



Jesse Urbancsik, Senior City Planner
Department of City Planning and Engagement

Approved:



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

February 22, 2024

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

Dear Members of Council:

We are transmitting herewith an Ordinance captioned as follows:

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property located at 3060 Durrell Avenue in the Evanston neighborhood from the RMX, “Residential Mixed,” zoning district to Planned Development District No. 98, “The Mingo.”

The City Planning Commission recommended approval of the zone change at its February 16, 2024 meeting.

Summary:

The petitioner, Kinglsey and Company, requested a zone change to a planned development for the redevelopment of the existing site into a multi-family development consisting of two apartment buildings with a total of 240 market-rate and affordable units, ranging from studio apartments to three-bedroom apartments.

The City Planning Commission recommended the following on February 16, 2024 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 on pages 3-9 of this report; and
3. **APPROVE** the proposed zone change from Residential Mixed (RMX) to a Planned Development (PD), including a Concept Plan and Development Program Statement, located at 3060 Durrell Avenue in Evanston.

Motion to Approve: Mr. Eby

Ayes:

Ms. Beltran

Ms. Kearney

Seconded: Ms. Beltran

Mr. Eby

Mr. Samad

Mr. Stallworth

Mr. Weber

THE CITY PLANNING COMMISSION



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

March 26, 2024

To: Members of the Equitable Growth and Housing Committee

From: Sheryl M.M. Long, City Manager

202400917

Subject: Report on Financing Options for The Mingo

This report is in response to a request made during the April 12, 2024 Equitable Growth and Housing Committee that the Administration report on financing options for the proposed “Planned Development District No. 98, “The Mingo” project in Evanston (Ref. Doc. #202400567).

OVERVIEW

As described in the Zoning Change Request for 3060 Durrell Avenue, Kingsley + Co. is the developer for The Mingo (“the developer”), an innovative mixed-income housing project situated at 3060 Durrell Avenue in the Evanston neighborhood. Spanning across a 4.513-acre site, the project aims to transform the area by revitalizing the former Christ Temple Full Gospel Baptist Church and ballfield, which will be cleared before construction commences. The proposed development includes:

240 mixed-income housing units, comprising studios, one-bedroom, two-bedroom, and three-bedroom apartments, with the breakdown as follows:

Studios: 24 units

1 Bedroom: 119 units

2 Bedroom: 79 units

3 Bedroom: 18 units

On-site parking facilities situated underneath a podium for residents' convenience.

A host of amenities designed to enhance residents' quality of life, such as a pool, rooftop spaces, dog runs, and dedicated business/co-working areas.

DCED ENGAGEMENT

Following the Equitable Growth and Housing Committee’s decision not to approve the designation of the property as a local historic landmark, the Department of Community and Economic Development (DCED) briefly engaged with the developer. Given the absence of resources identified for demolition and the heightened sensitivity surrounding the building, DCED notified the Developer that the City Administration would not provide funding or incentives for the demolition of the structure. Consistent with our approach to all development projects, we advised the developer to explore alternative sources of public and private funding before approaching the City for assistance, particularly if redevelopment of the building remains a viable option after demolition.

DCED FINANCIAL INCENTIVES

The City of Cincinnati provides economic incentives to housing developers to spur investment, bolster economic growth, and meet housing demands. These programs underscore our dedication to cultivating vibrant, inclusive neighborhoods and advancing sustainable development practices. Developers seeking financial incentives from the City of Cincinnati must complete a financial assistance application. This application is crucial for DCED to evaluate and underwrite projects effectively. In the absence of detailed financial information for this project, the following incentives would be available for pursuit:

Community Reinvestment Area (CRA) Tax Abatement

The City of Cincinnati offers a Community Reinvestment Area (CRA) abatement program to companies and developers building or renovating a residential property of 5 or more units or a commercial, industrial, or mixed-use facility. CRA Tax exemptions reduce the operating expenses of a development project, thereby lowering the risk of the development and increasing the initial development investment beyond what would have been feasible without a tax exemption. Commercial projects are eligible for a maximum net tax exemption of up to 67% for up to 15 years. To be considered for a CRA Tax Exemption, a developer must apply to the City before beginning any construction activities. DCED will then review the application and provide a recommendation to City Council for a tax exemption at a level supported by internal underwriting, City policy, and City and state law. Notwithstanding this recommendation, City Council has the power to disapprove or approve the exemption at any amount or duration in accordance with City and State law. Not all developments will receive an exemption or the maximum possible exemption:

Project TIF

Project TIF allows municipalities to capture the increased property tax revenue that results from development or redevelopment in a specific area and use that revenue to fund improvements within that same area. Pursuant to state law, the City can exempt a percentage of the increase in assessed value of a property from real property taxes. Instead of those paying taxes, the owner pays service payments, also known as payments in lieu of taxes (PILOTs) in the same amount. The City can then use those PILOTs for a number of redevelopment purposes like public infrastructure improvements including environmental remediation, land acquisition, and demolition as well as urban redevelopment activities. TIFs can be for up to 30 years and for up to 67% net. TIF revenues can be utilized for a bond issuance or private financing for reimbursement of eligible improvements associated with the project.

Notice of Funding Availability (NOFA)

The Notice of Funding Availability (NOFA) loan program offers residential developers diverse financing opportunities for housing projects aimed at catalyzing positive transformations within our communities. Aligned with the objectives outlined in Plan Cincinnati, NOFA aims to bolster the provision of a comprehensive range of healthy housing options while enhancing affordability and quality.

Serving as a public gap financing mechanism, NOFA effectively harnesses private investment to foster the development of high-quality housing across the city. Loans under the NOFA program are allocated through a competitive application process, wherein DCED staff assess and endorse projects based on their alignment with the city's housing policy objectives.

Funding provided through the NOFA process can vary. Through this application process, we are able to attract various funding opportunities to awarded NOFA projects that consist of City, Federal (HOME and CDBG) and TIF resources.

Project Comparison

With only limited financial details available on the project proposal, DCED has compared this proposal to prior projects where the City provided financial support to surmise what financial support from the City the developer may seek in the future. Since this project is the new construction of 240 units outside of the Central Business District (CBD), similar projects were limited to projects involving new construction of at least 50 units outside of the CBD.

- Graphite Oakley (2020) – Status Under Construction. Graphite Oakley is located at 2980 Disney Street in the Oakley neighborhood of Cincinnati. It consists of the construction of five new buildings with enclosed parking on the first floor, consisting of approximately 564 parking spaces, and approximately 360,828 square feet of residential rental space on the upper floors, consisting of approximately 316 apartments at a total construction cost of approximately \$35,569,369. The City supported Graphite Oakley with a 12 year, net 52% CRA tax abatement
- Lester & Montgomery (2022) – Status: Under Construction. Lester and Montgomery Apartments is located at 5984-5988 Lester Road and 6006-6026 Montgomery Road in the Pleasant Ridge neighborhood of Cincinnati. It consists of the construction of one building consisting of 82 dwelling units, and approximately 6,013 square feet of commercial space at a total construction cost of approximately \$23,000,000. The City assisted Lester & Montgomery with a 15-year, net 67% CRA tax abatement and funded the acquisition of the property at a cost of \$950,000 through Pleasant Ridge Community Urban Redevelopment Corporation.
- Paramount Launch (2022) – Status: Under Construction. Paramount Launch is located at 954 E McMillan, 2458 Gilbert and 2429 Gilbert in the Walnut Hills neighborhood of Cincinnati. It consists of the construction of one new five story building and renovation of two historic buildings consisting of 56 residential units, 6790 square feet of commercial space and 23,000 square feet of office space at a total construction cost of approximately \$20,000,000. The City assisted Paramount Launch with a 15-year, net 67% CRA tax abatement, a \$900,000 forgivable loan through the Affordable Housing Leveraged Fund managed by CDF and the City funded the Walnut Hills Redevelopment Foundation to purchase the underlying former Kroger store (building and loan) at a total cost of \$1,300,000.

Based on the limited project information available and comparison with other similar neighborhood projects involving new construction, DCED anticipates the Developer will minimally seek a property tax-based incentive through either the Commercial CRA program (15-year net 52%) or a Project TIF incentive as a necessary inducement to

proceed with the proposed investment. Developer may also seek assistance from the Building Demolition and Site Revitalization Program from the Ohio Department of Development for the demolition of the former Hoffman School if resources are made available for application in a future funding round. The developer has not sought this assistance in the current state funding round, but this form of assistance has been sought by other similar projects under development now.

CONCLUSION

It is reasonable to assume that a project of this size in today's market would benefit from City financial incentives. Similar projects typically encounter financing gaps that can be supported by any of the programs outlined in this report. While various factors come into play when underwriting a project for financial incentives, our team is committed to carefully assessing each project's potential to maximize the benefits of our incentive programs and promote sustainable development within our community.

DCED has not received an application for financial assistance from the Developer. The analysis presented herein is based on information provided for the zone change which is insufficient for evaluating the need for financial incentives, as well as our understanding of market standards and past projects of similar scale.

As a best practice, DCED recommends that developers seeking financial incentives begin that process on a similar timeframe to seeking zoning relief as that allows these independent processes to proceed on similar timeframes and construction to then commence at the earliest possible time thereafter. Independent of City Council's action on this developer's request for zoning relief, DCED staff will reach out to the Developer to ensure the Developer has awareness of the incentives listed above and the associated applications and timelines. Should the developer wish to pursue any of the assistance options mentioned, DCED will reiterate that the City has previously indicated it will not provide funding or incentives for the demolition of the structure as part of any incentive package consideration.

This report is for informational purposes only and no action is required on this report.

Attachment A: Zone Change Request for 3060 Durrell

Copy: Markiea L. Carter, Director, Department of Community & Economic Development

**AMENDED AND RESTATED
CONCEPT PLAN & DEVELOPMENT PROGRAM STATEMENT**

**ZONING CHANGE REQUEST FOR
3060 DURRELL AVENUE, EVANSTON, CINCINNATI, OHIO**

1. **Applicant/Petitioner.**

Kingsley + Co. (the “Developer”)
PO Box 19967
Cincinnati, Ohio 45219

2. **Authorized Representative/Agent.**

Taft Stettinius & Hollister LLP
Sonya S. Jindal Tork, Esq.
425 Walnut Street, Suite 1800
Cincinnati, Ohio 45202

3. **Summary of Request.**

Kingsley + Co. is requesting a zone change from Residential - Mixed (RMX) to Planned Development (PD) for the property located at 3060 Durrell Avenue.

4. **Plan Elements. (Cincinnati Zoning Code §1429-09(a) and §1429-09(e))**

- a. **Project Description:** Kingsley + Co., a minority-owned developer, presents *The Mingo*, a transformative mixed-income housing project located at 3060 Durrell Avenue, in the heart of the vibrant neighborhood of Evanston, Cincinnati. Honoring the legacies of beloved and tireless community activists, Reverend Peterson Mingo and his wife, Regina Mingo, The Mingo will revitalize the former site of Christ Temple Full Gospel Baptist Church, where Reverend Mingo served as pastor and nurtured at-risk youth through organizations he founded including the Evanston Bulldogs and The Village. The Mingo tackles Cincinnati's urgent and critical need for mixed-income housing, offering diverse housing options alongside a dedicated business/co-working space, empowering residents to pursue entrepreneurial dreams and remote work opportunities.
- b. **Project Objectives:** In direct alignment with key priorities, goals, and objectives outlined in Plan Cincinnati and the Evanston Workplan, this proposal aims to:
 - i. Address the City's and Evanston's growing demand for diverse housing options through high-quality mixed-income units (75-110% AMI), contributing to Plan Cincinnati's target of expanding housing availability for all and promoting economic diversity and creating vibrant, inclusive

communities throughout the City and Evanston Workplan's goal of creating a mixed-income neighborhood without displacement.

- ii. Elevate the quality of life for Evanston residents by delivering modern amenities, fostering a lively and vibrant community atmosphere, and integrating business/co-working spaces, as envisioned in the Evanston Workplan.
 - iii. Champion sustainable and walkable urban living by encouraging pedestrian activity and supporting public transportation initiatives, aligning with both Plan Cincinnati and the Evanston Workplan.
- c. **Site Description:** The project is located on a 4.513-acre site at 3060 Durrell Avenue in the Evanston neighborhood. The site currently includes the former Christ Temple Full Gospel Baptist Church and ballfield, which will be demolished prior to construction commencement. The site offers ample space to accommodate the development of 240 mixed-income housing units and associated amenities. The location is well-suited for urban living, with convenient access to public transportation and proximity to the Evanston Business District and downtown East Walnut Hills.
- d. **Proposed Land Use:** The proposed land use includes:
- i. 240 mixed-income housing units, ranging from studios to 3-bedroom apartments and approximately consisting of the following:
 - Studios: 24 units
 - 1 Bedroom: 119 units
 - 2 Bedroom: 79 units
 - 3 Bedroom: 18 units
 - ii. On-site parking facilities underneath a podium.
 - iii. Amenities, including a pool, rooftop spaces, dog runs, and business/co-working areas for residents.
- e. **Zoning Information:** The project site is currently zoned RMX (Residential Mixed Use), and the Developer is seeking to rezone the site to a Planned Development (PD) zoning designation. This rezoning aligns well with the surrounding zoning designations. To the north of the property, single-family homes are present. To the south, a multi-family project had successfully applied for a Planned Development (PD) zoning status. Additionally, to the northeast, there is RM .7 zoning, which is dense multifamily zoning. Given the nearby zoning designations, this property is well-suited to fit within the neighborhood envelope and contribute positively to the community.

- f. **Amenities:** The development will feature a range of thoughtfully curated amenities designed to enhance the living experience of residents. These amenities will include a pool for relaxation, rooftop spaces for socializing, dedicated dog runs for pet owners, and a business/co-working area to support residents in their professional endeavors.
- g. **Building Height and Configuration and Density:** Incorporating valuable feedback from the community, the proposal balances density and critical housing needs while respecting the neighborhood’s character with two four-story buildings comprising 240 mixed-income units and specifically includes:
 - i. A four-story building facing Woodburn Ave, with a height of 48 feet; and
 - ii. A four-story building on a podium facing Durrell Avenue, with parking facilities situated underneath the podium, and a height of 60 feet.
- h. **Parking:** By increasing the number of parking spaces to 248 off-street parking spots, the project provides ample parking with a 1:1.03 unit-to-space ratio. The proposed parking will be in compliance with Sections 1425-25 “Off Street Parking and Loading Dimensions” and 1425-29 “Parking Lot Land Use” of the Cincinnati Municipal Code.
- i. **Open Space, Pedestrian Circulation and Streetscaping:**
 - i. The plans for dedicated sidewalks, landscaping, a pool, and on-site green spaces, including rooftop areas and dog runs, contribute to a pedestrian-friendly and community-oriented environment.
 - ii. Streetscape elements such as street trees, benches, and trash receptacles are intended to be included. Final details related to sidewalks, open space calculations, dimensions, and elements in the public right-of-way will be determined at the time of any filing for a Final Development Plan.
- j. **Proposed Landscaping and Buffering.** Final landscaping and buffering will be determined at the time of any filing for a Final Development Plan; however, we offer the following perspectives. Landscaping shall be provided in open space wherever it is possible to sustain plant life and not impede other land uses. Buffer planting shall be used, wherever possible, to define public and semi-private to private spaces, including but not limited to the separation between sidewalks and ground floor residential uses.
- k. **Access and Connectivity:** The project's strategic location near two bus stops and its walkable proximity to the Evanston Business District and downtown East Walnut Hills makes it easily accessible for residents and supports sustainable transportation options. Additionally, it is only a 5-minute drive to downtown Cincinnati and in close proximity to the University of Cincinnati and Xavier University.

- l. **Environmental Considerations:** The project will incorporate sustainable design principles to minimize its environmental footprint. Energy-efficient systems and environmentally friendly construction practices will be employed to reduce energy consumption and promote sustainability. The Developer will construct the building to LEED silver building standards.
 - m. **Exterior Lighting:** Final exterior lighting will be determined at the time of any filing for a Final Development Plan; however, we offer the following perspectives. All site lighting shall be positioned to effectively and safely illuminate streets and sidewalks. Lighting shall be shielded to ensure that light is directed away from adjacent residential properties. Proposed exterior lighting and height of lighting will confirm to §1421-39 of the Cincinnati Zoning Code.
 - n. **Signage:** Final signage will be determined at the time of any filing for a Final Development Plan. A signage plan will be submitted with the Final Development Plan and will follow the requirements of Section §1427 of the Cincinnati Zoning Code as a residential multi-family building.
 - o. **Refuse Storage, Fencing, and Walls:** Refuse storage, fencing, and walls will be in compliance with the associated sections of the Cincinnati Municipal Code per §1421-33 “Fences and Walls” and §1421-35” Refuse and Storage Areas.
 - p. **Revised Development/Concept Plan:** See Exhibit A for the Developer’s Revised Development/Concept Plan, which includes revised Site Context, Site Plans, Boundary & Topographic Survey, and Renderings.
 - q. **Rezoning Plat:** See Exhibit B.
5. **Ownership. (Cincinnati Zoning Code §1429-09(b))**

The properties comprising the development site are listed below and are currently owned by 3060 Durrell Investors LLC, the beneficial owner of which is Chinedum K. Ndukwe.

Address	Parcel ID	Owner	Beneficial Owner
3060 Durrell Ave	055-0002-0121-00	3060 Durrell Investors LLC	Chinedum K. Ndukwe
3060 Durrell Ave	055-0002-0039-90	3060 Durrell Investors LLC	Chinedum K. Ndukwe

6. **Schedule/Timeline. (Cincinnati Zoning Code §1429-09(c))**

The project will be constructed in a phased approach with two anticipated phases for the overall development:

- a. Phase I: The Woodburn building will be constructed first with an estimated 18-month construction schedule.

- b. Phase II: The Durrell building will start 4-6 months after the Woodburn building and will take 18 months to complete construction.
- 7. **Preliminary Reviews. (Cincinnati Zoning Code §1429-09(d))**
 - a. **Geo-technical, Sewage, Water, Drainage, Approval and Permitting.** After analysis through the City's Coordinated Site Review (CSR) process, the proposed project is poised to move forward. Following a CSR Advisory Team meeting, a separate meeting with the Developer addressed departmental feedback. The Developer received a letter with recommendations and requirements from the City and will continue collaborating with relevant agencies and departments like DOTE, MSD, GCWW, Duke Energy, and Cincinnati Bell dba Altafiber to ensure compliance. The project will adhere to all local regulations and requirements, and the necessary approvals and permits, including the rezoning to a Planned Development, will be obtained to ensure compliance with City guidelines.
 - b. **Refuse Collection:** Trash and waste facilities shall be provided on-site and located in areas to limit visibility.
- 8. **Community Engagement and Collaboration:** The Developer has actively collaborated with the community and the City throughout the planning process. For over a year, the Developer has been actively engaged with the Evanston Community Council and Evanston Business Association about the project. The Developer received a letter of support for the project from the Evanston Community Council. The Developer has proactively worked to further engage with the community and the City to address any concerns and improve the quality of the development, incorporating valuable feedback and adjusting elements of the plan to coincide with community wishes. (See Exhibit C). Examples include:
 - a. **Two Public Staff Conferences:** Committed to a collaborative approach, the Developer participated in two virtual public staff conferences, one on November 6, 2023, and another one on January 8, 2024, to gather community and City perspectives and feedback. Incorporating valuable suggestions, the Developer has revised its Concept Plan (see Exhibit A) and Development Program Statement. These revised documents address community concerns regarding design elements, parking, circulation, density, building height, open space, and impacts on the surrounding neighborhood, demonstrating responsiveness and flexibility. The initial plan has been significantly enhanced based on community feedback, resulting in revisions including the examples outlined below.
 - b. **Enhanced Design:** Incorporating brick and stone accents adds warmth and character, blending with the surrounding aesthetic and demonstrating a commitment to respect the existing fabric of the neighborhood. (See Exhibit A for new renderings and architectural design.)

- c. **More Responsive Density:** Decreasing the unit count by 60 (totaling 240 proposed units) ensures an appropriate scale for the site while still addressing the City's and Evanston's critical need for diverse housing options.
- d. **Decreased Building Height:** Decreasing the Durrell Avenue side building to four-stories, instead of five-stories, balances critical and pressing housing needs while respecting the neighborhood's character.
- e. **Ample Parking:** By increasing the number of parking spaces to 248 off-street parking spots, the project provides ample parking with a 1:1.03 unit-to-space ratio.
- f. **Inviting Streetscape, First-Floor Openness, and Enhanced Pedestrian Paths:** Extending sidewalks and adding front doors to first-floor Woodburn units to imitate the look and feel of nearby townhome developments on Woodburn, enhances pedestrian flow within the community, creates a welcoming and walkable environment connecting the development with the neighborhood and street-level engagement, and contributes to a vibrant community atmosphere.
- g. **Increased Vibrant, Open, and Green Spaces:** Increased landscaping and the expansion of open and green space, including rooftop areas and the addition of a dog park, contribute to a healthier, more vibrant and aesthetically pleasing community.
- h. **Sustainability & Environmental Friendliness:** Integrating environmentally friendly and sustainable elements into the design showcases the Developer's commitment to responsible development and aligning with Plan Cincinnati's environmental stewardship goals.

The Mingo at 3060 Durrell Avenue offers a plethora of public benefits, demonstrates responsiveness to community needs and wishes, and represents a significant step toward addressing the critical housing needs of Cincinnati residents, while fostering and supporting entrepreneurship, remote work opportunities, and sustainable urban living. The Mingo will create a vibrant, economically healthy, and inclusive community in the heart of Evanston, contributing positively to the City of Cincinnati's urban landscape, all in alignment with key priorities and objectives of Plan Cincinnati and the Evanston Workplan.

EXHIBITS

- A. Revised Development/Concept Plan (Site Context, Survey, Site Plans, Renderings)
- B. Rezoning Plat
- C. Community Engagement Summary