



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, February 14, 2024

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MAYOR AFTAB

Human Service Advisory Committee

1. [202400448](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Karlyn Wade-Richardson to the Human Services Advisory Committee for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/AA)

Recommendation CONFIRM

Sponsors: Mayor

Cincinnati Accessibility Board of Advisors

2. [202400450](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Key Beck to the Cincinnati Accessibility Board of Advisors for a term of two years expiring on December 31, 2025. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Non-Binary/AA)

Recommendation CONFIRM

Sponsors: Mayor

MR. HARRIS

MR. CRAMERDING

3. [202400475](#) **RESOLUTION**, submitted by Councilmembers Harris and Cramerding, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** Quiera Levy Smith as a 2024 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for her decades of volunteerism, leadership, and promotion of the arts within the Black community and around the City of Cincinnati.

Recommendation PASS

Sponsors: Harris and Cramerding

4. [202400481](#) **RESOLUTION**, submitted by Councilmember Harris and Cramerding, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** Rev. Nelson Pierce as a

2024 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for his lifetime of work uplifting his community through preaching, activism, and service.

Recommendation PASS

Sponsors: Harris and Cramerding

MR. JEFFREYS

5. [202400496](#) **RESOLUTION**, submitted by Councilmember Jeffreys, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** Candice Matthews Brackeen as a 2024 City of Cincinnati Black History Month honoree for her exceptional contributions to innovation, diversity, and inclusion within the technology sector through her work with the Lightship Foundation and Black Tech Week; and **EXPRESSING** the appreciation of the Mayor and Council of the City of Cincinnati for her dedication to fostering an inclusive ecosystem for underrepresented founders in Cincinnati and beyond.

Recommendation PASS

Sponsors: Jeffreys

MR. JOHNSON

6. [202400539](#) **RESOLUTION**, submitted by Councilmember Johnson, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** the Withrow Tigers rugby team as the 2023 state champions in rugby and as a leading force in rugby and overall athletics in the City of Cincinnati and the region.

Recommendation PASS

Sponsors: Johnson

MR. CRAMERDING

MR. JEFFREYS

7. [202400529](#) **MOTION**, submitted by Councilmembers Cramerding and Jeffreys, **WE MOVE** that the administration utilize the Office of Performance and Data Analytics and, if necessary, outside consultants to identify best practices, compare peer cities, and develop a plan for comprehensive and proactive litter prevention and removal plan, and to inform council of the cost of such a plan. **WE FURTHER MOVE** that the Administration produce a report within ninety (90) days which identifies and outlines short-term improvements. This report shall include potential resources that may be allocated for implementation of improvements identified along with budget update recommendations. Priority should center on critical neighborhood arteries and thoroughfares leading into downtown. (STATEMENT ATTACHED)

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: Cramerding and Jeffreys

MS. ALBI

MS. KEARNEY

MR. JEFFREYS

MR. WALSH

MS. OWENS

MR. HARRIS

8. [202400532](#) **MOTION**, submitted by Councilmembers Albi, Vice Mayor Kearney, and Councilmembers Jeffreys, Walsh, Owens and Harris, To understand the logistics associated with forming a childcare taskforce, **WE MOVE** that, the Administration report back to Council within ninety (90) days on: The mission, goals and objectives of this taskforce, The duration of time for which this taskforce would be operational and the frequency of meetings, The process and timing for this taskforce reporting back to the Healthy Neighborhoods committee, Any costs, including staff time, that would be associated with this taskforce, The recommended size of the taskforce along with the process for selecting and confirmed all members of the taskforce. (STATEMENT ATTACHED)

Recommendation HEALTHY NEIGHBORHOODS COMMITTEE

Sponsors: Albi, Kearney, Jeffreys, Walsh, Owens and Harris

CITY MANAGER

9. [202400422](#) **REPORT**, dated 2/14/2024, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for WestSide Market 2024.

Recommendation FILE

Sponsors: City Manager

10. [202400434](#) **REPORT**, dated 2/14/2024, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Bash on Short Vine.

Recommendation FILE

Sponsors: City Manager

11. [202400453](#) **REPORT**, dated 2/14/2024 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 Vine Kitchen & Bar LLC, DBA The Vine, 1107 Vine Street 1st floor, basement & patio (#9279725, TRFO, D5 D6) [OBJECTIONS: Yes]

Recommendation FILE

Sponsors: City Manager

12. [202400465](#) **REPORT**, dated 2/14/2024 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 Al Taglio LLC, DBA Taglio, 3531-33 Columbia Pkwy & Patios. (#0143370, Stock, D5J D6) [Objections: None]
- Recommendation** FILE
- Sponsors:** City Manager
13. [202400466](#) **REPORT**, dated 2/14/2024 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 Al Taglio II LLC, DBA Taglios, 1201 Walnut Street. (#0143375, Stock, D5 D6) [Objections: None]
- Recommendation** FILE
- Sponsors:** City Manager
14. [202400467](#) **REPORT**, dated 2/14/2024 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 6415 Madison Rd LLC, DBA Madisonville Sunoco, 6415 Madison Road. (#8196248, Stock, C1 C2) [Objections: None]
- Recommendation** FILE
- Sponsors:** City Manager
15. [202400470](#) **REPORT**, dated 2/14/2024, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for The Lytle Park Hotel Wine Festival.
- Recommendation** FILE
- Sponsors:** City Manager
16. [202400482](#) **ORDINANCE, (EMERGENCY)**, submitted by Sheryl M.M. Long, City Manager, on 2/14/2024, **AMENDING** Ordinance No. 159-2001, which established Fire Grants Fund 472 and identified revenue sources and permissible uses of the fund's resources, to change the name of the fund to Fire Grants and Donations Fund 472, to further expand the permissible revenue sources of the fund to include donated resources, and to authorize the Director of Finance to receive, deposit, and expend donated resources in accordance with the purpose of the donation.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager
17. [202400483](#) **ORDINANCE (EMERGENCY)**, submitted by Sheryl M. M. Long, on 2/14/2024, **AUTHORIZING** the City Manager to accept a donation of \$5,000 from the Cincinnati Fire Foundation to provide funds to support the Cincinnati Fire Department's Peer Support Program's therapy dog; **AUTHORIZING** the Director of Finance to deposit the donated funds into General Fund 050 revenue account no. 050x8571; and **AUTHORIZING** the transfer and appropriation of \$5,000 from the unappropriated surplus of General Fund 050 to Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x7300 to provide funds to support the Cincinnati Fire Department's Peer Support Program's therapy dog.
- Recommendation** BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

18. [202400484](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/14/2024, **AUTHORIZING** the transfer of \$537,440 within General Fund 050 from and to various operating accounts, according to the attached Schedule of Transfer to realign and provide funds for ongoing needs of City departments; **AUTHORIZING** the transfer of \$41,866 from the unappropriated surplus of Unclassified Receipts Fund 604 to the unappropriated surplus of General Fund 050 to reconcile the False Alarm Settlement resources to the appropriate account; **AUTHORIZING** the transfer and appropriation of \$41,866 from the unappropriated surplus of General Fund 050 according to the attached Schedule of Transfer to comply with the terms of the judgment in *White v. City of Cincinnati*; **AUTHORIZING** the transfer and return to source, the unappropriated surplus of General Fund 050, of \$500,000, according to the attached Schedule of Transfer, to deploy resources more efficiently for the Special Code Enforcement program; and **AUTHORIZING** the transfer of \$500,000 from the unappropriated surplus of General Fund 050 to the unappropriated surplus of Emergency Remediation of Defects in Rental Housing Fund 436 to provide resources to continue the Special Code Enforcement Program.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

19. [202400485](#) **ORDINANCE (EMERGENCY)**, submitted by Sheryl M. M. Long, City Manager, on 2/14/2024, **AUTHORIZING** the transfer of \$132,000 from the General Fund balance sheet reserve account no. 050x2535, "Reserve for Operating Budget Contingencies," to the unappropriated surplus of General Fund 050; and **AUTHORIZING** the transfer and appropriation of \$122,000 from the unappropriated surplus of General Fund 050 to the Cincinnati Police Department's General Fund personnel operating budget account no. 050x222x7100 and the transfer and appropriation of \$10,000 from the unappropriated surplus of General Fund 050 to the Cincinnati Police Department's General Fund personnel operating budget account no. 050x226x7100 to provide one-time funds for overtime expenses related to the additional deployment of sworn officers in downtown Cincinnati during the month of February.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

20. [202400487](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/14/2024, **Authorizing** the payment of \$250,000 from the Cincinnati Police Department General Fund non-personnel operating budget account no. 050x222x1000x7289 as a moral obligation to Women Helping Women for outstanding charges related to services rendered in support of the Domestic Violence Enhanced Response Team in Calendar Year 2023.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

21. [202400488](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/14/2024, **AUTHORIZING** the City Manager to accept and appropriate a donation of up to \$45,000 from the Cincinnati Recreation Foundation to support the Cincinnati Recreation Commission's National Junior Tennis and Learning program; **AUTHORIZING** the City Manager to accept and appropriate a donation of up to \$15,971.50 from the Cincinnati Recreation Foundation to support the Cincinnati Recreation Commission's National Junior Tennis and Learning program; and **AUTHORIZING** the Director of Finance to deposit the donated funds into Fund 319, "Contributions for Recreation Purposes," revenue account 319x8571.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

22. [202400490](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/14/2024, **AUTHORIZING** the transfer and appropriation of \$315,000 from the unappropriated surplus of East Price Hill Equivalent Fund 494 to the Department of Community and Economic Development non-personnel operating budget account no. 494x164x7200 to provide resources to support Price Hill Will's acquisition and redevelopment of 3509 Warsaw Avenue, 3519 Warsaw Avenue, and 978 Wells Street (collectively, the "Properties"); and **DECLARING** that expenditures from the Department of Community and Economic Development non-personnel operating budget account no. 494x164x7200 to develop the Properties are for a public purpose and constitute 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 15 - East Price Hill Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

23. [202400511](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/14/2024, **AUTHORIZING** the City Manager to execute a Third Amendment to Water Service Agreement and a Second Amendment to Interlocal Cooperative Agreement between the City of Cincinnati, the Boone-Florence Water Commission, the Boone County Water District, and the City of Florence, Kentucky to extend the terms of the existing agreements by sixteen years to 2049.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

24. [202400512](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/14/2024, **AUTHORIZING** the City Manager to execute a Funding Agreement with Clifton Heights Community Urban Redevelopment Corporation to facilitate acquisition, demolition, and stabilization activities on real property located in the CUF neighborhood of Cincinnati; **AUTHORIZING** the transfer and appropriation of \$817,462 from the unappropriated surplus of CUF/Heights Equivalent Fund 487 (CUF/Heights TIF District) to the Department of

Community and Economic Development non-personnel operating budget account no. 487x164x7200 to provide resources for the acquisition of real property, and demolition and stabilization activities associated with the real property; and further **DECLARING** expenditures from such project account related to the acquisition of real property, and demolition and stabilization activities associated with the real property to be a public purpose and constitute a "Public Infrastructure Improvement" (as defined in Ohio Revised Code Section 5709.40(A)(8)) that will benefit and/or serve the District 8-Clifton Heights-University-Fairview (CUF) TIF District Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

BUDGET AND FINANCE COMMITTEE

25. [202400408](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/7/2024, **AUTHORIZING** the transfer of \$1,875,000 from the General Fund balance sheet reserve account no. 050x3422, "Deferred Appropriations," to the unappropriated surplus of General Fund 050; and **AUTHORIZING** the transfer and appropriation of \$1,875,000 from the unappropriated surplus of General Fund 050 to the City Manager's General Fund non-personnel operating budget account no. 050x101x7400 to provide one-time funds for the following Financial Freedom Initiatives: Medical Debt Forgiveness (\$1,500,000) and Child Savings Accounts (\$375,000).

Recommendation

PASS EMERGENCY

Sponsors: City Manager

26. [202400418](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/7/2024, **AMENDING** Ordinance No. 72-1994, which established Vacant Building Maintenance Fund 347 and identified revenue sources and permissible uses of the fund's resources, as subsequently amended by Ordinance Nos. 294-2007, 273-2012, 102-2017, and 436-2019, which cumulatively changed the name of the fund to Hazard Abatement Fund 347 and expanded the fund's revenue sources and permissible uses, to further expand the permissible revenue sources for Hazard Abatement Fund 347 to include federal, state, local, and private grant resources.

Recommendation

PASS EMERGENCY

Sponsors: City Manager

27. [202400411](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/7/2024, **AUTHORIZING** the City Manager to accept and appropriate grant resources of up to \$615,000 from the Ohio Department of Development through the Hamilton County Land Reutilization Corporation to the Department of Buildings and Inspections Hazard Abatement Fund non-personnel operating

budget account no. 347x212x7600 to reimburse the Department of Buildings and Inspections for building demolition and site revitalization projects; and **AUTHORIZING** the Director of Finance to deposit the grant resources into Hazard Abatement Fund 347 revenue account no. 347x8538.

Recommendation

PASS EMERGENCY

Sponsors:

City Manager

28. [202400417](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/7/2024, **ESTABLISHING** new capital improvement program project account no. 980x236x242385, "Streetcar Track 5 Extension - OTP2 Grant," to provide resources for additional streetcar vehicle parking; **AUTHORIZING** the City Manager to accept a grant of up to \$975,000 from the Ohio Department of Transportation Ohio Transit Partnership Program ("OTP2") (ALN 20.205) to provide resources for preventative maintenance, equipment, and facility and technology upgrades for the streetcar system; **AUTHORIZING** the appropriation of up to \$900,000 in OTP2 grant resources to newly established capital improvement program project account no. 980x236x242385, "Streetcar Track 5 Extension - OTP2 Grant"; **AUTHORIZING** the Director of Finance to deposit up to \$900,000 in OTP2 grant resources into capital improvement program project account no. 980x236x242385, "Streetcar Track 5 Extension - OTP2 Grant"; **AUTHORIZING** the appropriation of up to \$75,000 in OTP2 grant resources to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 to provide streetcar preventative maintenance support; **AUTHORIZING** the Director of Finance to deposit up to \$75,000 in OTP2 grant resources into Streetcar Operations Fund 455 revenue account no. 455x8554; **AUTHORIZING** the City Manager to accept and appropriate grant resources of up to \$272,136 from the Federal Transit Administration Urbanized Area Formula Funding ("FTA UAFF") program (49 U.S.C. 5307) (ALN 20.507) to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 to provide resources for streetcar preventative maintenance support; **AUTHORIZING** the Director of Finance to deposit up to \$272,136 in FTA UAFF grant resources into Streetcar Operations Fund 455 revenue account no. 455x8554; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Recommendation

PASS EMERGENCY

Sponsors:

City Manager

29. [202400414](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/7/2024, **AMENDING** Ordinance No. 182-2023 to add a schedule of water main and private lead service line branch-only replacement projects to be funded by Water Supply Revolving Loan Account loan funding from the Ohio Environmental Protection Agency and the Ohio Water Development Authority, including the Fairview, Graham, Probasco water main project.

Recommendation

PASS

Sponsors:

City Manager

30. [202400415](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/7/2024, **AMENDING** Ordinance No. 181-2023 to add a schedule of water main projects to be funded by Water Supply Revolving Loan Account loan funding from the Ohio Environmental Protection Agency and the Ohio Water Development Authority, including the Fairview, Graham, Probasco water main project.

Recommendation

PASS

Sponsors:

City Manager

31. [202400419](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/7/2024, **AUTHORIZING** the City Manager to accept and appropriate a donation of \$70,190 from the Cincinnati Recreation Foundation to fund scholarships for participants enrolled in the Cincinnati Recreation Commission's summer day camp between June 5, 2023, and August 11, 2023; and **AUTHORIZING** the Director of Finance to deposit the donated resources into Recreation Special Activities Fund 323 revenue account no. 323x8571.

Recommendation

PASS

Sponsors:

City Manager

32. [202400416](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/7/2024, **AUTHORIZING** the City Manager to accept donations of in-kind contributions from the Cincinnati business community, individual benefactors, and other appropriate sources valued individually at up to \$5,000 to support City of Cincinnati programming and services.

Recommendation

PASS EMERGENCY

Sponsors:

City Manager

33. [202400420](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/7/2024, **AUTHORIZING** the establishment of capital improvement program project account nos. 980x162x241603, "Strategic Housing Initiatives Program SHPIF," to provide resources for property acquisition in support of future housing construction, the rehabilitation or new construction of market rate, workforce, and affordable rental and home ownership units, as well as permanent supportive housing; 980x164x241619, "Wellington Place & Glencoe ROW Improvements," to provide resources for right of way improvements at the former Inwood/Glencoe Village complex; 980x203x242005, "Piatt Park Improvements," to provide resources for improvements to lighting, pavers, water fountains, and other assets necessary to stabilize infrastructure located

at Piatt Park; and 980x203x242006, "Sawyer Point Park Gateway," to provide resources to design the restoration of the Sawyer Point Gateway and entrance area and to improve accessibility; **AUTHORIZING** the establishment of permanent improvement project account nos. 758x101x241046, "Conf. Room Furniture, Fixtures, & Equipment," to provide resources for furniture, fixtures, and equipment necessary for technical improvements to conference room space including, but not limited to, Room 115 of City Hall; and 758x239x242353, "Renaissance Lot Adjacent Lighting," to provide resources for the acquisition and installation of lighting adjacent to the Renaissance Parking Lot; **AUTHORIZING** the redirection of the total of \$100,181.03 in Cincinnati Board of Park Commissioners Private Endowment Funds from the various capital improvement program project accounts to the unappropriated surplus of Parks Private Endowment and Donations Fund 430 as follows: \$7,154.83 from 980x203x172010, "Ault Park Improvements"; \$574.03 from 980x203x182014, "Hauck Garden Improvements"; \$6,809.50 from 980x203x182010, "Mt. Airy Forest Improvements"; \$4,868.75 from 980x203x182012, "Mt. Echo Improvements"; and \$80,773.92 from 980x203x182013, "Piatt Park Improvements," to close out or decrease certain existing capital improvement program project accounts; **AUTHORIZING** the redirection of the sum of \$85,040.29 in State of Ohio Capital Budget resources from capital improvement program project account no. 980x203x182019, "Stanbery Park Pavilion - State of Ohio Capital," to capital improvement program project account no. 980x203x202009, "Kyle Plush Pavilion," to close out or decrease capital improvement program project account no. 980x203x182019, "Stanbery Park Pavilion - State of Ohio Capital"; **AUTHORIZING** the transfer and return to source of \$6,582,448.71 from various General Capital Budget capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section A of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$5,586,325.30 from the unappropriated surplus of various General Capital Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section B of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$829,820.53 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to new or existing permanent improvement project accounts to provide resources for certain permanent improvement project accounts according to Section C of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source of \$1,669,752.39 from various Restricted and Special Revenue Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section D of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$771,955.26 from the unappropriated surplus of various Restricted and Special Revenue Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section E of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source Funds 107 and 846 of \$5,778,675.77 from various Restricted Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section F of the attached Schedule of Transfer; **AUTHORIZING**

the transfer and appropriation of \$5,572,817.19 from the unappropriated surplus of Restricted Capital Funds 107 and 846 to existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section G of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$17,302.88 from the unappropriated surplus of the General Fund to the Cincinnati Recreation Commission's non-personnel operating budget account no. 050x199x7300 for equipment needed to facilitate credit card transactions; and further **DECLARING** certain projects to be for a public purpose, all for the purpose of carrying out the Capital Improvement Program.

Recommendation

PASS EMERGENCY

Sponsors:

City Manager

34. [202400401](#) **REPORT**, dated 2/7/2024, submitted Sheryl M. M. Long, City Manager, regarding the Finance and Budget Monitoring Report for the Period Ending November 30, 2023.

Recommendation

APPROVE & FILE

Sponsors:

City Manager

SUPPLEMENTAL ITEMS**EQUITABLE GROWTH & HOUSINGS COMMITTEE**

35. [202400287](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 1/24/2024, **AMENDING** the official zoning map of the City of Cincinnati to rezone certain real property located at 4575 Eastern Avenue in the Linwood neighborhood from the MG, "Manufacturing General," zoning district to the RM-0.7, "Residential Multi-family," zoning district to facilitate the development of approximately 271 apartment units. (Subject to the [Temporary Prohibition List](https://www.cincinnati-oh.gov/law/ethics/city-business) [\(<https://www.cincinnati-oh.gov/law/ethics/city-business>\)](https://www.cincinnati-oh.gov/law/ethics/city-business))

Recommendation PASS**Sponsors:**

City Manager

36. [202400384](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/13/2024, **AMENDING** the official zoning map of the City of Cincinnati to rezone certain real property in the area generally bound by the Ludlow Viaduct to the west, Old Ludlow Avenue to the east, and the William P. Dooley Bypass to the south in the Northside neighborhood from the CC-M, "Commercial Community-Mixed," and MG, "Manufacturing General," zoning districts to Planned Development District No. 100, "Northside Gateway." (Subject to the [Temporary Prohibition List](https://www.cincinnati-oh.gov/law/ethics/city-business) [\(<https://www.cincinnati-oh.gov/law/ethics/city-business>\)](https://www.cincinnati-oh.gov/law/ethics/city-business))

Recommendation PASS EMERGENCY**Sponsors:**

City Manager

ANNOUNCEMENTS

Adjournment



AFTAB PUREVAL

City of Cincinnati, Office of the Mayor

202400448

Feb 2024

REAPPOINTMENT

I hereby reappoint Karlyn K. Wade-Richardson to the Human Services Advisory Committee for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval



AFTAB PUREVAL

City of Cincinnati, Office of the Mayor

202400450

Feb 2024

APPOINTMENT

I hereby appoint Key Beck to the Cincinnati Accessibility Board of Advisors for a term of two years expiring on December 31, 2025. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval

Key Christian Beck

CURRENT WORK HISTORY

PREVENTION OUTREACH SPECIALIST, EQUITAS HEALTH

CINCINNATI, OHIO – 2021 - PRESENT

Organize and and Recruit individuals for focus groups concerning access to care. **Develop and Maintain** mutual beneficial partnerships with external and internal partners and departments. **Manage and Report** the progress of outreach programming and events. **Create and Manage** community events for the agency and community partners. **Establish** formalized partnerships resulting in MOUs.

TRAINING SPECIALIST, SAFE AND SUPPORTED

CINCINNATI, OHIO – 2018 - 2021

Deliver evidence-based, cultural competency training for youth-serving organizations and youth adjacent community agencies. **Develop** innovative, culturally-relevant training and statewide curriculums around marginalized identities. **Manage and Report** the progress of Safe and Supported programming and training curriculums. **Create** framework and **Manage** progress of the Technical Assistance program working interpersonally with organizations and their teams.

PREVENTION SPECIALIST, WOMEN HELPING WOMEN

CINCINNATI, OHIO – 2017 - 2018

Deliver evidence-based dating violence curriculum to K-12 classrooms and community groups. **Recruit, Coordinate and Facilitate** the Coaching Boys Into Men program for male high school athletes and their coaches. **Manage and Report** the agencies social media accounts. **Develop** innovative, culturally-relevant training curriculums.

STREET VIBES LAYOUT EDITOR, CINCINNATI HOMELESS COALITION

, CINCINNATI, OHIO – 2016 - PRESENT

Design and Deliver professional and attractive layout for bi-weekly paper. **Planning** the overall look of the publication, including the cover, sections and individual articles. **Connect** ideas with photos and text for external audiences.

MOVING THE MARGINS TRAINER, SAFE AND SUPPORTED

CINCINNATI, OHIO – 2016- 2018

Experienced Facilitator presenting Moving the Margins curriculum to homeless shelters, transitional/permanent-supportive housing and youth-serving organizations. **Empathy-minded Trainer** specializing in issues of sexual orientation and gender, conflict resolution, and competency trainings.

INTEGRATIVE COMMUNICATIONS AND GRANTS ASSOCIATE, STRIVETOGETHER
CINCINNATI, OHIO – 2013-2014

Designed and managed digital blog projects and publications calendar resulting in national publication exposure in the Harvard Business Review, Forbes, and Expanded Schools by TASC. **Created systems** growing social media presence on Twitter (85%) and Facebook (100%) to assert the organization as a thought leader. **Project Managed** National Convening and **Engaged** of over 700 network members.

VICE PRESIDENT, GRADUATE STUDENT GOVERNANCE ASSOC., UNIVERSITY OF
CINCINNATI, OHIO – 2010-2013

Established key decisions regarding campus policies including the University of Cincinnati Diversity Plan by serving on the President's Diversity Council. **Engaged** 10,000 additional non-financial students through programs and presentations to help facilitate and introduce university programs and **Organized and facilitated** quarterly workshops and monthly meetings, which resulted in 25% increased student engagement. **Trained** student leaders in areas of needed competencies.

YOUTH PROGRAMS AND OUTREACH ASSOCIATE, CINCINNATI HUMAN RELATIONS
COMMISSION, CINCINNATI, OHIO – 2009-2010

Coordinated and facilitated the Summer Youth Employment Program graduating 40 youth and increasing volunteerism while attracting external partners such as Cincinnati State Tech and the Cincinnati Zoo. **Developed and managed** internal and external communications by producing accurate and easily accessible monthly and grant reports. **Implemented** targeted outreach services at local events and partner sites, which engaged key stakeholders and significantly increased at-risk community participation. **Established** a visual/verbal presence by monitoring and participating in media engagements including television and radio interviews with local news outlets and W.A.I.F Radio Station to introduce services and youth career opportunities.

EDUCATION

UNIVERSITY OF CINCINNATI, CINCINNATI, OHIO – B.A. OF ARTS, FRENCH
LANGUAGE AND LITERATURE, 2007, FRENCH BUSINESS CERTIFICATE, 2007

UNIVERSITY OF CINCINNATI, CINCINNATI, OHIO – M.A. OF ARTS,
ANTHROPOLOGY, 2013

AWARDS, HONORS, AND CERTIFICATIONS

LGBTQ+ LEADERSHIP AWARD, OHIO DIVERSITY COUNCIL, 2020
FEATURED IN CINCINNATI MAGAZINE PRIDE EDITION, 2020
MOVING THE MARGINS TRAINING CERTIFICATION (LAMDA LEGAL), 2016
SAFE ZONE TRAINED (UNIVERSITY OF CINCINNATI), 2014/2015
GRADUATE STUDENT OF THE YEAR, 2013
OUTSTANDING CONTRIBUTION TO THE CINCINNATI HUMAN RELATIONS
COMMISSION SUMMER YOUTH EMPLOYMENT PROGRAM, 2010
LE PREMIÈRE LECTEUR, LYCÉE CESSON-SEVIGNÉ, 2006

VOLUNTEER EXPERIENCE

HUMAN RESOURCE ASSISTANCE, THE BECK HOME - 12 YEARS
SPEAKER/FACILITATOR, CINCINNATI HOMELESS COALITION - 4 YEARS
FACILITATOR AND MENTOR, UNIVERSITY OF CINCINNATI - 6 YEARS
YOUTH MENTOR AND FACILITATOR, FUTURE LEADERS OF O.T.R., AND UNIVERSITY
OF CINCINNATI

Date: February 14, 2024

To: Councilmember Reggie Harris
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Resolution – Black History Month – Quiera Levy Smith**

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING Quiera Levy Smith as a 2024 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for her decades of volunteerism, leadership, and promotion of the arts within the Black community and around the City of Cincinnati.

EESW/CMZ(dmm)
Attachment
397246

RESOLUTION NO. _____ - 2024

RECOGNIZING Quiera Levy Smith as a 2024 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for her decades of volunteerism, leadership, and promotion of the arts within the Black community and around the City of Cincinnati.

WHEREAS, Quiera Levy Smith has been working to connect Cincinnatians, particularly our Black community, to the arts for the duration of her career through her work with 5/3 Bank, Cincinnati Playhouse in the Park, People's Liberty, the Taft Museum of Art, and many more great organizations; and

WHEREAS, Mrs. Levy Smith founded Browngirls Productions, an arts-based consulting firm that creates cultural connections, assists in the production of events, forums, and festivals such as the Middfest International, and partners with organizations such as Cincinnati Arts Association and Paycor; and

WHEREAS, Mrs. Levy Smith has worked as a member of the Duncanson Society Artist in Residence Selection Committee, where she worked to affirm an ongoing presence of African American artists and culture across the structure of the Taft Museum of Art; and

WHEREAS, Mrs. Levy Smith has served as the Chair, Co-Chair, and as a member of the Multicultural Awareness Council for the Cincinnati Symphony Orchestra, and through those positions, Mrs. Levy Smith has worked to increase the representation of black, latine, and other underrepresented voices within the Orchestra; and

WHEREAS, Mrs. Levy Smith has been honored as a 2020 Dada Rafiki winner and was featured in the 2020 edition of the Artswave book *Imagineers Impresarios Inventors: Cincinnati's Arts and the Power of Her*; and

WHEREAS, Mrs. Levy Smith has served on the Board of Directors for the Friends of Music Hall, Avondale Community Arts Program, Mutual Dance Theatre, Chamber Music Cincinnati, Concert Nova, Contemporary Dance Theater, and others; and

WHEREAS, Mrs. Levy Smith has donated time, treasure, and talent to the Cincinnati community, serving in multiple capacities to bring quality arts performances to underserved communities, while working to open pathways for performance and residency for local artists, and Mrs. Levy Smith has been a critical asset to the growth of culture in this City; now, therefore;

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

Section 1. That the Mayor and Council hereby recognize Quiera Levy Smith as a 2024 City of Cincinnati Black History Month honoree for her decades of volunteerism, leadership, and promotion of the arts within the Black community and around the City of Cincinnati.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to Quiera Levy Smith through the office of Councilmember Reggie Harris.

Passed _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilman Reggie Harris

Date: February 14, 2024

To: Councilmember Reggie Harris
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Resolution – Black History Month – Rev. Nelson Pierce**

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING Rev. Nelson Pierce as a 2024 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for his lifetime of work uplifting his community through preaching, activism, and service.

EESW/CMZ(dmm)
Attachment
397286

RESOLUTION NO. _____ - 2024

RECOGNIZING Rev. Nelson Pierce as a 2024 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for his lifetime of work uplifting his community through preaching, activism, and service.

WHEREAS, Rev. Nelson Pierce is the senior pastor of Beloved Community Church in Mt. Airy, the co-deputy executive director of the National Black Workers Center, and a dedicated local activist; and

WHEREAS, in 2018, Rev. Nelson Pierce led an effort to mobilize local churches around Cincinnati getting more than 5,000 voters out to the polls, and has continued activating and organizing with the local faith community; and

WHEREAS, Rev. Nelson Pierce has been active in the fight for civil rights his whole life, organizing in 2014 in Ferguson, Missouri after Mike Brown was murdered, and working to establish the Cincinnati Bail Project during the protests following the murder of George Floyd in 2020; and

WHEREAS, Rev. Nelson Pierce has been a steady voice of moral clarity locally, providing the community with spiritual guidance during some of our most troubled times; and

WHEREAS, Rev. Nelson Pierce is recognized nationwide for his thoughtfulness, dedication to justice, and his commitment to uplifting all oppressed peoples; 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 Rev. Nelson Pierce for his decades of service to his community, his commitment to uplifting all people, and his dedication to increasing local civic engagement.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to Rev. Nelson Pierce through the office of Councilmember Reggie Harris.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Reggie Harris

2024 00496

Date: February 14, 2024

To: Councilmember Mark Jeffreys

From: Emily Smart Woerner, City Solicitor *EESW*

Subject: Resolution – Black History Month – Candice Matthews Brackeen

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING Candice Matthews Brackeen as a 2024 City of Cincinnati Black History Month honoree for her exceptional contributions to innovation, diversity, and inclusion within the technology sector through her work with the Lightship Foundation and Black Tech Week; and **EXPRESSING** the appreciation of the Mayor and Council of the City of Cincinnati for her dedication to fostering an inclusive ecosystem for underrepresented founders in Cincinnati and beyond.

EESW/KKF(dmm)
Attachment
397345

RESOLUTION NO. _____ - 2024

RECOGNIZING Candice Matthews Brackeen as a 2024 City of Cincinnati Black History Month honoree for her exceptional contributions to innovation, diversity, and inclusion within the technology sector through her work with the Lightship Foundation and Black Tech Week; and **EXPRESSING** the appreciation of the Mayor and Council of the City of Cincinnati for her dedication to fostering an inclusive ecosystem for underrepresented founders in Cincinnati and beyond.

WHEREAS, Candice Matthews Brackeen, a homeowner in the Clifton neighborhood and a graduate of the University of Cincinnati, has been integral to building an inclusive ecosystem in Cincinnati; and

WHEREAS, Candice Matthews Brackeen has served on the board of the Cincinnati Futures Commission and purchased the Frank Lloyd Wright-designed Cedric G. and Patricia Neils Boulter House to be used as a residence for creatives and entrepreneurs; and

WHEREAS, her work has significantly impacted Cincinnati and the broader tech ecosystem by supporting diverse entrepreneurs through the Lightship Foundation and Black Tech Week; and

WHEREAS, the Lightship Foundation, under Candice Matthews Brackeen's leadership, has been instrumental in providing mentorship, resources, and funding to minority-led startups, thereby bridging the gap in venture capital funding and opportunities; and

WHEREAS, Black Tech Week, led by Candice Matthews Brackeen, serves as a groundbreaking event dedicated to celebrating, empowering, and elevating Black and minority tech professionals and entrepreneurs, offering networking, education, and investment opportunities; and

WHEREAS, Candice Matthews Brackeen's efforts have not only contributed to the economic growth and innovation within Cincinnati but have also set a national example for creating more equitable and inclusive opportunities in the tech industry; and

WHEREAS, through her visionary leadership and unwavering commitment, Candice Matthews Brackeen has cultivated a community that values diversity, equity, and inclusion, making significant strides towards reducing disparities in the tech ecosystem; and

WHEREAS, Candice Matthews Brackeen's initiatives, including the establishment of comprehensive programs and partnerships, have empowered countless entrepreneurs and innovators, fostering a culture of success and sustainability in an ever-evolving industry; and

WHEREAS, her work has been recognized as not only transformative in the realm of business and technology, but also as a catalyst for social change, reflecting her deep commitment to leveraging technology as a force for good; 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 Candice Matthews Brackeen for her outstanding leadership and significant contributions to the technology sector, particularly in supporting underrepresented entrepreneurs through the Lightship Foundation and Black Tech Week, and for her role in promoting diversity, equity, and inclusion within the City of Cincinnati and the broader entrepreneurial ecosystem.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to Candice Matthews Brackeen through the office of Councilmember Mark Jeffreys.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Mark Jeffreys

202400539

Date: February 14, 2024

To: Councilmember Scotty Johnson
From: Emily Smart Woerner, City Solicitor *ESW*
Subject: **Resolution – Withrow Rugby State Champions**

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING the Withrow Tigers rugby team as the 2023 state champions in rugby and as a leading force in rugby and overall athletics in the City of Cincinnati and the region.

ESW/CMZ(dmm)
Attachment
397583

EESW

RESOLUTION NO. _____ - 2024

RECOGNIZING the Withrow Tigers rugby team as the 2023 state champions in rugby and as a leading force in rugby and overall athletics in the City of Cincinnati and the region.

WHEREAS, the Withrow High School Tigers rugby team, established and led by Coach Nathan Myers, continues to be celebrated for exemplary athletics after seven years of development; and

WHEREAS, because of their passionate playing, the Tigers rugby team ascended to its first State Championship victory in June 2023 at Columbus' Fortress Obetz Field, triumphing over the Watkins Memorial rugby team, all in the team's first state final appearance; and

WHEREAS, Coach Myers' teams, both past and present, have helped to build a bona fide rugby program, shaped by the influence of sister schools within the community, profoundly representing our city, and causing this region to stand up and take notice; and;

WHEREAS, the success and continued progress of this coach and team are ensuring that they reach their goal of leaving a legacy of excellence, as they have given Withrow students and alumni more to be proud of in their 100+ year history; now, therefore,

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

Section 1. That the Mayor and this Council recognize the Withrow High School Tigers rugby team as a leading force in rugby and overall athletics in the City of Cincinnati and this entire region.

Section 2. That this resolution should be spread upon the minutes of Council and that a copy be provided to Coach Nathan Myers and the 2023 Withrow Tigers rugby team through the office of Councilmember Scotty Johnson.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Scotty Johnson



Jeff Cramerding
Councilmember

MOTION

WE MOVE that the administration utilize the Office of Performance and Data Analytics and, if necessary, outside consultants to identify best practices, compare peer cities, and develop a plan for a comprehensive and proactive litter prevention and removal plan, and to inform council of the cost of such a plan.

WE FURTHER MOVE that the Administration produce a report within ninety (90) days which identifies and outlines short-term improvements. This report shall include potential resources that may be reallocated for implementation of improvements identified along with budget update recommendations. Priority should center on critical neighborhood arteries and thoroughfares leading into downtown.

BACKGROUND

Report #202400211 from the administration makes it clear that the city does not have sufficient resources to address the city's serious litter and dumping problems. Litter decreases pride in the city and our neighborhoods and overall quality of life for our residents. Neighborhoods with higher litter suffer from higher rates of vandalism and crime. Many companies are striving to return workers to downtown and elsewhere in the city, and it is especially critical that these thoroughfares remain litter free as people return to in-person work.

Jeff Cramerding

Councilmember Jeff Cramerding

Mark Jeffreys

Councilmember Mark Jeffreys

7th CAL 2/12

12 FEB 24 PM 2:48

CLERK OF COUNCIL

Alfred J. [unclear]

For [unclear]



202400532

Anna Albi
Councilmember

Feb 9, 2024

MOTION

Childcare Taskforce Information Request

To understand the logistics associated with forming a childcare taskforce, WE MOVE that, the Administration report back to Council within ninety days (90) on:

- The mission, goals and objectives of this taskforce,
- The duration of time for which this taskforce would be operational and the frequency of meetings,
- The process and timing for this taskforce reporting back to the Healthy Neighborhoods committee,
- Any costs, including staff time, that would be associated with this taskforce,
- The recommended size of the taskforce along with the process for selecting and confirming all members of the taskforce.

STATEMENT

Nationally, over 2 million women left the workforce during the pandemic, with many citing childcare as a factor.¹ It should be a priority then for Cincinnati to prioritize accessible, affordable and high-quality childcare to ensure a vibrant current and future workforce. We celebrate the efforts the Administration is already making, particularly with the \$2 million Childcare Workforce and Supply Expansion pilot project with 4C for Children. Better understanding the logistics and scoping of this taskforce will set it up for success to address this critical challenge and build upon existing work the City is doing in coordination with community partners.

Anna Albi

Councilmember Anna Albi

Jan-michel Lemaire

Reggie Harris

Masha Jozzy
Masha D. Jozzy

¹ <https://www.whitehouse.gov/wp-content/uploads/2023/11/Child-Care-Stabilization.pdf>

CAL
Healthy Neighborhoods

AA

12FEB24PM2:28

CLERK OF COUNCIL

[Faint signature]

[Faint signature]

Date: 02/14/24

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: WestSide Market 2024**

202400422

In accordance with Cincinnati Municipal Code, Chapter 765; Krystle Gaiser 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 Fire Department, Metro, Cincinnati Police Special Events Unit, Cincinnati Police District One, Traffic and Engineering Department, Traffic and Road Operations Department and The Health Department. There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: WestSide Market 2024
EVENT SPONSOR/PRODUCER: Krystle Gaiser
CONTACT PERSON: Krystle Gaiser
LOCATION: 3017 Harrison Avenue (Westwood Town Hall)
DATE(S) AND TIME(S): 05/04/24 1000-1500, 06/01/24 1000-1500, 07/06/24 1000-1500, 08/03/24 1000-1500, 09/07/24 1000-1500, 11/30/24 1200-1700.
EVENT DESCRIPTION: Westside Market is a small business pop-up market that takes place on the first Saturday of the month.
ANTICIPATED ATTENDANCE: 1000
ALCOHOL SALES: ☐ YES. ☒ NO.
TEMPORARY LIQUOR PERMIT HOLDER IS:

cc: Colonel Teresa A. Theetge, Police Chief

Date: 02/14/24

To: Mayor and Members of City Council 202400434
From: Sheryl M. M. Long, City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: Bash on Short Vine**

In accordance with Cincinnati Municipal Code, Chapter 765; Trace Fowler 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 Fire Department, Metro, Cincinnati Police Special Events Unit, Cincinnati Police District One, Traffic and Engineering Department, Traffic and Road Operations Department and The Health Department. There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Bash on Short Vine
EVENT SPONSOR/PRODUCER: Trace Fowler
CONTACT PERSON: Trace Fowler
LOCATION: 2600 Vine Street
DATE(S) AND TIME(S): 10/19/24 0700-0000 hrs.
EVENT DESCRIPTION: Bash on Short Vine is a tailgate area to root on the Cincinnati Bearcats with a pregame show featured via Chatterbox Sports.
ANTICIPATED ATTENDANCE: 3500
ALCOHOL SALES: ☒ YES. ☐ NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: To Be Determined

cc: Colonel Teresa A. Theetge, Police Chief

Date: February 14, 2024

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202400453

Subject: Liquor License – Transfer of Ownership

FINAL RECOMMENDATION REPORT

OBJECTIONS: Cincinnati Police / OTR Community Council

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: 9279725
PERMIT TYPE: TRFO
CLASS: D5 D6
NAME: VINE KITCHEN & BAR LLC
DBA: THE VINE
1107 VINE ST 1ST FL BSMT & PATIO
CINCINNATI, OH 45202

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

On January 9, 2024, Over-the-Rhine Community Council was notified of this application and 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 5, 2024

Date: February 14, 2024

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202400465

Subject: Liquor License – Transfer of Stock

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: 0143370
PERMIT TYPE: STCK
CLASS: D5J D6
NAME: AL TAGLIO LLC
DBA: TAGLIO
3531-33 COLUMBIA PKWY
& PATIOS
CINCINNATI, OH 45226

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

On January 16, 2024, the Columbia Tusculum 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 8, 2024

Date: February 14, 2024

To: Mayor and Members of City Council

202400466

From: Sheryl M. M. Long, City Manager

Subject: Liquor License – Transfer of Stock

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: 0143375
PERMIT TYPE: STCK
CLASS: D5 D6
NAME: AL TAGLIO II LLC
DBA: TAGLIOS
1201 WALNUT ST
CINCINNATI, OH 45202

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

On January 16, 2024, the Over-the-Rhine 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 8, 2024

Date: February 14, 2024

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202400467

Subject: Liquor License – Transfer of Stock

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: 8196248
PERMIT TYPE: STCK
CLASS: C1 C2
NAME: 6415 MADISON RD LLC
DBA: MADISONVILLE SUNOCO
6415 MADISON RD
CINCINNATI, OH 45227

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

On January 12, 2024, the Madisonville 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 1, 2024

Date: 02/14/2024

To: Mayor and Members of City Council 202400470
From: Sheryl M. M. Long, City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: The Lytle Park Hotel Wine Festival**

In accordance with Cincinnati Municipal Code, Chapter 765; Morty Valldejuli 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: The Lytle Park Hotel Wine Festival
EVENT SPONSOR/PRODUCER: The Lytle Park Hotel
CONTACT PERSON: Morty Valldejuli
LOCATION: Lytle Park
DATE(S) AND TIME(S): 05/18/2024 4:00pm—05/18/2024 8:00pm
EVENT DESCRIPTION: Wine Festival
ANTICIPATED ATTENDANCE: 150
ALCOHOL SALES: ☒ YES. ☐ NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: The Lytle Park Hotel

cc: Colonel Teresa A. Theetge, Police Chief

February 14, 2024

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202400482

Subject: Emergency Ordinance – Cincinnati Fire Department: Amending Ordinance No. 0159-2001

Attached is an Emergency Ordinance captioned:

AMENDING Ordinance No. 159-2001, which established Fire Grants Fund 472 and identified revenue sources and permissible uses of the fund's resources, to change the name of the fund to Fire Grants and Donations Fund 472, to further expand the permissible revenue sources of the fund to include donated resources, and to authorize the Director of Finance to receive, deposit, and expend donated resources in accordance with the purpose of the donation.

Approval of this Emergency Ordinance would amend prior Ordinance No. 0159-2001, which established Fire Grants Fund 472 and identified revenue sources and permissible uses of the fund's resources, to rename it to Fire Grants and Donations Fund 472, to further expand permissible revenue sources to include donated resources, and to authorize the Finance Director to receive, deposit, and expend donated resources in accordance with the purpose of the donation.

On May 23, 2001, the City Council passed Ordinance No. 0159-2001, which established Fire Grants Fund 472 and authorized the Director of Finance to receive, deposit, and expend grant resources in accordance with the purpose of the grant. There is now a need to amend Ordinance No. 0159-2001 to rename the fund, expand the fund's permissible revenue sources to include donated resources, and to authorize the Director of Finance to receive, deposit, and expend donated resources in accordance with the purpose of the donation.

The reason for the emergency is the immediate need to expand the permissible revenue sources of Fire Grants Fund 472 to include donated resources and change the name of Fire Grants Fund 472 to reflect the expanded permissible revenue sources in order to accept donated resources in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

LES

- 2024

AMENDING Ordinance No. 159-2001, which established Fire Grants Fund 472 and identified revenue sources and permissible uses of the fund's resources, to change the name of the fund to Fire Grants and Donations Fund 472, to further expand the permissible revenue sources of the fund to include donated resources, and to authorize the Director of Finance to receive, deposit, and expend donated resources in accordance with the purpose of the donation.

WHEREAS, on May 23, 2001, Council passed Ordinance No. 159-2001, which established Fire Grants Fund 472 and authorized the Director of Finance to receive, deposit, and expend grant resources in accordance with the purpose of the grant; and

WHEREAS, there is a need to amend Ordinance No. 159-2001 to rename the fund, expand the fund's permissible revenue sources to include donated resources, and to authorize the Director of Finance to receive, deposit, and expend donated resources in accordance with the purpose of the donation; now, therefore,

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

Section 1. That Ordinance No. 159-2001, which established Fire Grants Fund 472 and identified revenue sources and permissible uses of the fund's resources, is amended to change the name of the fund to Fire Grants and Donations Fund 472, to expand the permissible revenue sources for the fund to include donated resources, and to authorize the Director of Finance to receive, deposit, and expend donated resources in accordance with the purpose of the donation.

Section 2. That all terms of Ordinance No. 159-2001 not amended by this ordinance remain in full force and effect.

Section 3. 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 expand the permissible revenue sources of Fire Grants Fund 472 to include

donated resources and change the name of Fire Grants Fund 472 to reflect the expanded permissible revenue sources in order to accept donated resources in a timely manner.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

February 14, 2024

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: **Emergency Ordinance – Cincinnati Fire Department: Cincinnati Fire Foundation Donation**

202400483

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept a donation of \$5,000 from the Cincinnati Fire Foundation to provide funds to support the Cincinnati Fire Department's Peer Support Program's therapy dog; **AUTHORIZING** the Director of Finance to deposit the donated funds into General Fund 050 revenue account no. 050x8571; and **AUTHORIZING** the transfer and appropriation of \$5,000 from the unappropriated surplus of General Fund 050 to Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x7300 to provide funds to support the Cincinnati Fire Department's Peer Support Program's therapy dog.

This Emergency Ordinance authorizes the City Manager to accept a donation of \$5,000 from the Cincinnati Fire Foundation to provide funds to support the Cincinnati Fire Department's Peer Support Program's therapy dog. It further authorizes the Director of Finance to deposit the donated resources into General Fund revenue account 050x8571. Finally, this Emergency Ordinance authorizes the transfer and appropriation of \$5,000 from the unappropriated surplus of General Fund 050 to Cincinnati Fire Department non-personnel operating budget account no. 050x272x7300.

On November 15, 2023, the City Council passed Ordinance No. 0377-2023, which authorized the City Manager to accept an in-kind donation of a therapy dog and related training, equipment, and supplies to be used by the Fire Department's Peer Support Program. The Cincinnati Fire Foundation has agreed to donate \$5,000 to cover veterinary expenses, food, and incidental needs. This donation does not require new FTEs/full time equivalents or matching funds.

Acceptance of this donation is 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 209-212 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need for the Cincinnati Fire Department to timely accept and utilize the donated resources.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

LES

- 2024

AUTHORIZING the City Manager to accept a donation of \$5,000 from the Cincinnati Fire Foundation to provide funds to support the Cincinnati Fire Department's Peer Support Program's therapy dog; **AUTHORIZING** the Director of Finance to deposit the donated funds into General Fund 050 revenue account no. 050x8571; and **AUTHORIZING** the transfer and appropriation of \$5,000 from the unappropriated surplus of General Fund 050 to Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x7300 to provide funds to support the Cincinnati Fire Department's Peer Support Program's therapy dog.

WHEREAS, on November 15, 2023, Council passed Ordinance No. 377-2023, which authorized the City Manager to accept an in-kind donation of a therapy dog, related equipment and supplies, and training services from K9s for Warriors, valued at up to \$10,576, to be used by the Cincinnati Fire Department's Peer Support Program; and

WHEREAS, the Cincinnati Fire Foundation has agreed to donate \$5,000 to support the Cincinnati Fire Department's Peer Support Program's therapy dog; and

WHEREAS, the \$5,000 in donated funds will be used to cover veterinary expenses, food, and incidental needs of the therapy dog; and

WHEREAS, this donation does not require matching funds, and there are no new FTEs/full time equivalents associated with this donation; and

WHEREAS, acceptance of this donation is 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 209-212 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 authorized to accept a donation of \$5,000 from the Cincinnati Fire Foundation to provide funds to support the Cincinnati Fire Department's Peer Support Program's therapy dog.

Section 2. That the Director of Finance is authorized to deposit the donated funds into General Fund 050 revenue account no. 050x8571.

Section 3. That the transfer and appropriation of \$5,000 from the unappropriated surplus of General Fund 050 to Cincinnati Fire Department General Fund non-personnel operating budget {00396984-1}

account no. 050x272x7300 is authorized to provide funds to support the Cincinnati Fire Department's Peer Support Program's therapy dog.

Section 4. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 3.

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 the immediate need for the Cincinnati Fire Department to timely accept and utilize the donated resources.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

February 14, 2024

To: Mayor and Members of City Council

202400484

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – Budget: FY 2024 Mid-Year Budget Adjustments

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer of \$537,440 within General Fund 050 from and to various operating accounts, according to the attached Schedule of Transfer to realign and provide funds for ongoing needs of City departments; **AUTHORIZING** the transfer of \$41,866 from the unappropriated surplus of Unclassified Receipts Fund 604 to the unappropriated surplus of General Fund 050 to reconcile the False Alarm Settlement resources to the appropriate account; **AUTHORIZING** the transfer and appropriation of \$41,866 from the unappropriated surplus of General Fund 050 according to the attached Schedule of Transfer to comply with the terms of the judgment in *White v. City of Cincinnati*; **AUTHORIZING** the transfer and return to source, the unappropriated surplus of General Fund 050, of \$500,000, according to the attached Schedule of Transfer, to deploy resources more efficiently for the Special Code Enforcement program; and **AUTHORIZING** the transfer of \$500,000 from the unappropriated surplus of General Fund 050 to the unappropriated surplus of Emergency Remediation of Defects in Rental Housing Fund 436 to provide resources to continue the Special Code Enforcement Program.

Approval of this Emergency Ordinance authorizes the transfer of \$537,440 within General Fund 050 from and to various operating accounts, according to the attached Schedule of Transfer to realign and provide funds for ongoing needs of City departments. The Emergency Ordinance further authorizes the transfer of \$41,866 from the unappropriated surplus of Unclassified Receipts Fund 604 to the unappropriated surplus of General Fund 050 to reconcile the False Alarm Settlement resources to the appropriate account. Additionally, the Emergency Ordinance authorizes the transfer and appropriation of \$41,866 from the unappropriated surplus of General Fund 050 according to the attached Schedule of Transfer to comply with the terms of the judgment in *White v. City of Cincinnati*. The Emergency Ordinance authorizes the transfer and return to source, the unappropriated surplus of General Fund 050, of \$500,000 according to the attached Schedule of Transfer to deploy resources more efficiently for the Special Code Enforcement program. Finally, the Emergency Ordinance authorizes the transfer of \$500,000 from the unappropriated surplus of General Fund 050 to the unappropriated surplus of Emergency Remediation of Defects in Rental Housing Fund 436 to provide resources to continue the Special Code Enforcement Program.

Keep Cincinnati Beautiful (KCB) did not spend a portion of funds they were allocated for FY 2023 expenses, and the City Manager's Office intends to add this amount to Keep Cincinnati Beautiful's FY 2024 contract.

The Cincinnati Police Department needs to transfer \$523,590 within the department, from a General Fund personnel operating budget account to a General Fund non-personnel operating budget account, in preparation for an upcoming recruit class.

Ordinance No. 0083-2023 authorized the transfer and appropriation of \$3,280,602.25 from the unappropriated surplus of the General Fund to the non-departmental Judgments Against the City General Fund non-personnel operating budget account no. 050x951x7400 to satisfy a legal judgment against the City and pay associated legal fees in *White v. City of Cincinnati*. The City satisfied the judgment terms by issuing appropriate checks to the class of plaintiffs, but several checks were returned to the City and temporarily deposited in the Unclassified Receipts Fund. These resources must be returned to the General Fund Judgments Against the City non-departmental account to comply with the terms of the judgment while the court determines how the returned resources will be disbursed.

Ordinance No. 0413-2023 established the Emergency Remediation of Defects in Rental Housing Fund to provide resources for its Special Code Enforcement program. The Approved FY 2024 Budget includes \$500,000 in General Fund non-personnel resources for the Special Code Enforcement Unit to abate nuisance conditions in multi-family buildings by focusing on conditions that lead to displacement before they deteriorate further. These resources must be returned to the General Fund unappropriated surplus and transferred to the newly established Emergency Remediation of Defects in Rental Housing Fund so that they may be deployed on a revolving basis as authorized in Ordinance No. 0413-2023.

The reason for the emergency is the immediate need to transfer and appropriate the funds necessary to ensure the uninterrupted continuation of services.

The Administration recommends passage of this Emergency Ordinance.

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

Attachments

EMERGENCY

MSS

- 2024

AUTHORIZING the transfer of \$537,440 within General Fund 050 from and to various operating accounts according to the attached Schedule of Transfer to realign and provide funds for ongoing needs of City departments; **AUTHORIZING** the transfer of \$41,866 from the unappropriated surplus of Unclassified Receipts Fund 604 to the unappropriated surplus of General Fund 050 to reconcile the False Alarm Settlement resources to the appropriate account; **AUTHORIZING** the transfer and appropriation of \$41,866 from the unappropriated surplus of General Fund 050 according to the attached Schedule of Transfer to comply with the terms of the judgment in *White v. City of Cincinnati*; **AUTHORIZING** the transfer and return to source, the unappropriated surplus of General Fund 050, of \$500,000 according to the attached Schedule of Transfer to deploy resources more efficiently for the Special Code Enforcement program; and **AUTHORIZING** the transfer of \$500,000 from the unappropriated surplus of General Fund 050 to the unappropriated surplus of Emergency Remediation of Defects in Rental Housing Fund 436 to provide resources to continue the Special Code Enforcement Program.

WHEREAS, Keep Cincinnati Beautiful did not spend a portion of funds allocated to it for FY 2023 expenses; and

WHEREAS, the City Manager's Office intends to add this unspent amount to Keep Cincinnati Beautiful's FY 2024 contract and therefore requires an additional \$13,850 in non-personnel resources for the FY 2024 contract; and

WHEREAS, the Cincinnati Police Department needs to transfer \$523,590 within the department, from a General Fund personnel operating budget account to a General Fund non-personnel operating budget account, in preparation for an upcoming recruit class; and

WHEREAS, Ordinance No. 83-2023 authorized the transfer and appropriation of \$3,280,602.25 from the unappropriated surplus of the General Fund to the non-departmental Judgments Against the City General Fund non-personnel operating budget account no. 050x951x7400 to satisfy a legal judgment against the City and pay associated legal fees in *White v. City of Cincinnati*; and

WHEREAS, the City satisfied the judgment terms of the case by issuing appropriate checks to the class of plaintiffs, but several checks were returned to the City and temporarily deposited in the Unclassified Receipts Fund; and

WHEREAS, these resources must be returned to the General Fund Judgments Against the City non-departmental account to comply with the terms of the judgment while the court determines how those resources will be disbursed; and

WHEREAS, Ordinance No. 413-2023 established the Emergency Remediation of Defects in Rental Housing Fund to provide resources for its Special Code Enforcement program; and

WHEREAS, the Approved FY 2024 Budget includes \$500,000 in General Fund non-personnel resources for the Special Code Enforcement Unit to abate nuisance conditions in multi-family buildings by focusing on conditions that lead to displacement before they deteriorate further; and

WHEREAS, these resources must be returned to the General Fund unappropriated surplus and transferred to the newly established Emergency Remediation of Defects in Rental Housing Fund so that they may be deployed on a revolving basis as authorized in Ordinance No. 413-2023; now, therefore,

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

Section 1. That \$537,440 is transferred within General Fund 050 from and to various operating accounts and the unappropriated surplus according to the attached Schedule of Transfer to realign and provide funds for ongoing needs of City departments.

Section 2. That \$41,866 is transferred from the unappropriated surplus of Unclassified Receipts Fund 604 to the unappropriated surplus of General Fund 050 to reconcile the False Alarm Settlement resources to the appropriate account.

Section 3. That \$41,866 is transferred and appropriated from the unappropriated surplus of General Fund 050 according to the attached Schedule of Transfer to comply with the terms of the judgment in *White v. City of Cincinnati*.

Section 4. That \$500,000 is transferred and returned to source, the unappropriated surplus of General Fund 050, according to the attached Schedule of Transfer, to deploy resources more efficiently for the Special Code Enforcement program.

Section 5. That \$500,000 is transferred from the unappropriated surplus of General Fund 050 to the unappropriated surplus of Emergency Remediation of Defects in Rental Housing Fund 436 to provide resources to continue the Special Code Enforcement Program.

Section 6. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 5.

Section 7. 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 and appropriate the funds necessary to ensure the uninterrupted continuation of services.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

SCHEDULE OF TRANSFER

FY 2024 MID-YEAR ADJUSTMENT SCHEDULE OF TRANSFER

General Fund 050

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
CINCINNATI POLICE DEPARTMENT					OFFICE OF THE CITY MANAGER				
SUPPORT BUREAU	050	226	7100	523,590	OFFICE OF THE CITY MANAGER	050	101	7400	13,850
NON-DEPARTMENTAL ACCOUNTS					CINCINNATI POLICE DEPARTMENT				
LUMP SUM PAYMENTS	050	924	7100	13,850	ADMINISTRATION BUREAU	050	226	7300	523,590
Transfers within Appropriations Subtotal				537,440	Transfers within Appropriations Subtotal				537,440
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					SOURCE ACCOUNTS				
UNAPPROPRIATED SURPLUS	050			41,866	NON-DEPARTMENTAL ACCOUNTS				
DEPARTMENT OF BUILDINGS AND INSPECTIONS					JUDGMENTS AGAINST THE CITY	050	951	7400	41,866
BUILDINGS & INSPECTIONS, LICENSE & PERMITS	050	211	7200	500,000	UNAPPROPRIATED SURPLUS	050			500,000
Supplemental Appropriations				541,866	Supplemental Appropriations				541,866
TOTAL FUND REDUCTIONS				1,079,306	TOTAL FUND INCREASES				1,079,306

February 14, 2024

To: Mayor and Members of City Council

202400485

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – Budget: Transfer and Appropriation from the Reserve for Operating Budget Contingencies

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer of \$132,000 from the General Fund balance sheet reserve account no. 050x2535, “Reserve for Operating Budget Contingencies,” to the unappropriated surplus of General Fund 050; and **AUTHORIZING** the transfer and appropriation of \$122,000 from the unappropriated surplus of General Fund 050 to the Cincinnati Police Department’s General Fund personnel operating budget account no. 050x222x7100 and the transfer and appropriation of \$10,000 from the unappropriated surplus of General Fund 050 to the Cincinnati Police Department’s General Fund personnel operating budget account no. 050x226x7100 to provide one-time funds for overtime expenses related to the additional deployment of sworn officers in downtown Cincinnati during the month of February.

Approval of this Emergency Ordinance authorizes the transfer of \$132,000 from the General Fund balance sheet reserve account no. 050x2535, “Reserve for Operating Budget Contingencies,” to the unappropriated surplus of General Fund 050. Additionally, this Emergency Ordinance authorizes the transfer and appropriation of \$122,000 from the unappropriated surplus of General Fund 050 to the Cincinnati Police Department’s General Fund personnel operating budget account no. 050x222x7100 and the transfer and appropriation of \$10,000 from the unappropriated surplus of General Fund 050 to the Cincinnati Police Department’s General Fund personnel operating budget account no. 050x226x7100. These resources will be used to provide one-time funds for overtime expenses related to the additional deployment of sworn officers in downtown Cincinnati during the month of February due to increased youth activity and violence.

In 2015, in Ordinance No. 0253-2015, the City Council adopted a Stabilization Funds Policy to define appropriate funding for the City’s various reserve funds, with such policy being later revised in 2019 through Ordinance No. 0213-2019 and revised again in 2022 through Ordinance No. 0056-2022. In accordance with the terms of the Stabilization Funds Policy, funds have been transferred into the “Reserve for Operating Budget Contingencies” General Fund balance sheet reserve account for one-time operating budget needs. There is a one-time operating budget need in FY 2024 for additional resources for the Cincinnati Police Department for additional sworn officer patrols in downtown Cincinnati for the month of February due to increased youth activity and violence.

The reason for the emergency is the immediate need to accomplish the authorized transfers and appropriations so that the funding provided by this ordinance is in place immediately and so that the necessary expenditures to address increased youth activity and violence in downtown Cincinnati may be made as soon as possible.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

CMZ

- 2024

AUTHORIZING the transfer of \$132,000 from the General Fund balance sheet reserve account no. 050x2535, “Reserve for Operating Budget Contingencies,” to the unappropriated surplus of General Fund 050; and **AUTHORIZING** the transfer and appropriation of \$122,000 from the unappropriated surplus of General Fund 050 to the Cincinnati Police Department’s General Fund personnel operating budget account no. 050x222x7100 and the transfer and appropriation of \$10,000 from the unappropriated surplus of General Fund 050 to the Cincinnati Police Department’s General Fund personnel operating budget account no. 050x226x7100 to provide one-time funds for overtime expenses related to the additional deployment of sworn officers in downtown Cincinnati during the month of February.

WHEREAS, in 2015, in Ordinance No. 253-2015, Council adopted a Stabilization Funds Policy to define appropriate funding for the City’s various reserve funds, with such policy being later revised in 2019 through Ordinance No. 213-2019 and revised again in 2022 through Ordinance No. 56-2022; and

WHEREAS, in accordance with the terms of the Stabilization Funds Policy, funds have been transferred into the “Reserve for Operating Budget Contingencies” General Fund balance sheet reserve account for one-time operating budget needs; and

WHEREAS, due to increased youth activity and violence in downtown Cincinnati, additional sworn officer patrols are needed for the month of February; now, therefore,

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

Section 1. That \$132,000 is transferred from the General Fund balance sheet reserve account no. 050x2535, “Reserve for Operating Budget Contingencies,” to the unappropriated surplus of General Fund 050.

Section 2. That \$122,000 is transferred and appropriated from the unappropriated surplus of General Fund 050 to the Cincinnati Police Department’s General Fund personnel operating budget account no. 050x222x7100 and \$10,000 is transferred and appropriated from the unappropriated surplus of General Fund 050 to the Cincinnati Police Department’s General Fund personnel operating budget account no. 050x226x7100 to provide one-time funds for overtime expenses related to the additional deployment of sworn officers in downtown Cincinnati during the month of February.

Section 3. That the appropriate City officials are authorized to do all things necessary and proper to implement the provisions of Sections 1 and 2.

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 accomplish the authorized transfers and appropriations so that the funding provided by this ordinance is in place immediately and so that the necessary expenditures to address increased youth activity and violence in downtown Cincinnati may be made as soon as possible.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

February 14, 2024

To: Mayor and Members of City Council 202400487

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – Police: Moral Obligation Payment to Women Helping Women**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the payment of \$250,000 from the Cincinnati Police Department General Fund non-personnel operating budget account no. 050x222x1000x7289 as a moral obligation to Women Helping Women for outstanding charges related to services rendered in support of the Domestic Violence Enhanced Response Team in Calendar Year 2023.

This Emergency Ordinance authorizes the payment of \$250,000 from the Cincinnati Police Department General Fund non-personnel operating budget account no. 050x222x1000x7289 as a moral obligation to Women Helping Women (WHW) for outstanding charges related to services rendered in support of the Domestic Violence Enhanced Response Team (DVERT) in Calendar Year 2023.

The Domestic Violence Enhanced Response Team is a trauma-focused crisis response team that provides an on-call, on-scene response to domestic violence survivors to avert gender-based violence and prevent children from growing up in violent homes. Through the DVERT program, Women Helping Women provides on-scene safety planning, access to resources, empowerment, and engagement in ongoing support services.

The services WHW provides through DVERT are in direct support of the Cincinnati Police Department's (CPD) responses to calls for service related to domestic disputes and domestic violence. DVERT provides relief support to responding and investigating officers so that they can focus on criminal investigative aspects of domestic violence incidents. CPD and WHW launched the DVERT program in the Spring of 2018 and has fully integrated it into CPD Policy and Procedures.

The leveraged support funding for WHW was moved from the City Manager's Office to the Cincinnati Police Department for Fiscal Year 2023, which was under the tenure of the previous CPD Finance Division Manager. The current CPD Finance Division Manager was unaware of the transfer of funding and the need for a contract with WHW for Calendar Year 2023. CPD Finance Management staff are prepared to continue working with WHW to ensure all necessary contracts are completed moving forward, including the contract for Calendar Year 2024.

The reason for the emergency is the immediate need to provide payment to Women Helping Women for the services rendered in Calendar Year 2023.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

MSS

- 2024

AUTHORIZING the payment of \$250,000 from the Cincinnati Police Department General Fund non-personnel operating budget account no. 050x222x1000x7289 as a moral obligation to Women Helping Women for outstanding charges related to services rendered in support of the Domestic Violence Enhanced Response Team in Calendar Year 2023.

WHEREAS, the Domestic Violence Enhanced Response Team (“DVERT”) is a trauma-focused crisis response team that provides an on-call, on-scene response to domestic violence survivors to avert gender-based violence and prevent children from growing up in violent homes; and

WHEREAS, through the DVERT program Women Helping Women (“WHW”) provides on-scene safety planning, access to resources, empowerment, and engagement in ongoing support services; and

WHEREAS, the services WHW provides through DVERT are in direct support of Cincinnati Police Department (“CPD”) responses to calls for service related to domestic disputes and domestic violence, providing relief support to responding and investigating officers so that they can focus on criminal investigative aspects of domestic violence incidents; and

WHEREAS, CPD and WHW launched the DVERT program in the spring of 2018, and it is fully integrated into CPD Policy and Procedures; and

WHEREAS, the leveraged support funding for WHW was moved from the City Manager’s Office to the Cincinnati Police Department for Fiscal Year 2023 under the tenure of the previous CPD Finance Division Manager; and

WHEREAS, the current CPD Finance Division Manager was unaware of the transfer of funding and the need for a contract with WHW for Calendar Year 2023; and

WHEREAS, CPD Finance Management staff are prepared to continue working with WHW to ensure all necessary contracts are completed moving forward, including for Calendar Year 2024; and

WHEREAS, Council desires to provide payment for the services WHW rendered in Calendar Year 2023 in an amount totaling \$250,000; now, therefore,

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

Section 1. That the Director of Finance is authorized to pay \$250,000 from the Cincinnati Police Department General Fund non-personnel operating budget account no. 050x222x1000x7289 as a moral obligation to Women Helping Women for outstanding charges related to services rendered in support of the Domestic Violence Enhanced Response Team in Calendar Year 2023.

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

Section 3. 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 provide payment to Women Helping Women for the services rendered in Calendar Year 2023.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

February 14, 2024

To: Mayor and Members of City Council

202400488

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – CRC: National Junior Tennis and Learning Program Donation

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate a donation of up to \$45,000 from the Cincinnati Recreation Foundation to support the Cincinnati Recreation Commission's National Junior Tennis and Learning program; **AUTHORIZING** the City Manager to accept and appropriate a donation of up to \$15,971.50 from the Cincinnati Recreation Foundation to support the Cincinnati Recreation Commission's National Junior Tennis and Learning program; and **AUTHORIZING** the Director of Finance to deposit the donated funds into Fund 319, "Contributions for Recreation Purposes," revenue account 319x8571.

Approval of this Ordinance would authorize the City Manager to accept and appropriate a donation in the amount of up to \$45,000 from the Cincinnati Recreation Foundation to support the Cincinnati Recreation Commission's National Junior Tennis and Learning program. The Ordinance would also authorize the City Manager to accept and appropriate a donation of up to \$15,971.50 from the Cincinnati Recreation Foundation to support the Cincinnati Recreation Commission's National Junior Tennis and Learning program. This Ordinance further authorizes the Finance Director to deposit the donated funds into Fund 319, "Contributions for Recreation Purposes," revenue account 319x8571.

There are no new FTEs/full time equivalents or matching funds associated with these donations.

Acceptance of the donated funds for the National Junior Tennis and Learning program is 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).

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 appropriate a donation of up to \$45,000 from the Cincinnati Recreation Foundation to support the Cincinnati Recreation Commission’s National Junior Tennis and Learning program; **AUTHORIZING** the City Manager to accept and appropriate a donation of up to \$15,971.50 from the Cincinnati Recreation Foundation to support the Cincinnati Recreation Commission’s National Junior Tennis and Learning program; and **AUTHORIZING** the Director of Finance to deposit the donated funds into Fund 319, “Contributions for Recreation Purposes,” revenue account 319x8571.

WHEREAS, the Cincinnati Recreation Foundation received a donation of \$45,000 from the Tennis for Charity, Inc. 2023 National Junior Tennis and Learning Program; and

WHEREAS, the Cincinnati Recreation Foundation received a donation of \$15,971.50 from the Tennis for Charity, Inc. 2022 National Junior Tennis and Learning Program; and

WHEREAS, the Cincinnati Recreation Foundation offered to provide this funding to the Cincinnati Recreation Commission (“CRC”) to support its National Junior Tennis and Learning program; and

WHEREAS, the funding will be used to introduce the game of tennis to children between the ages of six and fourteen by using a combination of instruction, games, and match play; and

WHEREAS, these donations do not require matching funds, and there are no new FTEs/full time equivalents associated with these donations; and

WHEREAS, this donation falls outside the parameters established in Ordinance No. 317-2023, which authorized ongoing donations from the Cincinnati Recreation Foundation in amounts up to \$20,000, and therefore requires discrete approval; and

WHEREAS, acceptance of the donated funds for the National Junior Tennis and Learning program is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and 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 authorized to accept and appropriate a donation of up to \$45,000 from the Cincinnati Recreation Foundation to provide funding to support the Cincinnati Recreation Commission National Junior Tennis and Learning program.

Section 2. That the City Manager is authorized to accept and appropriate a donation of \$15,971.50 from the Cincinnati Recreation Foundation to provide funding to support the Cincinnati Recreation Commission National Junior Tennis and Learning program.

Section 3. That the Director of Finance is authorized to deposit the donated funds into Fund 319, "Contributions for Recreation Purposes," revenue account 319x8571.

Section 4. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the donations and Sections 1 through 3.

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

February 14, 2024

To: Mayor and Members of City Council

202400490

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – DCED: Warsaw Avenue Property Acquisition TIF Funding

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer and appropriation of \$315,000 from the unappropriated surplus of East Price Hill Equivalent Fund 494 to the Department of Community and Economic Development non-personnel operating budget account no. 494x164x7200 to provide resources to support Price Hill Will's acquisition and redevelopment of 3509 Warsaw Avenue, 3519 Warsaw Avenue, and 978 Wells Street (collectively, the "Properties"); and **DECLARING** that expenditures from the Department of Community and Economic Development non-personnel operating budget account no. 494x164x7200 to develop the Properties are for a public purpose and constitute 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 15 - East Price Hill Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

Approval of this Emergency Ordinance authorizes the transfer and appropriation of \$315,000 from the unappropriated surplus of East Price Hill Equivalent Fund 494 to the Department of Community and Economic Development non-personnel operating budget account no. 494x164x7200 for the purpose of providing resources for the acquisition and redevelopment of 3509 Warsaw Avenue, 3519 Warsaw Avenue, and 978 Wells Street by Price Hill Will. The Emergency Ordinance also declares these expenditures from the Department of Community and Economic Development non-personnel operating budget account no. 494x164x7200 are for a public purpose and constitute a "Public Infrastructure Improvement" (as defined in Section 5709.40(A)(8) of the Ohio Revised Code (ORC)), that will benefit and/or serve the District 15-East Price Hill District Incentive District, subject to compliance with ORC Sections 5709.40 through 5709.43.

The resources will be used by Price Hill Will to acquire the properties located at 3509 Warsaw Avenue, 3519 Warsaw Avenue, and 978 Wells Street. Using this funding to acquire the properties will reduce the amount of bank financing that Price Hill Will needs to secure for the property acquisition. The goal is to bring these properties back to productive use and assist in accelerating the redevelopment efforts in the surrounding block.

The East Price Hill Improvement Association, which serves as the Community Council for East Price Hill, approved a motion in support of Price Hill Will's acquisition and redevelopment of the Properties at its general meeting held on November 20, 2023.

Providing resources for the acquisition and redevelopment of the Properties by Price Hill Will is in accordance with the "Sustain" goal to "[p]reserve our natural and built environment" as well as the strategy to "[p]reserve our built history" as described on pages 193-198 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to make the resources available for the established sale closing deadline for the Properties.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

IMD

- 2024

AUTHORIZING the transfer and appropriation of \$315,000 from the unappropriated surplus of East Price Hill Equivalent Fund 494 to the Department of Community and Economic Development non-personnel operating budget account no. 494x164x7200 to provide resources to support Price Hill Will's acquisition and redevelopment of 3509 Warsaw Avenue, 3519 Warsaw Avenue, and 978 Wells Street (collectively, the "Properties"); and **DECLARING** that expenditures from the Department of Community and Economic Development non-personnel operating budget account no. 494x164x7200 to develop the Properties are for a public purpose and constitute 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 15 - East Price Hill Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

WHEREAS, 3509 Warsaw Avenue, 3519 Warsaw Avenue, and 978 Wells Street (collectively, the "Properties") are located in the neighborhood of East Price Hill; and

WHEREAS, Price Hill Will is a non-profit community development corporation that serves the neighborhoods of Lower, East, and West Price Hill, and whose mission is to improve the quality of life for all residents of Price Hill using an equitable, creative, and asset-based approach to physical, civic, social, and economic development; and

WHEREAS, Price Hill Will was awarded funding through the City's Neighborhood Catalytic Capital Improvement Program and Neighborhood Business District Improvement Program to support Price Hill Will's acquisition of the Properties by reducing the amount of bank financing that Price Hill Will needs to secure to complete their acquisition; and

WHEREAS, the City and Price Hill Will entered into an agreement on November 28, 2023, for Price Hill Will to perform due diligence regarding and acquisition of the Properties, and this agreement will be amended to incorporate any additional funding authorized by this ordinance to acquire the Properties; and

WHEREAS, the City's goal is to bring the Properties back to productive use and assist in accelerating the redevelopment efforts in the surrounding block, and Price Hill Will intends to support this goal by securing the Properties and conducting a market study to assist with their eventual redevelopment; and

WHEREAS, the East Price Hill Improvement Association, which serves as the Community Council for East Price Hill, approved a motion in support of Price Hill Will's acquisition and redevelopment of the Properties at its general meeting held on November 20, 2023; and

WHEREAS, providing resources for the acquisition and redevelopment of the Properties by Price Hill Will is in accordance with the “Sustain” goal to “[p]reserve our natural and built environment” as well as the strategy to “[p]reserve our built history” as described on page 193-198 of Plan Cincinnati (2012); and

WHEREAS, the City, upon recommendation of the Department of Community and Economic Development, believes that Price Hill Will’s acquisition of the Properties is in the vital and best interests of the City and the health, safety, and welfare of its residents, and in accordance with the public purposes and provisions of applicable federal, state, and local laws and requirements, and for this reason, the City desires to facilitate the acquisition of the Properties by providing the assistance as described herein; now, therefore,

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

Section 1. That Council authorizes the transfer and appropriation of \$315,000 from the unappropriated surplus of East Price Hill Equivalent Fund 494 to the Department of Community and Economic Development non-personnel operating budget account no. 494x164x7200 to provide resources to support Price Hill Will’s acquisition and redevelopment of 3509 Warsaw Avenue, 3519 Warsaw Avenue, and 978 Wells Street (collectively, the “Properties”).

Section 2. That Council declares that expenditures from the Department of Community and Economic Development non-personnel operating budget account no. 494x164x7200 to develop the Properties are for a public purpose and constitute 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 15 - East Price Hill Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

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

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 make the resources available for the established sale closing deadline for the Properties.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

February 14, 2024

To: Mayor and Members of City Council
From: Sheryl M.M. Long, City Manager
Subject: Emergency Ordinance-Boone-Florence Water Commission

202400511

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to execute a Third Amendment to Water Service Agreement and a Second Amendment to Interlocal Cooperative Agreement between the City of Cincinnati, the Boone-Florence Water Commission, the Boone County Water District, and the City of Florence, Kentucky to extend the terms of the existing agreements by sixteen years to 2049.

In 1999, the City of Cincinnati entered into agreements for provision of wholesale water to Boone County, Kentucky and the City of Florence, Kentucky, including the related construction and maintenance of a water facility, with a main under the Ohio River to deliver the water to these customers. This ordinance is to authorize the City Manager to execute an amendment extending the terms of the contracts with Boone-Florence Water Commission, the Boone County Water District, and the City of Florence, Kentucky to permit the Boone-Florence Water Commission to secure necessary capital project funding and assure its bond purchasers of a water supply capable of generating revenue sufficient to cover the debt service.

The Administration recommends passage of this Emergency Ordinance.

cc: Cathy B. Bailey, Executive Director, Greater Cincinnati Water Works

dy for CBB

EMERGENCY

CFG

-2024

AUTHORIZING the City Manager to execute a Third Amendment to Water Service Agreement and a Second Amendment to Interlocal Cooperative Agreement between the City of Cincinnati, the Boone-Florence Water Commission, the Boone County Water District, and the City of Florence, Kentucky to extend the terms of the existing agreements by sixteen years to 2049.

WHEREAS, the Boone-Florence Water Commission (“BFWC”), the Boone County Water District, and the City of Florence, Kentucky (collectively, the “Kentucky Parties”) and the City of Cincinnati (the “City”) are parties to the following agreements regarding the construction, operation, and maintenance of water transmission facilities to deliver treated water from the City’s water works under the Ohio River and for the City to provide wholesale water service to the Kentucky Parties: (i) a Water Service Agreement dated March 2, 1999, as subsequently amended by a First Amendment to the Water Service Agreement dated August 1, 2008, and by a Second Amendment to the Water Service Agreement dated April 5, 2021 (as amended, the “Water Agreement”), and (ii) an Interlocal Cooperative Agreement dated March 2, 1999, as subsequently amended by a First Amendment to Interlocal Cooperative Agreement, dated April 5, 2021; and

WHEREAS, the aforementioned agreements each currently provide for an expiration date of March 1, 2033; and

WHEREAS, the parties desire to amend the Water Service Agreement and the Interlocal Cooperative Agreement in order to extend their terms by sixteen years to expire February 28, 2049, to permit BFWC to secure necessary funding for two major capital projects and assure bond purchasers of a water supply capable of generating revenue sufficient to cover its debt service during the financing term; 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 a Third Amendment to Water Service Agreement and a Second Amendment to Interlocal Cooperative Agreement between the City of Cincinnati, the Boone-Florence Water Commission, the Boone County Water District, and the City of Florence, Kentucky in substantially the form of the documents attached as Attachment A hereto in order to extend the terms of the existing Water Service Agreement and Interlocal Cooperative Agreement by sixteen years to February 28, 2049.

Section 2. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the terms of the Water Service Agreement and the Interlocal Cooperative Agreement as amended.

Section 3. That this ordinance shall be an emergency measure necessary for 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 extend the existing agreements to coincide with the Boone-Florence Water Commission's bond financing timetable.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

THIRD AMENDMENT
to WATER SERVICE AGREEMENT
(GCWW service to Boone-Florence Water Commission)

This Third Amendment to Water Service Agreement (“**Third Amendment**”) is made by and between the CITY OF CINCINNATI, OHIO (“**Cincinnati**”), the BOONE-FLORENCE WATER COMMISSION (“**Water Commission**”), the BOONE COUNTY WATER DISTRICT (“**Boone**”), and the CITY OF FLORENCE, KENTUCKY (“**Florence**”) effective on the Third Amendment Effective Date as defined on the signature page hereof.

RECITALS:

- A. Cincinnati, Water Commission, Boone and Florence are parties to a certain *Water Service Agreement* dated March 2, 1999, subsequently amended by a *First Amendment to the Water Service Agreement* dated August 1, 2008, and a *Second Amendment to the Water Service Agreement* dated April 5, 2021 (as amended, the “**Water Agreement**”) for Cincinnati to provide efficient and cost-effective wholesale water service to Boone, Florence, and the Water Commission.
- B. The Water Agreement has been approved pursuant to KRS 65.260 by the Attorney General of the Commonwealth of Kentucky as an *Interlocal Cooperative Agreement* authorized by KRS Chapter 65.210 through 65.300 and the parties acknowledge they may enter into such agreements or contracts for a period not exceeding fifty (50) years under KRS 74.490.
- C. The Water Commission is planning two capital projects requiring the issuance of debt: 1) an East-West transmission main; and 2) a three-million-gallon, in-ground storage facility and re-pump station. These improvements will increase the efficiency of the Water Commission’s water system, improve service to its customers and end users, and assure compliance with its storage requirements pursuant to the Water Agreement.
- D. The Water Agreement currently provides for a term of thirty-four (34) years, ending on March 1, 2033, however, the duration of the Water Commission’s debt repayment to finance the capital projects is expected to extend beyond March 1, 2033. The parties desire to extend the term of the Water Agreement to February 28, 2049, the maximum term permissible by Kentucky law, in order to assure the Water Commission’s bond purchasers or lenders of a water supply that would generate sufficient revenue to cover the debt service for the full term of the financing.
- F. The term of the *Water System Infrastructure Maintenance Agreement* dated March 9, 2006, subsequently amended by a *First Amendment to Water System Infrastructure Maintenance Agreement* dated April 12, 2021, between the Water Commission and Cincinnati is also being amended by a separate instrument to reflect a similar expiration date.

- G. The term of the *Interlocal Cooperative Agreement* dated March 2, 1999, as amended by a First Amendment dated April 5, 2021, is also being amended by a separate instrument to reflect a similar expiration date.
- H. Capitalized terms in this Third Amendment shall have the meaning defined in the Water Agreement unless another definition is provided herein.

NOW, THEREFORE, in consideration of the promises, covenants, and agreements contained herein, the parties hereby amend the Water Agreement as follows:

- 1) **Term.** The first sentence of Section 2 (Agreement Duration, Termination, and Default) shall be amended and restated as follows:

“This Agreement shall be in force for a period of fifty (50) years expiring February 28, 2049.”
- 2) **Ratification.** All terms of the Water Agreement not amended hereby or not inconsistent herewith shall remain in full force and effect and by this reference are incorporated herein as if fully rewritten herein, and the Water Agreement, as amended hereby, is hereby ratified by the parties.
- 3) This Third Amendment may be executed in counterparts; and a facsimile, PDF, or electronic signature shall be deemed to be, and shall have the same force and effect as, an original signature.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Third Amendment on the dates indicated below the signatures, effective on the latest of such dates (the “**Third Amendment Effective Date**”).

BOONE COUNTY WATER DISTRICT

By: _____
Mike Giordano, Chairperson

Date: _____, 2024

BOONE-FLORENCE WATER COMMISSION

By: _____
James Parsons, Chairperson

Date: _____, 2024

CITY OF FLORENCE

By: _____
Dr. Julie Metzger Aubuchon, Mayor

Date: _____, 2024

[CINCINNATI SIGNATURE PAGE FOLLOWS]

Execution of this Third Amendment is authorized by Ordinance No. ____-2024, dated _____, 2024.

CITY OF CINCINNATI

By: _____
Sheryl M.M. Long, City Manager

Date: _____, 2024

Recommended by:

Cathy B. Bailey, Executive Director
Greater Cincinnati Water Works

Approved as to form by:

Assistant City Solicitor

Certification of Funds:

Date: _____

Funding: _____

Amount: _____

By: _____
Karen Alder, Finance Director

SECOND AMENDMENT
To INTERLOCAL COOPERATIVE AGREEMENT
(Cooperation for water service to City of Florence and Boone County, KY)

This *Second Amendment to Interlocal Cooperative Agreement* (“**Second Amendment**”) is made by and between the CITY OF CINCINNATI, OHIO (“**Cincinnati**”), the BOONE-FLORENCE WATER COMMISSION (“**Water Commission**”), the BOONE COUNTY WATER DISTRICT (“**Boone**”), and the CITY OF FLORENCE, KENTUCKY (“**Florence**”) effective on the Second Amendment Effective Date as defined on the signature page hereof.

RECITALS:

- A. Cincinnati, Water Commission, Boone and Florence are parties to a certain *Interlocal Cooperative Agreement* dated effective March 2, 1999, subsequently amended by a *First Amendment* dated April, 5 2021 (as amended, the “**Interlocal Agreement**”), to establish the terms for cooperation to plan, design, and construct a major water transmission system for efficient, cost-effective delivery of treated water from the Cincinnati water system under the Ohio River to a reservoir and master meter site in Boone County, with water then pumped into the water distribution lines of Florence and Boone.
- B. The parties also previously entered into a *Water Service Agreement* dated March 2, 1999, subsequently amended by a *First Amendment to the Water Service Agreement* dated August 1, 2008, and a *Second Amendment to the Water Service Agreement* dated April 5, 2021 (as amended, the “**Water Agreement**”) for Cincinnati to provide wholesale service to Boone, Florence, and the Water Commission.
- C. Also, the parties previously entered into a *Water System Infrastructure Maintenance Agreement* dated March 9, 2006, subsequently amended by a First Amendment to the Water System Infrastructure Maintenance Agreement dated April 12, 2021 (as amended, the “**Infrastructure Maintenance Agreement**”), by which Cincinnati provides routine maintenance, repair, and replacement of the Water Commission’s system controls, valves, pumps, and other appurtenances.
- D. The Interlocal Agreement, the Water Agreement, and the Infrastructure Maintenance Agreement each currently provide for an expiration date of March 1, 2033.
- E. The Water Commission is planning two capital projects requiring the issuance of debt: 1) an East-West transmission main; and 2) a three-million-gallon, in-ground storage facility and re-pump station, in order to increase the efficiency of the Water Commission’s water system, improve service to its customers and end users, and assure compliance with its storage requirements pursuant to the Water Agreement.
- F. In order to facilitate the financing of these capital projects, the Water Commission has requested to extend the terms of the Interlocal Agreement, the Water Agreement, and the Infrastructure Maintenance Agreement to February 28, 2049, the maximum term permissible by Kentucky law, in order to assure the Water Commission’s bond purchasers

or lenders of a continuous water supply from Cincinnati capable of generating sufficient revenue to cover the debt service for the full term of the bonds.

- G. The terms of the Water Agreement and the Infrastructure Maintenance Agreement are being amended by separate instruments to extend the expiration date.
- H. Capitalized terms in this Second Amendment shall have the meaning defined in the Interlocal Agreement unless another definition is provided in this Second Amendment.

NOW, THEREFORE, in consideration of the promises, covenants, and agreements contained herein, the parties hereby amend the Interlocal Agreement as follows:

1. **Duration of Agreement.** Section 2 (“Duration of Agreement”) shall be amended and restated in its entirety as follows:

“This Interlocal Agreement shall be in force for a period of fifty (50) years expiring February 28, 2049. The parties acknowledge that the Water Commission, as authorized by KRS 74.490, may enter contracts to supply water for periods up to fifty (50) years. In the event the parties terminate the Water Service Agreement, said termination will operate to terminate this Interlocal Agreement.”

2. **Ratification.** All terms of the Interlocal Agreement not amended hereby or not inconsistent herewith shall remain in full force and effect and by this reference are incorporated herein as if fully rewritten herein, and the Interlocal Agreement, as amended hereby, is hereby ratified by the parties.
3. This Second Amendment may be executed in counterparts; and a facsimile, PDF or electronic signature shall be deemed to be, and shall have the same force and effect as, an original signature.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Second Amendment on the dates indicated below the signatures, effective on the latest of such dates (the “**Second Amendment Effective Date**”).

BOONE COUNTY WATER DISTRICT

By: _____
Mike Giordano, Chairperson

Date: _____, 2024

BOONE-FLORENCE WATER COMMISSION

By: _____
James Parsons, Chairperson

Date: _____, 2024

CITY OF FLORENCE, KENTUCKY

By: _____
Dr. Julie Metzger Aubuchon, Mayor

Date: _____, 2024

[CINCINNATI SIGNATURE PAGE FOLLOWS]

Execution of this Second Amendment is authorized by Ordinance No. _____ - 2024, dated
_____, 2024.

CITY OF CINCINNATI

By: _____
Sheryl M.M. Long, City Manager

Date: _____, 2024

Recommended by:

Cathy B. Bailey, Executive Director
Greater Cincinnati Water Works

Approved as to form:

Assistant City Solicitor

Certification of Funds:

Date: _____
Funding: _____
Amount: _____

By: _____
Karen Alder, Finance Director

February 14, 2024

To: Mayor and Members of City Council

From: Sheryl M.M. Long, City Manager

202400512

**Subject: Emergency Ordinance – 2309-2313 and 2317-2335 Vine Street–
Clifton Heights CURC**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to execute a Funding Agreement with Clifton Heights Community Urban Redevelopment Corporation to facilitate acquisition, demolition, and stabilization activities on real property located in the CUF neighborhood of Cincinnati; **AUTHORIZING** the transfer and appropriation of \$817,462 from the unappropriated surplus of CUF/Heights Equivalent Fund 487 (CUF/Heights TIF District) to the Department of Community and Economic Development non-personnel operating budget account no. 487x164x7200 to provide resources for the acquisition of real property, and demolition and stabilization activities associated with the real property; and further **DECLARING** expenditures from such project account related to the acquisition of real property, and demolition and stabilization activities associated with the real property to be a public purpose and constitute a “Public Infrastructure Improvement” (as defined in Ohio Revised Code Section 5709.40(A)(8)) that will benefit and/or serve the District 8-Clifton Heights-University-Fairview (CUF) TIF District Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

STATEMENT

Investment for property acquisition, demolition, and stabilization with Community Development Corporations like Clifton Heights CURC provides resources to effectively remove blight in strategic areas of our neighborhoods including neighborhood business districts.

BACKGROUND/CURRENT CONDITIONS

Clifton Heights Community Urban Redevelopment Corporation (the “Developer”) intends to acquire the properties at 2309-2313 and 2317-2335 Vine Street, which are recognized by the community as an important part of the CUF neighborhood leading to the community’s neighborhood business district. Developer is pursuing site control to eliminate the current slum and blight conditions, which will either take the form of demolition, site remediation, or substantial improvements to the properties that achieve VBML status. The properties at 2313 2333, and 2335 Vine Street currently have blighted housing structures. The Developer intends to partially demolish 2313 Vine Street

preserving the façade of the building and intends to completely demolish the other two building structures. The remaining parcels are currently vacant lots with a history of periodic dumping and junk car collection. The Department of Community and Economic Development processed this project request through their Financial Assistance Application process and is recommending the use of District TIF funds from District 8-Clifton Heights-University-Fairview (CUF) that are available for this purpose.

DEVELOPER INFORMATION

The Developer is a 24-year-old community development corporation with extensive development experience. Their experience includes the development and co-management of mixed-use projects such as U-Square at the Loop in the CUF neighborhood and dense student housing with the project University Park Apartments in the neighboring Corryville neighborhood. The Developer also had oversight of the Old St. George church renovation on Calhoun Street as well as numerous City funded (NBDIP) projects including streetscapes and façade programs. The Developer is increasing their efforts for affordable housing development in the Uptown neighborhoods to provide more housing for the employees of the local businesses in the region.

RECOMMENDATION

The Administration recommends approval of this Emergency Ordinance.

Attachment: Project Outline and Proposed Incentive

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

Project Outline

Project Name	2309-2313 and 2317-2335 Vine Street – Clifton Heights CURC
Street Address	2309-2313 and 2317-2335 Vine Street
Neighborhood	CUF
Property Condition	Vacant Land and Blighted Housing Structures
Project Type	Acquisition, Demolition, and Stabilization
Project Cost	Hard Construction Costs: \$127,315 Acquisition Costs: \$700,000 Soft Costs: \$133,340 Total Project Cost: \$960,655
Private Investment	Lender Financing: \$817,462 (includes TIF funds) Developer Equity: \$143,193
Sq. Footage by Use	N/A
Number of Units and Rent Ranges	N/A
Median 1-BD Rent Affordable To	N/A
Jobs and Payroll	N/A
Location and Transit	Located within the Vine Street Corridor near the CUF neighborhood business district Transit Score: 61
Community Engagement	Most Recent Presentation Community Council (CC) on 01/17/2024. Community Engagement Meeting held on 08/24/2023. CC has provided letter of support.
Plan Cincinnati Goals	Compete Initiative Area Goal 2 (p. 114-120), Sustain Initiative Area Goal 2 (p.193-198)

Project Image and Site Map



EMERGENCY

TJL

- 2024

AUTHORIZING the City Manager to execute a Funding Agreement with Clifton Heights Community Urban Redevelopment Corporation to facilitate acquisition, demolition, and stabilization activities on real property located in the CUF neighborhood of Cincinnati; **AUTHORIZING** the transfer and appropriation of \$817,462 from the unappropriated surplus of CUF/Heights Equivalent Fund 487 (CUF/Heights TIF District) to the Department of Community and Economic Development non-personnel operating budget account no. 487x164x7200 to provide resources for the acquisition of real property, and demolition and stabilization activities associated with the real property; and further **DECLARING** expenditures from such project account related to the acquisition of real property, and demolition and stabilization activities associated with the real property to be a public purpose and constitute a “Public Infrastructure Improvement” (as defined in Ohio Revised Code Section 5709.40(A)(8)) that will benefit and/or serve the District 8-Clifton Heights-University-Fairview (CUF) TIF District Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

WHEREAS, Clifton Heights Community Urban Redevelopment Corporation (“Developer”) desires to acquire certain real property located at 2309-2313 and 2317-2335 Vine Street and adjacent properties in the CUF neighborhood of Cincinnati, all as more particularly described in the Funding Agreement attached as Attachment A hereto (the “Property”), and subsequently undertake demolition and stabilization of deteriorating buildings on the Property, all for the eventual marketing and disposal of such property for its ultimate redevelopment (the “Project”); and

WHEREAS, the City’s Department of Community and Economic Development has recommended that the City provide a forgivable loan to Developer in the amount of \$817,462 in support of the Project; and

WHEREAS, pursuant to Ordinance No. 418-2002, passed by Council on December 18, 2002, the City created District 8-Clifton Heights-University-Fairview (CUF) TIF District Incentive District (the “TIF District”) to, in part, fund public infrastructure improvements, as defined in Ohio Revised Code Section 5709.40(A)(8), that benefit and/or serve the TIF District, including acquisition of real property in aid of industry, commerce, distribution, or research; and

WHEREAS, although the Property is located outside the boundaries of the TIF District, the City has determined that the Project will benefit the TIF District by eliminating slum and blight conditions on bordering property by demolishing and/or stabilizing the blighted buildings in anticipation of a future redevelopment of the Property; and

WHEREAS, Section 13 of Article VIII of the Ohio Constitution provides that, in order to create or preserve jobs and employment opportunities, and to improve the economic welfare of the people of the state, it is in the public interest and a proper public purpose for the state or its political subdivisions, or not-for-profit corporations designated by them, to acquire, construct, enlarge,

Contract No. _____

FUNDING AGREEMENT

by and between

CITY OF CINCINNATI,

and

CLIFTON HEIGHTS COMMUNITY URBAN REDEVELOPMENT CORPORATION,
an Ohio nonprofit corporation

Project Name: Vine Street Acquisition
(loan for the acquisition, demolition and stabilization of 14 properties within the 2300 block of Vine Street)

Date: _____, 2024

FUNDING AGREEMENT (Vine Street Acquisition)

This FUNDING AGREEMENT (this “**Agreement**”) is made and entered into as of the Effective Date (as defined on the signature page hereof) by and between the **CITY OF CINCINNATI**, an Ohio municipal corporation, 801 Plum Street, Cincinnati, Ohio 45202 (the “**City**”), and **CLIFTON HEIGHTS COMMUNITY URBAN REDEVELOPMENT CORPORATION**, an Ohio nonprofit corporation, 2510 Ohio Avenue, Suite C, Cincinnati, Ohio 45219 (“**Developer**”).

Recitals:

A. Pursuant to a *Contract for Purchase of Real Estate* dated February 13, 2023 between Developer and Allen Shannon (“**Seller**”), as amended by that *Addendum #1* to that *Contract to Purchase Real Estate* dated September 9, 2023 and again amended by that *Addendum #2* to that *Contract to Purchase Real Estate* dated December 14, 2023 (as so amended, the “**Lower Vine Purchase Contract**”), Developer has committed to acquire from Seller, at a total purchase price of \$150,000, the real properties consisting of 4 parcels located at 2309, 2311, and 2313 Vine Street, and Auditor Parcel ID No. 095-0004-0168-00 in the CUF neighborhood of Cincinnati as depicted on Exhibit A (*Site Plan*) hereto and as described on Exhibit B (*Legal Description*) hereto (collectively, the “**Lower Vine Properties**”).

B. Pursuant to a *Contract for Purchase of Real Estate* dated February 13, 2023 between Developer and Seller, as amended by that *Addendum #1* to that *Contract to Purchase Real Estate* dated September 9, 2023 and again amended by that *Addendum #2* to that *Contract to Purchase Real Estate* dated December 14, 2023, (as so amended, the “**Upper Vine Purchase Contract**”; and together with the Lower Vine Purchase Contract, the “**Purchase Agreement**”), Developer has committed to acquire from Seller, at a total purchase price of \$550,000, the real properties consisting of those 10 parcels located at 2317-2335 Vine Street, in the CUF neighborhood of Cincinnati, as depicted on Exhibit A hereto and as described on Exhibit B hereto (collectively, the “**Upper Vine Properties**”; and together with the Lower Vine Properties, the “**Property**”).

C. Developer desires to acquire the Property, demolish the blighted buildings located thereon, partially demolish and stabilize the building located at 2313 Vine Street (“**2313 Vine Street Building**”), then market and dispose of the Property for its ultimate redevelopment, all as further described on Exhibit C (*Statement of Work and Budget*) hereto (the “**Project**”).

D. Following acquisition of the Property, Developer desires to market the Property to a third-party developer or end-user of the Property, propose a redevelopment plan for the Property, and cause the redevelopment of the Property in order to transform the Property to a more productive use that will stimulate economic growth and help revitalize the CUF neighborhood, as further described in Exhibit C (the “**Future Project**”).

E. The City, upon the recommendation of the City’s Department of Community and Economic Development (“**DCED**”), desires to provide financial assistance for the Project in an amount not to exceed \$817,462 (the “**Loan**”) for the purpose of acquiring the Property and supporting the demolition and stabilization phase of the Project.

F. The City believes that the Project is (i) in the vital and best interests of the City and the health, safety, and welfare of its residents; and (ii) consistent with the public purpose and provisions of applicable federal, state, and local laws and requirements.

G. Section 13 of Article VIII of the Ohio Constitution provides that, in order to create or preserve jobs and employment opportunities, and to improve the economic welfare of the people of the state, it is in the public interest and a proper public purpose for the state or its political subdivisions, or not-for-profit corporations designated by them, to acquire, construct, enlarge, improve or equip, and to sell, lease, exchange, or otherwise dispose of, property, structures, equipment and facilities for industry, commerce, distribution and research, and to make loans and to provide moneys for the acquisition, construction, enlargement, improvement or equipment of such property, structures, equipment, and facilities.

H. Execution of this Agreement on behalf of the City was authorized by (i) Ordinance No. 159-2016, passed by City Council on June 26, 2016, which authorized funding for eligible projects; and (ii) Ordinance No. ____-202__, passed by City Council on _____, 202__, which appropriated funds for the acquisition of the Property and demolition and stabilization of the blighted structure located thereon, which the City has determined 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 8-CUF/Heights District Incentive District.

NOW, THEREFORE, in consideration of the premises, the mutual covenants, and the other good and valuable consideration herein contained, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Term.** The term of this Agreement shall commence on the Effective Date, and unless sooner terminated as herein provided, shall end on the date on which the Loan has been paid (or forgiven) in full and Developer has satisfied all other obligations to the City under this Agreement (the “**Term**”). Any and all obligations of Developer that have accrued but have not been fully performed as of such termination or expiration date shall survive such termination or expiration until fully performed.

2. **Acquisition of Property.**

(A) **Acquisition.** Developer shall close on the purchase of the Property from the Seller (the “**Closing**”) not later than March 1, 2024. Developer warrants that, in accordance with the Purchase Agreement, at Closing, Developer shall obtain fee simple title to the Property, free and clear of all liens and encumbrances except for recorded utility easements and other encumbrances, if any, that will not impair or impede the completion of the Project or the future redevelopment of the Property, as more particularly described on Exhibit C. At Closing, Developer shall execute all customary closing documents and provide copies to the City. Developer shall be responsible for all costs of Closing, including, without limitation, closing, escrow, and recording fees and any other commercially reasonable costs or expenses necessary to complete the transaction contemplated by this Agreement. Notwithstanding anything to the contrary in this Agreement, this Agreement shall automatically terminate, and thereafter neither party shall have any right or obligations to the other, if for any reason the Closing does not occur by March 31, 2024; *provided however*, upon Developer’s request, the Director of DCED may, in his or her sole and absolute discretion, extend such timeframe by providing written notice to Developer.

(B) **Holding Period.** Following Developer’s acquisition of the Property and throughout the Term of this Agreement, Developer shall be responsible for all real estate taxes, maintenance costs and other costs associated with such Property and the City shall have no obligation to reimburse Developer for the same.

3. **Pre-Development Project.**

(A) **Demolition, Stabilization & Pre-Development.** Subject to the terms of this Agreement, Developer shall (1) apply for and receive the required building permits from the City’s Department of Buildings and Inspections (“**B&I**”) for the demolition and stabilization phase of the Project as further described in Exhibit C hereto, and (2) commence construction on the Property in accordance with Exhibit C no later than the date that is 3 months from the Closing (the “**Project Commencement Date**”). Developer shall complete the demolition and stabilization phase of the Project to the satisfaction of the City, in its sole and absolute discretion, no later than the date that is 12 months after the date Developer actually commences construction on the Property (the “**Project Completion Date**”), including any and all other work that may be needed to bring the 2313 Vine Street Building into compliance with Vacated Building Maintenance License (“**VBML**”) requirements, as determined by B&I. Notwithstanding the foregoing, upon Developer’s request, the Director of DCED may, in his or her sole and absolute discretion, extend the Project Completion Date for a period of up to 6 months by providing written notice to Developer. Under no circumstances shall Developer use insufficient funds as the justification for requesting an extension of the Project Completion Date.

(B) **Sale or Lease of Property for Redevelopment.** Developer shall diligently market the Property for sale or lease to a developer or end-user in accordance with Exhibit C. Developer shall identify an end-user for the Property and submit to the City for its approval, which approval may be withheld in the City’s sole and absolute discretion, its proposed end-user of the Property along with a plan for the redevelopment of the Property no later than the date that is 60 months from the Closing (the “**Disposition Date**”), *provided however*, upon Developer’s request and at the DCED Director’s sole and absolute discretion, the City may extend the Disposition Date by up to 12 months by providing written notice to Developer. Developer shall market the Property with the intent that the Property be redeveloped into the Future Project, as

more particularly described on Exhibit C hereto, or for any other use acceptable to the City. Notwithstanding the foregoing, Developer shall not enter into a contract for the Future Project without the City's prior written approval, nor shall Developer sell, transfer, or convey any interest in the Property without the City's prior written consent, which may be withheld in the City's sole and absolute discretion (the "**Mortgage Covenant**"). The Mortgage (as defined below) will contain the Mortgage Covenant.

4. Amount and Terms of Loan.

(A) Amount of Loan. Subject to the terms and conditions of this Agreement, the City agrees to lend the Loan to Developer in an amount not to exceed \$817,462, being (i) an amount not to exceed \$700,000 for acquisition of the Property (the "**Acquisition Funds**"), and (ii) an amount not to exceed \$117,462 for the construction costs associated with the demolition and stabilization portion of the Project (the "**Construction Funds**", and jointly with the Acquisition Funds, the "**Funds**"). The Acquisition Funds shall be used for the acquisition of the Property (the "**Acquisition**") and for no other purpose, and the Construction Funds shall be used for construction costs associated with the demolition and stabilization phase of the Project (the "**Construction**"), all as itemized on Exhibit C hereto, and for no other purpose. For the avoidance of doubt, Developer shall not use any portion of the Funds to pay for the purchase of inventory, supplies, furniture, trade fixtures, or any other items of personal property, or to establish a working capital fund. Except for the City's agreement to provide the Funds as described in this Agreement, the City shall not be responsible for any costs associated with the completion of the Project. The City currently intends to disburse the Loan proceeds in the amount of \$700,000, being all of the Acquisition Funds, at Closing.

(B) Note & Mortgage from Developer as Security for the Funds. Prior to the disbursement of any Funds for the Project, Developer shall execute a promissory note in the form of attached Exhibit D (Form of Promissory Note) hereto (the "**Note**"), and a mortgage, in the form of attached Exhibit E (Form of Mortgage) hereto in favor of the City for the Property described herein (the "**Mortgage**"). The Note and Mortgage shall be in the full amount of the Funds. Developer shall repay the Loan in accordance with the terms of the Note. Developer shall execute the Mortgage and record it in the real property records of Hamilton County, Ohio, all at Developer's expense. Following recording, Developer shall deliver the recorded Mortgage to the City. If Developer fails to timely complete any of its obligations with respect to the Project, as and when required under this Agreement, or the Note, the City may declare all amounts of the Loan disbursed by the City to be immediately due and payable and may foreclose the Mortgage on such Property. The Mortgage shall be released only after the repayment and/or forgiveness of the Loan in accordance with the Note and upon Developer's written request. All rights and remedies of the City are cumulative, and the City shall be entitled to all other rights and remedies hereunder, under the Note, and the Mortgage, or available at law or in equity.

(C) Conditions Precedent to Disbursement. The obligation of the City to disburse any portion of the Funds in accordance with this Section is subject to the satisfaction or waiver in the City's sole and absolute discretion, of all of the following items (the "**Due Diligence Materials**") which Developer shall deliver to the City. Once the Due Diligence Materials have been approved by the City, Developer shall not make or permit any changes thereto without the prior written consent of the Director of DCED.

- (i) Site Control and Evidence of Clear Title. Developer must present evidence, satisfactory to the City, that Developer will acquire title or will acquire title to the Property in fee simple absolute, and that said title is free, clear, and unencumbered, including but not limited to its proposed deed of transfer, and all other closing documents and instruments and a settlement statement;
- (ii) Title Commitment. A commitment of title insurance for the Property, for issuance of both an owner's policy and a lender's policy of title insurance, prepared by a reputable national title insurance company and in such form acceptable to the City, evidencing the title company's commitment to issue an Owner's Policy of Title Insurance to Developer and a Lender's Policy of Title Insurance to the City;
- (iii) Environmental Report. Developer must deliver to the City an Environmental Reliance Letter issued by Developer's environmental certified professional, satisfactory to the City's Office of Environment and Sustainability ("**OES**"), stating that the City shall be entitled to rely upon all environmental reports and the like prepared by Developer's environmental

certified professional in connection with the Property, including, without limitation, a Phase I Environmental Site Assessment, and any additional assessments as may be required by OES, in a form acceptable to the City;

- (iv) Budget. Developer must present a final itemized budget for the Project, generally consistent with the budget shown on Exhibit C hereto (the “**Budget**”);
- (v) Plans and Specifications. Developer must present professionally-prepared architectural plans and specifications for the Project (as the same may be amended from time to time and approved by the City, the “**Plans and Specifications**”);
- (vi) Construction Schedule. Developer must present a proposed construction schedule for the Project (as the same may be amended from time to time and approved by the City, the “**Construction Schedule**”);
- (vii) Construction Contract; Approval of Contractors. Developer must present (a) an executed construction contract with a general contractor for construction of the Project acceptable to the City, and (b) a list of proposed subcontractors for the Project. Neither the proposed general contractor nor subcontractors shall be identified as being debarred on lists maintained by the City or by the federal or state governments;
- (viii) Insurance. Developer must present evidence that all insurance policies required by under this Agreement have been secured;
- (ix) Financing. Developer must present evidence that all other financing necessary for completion of the Project has been obtained; and
- (x) Other Information. Developer must present such other information and documents pertaining to Developer, the Property, or the Project as the City may reasonably require.

(D) Disbursement of Funds.

(i) Acquisition Funds. Following the City’s approval or waiver of the Due Diligence Materials, the City shall transfer the Acquisition Funds to _____ (the “**Escrow Agent**”), along with a closing escrow instruction letter detailing the conditions for release of the Acquisition Funds at Closing. Following the City’s approval or waiver of the Due Diligence Materials, in the City’s sole and absolute discretion, and within 30 days of the City’s receipt of a proper payment voucher, the City will instruct the Escrow Agent to release the Acquisition Funds to Developer at Closing to facilitate Developer’s (a) purchase of the Property from Seller, and (b) commencement of the demolition and stabilization phase of the Project. The City shall not disburse any portion of the Funds to Developer in advance of the Closing. If the amount of funds necessary to finance the Acquisition is *less than \$700,000.00*, then the amount of the Acquisition Funds made available by the City under this Agreement shall be reduced to such lesser amount, in which case Developer shall return to the City any Funds disbursed by the City in excess of the amount required for the Acquisition.

(ii) Construction Funds. The City shall disburse the Construction Funds in accordance with Exhibit F (Disbursement of Funds) hereto. If the amount of funds necessary to finance the Construction is *less than \$117,462.00*, then the amount of the Construction Funds made available by the City under this Agreement shall be reduced to such lesser amount, in which case Developer shall return to the City any Funds disbursed by the City in excess of the amount required for the Construction. Notwithstanding anything herein to the contrary, the City shall have no obligation to disburse any of the Construction Funds until all of the conditions for disbursement set forth in Exhibit F have been satisfied.

5. Construction.

(A) Construction. Developer shall commence on-site construction of the Construction on or before the Project Commencement Date. Developer shall complete the Construction in accordance with the approved Plans and Specifications and Construction Schedule and in a good and workmanlike manner on or before the Project Completion Date.

(B) Applicable Laws. Developer shall obtain, pay for, and maintain all necessary permits, licenses, and other governmental approvals and shall comply with all applicable federal, state, and local laws, codes, ordinances, judicial orders, and other governmental requirements applicable to the construction of the Project, including, without limitation, those set forth on Exhibit G (Additional Requirements) hereto. The City makes no representations or other assurances to Developer that Developer will be able to obtain whatever variances, permits, or other approvals from the City's Department of Buildings and Inspections, the City's Department of Transportation and Engineering, City Planning Commission, City Council, or any other governmental agency that may be required in connection with the Project.

(C) Inspection of Work. During construction of the Project, the City, its employees, and agents shall have the right at all reasonable times to inspect the progress of construction to determine whether Developer is complying with its obligations under this Agreement. If the City determines that work on the Project is not in accordance with the Plans and Specifications or other requirements of this Agreement, is not in compliance with all applicable laws, or is not performed in a good and workmanlike manner, the City shall have the right, in its reasonable judgment, to stop such work and order its replacement at Developer's expense (not to be paid for using the Funds), whether or not such work has been incorporated into the Project, by giving notice of such nonconforming work to Developer.

(D) Mechanics' Liens. Developer shall not permit any mechanics' or other similar liens to remain on the Property during the construction of the Project. If a mechanic's lien shall at any time be filed against the Property, Developer shall, within 30 days after notice of the filing thereof, (i) cause the same to be discharged of record or bonded off by a surety bond, or (ii) deposit the amount necessary to discharge such lien with the City, to be held in escrow pending the release of the lien.

(E) Project Information. During construction of the Project, Developer shall provide the City with such additional pertinent information pertaining to the Project as the City may reasonably request.

6. Insurance; Indemnity.

(A) Insurance during Construction. Until such time as all construction work associated with the Project has been completed, Developer shall maintain, or cause to be maintained, the following insurance: (i) Commercial General Liability insurance of at least \$1,000,000 per occurrence, combined single limit/\$2,000,000 aggregate, naming the City as an additional insured, (ii) worker's compensation insurance in such amount as required by law, (iii) all insurance as may be required by Developer's lenders for the Project, and (iv) such other insurance as may be reasonably required by the City. All insurance policies shall (a) be written in standard form by companies of recognized responsibility and credit reasonably acceptable to the City, that are authorized to do business in Ohio, and that have an A.M. Best rating of A VII or better, and (b) provide that they may not be cancelled or modified without at least 30 days prior written notice to the City. Prior to commencement of construction, Developer shall send proof of all such insurance to DCED at 805 Central Avenue, Suite 700, Cincinnati, Ohio 45202, Attention: Monitoring and Compliance Division, or such other address as may be specified by the City from time to time.

(B) Waiver of Subrogation in Favor of City. Developer hereby waives all claims and rights of recovery, and on behalf of Developer'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 Agreement to be maintained by Developer, 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 Developer shall at all times protect itself against such loss or damage by maintaining adequate insurance. Developer shall cause its insurance policies to include a waiver of subrogation provision consistent with the foregoing waiver.

(C) General Indemnity. Notwithstanding anything in this Agreement to the contrary, as a material inducement to the City to enter into this Agreement, Developer shall defend, indemnify, and hold the City, its officers, council members, employees, and agents (collectively, the "**Indemnified Parties**") harmless from and against any and all actions, suits, claims, losses, costs (including, without limitation, attorneys' fees), demands, judgments, liability, and damages (collectively, "**Claims**") suffered or incurred by or asserted against the Indemnified Parties as a result of or arising from the acts of Developer, its agents, employees, contractors, subcontractors, licensees, invitees or anyone else acting at the request of Developer in connection with the Project. Developer's indemnification obligations under this paragraph shall survive the termination or expiration of this Agreement with respect to Claims arising prior thereto.

7. **Casualty; Eminent Domain.** If the Property, or any improvements thereon made pursuant to the Project, is damaged or destroyed by fire or other casualty during construction, or if any portion of a Property is taken by exercise of eminent domain (federal, state, or local), Developer shall cause the Property to be repaired and restored, as expeditiously as possible, and to the extent practicable, to substantially the same condition that existed immediately prior to such occurrence. If the proceeds are insufficient to fully repair and restore the affected property, the City shall not be required to make up the deficiency. Developer shall handle all reconstruction in accordance with the applicable requirements set forth herein, including, without limitation, obtaining the City's approval of the plans and specifications for the construction of the Project if they deviate from the final Plans and Specifications as initially approved by the City hereunder. Developer shall not be relieved of any obligations, financial or otherwise, under this Agreement during any period in which the affected Property is being repaired or restored.

8. **Default; Remedies.**

(A) **Default.** The occurrence of any of the following shall be an “**event of default**” under this Agreement:

(i) the failure by Developer to pay any sum payable to the City under this Agreement, or under the Note, within 5 days after such payment is due;

(ii) the dissolution, other than in connection with a merger, of Developer, the filing of any bankruptcy or insolvency proceedings by Developer, or the making by Developer of an assignment for the benefit of creditors, or the filing of any bankruptcy or insolvency proceedings against Developer, the appointment of a receiver (temporary or permanent) for Developer or the Property, the attachment of, levy upon, or seizure by legal process of Developer, or the insolvency of Developer, unless such appointment, attachment, levy, seizure, or insolvency is cured, dismissed, or otherwise resolved to the City's satisfaction within 30 days following the date thereof; or

(iii) any failure of Developer to perform or observe, or the failure of Developer to cause to be performed or observed (if applicable), any other obligation, duty, or responsibility under this Agreement, the Note, or any other agreement executed by Developer and the City, or any instrument executed by Developer in favor of the City, in each case in connection with the Project, and failure by Developer to correct such default within 30 days after Developer's receipt of written notice thereof from the City (the “**Cure Period**”); *provided, however*, that if the nature of the default is such that it cannot reasonably be cured during the Cure Period, Developer shall not be in default under this Agreement so long as Developer commences to cure the default within such Cure Period and thereafter diligently completes such cure within 60 days after Developer's receipt of the City's initial notice of default. Notwithstanding the foregoing, if Developer's failure to perform or observe any obligation, duty, or responsibility under this Agreement creates a dangerous condition or otherwise constitutes an emergency as determined by the City in good faith, an event of default shall be deemed to have occurred if Developer fails to take reasonable corrective action immediately upon discovering such dangerous condition or emergency.

(B) **Remedies.** Upon the occurrence of an event of default under this Agreement, the City shall be entitled to (i) terminate this Agreement by giving Developer written notice thereof and, without limitation of its other rights and remedies, and with or without terminating this Agreement, declare all amounts disbursed by the City with respect to the Loan to be immediately due and payable and demand that Developer repay to the City all such amounts, (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 Developer, and (iii) exercise any and all other rights and remedies available at law or in equity, including, without limitation, pursuing an action for specific performance, all such rights and remedies being cumulative. Developer shall be liable for all costs and damages, including, without limitation, attorneys' fees, suffered or incurred by the City in connection with administration, enforcement, or termination of this Agreement or as a result of a default of Developer under this Agreement or the City's termination of this Agreement. Upon the occurrence of an event of default and within 5 business days after the City's demand, Developer shall deliver to the City all pertinent documents, records, invoices, and other materials pertaining to the Project that are in Developer's possession or under Developer's control, including, without limitation, as built-drawings (to the extent that the improvements have been completed), appraisals, warranty information, operating manuals, and copies of all third-party contracts entered into by Developer in connection with the Project. The failure of the City to insist upon the strict performance of any covenant or duty or to pursue any remedy shall not constitute a waiver of the breach of such covenant or of such remedy. Notwithstanding anything in this Agreement to the contrary, under no circumstances shall the City be obligated to disburse the Loan to Developer if Developer is then in default under this Agreement.

9. 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 a party may designate by notice to the other parties given in the manner prescribed herein. Notices shall be deemed given on the date of receipt.

To the City:

Director
Dept. of Community and Economic Development
City of Cincinnati
805 Central Avenue, 7th Floor
Cincinnati, Ohio 45202

To Developer:

Clifton Heights Community Urban
Redevelopment Corporation
2510 Ohio Avenue, Suite C
Cincinnati, Ohio 45219
Attention: Matt Bourgeois, Executive Director

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 to: City Solicitor, City of Cincinnati, 801 Plum Street, Room 214, Cincinnati, Ohio 45202.

10. Representations, Warranties, and Covenants. Developer makes the following representations, warranties, and covenants to induce the City to enter into this Agreement (and Developer shall be deemed as having made these representations, warranties, and covenants again upon Developer's receipt of each disbursement of Funds):

(i) Developer is duly organized and validly existing under the laws of the State of Ohio, has properly filed all certificates and reports required to be filed by it under the laws of 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 herein. 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 the Project, 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 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 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) Pursuant to Section 301-20, Cincinnati Municipal Code, neither Developer nor any of its affiliates are currently delinquent in paying any fines, penalties, judgments, water or other utility charges, or any other amounts owed by them to the City.

11. Reporting Requirements.

(A) Submission of Records and Reports; Records Retention. Developer shall collect, maintain, and furnish to the City upon the City's request such accounting, financial, business, administrative, operational, and other reports, records, statements, and information as may be requested by the City pertaining to Developer, the Project, or this Agreement, including, without limitation, audited financial statements, bank statements, income tax returns, information pertinent to the determination of finances of the Project, and such reports and information as may be required for compliance with programs and projects funded by the City, Hamilton County, the State of Ohio, or any federal agency (collectively, "**Records and Reports**"). All Records and Reports compiled by Developer and furnished to the City shall be in such form as the City may from time to time require. Developer shall retain all Records and Reports for a period of 3 years after the expiration or termination of this Agreement.

(B) City's Right to Inspect and Audit. During construction of the Project and for a period of 3 years after the expiration or termination of this Agreement, Developer shall permit the City, its employees, agents, and auditors to have reasonable access to and to inspect and audit Developer's Records and Reports. In the event any such inspection or audit discloses a material discrepancy with information previously provided by Developer to the City, Developer shall reimburse the City for its out-of-pocket costs associated with such inspection or audit.

12. General Provisions.

(A) Assignment. During the Term of this Agreement, 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. An assignment by Developer of its interests under this Agreement shall not relieve Developer from any obligations or liability under this Agreement.

(B) Entire Agreement; Conflicting Provisions. This Agreement (including the exhibits hereto) constitutes 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. In the event that any of the provisions of this Agreement purporting to describe specific provisions of other agreements are in conflict with the specific provisions of such other agreements, the provisions of such other agreements shall control. In the event that any of the provisions of this Agreement are in conflict or are inconsistent, the provision determined by the City to provide the greatest legal and practical safeguards with respect to the use of the Loan and the City's interests in connection with this Agreement shall control.

(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 performance by the parties of their respective obligations under this Agreement.

(J) Recognition of City Assistance. Developer shall acknowledge the financial support of the City with respect to this Agreement in all printed promotional materials (including, without limitation, informational releases, pamphlets, and brochures, construction signs, project and identification signage, and stationary) and any publicity (such as, but not limited to, materials appearing on the Internet, television, cable television, radio, or in the press or any other printed media) relating to the Project. In identifying the City as a funding source, Developer shall use either the phrase "Funded by the City of Cincinnati" or a City of Cincinnati logotype or other form of acknowledgement that has been approved in advance in writing by the City.

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

(L) 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 Developer's acquisition of the Property (or, if Seller is represented by a real estate broker or agent, Developer's purchase contract with Seller shall require Seller to pay any and all real estate commissions and fees owed to such broker pursuant to the separate agency agreement between them).

(M) 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.

(N) Conflict of Interest. No officer, employee, or agent of the City who exercises any functions or responsibilities in connection with the planning or carrying out of the Project shall have any personal financial interest, direct or indirect, in Developer or in the Project, and Developer shall take appropriate steps to assure compliance.

(O) Administrative Actions. To the extent permitted by applicable laws, all actions taken or to be taken by the City under this Agreement may be taken by administrative action and shall not require legislative action of the City beyond the legislative action authorizing the execution of this Agreement or the funding hereunder.

(P) Counterparts and Electronic Signatures. This Agreement may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original but all of which together shall constitute one and the same instrument. This Agreement may be executed and delivered by electronic signature.

13. Exhibits. The following Exhibits are attached hereto and made a part hereof:

Exhibit A – Site Plan

Exhibit B – Legal Description

Exhibit C – Statement of Work and Budget

Exhibit D – Form of Promissory Note

Exhibit E – Form of Mortgage

Exhibit F – Disbursement of Funds

Exhibit G – Additional Requirements

SIGNATURES ON FOLLOWING PAGE

The parties have executed this Agreement on the dates indicated below, effective as of the later of such dates (the “Effective Date”).

CITY OF CINCINNATI,
an Ohio municipal corporation

By: _____
Sheryl M.M. Long, City Manager

Date: _____, 2024

**CLIFTON HEIGHTS COMMUNITY URBAN
REDEVELOPMENT CORPORATION,**
an Ohio nonprofit corporation

By: _____
Matt Bourgeois, Executive Director

Date: _____, 2024

APPROVED AS TO FORM:

Assistant City Solicitor

CERTIFIED DATE: _____

FUND/CODE: _____

AMOUNT: _____

BY: _____
Karen Alder, City Finance Director

Exhibit A
to Funding Agreement

Site Plan



{00393668-4}

Exhibit B
to Funding Agreement

Legal Description

Parcel 1:

Situated in the City of Cincinnati, County of Hamilton and State of Ohio, and bounded and described as follows: All that part of Lot 16 which was laid out by General James Findlay, Joseph C. and J.L. Ludlow, recorded in Book 49, pages 420, 421, and 422 on the Records of Hamilton County and being the North half of Lot 29 in said Block 16, as now subdivided by the Commissioner's in Case of Partition of James and Jane Findlay's Estate, being 25 feet front on Vine Street by 100 feet deep to Van Lear Street. Together with and subject to easements, restrictions, conditions and covenants of record and subject to all legal highways.

Address: 2309 Vine Street, Cincinnati, OH 45219
PPN: 095-0004-0113-00

Parcel 2:

Situate in the City of Cincinnati, County of Hamilton and State of Ohio, to wit:
Being the South half of Lot No. 28, in Block 16, on a map made by John H. Garrard, and William Prince and William Copmann, appointed by the Court of Common Pleas of Hamilton County, to make a partition among the devisees and heirs of James and Jane Findlay, approved and confirmed by the said Court at the October Term, 1853. Said Lot No. 28, Block 16, was in said proceedings in partition set off to Nancy J. Findlay, said South half of said Lot No. 28, in Block 16 fronts 25 feet on the west side of Vine Street and runs back 100 feet to Van Leer Street.

Address: 2311 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0112-00

Parcel 3:

Situated in the County of Hamilton in the State of Ohio and in the City of Cincinnati:

The easterly 59 feet of the North half of that certain lot of land in said city, County and State, known and designated as Lot No. Twenty-Eight (28) of Block Sixteen (16), on map made by John H. Gerald, William Price and William Crossman, appointed by the Court of Common Pleas of Hamilton County, to make partition among the devisees and heirs of James and Jane Findlay, approved and confirmed by the said court at the October Term 1853. Said lot No. 28, Block 16, was in said proceedings in partition set off to Nancy J. Findlay. Said Lot No. 28, Block 16, fronts fifty (50) feet on the west of Vine Street and running back one hundred (100) feet to Van Lear Street; the premises herein conveyed beginning at the southwest corner of Vine and Polk Streets; thence west on the south line of Polk Street 59 feet; thence of South parallel with Vine Street 25 feet; thence east parallel with Polk Street 59 feet to the west line of Vine Street; thence North on the West line of Vine Street 25 feet to the place of beginning.

Address: 2313 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0111-00

Parcel 4:

Situate in the City of Cincinnati, Hamilton County, Ohio and being part of Lot 28 of Block 16 on map made by John H. Gerard, William Price and William Crossman, appointed by the Court of Common Pleas of Hamilton County, to make partition among the devisees and heirs of James and Jane Findlay, approved and confirmed by the said court at the October term, 1853, and more particularly described as follows:

Beginning at the southeast corner of Polk Street and Van Lear Street, said point beginning at the northwest corner of Lot 28 aforesaid; thence East on the North line of Lot 28 and the South line of Polk Street, forty one (41) feet to a point; thence South on a line parallel to Van Lear Street twenty-five (25) feet to grantor's South line; thence West on a line parallel to the North line of Lot 28, forty-one (41) feet to the East line of Van Lear Street; thence North on the East line of Van Lear Street, twenty-five (25) feet to the place of beginning.

Address: none

Parcel No: 095-0004-0168-00

Parcel 5:

Situate in the City of Cincinnati, in the County of Hamilton and State of Ohio. Being the North half of Lot 27 of Findlay's subdivision by the Commissioner, Plat of which is recorded in Deed Book 81, page 67, Hamilton County, Ohio Plat Records, being more particularly described as follows: Beginning at a point in the west line of Vine Street, twenty-five (25) feet North of the northwest corner of Polk and Vine Streets; thence North along the west line of Vine Street, twenty-five (25) feet; thence from these two points west between parallel lines, one hundred (100) feet to Van Lear Street.

Address: 2317 Vine Street, Cincinnati, OH 45219

Parcel No: 095-004-0109-00

Parcel 6:

Situate in the City of Cincinnati, in the County of Hamilton and State of Ohio and being more particularly described as follows: Lot Twenty-six (26) in Block Sixteen (16) of Findlay and Ludlow's Subdivision, recorded in Deed Book 49, Pages 420, 421, 422 Recorder's Office, Hamilton County, Ohio. Fronting twenty-five (25) feet on the west side of Vine Street and extending back one hundred (100) feet to an alley.

Address: 2319 Vine Street, Cincinnati, OH 45219

Parcel No: 095-0004-0108-00

Parcel 7:

Situate in the City of Cincinnati, Hamilton County, Ohio to wit: Being a part of Block 16 as laid out by General James Findley and J. C. and I. L. Ludlow and recorded in Book 49, Pages 420, 421 and 422 of the Hamilton County, Ohio Records. Commencing at a point on the west side of Vine Street (formerly Vince Street Road) where the south line of George Schoeberger's upper road would intersect the west side of Vine Street, said point being 100 feet north of the northwest corner of Vine Street and Polk Street, thence westwardly at right angles with Vine Street 100 feet to an alley; thence south along said alley parallel with Vine Street 25 feet; thence east and parallel to the north line 100 feet to Vine Street; thence north along Vine Street 25 feet to the place of beginning.

Address: 2321 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0107-00

Parcel 8:

Situated in the County of Hamilton, in the State of Ohio and in the City of Cincinnati, and further described as follows: Being part of the Block No. 16 laid out by General James Findlay, J.C. and J.L. Ludlow and recorded in Book 49, Pages 420, 421 and 422 of the Records of Hamilton County, Ohio and being Lot No. 24 as subdivided by the Executors of James Findlay, the said Lot being 20 feet in front on the west side of Vine Street by 100 feet deep to an alley, and being known as 2323 Vine St., Cincinnati, Ohio.

Address: 2323 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0106-00

Parcel 9:

Situate in the City of Cincinnati, County of Hamilton and State of Ohio, to-wit: All that part of Block Sixteen (16) which was laid out by General James Findlay and James C. and I.L. Ludlow and recorded in Book 49, Pages 420, 421 and 422, Hamilton County Records, being lot twenty-three (23), Block Sixteen (16) as now subdivided by the Executors of James Findlay, deceased, commencing at a point in Vine Street twenty five (25) feet north from Philip Madre's northeast corner; thence along Vine Street north twenty five (25) feet; thence westwardly one hundred (100) feet; thence south parallel with Vine Street twenty five (25) feet; thence easterly one hundred (100) feet to Vine Street to the place of beginning.

Address: 2325 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0105-00

Parcel 10:

Situated in the City of Cincinnati, Hamilton County, Ohio and particularly described as follows:

All that part of Block 16 which was laid out by General James Findlay, James C. and J. L. Ludlow and recorded in Book 49, pages 420, 421 and 422 Hamilton County, Ohio, Records; being Lot Number Twenty-Two (22) in Block 16 as now subdivided by the Executors of James Findlay, deceased, estate. Beginning at the northeast corner of Lot Number 23 of Block 16 aforesaid; thence northwardly along the west side of Vine Street twenty-five (25) feet; thence westwardly along the north line of said Lot Number 22, being the south line of Lot Number 21, one hundred (100) feet; thence southwardly parallel to Vine Street twenty-five (25) feet; thence eastwardly along the north line of Lot Number 23, aforesaid, to the place of beginning.

Address: 2327 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0104-00

Parcel 11:

Situated in the City of Cincinnati, County of Hamilton and State of Ohio and bounded and more particularly described as follows:

Situate in the City of Cincinnati, Hamilton County, Ohio and being all that part of Block 16, which was laid out by General James Findlay and J. C. and I. S. Ludlow, recorded in Book 49, pages 420, 421 and 422, Hamilton County, Ohio Records, and being part of Lot Number Twenty-One (21) in Block

Sixteen (16) as now subdivided by Commissioners in Case of Partition of James and Jane Findlay's Estate, being twenty (20) feet off the south side of Lot Number 21 in said Block 16 described as follows:

Commencing at the southeast corner of said Lot Number Twenty-one (21), Block Sixteen (16); thence northerly along Vine Street Twenty (20) feet from the south line of said Lot, One Hundred (100) feet to Van Lear Street; thence south along Van Lear Street Twenty (20) feet to the south line of said Lot; thence east with said line, One Hundred (100) feet to the place of beginning. Together with and subject to easements, restrictions, conditions and covenants of record and subject to all legal highways.

Address: 2329 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0103-00

Parcel 12:

Situated in the County of Hamilton, in the State of Ohio and in the City of Cincinnati:

Situate in the City of Cincinnati, Hamilton County, State of Ohio, being that part of Block 16, which was laid out by Gen. James Findlay, I:c and J.C. Ludlow, accorded in book 49, pages 420, 421 and 422 of the records of Hamilton County, Ohio, and being a part of lot 21 in the said Block No. 16, as now subdivided by the Commissioners in partition of James and Jane Findlay Estate, described as follows:

Commencing on the west side of Vine Street, 20 feet north from the southeast corner of said lot; thence westwardly parallel to and 20 feet north of the south line of said lot, 100 feet to Van Lear Street; thence with Van Lear Street, northwardly 20 feet; thence parallel with the first course 100 feet to Vine Street; thence south on Vine Street, 20 feet to the place of beginning.

Address: 2331 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0102-00

Parcel 13:

Situated in the City of Cincinnati, in the County of Hamilton and State of Ohio, to-wit:

All that part of Block Sixteen (16) which was laid out by Jas. Findlay, Jas. C. and I. L. Ludlow, recorded in Book 49, Pages 420, 421 and 422 of the records of Hamilton County, Ohio, and being part of Lot twenty-one (21) in Block Sixteen (16) as subdivided by the commissioners in case of partition of James and Jane Findlay's estate described as follows:

Commencing on the west side of Vine Street at the northeast corner of lot twenty-one (21); thence westwardly along the north line of said lot one hundred (100) feet to Van Leer Street; thence southwardly along Van Leer Street twenty (20) feet; thence eastwardly parallel to and twenty (20) feet from the north line of said lot One hundred (100) feet; thence northwardly along Vine Street twenty (20) feet to the place of beginning.

Address: 2333 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0101-00

Parcel 14:

Situate, lying and being in the City of Cincinnati, Hamilton County, Ohio and being the South part of Lot No.20 on Map "M" made by John H. Gerard, William Grossman and William Price, Commissioners appointed by the Court of Common Pleas of Hamilton County, Ohio, to make partition among the heirs and devisees of James and Jane Findley and Ludlow's Subdivision, as shown on plat recorded in Deed

{00393668-4}

Book 49, Page 420 of the Deed Records of Hamilton County, Ohio, and more particularly described as follows:

Beginning at a point of intersection of the West line of Vine Street and the South line of said Lot No. 20; thence Northeastwardly along the West line of Vine Street, a distance of 27.25 feet to the Southeast corner of lands described in Certificate of Title No 29434 of the Registered Land Records of Hamilton County, Ohio; thence North 63 degrees 51 minutes West along the South line of said Registered Land 111.51 feet to the East line of Van Lear Street; thence Southwardly along the East line of Van Lear Street to the Southwest corner of said Lot No. 20; thence Eastwardly along the south line of said Lot No. 20, 100 feet more or less to the point and place of beginning.

Address: 2335 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0100-00

Exhibit C
to Funding Agreement

Statement of Work and Budget

I. STATEMENT OF WORK

Developer shall acquire the parcels making up the Property, which are recognized by the community as an important part of the CUF neighborhood leading to the community's neighborhood business district. Developer is pursuing site control to eliminate the current slum and blight conditions by demolishing the blighted structures in anticipation of a future redevelopment of the Property. The Project shall generally consist of the phases as described below, with associated costs reflected in the following budget.

(A) Acquisition. Developer shall complete all due diligence activities and acquire the following 14 parcels which collectively make up the Property:

Address	Parcel ID	Current Use
2309 Vine	095-0004-0113-00	Vacant Land
2311 Vine	095-0004-0112-00	Vacant Land
2313 Vine	095-0004-0111-00	Mixed-Use Structure
Polk Street	095-0004-0168-00	Vacant Land
2317 Vine	095-0004-0109-00	Vacant Land
2319 Vine	095-0004-0108-00	Vacant Land
2321 Vine	095-0004-0107-00	Vacant Land
2323 Vine	095-0004-0106-00	Vacant Land
2325 Vine	095-0004-0105-00	Vacant Land
2327 Vine	095-0004-0104-00	Vacant Land
2329 Vine	095-0004-0103-00	Vacant Land
2331 Vine	095-0004-0102-00	Vacant Land
2333 Vine	095-0004-0101-00	Two Family
2335 Vine	095-0004-0100-00	Single Family

(B) Demolition & Stabilization.

- (i) Demolition; Partial Demolition. Developer shall undertake demolition, as necessary and appropriate, to eliminate the slum and blight conditions affecting the Property. The demolition includes the full removal of all building structures, underlying slabs, and subsurface structures on all parcels consisting of the Property, *except for* the 2313 Vine Street Building, which shall involve only partial demolition limited to the removal of the deteriorating addition attached to the rear (west) of the structure on the property.
- (ii) Stabilization of 2313 Vine Street Building. Following Developer's partial demolition to remove the deteriorating addition from the 2313 Vine Street Building, Developer shall stabilize and preserve the remainder of the original, primary structure, including but not limited to, completing sufficient stabilization to lift any open City code orders, and to bring the 2313 Vine Street Building's condition to the City's VBML standards. Developer shall work with B&I to prioritize repairs to make the 2313 Vine Street Building safe and ultimately achieve VBML status.

(C) Marketing and Disposition; Future Project. Upon acquisition of the Property, Developer shall initiate marketing efforts to promote redevelopment of the Property and will continue these efforts through Project execution. Developer will work with community partners and real estate professionals to find potential end users for the Property. Developer shall market the Property with the intent to achieve the Future Project which will, upon completion thereof, include a minimum investment of \$7,000,000 in non-City funds towards hard construction and soft costs, consisting primarily of residential apartments. Developer shall notify the City within 30 days of Developer's receipt of a complete disposition application which shall include, but is not limited to, building and architectural plans and specifications, a redevelopment budget, a financing plan, and an operating pro forma. The marketing and disposition activity of the Project shall be deemed complete upon the sale or lease of the Property to a third-party developer or end-user, subject to the City's approval, which approval may be withheld in the in its sole and absolute discretion, and verification of financing of at least \$7,000,000 in non-City funds.

II. BUDGET

	City Funds	Non-City Funds	Total
Acquisition			
Acquisition	\$700,000.00	\$0.00	\$700,000
SUBTOTAL ACQUISITION COSTS	\$700,000	\$0	\$700,000
Hard Construction Costs			
Demolition and Stabilization	\$117,462.00	\$-	\$117,462.00
Construction Contingency	\$0.00	\$9,853	\$9,853.00
SUBTOTAL HARD CONSTRUCTION COSTS	\$117,462.00	\$9,853	\$127,315
Soft Costs (In most cases, the City funds will not be used for soft costs)			
Alta & Topographic Survey	\$0.00	\$ 6,200.00	\$ 6,200.00
Phase I Environmental	\$0.00	\$ 3,750.00	\$ 3,750
Geotechnical Study	\$0.00	\$ 15,750	\$ 15,750
Schematic Architecture & Design	\$0.00	\$ 76,500.00	\$ 76,500.00
Market Study & Physical and Capital Needs Assessment	\$0.00	\$ 10,700.00	\$ 10,700.00
Contingency – (20%)	\$0.00	\$ 20,440.00	\$ 20,440.00
SUBTOTAL SOFT COSTS	\$0.00	\$133,340.00	\$133,340.00
TOTAL PROJECT COSTS	\$817,462	\$143,193.00	\$960,655.00

TOTAL SOURCES OF FUNDS (LEVERAGE)

City of Cincinnati NCCIP Loan	\$817,462
Clifton Heights CURC Equity	\$143,193
	\$0
TOTAL	\$960,655

The parties may elect to revise the Statement of Work and Budget to reallocate Funds between budget line items through a letter signed by both the City and Developer. However, in no event will the City add any additional funds to the Budget. In the event of cost overruns, it shall be Developer's responsibility to complete the Project.

Exhibit D
to Funding Agreement
Form of Promissory Note

SEE ATTACHED

PROMISSORY NOTE

\$817,462.00

Cincinnati, Ohio
_____, 2024
(the “**Effective Date**”)

FOR VALUE RECEIVED, the undersigned, **CLIFTON HEIGHTS COMMUNITY URBAN REDEVELOPMENT CORPORATION**, an Ohio nonprofit corporation (“**Borrower**”), hereby promises to pay to the order of the **CITY OF CINCINNATI**, an Ohio municipal corporation, 801 Plum Street, Cincinnati, Ohio 45202 (the “**City**”), the principal sum of Eight Hundred Seventeen Thousand, Four Hundred Sixty-Two and 00/100 Dollars (\$817,462.00), or so much thereof as is disbursed by the City to Borrower under that certain *Funding Agreement* executed between the Borrower and the City and dated on or about the date of this Promissory Note (the “**Funding Agreement**” and this “**Note**”, respectively), together with interest as described below (the “**Loan**”). Capitalized terms used herein but not defined herein, if any, shall have the meanings ascribed to them in the Funding Agreement.

This Note is secured by a mortgage on the property located at 2309, 2311, 2313, 2317-2335 Vine Street, and Parcel ID No. 095-0004-0168-00, Cincinnati, Ohio 45219 (the “**Property**”). As more particularly described in the Funding Agreement, Borrower shall use the Loan proceeds exclusively to (i) pay for the purchase price of the Property, and additional acquisition-related costs as approved in writing by the City, (ii) cause the demolition of the structures on the Property in accordance with the terms of the Funding Agreement.

1. Terms. The terms of the Loan are as follows:

- (a) Amount: The principal and amount of the Loan evidenced by this Note is Eight Hundred Seventeen Thousand, Four Hundred Sixty-Two and 00/100 Dollars (\$817,462.00).
- (b) Term: The term of the Loan (the “**Term**”) shall be 5 years, beginning on the date of this Note (the “**Effective Date**”), and ending on the 5th anniversary thereof (the “**Maturity Date**”).
- (c) Interest Rate: No interest shall accrue on the outstanding amount of the Loan.
- (d) Payments:
 - (i) Balloon Payment: On the Maturity Date, Borrower shall pay a balloon payment equal to all unpaid and unforgiven principal and interest, if any, and other charges outstanding on the Loan.
 - (ii) Forgiveness: Notwithstanding the foregoing, the Loan is forgivable in full upon the completion of the Project, as described in the Funding Agreement, on or before the Disposition Date, as determined by the City in its sole and absolute discretion, *provided that* Borrower is in compliance with the Funding Agreement and this Note. Following the completion of the Project, Borrower may request forgiveness of the Loan, cancellation of this Note, and release the Mortgage from the City. Following the City’s confirmation that the Project is complete, including (A) the City’s approval of Developer’s proposed end-user of the Property and Developer’s subsequent disposition of the Property to the City’s approved end-user, and (B) the City’s confirmation that the Loan should be forgiven in accordance with this Section, the City

shall forgive the outstanding amount of the Loan, cancel this Note, and release the Mortgage.

(e) Acceleration: If Borrower fails to make any payment hereunder when due or otherwise defaults under this Note or the Funding Agreement, then the City shall have the right to declare the entire outstanding principal balance of this Note and all accrued interest and other charges thereon to be immediately due and payable.

(f) Prepayment: Borrower may prepay the Loan and accrued interest at any time, without penalty.

(g) Default Rate of Interest; Late Charges: If any payment due hereunder is not received by the City when due, a late charge equal to five percent (5%) of the past due amount shall automatically become due, and interest on the past due amount shall accrue from the due date at the rate of twelve percent (12%) per annum until the entire past due amount has been paid. The foregoing is in addition to the City's other rights and remedies hereunder in the event of a default.

(h) Due on Sale: Notwithstanding the Maturity Date specified herein, the entire outstanding principal balance of this Note shall automatically become due and payable in full upon the sale of all or any portion of the Property unless such sale is authorized by the City in writing in accordance with the Funding Agreement.

2. Authority. The officer or representative of Borrower subscribing below represents that s/he has full power, authority, and legal right to execute and deliver this Note and that the debt hereunder constitutes a valid and binding obligation of Borrower.
3. Place of Payment. Payments due under this Note shall be made by check payable to the "City of Cincinnati-Treasurer" and mailed to the City at the address set forth in the introductory paragraph of this Note or such other place as the City may designate in writing from time to time.
4. Borrower's Waivers. Borrower waives presentment, demand for payment, notice of non-payment, notice of dishonor, protest, notice of protest, and all suretyship type defenses.
5. Default. Upon any default under the Funding Agreement or default in the payment of principal or any other sum when due under this Note that is not cured within five (5) days after Borrower is given written notice thereof, the entire principal sum hereof and accrued and unpaid interest hereon may, at the option of the Note holder, be declared to be immediately due and payable, time being of the essence, and the Note holder may proceed to enforce the collection thereof by suit at law or in equity or proceedings pursuant to the mortgage to foreclose on the Property. If suit is brought to collect this Note, the Note holder shall be entitled to collect, and Borrower shall indemnify the Note holder against, all expenses of suit, including, without limitation, attorneys' fees. Failure of the Note holder to exercise its rights under this Note in the event of default shall not constitute a waiver of the right of the holder to exercise the same or to exercise such rights in the event of a subsequent default.
6. General Provisions. This Note and any and all ancillary documents executed by Borrower in connection with the Loan constitute the entire agreement of the parties with respect to the matters described herein and supersede any and all prior communications and agreements between the parties. This Note may be amended only by a written amendment signed by Borrower and the Note holder. This Note shall be governed by the laws of the City of Cincinnati and the State of Ohio. This Note shall be binding upon Borrower and its successors and assigns. If any provision of this Note is determined to be in violation of any applicable local, state, or federal law, such provision shall be severed from this Note and the remainder of this Note shall remain in full force and effect. All notices

given under this Note shall be sent by regular or certified U.S. mail to Borrower at its address set forth below, and to the Note holder at the address where loan payments are made. Any action or proceeding arising under this Note shall be brought only in the Hamilton County Court of Common Pleas.

SIGNATURE PAGE FOLLOWS

Executed by Borrower as of the Effective Date.

CLIFTON HEIGHTS COMMUNITY URBAN REDEVELOPMENT CORPORATION
an Ohio nonprofit corporation

By: _____

Printed name: _____

Title: _____

Borrower's Contact information:

Address: 2510 Ohio Avenue, Suite C, Cincinnati, Ohio 45219

Approved as to Form:

Assistant City Solicitor

cc: Karen Alder, City Finance Director

Exhibit E
to Funding Agreement

Form of Mortgage

SEE ATTACHED

_____ space above for Recorder's office _____

MORTGAGE

THIS MORTGAGE ("**Mortgage**") is given on _____, 2024, by **CLIFTON HEIGHTS COMMUNITY URBAN REDEVELOPMENT CORPORATION**, an Ohio non-profit corporation, the address of which is 2510 Ohio Avenue, Suite C, Cincinnati, Ohio 45219 (collectively, the "**Borrower**"). This Mortgage is given to the **CITY OF CINCINNATI**, an Ohio municipal corporation, 801 Plum Street, Cincinnati, Ohio 45202 (the "**City**"). Borrower owes the City the principal sum of \$817,462.00, or so much thereof as is disbursed by the City to Borrower pursuant to that certain *Funding Agreement* dated _____, 2024 between the parties (as the same may hereafter be amended, restated, or replaced from time to time, the "**Agreement**") and by Borrower's promissory note in said amount in favor of the City and executed in relation to the Agreement (as the same may hereafter be amended, restated, or replaced from time to time, the "**Note**"). This Mortgage secures to the City the repayment of the debt evidenced by the Note, the performance by Borrower of all of Borrower's other obligations under the Agreement, and the payment of all other sums, with interest, advanced by the City under this Mortgage. Capitalized terms used, but not defined herein, shall have the meanings ascribed to them in the Agreement.

For this purpose, Borrower does hereby grant with mortgage covenants to the City certain real property, consisting of the property described on Exhibit A (*Legal Description*) hereto, together with all improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property (the "**Property**"):

Property Address	Auditor's Parcel ID No.
2309 Vine Street	095-0004-0113-00
2311 Vine Street	095-0004-0112-00
2313 Vine Street	095-0004-0111-00
n/a	095-0004-0168-00
2317 Vine Street	095-0004-0109-00
2319 Vine Street	095-0004-0108-00
2321 Vine Street	095-0004-0107-00
2323 Vine Street	095-0004-0106-00
2325 Vine Street	095-0004-0105-00
2327 Vine Street	095-0004-0104-00
2329 Vine Street	095-0004-0103-00
2331 Vine Street	095-0004-0102-00
2333 Vine Street	095-0004-0101-00
2335 Vine Street	095-0004-0100-00

Prior Instrument: OR Book _____, Page _____, Hamilton County, Ohio Records

{00393668-4}

Pursuant to the Agreement, the City intends to disburse up to [\$817,462.00] for use by Borrower in paying acquisition costs, construction-related demolition costs and other eligible costs associated with the Project under the Agreement.

Borrower covenants that Borrower is lawfully seized of the Property hereby conveyed and has the right to mortgage, grant, and convey the Property, and that the Property is unencumbered, except for easements and restrictions of record.

Borrower and the City covenant and agree as follows:

1. Payments. Borrower shall promptly pay when due any and all amounts that may become due and payable under the Agreement and the Note, all in accordance with the terms thereof.

2. Charges; Liens. Borrower shall pay all real property taxes, assessments, charges, fines, and impositions attributable to the Property which may attain priority over this Mortgage. If Borrower fails to do so in a timely fashion, the City may, at its option, pay such amounts pursuant to paragraph 5 hereof. Borrower shall promptly discharge any lien that has priority over this Mortgage unless the City has consented in writing to the superiority of such lien.

3. Property Insurance. Borrower shall maintain adequate property insurance on any and all improvements now existing or hereafter erected on the Property. All insurance policies and renewals shall include a standard mortgagee clause in favor of the City. If Borrower fails to maintain insurance as required hereunder, the City may, at its option, obtain such insurance pursuant to paragraph 5 hereof. Unless the City and Borrower otherwise agree in writing or unless otherwise provided in the Agreement, insurance proceeds shall be applied to restoration or repair of the Property damaged, if the restoration or repair is economically feasible. If the restoration or repair is not economically feasible, the insurance proceeds shall be applied to the sums secured by this Mortgage, whether or not then due, with any excess paid to Borrower.

4. Maintenance of the Property. Borrower shall maintain the Property in good condition and repair and otherwise in accordance with the terms of the Agreement.

5. Protection of the City's Rights to the Property. If Borrower fails to perform the covenants and agreements contained in this Mortgage, or there is a legal proceeding that may significantly affect the City's rights in the Property (such as a proceeding in bankruptcy, probate, for condemnation or forfeiture or to enforce laws or regulations), the City may do and pay for whatever is necessary to protect the value of the Property and the City's rights in the Property. The City's actions may include paying any sums secured by a lien which has priority over this Mortgage, appearing in court, paying reasonable attorneys' fees and entering onto the Property to make repairs. Any amounts disbursed by the City under this paragraph shall become additional debt of Borrower secured by this Mortgage. These amounts shall bear interest, at the rate of ten percent per annum, from the date of disbursement and shall be payable, with interest, upon notice from the City to Borrower requesting payment.

6. Successors and Assigns Bound; Governing Law. The covenants and agreements of this Mortgage shall bind and benefit the successors and assigns of the City and Borrower, subject to the provisions of paragraph 8 hereof. This Mortgage shall be governed by the laws of the City of Cincinnati and State of Ohio.

7. Notices. Any notice to Borrower provided for in this Mortgage shall be given by delivering it or by mailing it by first class mail unless applicable law requires use of another method. The notice shall be directed to Borrower's address stated herein or any other address Borrower designates by notice to the City. Any notice to the City shall be given by first class mail to the City's address stated herein or any other address the City designates by notice to Borrower.

8. Transfer of the Property. Notwithstanding anything in the Agreement to the contrary, Developer agrees that neither the Property nor any interest therein shall be leased, sold, transferred or conveyed during the Term without the City's prior written consent. If Borrower sells or transfers the Property to anyone without the City's prior written consent, the City may, at its option, require immediate payment in full of all sums secured by this Mortgage.

9. Acceleration; Remedies. If Borrower fails to complete its construction obligations or any other obligations with respect to the Property as and when required under the Agreement, the Note, or this Mortgage, the City may declare all amounts disbursed by the City with respect to the Property to be immediately due and payable and may foreclose this Mortgage. Unless prohibited by law, Borrower shall pay to the City any and all sums, including expenses and reasonable attorneys' fees, that the City may incur or expend (a) in any proceeding to sustain the lien of this Mortgage or its priority or to defend against the liens or claims of any person asserting priority over this Mortgage, or (b) in connection with any suit at law or in equity to enforce the Note, the Agreement, or this Mortgage; to foreclose this Mortgage; or to prove the amount of or to recover any indebtedness hereby secured. All rights and remedies of the City are cumulative, and the City shall be entitled to all other rights and remedies hereunder, under the Note or Agreement, or available at law or in equity.

10. Advances to Protect Security. This Mortgage shall secure the unpaid balance of any advances made by the City with respect to the Property for the payment of taxes, assessments, insurance premiums, costs incurred for the protection of the Property, and other costs that the City is authorized by this Mortgage to pay on Borrower's behalf.

11. Maximum Principal Amount. This Mortgage shall secure the payment of any and all amounts advanced from time to time by the City to Borrower under the Note, the Agreement, or this Mortgage, and under any other promissory notes or other documents signed by Borrower and stating that such advances are secured hereby. The City shall not be obligated to make any additional advances unless the City has agreed to do so in writing. The maximum amount of unpaid loan indebtedness which may be outstanding at any time and secured hereby shall be \$817,462.00, exclusive of interest thereon and unpaid balances of advances made by the City under this Mortgage.

Signature Page Follows

**CLIFTON HEIGHTS COMMUNITY
URBAN REDEVELOPMENT CORPORATION**

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by _____, the _____ of Clifton Heights Community Urban Redevelopment Corporation, an Ohio nonprofit corporation, on behalf of the corporation. This is an acknowledgement.

Notary Public
My commission expires: _____

Approved as to Form

Assistant City Solicitor

This instrument prepared by:
City of Cincinnati Law Department
801 Plum Street, Suite 214
Cincinnati, Ohio 45202

Exhibit A
to Mortgage

Legal Description

Parcel 1:

Situated in the City of Cincinnati, County of Hamilton and State of Ohio, and bounded and described as follows: All that part of Lot 16 which was laid out by General James Findlay, Joseph C. and J.L. Ludlow, recorded in Book 49, pages 420, 421, and 422 on the Records of Hamilton County and being the North half of Lot 29 in said Block 16, as now subdivided by the Commissioner's in Case of Partition of James and Jane Findlay's Estate, being 25 feet front on Vine Street by 100 feet deep to Van Lear Street. Together with and subject to easements, restrictions, conditions and covenants of record and subject to all legal highways.

Address: 2309 Vine Street, Cincinnati, OH 45219
PPN: 095-0004-0113-00

Parcel 2:

Situate in the City of Cincinnati, County of Hamilton and State of Ohio, to wit:
Being the South half of Lot No. 28, in Block 16, on a map made by John H. Garrard, and William Prince and William Copmann, appointed by the Court of Common Pleas of Hamilton County, to make a partition among the devisees and heirs of James and Jane Findlay, approved and confirmed by the said Court at the October Term, 1853. Said Lot No. 28, Block 16, was in said proceedings in partition set off to Nancy J. Findlay, said South half of said Lot No. 28, in Block 16 fronts 25 feet on the west side of Vine Street and runs back 100 feet to Van Leer Street.

Address: 2311 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0112-00

Parcel 3:

Situated in the County of Hamilton in the State of Ohio and in the City of Cincinnati:

The easterly 59 feet of the North half of that certain lot of land in said city, County and State, known and designated as Lot No. Twenty-Eight (28) of Block Sixteen (16), on map made by John H. Gerald, William Price and William Crossman, appointed by the Court of Common Pleas of Hamilton County, to make partition among the devisees and heirs of James and Jane Findlay, approved and confirmed by the said court at the October Term 1853. Said lot No. 28, Block 16, was in said proceedings in partition set off to Nancy J. Findlay. Said Lot No. 28, Block 16, fronts fifty (50) feet on the west of Vine Street and running back one hundred (100) feet to Van Lear Street; the premises herein conveyed beginning at the southwest corner of Vine and Polk Streets; thence west on the south line of Polk Street 59 feet; thence of South parallel with Vine Street 25 feet; thence east parallel with Polk Street 59 feet to the west line of Vine Street; thence North on the West line of Vine Street 25 feet to the place of beginning.

Address: 2313 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0111-00

Parcel 4:

Situate in the City of Cincinnati, Hamilton County, Ohio and being part of Lot 28 of Block 16 on map made by John H. Gerard, William Price and William Crossman, appointed by the Court of Common Pleas of Hamilton County, to make partition among the devisees and heirs of James and Jane Findlay, approved and confirmed by the said court at the October term, 1853, and more particularly described as follows:

Beginning at the southeast corner of Polk Street and Van Lear Street, said point beginning at the northwest corner of Lot 28 aforesaid; thence East on the North line of Lot 28 and the South line of Polk Street, forty one (41) feet to a point; thence South on a line parallel to Van Lear Street twenty-five (25) feet to grantor's South line; thence West on a line parallel to the North line of Lot 28, forty-one (41) feet to the East line of Van Lear Street; thence North on the East line of Van Lear Street, twenty-five (25) feet to the place of beginning.

Address: none

Parcel No: 095-0004-0168-00

Parcel 5:

Situate in the City of Cincinnati, in the County of Hamilton and State of Ohio. Being the North half of Lot 27 of Findlay's subdivision by the Commissioner, Plat of which is recorded in Deed Book 81, page 67, Hamilton County, Ohio Plat Records, being more particularly described as follows: Beginning at a point in the west line of Vine Street, twenty-five (25) feet North of the northwest corner of Polk and Vine Streets; thence North along the west line of Vine Street, twenty-five (25) feet; thence from these two points west between parallel lines, one hundred (100) feet to Van Lear Street.

Address: 2317 Vine Street, Cincinnati, OH 45219

Parcel No: 095-004-0109-00

Parcel 6:

Situate in the City of Cincinnati, in the County of Hamilton and State of Ohio and being more particularly described as follows: Lot Twenty-six (26) in Block Sixteen (16) of Findlay and Ludlow's Subdivision, recorded in Deed Book 49, Pages 420, 421, 422 Recorder's Office, Hamilton County, Ohio. Fronting twenty-five (25) feet on the west side of Vine Street and extending back one hundred (100) feet to an alley.

Address: 2319 Vine Street, Cincinnati, OH 45219

Parcel No: 095-0004-0108-00

Parcel 7:

Situate in the City of Cincinnati, Hamilton County, Ohio to wit: Being a part of Block 16 as laid out by General James Findley and J. C. and I. L. Ludlow and recorded in Book 49, Pages 420, 421 and 422 of the Hamilton County, Ohio Records. Commencing at a point on the west side of Vine Street (formerly Vince Street Road) where the south line of George Schoeberger's upper road would intersect the west side of Vine Street, said point being 100 feet north of the northwest corner of Vine Street and Polk Street, thence westwardly at right angles with Vine Street 100 feet to an alley; thence south along said alley parallel with Vine Street 25 feet; thence east and parallel to the north line 100 feet to Vine Street; thence north along Vine Street 25 feet to the place of beginning.

Address: 2321 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0107-00

Parcel 8:

Situated in the County of Hamilton, in the State of Ohio and in the City of Cincinnati, and further described as follows: Being part of the Block No. 16 laid out by General James Findlay, J.C. and J.L. Ludlow and recorded in Book 49, Pages 420, 421 and 422 of the Records of Hamilton County, Ohio and being Lot No. 24 as subdivided by the Executors of James Findlay, the said Lot being 20 feet in front on the west side of Vine Street by 100 feet deep to an alley, and being known as 2323 Vine St., Cincinnati, Ohio.

Address: 2323 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0106-00

Parcel 9:

Situate in the City of Cincinnati, County of Hamilton and State of Ohio, to-wit: All that part of Block Sixteen (16) which was laid out by General James Findlay and James C. and I.L. Ludlow and recorded in Book 49, Pages 420, 421 and 422, Hamilton County Records, being lot twenty-three (23), Block Sixteen (16) as now subdivided by the Executors of James Findlay, deceased, commencing at a point in Vine Street twenty five (25) feet north from Philip Madre's northeast corner; thence along Vine Street north twenty five (25) feet; thence westwardly one hundred (100) feet; thence south parallel with Vine Street twenty five (25) feet; thence easterly one hundred (100) feet to Vine Street to the place of beginning.

Address: 2325 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0105-00

Parcel 10:

Situated in the City of Cincinnati, Hamilton County, Ohio and particularly described as follows:

All that part of Block 16 which was laid out by General James Findlay, James C. and J. L. Ludlow and recorded in Book 49, pages 420, 421 and 422 Hamilton County, Ohio, Records; being Lot Number Twenty-Two (22) in Block 16 as now subdivided by the Executors of James Findlay, deceased, estate. Beginning at the northeast corner of Lot Number 23 of Block 16 aforesaid; thence northwardly along the west side of Vine Street twenty-five (25) feet; thence westwardly along the north line of said Lot Number 22, being the south line of Lot Number 21, one hundred (100) feet; thence southwardly parallel to Vine Street twenty-five (25) feet; thence eastwardly along the north line of Lot Number 23, aforesaid, to the place of beginning.

Address: 2327 Vine Street, Cincinnati, OH 45219

Parcel No: 095-0004-0104-00

Parcel 11:

Situated in the City of Cincinnati, County of Hamilton and State of Ohio and bounded and more particularly described as follows:

Situate in the City of Cincinnati, Hamilton County, Ohio and being all that part of Block 16, which was laid out by General James Findlay and J. C. and I. S. Ludlow, recorded in Book 49, pages 420, 421 and 422, Hamilton County, Ohio Records, and being part of Lot Number Twenty-One (21) in Block Sixteen (16) as now subdivided by Commissioners in Case of Partition of James and Jane Findlay's Estate, being twenty (20) feet off the south side of Lot Number 21 in said Block 16 described as follows:

Commencing at the southeast corner of said Lot Number Twenty-one (21), Block Sixteen (16); thence northerly along Vine Street Twenty (20) feet from the south line of said Lot, One Hundred (100) feet to Van Lear Street; thence south along Van Lear Street Twenty (20) feet to the south line of said Lot; thence east with said line, One Hundred (100) feet to the place of beginning. Together with and subject to easements, restrictions, conditions and covenants of record and subject to all legal highways.

Address: 2329 Vine Street, Cincinnati, OH 45219

Parcel No: 095-0004-0103-00

Parcel 12:

Situated in the County of Hamilton, in the State of Ohio and in the City of Cincinnati:

Situate in the City of Cincinnati, Hamilton County, State of Ohio, being that part of Block 16, which was laid out by Gen. James Findlay, I:c and J.C. Ludlow, accorded in book 49, pages 420, 421 and 422 of the records of Hamilton County, Ohio, and being a part of lot 21 in the said Block No. 16, as now subdivided by the Commissioners in partition of James and Jane Findlay Estate, described as follows:

Commencing on the west side of Vine Street, 20 feet north from the southeast corner of said lot; thence westwardly parallel to and 20 feet north of the south line of said lot, 100 feet to Van Lear Street; thence with Van Lear Street, northwardly 20 feet; thence parallel with the first course 100 feet to Vine Street; thence south on Vine Street, 20 feet to the place of beginning.

Address: 2331 Vine Street, Cincinnati, OH 45219

Parcel No: 095-0004-0102-00

{00393668-4}

Parcel 13:

Situated in the City of Cincinnati, in the County of Hamilton and State of Ohio, to-wit:

All that part of Block Sixteen (16) which was laid out by Jas. Findlay, Jas. C. and I. L. Ludlow, recorded in Book 49, Pages 420, 421 and 422 of the records of Hamilton County, Ohio, and being part of Lot twenty-one (21) in Block Sixteen (16) as subdivided by the commissioners in case of partition of James and Jane Findlay's estate described as follows:

Commencing on the west side of Vine Street at the northeast corner of lot twenty-one (21); thence westwardly along the north line of said lot one hundred (100) feet to Van Leer Street; thence southwardly along Van Leer Street twenty (20) feet; thence eastwardly parallel to and twenty (20) feet from the north line of said lot One hundred (100) feet; thence northwardly along Vine Street twenty (20) feet to the place of beginning.

Address: 2333 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0101-00

Parcel 14:

Situate, lying and being in the City of Cincinnati, Hamilton County, Ohio and being the South part of Lot No.20 on Map "M" made by John H. Gerard, William Grossman and William Price, Commissioners appointed by the Court of Common Pleas of Hamilton County, Ohio, to make partition among the heirs and devisees of James and Jane Findley and Ludlow's Subdivision, as shown on plat recorded in Deed Book 49, Page 420 of the Deed Records of Hamilton County, Ohio, and more particularly described as follows:

Beginning at a point of intersection of the West line of Vine Street and the South line of said Lot No. 20; thence Northeastwardly along the West line of Vine Street, a distance of 27.25 feet to the Southeast corner of lands described in Certificate of Title No 29434 of the Registered Land Records of Hamilton County, Ohio; thence North 63 degrees 51 minutes West along the South line of said Registered Land 111.51 feet to the East line of Van Lear Street; thence Southwardly along the East line of Van Lear Street to the Southwest corner of said Lot No. 20; thence Eastwardly along the south line of said Lot No. 20, 100 feet more or less to the point and place of beginning.

Address: 2335 Vine Street, Cincinnati, OH 45219
Parcel No: 095-0004-0100-00

Exhibit F
to Funding Agreement

Disbursement of Funds

(A) Conditions to be Satisfied Prior to Disbursement of Funds. The City shall be under no obligation to disburse the Funds unless and until the following conditions are satisfied and continue to be satisfied:

(i) With respect to all of the Funds, Developer has executed and delivered to the City the Mortgage and the Note;

(ii) With respect to all of the Funds, Developer has provided the City with evidence of insurance required under this Agreement;

(iii) With respect to all of the Funds, Developer has provided the City with evidence that it has obtained all licenses, permits, governmental approvals, and the like necessary for the construction work;

(iv) With respect to all of the Funds, Developer has provided the City with evidence that Developer has secured all other funds necessary to complete the Project;

(v) With respect to the Construction Funds, Closing has occurred;

(vi) With respect to the Construction Funds, the City has approved of the Due Diligence Materials and construction shall have commenced and is proceeding in accordance with all City-approved Plans and Specifications, Budget, and Construction Schedule;

(vii) With respect to all of the Funds, Developer has provided the City with such other documents, reports, and information relating to the Project as the City has reasonably requested;

(viii) With respect to all of the Funds, Developer has complied with all obligations under Exhibit G of this Agreement; and

(ix) With respect to all of the Funds, Developer is not in default under this Agreement.

(B) Disbursement of Funds. Provided all of the requirements for disbursement of the Funds shall have been satisfied, the City shall disburse the Funds to Developer. The City shall disburse the Closing Funds as described in Section 4(D)(i) of the Agreement. The City shall disburse the Construction Funds on a reimbursement basis and pro-rata with all other construction funds being utilized for the Construction portion of the Project (*i.e.*, the Construction Funds shall not be first in), subject to the retainage requirements set forth in section (D) below. Developer shall not be entitled to a disbursement of Funds to pay for costs incurred prior to the Effective Date. Developer shall request the Funds and shall use the Funds solely for the purposes permitted under the Agreement. Nothing in this Agreement shall permit, or shall be construed to permit, the expenditure of Funds for the acquisition of supplies or inventory, or for the purpose of purchasing materials not used in the construction, or for establishing a working capital fund, or for any other purpose expressly disapproved in writing by the City. Developer shall not request a disbursement of the Construction Funds for any expenditure that is not itemized on or contemplated by the approved budget or if the costs for which the disbursement is being requested exceeds the applicable line item in the budget; however, Developer may request, in writing, that funds be transferred between line items, with the City's approval thereof not to be unreasonably withheld. Disbursements from the project account shall be limited to an amount equal to the actual cost of the work, materials, and labor incorporated in the work up to the

amount of such items as set forth in Developer's request for payment. Anything contained in this Agreement to the contrary notwithstanding, the City shall not be obligated to make or authorize any disbursements from the project account if the City determines, in its reasonable discretion, that the amounts remaining from all funding sources with respect to the Project are not sufficient to pay for all the costs to complete construction. Developer acknowledges that the obligation of the City to disburse the Funds to Developer shall be limited to the Funds to be made available by the City under this Agreement. Developer shall provide all additional funds from other resources to complete the Project. Notwithstanding anything in this Agreement to the contrary, the City's obligation to make the Funds available to Developer, to the extent such Funds have not been disbursed, shall terminate thirty (30) days following completion of the Project.

(C) Draw Procedure for Construction Funds.

(i) Frequency. Developer may make disbursement requests of the Construction Funds no more frequently than once in any thirty (30) day period.

(ii) Documentation. Each disbursement request of the Construction Funds shall include the following: For construction costs shown on the approved budget, Developer shall submit a draw request form provided by the City, with the following attachments: (i) an AIA G-702-703 Form (AIA) or such other similar form acceptable to the City, (ii) sworn affidavits and/or unconditional lien waivers (together with invoices, contracts, or other supporting data) from all contractors, subcontractors, and materialmen covering all work, labor, and materials for the work through the date of the disbursement and establishing that all such work, labor, and materials have been paid for in full, (iii) waivers or disclaimers from suppliers of fixtures or equipment who may claim a security interest therein, and (iv) such other documentation or information requested by the City that a prudent construction lender might request. All affidavits and lien waivers shall be signed, fully-executed originals.

(D) Retainage for Construction Funds. After review and approval of a disbursement request related to the Construction Funds, the City shall disburse 90% of the amount requested (with retainage of 10%). The retained amount shall be disbursed when (i) construction has been completed and evidence thereof, in form satisfactory to the City, has been delivered to the City, (ii) the City has obtained final lien waivers and all other conditions to payment set forth in this Agreement have been satisfied with respect to such payment, and (iii) Developer has complied with all of its other obligations under this Agreement as determined by the City in its sole discretion. For the avoidance of doubt, Developer may, following the completion of the Construction portion of the Project, and upon the provision of the required documentation and the satisfaction of the other disbursement conditions in this Exhibit, request disbursement of the entire amount of the Construction Funds in one lump sum, in which case such amount would not be subject to retainage.

(E) Estoppel Certification. A request for the disbursement of Funds shall, unless otherwise indicated in writing at the time Developer makes such request, be deemed as a representation and certification by Developer that (i) all work done and materials supplied to date are in accordance with the approved plans and specifications and in strict compliance with all legal requirements as of the date of the request, (ii) the construction is being completed in accordance with the approved budget and construction schedule, and (iii) Developer and the City have complied with all of their respective obligations under this Agreement. If Developer alleges that the City has been or is then in default under this Agreement at the time Developer makes such request, and if the City disputes such allegation, the City shall not be obligated to make or authorize such disbursement until the alleged default has been resolved.

End of Exhibit

Exhibit G
to Funding Agreement

Additional Requirements

Developer and Developer's general contractor shall comply with all applicable statutes, ordinances, regulations, and rules of the government of the United States, State of Ohio, County of Hamilton, and City of Cincinnati (collectively, "**Government Requirements**"), including the Government Requirements listed below, to the extent that they are applicable. Developer hereby acknowledges and agrees that (a) the below listing of Government Requirements is not intended to be an exhaustive list of Government Requirements applicable to the Project, Developer, or Developer's contractors, subcontractors or employees, either on the City's part or with respect to any other governmental entity, and (b) neither the City nor its Law Department is providing legal counsel to or creating an attorney-client relationship with Developer by attaching this Exhibit to the Agreement.

This Exhibit serves two functions:

(i) Serving as a Source of Information With Respect to Government Requirements. This Exhibit identifies certain Government Requirements that may be applicable to the Project, Developer, or its contractors and subcontractors. Because this Agreement requires that Developer comply with all applicable laws, regulations, and other Government Requirements (and in certain circumstances to cause others to do so), this Exhibit flags certain Government Requirements that Developers, contractors and subcontractors regularly face in constructing projects or doing business with the City. To the extent a Developer is legally required to comply with a Government Requirement, failure to comply with such a Government Requirement is a violation of the Agreement.

(ii) Affirmatively Imposing Contractual Obligations. If certain conditions for applicability are met, this Exhibit also affirmatively imposes contractual obligations on Developer, even where such obligations are not imposed on Developer by Government Requirements. As described below, the affirmative obligations imposed hereby are typically a result of policies adopted by City Council which, per Council's directive, are to be furthered by the inclusion of certain specified language in some or all City contracts. The City administration (including the City's Department of Community and Economic Development) is responsible for implementing the policy directives promulgated by Council (which typically takes place via the adoption of motions or resolutions by Council), including, in certain circumstances, by adding specific contractual provisions in City contracts such as this Agreement.

(A) Construction Workforce.

(i) Applicability. Consistent with the limitations contained within the City Resolutions identified in clause (ii) below, this Section (A) shall not apply to contracts with the City other than construction contracts, or to construction contracts to which the City is not a party. For the avoidance of doubt, this Agreement is a construction contract solely to the extent that it directly obligates Developer to assume the role of a general contractor on a construction project for public improvements such as police stations or other government buildings, public parks, or public roadways.

The Construction Workforce Goals are not applicable to future work (such as repairs or modifications) on any portion of the Project. The Construction Workforce Goals are not applicable to the purchase of specialty fixtures and trade fixtures.

(ii) Requirement. In furtherance of the policy enumerated in City Resolutions No. 32-1983 and 21-1998 concerning the inclusion of minorities and women in City construction work, if Developer is performing construction work for the City under a construction contract to which the City is a party,

Developer shall use Best Efforts to achieve a standard of no less than 11.8% Minority Persons (as defined below) and 6.9% females (of whom at least one-half shall be Minority Persons) in each craft trade in Developer and its general contractor's aggregate workforce in Hamilton County, to be achieved at least halfway through the construction contract (or in the case of a construction contract of six months or more, within 60 days of beginning the construction contract) (collectively, the "**Construction Workforce Goals**").

As used herein, the following terms shall have the following meanings:

(a) "**Best Efforts**" means substantially complying with all of the following as to any of its employees performing such construction, and requiring that all of its construction subcontractors substantially comply with all of the following: (1) solicitation of Minority Persons as potential employees through advertisements in local minority publications; and (2) contacting government agencies, private agencies, and/or trade unions for the job referral of qualified Minority Persons.

(b) "**Minority Person**" means any person who is Black, Asian or Pacific Islander, Hispanic, American Indian or Alaskan Native.

(c) "**Black**" means a person having origin in the black racial group of Africa.

(d) "**Asian or Pacific Islander**" means a person having origin in the original people of the Far East or the Pacific Islands, which includes, among others, China, India, Japan, Korea, the Philippine Islands, Malaysia, Hawaii and Samoa.

(e) "**Hispanic**" means a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish cultural origin.

(f) "**American Indian**" or "**Alaskan Native**" means a person having origin in any of the original people of North America and who maintains cultural identification through tribal affiliation.

(B) Trade Unions; Subcontracts; Competitive Bidding.

(i) Meeting and Conferring with Trade Unions.

(a) Applicability. Per City of Cincinnati, Ordinance No. 130-2002, this requirement is limited to transactions in which Developer receives City funds or other assistance (including, but not limited to, the City's construction of public improvements to specifically benefit the Project, or the City's sale of real property to Developer at below fair market value).

(b) Requirement. This Agreement may be subject to the requirements of City of Cincinnati, Ordinance No. 130-2002, as amended or superseded, providing that, if Developer receives City funds or other assistance, Developer and its general contractor, prior to the commencement of construction of the Project and prior to any expenditure of City funds, and with the aim of reaching comprehensive and efficient project agreements covering all work done by Developer or its general contractor, shall meet and confer with: the trade unions representing all of the crafts working on the Project, and minority, female, and locally-owned contractors and suppliers potentially involved with the construction of the Project. At this meeting, Developer and/or its general contractor shall make available copies of the scope of work and if prevailing wage rates apply, the rates pertaining to all proposed work on the Project. Not later than ten (10) days following Developer and/or its general contractor's meet and confer activity, Developer shall provide to the City, in writing, a summary of Developer and/or its general contractor's meet and confer activity.

(ii) Contracts and Subcontracts; Competitive Bidding.

(a) Applicability. This clause (ii) is applicable to “construction contracts” under Cincinnati Municipal Code Chapter 321. Municipal Code Chapter 321 defines “construction” as “any construction, reconstruction, improvement, enlargement, alteration, repair, painting, decorating, wrecking or demolition, of any public improvement the total overall project cost of which is fairly estimated by Federal or Ohio statutes to be more than four thousand dollars and performed by other than full-time employees who have completed their probationary periods in the classified service of a public authority,” and “contract” as “all written agreements of the City of Cincinnati, its boards or commissions, prepared and signed by the city purchasing agent or a board or commission for the procurement or disposal of supplies, service or construction.”

(b) Requirement. If CMC Chapter 321 applies to the Project, Developer is required to ensure that all contracts and subcontracts for the Project are awarded pursuant to a competitive bidding process that is approved by the City in writing. All bids shall be subject to review by the City. All contracts and subcontracts shall be expressly required by written agreement to comply with the provisions of this Agreement and the applicable City and State of Ohio laws, ordinances and regulations with respect to such matters as allocation of subcontracts among trade crafts, Small Business Enterprise Program, Equal Employment Opportunity, and Construction Workforce Goals.

(iii) Competitive Bidding for Certain City-Funded Development Agreements.

(a) Applicability. Pursuant to Ordinance No. 273-2002, the provision in clause (b) below applies solely where the Project receives in \$250,000 or more in direct City funding, and where such funding comprises at least 25% of the Project’s budget. For the purposes of this clause (iii), “direct City funding” means a direct subsidy of City funds in the form of cash, including grants and forgivable loans, but not including public improvements, land acquisitions and sales, job creation tax credits, or tax abatements or exemptions.

(b) Requirement. This Agreement requires that Developer issue an invitation to bid on the construction components of the development by trade craft through public notification and that the bids be read aloud in a public forum. For purposes of this provision, the following terms shall be defined as set forth below:

(1) “Bid” means an offer in response to an invitation for bids to provide construction work.

(2) “Invitation to Bid” means the solicitation for quoted prices on construction specifications and setting a time, date and place for the submission of and public reading of bids. The place for the public reading of bids shall be chosen at the discretion of Developer; however, the place chosen must be accessible to the public on the date and time of the public reading and must have sufficient room capacity to accommodate the number of respondents to the invitation to bid.

(3) “Trade Craft” means (a) general construction work, (b) electrical equipment, (c) plumbing and gas fitting, (d) steam and hot water heating and air conditioning and ventilating apparatus, and steam power plant, (e) elevator work, and (f) fire protection.

(4) “Public Notification” means (a) advertisement of an invitation to bid with ACI (Allied Construction Industries) and the Dodge Report, and (b) dissemination of the advertisement (either by mail or electronically) to the South Central Ohio Minority Business Council, Greater Cincinnati Northern Kentucky African-American Chamber of Commerce, and the Hispanic Chamber of Commerce. The advertisement shall include a description of the “scope of work” and any other information reasonably necessary for the preparation of a

bid, and it shall be published and disseminated no less than fourteen days prior to the deadline for submission of bids stated in the invitation to bid.

(5) "Read Aloud in a Public Forum" means all bids shall be read aloud at the time, date and place specified in the invitation for bids, and the bids shall be available for public inspection at the reading.

(C) City Building Code. All construction work must be performed in compliance with City building code requirements.

(D) Lead Paint Regulations. All work must be performed in compliance with Chapter 3742 of the Ohio Revised Code, Chapter 3701-32 of the Ohio Administrative Code, and must comply with OSHA's Lead in Construction Regulations and the OEPA's hazardous waste rules. All lead hazard abatement work must be supervised by an Ohio Licensed Lead Abatement Contractor/Supervisor.

(E) Displacement. If the Project involves the displacement of tenants, Developer shall comply with all Government Requirements in connection with such displacement. If the City shall become obligated to pay any relocation costs or benefits or other sums in connection with the displacement of tenants, under Cincinnati Municipal Code Chapter 740 or otherwise, Developer shall reimburse the City for any and all such amounts paid by the City in connection with such displacement within twenty (20) days after the City's written demand.

(F) Small Business Enterprise Program.

(i) Applicability. The applicability of Municipal Code Chapter 323 (Small Business Enterprise Program) is limited to construction contracts in excess of \$5,000. Municipal Code Chapter 323 defines "contract" as "a contract in excess of \$5,000.00, except types of contracts listed by the City purchasing agent as exempt and approved by the City Manager, for (a) construction, (b) supplies, (c) services, or (d) professional services." It defines "construction" as "any construction, reconstruction, improvement, enlargement, alteration, repair, painting, decorating, wrecking or demolition, of any public improvement the total overall project cost of which is fairly estimated by Federal or Ohio statutes to be more than \$4,000 and performed by other than full-time employees who have completed their probationary periods in the classified service of a public authority." To the extent Municipal Code Chapter 323 does not apply to this Agreement, Developer is not subject to the various reporting requirements described in this Section (F).

(ii) Requirement. The City has an aspirational goal that 30% of its total dollars spent for construction and 15% of its total dollars spent for supplies/services and professional services be spent with Small Business Enterprises ("SBE"s), which include SBEs owned by minorities and women. Accordingly, subject to clause (i) above, Developer and its general contractor shall use its best efforts and take affirmative steps to assure that SBEs are utilized as sources of supplies, equipment, construction, and services, with the goal of meeting 30% SBE participation for construction contracts and 15% participation for supplies/services and professional services contracts. An SBE means a consultant, supplier, contractor or subcontractor who is certified as an SBE by the City in accordance with Cincinnati Municipal Code ("CMC") Chapter 323. (A list of SBEs may be obtained from the Department of Economic Inclusion or from the City's web page, <http://cincinnati.diversitycompliance.com>.) Developer and its general contractor may refer interested firms to the Department of Economic Inclusion for review and possible certification as an SBE, and applications may also be obtained from such web page. If the SBE program is applicable to this Agreement, as described in clause (i) above, Developer agrees to take (or cause its general contractor to take) at least the following affirmative steps:

(1) Including qualified SBEs on solicitation lists.

(2) Assuring that SBEs are solicited whenever they are potential sources. Contractor must advertise, on at least two separate occasions, both in local minority publications and in other local newspapers of general circulation, invitations to SBEs to provide services, to supply

materials or to bid on construction contracts for the Project. Contractor is encouraged to use the internet and similar types of advertising to reach a broader audience, but these additional types of advertising cannot be used as substitutes for the above.

(3) When economically feasible, dividing total requirements into small tasks or quantities so as to permit maximum SBE participation.

(4) When needs permit, establishing delivery schedules that will encourage participation by SBEs.

(iii) Subject to clause (i) above, if any subcontracts are to be let, Developer shall require the prime contractor to take the above affirmative steps.

(iv) Subject to clause (i) above, Developer shall provide to the City, prior to commencement of the Project, a report listing all of the contractors and subcontractors for the Project, including information as to the owners, dollar amount of the contract or subcontract, and other information that may be deemed necessary by the City Manager. Developer or its general contractor shall update the report monthly by the 15th. Developer or its general contractor shall enter all reports required in this subsection via the City's web page referred to in clause (i) above or any successor site or system the City uses for this purpose. Upon execution of this Agreement, Developer and its general contractor shall contact the Department of Economic Inclusion to obtain instructions, the proper internet link, login information, and password to access the site and set up the necessary reports.

(v) Subject to clause (i) above, Developer and its general contractor shall periodically document its best efforts and affirmative steps to meet the above SBE participation goals by notarized affidavits executed in a form acceptable to the City, submitted upon the written request of the City. The City shall have the right to review records and documentation relevant to the affidavits. If affidavits are found to contain false statements, the City may prosecute the affiant pursuant to Section 2921.12, Ohio Revised Code.

(vi) Subject to clause (i) above, failure of Developer or its general contractor to take the affirmative steps specified above, to provide fair and equal opportunity to SBEs, or to provide technical assistance to SBEs as may be necessary to reach the minimum percentage goals for SBE participation as set forth in Cincinnati Municipal Code Chapter 323, may be construed by the City as failure of Developer to use best efforts, and, in addition to other remedies under this Agreement, may be a cause for the City to file suit in Common Pleas Court to enforce specific performance of the terms of this section.

(G) Equal Employment Opportunity.

(i) Applicability. Chapter 325 of the Cincinnati Municipal Code (Equal Employment Opportunity) applies (a) where the City expends more than \$5,000 under a non-construction contract, or (b) where the City spends or receives over \$5,000 to (1) employ another party to construct public improvements, (2) purchase services, or (3) lease any real or personal property to or from another party. Chapter 325 of the Municipal Code does not apply where the contract is (a) for the purchase of real or personal property to or from another party, (b) for the provision by the City of services to another party, (c) between the City and another governmental agency, or (d) for commodities such as utilities.

(ii) Requirement. If this Agreement is subject to the provisions of Chapter 325 of the Cincinnati Municipal Code (the City of Cincinnati's Equal Employment Opportunity Program), the provisions thereof are hereby incorporated by reference into this Agreement.

(H) Prevailing Wage. Developer shall comply, and shall cause all contractors working on the Project to comply, with all any prevailing wage requirements that may be applicable to the Project. In the event that the City is directed by the State of Ohio to make payments to construction workers based on violations of such requirements, Developer shall make such payments or reimburse the City for such payments within twenty (20) days of demand therefor. A copy of the City's prevailing wage determination

may be attached to this Exhibit as Addendum I to Additional Requirements Exhibit (City's Prevailing Wage Determination) hereto.

(I) Compliance with the Immigration and Nationality Act. In the performance of its construction obligations under this Agreement, Developer shall comply with the following provisions of the federal Immigration and Nationality Act: 8 U.S.C.A. 1324a(a)(1)(A) and 8 U.S.C.A. 1324a(a)(2). Compliance or noncompliance with those provisions shall be solely determined by final determinations resulting from the actions by the federal agencies authorized to enforce the Immigration and Nationality Act, or by determinations of the U.S.

(J) Prompt Payment. The provisions of Chapter 319 of the Cincinnati Municipal Code, which provides for a "Prompt Payment System", may apply to this Agreement. Municipal Code Chapter 319 also (i) provides certain requirements for invoices from contractors with respect to the Prompt Payment System, and (ii) obligates contractors to pay subcontractors for satisfactory work in a timely fashion as provided therein.

(K) Conflict of Interest. Pursuant to Ohio Revised Code 102.03, no officer, employee, or agent of the City who exercises any functions or responsibilities in connection with the planning or carrying out of the Project may have any personal financial interest, direct or indirect, in Developer or in the Project, and Developer shall take appropriate steps to assure compliance.

(L) Ohio Means Jobs. If this Agreement constitutes a construction contract (pursuant to the guidance with respect to the definition of that term provided in Section (A) above), then, pursuant to Ordinance No. 238-2010: To the extent allowable by law, Developer and its general contractor shall use its best efforts to post available employment opportunities with Developer, the general contractor's organization, or the organization of any subcontractor working with Developer or its general contractor with the OhioMeansJobs Center, 1916 Central Parkway, Cincinnati, Ohio 45214-2305, through its Employer Services Unit Manager at 513-946-7200.

(M) Wage Enforcement.

(i) Applicability. Council passed Ordinance No. 22-2016 on February 3, 2016, which ordained Chapter 326 (Wage Enforcement) of the Cincinnati Municipal Code (the "**Wage Enforcement Chapter**"). The Wage Enforcement Chapter was then amended by Ordinance No. 96-2017, passed May 17, 2017. As amended, the Wage Enforcement Chapter imposes certain requirements upon persons entering into agreements with the City whereby the City provides an incentive or benefit that is projected to exceed \$25,000, as described more particularly in the Wage Enforcement Chapter. Cincinnati Municipal Code Section 326-5 requires that the language below be included in contracts subject to the Wage Enforcement Chapter.

(ii) Required Contractual Language. Capitalized terms used, but not defined, in this clause (ii) have the meanings ascribed thereto in the Wage Enforcement Chapter.

(a) This contract is or may be subject to the Wage Enforcement provisions of the Cincinnati Municipal Code. These provisions require that any Person who has an Agreement with the city or with a Contractor or Subcontractor of that Person shall report all Complaints or Adverse Determinations of Wage Theft and Payroll Fraud (as each of those terms is defined in Chapter 326 of the Cincinnati Municipal Code) against the Contractor or Subcontractors to the Department of Economic Inclusion within 30 days of notification of the Complaint or Adverse Determination.

(b) If this contract is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this contract is required to include provisions in solicitations and contracts regarding a Development Site that all employers, Contractors or

Subcontractors performing or proposing to perform work on a Development Site provide an initial sworn and notarized "Affidavit Regarding Wage Theft and Payroll Fraud" on a form prescribed by the city manager or his or her designee and, within 30 days of an Adverse Determination or Complaint of Wage Theft or Payroll Fraud, shall provide an "Amended Affidavit Regarding Wage Theft and Payroll Fraud" on a form prescribed by the city manager or his or her designee.

(c) If this contract is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this contract is required to authorize, and does hereby specifically authorize, any local, state or federal agency, court, administrative body or other entity investigating a complaint of Wage Theft or Payroll Fraud against the Person (collectively "investigative bodies") to release to the City's Department of Economic Inclusion any and all evidence, findings, complaints and determinations associated with the allegations of Wage Theft or Payroll Fraud upon the City's request and further authorizes such investigative bodies to keep the City advised regarding the status of the investigation and ultimate determination. If the investigative bodies require the Person to provide additional authorization on a prescribed form or in another manner, the Person shall be required to provide such additional authorization within 14 days of a request by the City.

(d) If this Agreement is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this Agreement shall include in its contracts with all Contractors language that requires the Contractors to provide the authorizations set forth in subsection (c) above and that further requires each Contractor to include in its contracts with Subcontractors those same obligations for each Subcontractor and each lower tier subcontractor.

(e) If this Agreement is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this Agreement shall post a conspicuous notice on the Development Site throughout the entire period work is being performed pursuant to the Agreement indicating that the work being performed is subject to Cincinnati Municipal Code Chapter 326, Wage Enforcement, as administered by the City of Cincinnati Department of Economic Inclusion. Such notice shall include contact information for the Department of Economic Inclusion as provided by the department.

(f) Under the Wage Enforcement provisions, the city shall have the authority, under appropriate circumstances, to terminate this contract or to reduce the incentives or subsidies to be provided under this contract and to seek other remedies, including debarment.

(N) Americans With Disabilities Act; Accessibility.

(i) Applicability. Cincinnati City Council adopted Motion No. 201600188 on February 3, 2016 (the "**Accessibility Motion**"). This motion directs City administration, including DCED, to include language specifically requiring compliance with the Americans With Disabilities Act, together with any and all regulations or other binding directives promulgated pursuant thereto (collectively, the "**ADA**"), and imposing certain minimum accessibility standards on City-subsidized projects regardless of whether there are arguably exceptions or reductions in accessibility standards available under the ADA or State law.

(ii) Requirement. In furtherance of the policy objectives set forth in the Accessibility Motion, (A) the Project shall comply with the ADA, and (B) if (i) any building(s) within the Project is subject to the accessibility requirements of the ADA (e.g., by constituting a "place of public accommodation" or another category of structure to which the ADA is applicable) and (ii) such building(s) is not already required to meet the Contractual Minimum Accessibility Requirements (as defined below) pursuant to the ADA, applicable building code requirements, or by any other legal requirement, then Developer shall cause such building(s) to comply with the Contractual Minimum Accessibility Requirements in addition to any requirements pursuant to the ADA and the applicable building code or legal requirement. As used herein, "**Contractual Minimum Accessibility Requirements**" means that a building shall, at a minimum, include

(1) at least one point of entry (as used in the ADA), accessible from a public right of way, with respect to which all architectural barriers (as used in the ADA) to entry have been eliminated, and (2) if such accessible point of entry is not a building's primary point of entry, conspicuous signage directing persons to such accessible point of entry.

(O) Electric Vehicle Charging Stations in Garages.

(i) Applicability. Cincinnati City Council passed Ordinance No. 89-2017 on May 10, 2017. This ordinance requires all agreements in which the City provides any amount of "qualifying incentives" for projects involving the construction of a parking garage to include a provision requiring the inclusion of certain features in the garage relating to electric vehicles. The ordinance defines "qualifying incentives" as the provision of incentives or support for the construction of a parking garage in the form of (a) the provision of any City monies or monies controlled by the City including, without limitation, the provision of funds in the form of loans or grants; (b) the provision of service payments in lieu of taxes in connection with tax increment financing, including rebates of service payments in lieu of taxes; and (c) the provision of the proceeds of bonds issued by the City or with respect to which the City has provided any source of collateral security or repayment, including, but not limited to, the pledge of assessment revenues or service payments in lieu of taxes. For the avoidance of doubt, "qualifying incentives" does not include (1) tax abatements such as Community Reinvestment Area abatements pursuant to Ohio Revised Code 3735.67, et seq., or Job Creation Tax Credits pursuant to Ohio Revised Code 718.15; (2) the conveyance of City-owned real property for less than fair market value; and (3) any other type of City support in which the City provides non-monetary assistance to a project, regardless of value.

(ii) Requirement. If the applicability criteria of Ordinance No. 89-2017 are met, then the following requirements shall apply to any parking garage included within the Project: (a) at least one percent of parking spaces, rounding up to the nearest integer, shall be fitted with Level 2 minimum 7.2 kilowatt per hour electric car charging stations; provided that if one percent of parking spaces is less than two parking spaces, the minimum number of parking spaces subject to this clause shall be two parking spaces; and (b) the parking garage's electrical raceway to the electrical supply panel serving the garage shall be capable of providing a minimum of 7.2 kilowatts of electrical capacity to at least five percent of the parking spaces of the garage, rounding up to the nearest integer, and the electrical room supplying the garage must have the physical space for an electrical supply panel sufficient to provide 7.2 kilowatts of electrical capacity to at least five percent of the parking spaces of the garage, rounding up to the nearest integer.

(P) Certification as to Non-Debarment. Developer represents that neither it nor any of its principals is presently suspended or debarred by any federal, state, or local government agency. In completing the Project, Developer shall not solicit bids from any contractors or subcontractors who are identified as being suspended or debarred by any federal, state, or local government agency. If Developer or any of its principals becomes debarred by any federal, state, or local government agency during the term of this Agreement, Developer shall be considered in default under this Agreement.

February 7, 2024

To: Mayor and Members of City Council

202400408

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – Funding for Financial Freedom Initiatives Per City Council Motion #202400205

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer of \$1,875,000 from the General Fund balance sheet reserve account no. 050x3422, “Deferred Appropriations,” to the unappropriated surplus of General Fund 050; and **AUTHORIZING** the transfer and appropriation of \$1,875,000 from the unappropriated surplus of General Fund 050 to the City Manager’s General Fund non-personnel operating budget account no. 050x101x7400 to provide one-time funds for the following Financial Freedom Initiatives: Medical Debt Forgiveness (\$1,500,000) and Child Savings Accounts (\$375,000).

The Emergency Ordinance authorizes the transfer of \$1,875,000 from General Fund balance sheet reserve account no. 050x3422, “Deferred Appropriations,” to the unappropriated surplus of the General Fund. Additionally, this Emergency Ordinance authorizes the transfer and appropriation of \$1,875,000 from the unappropriated surplus of the General Fund to the City Manager’s Office General Fund non-personnel operating budget account no. 050x101x7400 for Financial Freedom Initiatives for Fiscal Year 2024 as identified in Council Motion #202400205. The allocations include the following initiatives: \$1,500,000 for Medical Debt Forgiveness and \$375,000 for Child Savings Accounts.

Ordinance No. 0207-2023, as part of the City Council adjustments to the FY 2024 Operating Budget, transferred \$2,125,000 to balance sheet reserve account no. 050x3422, “Deferred Appropriations,” to preserve resources for Financial Freedom Initiatives for Fiscal Year 2024 pending additional information to be presented to the City Council by the Administration on proposed uses of funds. Pursuant to City Council Motion #202400205 adopted on January 24, 2024, \$1,875,000 of the total amount of \$2,125,000 will be allocated to the following Financial Freedom Initiatives: Medical Debt Forgiveness (\$1,500,000) and Child Savings Accounts (\$375,000). The remaining \$250,000 will remain in balance sheet reserve account no. 050x3422, “Deferred Appropriations,” to be preserved for a Guaranteed Basic Income (GBI) pilot program while additional fundraising for leveraged funding can be undertaken.

The reason for the emergency is the immediate need to accomplish the authorized transfers and appropriations so that the funding provided by this ordinance is in place so that the necessary expenditures authorized by this ordinance may be made as soon as possible.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

AKS

- 2024

AUTHORIZING the transfer of \$1,875,000 from the General Fund balance sheet reserve account no. 050x3422, “Deferred Appropriations,” to the unappropriated surplus of General Fund 050; and **AUTHORIZING** the transfer and appropriation of \$1,875,000 from the unappropriated surplus of General Fund 050 to the City Manager’s General Fund non-personnel operating budget account no. 050x101x7400 to provide one-time funds for the following Financial Freedom Initiatives: Medical Debt Forgiveness (\$1,500,000) and Child Savings Accounts (\$375,000).

WHEREAS, in 2023, in Ordinance No. 207-2023 as part of the FY 2024 Operating Budget, Council transferred \$2,125,000 to balance sheet reserve account no. 050x3422, “Deferred Appropriations,” to preserve resources for Financial Freedom Initiatives for Fiscal Year 2024 pending additional information to be presented to Council by the Administration on proposed uses of funds; and

WHEREAS, pursuant to Council Motion #202400205 adopted on January 24, 2024, \$1,875,000 of the total amount of \$2,125,000 will be allocated to the following Financial Freedom Initiatives: Medical Debt Forgiveness (\$1,500,000) and Child Savings Accounts (\$375,000); and

WHEREAS, the remaining \$250,000 will remain in balance sheet reserve account no. 050x3422, “Deferred Appropriations,” to be preserved for a Guaranteed Basic Income pilot program while additional fundraising for leveraged funding can be undertaken; now, therefore,

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

Section 1. That \$1,875,000 is transferred from the General Fund balance sheet reserve account no. 050x3422, “Deferred Appropriations,” to the unappropriated surplus of General Fund 050.

Section 2. That \$1,875,000 is transferred and appropriated from the unappropriated surplus of General Fund 050 to the City Manager’s Office General Fund non-personnel operating budget account no. 050x101x7400 to provide one-time funds for the following Financial Freedom Initiatives: Medical Debt Forgiveness (\$1,500,000) and Child Savings Accounts (\$375,000).

Section 3. That the appropriate City officials are authorized to do all things necessary and proper to implement the provisions of Sections 1 and 2.

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 accomplish the authorized transfers and appropriations so that the funding provided by this ordinance is in place so that the necessary expenditures authorized by this ordinance may be made as soon as possible.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

February 7, 2024

To: Mayor and Members of City Council

202400418

From: Sheryl M. M. Long, City Manager

**Subject: Emergency Ordinance – Department of Buildings and Inspections:
Amending Ordinance No. 0072-1994**

Attached is an Emergency Ordinance captioned:

AMENDING Ordinance No. 72-1994, which established Vacant Building Maintenance Fund 347 and identified revenue sources and permissible uses of the fund's resources, as subsequently amended by Ordinance Nos. 294-2007, 273-2012, 102-2017, and 436-2019, which cumulatively changed the name of the fund to Hazard Abatement Fund 347 and expanded the fund's revenue sources and permissible uses, to further expand the permissible revenue sources for Hazard Abatement Fund 347 to include federal, state, local, and private grant resources.

Approval of this Emergency Ordinance would amend prior Ordinance No. 0072-1994, which established Vacant Building Maintenance Fund 347 and identified revenue sources and permissible uses of the fund's resources, as subsequently amended by Ordinance Nos. 0294-2007, 0273-2012, 0102-2017, and 0436-2019, to expand permissible revenue sources of Hazard Abatement Fund 347 to include federal, state, local, and private grant resources.

On March 2, 1994, the City Council approved Ordinance No. 0072-1994, which established Vacant Building Fund 347, directed gross vacant building maintenance license fees be deposited into Vacant Building Fund 347, and directed expenses for the administration of the vacant building licensing program be paid from Vacant Building Fund 347. This ordinance has since been amended by Ordinance Nos. 0294-2007, 0273-2012, 0102-2017, and 0436-2019, which cumulatively changed the name of the fund to Hazard Abatement Fund 347 and expanded the fund's revenue sources and permissible uses. There is now a need to further amend revenue sources to include grant resources.

The reason for the emergency is the immediate need to expand permissible revenue sources for Hazard Abatement Fund 347 to include federal, state, local, and private grant resources in order to accept grant resources in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

EMERGENCY

LES

- 2024

AMENDING Ordinance No. 72-1994, which established Vacant Building Maintenance Fund 347 and identified revenue sources and permissible uses of the fund's resources, as subsequently amended by Ordinance Nos. 294-2007, 273-2012, 102-2017, and 436-2019, which cumulatively changed the name of the fund to Hazard Abatement Fund 347 and expanded the fund's revenue sources and permissible uses, to further expand the permissible revenue sources for Hazard Abatement Fund 347 to include federal, state, local, and private grant resources.

WHEREAS, on March 2, 1994, Council passed Ordinance No. 72-1994, which established Vacant Building Fund 347, directed gross vacant building maintenance license fees be deposited into Vacant Building Fund 347, and directed expenses for the administration of the vacant building licensing program be paid from Vacant Building Fund 347; and

WHEREAS, on August 1, 2007, Council passed Ordinance No. 294-2007, which amended Ordinance No. 72-1994 to change the name of "Vacant Building Maintenance Fund 347" to "Hazard Abatement Fund 347," expand permissible revenue sources to include recovered barricade and demolition costs, and expand the permissible uses of the fund's resources to include costs related to barricading and demolishing vacant buildings; and

WHEREAS, on June 26, 2012, Council passed Ordinance No. 273-2012, which amended Ordinance No. 294-2007 to identify Vacant Foreclosure Registration Program revenues as an additional revenue source for Hazard Abatement Fund 347 and expand the permissible uses of the fund's resources to include costs related to the Foreclosure Registration Program, which Council established by Ordinance No. 195-2012; and

WHEREAS, on May 17, 2017, Council passed Ordinance No. 102-2017, which further amended Ordinance No. 72-1994 to expand the permissible uses of the fund's resources to include costs related to receivership or nuisance abatement actions, or stabilizing buildings, walls, or other structures and/or land areas to minimize or prevent conditions that lead to unsafe and uninhabitable premises that have created or could create a public hazard or public nuisance; and

WHEREAS, on November 14, 2019, Council passed Ordinance No. 436-2019, which expanded the revenue sources and permissible uses of Hazard Abatement Fund 347 by directing that all fees and charges collected through the Residential Rental Registration program and Residential Rental Property Inspection Pilot program be deposited into the fund, and further expanded permissible uses of the fund's resources to include costs related to the Residential Rental Registration program and the Residential Rental Property Inspection Pilot program; and

WHEREAS, there is a need to further amend Ordinance No. 72-1994 to expand the fund's permissible revenue sources to include federal, state, local, and private grant resources; now, therefore,

{00396473-5}

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

Section 1. That Ordinance No. 72-1994, which established Vacant Building Maintenance Fund 347 and identified revenue sources and permissible uses of the fund's resources as subsequently amended by Ordinance Nos. 294-2007, 273-2012, 102-2017, and 436-2019, which cumulatively changed the name of the fund to Hazard Abatement Fund 347 and expanded the fund's revenue sources and permissible uses, is further amended to expand the permissible revenue sources for Fund 347 to include federal, state, local, and private grant resources.

Section 2. That in all other respects not inconsistent with the modifications provided for in this ordinance, Ordinance No. 72-1994 as drafted and subsequently amended by Ordinance Nos. 294-2007, 273-2012, 102-2017, and 436-2019, shall be and remain in full force and effect.

Section 3. 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 expand the permissible revenue sources for Hazard Abatement Fund 347 to include federal, state, local, and private grant resources in order to accept grant resources in a timely manner.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

February 7, 2024

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – Department of Buildings & Inspections: Ohio Department of Development (ODOD) Demolition and Site Revitalization Grant**

202400411

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate grant resources of up to \$615,000 from the Ohio Department of Development through the Hamilton County Land Reutilization Corporation to the Department of Buildings and Inspections Hazard Abatement Fund non-personnel operating budget account no. 347x212x7600 to reimburse the Department of Buildings and Inspections for building demolition and site revitalization projects; and **AUTHORIZING** the Director of Finance to deposit the grant resources into Hazard Abatement Fund 347 revenue account no. 347x8538.

Approval of this Emergency Ordinance would authorize the City Manager to accept and appropriate grant resources of up to \$615,000 from the Ohio Department of Development (ODOD) through the Hamilton County Land Reutilization Corporation to the Department of Buildings and Inspections Hazard Abatement Fund non-personnel operating budget account no. 347x212x7600 to reimburse the Department of Buildings and Inspections for building demolition and site revitalization projects. This Emergency Ordinance also authorizes the Finance Director to deposit the grant resources into Hazard Abatement Fund 347 revenue account no. 347x8538.

The Hamilton County Land Reutilization Corporation applied for the ODOD Demolition and Site Revitalization Grant in December 2021, and subsequently entered a Subrecipient Agreement with the Department of Buildings and Inspections to reimburse expenses of certain building demolition and site revitalization projects.

There are no new FTEs/full time equivalents or matching funds associated with the grant.

Utilizing grant resources to reimburse completed building demolition and site revitalization projects is in accordance with the “Sustain” goal to “[m]anage our financial resources” and strategy to “[s]pend public funds more strategically” as described on pages 199-205 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept the grant resources in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

KKF

- 2024

AUTHORIZING the City Manager to accept and appropriate grant resources of up to \$615,000 from the Ohio Department of Development through the Hamilton County Land Reutilization Corporation to the Department of Buildings and Inspections Hazard Abatement Fund non-personnel operating budget account no. 347x212x7600 to reimburse the Department of Buildings and Inspections for building demolition and site revitalization projects; and **AUTHORIZING** the Director of Finance to deposit the grant resources into Hazard Abatement Fund 347 revenue account no. 347x8538.

WHEREAS, the Hamilton County Land Utilization Corporation applied for the Demolition and Site Revitalization Grant in December 2021, and subsequently entered into a Subrecipient Agreement with the City of Cincinnati in November 2022 to reimburse the Department of Buildings and Inspections for building demolition and site revitalization projects as outlined in the original grant agreement; and

WHEREAS, no grant funds will be accepted without approval by Council; and

WHEREAS, this grant does not require matching funds, and there are no new FTEs/full time equivalents associated with this grant; and

WHEREAS, utilizing grant resources to reimburse completed building demolition and site revitalization projects is in accordance with the “Sustain” goal to “[m]anage our financial resources” and strategy to “[s]pend public funds more strategically” as described on pages 199-205 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 authorized to accept and appropriate grant resources of up to \$615,000 from the Ohio Department of Development through the Hamilton County Land Reutilization Corporation to the Department of Buildings and Inspections Hazard Abatement Fund non-personnel operating budget account no. 347x212x7600 to reimburse the Department of Buildings and Inspections for building demolition and site revitalization projects.

Section 2. That Council authorizes the Director of Finance to deposit the grant funds into Hazard Abatement Fund 347 revenue account no. 347x8538.

{00396695-9}

Section 3. That the proper City officials are authorized to do all things necessary and proper to comply with the terms of this grant and Sections 1 and 2.

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 accept the grant resources in a timely manner.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

February 7, 2024

202400417

To: Mayor and Members of City Council

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. 980x236x242385, “Streetcar Track 5 Extension – OTP2 Grant,” to provide resources for additional streetcar vehicle parking; **AUTHORIZING** the City Manager to accept a grant of up to \$975,000 from the Ohio Department of Transportation Ohio Transit Partnership Program (“OTP2”) (ALN 20.205) to provide resources for preventative maintenance, equipment, and facility and technology upgrades for the streetcar system; **AUTHORIZING** the appropriation of up to \$900,000 in OTP2 grant resources to newly established capital improvement program project account no. 980x236x242385, “Streetcar Track 5 Extension – OTP2 Grant”; **AUTHORIZING** the Director of Finance to deposit up to \$900,000 in OTP2 grant resources into capital improvement program project account no. 980x236x242385, “Streetcar Track 5 Extension – OTP2 Grant”; **AUTHORIZING** the appropriation of up to \$75,000 in OTP2 grant resources to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 to provide streetcar preventative maintenance support; **AUTHORIZING** the Director of Finance to deposit up to \$75,000 in OTP2 grant resources into Streetcar Operations Fund 455 revenue account no. 455x8554; **AUTHORIZING** the City Manager to accept and appropriate grant resources of up to \$272,136 from the Federal Transit Administration Urbanized Area Formula Funding (“FTA UAFF”) program (49 U.S.C. 5307) (ALN 20.507) to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 to provide resources for streetcar preventative maintenance support; **AUTHORIZING** the Director of Finance to deposit up to \$272,136 in FTA UAFF grant resources into Streetcar Operations Fund 455 revenue account no. 455x8554; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Approval of this Emergency Ordinance authorizes the following:

1. the establishment of capital improvement program project account no. 980x236x242385, “Streetcar Track 5 Extension – OTP2 Grant,” to provide resources for additional streetcar vehicle parking;
2. the City Manager to accept a grant of up to \$975,000 from the Ohio Department of Transportation Ohio Transit Partnership Program (“OTP2”) (ALN 20.205) to provide resources for preventative maintenance, equipment, and facility and technology upgrades for the streetcar system;
3. the City Manager to appropriate an amount up to \$900,000 in OTP2 grant resources to newly established capital improvement program project account no. 980x236x242385, “Streetcar Track 5 Extension – OTP2 Grant”;

4. the Director of Finance to deposit up to \$900,000 in OTP2 grant resources into capital improvement program project account no. 980x236x242385, “Streetcar Track 5 Extension – OTP2 Grant”;
5. the City Manager to appropriate up to \$75,000 in OTP2 grant resources to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 for the purpose of providing streetcar preventative maintenance support;
6. the Director of Finance to deposit up to \$75,000 in OTP2 grant resources into Streetcar Operations Fund 455 revenue account no. 455x8554;
7. the City Manager to accept and appropriate grant resources in an amount up to \$272,136 from the Federal Transit Administration Urbanized Area Formula Funding (“FTA UAFF”) program (49 U.S.C. 5307) (ALN 20.507) to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 to provide resources for streetcar preventative maintenance support;
8. the Director of Finance to deposit up to \$272,136 in FTA UAFF grant resources into Streetcar Operations Fund 455 revenue account no. 455x8554; and
9. the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

On June 14, 2023, the City Council approved Ordinance No. 0227-2023, which authorized the City Manager to apply for grant resources up to \$4,291,000 from the OTP2 to provide resources for preventative maintenance, equipment, and facility and technology upgrades for the streetcar system. The City was awarded OTP2 grant resources up to \$975,000, and City Council authorization is required to accept the grant resources.

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 resources currently available in Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 and which are anticipated to be offset by State of Ohio Transportation Development Credits. The FTA UAFF grant also requires a twenty percent local match, which will be met using resources currently available in Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200. No new FTEs/full time equivalents are required for either grant.

Utilizing OTP2 and FTA UAFF 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 page 129 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 2024 budget cycle.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

KKF

- 2024

ESTABLISHING new capital improvement program project account no. 980x236x242385, “Streetcar Track 5 Extension – OTP2 Grant,” to provide resources for additional streetcar vehicle parking; **AUTHORIZING** the City Manager to accept a grant of up to \$975,000 from the Ohio Department of Transportation Ohio Transit Partnership Program (“OTP2”) (ALN 20.205) to provide resources for preventative maintenance, equipment, and facility and technology upgrades for the streetcar system; **AUTHORIZING** the appropriation of up to \$900,000 in OTP2 grant resources to newly established capital improvement program project account no. 980x236x242385, “Streetcar Track 5 Extension – OTP2 Grant”; **AUTHORIZING** the Director of Finance to deposit up to \$900,000 in OTP2 grant resources into capital improvement program project account no. 980x236x242385, “Streetcar Track 5 Extension – OTP2 Grant”; **AUTHORIZING** the appropriation of up to \$75,000 in OTP2 grant resources to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 to provide streetcar preventative maintenance support; **AUTHORIZING** the Director of Finance to deposit up to \$75,000 in OTP2 grant resources into Streetcar Operations Fund 455 revenue account no. 455x8554; **AUTHORIZING** the City Manager to accept and appropriate grant resources of up to \$272,136 from the Federal Transit Administration Urbanized Area Formula Funding (“FTA UAFF”) program (49 U.S.C. 5307) (ALN 20.507) to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 to provide resources for streetcar preventative maintenance support; **AUTHORIZING** the Director of Finance to deposit up to \$272,136 in FTA UAFF grant resources into Streetcar Operations Fund 455 revenue account no. 455x8554; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

WHEREAS, on June 14, 2023, Council approved Ordinance No. 227-2023, which authorized the City Manager to apply for grant resources of up to \$4,291,000 from the Ohio Transit Partnership Program (“OTP2”) (ALN 20.205), awarded by the Ohio Department of Transportation, to provide resources for preventative maintenance, equipment, and facility and technology upgrades for the streetcar system; and

WHEREAS, the City was awarded OTP2 grant resources of up to \$975,000; and

WHEREAS, the Federal Transit Administration Urbanized Area Formula Funding (“FTA UAFF”) program (49 U.S.C. 5307) (ALN 20.507) 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 State of Ohio Transportation Development Credits; and

WHEREAS, the FTA UAFF grant also requires a twenty 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/full time equivalents associated with these grants; and

WHEREAS, utilizing OTP2 and FTA UAFF 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 page 129 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the Director of Finance is authorized to establish capital improvement program project account no. 980x236x242385, “Streetcar Track 5 Extension – OTP2 Grant,” to provide resources for additional streetcar vehicle parking.

Section 2. That the City Manager is authorized to accept grant resources of up to \$975,000 from the Ohio Department Transportation Ohio Transit Partnership Program (“OTP2”) (ALN 20.205) to provide resources for preventative maintenance, equipment, and facility and technology upgrades for the streetcar system.

Section 3. That the appropriation of up to \$900,000 in OTP2 grant resources to newly established capital improvement program project account no. 980x236x242385, “Streetcar Track 5 Extension – OTP2 Grant,” is authorized.

Section 4. That the Director of Finance is authorized to deposit up to \$900,000 in OTP2 grant resources into capital improvement program project account no. 980x236x242385, “Streetcar Track 5 Extension – OTP2 Grant.”

Section 5. That the appropriation of up to \$75,000 in OTP2 grant resources to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 to provide streetcar preventative maintenance support is authorized.

Section 6. That the Director of Finance is authorized to deposit up to \$75,000 in OTP2 grant resources into Streetcar Operations Fund 455 revenue account no. 455x8554.

Section 7. That the City Manager is authorized to accept and appropriate grant resources of up to \$272,136 from the Federal Transit Administration Urbanized Area Formula Funding (“FTA UAFF”) program (49 U.S.C. 5307) (ALN 20.507) to Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 to provide resources for streetcar preventative maintenance support.

Section 8. That the Director of Finance is authorized to deposit grant resources of up to \$272,136 from the FTA UAFF into Streetcar Operations Fund 455 revenue account no. 455x8554.

Section 9. That the City Manager is authorized to enter into any agreements necessary for the receipt and administration of these grant resources.

Section 10. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the grants and Sections 1 through 9.

Section 11. 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 2024 budget cycle.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

February 7, 2024

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202400414

**Subject: Ordinance – GCWW: Amending Ordinance No. 0182-2023 – OEPA
Lead Line Replacement Loan Funding**

Attached is an Ordinance captioned:

AMENDING Ordinance No. 182-2023 to add a schedule of water main and private lead service line branch-only replacement projects to be funded by Water Supply Revolving Loan Account loan funding from the Ohio Environmental Protection Agency and the Ohio Water Development Authority, including the Fairview, Graham, Probasco water main project.

Ordinance No. 0182-2023 authorized 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 \$10,000,000 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.

Ordinance No. 0182-2023 indicated that the loan funding will be used by Greater Cincinnati Water Works (“GCWW”), for numerous private lead service line replacements including the Apple, Cooper, Hanfield; Burch, East Hill, Shaw; Cappel, Carnation, Clearview, Hermosa; Carson, Del Monte, Fairbanks; CUF-McMicken, Tafel, Enslin; Fire Flow Collection; Hyde Park-Erie, Burch, Mooney; and McMillan, Wm. H. Taft, Auburn, Classen, Scioto, Dennis, Calhoun 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.

However, it has been determined that the Fairview, Graham, Probasco water main project should also have been included in Ordinance No. 0182-2023 as an intended recipient of the loan funding. Therefore, it is desirable to amend Ordinance No. 0182-2023 to add a schedule of approved water main projects, including the Fairview, Graham, Probasco water main project. The proposed projects to be funded are identified on the attached Schedule of Projects referenced as Attachment A.

The Administration recommends passage of this Ordinance.

cc: Cathy Bailey, GCWW, Executive Director
Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment

AMENDING Ordinance No. 182-2023 to add a schedule of water main and private lead service line branch-only replacement projects to be funded by Water Supply Revolving Loan Account loan funding from the Ohio Environmental Protection Agency and the Ohio Water Development Authority, including the Fairview, Graham, Probasco water main project.

WHEREAS, Ordinance No. 182-2023 authorized 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 \$10,000,000 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; and

WHEREAS, Ordinance No. 182-2023 indicated that the loan funding will be used by Greater Cincinnati Water Works (“GCWW”), for numerous private lead service line replacements including the Apple, Cooper, Hanfield; Burch, East Hill, Shaw; Cappel, Carnation, Clearview, Hermosa; Carson, Del Monte, Fairbanks; CUF-McMicken, Tafel, Enslin; Fire Flow Collection; Hyde Park-Erie, Burch, Mooney; and McMillan, Wm. H. Taft, Auburn, Classen, Scioto, Dennis, Calhoun 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, it has been determined that the Fairview, Graham, Probasco water main project should also have been included in Ordinance No. 182-2023 as a recipient of the loan funding; and

WHEREAS, it is desirable to amend Ordinance No. 182-2023 to include the Fairview, Graham, Probasco water main project as a funding recipient; now, therefore,

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

Section 1. That Section 1 of Ordinance 182-2023, approved by Council on June 1, 2023, is amended as follows:

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 \$10,000,000, comprised of up to \$5,300,000 in principal forgiveness and \$4,700,000 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. The proposed projects to be funded are identified on the attached Schedule of Projects attached hereto as Attachment A and incorporated by reference.

Section 2. That all terms of Ordinance 182-2023 not amended by this ordinance remain in full force and effect.

Section 3. That the proper City officials are hereby authorized to do all things necessary and proper to implement the provisions of Sections 1 and 2 of this ordinance.

Section 4. 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

New language underscored.

*SCHEDULE OF PROJECTS – OHIO WATER SUPPLY REVOLVING LOAN ACCOUNT
RECIPIENTS*

Project List

Water Main Replacement:

1. Apple, Cooper, Hanfield
2. Burch, East Hill, Shaw
3. Cappel, Carnation, Clearview, Hermosa
4. Carson, Del Monte, Fairbanks
5. CUF, McMicken, Tafel, Enslin
6. Fairview, Graham, Probasco
7. Fire Flow Collection
8. Hyde Park-Erie, Burch, Mooney
9. McMillan, Wm. H. Taft, Auburn, Classen, Scioto, Dennis, Calhoun

Private Lead Service Line Branch-Only Replacement:

1. Beech, Eighth, St. Lawrence
2. Jonathan, Ruth, Woodburn

February 7, 2024

To: Mayor and Members of City Council

202400415

From: Sheryl M. M. Long, City Manager

**Subject: Ordinance – GCWW: Amending Ordinance No. 0181-2023 – OEPA
Water Main Replacement Loan Funding**

Attached is an Ordinance captioned:

AMENDING Ordinance No. 181-2023 to add a schedule of water main projects to be funded by Water Supply Revolving Loan Account loan funding from the Ohio Environmental Protection Agency and the Ohio Water Development Authority, including the Fairview, Graham, Probasco water main project.

Ordinance No. 0181-2023 authorized 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 \$25,000,000 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.

Ordinance No. 0181-2023 indicated that the loan funding will be used by Greater Cincinnati Water Works (“GCWW”) for numerous water main projects, including the Apple, Cooper, Hanfield; Burch, East Hill, Shaw; Cappel, Carnation, Clearview, Hermosa; Carson, Del Monte, Fairbanks; CUF-McMicken, Tafel, Enslin; Fire Flow Collection; Hyde Park-Erie, Burch, Mooney; and McMillan, Wm. H. Taft, Auburn, Classen, Scioto, Dennis, Calhoun water main projects.

However, it has been determined that the Fairview, Graham, Probasco water main project should also have been included in Ordinance No. 0181-2023 as an intended recipient of the loan funding. Therefore, it is desirable to amend Ordinance No. 0181-2023 to add a schedule of approved water main projects, including the Fairview, Graham, Probasco water main project.

The proposed projects to be funded are identified on the attached Schedule of Projects referenced as Attachment A.

The Administration recommends passage of this Ordinance.

cc: Cathy Bailey, GCWW, Executive Director
Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment

AMENDING Ordinance No. 181-2023 to add a schedule of water main projects to be funded by Water Supply Revolving Loan Account loan funding from the Ohio Environmental Protection Agency and the Ohio Water Development Authority, including the Fairview, Graham, Probasco water main project.

WHEREAS, Ordinance No. 181-2023 authorized 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 \$25,000,000 from the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the purpose of providing resources for replacing aging water mains; and

WHEREAS, Ordinance No. 181-2023 indicated that the loan funding will be used by Greater Cincinnati Water Works (“GCWW”) for numerous water main projects, including the Apple, Cooper, Hanfield; Burch, East Hill, Shaw; Cappel, Carnation, Clearview, Hermosa; Carson, Del Monte, Fairbanks; CUF-McMicken, Tafel, Enslin; Fire Flow Collection; Hyde Park-Erie, Burch, Mooney; and McMillan, Wm. H. Taft, Auburn, Classen, Scioto, Dennis, Calhoun water main projects; and

WHEREAS, it has been determined that the Fairview, Graham, Probasco water main project should also have been included in Ordinance No. 181-2023 as an intended recipient of the loan funding; and

WHEREAS, it is desirable to amend Ordinance No. 181-2023 to add a schedule of approved water main projects, including the Fairview, Graham, Probasco water main project; now, therefore,

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

Section 1. That Section 1 of Ordinance No. 181-2023, approved by Council on June 1, 2023, is amended as follows:

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 \$25,000,000 from the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the purpose of replacing aging water mains. The proposed projects to be funded are identified on the attached Schedule of Projects attached hereto as Attachment A and incorporated by reference.

Section 2. That all terms of Ordinance No. 181-2023 not amended by this ordinance remain in full force and effect.

Section 3. That the proper City officials are hereby authorized to do all things necessary and proper to implement the provisions of Sections 1 and 2 of this ordinance.

Section 4. 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

New language underscored.

*SCHEDULE OF PROJECTS- OHIO WATER SUPPLY REVOLVING LOAN ACCOUNT
RECIPIENTS*

Project List

1. Apple, Cooper, Hanfield
2. Burch, East Hill, Shaw
3. Cappel, Carnation, Clearview, Hermosa
4. Carson, Del Monte, Fairbanks
5. CUF, McMicken, Tafel, Enslin
6. Fairview, Graham, Probasco
7. Fire Flow Collection
8. Hyde Park-Erie, Burch, Mooney
9. McMillan, Wm. H. Taft, Auburn, Classen, Scioto, Dennis, Calhoun

February 7, 2024

To: Mayor and Members of City Council

202400419

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – CRC: Cincinnati Recreation Foundation Summer Camp Scholarship Donation

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate a donation of \$70,190 from the Cincinnati Recreation Foundation to fund scholarships for participants enrolled in the Cincinnati Recreation Commission's summer day camp between June 5, 2023, and August 11, 2023; and **AUTHORIZING** the Director of Finance to deposit the donated resources into Recreation Special Activities Fund 323 revenue account no. 323x8571.

Approval of this Ordinance would authorize the City Manager to accept and appropriate a donation in the amount of \$70,190 from the Cincinnati Recreation Foundation to fund scholarships for participants enrolled in Cincinnati Recreation Commission (CRC) summer day camp programming between June 5, 2023 and August 11, 2023. This Ordinance further authorizes the Finance Director to deposit the donated funds into Recreation Special Activities Fund 323 revenue account no. 323x8571.

The Cincinnati Recreation Foundation graciously offered to donate \$70,190 to cover the cost of scholarships for 143 children who attended Cincinnati Recreation Commission summer day camp programming between the dates of June 5, 2023 and August 11, 2023. There are no new FTEs/full time equivalents or matching funds associated with this donation.

Acceptance of this donation is 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 209-212 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 appropriate a donation of \$70,190 from the Cincinnati Recreation Foundation to fund scholarships for participants enrolled in the Cincinnati Recreation Commission’s summer day camp between June 5, 2023, and August 11, 2023; and **AUTHORIZING** the Director of Finance to deposit the donated resources into Recreation Special Activities Fund 323 revenue account no. 323x8571.

WHEREAS, the Cincinnati Recreation Foundation graciously offered to donate \$70,190 to the City to cover the cost of scholarships for 143 children who attended the Cincinnati Recreation Commission’s summer day camp program between June 5, 2023, and August 11, 2023; and

WHEREAS, this donation amount is greater than the parameters established in Ordinance No. 317-2023 and requires discrete approval by Council; and

WHEREAS, acceptance of this donation requires no matching funds, and no FTEs/full time equivalents are associated with the donation; and

WHEREAS, acceptance of this donation is 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 209-212 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 authorized to accept and appropriate a donation of \$70,190 from the Cincinnati Recreation Foundation to fund scholarships to participants enrolled in the Cincinnati Recreation Commission’s summer day camp between June 5, 2023, and August 11, 2023.

Section 2. That the Director of Finance is authorized to deposit the donation of \$70,190 into Recreation Special Activities Fund 323 revenue account no. 323x8571.

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.

Section 4. 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

February 7, 2024

To: Mayor and Members of City Council 202400416

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – Citywide In-Kind Donation Authorization**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept donations of in-kind contributions from the Cincinnati business community, individual benefactors, and other appropriate sources valued individually at up to \$5,000 to support City of Cincinnati programming and services.

Approval of this Emergency Ordinance would authorize the City Manager to accept donations of in-kind contributions from the Cincinnati business community, individual benefactors, and other appropriate sources valued individually at up to \$5,000 to support City of Cincinnati programming and services.

City departments and their employees often receive small dollar-value in-kind donations from the community in support of various City programs and services. This Emergency Ordinance establishes a threshold under which City departments can accept in-kind donations without prior discrete City Council approval. In-kind donations individually valued above the established maximums, requests for the solicitation of donations, donations to be used for City capital improvements, and monetary donations of any value, except for those authorized by prior Ordinance No. 0317-2023, will be prepared as separate Ordinances for City Council approval.

Individual departments will track in-kind donations and provide quarterly reports to the City Manager and the City Council regarding donations received in accordance with the parameters of the ordinance.

The acceptance of in-kind donations pursuant to these parameters is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities” as described on pages 207 - 212 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept and track in-kind donations and promote administrative and legislative efficiencies.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

LES

- 2024

AUTHORIZING the City Manager to accept donations of in-kind contributions from the Cincinnati business community, individual benefactors, and other appropriate sources valued individually at up to \$5,000 to support City of Cincinnati programming and services.

WHEREAS, City departments and their employees often receive minor in-kind donations from the community in support of various City programs and services; and

WHEREAS, Council desires to establish parameters under which City departments may accept in-kind donations without prior discrete Council approval, which will promote administrative and legislative efficiencies; and

WHEREAS, City departments are authorized to accept donations of in-kind contributions from the Cincinnati business community, individual benefactors, and other appropriate sources valued individually at up to \$5,000 to support City programming and services; and

WHEREAS, Council will continue to approve discrete ordinances for in-kind donations individually valued above the established maximum, requests for the solicitation of donations, donations to be used for City capital improvements, and monetary donations of any value except for those authorized by Ordinance No. 317-2023; and

WHEREAS, individual departments will track in-kind donations and will provide reports on a quarterly basis to the City Manager and Council regarding in-kind donations received in accordance with the parameters established by this ordinance; and

WHEREAS, Ordinance No. 317-2023 authorizes the City Manager to accept donations of money and in-kind contributions from the Cincinnati Recreation Foundation valued individually at up to \$20,000 for the purpose of supporting Cincinnati Recreation Commission programming and services, and this citywide ordinance does not amend or supersede Ordinance No. 317-2023; and

WHEREAS, acceptance of in-kind donations pursuant to these parameters is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and 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 and employees of City departments are authorized to accept donations of in-kind contributions from the Cincinnati business community, individual

benefactors, and other appropriate sources valued individually at up to \$5,000 to support City programming and services, which will promote administrative and legislative efficiencies.

Section 2. That this ordinance does not amend or supersede Ordinance No. 317-2023, which authorizes the City Manager to accept donations of money and in-kind contributions from the Cincinnati Recreation Foundation valued individually at up to \$20,000 to support Cincinnati Recreation Commission programming and services.

Section 3. That the proper City officials are authorized to do all things necessary and proper to implement the provisions of Sections 1 and 2, including having the City Manager approve policies and procedures to implement this policy, such as determining appropriate in-kind donations and identifying appropriate sources of donations.

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 accept and track in-kind donations and promote administrative and legislative efficiencies.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

February 7, 2024

To: Mayor and Members of City Council

202400420

From: Sheryl M. M. Long, City Manager

**Subject: Emergency Ordinance – FY 2024 Capital Improvement Program (CIP)
Sunset**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the establishment of capital improvement program project account nos. 980x162x241603, “Strategic Housing Initiatives Program SHPIF,” to provide resources for property acquisition in support of future housing construction, the rehabilitation or new construction of market rate, workforce, and affordable rental and home ownership units, as well as permanent supportive housing; 980x164x241619, “Wellington Place & Glencoe ROW Improvements,” to provide resources for right of way improvements at the former Inwood/Glencoe Village complex; 980x203x242005, “Piatt Park Improvements,” to provide resources for improvements to lighting, pavers, water fountains, and other assets necessary to stabilize infrastructure located at Piatt Park; and 980x203x242006, “Sawyer Point Park Gateway,” to provide resources to design the restoration of the Sawyer Point Gateway and entrance area and to improve accessibility; **AUTHORIZING** the establishment of permanent improvement project account nos. 758x101x241046, “Conf. Room Furniture, Fixtures, & Equipment,” to provide resources for furniture, fixtures, and equipment necessary for technical improvements to conference room space including, but not limited to, Room 115 of City Hall; and 758x239x242353, “Renaissance Lot Adjacent Lighting,” to provide resources for the acquisition and installation of lighting adjacent to the Renaissance Parking Lot; **AUTHORIZING** the redirection of the total of \$100,181.03 in Cincinnati Board of Park Commissioners Private Endowment Funds from the various capital improvement program project accounts to the unappropriated surplus of Parks Private Endowment and Donations Fund 430 as follows: \$7,154.83 from 980x203x172010, “Ault Park Improvements”; \$574.03 from 980x203x182014, “Hauck Garden Improvements”; \$6,809.50 from 980x203x182010, “Mt. Airy Forest Improvements”; \$4,868.75 from 980x203x182012, “Mt. Echo Improvements”; and \$80,773.92 from 980x203x182013, “Piatt Park Improvements,” to close out or decrease certain existing capital improvement program project accounts; **AUTHORIZING** the redirection of the sum of \$85,040.29 in State of Ohio Capital Budget resources from capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion - State of

Ohio Capital,” to capital improvement program project account no. 980x203x202009, “Kyle Plush Pavilion,” to close out or decrease capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion - State of Ohio Capital”; **AUTHORIZING** the transfer and return to source of \$6,582,448.71 from various General Capital Budget capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section A of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$5,586,325.30 from the unappropriated surplus of various General Capital Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section B of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$829,820.53 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to new or existing permanent improvement project accounts to provide resources for certain permanent improvement project accounts according to Section C of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source of \$1,669,752.39 from various Restricted and Special Revenue Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section D of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$771,955.26 from the unappropriated surplus of various Restricted and Special Revenue Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section E of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source Funds 107 and 846 of \$5,778,675.77 from various Restricted Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section F of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$5,572,817.19 from the unappropriated surplus of Restricted Capital Funds 107 and 846 to existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section G of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$17,302.88 from the unappropriated surplus of the General Fund to the Cincinnati Recreation Commission’s non-personnel operating budget account no. 050x199x7300 for equipment needed to facilitate credit card transactions; and further **DECLARING** certain projects to be for a public purpose, all for the purpose of carrying out the Capital Improvement Program.

Approval of the annual Capital Sunset Ordinance would authorize the establishment of various new capital improvement program project accounts and permanent improvement project accounts as well as authorize various adjustments to the City’s Capital Improvement Program (CIP).

Section A of the attached Schedule of Transfer includes the return of \$6,582,448.71 to various General Capital Budget funding sources. Section B of the Schedule of Transfer authorizes the transfer of \$5,586,325.30 from various General Capital Budget funding sources to various new and existing capital improvement program project accounts. Section C of the Schedule of Transfer authorizes the transfer of \$829,820.53 from Income Tax Permanent Improvement Fund 758 to new or existing permanent improvement project accounts.

Section D of the attached Schedule of Transfer includes the return of \$1,669,752.39 to various Restricted and Special Revenue Funds Capital Budget sources. Section E authorizes the transfer of \$771,955.26 from various Restricted and Special Revenue Funds to various new and existing capital improvement program project accounts.

Section F of the Schedule of Transfer authorizes the return of \$5,778,675.77 to various Stormwater Capital Budget sources. Section G authorizes the transfer and appropriation of \$5,572,817.19 to various existing capital improvement program project accounts.

Schedule of Transfer – Section A

Section A of the attached Schedule of Transfer returns \$6,582,448.71 to various General Capital Budget sources. A significant portion of capital project resources returned to the various funding sources in Section A is no longer needed for their original intended purposes. Others project balances are returned to source to better align sources with uses.

1. The sum of \$5,586,325.30 will be reprogrammed to fulfill needs in other capital improvement program project accounts, as indicated in Schedule of Transfer – Section B.
2. The sum of \$829,820.53 will be reprogrammed to fulfill needs in other permanent improvement project accounts, as indicated in Schedule of Transfer – Section C.
3. The sum of \$17,302.88 in the unappropriated surplus of the General Fund will be appropriated to the Cincinnati Recreation Commission's non-personnel operating budget for the purpose of providing resources for equipment needed to facilitate credit card transactions, as indicated in Section 12 of the Emergency Ordinance.
4. The balance of \$149,000 is intended to remain in the unappropriated surplus of the General Fund as a source of reprogramming in the FY 2025 Capital Budget.

Schedule of Transfer – Section B

Section B of the Schedule of Transfer will transfer and appropriate \$5,586,325.30 from the unappropriated surplus of various General Capital Funds to new or existing capital improvement program project accounts.

1. A total of \$147,357.40 will be appropriated to the "Telephone System Upgrades" capital improvement program project account. These resources will be used by Enterprise Technology Solutions (ETS) to provide resources for a Voice over Internet Protocol (VoIP) system to replace legacy telephone systems which are no longer supported by the manufacturer.
2. \$39,000.00 will be appropriated to the "Lifecycle Asset Acquisition and Replacement" capital improvement program project account. ETS will use these resources for the procurement of information systems, personal computers, software, and related equipment, with an intent

to support the Department of Economic Inclusion (DEI) efforts for their wage enforcement efforts.

3. \$10,000.00 will be appropriated to the “Emergency Environmental Cleanup/UST” capital improvement program project account. The Office of Environment and Sustainability (OES) will use these resources for emergency environmental cleanup as needed. Frequently, this is related to clean up of fuel or chemical spills, abandoned chemical containers, or underground storage tanks (USTs) that are discovered in construction projects and require immediate actions. This effectively combines two same scope of work project accounts into a single account.
4. \$33,168.60 will be appropriated to the “Regulatory Compliance & Energy Conservation” capital improvement program project account. The Office of Environment and Sustainability will use these resources for achieving and maintaining compliance with environmental regulations, and conserving energy resources. This effectively combines two same scope of work project accounts into a single account.
5. \$35,000.00 will be appropriated to the “Income Tax Call Center and Recorder” capital improvement program project account. The Income Tax Division of the Department of Finance will use these resources for an Income Tax Call Center and Recorder system that contains automated call routing, live monitoring, more efficient handling of calls, and statistical reports detailing call activity and volume.
6. \$39,823.10 will be appropriated to the “DCED Property Improvements” capital improvement program project account. The Department of Community and Economic Development (DCED) will use these resources for permanent improvements to vacant buildings and properties controlled or previously controlled by the Department of Community & Economic Development.
7. \$93,847.06 will be appropriated to the newly established “Wellington Place & Glencoe ROW Improvements” capital improvement program project account to provide resources for right-of-way improvements at the former Inwood/Glencoe Village complex. This effectively moves this project scope of work from the Department of Transportation and Engineering (DOTE) to the Department of Community and Economic Development.
8. \$586,000.00 will be appropriated to the “Ohio River Trail West” capital improvement program project account. This is budget neutral and effectively swaps the type of Street Improvement Bond Fund between the “Ohio River Trail West” project account and the “Street Rehabilitation” project account to better align sources with uses.
9. \$587,808.51 will be appropriated to the “Street Rehabilitation” capital improvement program project account. As indicated above, this is part of a budget neutral adjustment to better align sources with uses. However, an available \$1,808.51 is also appropriated.
10. \$3,997,717.72 will be appropriated to the “City Facility Renovation and Repairs” capital improvement program project account. This includes \$3,421,569.51 from the “Replacement Facilities - Police District 5” project account to offset facility improvement costs incurred to accommodate Police District 5 staff moved to other facilities. An additional \$576,148.21 is also appropriated to provide resources for the continuation of ongoing repairs, alterations, and upgrades to City facilities such as those used by Police, Fire, and Public Services.
11. \$16,602.91 will be appropriated to the “Fleet Replacements” capital improvement program project account. The Department of Public Services (DPS) will use these resources for the

purchase of replacement automotive and motorized equipment for City agencies supported by the General Fund.

Schedule of Transfer – Section C

Section C of the Schedule of Transfer will transfer and appropriate \$829,820.53 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to various new or existing capital improvement program project accounts.

1. A total of \$25,000 will be appropriated to the “Cincinnati Financial System Upgrades” permanent improvement project account. These resources will be used by Enterprise Technology Solutions (ETS) to provide resources for the continued development of the Cincinnati Financial System (CFS). Project funding could include server replacement and could be used to address audit findings associated with disaster recovery and system backup. This would also include adding and updating Virtual VMware servers and updating the Webfocus reporting environment.
2. \$75,564.12 will be appropriated to the “Digital Services Enhancements” permanent improvement project account. These resources will be used by ETS to provide resources for the use of information technology to support government operations, engage citizens, and provide government services online. This project will also provide resources for new web development and execution of a strategy to deliver a first-class service based upon web best practices across other cities.
3. \$172,238.19 will be appropriated to the “CHRIS Upgrades and Enhancements” permanent improvement project account. These resources will be used by ETS to provide resources to enhance the Cincinnati Human Resources Information System (CHRIS) in order to streamline processes and eliminate paper transactions.
4. \$150,000 will be appropriated to the “Conf. Room Furniture, Fixtures, & Equipment” permanent improvement project account. These resources will be used by the City Manager’s Office for furniture, fixtures, and equipment necessary for technical improvements to conference room space including, but not limited to, Room 115 of City Hall.
5. \$135,018.22 will be appropriated to the “Neighborhood Business Property Holding” permanent improvement project account. These resources will be used by DCED for the rehabilitation and maintenance of City-owned properties and properties acquired by the Hamilton County Land Bank on behalf of the City by providing for necessary upkeep. This effectively combines project funding for “Neighborhood Business Property Holding” from prior year capital improvement program project accounts into a single permanent improvement project account.
6. \$260,000 will be appropriated to the “Sidewalk Repair Program” permanent improvement project account. This effectively combines project funding for “Sidewalk Repair Program” from a prior year capital improvement program project account into a single permanent improvement project account.
7. \$15,000 will be appropriated to the newly established “Renaissance Lot Adjacent Lighting” permanent improvement project account for the purpose of providing resources for the acquisition and installation of lighting adjacent to the Renaissance Parking Lot.

Schedule of Transfer – Section D

Section D of the Schedule of Transfer returns \$1,669,752.39 to various Restricted and Special Revenue Funds Capital Budget sources.

1. To better align sources with uses, the sum of \$353,000 from Fund 761 will be returned to source from the “Strategic Housing Initiatives Program (SHIP)” permanent improvement project account. This adjustment is budget neutral as the funding is appropriated to a new capital account “Strategic Housing Initiatives Program SHPIF,” as indicated in Schedule of Transfer – Section E.
2. The combined sum of \$68,271.46 from Funds 827, 486, 496, 498, 482, and 318 will be returned to source and remain available in the unappropriated surplus of each fund.
3. The amount of \$118,181.34 will be returned to source Fund 430 from the “Sawyer Point Park Gateway” capital improvement program project account. This adjustment is budget neutral as the funding is appropriated to a new capital improvement program project account “Sawyer Point Park Gateway,” as indicated in Schedule of Transfer – Section E.
4. The sum of \$1,045,259.30 from Fund 103 will be returned to source and remain available in the unappropriated surplus of the fund, less the \$220,000 appropriated to capital improvement program project account “Furniture, Fixtures, and Equipment,” as indicated in Schedule of Transfer – Section E.

This Emergency Ordinance would also authorize the sum of \$100,181.03 in donated resources from the Cincinnati Board of Park Commissioners Private Endowment Funds be redirected from various capital improvement program project accounts to the unappropriated surplus of Parks Private Endowment and Donations Fund 430, as indicated in Section 3 of the Emergency Ordinance. This allows for the appropriation of \$80,773.92 to the “Piatt Park Improvements” capital improvement program project account and the balance of \$19,407.11 to remain in the unappropriated surplus of Parks Private Endowment and Donations Fund 430.

This Emergency Ordinance would also authorize the sum of \$85,040.29 in State of Ohio Capital Budget resources be redirected from capital improvement program project account, “Stanbery Park Pavilion - State of Ohio Capital,” to capital improvement program project account “Kyle Plush Pavilion” to close out the “Stanbery Park Pavilion - State of Ohio Capital” capital improvement program project account, as indicated in Section 4 of the Emergency Ordinance. In turn, this allows for the sum of \$85,040.29 to be returned to the unappropriated surplus of Parks Private Endowment and Donations Fund 430, as indicated in Schedule of Transfer – Section D.

Schedule of Transfer – Section E

Section E of the Schedule of Transfer will transfer and appropriate \$771,955.26 from the unappropriated surplus of various Restricted and Special Revenue Funds to new or existing capital improvement program project accounts.

1. To better align sources with uses, the sum of \$353,000 will be appropriated to the “Strategic Housing Initiative Program” capital improvement program project account from Fund 761. DCED will use these resources for the purpose of providing resources for property acquisition in support of future housing construction, the rehabilitation or new construction

of market rate, workforce, and affordable rental and home ownership units, as well as permanent supportive housing.

2. \$80,773.92 will be appropriated to the newly established “Piatt Park Improvements” capital improvement program project account to provide resources for improvements to lighting, pavers, water fountains, and other assets necessary to stabilize infrastructure located at Piatt Park.
3. \$118,181.34 will be appropriated to the “Sawyer Point Park Gateway” capital improvement program project account for the purpose of providing resources to design the restoration of the Sawyer Point Gateway and entrance area and to improve accessibility.
4. \$220,000 will be appropriated to the “Furniture, Fixtures, and Equipment” capital improvement program project account to purchase furniture, fixtures, and equipment necessary to maintain a first-class Convention Center.

Schedule of Transfer – Sections F and G

Section F of the attached Schedule of Transfer returns \$5,778,675.77 to various Capital Budget sources to decrease certain Stormwater Management Utility (SMU) capital improvement program project accounts in order to better align sources with uses, as indicated in Schedule of Transfer – Section G. The transfers between Section F and Section G will result in a balance of \$205,858.58, which will remain in the unappropriated surplus of Stormwater Management Fund 107.

This Emergency Ordinance will declare certain projects to be for a public purpose.

Authorizing Capital Sunset activities is in accordance with the “Sustain” goal to “[m]anage our financial resources” as well as the strategies to “[b]etter coordinate our capital improvement spending” and “[s]pend public funds more strategically” as described on pages 199-205 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to provide resources for the Capital Improvement Program.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

AKS

- 2024

AUTHORIZING the establishment of capital improvement program project account nos. 980x162x241603, “Strategic Housing Initiatives Program SHPIF,” to provide resources for property acquisition in support of future housing construction, the rehabilitation or new construction of market rate, workforce, and affordable rental and home ownership units, as well as permanent supportive housing; 980x164x241619, “Wellington Place & Glencoe ROW Improvements,” to provide resources for right of way improvements at the former Inwood/Glencoe Village complex; 980x203x242005, “Piatt Park Improvements,” to provide resources for improvements to lighting, pavers, water fountains, and other assets necessary to stabilize infrastructure located at Piatt Park; and 980x203x242006, “Sawyer Point Park Gateway,” to provide resources to design the restoration of the Sawyer Point Gateway and entrance area and to improve accessibility; **AUTHORIZING** the establishment of permanent improvement project account nos. 758x101x241046, “Conf. Room Furniture, Fixtures, & Equipment,” to provide resources for furniture, fixtures, and equipment necessary for technical improvements to conference room space including, but not limited to, Room 115 of City Hall; and 758x239x242353, “Renaissance Lot Adjacent Lighting,” to provide resources for the acquisition and installation of lighting adjacent to the Renaissance Parking Lot; **AUTHORIZING** the redirection of a total of \$100,181.03 in Cincinnati Board of Park Commissioners Private Endowment Funds from the various capital improvement program project accounts to the unappropriated surplus of Parks Private Endowment and Donations Fund 430 as follows: \$7,154.83 from 980x203x172010, “Ault Park Improvements”; \$574.03 from 980x203x182014, “Hauck Garden Improvements”; \$6,809.50 from 980x203x182010, “Mt. Airy Forest Improvements”; \$4,868.75 from 980x203x182012, “Mt. Echo Improvements”; and \$80,773.92 from 980x203x182013, “Piatt Park Improvements,” to close out or decrease certain existing capital improvement program project accounts; **AUTHORIZING** the redirection of \$85,040.29 in State of Ohio Capital Budget resources from capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion - State of Ohio Capital,” to capital improvement program project account no. 980x203x202009, “Kyle Plush Pavilion,” to close out or decrease capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion - State of Ohio Capital”; **AUTHORIZING** the transfer and return to source of \$6,582,448.71 from various General Capital Budget capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section A of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$5,586,325.30 from the unappropriated surplus of various General Capital Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section B of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$829,820.53 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to new or existing permanent improvement project accounts to provide resources for certain permanent improvement project accounts according to Section C of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source of \$1,669,752.39 from various Restricted and Special Revenue Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project

accounts according to Section D of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$771,955.26 from the unappropriated surplus of various Restricted and Special Revenue Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section E of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source Funds 107 and 846 of \$5,778,675.77 from various Restricted Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section F of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$5,572,817.19 from the unappropriated surplus of Restricted Capital Funds 107 and 846 to existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section G of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$17,302.88 from the unappropriated surplus of the General Fund to the Cincinnati Recreation Commission's non-personnel operating budget account no. 050x199x7300 for equipment needed to facilitate credit card transactions; and further **DECLARING** certain projects to be for a public purpose, all for the purpose of carrying out the Capital Improvement Program.

WHEREAS, passage of this capital sunset ordinance will allow the Administration to provide resources for the Capital Improvement Program, to provide resources for certain capital improvement program projects, to close out or decrease certain existing capital improvement program project accounts, to transfer and return to source certain funds, and to transfer and appropriate certain funds; and

WHEREAS, authorizing Capital Sunset activities is in accordance with the "Sustain" goal to "[m]anage our financial resources" as well as the strategies to "[b]etter coordinate our capital improvement spending" and "[s]pend public funds more strategically" as described on pages 199-205 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the Director of Finance is authorized to establish capital improvement program project account nos. 980x162x241603, "Strategic Housing Initiatives Program SHPIF," to provide resources for property acquisition in support of future housing construction, the rehabilitation or new construction of market rate, workforce, and affordable rental and home ownership units, as well as permanent supportive housing; 980x164x241619, "Wellington Place & Glencoe ROW Improvements," to provide resources for right of way improvements at the former Inwood/Glencoe Village complex; 980x203x242005, "Piatt Park Improvements," to provide resources for improvements to lighting, pavers, water fountains, and other assets necessary to stabilize infrastructure located at Piatt Park; and 980x203x242006, "Sawyer Point Park

Gateway,” to provide resources to design the restoration of the Sawyer Point Gateway and entrance area and to improve accessibility.

Section 2. That the Director of Finance is authorized to establish permanent improvement project account nos. 758x101x241046, “Conf. Room Furniture, Fixtures, & Equipment,” to provide resources for furniture, fixtures, and equipment necessary for technical improvements to conference room space including, but not limited to, Room 115 of City Hall; and 758x239x242353, “Renaissance Lot Adjacent Lighting,” to provide resources for the acquisition and installation of lighting adjacent to the Renaissance Parking Lot.

Section 3. That a total of \$100,181.03 in donated resources from the Cincinnati Board of Park Commissioners Private Endowment Funds is redirected from various capital improvement program project accounts to the unappropriated surplus of Parks Private Endowment and Donations Fund 430 as follows: \$7,154.83 from 980x203x172010, “Ault Park Improvements”; \$574.03 from 980x203x182014, “Hauck Garden Improvements”; \$6,809.50 from 980x203x182010, “Mt. Airy Forest Improvements”; \$4,868.75 from 980x203x182012, “Mt. Echo Improvements”; and \$80,773.92 from 980x203x182013, “Piatt Park Improvements,” to close out or decrease certain existing capital improvement program project accounts.

Section 4. That \$85,040.29 in State of Ohio Capital Budget resources is redirected from capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion - State of Ohio Capital,” to capital improvement program project account no. 980x203x 202009, “Kyle Plush Pavilion,” to close out or decrease capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion - State of Ohio Capital.”

Section 5. That \$6,582,448.71 is transferred and returned to source from various General Capital Budget capital improvement program project accounts to close out or decrease certain

existing capital improvement program project accounts according to Section A of the attached Schedule of Transfer.

Section 6. That \$5,586,325.30 is transferred and appropriated from the unappropriated surplus of various General Capital Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section B of the attached Schedule of Transfer.

Section 7. That \$829,820.53 is transferred and appropriated from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to new or existing permanent improvement project accounts to provide resources for certain permanent improvement project accounts listed in Schedule C of the attached Schedule of Transfer.

Section 8. That \$1,669,752.39 is transferred and returned to source from various Restricted and Special Revenue Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section D of the attached Schedule of Transfer.

Section 9. That \$771,955.26 is transferred and appropriated from the unappropriated surplus of various Restricted and Special Revenue Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section E of the attached Schedule of Transfer.

Section 10. That the sum of \$5,778,675.77 is hereby transferred and returned to source Funds 107 and 846 from various Restricted Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section F of the attached Schedule of Transfer.

Section 11. That \$5,572,817.19 is transferred and appropriated from the unappropriated surplus of Restricted Funds 107 and 846 to existing capital improvement program project accounts

to provide resources for certain capital improvement program project accounts according to Section G of the attached Schedule of Transfer

Section 12. That \$17,302.88 is transferred and appropriated from the unappropriated surplus of General Fund to the Cincinnati Recreation Commission's non-personnel operating budget account no. 050x199x7300 to provide resources for equipment needed to facilitate credit card transactions.

Section 13. That Council declares that the "Wellington Place & Glencoe ROW Improvements" and the "Strategic Housing Initiatives Program SHPIF" capital improvement program projects serve a public purpose because the projects will foster local improvements and investment and increase neighborhood vitality.

Section 14. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 13 hereof.

Section 15. 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 provide resources for the Capital Improvement Program.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Return to Source: \$6,582,448.71

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM NUMBER: DESCRIPTION		PROJECT OR FUND TO BE TRANSFERRED TO NUMBER: DESCRIPTION	TOTAL BUDGETED COST ALL FUNDS		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
				PRIOR	REVISED	
ETS 091	190924 Automatic Vehicle Location System	050	General Fund	133,500.00	32,585.10	100,914.90
	220914 CHRIS Upgrades and Enhancements	758	Income Tax Permanent Improvement Fund	193,382.00	28,683.81	164,698.19
	220904 Cincinnati Financial System Upgrades	758	Income Tax Permanent Improvement Fund	25,000.00	0.00	25,000.00
	220922 City Website Closed Captioning	758	Income Tax Permanent Improvement Fund	15,000.00	0.00	15,000.00
	210909 Digital Services Enhancements	758	Income Tax Permanent Improvement Fund	31,000.00	21,436.73	9,563.27
	220909 Digital Services Enhancements	758	Income Tax Permanent Improvement Fund	63,000.85	0.00	63,000.85
	180902 Information Technology Enhancements	864	Automotive and Other Equipment Bond Fund	755,664.00	739,061.09	16,602.91
	170901 MAN-SONET System Replacement	758	Income Tax Permanent Improvement Fund	3,649,694.50	3,646,939.50	2,755.00
	210913 Telephone System Upgrades	758	Income Tax Permanent Improvement Fund	133,000.00	5,443.60	127,556.40
	200916 Vendor Self Service 4.0 Upgrade	758	Income Tax Permanent Improvement Fund	350,000.00	330,199.00	19,801.00
City Manager 101	231036 Communication Equipment – GFCO	050	General Fund	500,000.00	350,000.00	150,000.00
Office of the City Manager Environment & Sustainability 104	211012 Emergency Environmental Cleanup/UST	758	Income Tax Permanent Improvement Fund	10,000.00	0.00	10,000.00
	211001 Regulatory Compliance & Energy Conservation	758	Income Tax Permanent Improvement Fund	35,000.00	1,831.40	33,168.60
Office of the City Manager Performance & Data Analytics 108	191016 Enterprise Data Warehouse	758	Income Tax Permanent Improvement Fund	53,296.72	52,796.72	500.00
	211016 Enterprise Data Warehouse	758	Income Tax Permanent Improvement Fund	31,000.00	0.00	31,000.00
	221016 Enterprise Data Warehouse	758	Income Tax Permanent Improvement Fund	32,000.00	0.00	32,000.00
Finance Income Tax 136	191305 Call Center - Telephone Recording System	758	Income Tax Permanent Improvement Fund	35,000.00	0.00	35,000.00
Community & Economic Dev. Administration 161	201613 Project Management System	758	Income Tax Permanent Improvement Fund	40,000.00	34,500.00	5,500.00
Community & Economic Dev. Housing Development 162	201641 Electrical Substation Screening	758	Income Tax Permanent Improvement Fund	30,000.00	16,756.33	13,243.67
Community & Economic Dev. Economic Development 164	221608 Neighborhood Business Property Holding	758	Income Tax Permanent Improvement Fund	150,000.00	64,981.78	85,018.22
	231608 Neighborhood Business Property Holding	758	Income Tax Permanent Improvement Fund	50,000.00	0.00	50,000.00
	191642 Oakley Eastern Gateway	757	Miscellaneous Permanent Improvement Fund	1,890,000.00	1,850,243.52	39,756.48
Recreation Support Services 199	191918 Recreation and Facility Management Software System	758	Income Tax Permanent Improvement Fund	223,000.00	205,697.12	17,302.88

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM		PROJECT OR FUND TO BE TRANSFERRED TO		TOTAL BUDGETED COST ALL FUNDS		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
	NUMBER:	DESCRIPTION	NUMBER:	DESCRIPTION	PRIOR	REVISED	
Transportation & Engineering Planning 232	222331	Paddock Road Murals	858	Street Improvement Bond Fund	10,000.00	8,191.49	1,808.51
	232302	Sidewalk Repair Program	758	Income Tax - Permanent Improvement Fund	260,000.00	0.00	260,000.00
	192349	The Banks 2018	757	Miscellaneous Permanent Improvement Fund	112,214.96	112,148.34	66.62
Transportation & Engineering Engineering 233	202397	Ohio River Trail West	858	Street Improvement Bond Fund	786,000.00	200,000.00	586,000.00
	232308	Street Rehabilitation	870	Street Improvement Bond Fund	21,137,000.00	20,551,000.00	586,000.00
	212310	SCIP Loan Repayment	758	Income Tax - Permanent Improvement Fund	325,313.12	296,563.12	28,750.00
	222310	SCIP Loan Repayment	758	Income Tax - Permanent Improvement Fund	175,779.23	0.00	175,779.23
	182345	Wellington Place & Glencoe ROW Improvements	757	Miscellaneous Permanent Improvement Fund	107,069.04	13,221.98	93,847.06
Enterprise Services Convention Center 243	212419	Convention Center Improvements	861	Public Building Improvement Bond Fund	500,000.00	458,187.80	41,812.20
	222419	Convention Center Improvements	758	Income Tax Permanent Improvement Fund	100,000.00	0.00	100,000.00
Public Services CFM 255	222545	CCA Office Facilities Renovation and Repairs	050	General Fund	200,000.00	199,566.79	433.21
	222504	Community Facility Improvements - Art Museum	758	Income Tax Permanent Improvement Fund	200,000.00	0.00	200,000.00
	212518	Replacement Facilities - Police District 5	861	Public Building Improvement Fund	3,500,000.00	78,430.49	3,421,569.51
Economic Inclusion 281	212801	Wage Enforcement Management System	758	Income Tax Permanent Improvement Fund	39,000.00	0.00	39,000.00

Transfer and Appropriation: \$5,586,325.30

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM NUMBER: DESCRIPTION		PROJECT OR FUND TO BE TRANSFERRED TO NUMBER: DESCRIPTION		TOTAL BUDGETED COST ALL FUNDS PRIOR REVISED		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
ETS 091	758	Income Tax Permanent Improvement Fund	240913	Telephone System Upgrades	206,000.00	353,357.40	147,357.40
	758	Income Tax Permanent Improvement Fund	240918	Lifecycle Asset Acquisition and Replacement	951,000.00	990,000.00	39,000.00
Office of the City Manager Environment & Sustainability 104	758	Income Tax Permanent Improvement Fund	221012	Emergency Environmental Cleanup/UST	10,000.00	20,000.00	10,000.00
	758	Income Tax Permanent Improvement Fund	221001	Regulatory Compliance & Energy Conservation	35,000.00	68,168.60	33,168.60
Finance Income Tax 136	758	Income Tax Permanent Improvement Fund	231301	Income Tax Call Center and Recorder	100,000.00	135,000.00	35,000.00
Community & Economic Dev. Housing Development 162	757	Miscellaneous Permanent Improvement Fund	221641	DCED Property Improvements	68,520.98	108,344.08	39,823.10
Community & Economic Dev. Economic Development 164	757	Miscellaneous Permanent Improvement Fund	241619	Wellington Place & Glencoe ROW Improvements	0.00	93,847.06	93,847.06
Transportation & Engineering Engineering 233	870	Street Improvement Bond Fund	202397	Ohio River Trail West	200,000.00	786,000.00	586,000.00
	858	Street Improvement Bond Fund	232308	Street Rehabilitation	20,551,000.00	21,138,808.51	587,808.51
Public Services - CFM 255	861	Public Building Improvement Fund	232500	City Facility Renovation and Repairs	2,127,000.00	5,590,381.71	3,463,381.71
	050	General Fund	242500	City Facility Renovation and Repairs	4,683,000.00	4,768,045.23	85,045.23
	758	Income Tax Permanent Improvement Fund	242500	City Facility Renovation and Repairs	4,768,045.23	5,217,336.01	449,290.78
Motorized Equipment 981	864	Automotive and Other Equipment Bond Fund	232505	Fleet Replacements	5,820,508.00	5,837,110.91	16,602.91

Section C.
Permanent Improvements

SCHEDULE OF TRANSFER

Transfer and Appropriation: \$829,820.53

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM NUMBER: DESCRIPTION		PROJECT OR FUND TO BE TRANSFERRED TO NUMBER: DESCRIPTION		TOTAL BUDGETED COST ALL FUNDS PRIOR REVISED		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
ETS 091	758	Income Tax Permanent Improvement Fund	240904	Cincinnati Financial System Upgrades	10,000.00	35,000.00	25,000.00
	758	Income Tax Permanent Improvement Fund	240909	Digital Services Enhancements	37,000.00	109,564.12	72,564.12
	758	Income Tax Permanent Improvement Fund	240914	CHRIS Upgrade and Enhancements	1,750,000.00	1,922,238.19	172,238.19
City Manager 101	758	Income Tax Permanent Improvement Fund	241046	Conf. Room Furniture, Fixtures, & Equipment	0.00	150,000.00	150,000.00
Community & Economic Dev. Economic Development 164	758	Income Tax Permanent Improvement Fund	241608	Neighborhood Business Property Holding	51,000.00	186,018.22	135,018.22
Transportation & Engineering Planning 232	758	Income Tax Permanent Improvement Fund	242302	Sidewalk Repair Program	265,000.00	525,000.00	260,000.00
Transportation & Engineering Traffic Engineering 239	758	Income Tax Permanent Improvement Fund	242353	Renaissance Lot Adjacent Lighting	0.00	15,000.00	15,000.00

Section D.
Restricted Capital

SCHEDULE OF TRANSFER

Page 4 of 5

Return to Source: \$1,669,752.39

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM NUMBER: DESCRIPTION		PROJECT OR FUND TO BE TRANSFERRED TO NUMBER: DESCRIPTION		TOTAL BUDGETED COST ALL FUNDS PRIOR REVISED		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
Community & Economic Dev. Housing Development 162	241602	Strategic Housing Initiatives Program (SHIP)	761	Special Housing Permanent Improvement Fund	750,000.00	397,000.00	353,000.00
Community & Economic Dev. Economic Development 164	171613	4th and Race Garage	827	Parking Facilities Bond Fund	2,534,600.00	2,534,599.99	0.01
	171680	Evanston - Woodburn Ave Streetscape TIF	486	East Walnut Hills Equivalent Fund	1,450,360.26	1,430,941.00	19,419.26
	181675	Harrison Ave. NBD Streetscape Improvement	496	Westwood 1 Equivalent Fund	115,000.00	114,131.53	868.47
	211631	Madison & Whetsel Phase IIB Public Improvements	498	Madisonville Equivalent Fund	950,000.00	918,074.98	31,925.02
	191636	OTR Streetscape and Public Infrastructure TIF	482	Downtown/OTR West Equivalent Fund	1,850,000.00	1,849,999.99	0.01
Parks Administration and Program 203	162016	Yeatman's Cove Walkway Improvements	318	Sawyer Point	850,000.00	833,941.31	16,058.69
	202009	Kyle Plush Pavilion	430	Parks Private Endowments & Donations	195,000.00	109,959.71	85,040.29
	202006	Sawyer Point Park Gateway	430	Parks Private Endowments & Donations	229,510.00	111,328.66	118,181.34
Enterprise Services Duke Convention Center 243	212403	Building Equipment	103	Convention Center Fund	717,208.97	318,997.16	398,211.81
	222403	Building Equipment	103	Convention Center Fund	150,000.00	0.00	150,000.00
	192401	Capital Maintenance	103	Convention Center Fund	244,758.47	37,277.00	207,481.47
	212401	Capital Maintenance	103	Convention Center Fund	219,566.02	0.00	219,566.02
	222401	Capital Maintenance	103	Convention Center Fund	70,000.00	0.00	70,000.00

Section E.
Restricted Capital

SCHEDULE OF TRANSFER

Transfer and Appropriation: \$771,955.26

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM NUMBER: DESCRIPTION		PROJECT OR FUND TO BE TRANSFERRED TO NUMBER: DESCRIPTION		TOTAL BUDGETED COST ALL FUNDS PRIOR REVISED		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
Community & Economic Dev. Housing Development 162	761	Special Housing Permanent Improvement Fund	241603	Strategic Housing Initiatives Program SHPIF	0.00	353,000.00	353,000.00
Parks Admin and Program Services 203	430	Parks Private Endowments & Donations	242005	Piatt Park Improvements	0.00	80,773.92	80,773.92
	430	Parks Private Endowments & Donations	242006	Sawyer Point Park Gateway	0.00	118,181.34	118,181.34
Enterprise Services Duke Convention Center 243	103	Convention Center Fund	222402	Furniture, Fixtures, and Equipment	10,000.00	230,000.00	220,000.00

Return to Source: \$5,778,675.77

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM		PROJECT OR FUND TO BE TRANSFERRED TO		TOTAL BUDGETED COST ALL FUNDS		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
	NUMBER:	DESCRIPTION	NUMBER:	DESCRIPTION	PRIOR	REVISED	
Stormwater Management 311	184182	Barrier Dam Electrical Safety Improvements	846	Stormwater Improvement Fund	260,669.00	224,969.00	35,700.00
	214121	Barrier Dam Motor Hydraulic Cylinder Rebuild	846	Stormwater Improvement Fund	633,000.00	457,494.00	175,506.00
	204142	Barrier Dam Silt Reduction	107	Stormwater Management Fund	200,000.00	124,746.00	75,254.00
	214102	CCTV Camera	107	Stormwater Management Fund	50,000.00	33,459.88	16,540.12
	224124	Cincinnati Local Flood Protection Project	107	Stormwater Management Fund	569,568.49	435,000.00	134,568.49
	224124	Cincinnati Local Flood Protection Project	846	Stormwater Improvement Fund	435,000.00	0.00	435,000.00
	234124	Cincinnati Local Flood Protection Project	107	Stormwater Management Fund	2,256,240.79	0.00	2,256,240.79
	214145	Flood Mitigation Program	107	Stormwater Management Fund	1,573,493.45	1,000,000.00	573,493.45
	214145	Flood Mitigation Program	846	Stormwater Improvement Fund	1,000,000.00	665,775.35	334,224.65
	234145	Flood Mitigation Program	107	Stormwater Management Fund	1,000,000.00	0.00	1,000,000.00
	224137	Stormwater Infrastructure Rehabilitation	107	Stormwater Management Fund	3,142,148.27	2,400,000.00	742,148.27

Transfer and Appropriation: \$5,572,817.19

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM		PROJECT OR FUND TO BE TRANSFERRED TO		TOTAL BUDGETED COST ALL FUNDS		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
	NUMBER:	DESCRIPTION	NUMBER:	DESCRIPTION	PRIOR	REVISED	
Stormwater Management 311	846	Stormwater Improvement Fund	184185	Stormwater Infrastructure Rehabilitation	3,481,175.73	3,516,875.73	35,700.00
	846	Stormwater Improvement Fund	214137	Stormwater Infrastructure Rehabilitation	4,430,000.00	4,939,730.65	509,730.65
	107	Stormwater Management Fund	224143	Linear Asset Condition Assessment	1,200,000.00	3,200,000.00	2,000,000.00
	846	Stormwater Improvement Fund	224137	Stormwater Infrastructure Rehabilitation	2,400,000.00	2,835,000.00	435,000.00
	107	Stormwater Management Fund	234137	Stormwater Infrastructure Rehabilitation	407,613.46	3,000,000.00	2,592,386.54

February 7, 2024

To: Mayor and Members of City Council

202400401

From: Sheryl M. M. Long, City Manager

Subject: Finance and Budget Monitoring Report for the Period Ending November 30, 2023

The purpose of this report is to provide the City Council with the status of the City's Fiscal Year (FY) 2024 financial and operating budget conditions as of November 30, 2023, to note any significant variances, identify potential budget issues, and provide recommendations. The report is divided into two sections: revenues and expenditures. Various supplemental reports are attached to reflect forecasted revenue, actual revenue, expenditures, and commitments through November 30, 2023.

The following Citywide issues may impact the General Fund 050, Special Revenue Funds, and Enterprise Funds.

1. General Fund revenues are greater than projected by \$9.6 million through the end of November. However, this report highlights increased potential expenditure needs in the amount of \$6.4 million.
2. Overtime in the Cincinnati Fire Department (CFD) and the Cincinnati Police Department (CPD) is currently outpacing the budget. In CFD, the increased overtime is primarily driven by the increased attrition experienced over the past several years. The department is required to use overtime to backfill the vacant positions. The graduation of Recruit Class #121 is expected to reduce overtime usage starting in late fall 2023. If overtime trends do not curtail, the CFD projects a need of up to \$2.7 million by fiscal year end due to increased overtime. In CPD, the increased overtime is primarily due to Police Visibility Overtime (PVO) related to Downtown Event Deployment to curb violence and for large public events such as Oktoberfest Zinzinnati, FC Cincinnati soccer games, and Cincinnati Bengals home football games. If overtime trends do not curtail, CPD projects a need of up to \$2.8 million by fiscal year end due to increased overtime. Due to the seasonality of these events, overtime is expected to reduce in the second half of the fiscal year.
3. The Approved FY 2024 Budget includes a 2.0% wage increase for sworn International Association of Fire Fighters (IAFF) employees and sworn

Fraternal Order of Police (FOP) employees. The collective bargaining agreement with IAFF expires in December 2023 and negotiations will begin shortly. Negotiations with the FOP are expected to begin closer to their contract's expiration date in May 2024. Any agreements that exceed budgeted wage increase amounts, or any agreements that provide additional wage item increases, may result in a budget deficit. If necessary, supplemental appropriations may be required.

4. The Parking Meter Fund continues to face a structural imbalance with expenditures budgeted to exceed revenues. The City Administration is currently exploring opportunities for revenue enhancements and expense efficiencies, which may improve the fund's outlook. The fund will be monitored closely to ensure a positive fund balance is maintained.
5. The lasting impacts of the COVID-19 pandemic continue to impact supply chains. While fleet acquisition has improved over the last year, it still has not returned to pre-pandemic levels due to the shortage of vehicle parts and semiconductor chips. Fleet repairs continue to be difficult and more expensive in certain cases. Compounded with the delays in acquisition, Fleet Services may experience increased repair costs as older vehicles will remain in service for a longer than anticipated period. These issues will be monitored closely for budgetary and operational impacts.

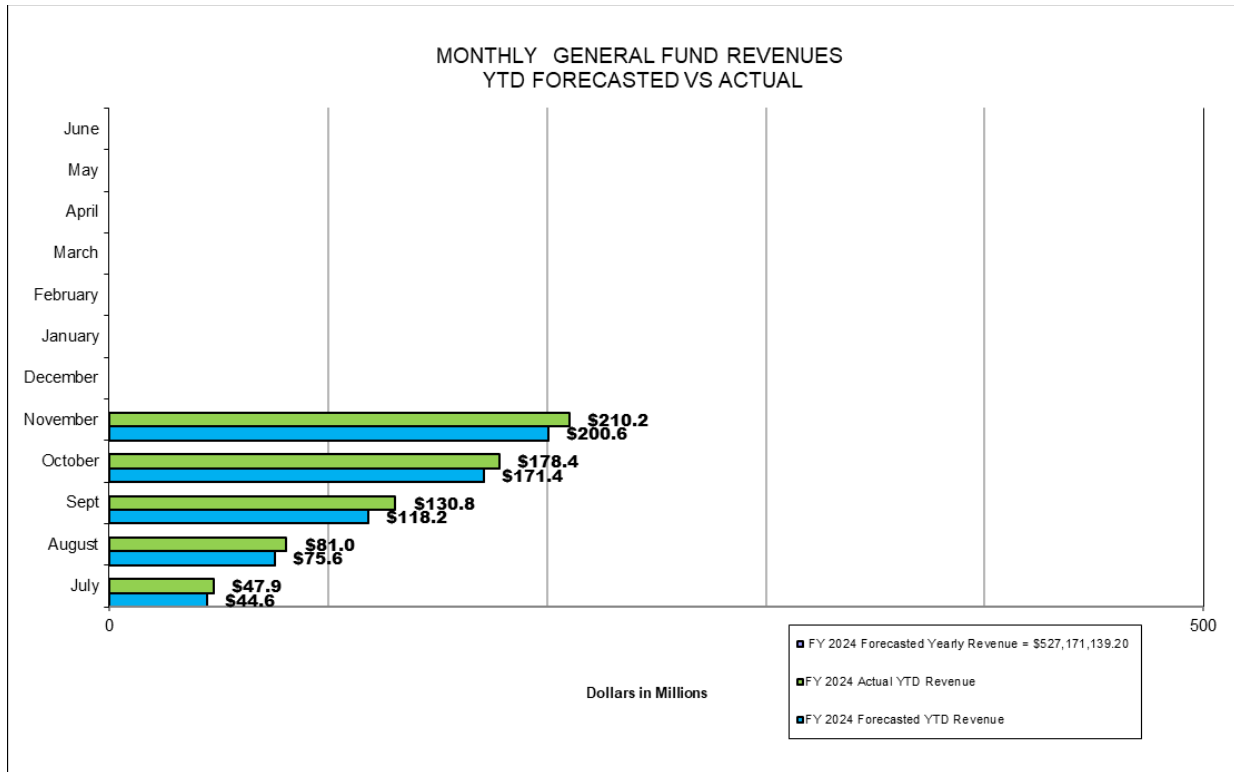
REVENUE

The following report provides an update on the City of Cincinnati's financial condition as of the month ending November 30, 2023. Variances are based on current year estimates and prior year activity in attached schedules.

A more detailed explanation of revenues is attached for review, including reports comparing current year actual revenue versus forecasted revenue and prior year actual revenue versus current year actual revenue. Both of those reports are presented on a monthly and year-to-date basis.

I. GENERAL FUND 050

The chart below portrays the performance of actual revenue collected against the forecasted revenue collected through November 30, 2023, and shows that actual revenue of \$210.2 million was above forecasted revenue of \$200.6 million by \$9.6 million.



The major revenue components of the General Fund are listed in the table below. This table highlights the year-to-date variance (favorable and unfavorable) in General Fund revenue collections as compared to forecasted revenue collections. Each major category that differs significantly from forecasted collections will be discussed in further detail.

GENERAL FUND REVENUE SOURCES		
	FAVORABLE VARIANCE	(UNFAVORABLE) VARIANCE
General Property Tax		(\$954,293)
City Income Tax	7,538,667	
Admissions Tax	2,149,063	
Short Term Rental Excise Tax	489,757	
Licenses & Permits		(\$831,681)
Fines, Forfeitures, & Penalties		(\$1,060,089)
Investment Income	1,923,265	
Local Government	399,615	
Casino	163,074	
Police	794,874	
Buildings and Inspections		(\$228,980)
Fire	721,365	
Parking Meter	53	
Other		(\$1,461,878)
	14,179,734	(\$4,536,921)
Difference	9,642,813	

General Fund (favorable variance) is \$9.6 million above the amount forecasted through November in the FY 2024 Budget. This is the fifth month's report for the new fiscal year. What follows is an explanation of significant variances of individual General Fund revenue components.

- 1. Property Tax (unfavorable variance) is \$954k** below estimate due to the decrease in property values for this half. The millage for the second half is set at a higher rate and values were increased by the County Auditor, which will offset this unfavorable variance. It is anticipated that Property Tax revenue will be on target at year end. This is a semi-annual payment. The second payment will be received in late spring.
- 2. Income Tax (favorable variance) is \$7.5 million** above the forecasted amount. Income Tax revenue was not projected to increase in FY 2024; however, in the first quarter there was a slight increase in withholdings and some higher than projected net profits for companies. The Finance Department will continue to closely monitor this category.
- 3. Admission Tax (favorable variance) is \$2.1 million** above estimate. Revenue from summer concerts and larger attendance for baseball games contributed to the positive variance in this category.

4. **Licenses & Permits (unfavorable variance) is \$831k** below the forecasted amount. General Building and HVAC permits are trending lower than estimated. The Finance Department will work with the Building and Inspections Department to monitor these categories in the coming months.
5. **Fines, Forfeitures and Penalties (unfavorable variance) is down \$1 million.** Each of these revenue sources are trailing estimates. As it is early in the fiscal year, this category will be watched very closely.
6. **Investment Income (favorable variance) is \$1.9 million** above the forecasted amount. A stronger than expected economy has resulted in higher interest rates than originally estimated.
7. **Police (favorable variance) is up \$795k.** A backlog of impounded vehicles was released for sale, there has been an increase in details, and a large payment from prior year charges was received this year. These events were not factored into the current year estimates so this category should finish the year ahead of forecast.
8. **Fire (favorable variance) is \$721k** above the forecasted amount. An above average number of runs are being performed by the Fire Department resulting in this variance.
9. **Other (unfavorable variance) is \$1.5 million** below forecast. Due to the large number of revenue sources in this category and their fluctuations, the Finance Department will monitor these closely.

II. RESTRICTED FUNDS

- A. **Parking System Facilities (favorable variance) is \$722k** above estimate. This is attributed to the parking for a large weekend concert that was held in the summer. This category is projected to finish the year over estimate.
- B. **Community Health Centers (unfavorable variance) is \$3.2 million** below the forecasted amount. This variance is due to timing of the Medicaid reimbursement from the federal government. Once the payment is received the variance should level out and this fund should be on target for the fiscal year.

EXPENDITURES

The following provides an update on the City of Cincinnati's operating budget position as of the month ending November 30, 2023. The attached Fund Summary Report

provides the current budget, expenditures, and commitments of each appropriated fund. This report is presented on a year-to-date basis.

I. GENERAL FUND 050

As shown on the attached report, total expenditures are 37.6% of budget, and commitments are 42.6% of budget in the General Fund 050 as compared to the estimated period ending November 30, 2023, or 41.6% of the fiscal year. "Non-personnel expenses" are trending higher at 53.7% committed year to date due to encumbering twelve months of expenditures for certain commodities such as gas and electric costs, contractual services, and materials and supplies. This is not unusual for this reporting period.

The majority of departments have indicated their FY 2024 General Fund 050 appropriation will meet their budgetary needs through the end of the fiscal year. However, budget transfers may be necessary to move funds from divisions and programs with savings to others within the respective departments that have budget needs. These transfers will be included in the Final Adjustment Ordinance (FAO), which will be presented to the City Council in May 2024.

A. Budget Savings Identified

As of November 30, 2023, no General Fund 050 departments are projecting savings at the end of FY 2024. Any savings identified will be available to support budget needs in other departments and programs as necessary. Interdepartmental transfers of funds from one department to another will be included in the FAO as appropriate.

B. Budget Needs Identified

Based on current expenditure projections, the following General Fund 050 departments are forecasting a budget need in FY 2024. The departments have been advised to manage their appropriated resources so that supplemental appropriations will not be required. However, the Administration will continue to closely monitor this department in the coming months and work with them to mitigate the need for supplemental appropriations. As appropriate, any remaining budget needs will be addressed within the FAO.

1. Cincinnati Police Department (\$2.8 million)

The Cincinnati Police Department (CPD) projects a total personnel need of \$2.8 million primarily due to overtime. Personnel expenditures are outpacing estimates due to increased Police Visibility Overtime (PVO) related to Downtown Event Deployment to curb violence and for large public events such as FC Cincinnati and Cincinnati Bengals home games. As the football season ends,

overtime spending is expected to decrease as will overtime for FC Cincinnati games until their next season begins in late February. Overtime spending and lump sum payments will be closely monitored as the fiscal year progresses.

2. Cincinnati Fire Department (\$3.6 million)

The Cincinnati Fire Department (CFD) projects a total need of up to \$3.6 million primarily due to overtime. Increased attrition over the past several years has necessitated the use of overtime to backfill vacant positions. Additionally, the department added a new engine company to Westwood Station 35 in November 2022, resulting in additional staffing requirements and associated overtime. CFD recently changed the unit dispatch process to include apparatus GPS relative to the emergency location. This has led to an increase in daily runs performed by the Westwood engine company and the Price Hill engine company. The department plans to run the additional engine until the number of runs performed daily reverts to the mean. The graduation of Recruit Class #121 is expected to reduce overtime usage once they graduate in the fall of 2023. If overtime trends do not curtail, the CFD projects a personnel need of up to \$2.7 million by fiscal year end due to increased overtime. Finally, the department projects a non-personnel need of \$0.9 million related to an expanded paramedic training class as well as unbudgeted supplies and materials expenses. Both the department and the Office of Budget and Evaluation will continue to closely monitor staffing trends and overtime needs.

C. Within Budget, Intradepartmental Budget Transfers May Be Needed

Numerous General Fund 050 departments have indicated the ability to manage their resources within their appropriation. However, budget adjustments within their departments may be required. These transfers are referred to as Intradepartmental Budget Transfers. Unless noted otherwise, these Intradepartmental Budget Transfers will be included in the FAO, which will be presented to the City Council for approval in May 2024.

1. Clerk of Council

The Clerk of Council's Office projects a potential non-personnel need. Three charter amendments were on the November general election ballot, and the amendments were legally required to be advertised in *The Enquirer* newspaper for a cost of \$25,000. The budget will be monitored, and any needs will be addressed either by the Election Expense non-departmental account or through the Final Adjustment Ordinance (FAO) if necessary.

2. Enterprise Technology Solutions

The Department of Enterprise Technology Solutions projects no budget savings or need at this time, pending reimbursement processing.

3. City Manager's Office

The City Manager's Office projects no budget savings or need at this time. However, personnel and fringe benefits are trending high. Additionally, potential needs may arise from costs associated with a collaborative agreement consultant, temporary personnel services, as well as the filling of various previously vacant positions. These costs will be monitored closely.

4. City Manager's Office: Office of Budget and Evaluation

The Office of Budget and Evaluation projects no budget savings or need at this time, pending reimbursement processing.

5. City Manager's Office: Emergency Communications Center

The Emergency Communications Center (ECC) projects no budget savings or need at this time. Increased software expenditures are being closely monitored as the fiscal year progresses.

6. City Manager's Office: Office of Environment and Sustainability

The Office of Environment and Sustainability projects no budget savings or need at this time. However, the recycling budget typically faces shortfalls. This will be monitored closely.

7. City Manager's Office: Office of Procurement

The Office of Procurement projects no budget savings or need at this time, pending reimbursement processing.

8. City Manager's Office: Office of Performance and Data Analytics

The Office of Performance and Data Analytics (OPDA) projects potential personnel savings, which will be monitored. No savings or needs are anticipated in the non-personnel budget.

9. City Manager's Office: Internal Audit

Internal Audit projects a possible personnel savings, which will be monitored.

10. Department of Law

The Department of Law projects a possible personnel need related to an accounting correction to capture certain transactions as revenue rather than credits to expense. Any personnel needs are expected to be offset with greater than estimated revenue.

11. Department of Human Resources

The Department of Human Resources projects no budget savings or need, pending reimbursement processing.

12. Department of Finance

The Department of Finance projects no budget savings or need at this time, pending reimbursement processing.

13. Department of Community and Economic Development

The Department of Community and Economic Development (DCED) projects a non-personnel need of \$60,000 due to annual operating expenses for the former Saks Fifth Avenue building. Additionally, the department reports a reduction in planned reimbursements from certain Community Development Block Grant (CDBG) projects, which would cause a personnel need in the Director's Office and Administration Division. However, these needs can be offset by re-allocating staff time to other CDBG and HOME Investment Partnerships Program reimbursable eligible projects. By fiscal year end, there may be personnel savings in the Housing Division and the Economic Development Division. Transfers between agencies may be required as part of the Final Adjustment Ordinance.

14. Department of City Planning and Engagement

The Department of City Planning and Engagement projects a potential personnel savings due to a vacant position. This will offset a need in non-personnel expenses related to increased engagement activities.

15. Citizen Complaint Authority

The Citizen Complaint Authority (CCA) projects a possible non-personnel need related to training and a vehicle repair. However, these needs can be offset by savings in personnel resulting from position vacancies.

16. Cincinnati Recreation Commission

The Cincinnati Recreation Commission projects no budget savings or need at this time. However, the Aquatics Pay and Recruitment Bonus Plan was in place for the summer 2023 season and is expected to generate a General Fund need of up to \$1.5 million in the Athletics Agency. However, this need is expected to be offset by savings in other agencies. If savings do not materialize, a supplemental appropriation may be required. The department has several reimbursements that will be processed in the coming months.

17. Cincinnati Parks Department

The Parks Department projects no budget savings or need at this time, pending reimbursement processing.

18. Department of Buildings and Inspections

The Department of Buildings and Inspections projects no budget savings or need at this time. Personnel is currently trending below expectations due to position vacancies and reimbursement processing. However, the department is in the

process of onboarding a new class of inspectors as well as other administrative staff, which should bring personnel spending more in line with expectations.

19. Department of Transportation and Engineering

The Department of Transportation and Engineering projects potential personnel savings, which will be used to offset projected contractual services needs in the Traffic Engineering Division.

20. Department of Public Services

The Department of Public Services (DPS) projects no budget savings or need at this time. However, transfers between agencies may be required as part of the Final Adjustment Ordinance.

21. Department of Economic Inclusion

The Department of Economic Inclusion projects potential personnel savings due to position vacancies.

22. Non-Departmental Accounts

The Judgments Against the City account is currently 99.3% committed. Depending on future judgments or settlements, additional resources may be required.

II. ENTERPRISE FUNDS

Enterprise Funds account for any activity for which a fee is charged to external users for goods or services. If an activity's principal revenue source meets any one of the following criteria, it is required to be reported as an enterprise fund: (1) an activity financed with debt that is secured solely by pledge of the net revenues from fees and charges for the activity; (2) laws or regulations which require that the activity's costs of providing services, including capital costs, be recovered with fees and charges, rather than with taxes or similar revenues; or (3) pricing policies which establish fees and charges designed to recover the activity's costs.

A. Water Works Fund 101

Water Works Fund 101 is 32.2% expended year to date. The Greater Cincinnati Water Works (GCWW) projects no budget savings or need at this time. The Division of Business Services projects a possible contractual services need and the Division of Commercial Supplies projects a possible waste removal need. These needs can be offset with non-personnel savings in the Division of Water Quality and Treatment. Transfers between agencies may be required as part of the Final Adjustment Ordinance.

B. Parking System Facilities Fund 102

Parking System Facilities Fund 102 includes the budget for off-street parking enterprises, including garages. Fund 102 is currently 27.3% expended year to

date. The Division of Parking Facilities within the Department of Community and Economic Development projects a potential non-personnel need related to repairs needed for the Town Center Garage. Supplemental appropriations may be required.

C. Duke Energy Convention Center Fund 103

Duke Energy Convention Center Fund 103 is 31.6% expended year to date. The Finance Department projects no savings or need at this time.

D. General Aviation Fund 104

General Aviation Fund 104 is 27.9% expended year to date. The Department of Transportation and Engineering may have personnel and fringe benefits savings in Fund 104 due to position vacancies, which will be monitored.

E. Municipal Golf Fund 105

Municipal Golf Fund 105 is 53.1% expended year to date, which reflects expenses for the calendar year (CY) 2023 golf season. Water utility expenses are greater than expectations due to the dry summer season. Additionally, petroleum and contractual services expenses exceed estimates due to an increased number of golf rounds played. The Cincinnati Recreation Commission projects no budget savings or need at this time, but non-personnel expenses will be monitored.

F. Stormwater Management Fund 107

Stormwater Management Fund 107 provides resources to various City departments. The major recipient of resources from this fund is the Stormwater Management Utility (SMU). The Department of Public Services, the Parks Department, the Office of Environment and Sustainability, the Cincinnati Recreation Commission, and the Department of Buildings and Inspections also receive appropriations from this fund. The Stormwater Management Fund is 32.6% expended year to date. SMU, the Parks Department, and the Cincinnati Recreation Commission project no budget savings or need at this time. The Department of Public Services projects a potential personnel need. The Office of Environment and Sustainability projects a potential non-personnel need related to recycling. The Department of Buildings and Inspections Private Lot Abatement Program (PLAP) is seeing an abundance of litter and dumping cases. Additional non-personnel resources may be required; however, the department is currently exploring community partnerships for assistance with this work. These needs will be monitored closely. Reduced reimbursements to the General Fund could also generate additional savings to offset the non-personnel need.

III. DEBT SERVICE FUNDS

Debt Service Funds account for the accumulation of resources for, and the payment of, principal and interest on the City's bonds issued in support of governmental activities.

A. Bond Retirement Fund 151

Bond Retirement Fund 151 is 41.6% expended year to date. The Finance Department projects a potential savings in fixed charges related to bond coupons that have not yet been redeemed, which would reduce debt service payments. The Finance Department also projects a potential savings in debt service due to a lower volume of internal notes issued than in prior years.

IV. APPROPRIATED SPECIAL REVENUE FUNDS

Special Revenue Funds account for the proceeds of specific revenue sources (other than trusts for individuals, private organizations, or other governments, or for major capital projects) that are legally restricted to expenditures for specific purposes.

The Office of Budget and Evaluation, in cooperation with various City departments, reviewed appropriated special revenue funds to ensure the Approved FY 2024 Budget remains in balance. Based on expenditures and revenues through November 30, 2023, most special revenue funds are on target with regards to their budget and require no additional appropriations at this time. Any identified issues are highlighted in the narrative summaries provided below. If warranted, budget adjustments will be addressed in the FAO later in the fiscal year.

A. Street Construction, Maintenance & Repair Fund 301

Street Construction, Maintenance & Repair Fund 301 is 29.8% expended year to date. The Department of Public Services anticipates a potential need related to a winter weather operations incentive pay program, which may be offset by other personnel savings. The Department of Public Services also anticipates a potential need related to unexpected vehicle repair costs. The Department of Transportation and Engineering projects possible non-personnel savings in the Traffic Engineering Division, which will be used to offset non-personnel needs in the Traffic Services Division as well as in the General Fund.

B. Income Tax-Infrastructure Fund 302

Income Tax-Infrastructure Fund 302 provides resources to several City departments. The Department of Transportation and Engineering is the largest recipient of resources from this fund. The Department of Public Services also receives Income Tax-Infrastructure Fund resources. Fund 302 is 37.3% expended year to date. Due to the projected deficit for this Fund during the FY 2024-2025

Biennial Budget development process, resources for the Department of Law, the Department of Transportation and Engineering (DOTE), and the Department of Public Services (DPS) were significantly reduced. DOTE projects a need of \$620,000 primarily due to budgeted position vacancy allowance (PVA). A supplemental appropriation will likely be required for the department to continue operations. DPS anticipates a personnel need as the department does not expect to be able to meet their budgeted PVA amount. The Department of Law receives a small amount of Income Tax-Infrastructure Fund resources for eligible infrastructure work. Law projects a potential personnel need due to budgeted position vacancy allowance that may not be achievable. Since the Income Tax-Infrastructure Fund performed better than expected by the end of FY 2023, and existing fund balance is available to provide additional resources to these departments, a mid-year budget adjustment Ordinance will be submitted to the City Council to address the shortfall in the Department of Public Services and the Department of Transportation and Engineering with supplemental appropriations. The Department of Buildings and Inspections projects no budget savings or need at this time. The Department of Economic Inclusion projects a potential personnel savings due to position vacancies.

C. Parking Meter Fund 303

Parking Meter Fund 303 includes the budget for on-street parking enterprises, including parking meters. Fund 303 is currently 32.9% expended year to date. The Division of Parking Facilities within the Department of Community and Economic Development projects neither an expenditure savings nor a need in the fund, but a projected revenue shortfall would create a structural imbalance in the fund. The City Administration is currently exploring opportunities for revenue enhancements and expense efficiencies to address the structural imbalance. Revenues and expenditures will continue to be monitored closely and budget adjustments may be required to ensure the fund balance remains positive.

D. Municipal Motor Vehicle License Tax Fund 306

Municipal Motor Vehicle License Tax Fund 306 is 30.1% expended year to date. The Department of Public Services anticipates no budget savings or need in this fund. The Department of Transportation and Engineering projects no budget savings or needs, pending reimbursement processing.

E. Sawyer Point Fund 318

Sawyer Point Fund 318 is 23.7% expended year to date. The Parks Department projects no budget savings or need in Fund 318.

F. Recreation Special Activities Fund 323

Recreation Special Activities Fund 323 is currently 38.6% expended year to date. The Cincinnati Recreation Commission projects no budget savings or need in Fund 323. However, revenues are trending below estimates due to delays in processing

cash receipts. The delays are expected to be resolved in December and January. This fund will be monitored closely.

G. Cincinnati Riverfront Park Fund 329

Cincinnati Riverfront Park Fund 329 is the appropriated fund for Smale Park. Fund 329 is currently 8.8% expended year to date. The Parks Department projects no budget savings or need in Fund 329.

H. Hazard Abatement Fund 347

Hazard Abatement Fund 347 is 0.1% expended year to date. The Department of Buildings and Inspections projects no budget savings or need at this time.

I. 9-1-1 Cell Phone Fees Fund 364

9-1-1 Cell Phone Fees Fund 364 is the appropriated fund that governs the City portion of state collected revenue from mobile device fees. Fund 364 is currently 8.3% expended year to date. The Emergency Communications Center projects no budget savings or need in Fund 364.

J. Safe and Clean Fund 377

Safe and Clean Fund 377 is the appropriated fund that collects revenue associated with billboard leases. These resources are allocated to Keep Cincinnati Beautiful (KCB) expenditures. The fund is currently 0.0% expended year to date. The Department of Public Services anticipates neither a savings nor a need in this fund.

K. Community Health Center Activities Fund 395

Community Health Center Activities Fund 395 is 35.1% expended year to date. The Cincinnati Health Department (CHD) projects potential personnel savings resulting from position vacancies. This will offset a projected need in non-personnel for temporary staffing services, nursing uniform allowances, and the unbudgeted repair and replacement of equipment. Community Health Center Activities Fund revenue is trending low due to the timing of Medicaid Maximization funds, which should be deposited in the spring.

L. Cincinnati Health District Fund 416

General operational support to the Cincinnati Health Department is provided by Cincinnati Health District Fund 416. This fund is 31.8% expended year to date. The Cincinnati Health Department (CHD) projects potential personnel savings resulting from position vacancies. This will offset a projected need in non-personnel for temporary staffing services, nursing uniform allowances, and unbudgeted repair expenses to clinic sites and other Health Department facilities.

M. Cincinnati Area Geographic Information System (CAGIS) Fund 449

Cincinnati Area Geographic Information System Fund 449 is 32.7% expended year to date. The Office of Performance and Data Analytics projects no budget savings or need at this time.

N. Streetcar Operations Fund 455

Streetcar Operations Fund 455 is 21.5% expended year to date. The Department of Transportation and Engineering projects a net need of \$150,000 related to unbudgeted personnel reimbursements and contractual services for utilities and Transdev. These needs are partially offset by a small personnel savings in the Traffic Services Bureau. These needs will be monitored closely.

O. County Law Enforcement Applied Regionally (CLEAR) Fund 457

The CLEAR Fund is 18.8% expended year to date. Enterprise Technology Solutions projects no budget savings or need for FY 2024.

Summary

Through November 30, 2023, major budget issues include overtime needs for both the Fire Department and Police Department, pending labor contracts for the International Association of Fire Fighters (IAFF) employees and Fraternal Order of Police (FOP) employees, the structural imbalance in Parking Meter Fund 303, and lasting impacts from the COVID-19 pandemic related to supply chain issues. Departments have identified possible savings and shortfalls, which will continue to be monitored and updated monthly.

Submitted herewith are the following Office of Budget & Evaluation reports:

1. Fund Summary Report for the month ended November 30, 2023.

Submitted herewith are the following Department of Finance reports:

2. Comparative Statement of Revenue (Actual, Forecast and Prior Year) as of November 30, 2023.
3. Audit of the City Treasurer's Report for the month ended October 31, 2023.
4. Statement of Balances in the various funds as of November 30, 2023.

By approval of this report, City Council appropriates the revenues received in the various restricted funds on the attached Statement of Balances and as stated in greater detail on the records maintained by the Department of Finance, Division of Accounts & Audits. Such revenues are to be expended in accordance with the purposes for which the funds were established.

cc: William “Billy” Weber, Assistant City Manager
Karen Alder, Finance Director
Andrew M. Dudas, Budget Director

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2024
AS OF 11/30/2023**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
050	General	PERSONNEL SERVICES	292,289,545.00	111,731,174.58	38.2%	65,628.00	111,796,802.58	38.2%	180,492,742.42
		EMPLOYEE BENEFITS	114,417,983.00	49,835,906.22	43.6%	67,943.08	49,903,849.30	43.6%	64,514,133.70
		NON-PERSONNEL EXPENSES	105,293,672.20	30,959,123.00	29.4%	25,598,312.26	56,557,435.26	53.7%	48,736,236.94
		PROPERTIES	20,000.00	.00	0.0%	.00	.00	0.0%	20,000.00
*TOTAL FUND_CD 050			512,021,200.20	192,526,203.80	37.6%	25,731,883.34	218,258,087.14	42.6%	293,763,113.06
101	Water Works	PERSONNEL SERVICES	43,016,640.00	13,564,899.94	31.5%	.00	13,564,899.94	31.5%	29,451,740.06
		EMPLOYEE BENEFITS	17,983,640.00	6,933,275.49	38.6%	.00	6,933,275.49	38.6%	11,050,364.51
		NON-PERSONNEL EXPENSES	64,662,810.00	18,340,750.05	28.4%	24,109,393.19	42,450,143.24	65.6%	22,212,666.76
		DEBT SERVICE	47,154,020.00	16,742,075.72	35.5%	28,750.00	16,770,825.72	35.6%	30,383,194.28
*TOTAL FUND_CD 101			172,817,110.00	55,581,001.20	32.2%	24,138,143.19	79,719,144.39	46.1%	93,097,965.61
102	Parking System Facilities	PERSONNEL SERVICES	390,500.00	126,343.38	32.4%	.00	126,343.38	32.4%	264,156.62
		EMPLOYEE BENEFITS	147,190.00	60,278.33	41.0%	.00	60,278.33	41.0%	86,911.67
		NON-PERSONNEL EXPENSES	5,046,730.00	1,079,374.10	21.4%	2,238,118.88	3,317,492.98	65.7%	1,729,237.02
		DEBT SERVICE	2,160,200.00	847,867.56	39.2%	.00	847,867.56	39.2%	1,312,332.44
*TOTAL FUND_CD 102			7,744,620.00	2,113,863.37	27.3%	2,238,118.88	4,351,982.25	56.2%	3,392,637.75
103	Convention-Exposition Center	PERSONNEL SERVICES	116,070.00	19,717.87	17.0%	.00	19,717.87	17.0%	96,352.13
		EMPLOYEE BENEFITS	53,440.00	7,238.97	13.5%	.00	7,238.97	13.5%	46,201.03
		NON-PERSONNEL EXPENSES	10,028,250.00	3,044,025.82	30.4%	6,040,280.06	9,084,305.88	90.6%	943,944.12
		DEBT SERVICE	285,600.00	244,964.11	85.8%	.00	244,964.11	85.8%	40,635.89
*TOTAL FUND_CD 103			10,483,360.00	3,315,946.77	31.6%	6,040,280.06	9,356,226.83	89.2%	1,127,133.17
104	General Aviation	PERSONNEL SERVICES	902,780.00	267,741.88	29.7%	.00	267,741.88	29.7%	635,038.12
		EMPLOYEE BENEFITS	389,510.00	106,534.66	27.4%	.00	106,534.66	27.4%	282,975.34
		NON-PERSONNEL EXPENSES	1,002,430.00	237,075.56	23.7%	148,343.49	385,419.05	38.4%	617,010.95
		DEBT SERVICE	44,590.00	41,499.37	93.1%	.00	41,499.37	93.1%	3,090.63
*TOTAL FUND_CD 104			2,339,310.00	652,851.47	27.9%	148,343.49	801,194.96	34.2%	1,538,115.04
105	Municipal Golf	PERSONNEL SERVICES	209,700.00	71,188.33	33.9%	.00	71,188.33	33.9%	138,511.67
		EMPLOYEE BENEFITS	76,700.00	29,793.96	38.8%	.00	29,793.96	38.8%	46,906.04
		NON-PERSONNEL EXPENSES	5,875,990.00	3,175,196.86	54.0%	347,247.06	3,522,443.92	59.9%	2,353,546.08
		DEBT SERVICE	615,000.00	321,312.50	52.2%	.00	321,312.50	52.2%	293,687.50
*TOTAL FUND_CD 105			6,777,390.00	3,597,491.65	53.1%	347,247.06	3,944,738.71	58.2%	2,832,651.29

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2024
AS OF 11/30/2023**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
107	Stormwater Management	PERSONNEL SERVICES	9,694,210.00	2,453,742.17	25.3%	.00	2,453,742.17	25.3%	7,240,467.83
		EMPLOYEE BENEFITS	4,191,240.00	1,133,069.10	27.0%	.00	1,133,069.10	27.0%	3,058,170.90
		NON-PERSONNEL EXPENSES	13,140,130.00	4,175,662.97	31.8%	1,763,692.87	5,939,355.84	45.2%	7,200,774.16
		PROPERTIES	5,000.00	.00	0.0%	.00	.00	0.0%	5,000.00
		DEBT SERVICE	2,216,370.00	1,784,720.66	80.5%	.00	1,784,720.66	80.5%	431,649.34
*TOTAL FUND_CD 107			29,246,950.00	9,547,194.90	32.6%	1,763,692.87	11,310,887.77	38.7%	17,936,062.23
151	Bond Retirement - City	PERSONNEL SERVICES	307,010.00	61,968.43	20.2%	.00	61,968.43	20.2%	245,041.57
		EMPLOYEE BENEFITS	125,680.00	24,152.03	19.2%	.00	24,152.03	19.2%	101,527.97
		NON-PERSONNEL EXPENSES	3,563,620.00	357,248.59	10.0%	309,415.54	666,664.13	18.7%	2,896,955.87
		DEBT SERVICE	145,765,610.00	61,864,062.05	42.4%	.00	61,864,062.05	42.4%	83,901,547.95
*TOTAL FUND_CD 151			149,761,920.00	62,307,431.10	41.6%	309,415.54	62,616,846.64	41.8%	87,145,073.36
301	Street Constuction Maintenance & Repair	PERSONNEL SERVICES	6,623,880.00	1,968,962.65	29.7%	.00	1,968,962.65	29.7%	4,654,917.35
		EMPLOYEE BENEFITS	2,784,010.00	1,066,684.78	38.3%	.00	1,066,684.78	38.3%	1,717,325.22
		NON-PERSONNEL EXPENSES	7,420,610.00	1,986,107.93	26.8%	1,412,345.90	3,398,453.83	45.8%	4,022,156.17
		PROPERTIES	.00	.00	0.0%	.00	.00	0.0%	.00
*TOTAL FUND_CD 301			16,828,500.00	5,021,755.36	29.8%	1,412,345.90	6,434,101.26	38.2%	10,394,398.74
302	Income Tax-Infrastructure	PERSONNEL SERVICES	12,629,410.00	4,116,161.25	32.6%	.00	4,116,161.25	32.6%	8,513,248.75
		EMPLOYEE BENEFITS	4,927,200.00	2,107,515.08	42.8%	.00	2,107,515.08	42.8%	2,819,684.92
		NON-PERSONNEL EXPENSES	6,174,750.00	2,624,427.41	42.5%	770,558.54	3,394,985.95	55.0%	2,779,764.05
*TOTAL FUND_CD 302			23,731,360.00	8,848,103.74	37.3%	770,558.54	9,618,662.28	40.5%	14,112,697.72
303	Parking Meter	PERSONNEL SERVICES	1,933,630.00	615,333.91	31.8%	.00	615,333.91	31.8%	1,318,296.09
		EMPLOYEE BENEFITS	794,800.00	349,823.06	44.0%	.00	349,823.06	44.0%	444,976.94
		NON-PERSONNEL EXPENSES	2,349,050.00	704,219.72	30.0%	624,821.98	1,329,041.70	56.6%	1,020,008.30
*TOTAL FUND_CD 303			5,077,480.00	1,669,376.69	32.9%	624,821.98	2,294,198.67	45.2%	2,783,281.33
306	Municipal Motor Vehicle License Tax	PERSONNEL SERVICES	1,703,560.00	551,078.62	32.3%	.00	551,078.62	32.3%	1,152,481.38
		EMPLOYEE BENEFITS	793,660.00	260,597.28	32.8%	.00	260,597.28	32.8%	533,062.72
		NON-PERSONNEL EXPENSES	1,726,220.00	457,665.41	26.5%	184,797.00	642,462.41	37.2%	1,083,757.59
*TOTAL FUND_CD 306			4,223,440.00	1,269,341.31	30.1%	184,797.00	1,454,138.31	34.4%	2,769,301.69

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2024
AS OF 11/30/2023**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
318	Sawyer Point	PERSONNEL SERVICES	456,490.00	56,087.43	12.3%	.00	56,087.43	12.3%	400,402.57
		EMPLOYEE BENEFITS	92,550.00	19,685.13	21.3%	.00	19,685.13	21.3%	72,864.87
		NON-PERSONNEL EXPENSES	571,150.00	189,528.75	33.2%	219,484.00	409,012.75	71.6%	162,137.25
*TOTAL FUND_CD 318			1,120,190.00	265,301.31	23.7%	219,484.00	484,785.31	43.3%	635,404.69
323	Recreation Special Activities	PERSONNEL SERVICES	3,402,530.00	1,234,790.21	36.3%	.00	1,234,790.21	36.3%	2,167,739.79
		EMPLOYEE BENEFITS	264,630.00	107,709.67	40.7%	.00	107,709.67	40.7%	156,920.33
		NON-PERSONNEL EXPENSES	2,241,540.00	942,457.59	42.0%	331,526.04	1,273,983.63	56.8%	967,556.37
		PROPERTIES	13,860.00	.00	0.0%	.00	.00	0.0%	13,860.00
*TOTAL FUND_CD 323			5,922,560.00	2,284,957.47	38.6%	331,526.04	2,616,483.51	44.2%	3,306,076.49
329	Cincinnati Riverfront Park	PERSONNEL SERVICES	698,560.00	.00	0.0%	.00	.00	0.0%	698,560.00
		EMPLOYEE BENEFITS	335,170.00	3,680.00	1.1%	.00	3,680.00	1.1%	331,490.00
		NON-PERSONNEL EXPENSES	483,370.00	129,260.50	26.7%	120,483.60	249,744.10	51.7%	233,625.90
*TOTAL FUND_CD 329			1,517,100.00	132,940.50	8.8%	120,483.60	253,424.10	16.7%	1,263,675.90
347	Hazard Abatement Fund	PERSONNEL SERVICES	465,210.00	.00	0.0%	.00	.00	0.0%	465,210.00
		EMPLOYEE BENEFITS	222,260.00	.00	0.0%	.00	.00	0.0%	222,260.00
		NON-PERSONNEL EXPENSES	10,220.00	711.14	7.0%	.00	711.14	7.0%	9,508.86
*TOTAL FUND_CD 347			697,690.00	711.14	0.1%	.00	711.14	0.1%	696,978.86
364	9-1-1 Cell Phone Fees	PERSONNEL SERVICES	573,480.00	.00	0.0%	.00	.00	0.0%	573,480.00
		EMPLOYEE BENEFITS	243,880.00	.00	0.0%	.00	.00	0.0%	243,880.00
		NON-PERSONNEL EXPENSES	652,630.00	122,375.71	18.8%	126,922.89	249,298.60	38.2%	403,331.40
*TOTAL FUND_CD 364			1,469,990.00	122,375.71	8.3%	126,922.89	249,298.60	17.0%	1,220,691.40
377	Safe & Clean	NON-PERSONNEL EXPENSES	52,040.00	.00	0.0%	52,040.00	52,040.00	100.0%	.00
*TOTAL FUND_CD 377			52,040.00	.00	0.0%	52,040.00	52,040.00	100.0%	.00
395	Community Health Center Activities	PERSONNEL SERVICES	13,753,380.00	4,458,834.82	32.4%	.00	4,458,834.82	32.4%	9,294,545.18
		EMPLOYEE BENEFITS	5,762,180.00	2,205,860.59	38.3%	.00	2,205,860.59	38.3%	3,556,319.41
		NON-PERSONNEL EXPENSES	8,914,750.00	3,317,522.60	37.2%	4,627,601.14	7,945,123.74	89.1%	969,626.26
*TOTAL FUND_CD 395			28,430,310.00	9,982,218.01	35.1%	4,627,601.14	14,609,819.15	51.4%	13,820,490.85

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2024
AS OF 11/30/2023**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
416	Cincinnati Health District	PERSONNEL SERVICES	14,150,810.00	4,345,084.22	30.7%	.00	4,345,084.22	30.7%	9,805,725.78
		EMPLOYEE BENEFITS	5,543,360.00	1,867,722.50	33.7%	.00	1,867,722.50	33.7%	3,675,637.50
		NON-PERSONNEL EXPENSES	1,390,460.00	491,875.26	35.4%	546,711.17	1,038,586.43	74.7%	351,873.57
		PROPERTIES	3,010.00	.00	0.0%	.00	.00	0.0%	3,010.00
*TOTAL FUND_CD 416			21,087,640.00	6,704,681.98	31.8%	546,711.17	7,251,393.15	34.4%	13,836,246.85
449	Cincinnati Area Geographic Information System (CAGIS)	PERSONNEL SERVICES	2,040,720.00	654,762.67	32.1%	.00	654,762.67	32.1%	1,385,957.33
		EMPLOYEE BENEFITS	727,600.00	290,716.20	40.0%	.00	290,716.20	40.0%	436,883.80
		NON-PERSONNEL EXPENSES	2,401,440.00	746,577.23	31.1%	223,819.03	970,396.26	40.4%	1,431,043.74
*TOTAL FUND_CD 449			5,169,760.00	1,692,056.10	32.7%	223,819.03	1,915,875.13	37.1%	3,253,884.87
455	Streetcar Operations	PERSONNEL SERVICES	518,670.00	161,925.60	31.2%	.00	161,925.60	31.2%	356,744.40
		EMPLOYEE BENEFITS	229,120.00	55,395.11	24.2%	.00	55,395.11	24.2%	173,724.89
		NON-PERSONNEL EXPENSES	5,144,060.00	1,048,830.55	20.4%	3,888,001.62	4,936,832.17	96.0%	207,227.83
*TOTAL FUND_CD 455			5,891,850.00	1,266,151.26	21.5%	3,888,001.62	5,154,152.88	87.5%	737,697.12
457	County Law Enforcement Applied Regionally (CLEAR)	PERSONNEL SERVICES	1,625,440.00	398,503.82	24.5%	.00	398,503.82	24.5%	1,226,936.18
		EMPLOYEE BENEFITS	515,950.00	151,476.31	29.4%	.00	151,476.31	29.4%	364,473.69
		NON-PERSONNEL EXPENSES	3,550,030.00	892,337.18	25.1%	530,653.34	1,422,990.52	40.1%	2,127,039.48
		PROPERTIES	2,000,000.00	.00	0.0%	7,305.03	7,305.03	0.4%	1,992,694.97
*TOTAL FUND_CD 457			7,691,420.00	1,442,317.31	18.8%	537,958.37	1,980,275.68	25.7%	5,711,144.32
TOTAL			1,020,103,190.20	370,344,272.15	36.3%	74,384,195.71	444,728,467.86	43.6%	575,374,722.34

January 24, 2024

To: Mayor and Members of City Council

202400287

From: Sheryl M. M. Long, City Manager

Subject: Ordinance for the Rezoning of 4575 Eastern Avenue in Linwood.

Transmitted is an Ordinance captioned:

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property located at 4575 Eastern Avenue in the Linwood neighborhood from the MG, “Manufacturing General,” zoning district to the RM-0.7, “Residential Multi-family,” zoning district to facilitate the development of approximately 271 apartment units.

The City Planning Commission recommended approval of the designation at its January 5, 2024, meeting.

Summary:

The petitioner, CIG Communities, requests a zone change for the property located at 4575 Eastern Avenue in the Linwood. The current zoning is Manufacturing General (MG), and the applicant is pursuing the change to Residential Multi-family (RM-0.7). The property currently consists of an abandoned manufacturing facility and is 7.28 acres in size. The surrounding properties include manufacturing businesses, multi-family and single-family residences, and restaurants.

This proposed zone change will allow the applicant to construct an adaptive reuse apartment complex with new construction, which is planned to have approximately 271 residential units and 417 total off-street parking spaces.

The City Planning Commission recommended the following on January 5, 2024, to City Council:

APPROVE the proposed zone change from Manufacturing General (MG) to Residential Multi-family (RM-0.7) at 4575 Eastern Avenue in Linwood.

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 located at 4575 Eastern Avenue in the Linwood neighborhood from the MG, “Manufacturing General,” zoning district to the RM 0.7, “Residential Multi-family,” zoning district to facilitate the development of approximately 271 apartment units.

WHEREAS, CIG Communities, LLC, an Ohio limited liability company (“Petitioner”), has petitioned to rezone certain real property located at 4575 Eastern Avenue in the Linwood neighborhood (“Property”) from the MG, “Manufacturing General,” zoning district to the RM 0.7, “Residential Multi-family,” zoning district; and

WHEREAS, the Petitioner proposes the conversion of portions of existing industrial structures on the Property into 44 apartment units and the construction of two new four-story multi-family apartment buildings containing an additional 227 apartment units and approximately 471 off-street parking spaces; and

WHEREAS, a zone change is necessary to enable the adaptive reuse of the Property into multi-family housing because the current MG, “Manufacturing General,” zoning district in which the Property is located does not permit the construction of apartment buildings; and

WHEREAS, the proposed zone change from the MG, “Manufacturing General,” zoning district to the RM 0.7, “Residential Multi-family,” zoning district would allow for the Property to be developed and operated in a manner that is consistent with the adjacent RMX, “Residential Multi-family,” zoning district abutting the Property to the south and east; and

WHEREAS, the proposed zone change is consistent with Plan Cincinnati (2012), including the goal “to provide a full spectrum of housing options and improve housing quality and affordability” as described on page 164; and

WHEREAS, the proposed zone change is further consistent with the Linwood Neighborhood Strategy (2002), including the goal “to [e]nhance and preserve existing community assets” through the strategy to “[s]eek adaptive reuse of all large vacant buildings” as described on page 12; and

WHEREAS, at its regularly scheduled meeting on January 5, 2024, the City Planning Commission determined that the proposed zone change is in the interest of the public’s health, safety, morals, and general welfare, and it recommended rezoning the Property from the MG, “Manufacturing General,” zoning district to the RM 0.7, “Residential Multi-family,” zoning district; 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 rezoning the Property, finding it in the interest of the public's health, safety, morals, and general welfare; and

WHEREAS, the Council resolves to rezone the Property from the MG, "Manufacturing General," zoning district to the RM 0.7, "Residential Multi-family," zoning district, finding it to be in the interest of 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 shape and area of the City of Cincinnati's official zoning map in the location of the real property located at 4575 Eastern Avenue in the Linwood neighborhood, shown on the map attached hereto as Attachment A and incorporated by reference, and being more particularly described on the legal description contained in Attachment B attached hereto and incorporated herein by reference, is hereby amended from the MG, "Manufacturing General," zoning district to the RM 0.7, "Residential Multi-family," zoning district.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

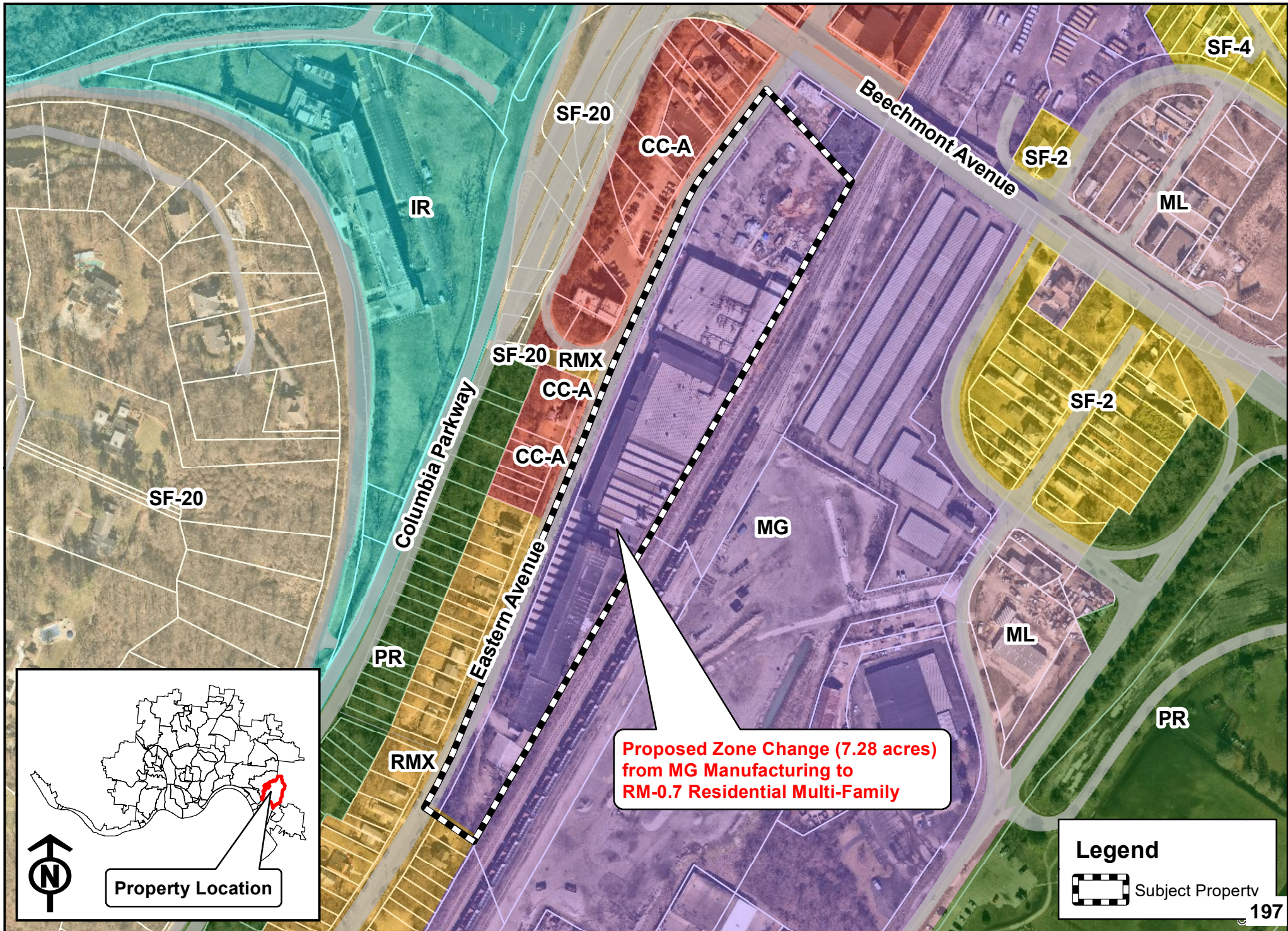
Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Proposed Zone Change at 4575 Eastern Avenue in Linwood

Exhibit A




VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

 466 Erlanger Road | 602 Lila Avenue
 Erlanger, Kentucky 41018 | Milford, Ohio 45150

 Tel: 859.727.3293 | Tel: 513.576.1000
 Fax: 859.727.8452

www.vioxinc.com

December 19, 2023

DESCRIPTION OF 7.2752 ACRES

Situated in Section 19, Town 4, Fractional Range 2, Miami Purchase, Columbia Township, City of Cincinnati, Hamilton County, Ohio and is more particularly described as follows:

All bearings referred to herein are based upon the Ohio State Plane Coordinate System, South Zone, NAD83 (2011).

COMMENCING, at a point in the easterly right-of-way line of Eastern Avenue, 30.00 feet as measured perpendicular to the centerline, said point also being the southwesterly corner of Lot 620 of the Second Undercliff Subdivision (Plat Book 4, Page 194);

THENCE, with said right-of-way line N28°19'28"E 12.50 feet to an existing 5/8" iron pin at the common corner of Eastern Living I, LLC (Official Record 14988, Page 297) and Jimmie & Donna Morgan (Official Record 9815, Page 184), being the **POINT OF BEGINNING**;

THENCE, leaving said right-of-way line N58°52'17"W 30.04 feet to a point in the centerline of Eastern Avenue;

THENCE, with the centerline of Eastern Avenue for the following seven (7) courses:

1. N28°15'50"E 65.99 feet to a point;
2. N26°23'32"E 99.39 feet to a point;
3. N25°56'22"E 98.70 feet to a point;
4. N21°48'22"E 543.46 feet to a point;
5. N22°23'22"E 291.77 feet to a point;
6. N24°45'22"E 254.52 feet to a point;
7. N36°26'22"E 261.20 feet to a point;

THENCE, leaving said centerline and with the common line of Eastern Living I, LLC, Maria Soledad Alfaya (Official Record 14758, Page 1060), David Bohmer & Roxanne M. Bohmer (Official Record 5472, Page 291), and Orel Cronk, LTD (Official Record 7628, Page 2313) S42°22'22"E, passing a MAG nail & washer (set) at 30.00 feet, a total distance of 252.79 feet to a point in a common line with Southwest Ohio Regional Transit Authority (Official Record 7448, Page 1645), an iron pin (set) bears S42°22'22"E 5.00 feet;

THENCE, with the common line of Eastern Living I, LLC and Southwest Ohio Regional Transit Authority for the following seven (7) courses:

1. S29°56'07"W 409.54 feet to an iron pin (set);
2. S29°37'52"W 432.75 feet to an iron pin (set);
3. S29°33'52"W 102.64 feet to an iron pin (set);
4. S29°31'52"W 101.64 feet to an iron pin (set);



5. S29°45'52"W 102.16 feet to an iron pin (set);
6. S29°29'52"W 205.25 feet to an iron pin (set);
7. S29°34'52"W 175.67 feet to an existing 5/8" iron pin at the common corner of Eastern Living I, LLC, and Morgan;

THENCE, with the common line of Eastern Living I, LLC and Morgan N58°52'17"W 93.96 feet to the **POINT OF BEGINNING CONTAINING 7.2752 ACRES** and being subject to all right-of-ways and easements of record;

This description was prepared from a new survey made by Ryan M. Hartig, PS 8765, for Viox & Viox, Inc., November 15, 2022.



SUBJECT: A report and recommendation on a proposed zone change from Manufacturing General (MG) to Residential Multi-family (RM-0.7) at 4575 Eastern Avenue in Linwood.

GENERAL INFORMATION:

Location: 4575 Eastern Avenue, Cincinnati OH, 45226

Petitioner: Danny McKelvey, CIG Communities, Inc.

Petitioner's Address: 525 Vine Street, #1605, Cincinnati, OH 45202

Property Owner: David Bastos, CIG Communities, Inc.

Owner's Address: 525 Vine Street, #1605, Cincinnati, OH 45202

ATTACHMENTS:

- Exhibit A – Location Map
- Exhibit B – Site Photo
- Exhibit C – Zone Change Application
- Exhibit D – Zone Change Plat
- Exhibit E – Legal Description
- Exhibit F – Proposed Development Renderings & Site Plan
- Exhibit G – Coordinated Site Review (CSR) Letter CPRE230048
- Exhibit H – Linwood Community Council Letter of Support
- Exhibit I – Public Comment

BACKGROUND:

The petitioner, Danny McKelvey, on behalf of CIG Communities, is requesting a zone change at 4575 Eastern Avenue in Linwood from Manufacturing General (MG) to Residential Multi-family (RM-0.7). The subject property is currently an abandoned industrial site that contains some structures dating back to the late 1800s. The 7.28 acre site was most recently occupied by Wine Celler Innovations, which closed a few years ago. The applicant wishes to change the zoning to facilitate the construction of an adaptive reuse apartment complex with new construction, which is planned to have 271 residential units and 417 total parking spaces.

A small portion of the site is located within a Hillside Overlay District, but no part of the site is within a Local Historic District or Urban Design Overlay District. The complex as proposed will need to have a consolidated lot and some variances related to setbacks and driveway widths. The applicant has been made aware that these requests would need to be requested of the Zoning Hearing Examiner.

ADJACENT LAND USE AND ZONING:

The property is currently zoned Manufacturing General (MG). The adjacent zoning and land uses are as follows (also see Exhibit A):

North:

Zoning: Commercial Community Auto-oriented (CC-A) and Manufacturing General (MG)

Use: Commercial buildings, single-family homes, and a manufacturing building.

South:

Zoning: Residential Mixed (RMX) and Manufacturing General (MG)
Use: Single-family homes and a manufacturing site.

East:

Zoning: Manufacturing General (MG)
Use: Manufacturing site.

West:

Zoning: Residential Mixed (RMX) and Commercial Community Auto-oriented (CC-A)
Use: Single-family homes and commercial businesses, including two restaurants.

PROPOSED DEVELOPMENT:

The applicant intends to construct an adaptive reuse apartment complex with 271 residential units, onsite amenities, and 417 parking spaces located mostly in parking garages. The complex will preserve some parts of the existing structures, including the historic stone clock tower and one of the warehouse buildings. The southernmost building (Building 1) will be reused, with 185 parking spots on the first two levels and 44 apartments on the upper two levels. In the middle of the site will be Building 2, which will mostly be new construction of 134 apartments, but will reuse the clocktower as a library and a brick building for a leasing office and amenity space. On the north end of the site will be Building 3, which will be a new construction 4-story building with 93 apartments around a 232-space garage. The site will include amenities such as a pool, dog park, and pickleball courts. The applicant also intends to hold a percentage of units as affordable for people making 80%-100% of Area Median Income (AMI). Renderings and the site plan for proposed development are shown in Exhibit F.

COORDINATED SITE REVIEW:

The proposed project was reviewed by City departments through the Coordinated Site Review process. No departments had major concerns about the proposed project, except to ensure utility coordination. The Department of City Planning and Engagement – Zoning Division has specific comments related to variances needed, and the Department of Buildings and Inspections noted that the building is in a FEMA Flood Hazard Zone, which means it requires a Flood Plain Development Permit. DOTE had no opposition to the zone change, but requested a Traffic Impact Study, which the applicant then provided. All department comments are included in Exhibit G and note that the applicant originally intended to subdivide the property but subsequently decided not to, making any comments related to subdivision not applicable at this time.

PUBLIC COMMENT AND NOTIFICATION:

A virtual Public Staff Conference was held on Wednesday, November 29, 2023 to discuss the proposed zone change. Staff from the Department of City Planning and Engagement and the applicant team were present, and eleven members of the public were in attendance. Five members of the public voiced opposition, two were in support, and the rest did not state a position. Members of the public in opposition were concerned about the loss of jobs and lack of commercial space, that the project would skew the neighborhood to be full of renters instead of homeowners, that new residents would not be safe since Eastern Avenue is not bikeable or walkable, that this building is not appropriate on an alternate truck route, and that the development won't work because they believed that other area apartment complexes were not full, among other concerns. Project proponents stated that this project, and associated investments, would help to bring much needed traffic calming to a very dangerous section of Eastern Avenue, and that residents are desperately needed in the area to support local businesses, which have had a lot of trouble recovering after the COVID-19 pandemic.

The applicant met with the Linwood Community Council on October 30th, 2023. The Community Council

voted in favor of the project and provided a letter of support, which is shown in Exhibit H. In addition, nine emails from seven residents were received, with three residents in support, two against, and two asking questions or expressing potential concerns about parking. Some of the residents who sent emails also spoke at the staff conference, and all email correspondence is shown in Exhibit I.

Notice of the Public Staff Conference, as well as the January 5, 2024 City Planning Commission meeting, was sent to all property owners within 400 feet of the property, the Linwood Community Council and the Columbia Tusculum Community Council.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed zone change is consistent with the Live Initiative Area of *Plan Cincinnati (2012)* and the goal to “provide a full spectrum of housing options and improve housing quality and affordability” (p. 164), in the strategy to “to provide quality healthy housing for all income levels” (p. 165) and the focus area to “improve the quality and number of moderate to high-income rental and homeowner units” (p. 165). This project is also consistent within the Sustain Initiative Area, and the goal to “Preserve our natural and built environment” (p. 193) in the strategy to “Preserve our built history” (p. 197). The project is proposing to provide new rental housing on a former industrial site, while also preserving key historic aspects of the existing buildings and holding some units as affordable, which aligns it to *Plan Cincinnati*.

Linwood Neighborhood Strategy (2002)

The proposed zone change is consistent with the *Linwood Neighborhood Strategy (2002)* in the goal to “enhance and preserve existing community assets” (p. 12), the objective to “preserve architecturally and historically significant structures” (p. 12) and the strategy to “seek adaptive reuse of Linwood School and all large vacant buildings” (p. 12). It is also consistent with the goal to “increase homeownership for mixed incomes and encourage infill and rehabilitation opportunities”, the objective to “preserve the character of the neighborhood”, and the strategy to “identify and market parcels suitable for building. Target sites for infill and appropriate larger developments” (p. 14). The project will preserve valuable architectural history, and as well has convert an existing large abandoned industrial site into housing.

ANALYSIS

While there are no RM-0.7 zoning districts adjacent to the subject property, a zone change to a higher density residential use for this project is appropriate. Although this site is currently zoned for manufacturing, there are multiple other residential districts adjacent to the site. The neighborhood has many residential homes, and so changing the zoning to a residential district is not incompatible with the surrounding uses. Additionally, there are major nearby recreational amenities that would be attractive and beneficial to new residents, amenities which include Otto Armleder Memorial Park, Lunken Playfield, Reeves Golf Course, Alms Park, Ault Park, and the newly extended Little Miami Scenic Trail/Ohio River Trail.

Also, Linwood contains a variety of businesses, including two directly adjacent to the site, that would benefit from additional customers. Multiple people at the Public Staff Conference, including an adjacent businessowner, said that the Linwood business district was struggling due to the aftereffects of the pandemic and specifically called out for the need of new residents. Adding 271 units of housing will help to increase the customer base and the vitality of the business district.

Finally, large industrial sites can be challenging to redevelop due to complicated required environmental remediation, and the sheer size of the project. These industrial parcels often sit vacant for years waiting for a new tenant or use. The proposed development to reuse existing buildings is a context-sensitive and thoughtful approach that preserves Linwood's important history, while also providing needed housing. This method of historic preservation and housing creation is very much in line with *Plan Cincinnati* and the *Linwood Neighborhood Strategy*.

CONCLUSION

The staff of the Department of City Planning and Engagement supports the proposed change in zoning for the following reasons:

1. The proposed zone is similar in intensity to the surrounding area zoning.
2. The proposed use is consistent with Plan Cincinnati's Live and Sustain Initiative Areas, as well as the Linwood Neighborhood Strategy.
3. The proposed use will benefit the neighborhood's local businesses, provide needed housing, as well as preserve parts of old industrial buildings.

RECOMMENDATION:

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

APPROVE the proposed zone change from Manufacturing General (MG) to Residential Multi-family (RM-0.7) at 4575 Eastern Avenue in Linwood.

Respectfully submitted:



Andrew Halt, AICP, PE (PA), City Planner
Department of City Planning and Engagement

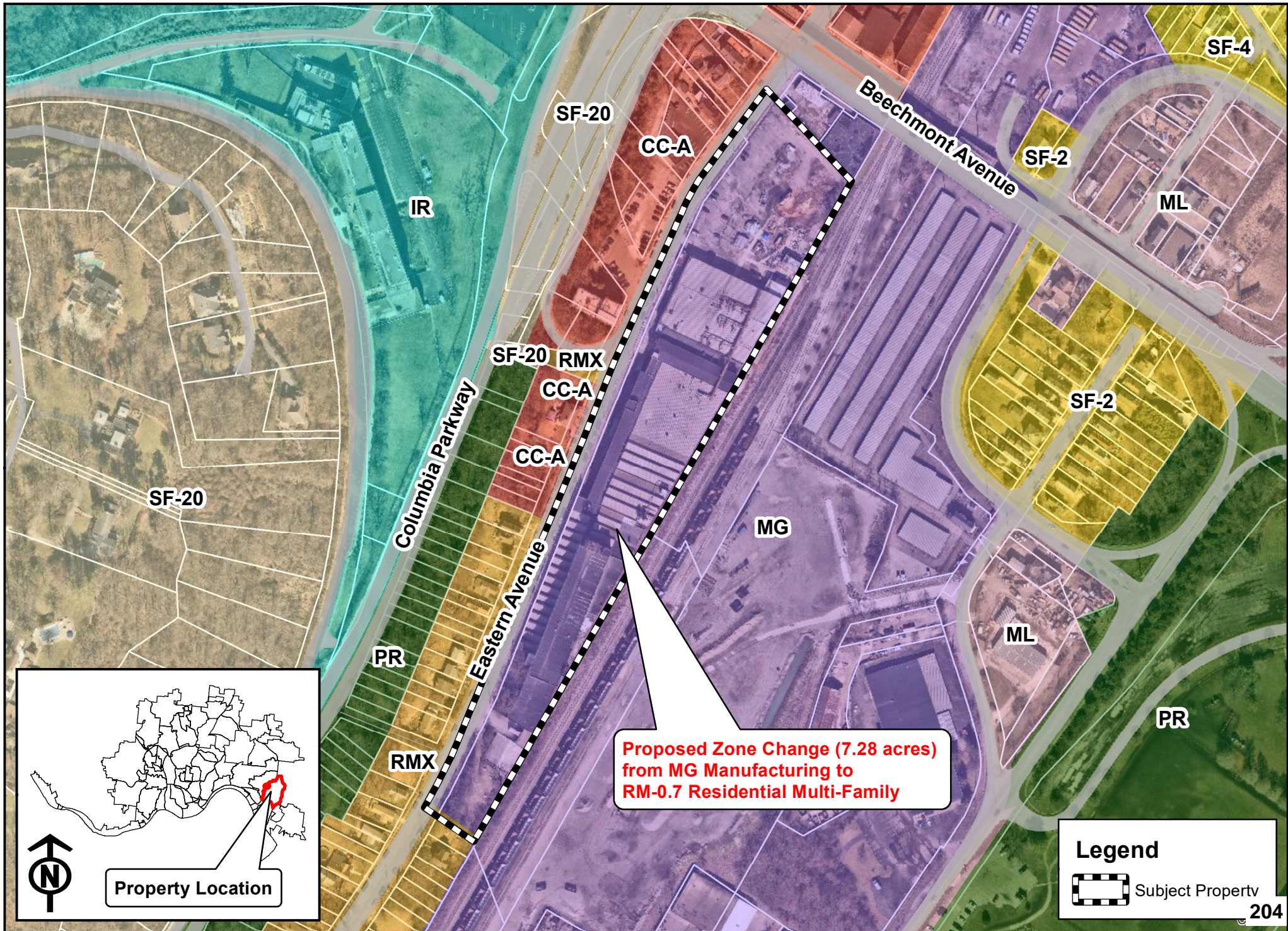
Approved:

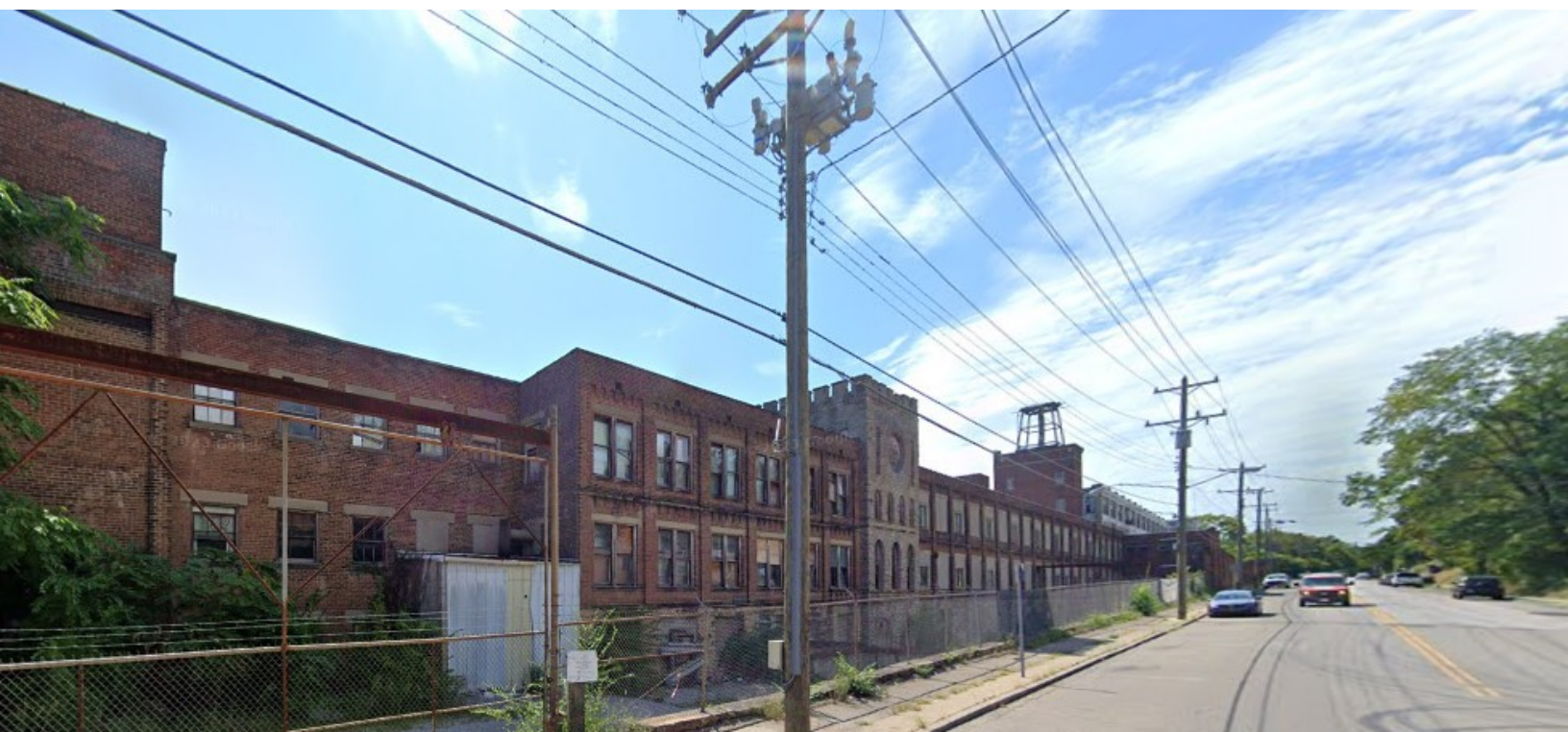


Katherine Keough-Jurs, FAICP, Director
Department of City Planning and Engagement

Proposed Zone Change at 4575 Eastern Avenue in Linwood

Exhibit A







City of Cincinnati Planning Department
Two Centennial Plaza
805 Central Avenue
Cincinnati, Ohio 45202

To Whom it May Concern:

CIG Communities is pleased to submit a rezoning application for 4575 Eastern Avenue. We request this change to allow for this large property in the Linwood neighborhood to be returned to productive use and provide much needed housing in the area.

The following information is a description of our proposed project:

- A zone district change from Manufacturing General (MG) to Residential Multifamily 0.7 (RM-0.7) to allow for the development of a 271 rental-apartment-home community. The development will see the adaptive reuse of a manufacturing facility with portions dating back to 1898, and the construction of two new wood-framed apartment buildings.
- Building 1, the adaptive reuse building located on the south side of the site, will include 185 parking spaces across the first two levels and 44 apartment homes on its upper levels. The building and its parking garage will be connected to Building 2 via a skybridge.
- Building 2, which sits in the middle of the site, will be a primarily new construction building while also adapting two existing structures on site. The structures are a 4-story stone clocktower and a 12,000 square foot brick structure, both constructed circa 1898. Our leasing office and the bulk of our amenities will be housed in the brick structure and the clock tower will become a library space for residents to use. Building 2 will have 134 apartment homes.
- Located at the north end of the property will be Building 3, a 4-story wrap apartment building containing 93 apartment homes "wrapping" around a 232-space garage.
- Onsite amenities will include a clubhouse, pool, golf simulator, library, grilling station, bark park, pickleball courts, etc.
- The development will be mixed income, with a percentage of units held affordable to persons making 80-100% of Area Median Income (AMI).

We request that the City of Cincinnati Planning Commission approve our request for the zone district change of this property from MG to RM-0.7 to allow for this community to be built.

Please see the site plan and architectural renderings attached.

Sincerely,
CIG Communities

A handwritten signature in black ink, appearing to read "Danny McKelvey", written over a horizontal line.

Danny McKelvey
Development Manager

PETITION FOR CHANGE OF ZONING OF PROPERTY LOCATED IN THE CITY OF CINCINNATI, OHIO

To: The Honorable Council of the City of Cincinnati

Date: 10/27/2023

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 MG Zone District to the RM-0.7 Zone District.

Location of Property (Street Address): 4575 Eastern Avenue

Area Contained in Property (Excluding Streets): 6.24 acres

Present Use of Property: Abandoned manufacturing facility

Proposed Use of Property & Reason for Change: _____

Multifamily residences. Zone change needed to facilitate a major conversion of this disused property.

Property Owner's Signature: 

David Bastos

Name Typed: _____

Address: 525 Vine Street, Cincinnati, OH 45202

Phone: 513-246-1980

Agent Signature: Danny McKelvey

Name Typed: Danny McKelvey

Address: 525 Vine Street, #1605, Cincinnati, OH 45202

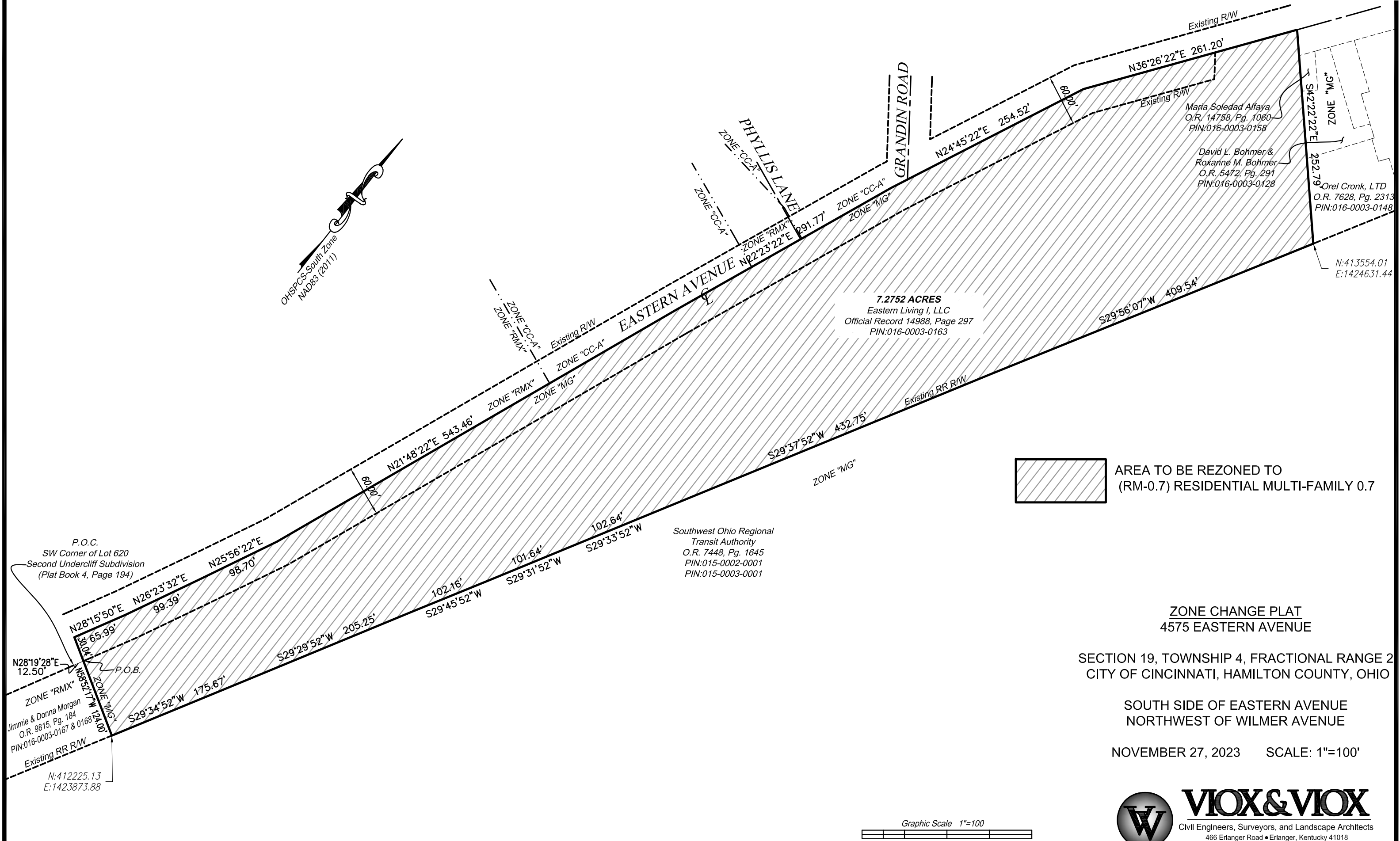
Phone: 937-405-5857

Please Check if the Following Items are Attached

Application Fee ☒ _____

Copies of Plat ☒ _____

Copies of Metes and Bounds ☒ _____



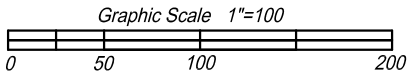
AREA TO BE REZONED TO
(RM-0.7) RESIDENTIAL MULTI-FAMILY 0.7

ZONE CHANGE PLAT
4575 EASTERN AVENUE

SECTION 19, TOWNSHIP 4, FRACTIONAL RANGE 2
CITY OF CINCINNATI, HAMILTON COUNTY, OHIO

SOUTH SIDE OF EASTERN AVENUE
NORTHWEST OF WILMER AVENUE

NOVEMBER 27, 2023 SCALE: 1"=100'





466 Erlanger Road | 602 Lila Avenue
Erlanger, Kentucky 41018 | Milford, Ohio 45150

Tel: 859.727.3293 | Tel: 513.576.1000
Fax: 859.727.8452

www.vioxinc.com

December 19, 2023

DESCRIPTION OF 7.2752 ACRES

Situated in Section 19, Town 4, Fractional Range 2, Miami Purchase, Columbia Township, City of Cincinnati, Hamilton County, Ohio and is more particularly described as follows:

All bearings referred to herein are based upon the Ohio State Plane Coordinate System, South Zone, NAD83 (2011).

COMMENCING, at a point in the easterly right-of-way line of Eastern Avenue, 30.00 feet as measured perpendicular to the centerline, said point also being the southwesterly corner of Lot 620 of the Second Undercliff Subdivision (Plat Book 4, Page 194);

THENCE, with said right-of-way line N28°19'28"E 12.50 feet to an existing 5/8" iron pin at the common corner of Eastern Living I, LLC (Official Record 14988, Page 297) and Jimmie & Donna Morgan (Official Record 9815, Page 184), being the **POINT OF BEGINNING**;

THENCE, leaving said right-of-way line N58°52'17"W 30.04 feet to a point in the centerline of Eastern Avenue;

THENCE, with the centerline of Eastern Avenue for the following seven (7) courses:

1. N28°15'50"E 65.99 feet to a point;
2. N26°23'32"E 99.39 feet to a point;
3. N25°56'22"E 98.70 feet to a point;
4. N21°48'22"E 543.46 feet to a point;
5. N22°23'22"E 291.77 feet to a point;
6. N24°45'22"E 254.52 feet to a point;
7. N36°26'22"E 261.20 feet to a point;

THENCE, leaving said centerline and with the common line of Eastern Living I, LLC, Maria Soledad Alfaya (Official Record 14758, Page 1060), David Bohmer & Roxanne M. Bohmer (Official Record 5472, Page 291), and Orel Cronk, LTD (Official Record 7628, Page 2313) S42°22'22"E, passing a MAG nail & washer (set) at 30.00 feet, a total distance of 252.79 feet to a point in a common line with Southwest Ohio Regional Transit Authority (Official Record 7448, Page 1645), an iron pin (set) bears S42°22'22"E 5.00 feet;

THENCE, with the common line of Eastern Living I, LLC and Southwest Ohio Regional Transit Authority for the following seven (7) courses:

1. S29°56'07"W 409.54 feet to an iron pin (set);
2. S29°37'52"W 432.75 feet to an iron pin (set);
3. S29°33'52"W 102.64 feet to an iron pin (set);
4. S29°31'52"W 101.64 feet to an iron pin (set);



5. S29°45'52"W 102.16 feet to an iron pin (set);
6. S29°29'52"W 205.25 feet to an iron pin (set);
7. S29°34'52"W 175.67 feet to an existing 5/8" iron pin at the common corner of Eastern Living I, LLC, and Morgan;

THENCE, with the common line of Eastern Living I, LLC and Morgan N58°52'17"W 93.96 feet to the **POINT OF BEGINNING CONTAINING 7.2752 ACRES** and being subject to all right-of-ways and easements of record;

This description was prepared from a new survey made by Ryan M. Hartig, PS 8765, for Viox & Viox, Inc., November 15, 2022.

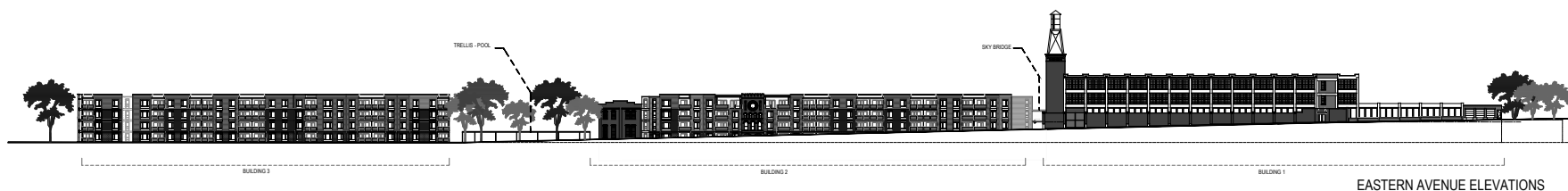
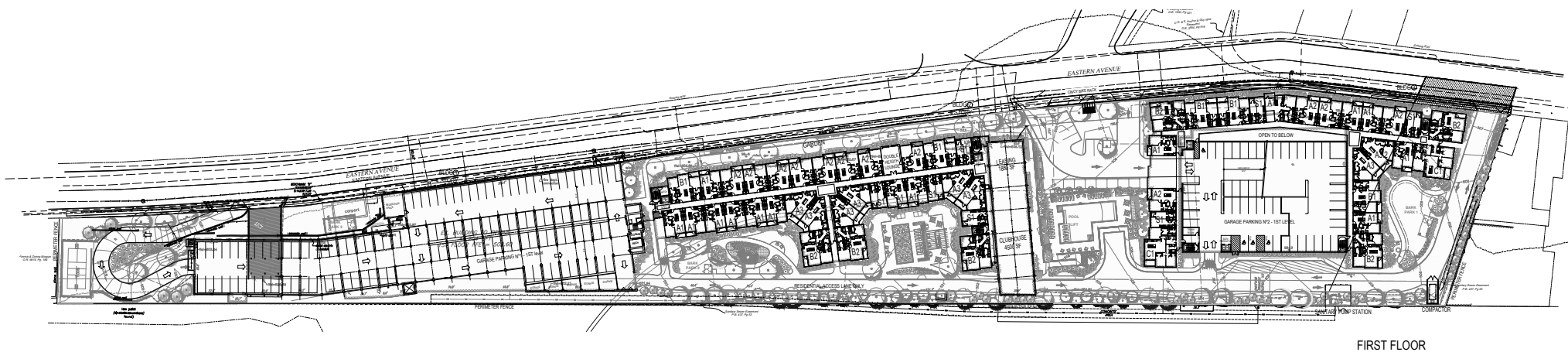
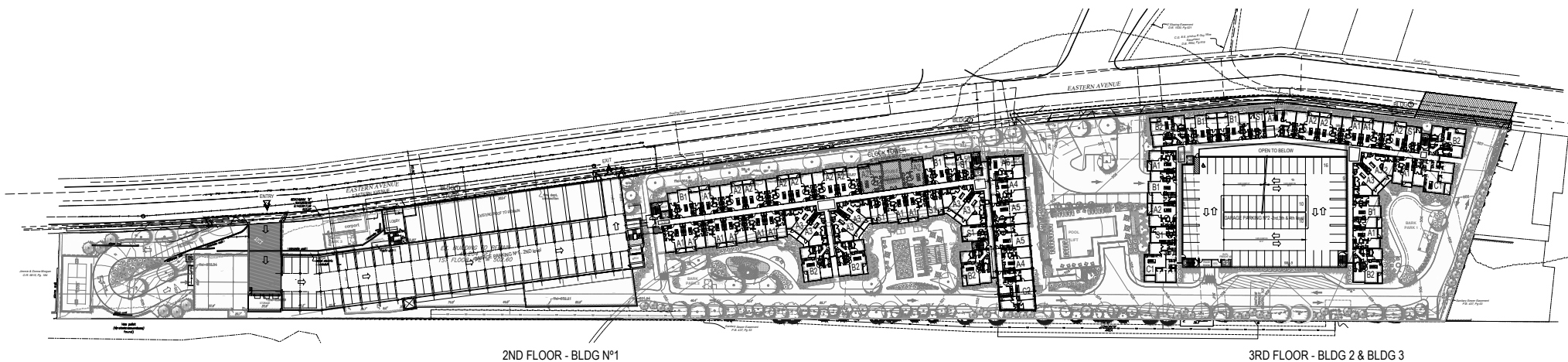












SCALE: 1" = 50' - 0" (24"x36" SHEET)



HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

CIG Communities

ARCHITECTURAL SITEPLAN

October 20, 2023

4575 Eastern Avenue
Cincinnati, OH
HPA# 23029

© 2022 by HUMPHREYS & PARTNERS ARCHITECTS, L.P. The arrangements depicted herein are the sole property of HUMPHREYS & PARTNERS ARCHITECTS, L.P. and may not be reproduced in any form without its written permission. Architectural conceptual site plans are for feasibility purposes only. Residences may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are at a schematic intent only. Refer to various and civil drawings for technical information and measurements.



September 7, 2023

Mr. Danny McKelvey
 CIG Communities
 525 Vine Street
 Cincinnati, Ohio 45202

Re: 4575 Eastern Avenue | CIG Communities (D) – **(CPRE230048)** Final Recommendations

Dear Mr. McKelvey,

This letter is to inform you that our CSR Advisory-TEAM and CSPRO Committee has reviewed your proposed project at **4575 Eastern Avenue** in the Community of Linwood. It is my understanding that you are proposing a residential development at a site of existing structures dating back to 1898. Work will include demolition and rehabilitation of the overall structure for parking and residential units. New construction will include a pre-cast garage with wrap apartments at the northern portion of the site, and a freestanding apartment building which will absorb and utilize the stone clocktower currently present on site. The estimated unit count is 271. 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 **Teams conference call meeting** with you on **September 12, 2023 @ 10 am** to discuss this information. Please see the feedback listed below. Thank you for developing within the City of Cincinnati.

City Planning & Engagement – Planning Division

Immediate Requirements to move the project forward:

1. Submit all plat consolidations to Hamilton County and not the City of Cincinnati.
2. Subdivisions are submitted to and reviewed by the City, and then recorded with Hamilton County.
3. For more information, see this Parcel/Lot Consolidation FAQ:
<https://www.cincinnati-oh.gov/buildings/building-permit-forms-applications/application-forms/all-forms-handouts-checklists-alphabetical-list/lot-consolidation-handout/>
4. Since this project is in the Hillside Overlay District, it is considered a Major Subdivision.
5. The Major Subdivision application and the Zone Change application to change the zoning to RM-0.7 can be submitted/processed simultaneously, as long the property boundaries are identical. In addition, any relief from the Zoning Code can be requested during the Major Subdivision process.
6. The process is as follows:
 - Submit consolidation plat to Hamilton County
 - Once consolidation is recorded, submit for a Major Subdivision and Zone Change with the City of Cincinnati.
 - Application for Subdivision: <https://www.cincinnati-oh.gov/planning/subdivisions-and-lot-splits/>
 - Application for Zone Change: <https://www.cincinnati-oh.gov/planning/zoning-administration/>

- Hold a meeting with Planning Staff before application submission to ensure everything is included in the application and to discuss timeline details (Contact Andrew Halt at information below)
- Hold public staff conference(s)
- Go to City Planning Commission for the Zone Change and Major Subdivision.
- If approved by the City Planning Commission, it will go to City Council for the Zone Change.
- Zone Changes take approximately 8-12 weeks, and Major Subdivisions 4-6 weeks. However, please note that applying for the Major Subdivision and Zone Change simultaneously is not a guarantee of approval for either application. Since Zone Changes are a legislative process that is approved by the City Council, there is a potential risk of denial.

Requirements to obtain permits:

- None

Recommendations:

1. It is strongly advised that the applicant continues to engage with the Linwood Community Council and adjacent property owners regarding the proposed project.
2. Contact information for community councils can be found here: <https://bit.ly/CommunityCouncilContacts>.

Contact:

- **Andrew Halt** | City Planning | 513-352-4854 | andrew.halt@cincinnati-oh.gov

City Planning & Engagement – Zoning Division

Immediate Requirements to move the project forward:

1. **The applicant will need to request a zone change from the City Planning Commission to allow for a change from MG to RM-0.7. Zoning Comments are based on a zone change to RM 0.7.**
2. If the applicant wants to propose splitting the lot into three separate parcels, one for each building, this will also require subdivision review by City Planning Staff. A complete zoning analysis of side setbacks, density, and parking cannot be completed without proposed parcel lines. This zoning analysis is based on all three buildings being located on one lot. With the proposed pool and skybridge, Zoning recommends seeking relief from 1400-23 for Multiple Principal Structures on a lot rather than subdividing.
3. Please indicate the boundaries of the Hillside Overlay District on the Site Plan. A full Hillside Review will occur for all work within the Hillside Overlay District boundary, and the application requirements in 1433-15 of the zoning code will need to be met to complete a full hillside review of the portion of the work within the Hillside Overlay District Boundaries.
4. Building Height is measured from the established grade in the front of the lot or the average natural grade at the building line, if higher. Measurement using either as the basis should be provided. Based on a height indicated of 45'5", building 2 and 3 would be required to have a rear yard setback of 27 ft. and side yard setbacks are a minimum of 2 ft. and cumulative of 9 ft. A rear setback variance of 8.82 ft. is required.

5. The placement of the pool within the side yard requires a variance from 1421-01 for the location of an accessory residential structure in the side yard.
6. Per 1425-35(a) access drives are permitted with a maximum width of 20 feet unless the City Engineer requires a wider driveway. A variance of 6 ft. is required for a maximum driveway width of 26 ft.

Requirements to obtain permits:

1. A refuse storage area is noted in the southeast corner. Please provide more details to demonstrate compliance with 1421-35 including what the enclosure will look like, and the height.
2. Per 1421-39, all exterior light sources on private property, including canopy, perimeter, and flood, must be energy-efficient, stationary, and shielded or recessed within the roof canopy to ensure that all light is directed away from adjacent properties and public rights-of-way. The maximum height may not exceed 20 feet above grade.

Recommendations:

1. Work with Zoning Staff on resolving the subdivision proposal and hillside review to finalize the zoning analysis.

Contact:

- **Kate Meehan** | ZPE | 513-352-2441 | kathleen.meehan@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.
2. An approved site utility plan will be required for building to receive approved permit.
3. Your project may change flow to a sewer overflow. Please complete the Request for Availability of Sewer Service Form online. The link to the online form can be found at http://www.msdbg.org/customer_care/development_services/index.html Email questions to MSDAvailability@cincinnati-oh.gov
4. Any relocation of an existing sewer will need to be designed in accordance with current regulations and will require an Ohio EPA Permit To Install.
 - a. A quick look at this sewer suggests that it may not be serving any purpose, but I'm not sure on that yet. If this is the case, you can abandon it on your property. There may also be an option to use it for your stormwater in lieu of the Eastern Ave combined sewer, but there are complications there that need to be examined before I can say that with confidence.
5. On sheet C500 there is a note (Key Note #4) that directs that the sanitary pump station will be upgraded or replaced to meet the required GPD flows. It also states that the pump station will be private.
6. MSD will require that the entire sewer system from head end manhole # 42205020 to and including receiving manhole # 42212054 will be private. Any upgrades or changes to the system will be done to MSD standards and will require permits."

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
 - If detention is required by MSD, provide SMU with a copy of the follow items: approved detention calculations, drainage map, detailed drawing of detention control structure with elevations.
2. Storm Requirements
 - Calculations for storm water conveyance system, major storm calculations / flood routing.
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.
 - Tie into Curb inlets are NOT PERMITTED, on Crown St cannot tie one curb inlet to another.
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@cincinnati-oh.gov

Water Works

Immediate Requirements to move the project forward:

1. The owner/developer will be required to perform upgrades to the public water system and the related service branches currently serving this property. Specifically, an unmetered private fire line owned by the property currently exists within the right of way that requires modification and elimination. This work was started in 2016 but Water Works has no record of this work being completed. Before any building permits are issued, the required public water system upgrades must be completed. This work includes an approved Preliminary Application, approved construction drawings, approved contractor bond and letter of intent and be fully constructed and in service.
 - a. To initiate this work, Owner/developer's engineer will need to submit for a Greater Cincinnati Water Works Preliminary Application. Contact Phil Young at 513-591-6567 or Phillip.Young@gcww.cincinnati-oh.gov
2. At the owner/developer expense a flow test will need to be conducted at the fire hydrant nearest to the proposed water service branch connection with a fire protection company and/or sprinkling company.
 - a. Contact our dispatch office to schedule a flow test 513-591-7909 or 513-591-7910.
 - b. Email results to Richard.Roell@gcww.cincinnati-oh.gov

Requirements to obtain permits:

1. GCWW standards require the proposed dual service meters to be placed in an outside setting in a pit and box with a backflow preventer in a heated structure on the property side.
2. If GCWW determines that the meters and backflow preventers cannot be in an outside setting. An inside setting must be immediately inside the point of entry of the buildings in a mechanical room with no bends before the meter setting and backflow preventers.
3. Greater Cincinnati Water Works (GCWW) will require a stamped and recorded consolidated plat before any building permits are approved or water service branch(es) sold. Each parcel will be required to have its own water service branch.
4. Before any building permits are approved, the owner/developer will be required to complete all public water main improvements as defined as conditions of the approved preliminary application. This generally includes the completion of approved plans, all submittals including environmental report, easement plat, contractor bond, letter of intent, and complete construction/abandonment of the public water main installed and in service.
5. The subject development property is receiving water service from the following:

Address	Branch #	Size	Meter #	Size
4575 Eastern Av.	H-312309	8"	DC4297	5/8"
4551 Eastern Av.	H-64712	5/8" - FOD **	Not useable; Lead on public and private side	
4575 Eastern Av.	H-121122	2"	122226	2"
4575 Eastern Av.	H-58227	6"	DC4189	5/8"
4575 Eastern Av.	H-64410	2"	098220	2" *Lead on private side
4575 Eastern Av.	H-73945	8"	Unmetered Fire	
4575 Eastern Av.	Unknown	8"	Private Fire Line	

** FOD - this inactive branch cannot be repurchased.

* Please note that there are known health risks with lead service lines. Greater Cincinnati Water Works records indicate the existing public side of water service line (H-64410) at this site is a

Lead Service lines. In accordance with CMC Chapter 401 Division M, water service line should be replaced with copper service line if it is to remain.

6. The owner/Developer is advised that the Topographic Survey provided does not accurately reflect the water system. Not all services to the site are shown. The private fire line located in the right of way owned by the Owner/Developer is not shown either.
7. Water Works desires a plan depicting proposed water service to the site so that a comprehensive plan may be developed to address the existing infrastructure on the site and proposed service to the development.
8. In addition to the private fire line, the unmetered fire service branch (H-73945) must be brought up to today's standards, if it is to remain in service. This will require the piping arrangement, backflow prevention device, and the meter to be placed in a new pit/setting that will need to be constructed according to Water Works Standard Drawings. The certified licensed fire protection company must contact Field Services (Ben McQueary 513-591-7835) for further directions. This will be required to be shown on any building permit drawings for correction or elimination. Work must be completed prior to the issuance of the Certificate of Occupancy.
9. If the water service branch(es) are not to remain, the 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 the discontinuance of the account associated with the existing water service branch(es). This process must be completed before any new water service branch(es) can be sold.
10. If the existing water service branch(es) for this project is not to be used for this development, it must be disconnected at the owner's / developer's expense. The discontinued branch(es) will require a drawing showing the branch(es) and branch number(s) that is to be physically disconnected from the main. Submit to Phil Young at Phillip.Young@gcww.cincinnati-oh.gov. Alternatively, this may be included with the installation of any large branches, if applicable.

Recommendations:

1. The Owner(s)/Developer(s) will need to hire a Greater Cincinnati Water Works certified licensed and bonded fire protection company and plumber to perform the private water service branch design work and installation.
2. The Owner(s)/Developer(s) must have a licensed fire protection company and plumber that is bonded and certified with GCWW and fill out the Online Branch application <https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/> for water service.
3. For water main upgrade/abandonment questions, please contact Phil Young, Water Works, 513-591-6567, Phillip.Young@gcww.cincinnati-oh.gov,

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).

Requirements to obtain Permits:

1. Your site plan will need to show that there are at least two readily accessible fire hydrants within 400' from all parts of the structures.
2. Fire Department Connections are to be within 50' of a fire hydrant.

3. Hydrants and FDC placement is not to block fire apparatus access to the structures.
4. Emergency Responder Radio Coverage is required for any buildings over 20,000 square feet.
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.
7. Access Streets, Roadways or Driveways. (b) The surface shall be of sufficient strength and type to adequately support any fire division apparatus under any weather conditions.
8. The weight of our apparatus is as follows:

Apparatus	Width	Length	Height	Weight	Front axle	Rear axle	Turn radius inside/outside
Ladder	10'	41'10"	11' 9"	70,000	21,600	48,000	35.45/39.25
Engine	10'	31'6"	9'5"	44,000	20,000	24,000	34'6"/41'6"
Ambulance	9' 4"	22'2"	9' 2"	18,500			34'/41'

9. Recommendations:

- None

Contact:

- **Robert 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. This project appears to be requesting funding incentives from the City. Depending on the incentive, this project may require environmental approval from OES.
3. 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. A current Phase I ESA performed to the ASTM Standard E1527-21 of the proposed offsite borrow source property must be submitted for review. Stockpiled soils that will be used as fill material from an offsite borrow source require environmental sampling and analysis and the results be submitted for review. Please contact OES for a recommended sampling plan.

Recommendations:

1. The following recommendation is based on State of Ohio requirements:
 - a. Due to the anticipated age of the existing site structures, 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 demolition or renovation.

2. The following recommendations are based on adopted City of Cincinnati environmental and sustainability policies:
 - a. This property has had a long industrial history and is a suspected brownfields site. The development should environmentally evaluate the site for residential land use suitability.
 - b. The project site is mapped within a flood hazard zone. Site development precautions should be taken for riparian and flash flooding concerns.
 - c. The development design should consider the locally increasing storm intensities and its detrimental effects on hillside stability. A City resilience goal is to have no increase in storm damage remediation costs.
 - d. The development goal should be to earn at a minimum the LEED Certified rating level.
 - e. Rooftop solar should be considered in the design as a renewable energy source.
 - f. Site parking should include charging stations for electric vehicles.
 - g. Site areas designated for trash dumpsters should also have at least equal space designated for recycling dumpsters.
 - h. The use of trees in the landscape design should be included to enhance urban forestry.
 - i. 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:

1. Urban Forestry has no issues or concerns with anything in ROW but encourages tree planting as much as possible on private property to increase the tree canopy of the neighborhood.

Recommendations:

- None

Contact:

- **Marianne Prue** | Urban Forestry | 513-861-9070 | marianne.prue@cincinnati-oh.gov

Department of Transportation & Engineering (DOTE)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. Traffic Impact Study is required. DOTE will provide additional comments once that is complete.
2. The right of way is to be 10' from the curb the length of the project property. The sidewalk is to be 10' wide or 5' wide with a 5' tree lawn.
3. The far west driveway(s) either need to be combined or separated further.
4. The far east driveway needs to be 24' wide.

5. No foundations are to be located in the right of way. Must be completely on private property.
6. The 'horseshoe' parking lot still needs to be addressed.
 - a. One way in, one way out? Turn it into a parking lot (not drive through)?
 - b. Line up the exit driveway with the street across Eastern.
7. Use City standard driveway aprons.
8. Remove any unused driveway aprons/dropped curb and replace them to meet City standards.
9. Maintain pedestrian access during construction. See the Traffic Management Plan Guidelines on the DOTE website: <https://www.cincinnati-oh.gov/dote/permits-licenses/>
10. All work in the public right-of-way will require a separate DOTE permit.
11. Assigned addresses will be: 4575 Eastern Avenue (Bldg #1), 4625 Eastern Avenue (Bldg #2), and 4715 Eastern Avenue (Bldg #3). Per Ohio Fire Code and the City Municipal Code, each building must have the address numbers posted and clearly visible from the road. Contact DTEaddress@cincinnati-oh.gov with questions.

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. The building appears to be in the FEMA Flood Hazard. As such a flood Plain Development permit is required.
2. The building shall be equipped with a fire sprinkler system.
3. Special Inspections will be required for this project.

Recommendations:

- None

Contact:

- **Art Dahlberg** | B&I | 513-352-2424 | art.dahlberg@cincinnati-oh.gov

Law Department

Immediate Requirements to move the project forward:

1. No comment at this time.

Requirements to obtain permits:

- None

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:

1. None.

Recommendations:

- None

Contact:

- **Taylor German** | DCED | 513-352-4546 | taylor.german@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

Board
Anthony Russo - President
Elizabeth Sloehr - Vice President
Marlene Wagner - Treasurer



Trustees
Jane Butschie
Todd Newcomb
Bonnie Lichtenberg
Tom Salamon
Michelle Sallee

October 31st, 2023

City of Cincinnati
801 Plum Street,
Cincinnati, OH 45202

CIG Communities has contacted the Linwood Community Council and presented a proposal for the property of 4575 Eastern Avenue.

On behalf of the Linwood Community Council, I am writing to you to express our support for the application to rezone the property from MG to RM-0.7. At a meeting of the general community on October 30th, 2023, we voted in favor of the requested zone change and tax abatement. The vote was held with stipulation that CIG would continue to work with the neighborhood to improve pedestrian safety and walkability throughout Linwood.

The details of the proposal are as follows:

- A zone change from Manufacturing General (MG) to Residential Multi-Family 0.7 (RM-0.7) to allow for the construction of a 271-unit apartment complex with 422 structured parking spaces.
- A 100% CRA tax abatement for 15 years, with a PILOT agreement made with Cincinnati Public Schools and a 7.5% Voluntary Tax Increment Contribution Agreement (VTICA).
- 16 units held affordable at 80% AMI for 15 years, and 15 units held affordable at 100% AMI for 15 years.

CIG Communities has agreed to work with Linwood Community Council to find solutions to traffic and pedestrian safety solutions throughout the neighborhood, especially issues that may be created due to this development.

Sincerely,
Anthony J. Russo


President Linwood Community Council

Halt, Andrew

From: Wayne, Richard S. <rswayne@strausstroy.com>
Sent: Friday, November 17, 2023 10:53 AM
To: Halt, Andrew
Subject: [External Email] CIG Communities Proposed Eastern Ave Development

You don't often get email from rswayne@strausstroy.com. [Learn why this is important](#)

External Email Communication

Mr. Andrew Halt
Department of City Planning
Cincinnati, OH

Mr. Halt,

I am an owner of property on Eastern Avenue in the Linwood District and am writing to express my support for the multi-family development being proposed by CIG Communities at 4575 Eastern Avenue in the Linwood District of Cincinnati. I support the development which proposes to bring new rental properties to the east side of Cincinnati. The east side of the city is in need of additional rentals and the project will clean up a blighted property on Eastern Avenue. It is my understanding that the plan proposes to retain part of the existing building and I believe that is a nice feature to incorporate into the project. I hope that you will support the project and the approval of the zoning change being requested by CIG for the property.

Thanks,
Rick Wayne
Eastern Avenue Property Owner

Richard S. Wayne | Shareholder
Federal Reserve Building | 150 E. 4th Street, 4th Floor
Cincinnati, OH 45202-4018
TEL: 513.621.2120 | DIRECT: 513.629.9472
www.strausstroy.com | rswayne@strausstroy.com

STRAUSS TROY
 attorneys at law



This message may contain information that is attorney work product, attorney-client privileged or otherwise confidential. If you are not an intended recipient, the use or disclosure of this message is strictly prohibited. If you received this message in error, please notify the sender by reply e-mail, and delete the message and any attachments.

As provided for in U.S. Treasury regulations, any advice relating to federal taxes that is contained in this communication cannot be used for the purpose of

Halt, Andrew

From: John Heekin <jheekin@transformancerealty.com>
Sent: Sunday, November 19, 2023 12:54 PM
To: Halt, Andrew
Subject: [External Email] 4575 Eastern Ave

You don't often get email from jheekin@transformancerealty.com. [Learn why this is important](#)

External Email Communication

Hello Andrew,

I wanted to take a moment to indicate my support for the project at 4575 Eastern Ave being developed by CIG properties. It is such a dynamic and exciting change to area and project that can create a focal point for Linwood which has been divided by Columbia Parkway, Beechmont Levee railroads and flood plain. The key assets of the community are its parks, active biking paths and walking paths. It also has the Lunken playfield that hosts picnic, golf ,tennis, pickle ball, baseball, softball, and football and has been a mainstay of the area for most of the century. It has added Armeleder park in the 20 years ago and this area is where Cincinnati plays. My great grandfather was the last Mayor of Linwood before it was incorporated in 1896 into the city and my family has a pretty substantial legacy in the area for over 135 years and it has been neglected as a community. It is an intermodal area but not a connected community.

This a very exciting project and that preserves the useable assets of the site and removes the blight. This is an wonderful change that will add new residents to the neighborhood. I further believe the city should support the project with improving connectivity to Wilmer and paving and improving the Lunken Playfield streets and parking areas. The largest real estate projects in the area are self storage lots and those are not community builders. Please take the opportunity created by the project to work on the connectivity of the neighborhood because it is a major point of connectivity to the hiking and biking trails of Cincinnati and Southwest Ohio and I can't wait to see it get started.

John J Heekin
President
Transformance Realty
5065 Shattuc Avenue
Cincinnati, Ohio 45208
513-404-1834
Jheekin@transformancerealty.com

Halt, Andrew

From: Carl Goertemoeller <cgoertem@gmail.com>
Sent: Wednesday, November 22, 2023 8:16 AM
To: Halt, Andrew
Cc: Fusaro Gregg
Subject: [External Email] 4575 Eastern Avenue

You don't often get email from cgoertem@gmail.com. [Learn why this is important](#)

External Email Communication

Andrew, I am writing to fully support the CIG project planned for 4575 Eastern Ave.

They will be keeping about a third of the existing building and building two new apartment structures for a total of 268 units. Approximately 10% of these units will be set aside as “affordable” units. The project will have a full amenity package and covered parking and will get rid of the current blight from this site, creating a vibrant new community that will bring vitality to the Linwood neighborhood.

CIG is a best in class multi family developer and has recently completed a number of new projects in greater Cincinnati. I have full confidence in their ability to do the same for the Linwood neighborhood. Thanks Andrew.

Carl Goertemoeller
5085 Shattuc Avenue
Linwood, OH 45208

Sent from my iPhone

Halt, Andrew

From: Sandra Freyler <sandrafreyler@icloud.com>
Sent: Saturday, November 25, 2023 2:51 PM
To: Halt, Andrew
Subject: [External Email] Zone Change

[You don't often get email from sandrafreyler@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

External Email Communication

Good Afternoon Mr. Halt,

My name is Sandra Freyler and I am a resident and received the letter in the mail about the zone change. I live across the street from the Wine Innovation building (4580 Eastern).

Unfortunately, I will not be able to join the zoom meeting.

I would like to stress my concern about the street parking. Many of us do not have driveways and hope that the street parking will not be an issue.

If you have any questions please do not hesitate to contact me.

Thank you,
Sandra Freyler

513-310-4596
4580 Eastern Ave.
Cincinnati, OH 45226

Halt, Andrew

From: Claire Valle <clairevalle@icloud.com>
Sent: Sunday, November 26, 2023 6:17 PM
To: Halt, Andrew
Subject: [External Email] 4575 Eastern Ave Proposal

[You don't often get email from clairevalle@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

External Email Communication

Hello Andrew,

I am a tenant who lives directly across from the old Wine Cellar building.

Please consider my family's and neighbor's concerns regarding the proposed RM-0.7 at 4575 Eastern Ave:

- Parking - there is a concern that our street parking will be affected by the construction and future residents.
- Noise - there are concerns about the noise of construction (as we work from home often). And wondering what to expect with potential construction noise.

We would very much be interested in how these concerns would be addressed if this proposal were to move forward.

Thank you for your consideration.

Claire

513-909-5032

Halt, Andrew

From: Elizabeth Goodman <edehne@gmail.com>
Sent: Wednesday, November 29, 2023 7:52 PM
To: Halt, Andrew
Subject: [External Email] Follow-up for 4575 Eastern
Attachments: 4575 Eastern Ave.pdf

You don't often get email from edehne@gmail.com. [Learn why this is important](#)

External Email Communication

Dear Andrew,

Thanks for a great meeting this evening. Apologies for going over time with my comments today. I attached a PDF of PowerPoint of the slides I prepared for the meeting for the consideration of the Planning Department.

Just a few more comments for the record:

The communication from the Community Council was less than effective. One of the members told me today that there were only 2 residents present at CC meetings for the presentations by the developer. The vote to support this project by the CC won 3-2.

As for street calming with speed humps. I found a helpful document from the Institute of Traffic Engineers. [Link here](#)

"Arterial streets are used for mobility purposes and are typically used by through vehicles (on longer trips) at higher speeds. On arterial streets, such as highways and major urban streets, speed humps are typically considered impractical because these roadways are meant to serve a mobility purpose. Collector roadways typically link arterials to the local roadway system. They normally experience moderate to low speeds. Typically, speed humps are not automatically recommended for collector streets but may be allowed in some jurisdictions. The decision to implement a speed hump on a collector street is usually made on a case by case basis after an engineering study of the roadway."

Finally, the building has a lot of potential to create more space for local businesses to use, parking for the current neighborhood restaurants, and the developer still has the opportunity to make efficient use of a historic building that needs some care, which is always a plus. As it stands, the construction will create a single use building that only benefits paying renters and the developer and nothing value added to the neighborhood.

It would be ideal if the unit number is decreased in favor for mixed use. Especialy since there are multiple large new apartment construction units on the market in the area.

Thanks again and have a great day!

Sincerely,
Elizabeth Goodman
Linwood Resident



4575 Eastern Ave



Linwood, OH



Neighborhood Strategy p.7 - 2002

“In conjunction with the City’s economic developers, the [Linwood CC] desires to retain and recruit businesses that provide desirable employment opportunities.”

Neighborhood Strategy p. 13 Goals & Objectives

Goal 4

Attract responsible, neighborhood-oriented commercial development that will also serve as destination points to attract "through-traffic"

Objectives

- Promote Linwood as a recreation destination point with accessory commercial uses
- Promote compatible mix of development
- Retain existing businesses that serve Linwood through job creation or by drawing visitors
- Improve communication between residents and businesses

Neighborhood Strategies p. 13

Strategies

- Initiate a market feasibility study to determine the market for commercial development
- Market available land for commercial development (see map, Appendix B)
- Promote commercial development that is aesthetically compatible with the urban environment and assist with their future needs (*"good neighbor businesses"*)
- Maintain neighborhood business district zoning on Eastern Avenue in vicinity of Linwood Avenue
- Assist potential business with available City resources such as small business loans, tax increment financing, tax abatement
- Create a LCC task force to set up communications with commercial representatives or work with an existing community development corporation

Linwood Community Council Letter - 2022

“In April 2021, the [LCC] voted against a proposed planned development to place a rental apartment complex...in an ML zoned area. The City Planning Commission did not approve that project. The project would have offered “market rate” rental properties, thereby skewing the population of Linwood toward a majority of renters vs. residents.”

Route 50/Eastern Ave- Alt Truck Route

Placing a Red Bike station at this location could be an issue. This location should not be marketed as walkable/bikeable/safe for pedestrians. There is a reason this area is largely ML/MG zoning.

- Heavy large truck traffic, narrow sidewalks and streets. Speed bumps may not be workable for these vehicles.
 - Especially if people are traveling towards the city, Eastern narrows significantly through the East End.
 - See reports below
 - **Cincinnati defense attorney killed cycling in East End hit-skip (2020)**
 - <https://www.fox19.com/2020/11/01/cincinnati-defense-attorney-killed-cycling-east-end-hit-skip/>
 - **Cyclist taken to hospital after being hit by car in Linwood (2022)**
 - <https://www.wlwt.com/article/police-shut-down-section-of-eastern-avenue-after-reports-of-bicyclist-struck/39705017>
- See also Eastern Corridor Project: <https://easterncorridor.org/wp-content/uploads/2018/02/Eastern-Corridor-Linwood-Eastern-Avenue-Interchange-Focus-Area-Needs-Analysis-Summary.pdf>
 - Public comments about traffic calming, bike paths, pedestrian walkways needed throughout the area. This can be done without having to build more apartments.

Questions

Was a parking study completed?

- The Brew River parking lot will be used? How will this affect parking for local businesses and residents? Already a lot of street parking used for The Turf Club.
- A traffic study was apparently conducted. Could the results/data be shared with residents?

How many units does the developer estimate needing to be filled to make it financially viable?

- Most new apartment construction in this area is not full. The new construction by the developer in Kenwood is also not full.
 - See Skytop, The Red (Madison Ave and Ridge), Ila Hyde Park

Has the developer considered more diverse mixed use? Mentioned loss of business. This could be a good opportunity to bring a space online for that.

- Amenities will apparently be made available for renters only. Why not create a fitness center, community meeting space, business rental space that is available to the entire community?
- What about fixing it up to rent to another light manufacturing company? More businesses in the area would be great to see.

Halt, Andrew

From: Carl Goertemoeller <cgoertem@gmail.com>
Sent: Thursday, November 30, 2023 4:06 PM
To: Halt, Andrew
Subject: [External Email] Rezoning: 4575 Eastern Avenue

You don't often get email from cgoertem@gmail.com. [Learn why this is important](#)

External Email Communication

Andrew, thanks for the forum yesterday to discuss the above rezoning. I know you have my letter of record but I wanted to add some additional comments based on what I heard yesterday.

Residential is the highest and best reuse for the property in question. People may think they want light manufacturing and "more businesses" but that's not realistic in this situation. That building is going to be of little use to someone else thinking of a manufacturing or business use.

I was candidly surprised CIG is planning on keeping in place some elements of the building. Given it would be much more cost effective for CIC to simply tear it down, it's a solid give on their part to maintain some of the history here (similar to what PLK did at Factory 52).

I'm always amused with those who suddenly fancy themselves as market research experts in multi-family (or any other asset class). I wanted to ask those who felt it was too many units, what is the correct number? The correct number is what CIG is planning to build. They're the ones that do this for a living across Cincinnati and the eastern United States. In addition to doing their extensive research, they likely have a lender looking over their shoulder who is not going to lend on what they deem to be an overbuilt project.

The only way to generate additional businesses in this area is to bring the residents. It was clear from Tom Kunkemoeller that Turf Club would welcome (and needs) new foot traffic.

Thanks again Andrew. This is the right reuse for this eyesore and would be a terrific add to the area.

Carl Goertemoeller
5085 Shattuc Ave

Halt, Andrew

From: Elizabeth Goodman <edehne@gmail.com>
Sent: Thursday, November 30, 2023 6:37 AM
To: Halt, Andrew; Cincinnati City Planning; Kearney, Jan-Michele; info@cincinnatiport.org; Danny McKelvey
Subject: [External Email] Cincinnati Port Manufacturing Site Alternative: 4575 Eastern Ave.
Attachments: Cincinnati Port manufacturing strategy for ex-Formica site - Cincinnati Business Courier.pdf

Some people who received this message don't often get email from edehne@gmail.com. [Learn why this is important](#)

External Email Communication

Greetings! Attached is a Cincinnati Business Courier article from yesterday regarding the Ports plan for a manufacturing site in the Lincoln Heights and Evendale area.

My name is Elizabeth and I am a Linwood resident. Linwood is working with the developer CiG Communities regarding a building they just acquired at 4575 Eastern Ave. The site was a former factory and is currently zoned MG.

It is around 7.5 acres, so not as large as the Port parcel, but if the City is looking to entice manufacturing to the area, perhaps this would be a more economical and mutually beneficial project that the developer and the Port could work on together. This is easily accessible from Eastern Ave which is the alt truck route for US 50 (Columbia Pkwy) and is also on a currently working rail line. There is a quarry fill station directly across from the property so train cars already stop there.

[Here is a link to some information about the property.](#) I have a CiG Communities rep copied on this email as well who would be able to provide more information.

I know this is being discussed very soon, so thank you in advance for your consideration and time.

Sincerely,
Elizabeth Goodman
Linwood Resident

FOR THE EXCLUSIVE USE OF
LIBRARYMEMBER2021@CINCINNATILIBRARY.ORG

From the Cincinnati Business Courier:

<https://www.bizjournals.com/cincinnati/news/2023/11/29/cincinnati-port-formica-manufacturing.html>

SUBSCRIBER CONTENT:

Commercial Real Estate

Cincinnati Port unveils strategy to land manufacturer at 50-acre site in northern Hamilton County



Image: Port of Greater Cincinnati Development Authority

Melissa Johnson is senior vice president of industrial development at the Port of Greater Cincinnati Development Authority.

COURTESY PORT OF GREATER CINCINNATI DEVELOPMENT AUTHORITY



By [Chris Wetterich](#) – Staff reporter and columnist, Cincinnati Business Courier
Nov 29, 2023



Listen to this article 4 min

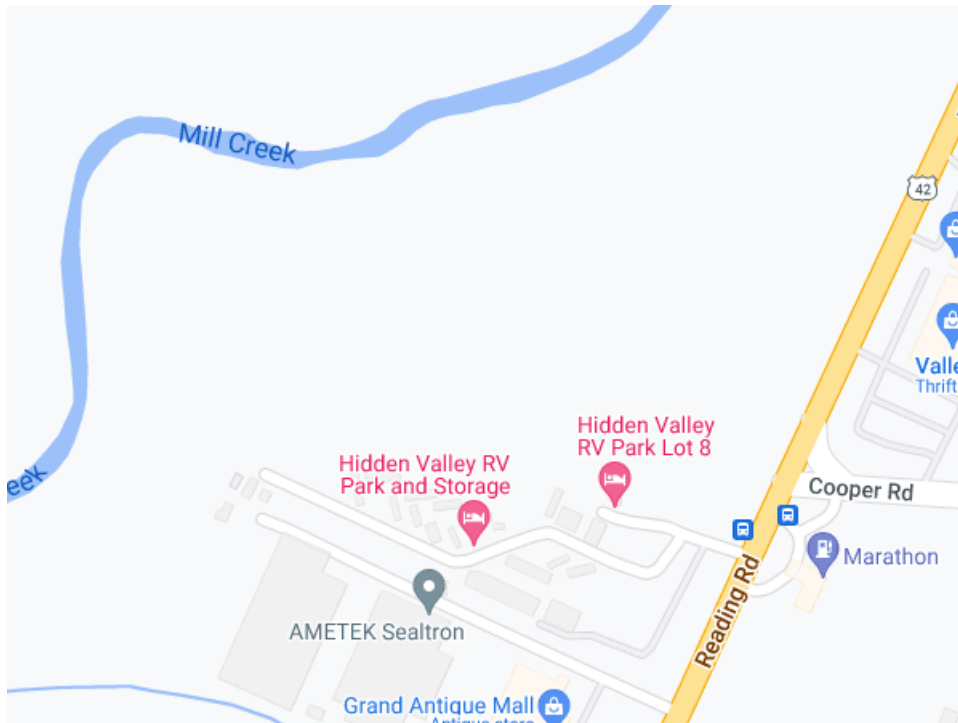


The Port of Greater Cincinnati Development Authority owns a major site in the northern part of Hamilton County that could be a great property for an advanced manufacturer.

The problem?

You can't actually drive into the nearly 50-acre tract adjacent to Formica's Evendale plant and northwest of the intersection of Reading and Cooper roads. Much of the site is in Evendale, with a portion in Reading.

The Port has an \$8.45 million plan to open up access to the site, which it acquired from Formica and General Electric, and it hopes Hamilton County commissioners will kick in \$750,000 to get it started at their Thursday, Nov. 30 meeting.



The money would be used for concept, design and development of intersection improvements at Reading and Cooper roads and construction of an entry road into the site and bridge over the Mill Creek.

The Port estimates a 315,000-square-foot building could be constructed at the site, bringing 300 jobs, a \$25 million capital investment and nearly \$20 million in payroll. The Port acquired the site in 2020 and 2021 for \$2.75 million using its patient capital notes, a program that provides an opportunity for companies or individuals to invest in the region's growth with the return on investment coming through job creation, blight removal and increasing tax revenue.

The Port hopes to round out the budget with funds from a state site inventory program, the Ohio-Kentucky-Indiana Regional Council of Governments, the Ohio Department of Transportation and the U.S. Economic Development Administration.

“This is a part of the Port’s strategy to acquire and identify large tracts of land to attract advanced manufacturing and job creation back to Hamilton County,” said Melissa Johnson, the Port’s senior vice president of industrial development. “The challenge here is that the property is inaccessible.”

The property is close to three communities with high poverty rates: Lincoln Heights (64.4%), Reading (17.5%) and Lockland (28.4%).

Commissioners are expected to vote Nov. 30 on funding for the project, which comes from \$2 million the county budgeted for site readiness.

It’s “so important to allow these kinds of opportunities to move forward,” said Commissioner Denise Driehaus, who noted economic development officials in the region often have to say no to major industrial projects because the sites are not available. “We can say yes. So often we have to say no because we don’t have a site that’s ready.”

Commissioner Alicia Reece said she wanted to make sure Evendale and the other communities buy into the project.

“I don’t want it to be a takeover. I don’t want the Port inviting themselves. I like it better when the people have invited the Port,” Reece said. “What I’m looking for is the partnership.”

She also expressed skepticism about the potential jobs.

“Jobs for who? That’s my question with these projects,” Reece said. “Are these jobs people in Reading can do? Are these specialized jobs that you’d have to go get \$50,000 in debt to get a degree to go and apply for the job? Where do they live? Do they come in and then they’re out in West Chester? That doesn’t help us.”

Johnson said the Port views the project as a partnership between it and the communities nearby.

“We echo that sentiment,” Johnson said.

Halt, Andrew

From: Bonnie Lichtenberg Levine <blichtenberglevine@gmail.com>
Sent: Friday, December 1, 2023 12:37 PM
To: Halt, Andrew
Subject: [External Email] 4575 Eastern Ave proposed zoning change

You don't often get email from blichtenberglevine@gmail.com. [Learn why this is important](#)

External Email Communication

Dear Andrew,

As a resident of Linwood, and member of Linwood Community Council, I am offering my views on this proposed development.

The Leblonde property is an opportunity for Linwood to seek an investor that would be interested in restoring and preserving the old factory (as opposed to demolishing the majority of the existing structures) for use in employing, and offering business opportunities for the surrounding community. The property has been used for many years for just such purpose. Given the character of the historic Leblonde factory, and of the community of Linwood, I believe that a high density, high-end apartment complex is not in the best interest of our community.

Our community, as well as the city at large, needs opportunities for employment, and truly affordable housing. A complex such as proposed not only offers far less benefits needed for this community, but would also dramatically change the character of our community.

Additionally, there is much concern regarding the stress it would put on the surrounding community. Concerns regarding the dramatically increased traffic, increased stress on the community infrastructure, and the disruption and release of environmental hazards in the digging required for such a project.

Sincerely,
Bonnie Levine
3624 Heekin Ave, 45208

Halt, Andrew

From: andrew.halt@cincinnati-oh.gov
To: Cincinnati City Planning
Subject: RE: [External Email] Proposed Zone Change for 4575 Eastern Ave, Friday, Jan 5th.

From: Bonnie Lichtenberg Levine <blichtenberglevine@gmail.com>
Sent: Tuesday, January 2, 2024 11:10 PM
To: Cincinnati City Planning <planning@cincinnati-oh.gov>
Subject: [External Email] Proposed Zone Change for 4575 Eastern Ave, Friday, Jan 5th.

You don't often get email from blichtenberglevine@gmail.com. [Learn why this is important](#)

External Email Communication

I am unable to attend the Planning Commission meeting, however I would like the following letter to be officially noted as my statement regarding the proposed zone change:

To Whom it may Concern,

Regarding property 4575 Eastern Ave, Linwood, proposed zone change request from MG to RM.7

As a resident of Linwood, and member/trustee of Linwood Community Council, I am requesting that the Planning Commission take a look at this proposed high-density, high-end, 271 unit development and consider different, more beneficial opportunities for the Historic Leblonde Factory.

The Leblonde property is an opportunity for Linwood to seek an investor that would be interested in restoring and preserving the old factory (as opposed to demolishing the majority of the existing structures) for use in employing, and offering business opportunities for the surrounding community. The property has been used for many years for just such purpose. Given the character of the historic Leblonde factory, and of the community of Linwood, I believe that a high-density, high-end apartment complex is not in the best interest of our community.

Our community, as well as the city at large, needs opportunities for employment, and truly affordable housing. A complex such as proposed not only offers far less benefits needed for our community, but would also dramatically change the character of Linwood.

Additionally, and importantly, there is much neighborhood concern regarding the stress it would put on the surrounding community. As traffic is already an issue on Eastern Ave and Heekin Ave, there especially is concern regarding the added negative impact of the dramatically increased traffic such a high-density development would create. There are also concerns of increased stress on the community infrastructure, and of the disruption and release of environmental hazards in the digging required for such a project.

If there is any way the Planning Commission can look into opportunities other than high-density (271 units/417 parking spaces), high-end apartments for this piece of property it would be greatly appreciated by many of us in Linwood.

Sincerely,
Bonnie Levine
3624 Heekin Ave, 45208

4517 EASTERN AVE LLC 3590 E GALBRAITH RD CINCINNATI OH 45236	4540 EASTERN AVENUE LLC 3832 KELLOGG AVE CINCINNATI OH 45226	579 BLAIR LLC 5535 COLERAIN AVE C/O RAW PROPERTY MANAGEMENT CINCINNATI OH 45239
AL TAGLIO KITCHEN LLC 4720 EASTERN AVE CINCINNATI OH 45226	ALFAYA SOLEDAD MARIA 960 PINEWELL DR CINCINNATI OH 45255	AMSDOLL STORAGE VENTURES V LLC 20445 EMERALD PKY STE 400 CLEVELAND OH 44135
BARNETT MONTE CARLOS 1956 KINNEY AVE CINCINNATI OH 45207	BIG CLOUDY PROPERTIES LLC 4618 EASTERN AVE CINCINNATI OH 45226	BOHMER DAVID L & ROXANNE M 1417 MAYLAND DR CINCINNATI OH 45230-2714
BRAMMER-BARRETT JENNIFER TR & DENISE L SCHLACHTER TR 7101 DUNN ST CINCINNATI OH 45230	CAMBRON RONALD 4510 TEALTOWN RD BATAVIA OH 45103	CHAPLINE HALEY 4530 EASTERN AVE CINCINNATI OH 45226
DUKE ENERGY OHIO INC C/O TAX DEPARTMENT 550 TRYON ST P O BOX 1321 CHARLOTTE NC 28201 EASTERN LIVING I LLC 525 VINE ST SUITE 1605 CINCINNATI OH 45202	EASTERN AVENUE LLC 4777 EASTERN AVE CINCINNATI OH 45226	EASTERN AVENUE PROPERTIES LLC 176 POPLAR RIDGE RD PITTSBURGH PA 15235
	EASTERN LIVING II LLC 525 VINE ST SUITE 1605 CINCINNATI OH 45202	EASTERN RENTALS LLC 4242 AIRPORT RD SUITE 4G CINCINNATI OH 45226
FIELDS AMY MARIE & JIMMIE DELL MORGAN JR 4532 EASTERN AVE CINCINNATI OH 45226	FREYLER SANDRA N & JOSHUA A WILLIAMS 4580 EASTERN AVE CINCINNATI OH 45226	GEISE LOGAN W 6668 KENNEDY AVE CINCINNATI OH 45213
GMB PROPERTIES LLC P O BOX 6117 CINCINNATI OH 45206	GP GROUP PROPERTIES LLC 1035 VIXEN DR CINCINNATI OH 45245	GRAY RANDALL T TR 239 BRETTON DR CINCINNATI OH 45244
GRIES JOHN B & DOROTHY J 505 S STATE ROUTE 741 LEBANON OH 45036	HAGOPIAN GARY & JOANN G 1009 CATAWBA VALLEY CINCINNATI OH 45226	HEADLANDS ASSET MANAGEMENT FUND III SERIES E LP 1401 LOS GAMOS DR SAN RAFAEL CA 94903
INDIANA & OHIO RAILWAY 5300 BROKEN SOUND BLVD BOCA RATON FL 33487	KAM INVESTING LLC 660 LUKEN PARK DR CINCINNATI OH 45226	MORGAN JIMMIE & DONNA 4543 EASTERN AVE CINCINNATI OH 45226

OREL CRONK LTD
3711 BEECHMONT CT
CINCINNATI OH 45226

PATTON MARGARET M
3742 BEECHMONT CT
CINCINNATI OH 45226-2314

PETERS DAVID & DIXIE
4728 EASTERN AVE
CINCINNATI OH 45226

PRICE LANE HOLDING CORP
32-10 82ND ST
EAST ELMHURST NY 11370

REMLEY DARRIN L
4756 EASTERN AVE
CINCINNATI OH 45226

RIVER PARK PROPERTIES LLC
50 N THIRD ST
HEATH OH 43056

ROBERTS PETER C & LAURA M
DOERGER-ROBERTS
1029 CATAWBA VALLEY DR
CINCINNATI OH 45226

SAMMONS KERN
3311 LITTLE DRY RUN RD
CINCINNATI OH 45244

SAMMONS KERN FEE
1149 HERSCHEL AVE
CINCINNATI OH 45208

SCHRIMPER ALBERT F
4627 COLUMBIA PW
CINCINNATI OH 45226

SNYDER WILLIAM J & BRENDA G
3636 ARCHER AVE
CINCINNATI OH 45208

SOUTHWEST OHIO REGIONAL TRANSIT
AUTHORITY
1014 VINE ST
SUITE 2000
CINCINNATI OH 45202-1122
STATE OF OHIO
505 S STATE ROUTE 741
LEBANON OH 45036

SOUTHWEST OHIO REGIONAL TRANSIT
AUTHORITY
602 MAIN ST
SUITE 1100
CINCINNATI OH 45202
TERRY CARTER RENTAL LLC
6537 KENTUCKYVIEW DR
CINCINNATI OH 45230

STAACK LLC
940 LINCOLN RD
STE 201
MIAMI BEACH FL 33139

THE GP GROUP PROPERTIES LLC
1035 VIXEN DR
CINCINNATI OH 45245

TUCKER LANE
4314 JOAN PL
CINCINNATI OH 45227

UNITED STATES OF AMERICA
HAUCK RD
CINCINNATI OH 45241

WEAVER JOHN A & JOYCE L
4600 EASTERN AVE
CINCINNATI OH 45226-1808

LINWOOD COMMUNITY COUNCIL
P.O. BOX 9374
CINCINNATI OH 45209

COLUMBIA TUSCULUM COMMUNITY
COUNCIL
P.O. BOX 68075
CINCINNATI OH 45206

January 24, 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 4575 Eastern Avenue in the Linwood neighborhood from the MG, "Manufacturing General," zoning district to the RM-0.7, "Residential Multi-family," zoning district to facilitate the development of approximately 271 apartment units.

Summary:

The petitioner, CIG Communities, requests a zone change for the property located at 4575 Eastern Avenue in Linwood. The current zoning is Manufacturing General (MG), and the applicant is pursuing the change to Residential Multi-family (RM-0.7). The property currently consists of an abandoned manufacturing facility and is 7.28 acres in size. The surrounding properties include manufacturing businesses, multi-family and single-family residences, and restaurants.

This proposed zone change will allow the applicant to construct an adaptive reuse apartment complex with new construction, which is planned to have approximately 271 residential units and 417 total off-street parking spaces.

The City Planning Commission recommended the following on January 5, 2024, to City Council:

APPROVE the proposed zone change from Manufacturing General (MG) to Residential Multi-family (RM-0.7) at 4575 Eastern Avenue in Linwood.

Motion to Approve: Mr. Samad
Seconded: Mr. Weber

Ayes: Ms. Beltran
Mr. Eby
Ms. Kearney
Mr. Samad
Ms. Sesler
Mr. Stallworth
Mr. Weber

THE CITY PLANNING COMMISSION



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

February 13, 2024

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – Zone change to Planned Development District No. 100, “Northside Gateway,” in the Northside neighborhood

202400384

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 the Ludlow Viaduct to the west, Old Ludlow Avenue to the east, and the William P. Dooley Bypass to the south in the Northside neighborhood from the CC-M, “Commercial Community-Mixed,” and MG, “Manufacturing General,” zoning districts to Planned Development District No. 100, “Northside Gateway.”

The City Planning Commission recommended approval of the designation at its January 19, 2024 meeting.

Summary:

The petitioners – Northsiders Engaged in Sustainable Transformation (NEST), Over-the-Rhine Community Housing (OTRCH), and Urban Sites – are requesting a zone change for the properties located at 3925 and 3925 Old Ludlow Avenue in Northside from Community Commercial-Mixed (CC-M) and Manufacturing General (MG) to Planned Development (PD). The proposed Concept Plan and Development Program Statement are for renovating the existing Stagecraft Building and constructing a new residential building to create a mixed-use project that units a unit count between 50 and 70 dwelling units affordable at or below 60% Area Median Income (AMI) with commercial use on the first floor of the existing building.

The City Planning Commission recommended the following on January 19, 2024 to City Council:

APPROVE the Concept Plan and Development Program Statement as submitted;

ADOPT the Department of City Planning and Engagement Findings as Detailed on page 9 of this report; and

APPROVE the proposed zone change at 3927 and 3925 Old Ludlow Avenue from Commercial Community-Mixed (CC-M) and Manufacturing General (MG) to Planned Development (PD) including the Concept Plan and Development Program Statement in Northside.

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

EMERGENCY

CHM

- 2024

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property in the area generally bound by the Ludlow Viaduct to the west, Old Ludlow Avenue to the east, and the William P. Dooley Bypass to the south in the Northside neighborhood from the CC-M, “Commercial Community-Mixed,” and MG, “Manufacturing General,” zoning districts to Planned Development District No. 100, “Northside Gateway.”

WHEREAS, Cincinnati Northside Community Urban Redevelopment Corporation, doing business as Northsiders Engaged in Sustainable Transformation (“NEST”), and the City of Cincinnati own certain real property in the Northside neighborhood generally bound by the Ludlow Viaduct to the west, Old Ludlow Avenue to the east, and the William P. Dooley Bypass to the south, which property contains approximately 2.1848 acres (“Property”); and

WHEREAS, NEST, partnering with Over-the-Rhine Community Housing and Urban Sites, seeks to redevelop the Property into a mixed-use affordable housing development, comprising the adaptive reuse of the four-story former Stagecraft company building and the construction of a new four-story multi-family apartment building to provide up to approximately 4,300 square feet of commercial space and up to approximately 57,362 square feet of multi-family residential space, containing up to 58 apartment units affordable to persons earning up to 60% of the area medium income (“Project”); and

WHEREAS, NEST has sufficient control over the Property to affect the Project and has petitioned the City to rezone the Property from the CC-M, “Commercial Community-Mixed,” and MG, “Manufacturing General,” zoning districts to Planned Development District No. 100, “Northside Gateway” (“PD-100”), to undertake the Project; and

WHEREAS, NEST has submitted a concept plan and development program statement for PD-100, 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 January 19, 2024, the City Planning Commission approved the rezoning of the Property from the CC-M, “Commercial Community-Mixed,” and MG, “Manufacturing General,” zoning districts to PD-100, upon a finding that: (i) NEST’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 NEST’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 Northside Comprehensive Land Use Plan (2014), which plan has a stated goal to "[i]mprove the quality and quantity of affordable and market rate rental housing," with the strategy to "[i]ntegrate more housing into our neighborhood business district to strengthen it and increase pedestrian activity," as described on page 82; 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, Council considers the establishment of PD-100 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 Cincinnati Northside Community Urban Redevelopment Corporation, doing business as Northsiders Engaged in Sustainable Transformation ("NEST"), for the real property located in the Northside neighborhood in the area 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 CC-M, "Commercial Community-Mixed," and MG, "Manufacturing General," zoning districts to Planned Development District No. 100, "Northside Gateway" ("PD-100").

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-100.

Section 4. That should PD-100 lapse pursuant to provisions of Cincinnati Municipal Code Chapter 1429, "Planned Development Districts," the Property shall revert to the CC-M, "Commercial Community-Mixed," and MG, "Manufacturing General," zoning districts in effect immediately prior to the effective date of PD-100.

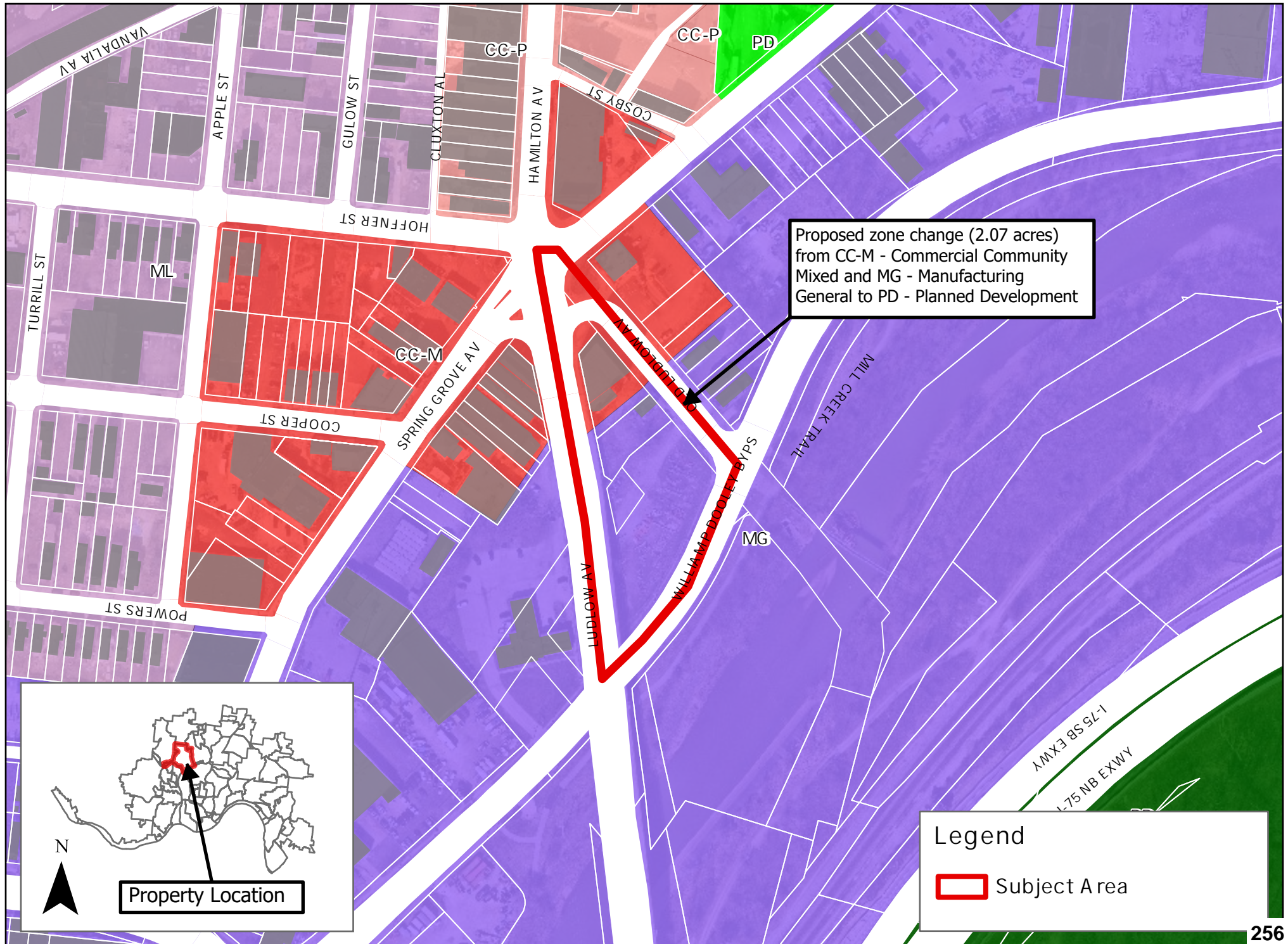
Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to allow NEST to proceed with its development plans to apply for low-income housing tax credits by the pending application deadline in February 2024. The low-income housing tax credits will assure the viability of a project that will contribute to the economic growth and vitality of the Northside neighborhood.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Proposed Planned Development at 3927 and 3925 Old Ludlow Ave in Northside





**Abercrombie
& Associates, Inc.**

Civil Engineering + Surveying

NOVEMBER 15, 2023
REVISED JANUARY 17, 2024

**LEGAL DESCRIPTION
AREA TO BE REZONED
2.1848 ACRES**

SITUATE IN SECTION 27, TOWN 3, FRACTIONAL RANGE 2, CITY OF CINCINNATI, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF OLD LUDLOW AVENUE WITH WILLIAM P. DOOLEY BYPASS, THENCE ALONG THE CENTERLINE OF WILLIAM P. DOOLEY BYPASS THE FOLLOWING THREE COURSES AND DISTANCES:

- 1) SOUTH 23°58'20" WEST, 100.42 FEET TO A POINT;
- 2) THENCE ALONG A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 721.48 FEET, A DISTANCE OF 202.74 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 32°01'20" WEST, 202.07 FEET TO A POINT AND
- 3) THENCE SOUTH 40°04'21" WEST, 97.24 FEET TO THE INTERSECTION OF THE CENTERLINE OF WILLIAM P. DOOLEY BYPASS WITH LUDLOW AVENUE VIADUCT AND

THENCE ALONG THE CENTERLINE OF LUDLOW AVENUE VIADUCT THE FOLLOWING FOUR COURSES AND DISTANCES:

- 1) NORTH 06°36'43" WEST, 291.98 FEET TO A POINT;
- 2) THENCE ALONG A CURVE DEFLECTING TO THE LEFT, HAVING A RADIUS OF 1,432.39 FEET, A DISTANCE OF 137.26 FEET, THE CHORD OF SAID CURVE BEARS NORTH 09°21'26" WEST, 137.21 FEET TO A POINT;

8111 Cheviot Road • Suite 200 • Cincinnati, Ohio 45247
Phone: (513) 385-5757 • Fax: (513) 245-5161
www.abercrombie-associates.com

3) THENCE NORTH 12°06'09" WEST, 58.33 FEET TO A POINT;

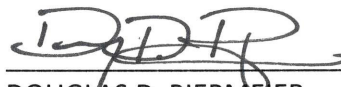
4) AND NORTH 12°06'09" WEST, 209.98 FEET TO THE INTERSECTION OF THE CENTERLINE OF LUDLOW AVENUE VIADUCT WITH HAFFNER STREET;

THENCE ALONG THE CENTERLINE OF HAFNER STREET, SOUTH 84°05'12" EAST, 28.49 FEET TO THE INTERSECTION OF THE CENTERLINE OF HAFFNER STREET WITH OLD LUDLOW AVENUE;

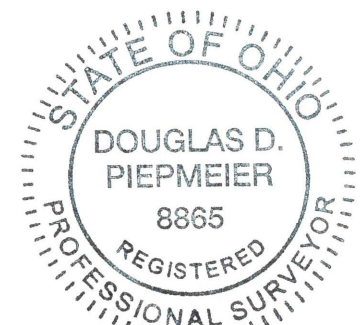
THENCE ALONG THE CENTERLINE OF OLD LUDLOW AVENUE, SOUTH 40°17'42" EAST, 455.42 FEET TO THE PLACE OF BEGINNING.

THUS CONTAINING 2.1848 ACRES OF LAND AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

I HEREBY CERTIFY THAT THE ABOVE DESCRIPTION IS A COMPLETE, PROPER AND LEGAL DESCRIPTION OF THE PROPERTY TO BE DEVELOPED. THE ABOVE DESCRIPTION IS BASED ON EXISTING DEEDS AND PLATS OF RECORD AND IS NOT BASED ON AN ACTUAL FIELD SURVEY. SAID DESCRIPTION IS TO BE USED FOR THE PURPOSE OF IDENTIFYING THE PROPOSED ZONE CHANGE AND IS NOT TO BE USED FOR THE TRANSFER OF PROPERTY.



DOUGLAS D. PIEPMEIER
OHIO REGISTERED SURVEYOR #8865



1-17-24

FILE:23-0272.LD2-2.1848AC



Northsiders Engaged in
Sustainable Transformation

November 17th, 2023

The City of Cincinnati
Planning Department
805 Central Avenue Cincinnati, Ohio 45223

Executive Director

Sarah Thomas

Board of Directors

Pete Metz, President
Laila Ammar, Vice President
Nicole Merrill, Secretary
Will Yokel, Treasurer
Tom Jackson
Barry Schwartz
Cindy Sherding
Carl Sterner
Rachel O'Malley
Fallon Venable
Addison Shedd
Erin Kline
Vic Mullins
Rob Hinton

www.NorthsideNEST.org

1546 Knowlton Street
Cincinnati, OH 45223

Cincinnati Northside Urban
Redevelopment Corporation,
dba NEST, is a 501(c)3
tax-exempt, tax deductible
non-profit corporation.

Please find development program statement below, and concept plans attached for the proposed Planned Development District.

Northside Gateway is an approximately .98 acre project across three separate parcels, two owned by Cincinnati Northside Community Urban Revitalization Corporation (dba NEST, one of the project partners) at 3925 and 3927 Old Ludlow Avenue and one owned by the City of Cincinnati, in the Northside neighborhood. The northernmost parcel contains the former Stagecraft, Inc. building, a vacant 4-story building; the central parcel is vacant land; and the southernmost parcel is a supply yard for the Department of Public Services, owned by the City of Cincinnati.

The project partners are NEST, Over-the-Rhine Community Housing (OTRCH), and Urban Sites. The project partners intend to submit the site to the Ohio Housing Finance Agency for a competitive award of Low-Income Housing Tax Credits (LIHTC). That application is due on February 29, 2024. A threshold requirement for the LIHTC application is that the property be zoned for its intended use, which is only achieved by the timely approval of the proposed Planned Development District.

If the project partners are awarded the LIHTC for affordable family housing, the site will be developed into approximately 50-70 units of multi-family affordable housing, with roughly 1 parking space per 2 units. Total residential square footage is expected to be 57,362 sf. The plan calls for the Stagecraft building to be improved with storefront retail on the corner of Hamilton and Old Ludlow, and housing on floors 2-4. The remaining units would be built in a 4-story new construction building on the other two parcels. Construction would likely begin in summer of 2025, with completion expected in late 2026.

The award date for LIHTC is expected in May 2024. The Department of Public Services would continue to operate its supply yard until some time before construction begins; if the project partners are not awarded the LIHTC, the supply yard could continue operating with the same rights as under the current Manufacturing General designation.

The goals of Northside Gateway are:

1) to provide family housing for the Northside neighborhood; and

2) assist in revitalizing the Northside business district, as the Stagecraft building sits on a prominent corner on Hamilton Ave.

All tenants would need to have income at or below 60% of the Cincinnati metro area's area median income. The project would be owned by NEST and OTRCH. Tenants will be connected to a range of resident services.

The Northside Gateway project aligns with the Northside Comprehensive Land Use Plan (adopted by City Council in 2014) and meets the following goals highlighted on page 44: Increase our population, Build on our assets, Be aggressive and strategic in future growth and development, Facilitate sustainable development and Lead by example for other neighborhoods. The LUP explicitly calls for concentrated revitalization of the Neighborhood Business District (page 47) and linking centers of activity with effective transportation (page 48). Our proposed project correlates with the Northside Future Land Use map on page 56 calling for the mixed-use redevelopment of the historic Stagecraft property. Overall, the Northside Gateway achieves all the category initiatives set out to comply with Plan Cincinnati on page 57: Compete, Connect, Live, Sustain and Collaborate. Lastly, through NEST's routine, extensive community engagement, we know the project achieves some of Northside's highest goals: increasing affordable housing and incentivizing sustainable public transit use amongst residents and visitors.

The project partners have started gathering input from the community, and plan to continue to reach out for support. We presented at NEST's Project Committee in early November 2023, and will be presenting at the Northside Community Council at its November monthly meeting.

The proposed development is in a desirable location for individuals and families looking for affordable housing. It is located nearby the bike lane on Central Parkway and is within a 10-minute walking proximity to existing retail, entertainment, expanded transit and parking amenities, K-12 education and library, and recreation, such as the Mill Creek Trail and McKie Recreation Center, offering choices to residents across age and life stage, socio-economic background, and mobility.

The proposed Planned Development District includes a request for a site less than two acres, but the requested zoning designation is most appropriate within the context of the proposed density of residential housing, community desires, and transportation-related connections of this project, as well as the changing demand in community development in and around Northside.

The proposed zone change would permit rehabilitation of an existing building at the northern portion of the site, which sits within an historic district and neighborhood business district, for future multi-family residential and commercial use. The uses around the site are high-density and include a White Castle restaurant and a row of single-family houses to the east, a five-point intersection of right-of-way from the north, and the Ludlow Viaduct to the west. In addition, the site intersects a FEMA Flood Hazard Zone, with the Mill Creek and the William P Dooley Bypass acting as the southern boundary. In many ways, this site has operated like an island, disconnected and landlocked from surrounding development, as well as being under-utilized.

Flexibility is needed for new development and adaptive reuse in this area and at the site for height, massing, setback, character, and use.

At the same time, the proposed development does not conform to the existing zoning. Currently, the site is zoned Community Commercial – Mixed and Manufacturing General. The current uses around the site have changed over the past two decades, shifting toward adaptive reuse of older, light industrial buildings to high-density residential, with recent installations in transit infrastructure, such as the Northside Metro Transit Center, and buffering of the Central Parkway to Downtown bike lanes. In fact, along the periphery of the south end of Northside, most of the uses in the current manufacturing zone are commercial, including amenities such as restaurants, retail, building material sales and services, banks and financial institutions drinking establishments, convenience markets, and maintenance and repair services. The existing Stagecraft building has been previously used commercially, as a shop and showroom. While no final plans have been made for establishing future commercial tenants, possible future uses we hope to mix with multi-family residential at the site include amenities for families, such as commercial retail and services, eating and drinking establishments, and recreation and entertainment. In any event, the total commercial space will not exceed 4,056 square feet. As we move forward with community engagement and receive feedback, future plans for commercial uses at the site will be outlined.

NEST is Northside's community development corporation with a mission to ensure Northside thrives as a vibrant and sustainable community by preserving, improving and creating the neighborhood's built environment. Any questions or inquiries may be directed to me via email: Sarah@northsidenest.org.

Regards,



Sarah Thomas
Executive Director

NORTHSIDE GATEWAY PLANNED DEVELOPMENT

Project Address:

3950 Spring Grove Ave, Cincinnati, OH 45223

Project Description:

The project includes both the renovation of the existing Stagecraft Building at 3927 Old Ludlow into multi-family apartments with Ground Floor Commercial Space, as well as the development of a new multi-family building on the open parcel southeast of Stagecraft. In total, the project will include approximately 58 affordable apartment units, 4,300 SF of commercial space, on site parking, bike storage, and other residential amenities.

Program Summary:

4,300 SF commercial
57,362 SF residential
30 parking spaces

Residential Unit Matrix:

	S	N	total
0 BR	6	6	12
1 BR	6	18	24
2 BR	3	13	16
3 BR		6	6
total	15	43	58

	LEV 1		LEV 2		LEV 3		LEV 4		
	S	N	S	N	S	N	S	N	
0 BR	0	1	2	1	2	1	2	3	12
1 BR	0	4	2	5	2	5	2	4	24
2 BR	0	3	1	3	1	4	1	3	16
3 BR	0	2	0	2	0	1	0	1	6
TOTAL BY LEVEL	0	10	5	11	5	11	5	11	58

S - STAGECRAFT BUILDING
N - NEW BUILDING

DRAWING INDEX

SHEET NUMBER

SHEET NAME

GENERAL

G-103	CONCEPT CODE SUMMARY-STAGECRAFT
G-104	CONCEPT CODE SUMMARY- NEW BUILD
G-105	CONCEPT CODE SUMMARY - NEW BUILD
G-106	SITE PHOTOS
G-107	SITE ANALYSIS
G-111	SITE ANALYSIS
G-100	TITLE SHEET
G-101	CONCEPT CODE SUMMARY-STAGECRAFT

DESIGN

A1-000	LANDSCAPE PLAN
A1-102	LEVEL B STAGECRAFT
A1-103	LEVEL 1 STAGECRAFT
A1-104	LEVELS 2,3,4 STAGECRAFT
A1-105	ROOF STAGECRAFT
A2-101	LEVEL 1 NEW BUILDING
A2-102	LEVEL 2 & 3 NEW BUILDING
A2-103	LEVEL 4 & ROOF NEW BUILDING
A-901	EXTERIOR PERSPECTIVE
A-902	EXTERIOR PERSPECTIVE



1
G-100

ORIENTATION PLAN

SCALE: 1" = 100'-0"



Northside Gateway

PLANNED DEVELOPMENT

G-100

TITLE SHEET

Project Location		"Stage Craft Building"3950 Spring Grove Avenue Cincinnati, Ohio 45223	
Project Description		4 story existing building will consist of apartments on the top 4 floors (R-2 use) with commercial space (A-2 use) on the lower floor and basement. The building is constructed of solid masonry walls with steel columns and major beams and wood joist floor assemblies. The top 3 stories will be separated from the first floor. Elevator shafts are concrete construction. Building was designed using Ohio Existing building code, chapter 5, Prescriptive Compliance method, which was used to determine allowable building area and height, and requirements for stairs and egress.	
Authority Having Jurisdiction		City of Cincinnati Department of Buildings and Inspections 805 Central Avenue, Suite 500 Cincinnati, OH 45202	
Building Codes & Standards		2021 Ohio Existing Building Code 2021 Ohio Building Code 2021 Ohio Plumbing Code 2021 Ohio Mechanical Code 2017 Ohio Fire Code NFPA 13-10 Installation of Sprinkler System NFPA 70-11 National Electrical Code NFPA 72-10 National Fire Alarm Code ASME A17.1a 2011 Elevator Code ASHRAE 90.1-07 2009 IECC ICC/ANSI A 117.1-2009	
Applicable Federal Regulations		2010 ADA Standards For Accessible Design	
Type of Work		Renovation	
Occupancy Classification		303.4 310.3 508.4 A-2: Assembly (Restaurants and Dining Facilities) R-2: Residential (nontransient) 310.3.2 Dwelling Units in Mixed Occupancy Building *The building will be a mixed-use occupancy utilizing a 1 hour rated horizontal assembly between the use groups based on using NFPA 13 Sprinkler system throughout per table 508.4	
Zoning Requirements			
Zoning	PD Density	Planned Development	
Site area 42,503sf/58 units		732sf/unit in the planned development	
	Setbacks	0-12ft permissible, minimum 0 ft existing. (Existing Building).	
Signage		Comply with the CC-M District according to Section 1427-37 "Signs Standards for the C and UM Districts"	
Dumpsters		Comply with City standard for dumpster pads, Chapter 1421-35	
Parking		Parking required to located at side or rear of building. Screening to be provided.	
Number of Spaces		Required	Provided:
		Standard	0 28
		Accessible	0 1
		Acc. Van	0 1
			30
Building Heights and Areas	504		
		Allowable	Proposed
			LV's 0B-04
Construction Type		VA	Type VA
Sprinklered		NFPA 13	S (NFPA 13)
Occupancy		A-2	A-2/R-2
Building Height	Table 504.3	60 ft	60 ft (NFPA 13)
Building Stories	Table 504.4	2	4
Building Area	Table 506.1	18,000sf (SM)	21,000sf (SM)
			4,358 gsf per floor
Mixed Occupancy Building	Table 508.4	The building will be separated with a horizontal assembly having a fire-resistance rating of 1 HR at Second Floor Level.	

Fire Resistance Rating Requirements	Table 601			Type VA	
			Primary structural frame	1 hrs	
			Bearing walls		
			Exterior	1 hrs	
			Interior	1 hrs	
			Nonbearing walls and partitions		
			Exterior	1 hrs	per OBC 705.5
			Interior	0 hrs	
			Floor Construction	1 hrs	
			Roof Construction	1 hrs	
			Walls separating dwelling units	1 hr	per OBC 708
Fire Separation Distance		Table 602	Separation Distance	R, S2	
per OBC 705.5			X < 5'-0"	1 hr	*1 hr from both sides
			5'-0" < X < 10'-0"	1 hr	*1 hr from both sides
			10'-0" < X < 30'-0"	1 hr	
			X > 30'-0"	0 hrs	
Fire & Smoke Protection					
Exterior Wall Openings: (Refer also to Sheet G005 + Civil Drawings for Fire Separation Distances)	Table 705.8		Fire Separation Distance (feet)	Degree of Opening Protection	Allowable Area
			3 to less than 5	Unprotected, Sprinklered	15%
			5 to less than 10	Unprotected, Sprinklered	25%
			10 to less than 15	Unprotected, Sprinklered	45%
			15 to less than 20	Unprotected, Sprinklered	75%
			20 to less than 25	Unprotected, Sprinklered	No Limit
Shaft Enclosure	707.3.1; 713.4		2 Hour Fire Barrier required		
Stair Enclosure	707.3.2; 1023.2		2 Hour Fire Barrier required		
Exterior Walls	707.4		Fire rating of exterior walls that are part of a shaft or stair enclosure shall comply with OBC 705		
Opening Protection	716.5		Doors in fire barriers having required rating of 1 hr to have 1 hr rating Doors in fire barriers having required rating of 2 hr to have 1-1/2 hr rating Doors in fire partitions (corridors) having required rating of .5 hr to have minimum 20 min rating		

Minimum Interior Wall & Ceiling Finishes, Class A,B or C	Table 803.11		Occ.	Interior exit stairways, ramps, exit passageways	Corridors and enclosure for exit access stairways	Rooms and enclosed spaces
			S-2	C	C	C
			R-2	C	C	C
Fire Protection Systems						
Automatic sprinkler system	903		An automatic sprinkler system will be provided (NFPA 13 throughout)			
Sprinkler system supervision and alarms	903.4		All sprinkler system valves to be electronically supervised			
Standpipe Systems	905.3.1		TBD			
Portable Fire Extinguishers	906		GENERAL: RESIDENTIAL FLOORS: Provide (1) portable fire extinguisher in each residential unit rating 1-A:10-B:C Ordinary hazard extinguishers in all mechanical, janitor and storage spaces			
Fire Alarm	907.2.9		TBD			
Fire Department Connection	912		TBD			
Fire Pump	913		TBD			
Means of Egress Stairway Capacity	1005.3.1		0.3 inches per occupant = (44" min per 1011.2)			
Means of Egress Other Component	1005.3.2		0.2 inches per occupant			
Max Common Path of Travel for Single Exit	1006.2.1		Occupancies S = 100ft, Occupancy R = 125ft. With sprinkler			
Exit and Exit Access Door Locations	1007.1.1		Exception 2: 1/3 max overall diagonal when sprinkler system installed			
Accessible Exit Access Stairways	1009.3		In buildings equipped throughout with an automatic sprinkler system, stairways do not need to be 48" clear between handrails (exception #2) and do not need an area of refuge (exception #5). See also existing building code compliance method.			
Panic Hardware	1010.1.10		Panic Hardware required for Group A with more than 50 occupants and Electrical Rooms with equipment rated 800 amperes or more.			
Stairway to Roof	1011.12		Roof hatch and permanent ladder will be provided for access			
Window Openings Fall Protection	1015.8		Windows in Group R-2 with the top of sill less than 36" AFF and more than 72" above grade shall be provided with protection: -operable windows where the opening will not allow a 4" sphere to pass through at largest open position OR -operable windows provided with window fall protection devices complying with ASTM F 2090			
Travel Distance	Table 1017.2		Occupancy	Exit Access Travel Distance (sprinklered)		
			R	250 ft		
			S2	400 ft		
Minimum Corridor Width	Table 1020.2		44" minimum corridor width required for occupancies greater than 50. 36" within a dwelling unit. Note: OHFA universal design guidelines require 42" corridors within units.			
Dead End Corridors	1020.4		Occupancy	Max Dead End Corridor		
		R & S	50 ft (sprinklered)			
Accessible Route (Dwelling Units)	1107.4		At least one accessible route shall connect ... to the primary entrance of each Type A and Type B unit...			
Apartment Houses (R-2)	1107.6.2.2		Type A and Type B units shall be provided per ANSI A117.1...			
Type A units	1107.6.2.2.1		...at least 2 percent of units shall be Type A... dispersed among the various classes of units			
Type B units	1107.6.2.2.2		...every dwelling and sleeping unit intended to be occupied as a residence shall be a Type B unit			
Specific Type A units			Refer to overall plans and unit square footage matrix . Additional Type A units are provided per OHFA QAP requirements.			
Hoistway Enclosures	3002.1		Elevator and other hoistway enclosures shall be shaft enclosures			
Elevator to accommodate stretcher	3002.4		Where elevators serve 4 or more stories, one shall accommodate a stretcher 24" x 84"			
Elevator Lobbies and Hoistway Opening Protection	3006		Elevator lobbies are not required			

Project Location			"Stage Craft Building"3950 Spring Grove Avenue Cincinnati, Ohio 45223	
Project Description			4 story building consisting of residential (R-2 use) with accessory assembly spaces for use by residents (A-2 use) on the lower floor and level 4, and limited storage and mechanical uses to support building operations. The building is constructed of wood studs with engineered wood truss floor assemblies. Elevator shafts are concrete or concrete block construction.	
Authority Having Jurisdiction			City of Cincinnati Department of Buildings and Inspections 805 Central Avenue, Suite 500 Cincinnati, OH 45202	
Building Codes & Standards			2021 Ohio Building Code 2021 Ohio Building Code 2021 Ohio Plumbing Code 2021 Ohio Mechanical Code 2017 Ohio Fire Code NFPA 13-10 Installation of Sprinkler System NFPA 70-11 National Electrical Code NFPA 72-10 National Fire Alarm Code ASME A17.1a 2011 Elevator Code ASHRAE 90.1-07 2009 IECC ICC/ANSI A 117.1-2009	
Applicable Federal Regulations			2010 ADA Standards For Accessible Design	
Type of Work			New Construction	
Occupancy Classification		303.4 310.3	A-3: Assembly (may qualify for B occupancy if under 50 occupants, 750sf) R-2: Residential (nontransient)	
Zoning Requirements				
Zoning	PD		Planned Development	
Site area 42,503 sf	Density		732sf/unit in the development	
	Setbacks		0-12ft required, 0 ft min.	
Signage			Comply with the CC-M District according to Section 1427-37 "Signs Standards for the C and UM Districts"	
Dumpsters			Comply with City standard for dumpster pads, Chapter 1421-35	
Parking			Parking required to located at side or rear of building. Screening to be provided.	
Number of Spaces			Required	Provided:
			Standard	028
			Accessible	01
			Acc. Van	01
				30
Building Heights and Areas		504	Allowable	Proposed
Construction Type			VA	Type VA
Sprinklered			NFPA13R	Sprinkler (NFPA 13R)
Occupancy			R-2	R-2
Building Height	Table 504.3		60 ft (S13R)	50'
Building Stories	Table 504.4		4	4 with S13R
Building Area	506.2		12,000 sf+6000 = 18,000 PLUS FRONTAGE	LV01: 11,050 gsf LV02: 11,168 gsf LV03: 11,168 gsf LV04: 10,899 gsf

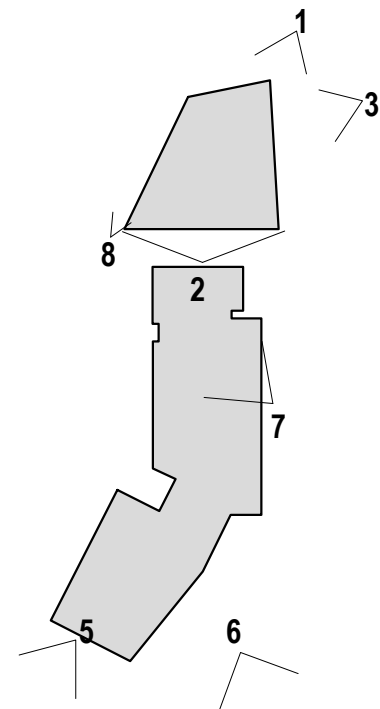
Frontage increases			Per chart 506.3.3			
Perimeter	50-75 %		Increase factor of .50			
Open Space	30 feet		18,000 gsf allowable per floor			
Fire Resistance Rating Requirements	Table 601				Type V-A	
			Primary structural frame		1 hrs	
			Bearing walls			
			Exterior		1 hrs	
			Interior		1 hrs	
			Nonbearing walls and partitions			
			Exterior			(Not less than rating req'd in Table 705.5)
			Interior		0 hrs	
			Floor Construction		1 hrs	
			Roof Construction		1 hrs	
			Walls separating dwelling units		1 hr	per OBC 708
			R-2 Corridor walls (load bearing)		1 hr	per OBC 601
			R-2 Corridor walls (non-load)		0.5 hr	per OBC 1020.1
Floors separating dwelling units		1 hr	per OBC 711			
Fire Separation Distance	Table 602		Separation Distance		R, S2	
			X < 5'-0"	1 hr	1 hr	*1 hr from both sides
			5'-0" < X < 10'-0"	1 hr	1 hr	*1 hr from both sides
			10'-0" < X < 30'-0"	1 hr	1 hr	
			X > 30'-0"	0 hrs	0 hrs	
Fire & Smoke Protection						
Exterior Wall Openings: (Refer also to Sheet G005 + Civil Drawings for Fire Separation Distances)	Table 705.8		Fire Separation Distance (feet)	Degree of Opening Protection		Allowable Area
			0-3			0%
			3 to less than 5	Unprotected, Sprinklered		15%
			5 to less than 10	Unprotected, Sprinklered		25%
			10 to less than 15	Unprotected, Sprinklered		45%
			15 to less than 20	Unprotected, Sprinklered		75%
20 to less than 25	Unprotected, Sprinklered		No Limit			
Shaft Enclosure	707.3.1; 713.4		Per OBC 713.4, 2 Hour Fire Barrier required			
Stair Enclosure	707.3.2; 1023.2		Per OBC 1023.2: 2 Hour Fire Barrier required			
Exterior Walls	707.4		Fire rating of exterior walls that are part of a shaft or stair enclosure shall comply with OBC 705			
Opening Protection	716.1(2)		Doors in fire barriers having required rating of 1 hr to have 1 hr rating Doors in fire barriers having required rating of 2 hr to have 1-1/2 hr rating Doors in fire partitions (corridors) having required rating of 1 hr to have minimum 20 min rating			

Minimum Interior Wall & Ceiling Finishes, Class A,B or C	Table 803.11		Occ.	Interior exit stairways, ramps, exit passageways	Corridors and enclosure for exit access stairways	Rooms and enclosed spaces
			S-2	C	C	C
			R-2	C	C	C
Fire Protection Systems						
Automatic sprinkler system	903		An automatic sprinkler system will be provided (NFPA 13R throughout)			
Sprinkler system supervision and alarms	903.4		All sprinkler system valves to be electronically supervised			
Standpipe Systems	905.3.1		Class I standpipe system is required per expection 1			
Portable Fire Extinguishers	906		GENERAL: - RESIDENTIAL FLOORS: Provide (1) portable fire extinguisher in each residential unit rating 1-A:10-B:C - NON RESIDENTIAL FLOORS: 75 foot maximum travel distance AND One extinguisher per 1,500sf Ordinary hazard extinguishers in all mechanical, janitor and storage spaces Light hazard extinguishers to be located in all other locations			
Fire Alarm	907.2.9		Smoke Detectors + Manual Pull Stations required for R-2			
Fire Department Connection	912		TBD			
Fire Pump	913	TBD				
Means of Egress Stairway Capacity	1005.3.1		0.3 inches per occupant = (44" min per 1011.2)			
Means of Egress Other Component	1005.3.2		0.2 inches per occupant			
Max Common Path of Travel	1006.2.1		Occupancies S = 100ft, Occupancy R = 125ft. With sprinkler.			
Exit and Exit Access Door Locations	1007.1.1		Exception 2: 1/3 max overall diagonal when sprinkler system installed.			
Accessible Exit Access Stairways	1009.3		In buildings equipped throughout with an automatic sprinkler system, stairways do not need to be 48" clear between handrails (exception #2) and do not need an area of refuge (exception #5).			
Panic Hardware			Panic Hardware required for Group A with more than 50 occupants and Electrical Rooms with equipment rated 800 amperes or more.			
Stairway to Roof	1011.12		Roof hatch and permanent ladder provided for access			
Window Openings Fall Protection	1015.8		Windows in Group R-2 with the top of sill less than 36" AFF and more than 72" above grade shall be provided with protection: -operable windows where the opening will not allow a 4" sphere to pass through at largest open position OR -operable windows provided with window fall protection devices complying with ASTM F 2090			
Travel Distance	Table 1017.2		Occupancy	Exit Access Travel Distance (sprinklered)		
			R	250 ft		
			S2	400 ft		
Minimum Corridor Width	Table 1020.2		44" minimum corridor width required for occupancies greater than 50. 36" within a dwelling unit.			
Dead End Corridors	1020.4	Occupancy	Max Dead End Corridor			
		R & S	50 ft (sprinklered)			
Accessible Route (Dwelling Units)	1107.4		At least one accessible route shall connect ... to the primary entrance of each Type A and Type B unit...			
Apartment Houses (R-2)	1107.6.2.2		Type A and Type B units shall be provided per ANSI A117.1...			
Type A units	1107.6.2.2.1		...at least 2 percent of units shall be Type A...dispersed among the various classes of units			
Type B units	1107.6.2.2.2		...every dwelling and sleeping unit intended to be occupied as a residence shall be a Type B unit			
Specific Type A units			Refer to overall plans and unit square footage matrix . Project includes Type A and Sensory units per OHFA			
Hoistway Enclosures	3002.1		Elevator and other hoistway enclosures shall be shaft enclosures			
Elevator to accommodate stretcher	3002.4		Where elevators serve 4 or more stories, one shall accommodate a stretcher 24" x 84"			
Elevator Lobbies and Hoistway Opening Protection	3006		Elevator lobbies are not required			
Two-way communication	1009.8		A two-way communication system shall be provided at the landing serving each elevator on each accessible floor that is one or more storeis above or below the level of exit discharge.			



Northside Gateway

PLANNED DEVELOPMENT



1 VIEW FROM BUSINESS DISTRICT



2 VIEW OF EXISTING BUILDING SOUTH ELEVATION



3 VIEW OF EXISTING FIRE ESCAPE



4 VIEW OF LUDLOW VIADUCT FROM WILLAM DOOLEY BYPASS



5 VIEW ON EXISTING SITE LOOKING SOUTHEAST



6 VIEW ON EXISTING SITE LOOKING SOUTHWEST



7 VIEW OF EXISTING BUILDING ADJACENT TO LUDLOW VIADUCT

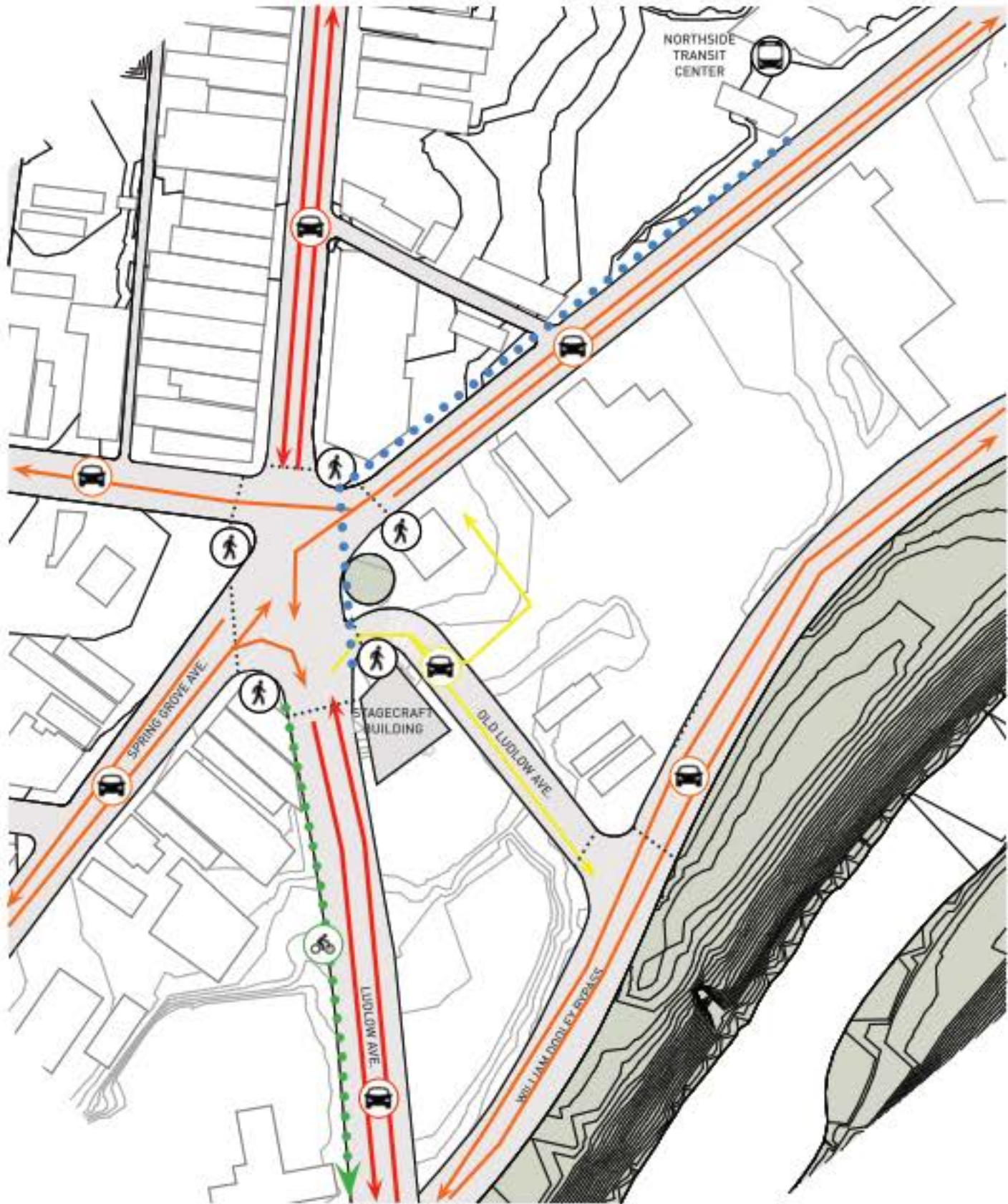


8 VIEW OF EXISTING BUILDING ADJACENT TO LUDLOW VIADUCT

SITE



TRANSIT & TRAFFIC



THE SITE CENTERS RESIDENTS AT AN AREA WITH MULTIPLE TRANSIT OPTIONS. THE NEIGHBORHOOD IS ACTIVELY WORKING TO ADDRESS ISSUES OF PEDESTRIAN SAFETY. THE SITE DESIGN ENCOURAGES RESIDENTS TRAVELING BY VEHICLE TO ENTER FROM DOOLEY BYPASS, AND REINFORCES OLD LUDLOW AS A QUIETER PEDESTRIAN ORIENTED STREET.

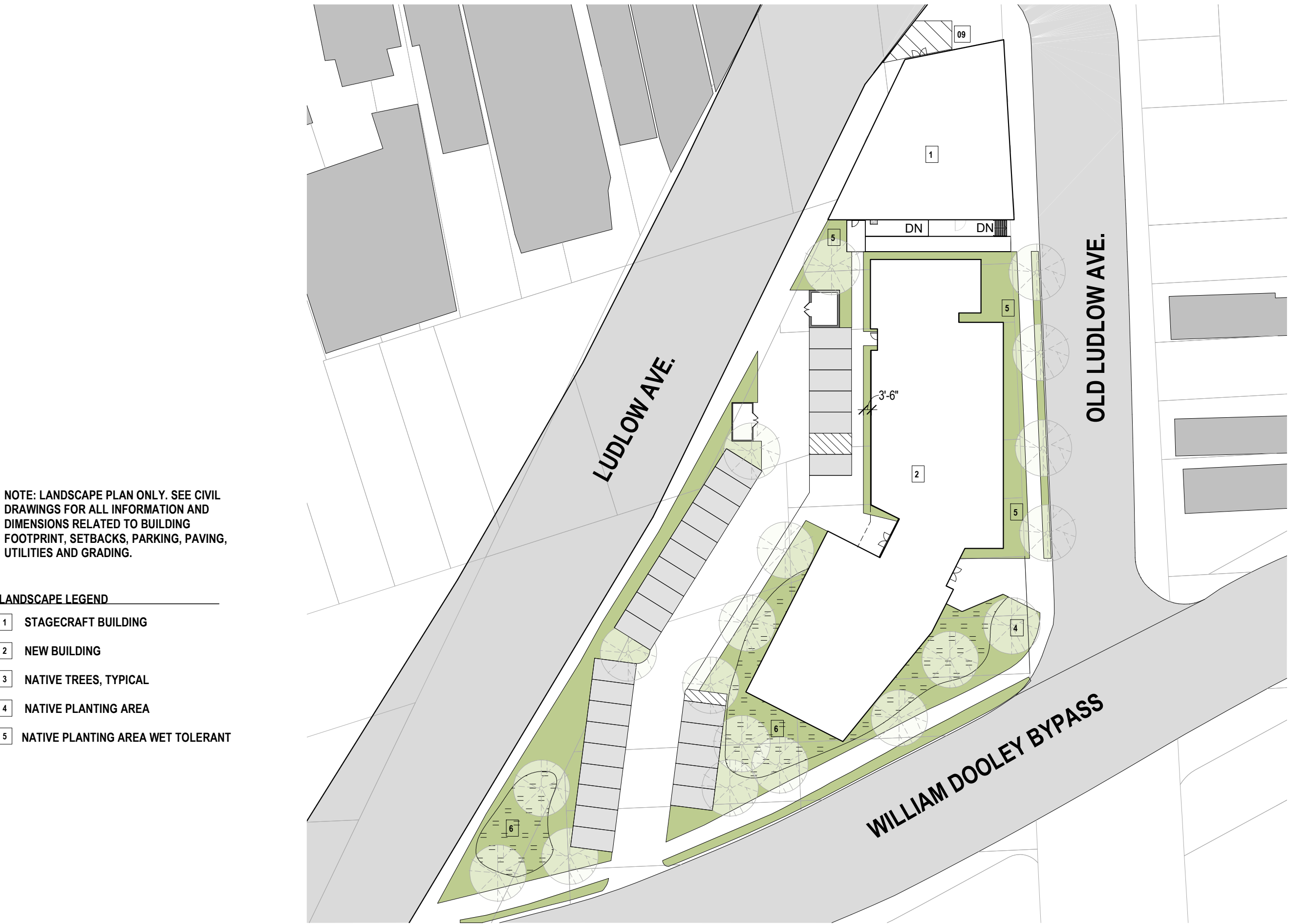
THE DESIGN MOVES THE COMMERCIAL ENTRY OF THE STAGECRAFT BUILDING SLIGHTLY IN A NEW HISTORICALLY COMPATIBLE STOREFRONT WHICH GIVES MUCH NEEDED BUFFER SPACE TO POTENTIAL PATRONS.

- HEAVY TRAFFIC 40+ MPH
- MEDIUM TRAFFIC 30+ MPH
- LIGHT TRAFFIC 20+ MPH
- EXISTING PEDESTRIAN CROSSING
- CAR
- BIKE LANE
- NORTHSIDE TRANSIT HUB

NOTE: LANDSCAPE PLAN ONLY. SEE CIVIL DRAWINGS FOR ALL INFORMATION AND DIMENSIONS RELATED TO BUILDING FOOTPRINT, SETBACKS, PARKING, PAVING, UTILITIES AND GRADING.

LANDSCAPE LEGEND

- 1 STAGECRAFT BUILDING
- 2 NEW BUILDING
- 3 NATIVE TREES, TYPICAL
- 4 NATIVE PLANTING AREA
- 5 NATIVE PLANTING AREA WET TOLERANT



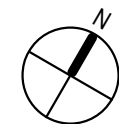
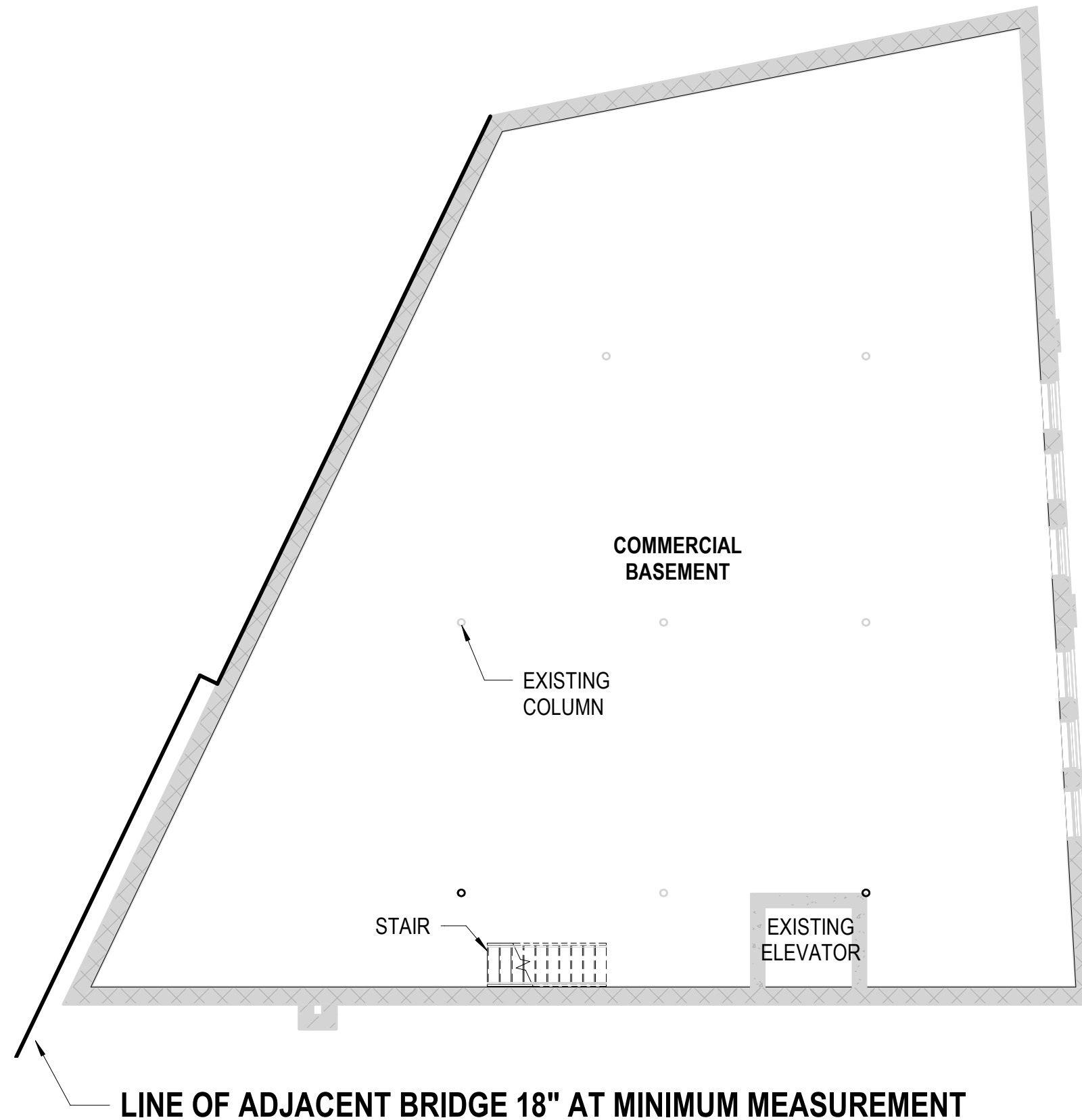
Northside Gateway

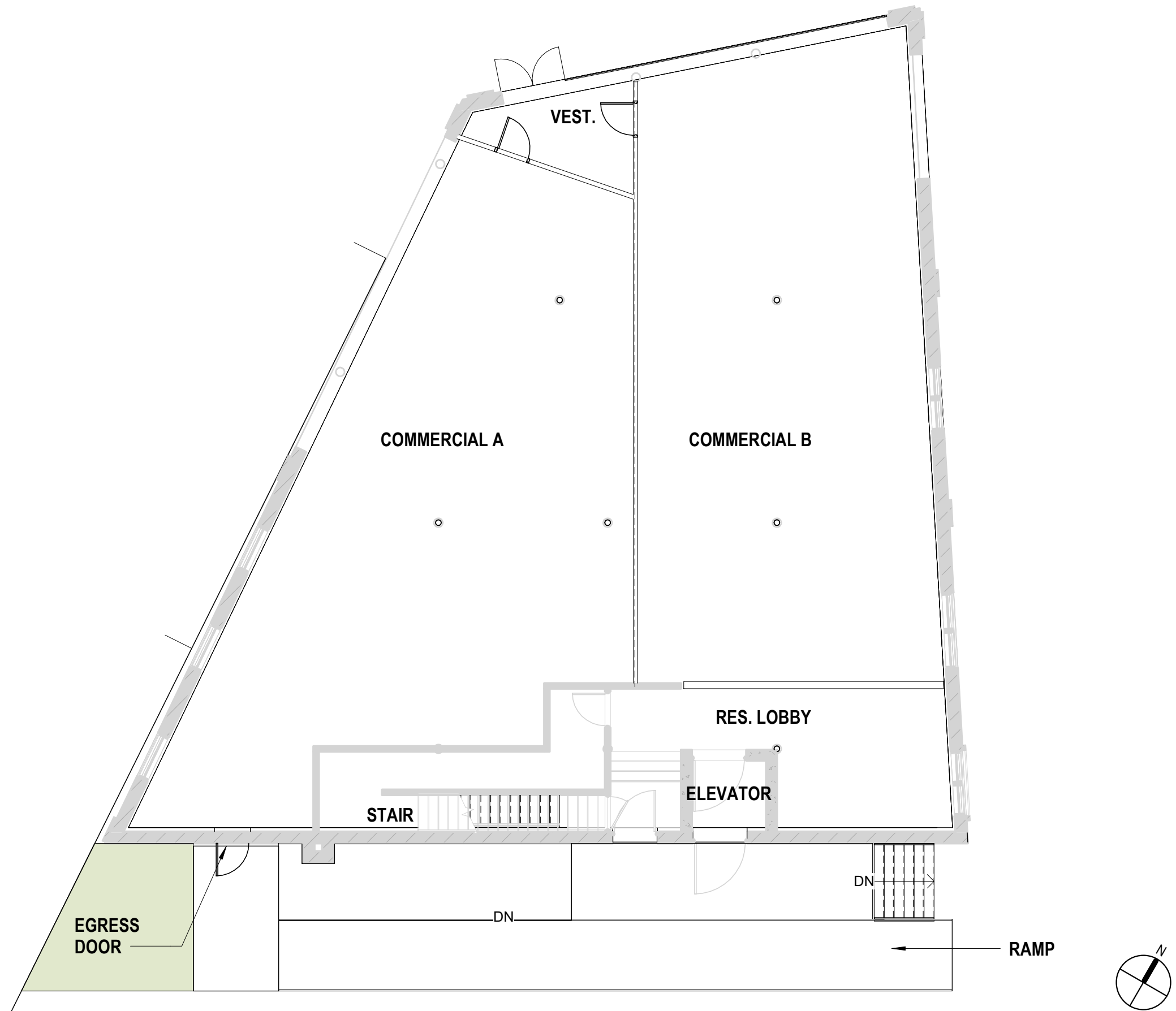
PLANNED DEVELOPMENT

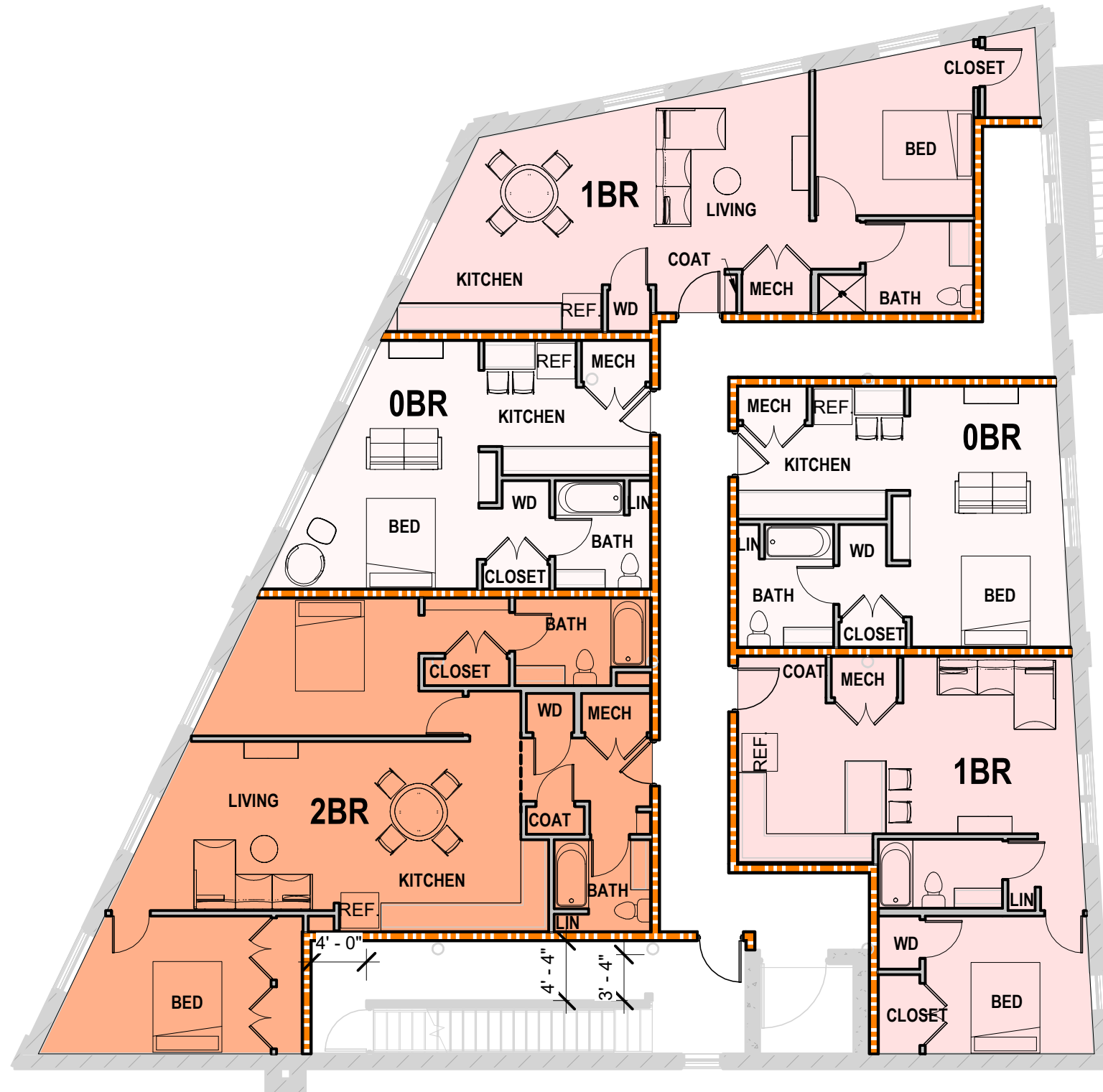
SCALE: 1" = 40'-0"



A1-000 LANDSCAPE PLAN







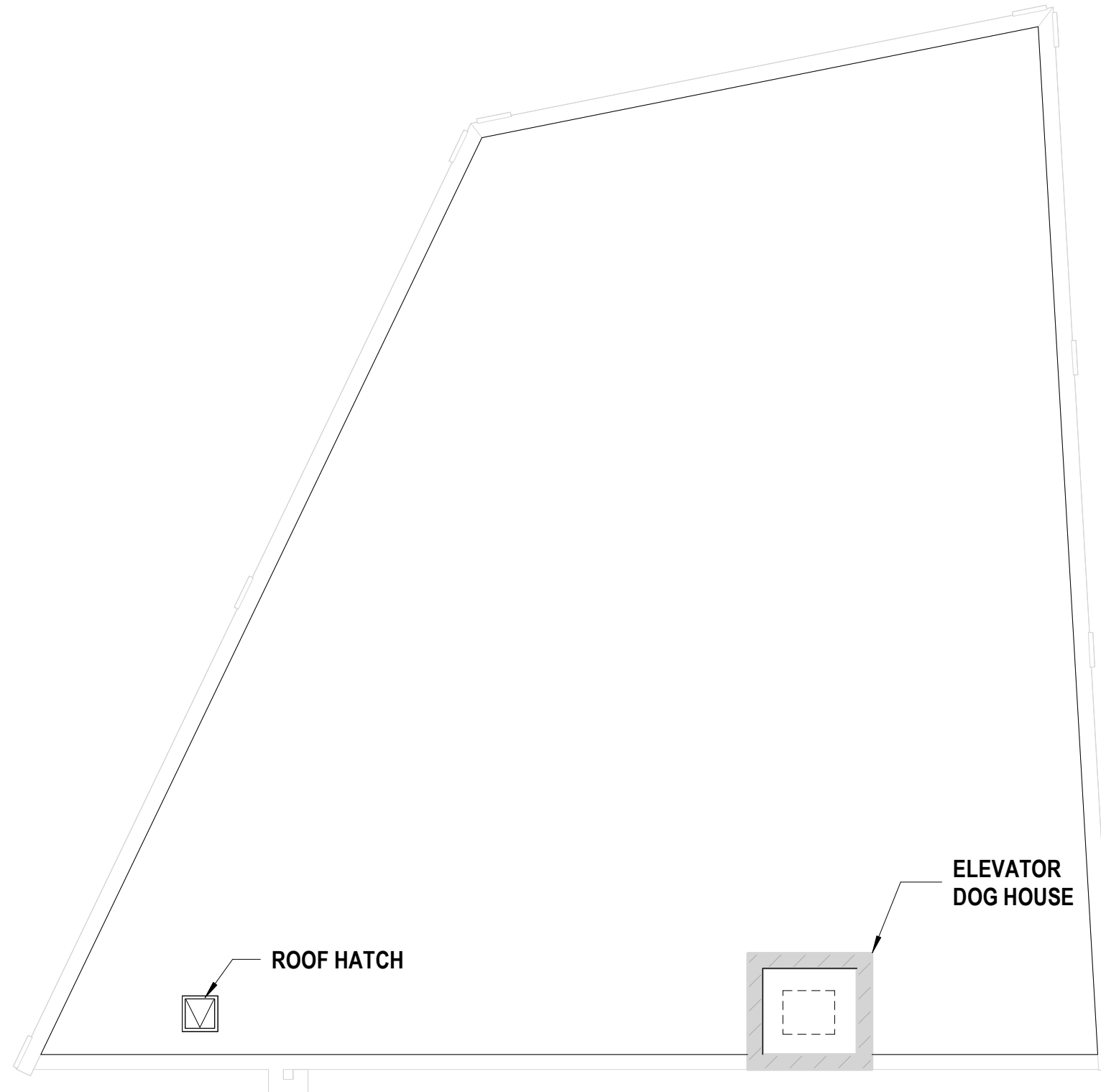
UNIT TYPE	MIN. GROSS SQUARE FEET PER OHFA QAP REQUIREMENTS
-----------	--------------------------------------------------

0 BR	450 MIN. GSF
1 BR	550 MIN. GSF
2 BR	750 MIN. GSF
3 BR	950 MIN. GSF

ACCESSIBILITY REQUIREMENTS

ACCESSIBLE UNITS IN COMBINED DEVELOPMENT:
 MINIMUM 3 SECTION 504 UNITS (5%)
 PLUS 3 SECTION 504 OR OHFA FLEX UNITS (5%)
 PLUS 2 SENSORY UNITS (2%)



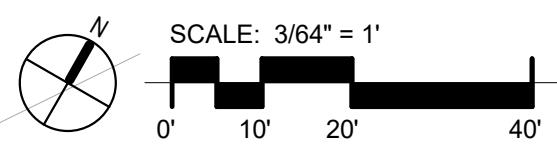


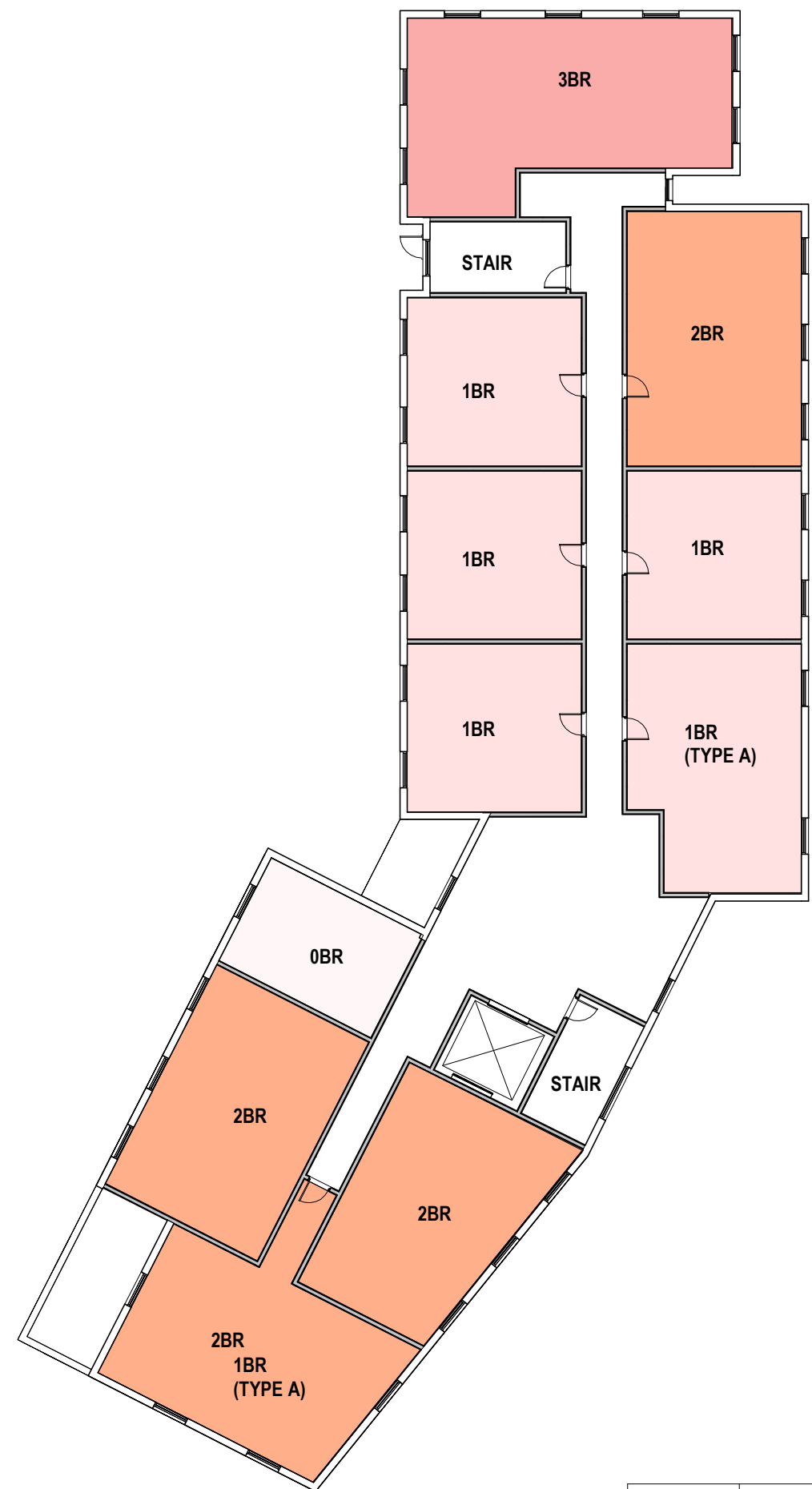
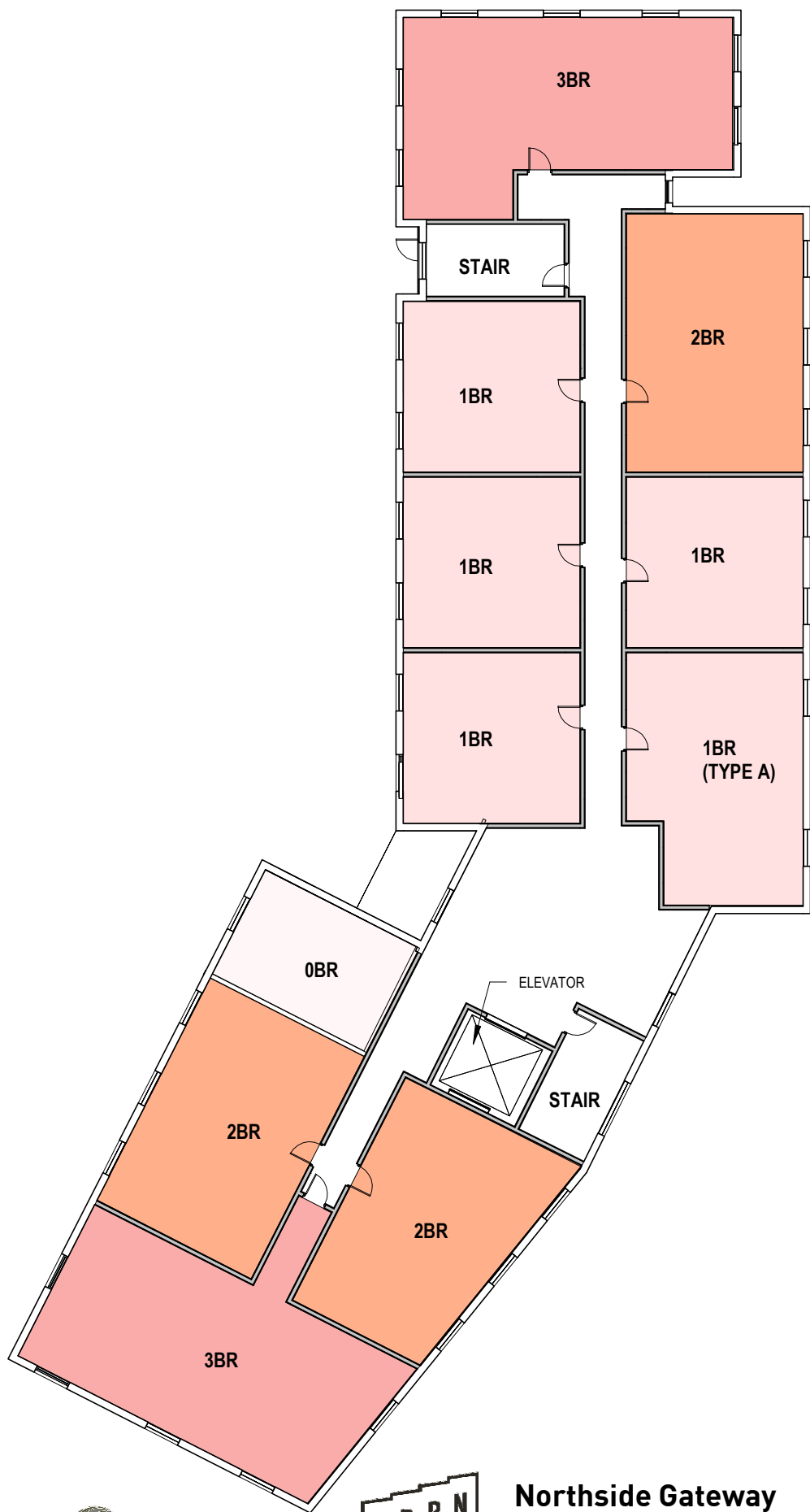


UNIT TYPE	MIN. GROSS SQUARE FEET PER OHFA QAP REQUIREMENTS
0 BR	450 MIN. GSF
1 BR	550 MIN. GSF
2 BR	750 MIN. GSF
3 BR	950 MIN. GSF

ACCESSIBILITY REQUIREMENTS

ACCESSIBLE UNITS IN COMBINED DEVELOPMENT:
 MINIMUM 3 SECTION 504 UNITS (5%)
 PLUS 3 SECTION 504 OR OHFA FLEX UNITS (5%)
 PLUS 2 SENSORY UNITS (2%)

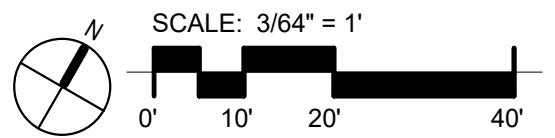


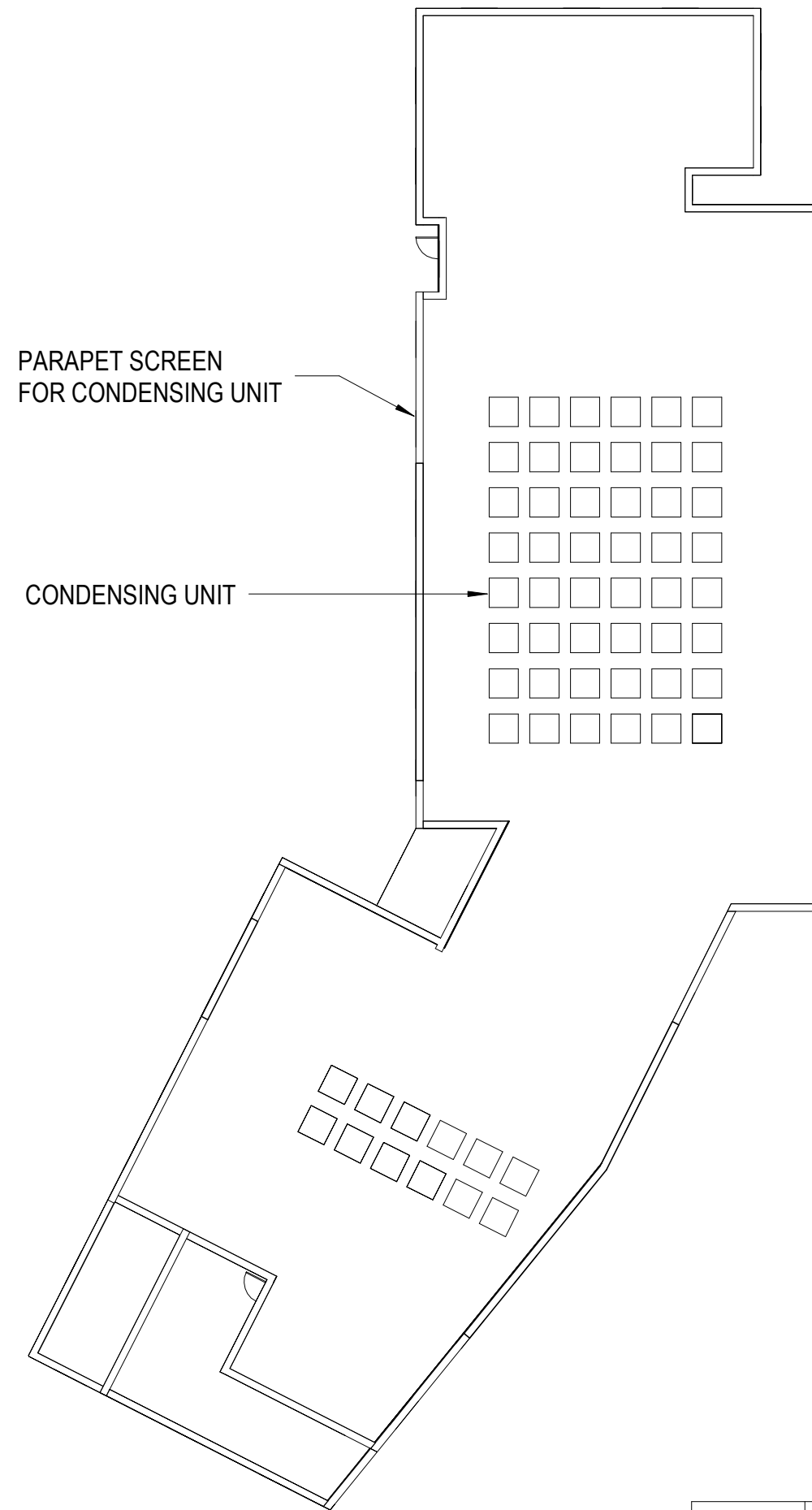
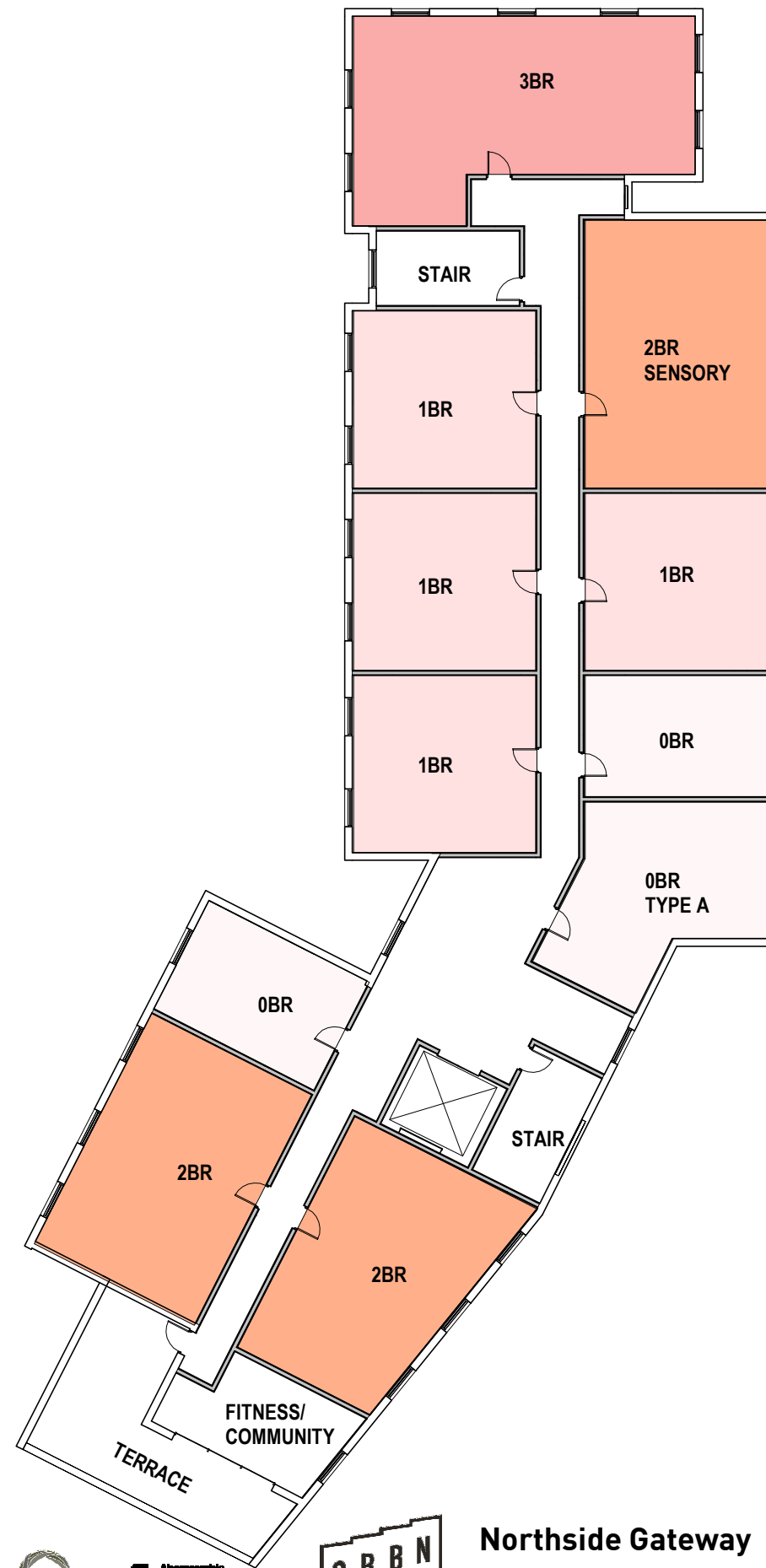


UNIT TYPE		MIN. GROSS SQUARE FEET PER OHFA QAP REQUIREMENTS
0 BR		450 MIN. GSF
1 BR		550 MIN. GSF
2 BR		750 MIN. GSF
3 BR		950 MIN. GSF

ACCESSIBILITY REQUIREMENTS

ACCESSIBLE UNITS IN COMBINED DEVELOPMENT:
 MINIMUM 3 SECTION 504 UNITS (5%)
 PLUS 3 SECTION 504 OR OHFA FLEX UNITS (5%)
 PLUS 2 SENSORY UNITS (2%)





UNIT TYPE	MIN. GROSS SQUARE FEET PER OHFA QAP REQUIREMENTS
-----------	--------------------------------------------------

0 BR	450 MIN. GSF
1 BR	550 MIN. GSF
2 BR	750 MIN. GSF
3 BR	950 MIN. GSF

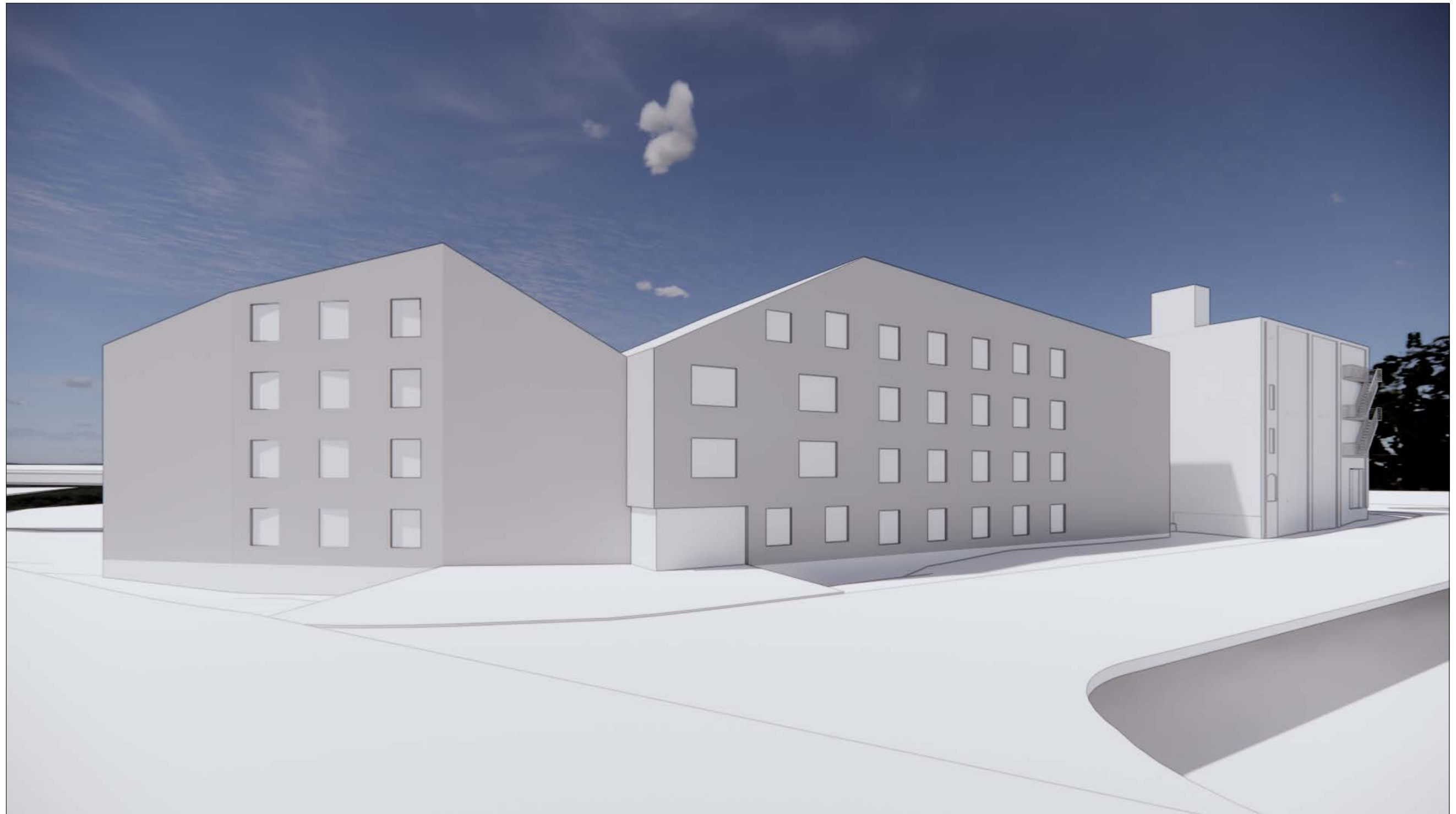
ACCESSIBILITY REQUIREMENTS

ACCESSIBLE UNITS IN COMBINED DEVELOPMENT:
 MINIMUM 3 SECTION 504 UNITS (5%)
 PLUS 3 SECTION 504 OR OHFA FLEX UNITS (5%)
 PLUS 2 SENSORY UNITS (2%)



SCALE: 3/64" = 1'

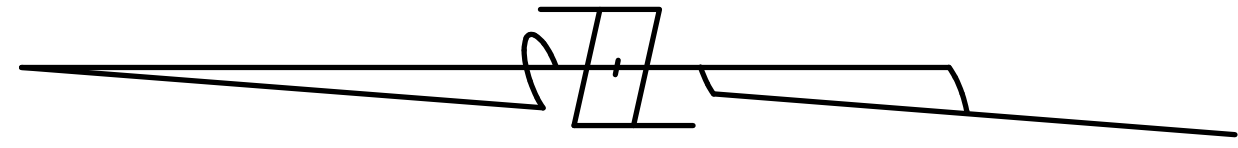




EXTERIOR PERSPECTIVE - VIEW FROM WILLIAM DOOLEY BYPASS

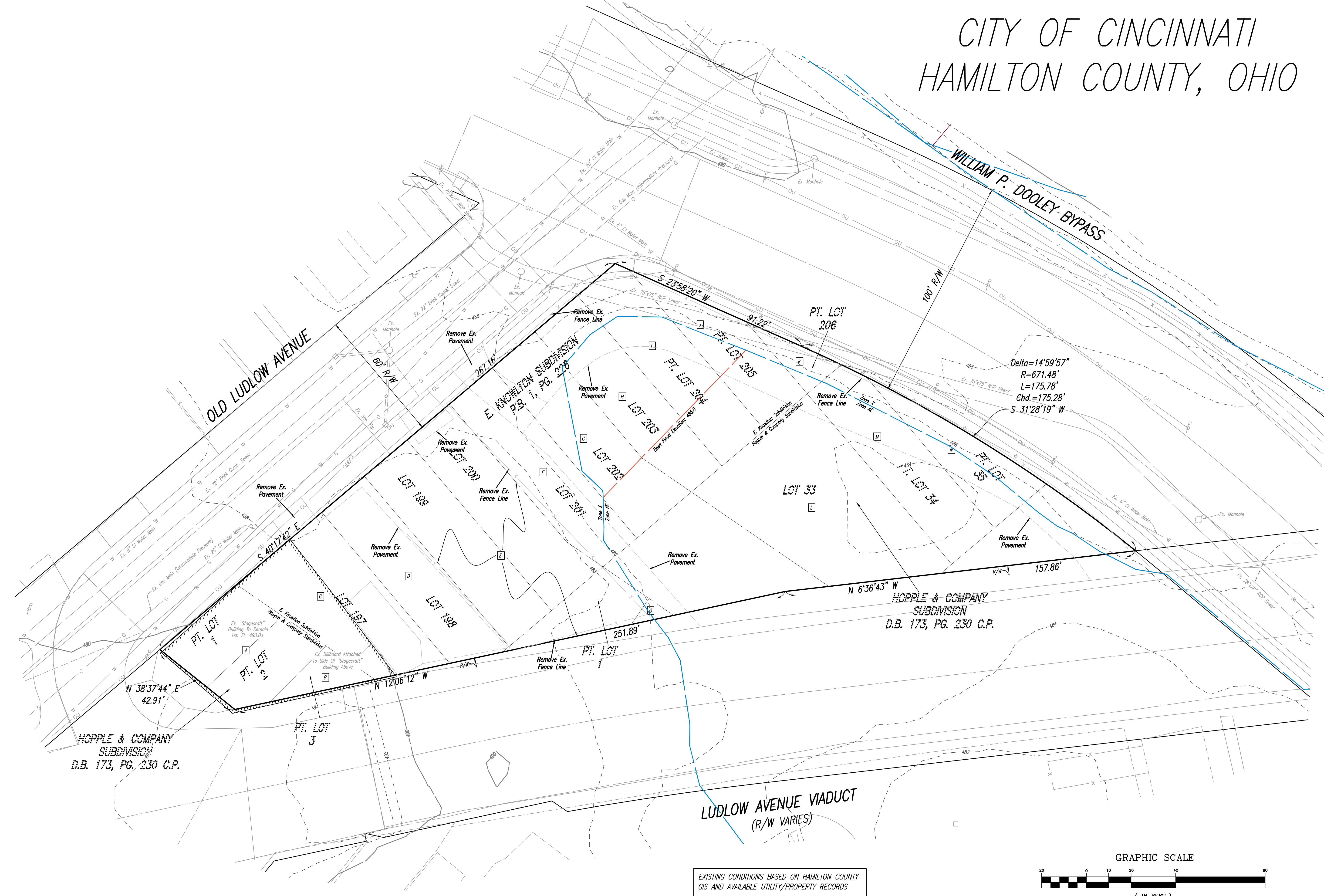


EXTERIOR PERSPECTIVE - VIEW FROM LUDLOW VIADUCT

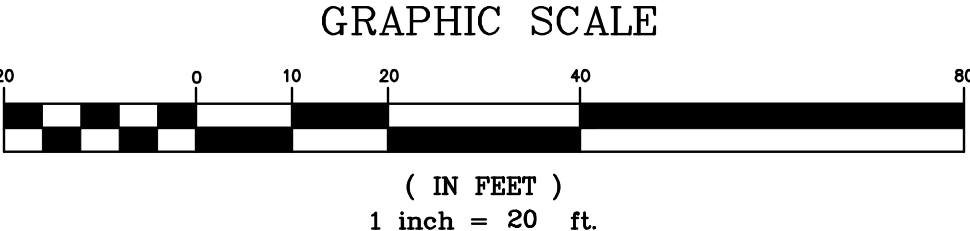


NORTHSIDE GATEWAY

CITY OF CINCINNATI
HAMILTON COUNTY, OHIO



EXISTING CONDITIONS BASED ON HAMILTON COUNTY
GIS AND AVAILABLE UTILITY/PROPERTY RECORDS



This drawing and the design concepts represented, as instruments of service, are the sole property of Abercrombie & Associates, Inc., and may not be used, reproduced, or copied for any purpose without prior written authorization of Abercrombie & Associates, Inc.

PRELIMINARY PLANNED UNIT
DEVELOPMENT PLAN

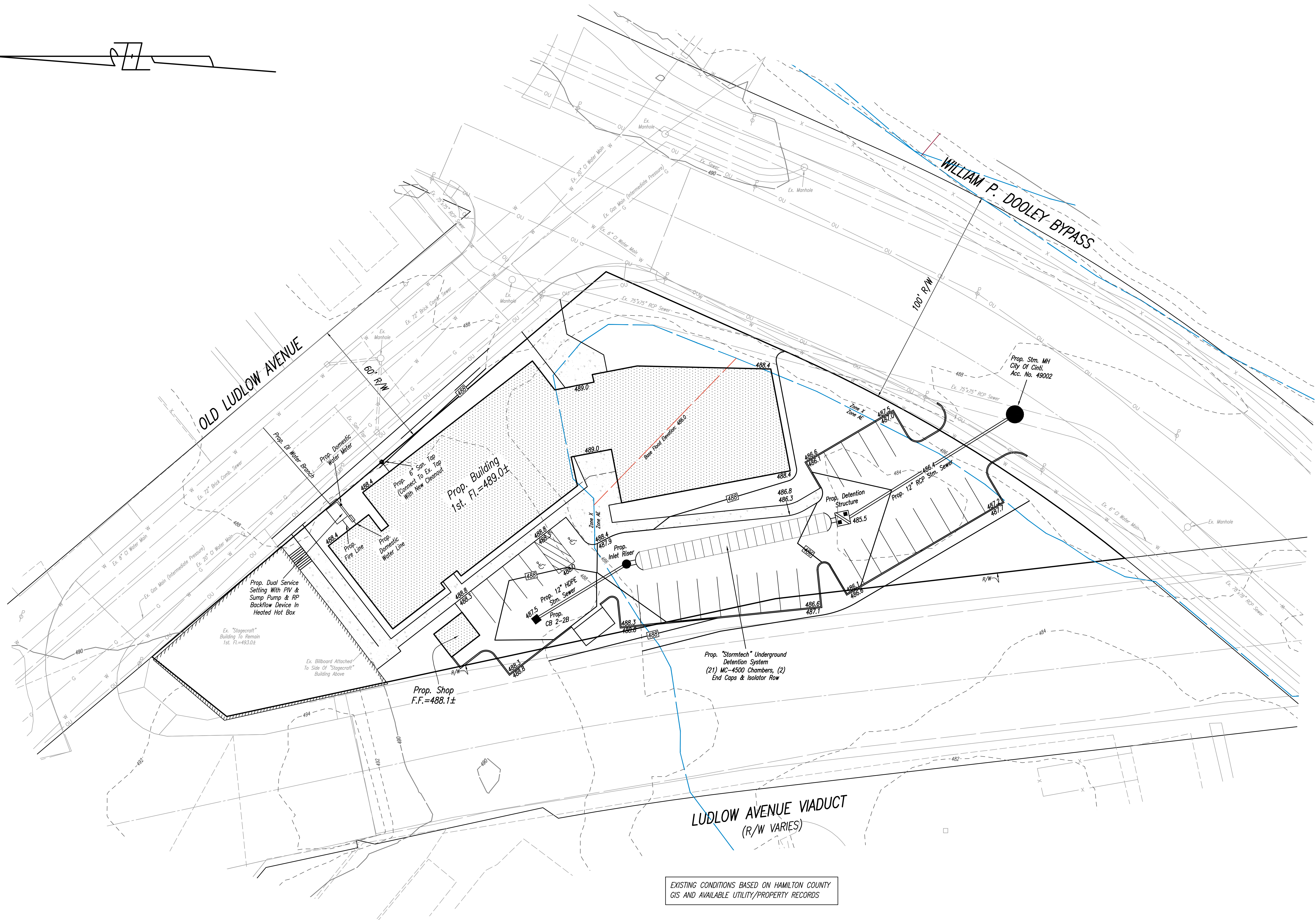
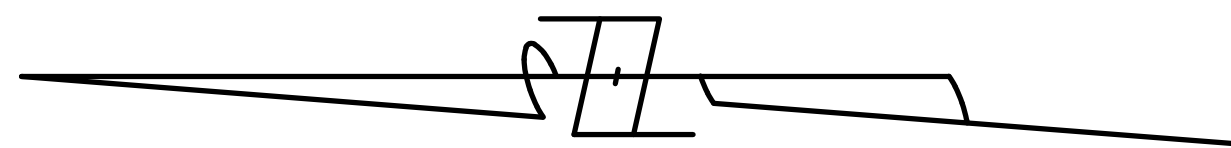
Date 11-15-23
Drawn By R.B.
Checked By C.A.
Scale 1"=20'

REVISIONS
UNGS: PRM/RB-PRM

Sheet Title EXISTING CONDITIONS & DEMO PLAN
Project Title NORTHSIDE GATEWAY
SECTION-21, TOWN-3, F.RANGE-2
CITY OF CINCINNATI
HAMILTON COUNTY, OHIO

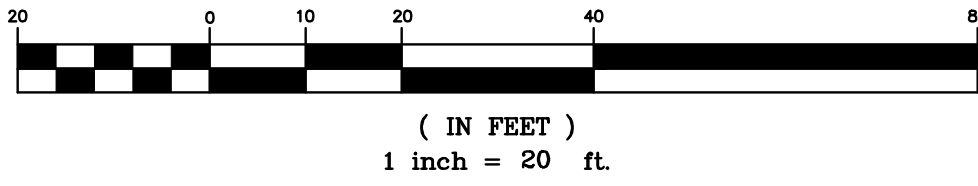
Abercrombie & Associates, Inc.
Civil Engineering + Surveying
8111 Cheviot Road, Suite 200
Cincinnati, Ohio 45247
www.abercrombie-associates.com

Job No. 23-0272
1
3



EXISTING CONDITIONS BASED ON HAMILTON COUNTY GIS AND AVAILABLE UTILITY/PROPERTY RECORDS

GRAPHIC SCALE



This drawing and the design concepts represented, as instruments of service, are the sole property of Abercrombie & Associates Inc., and may not be used, reproduced, or copied for any purpose without prior written authorization of Abercrombie & Associates, Inc.

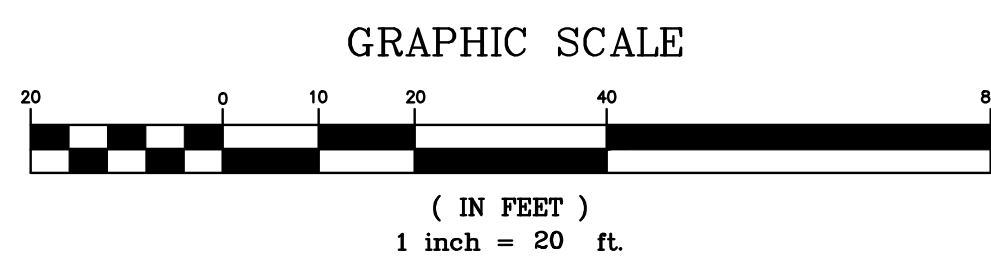
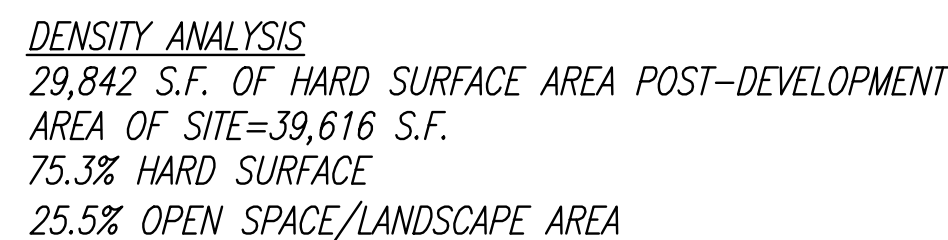


Abercrombie & Associates, Inc.
Civil Engineering + Surveying
8111 Cheviot Road, Suite 200
Cincinnati, Ohio 45247
www.abercrombie-associates.com

UTILITY & GRADING PLAN
NORTHSIDE GATEWAY
SECTION-21, TOWN-3, FRANGE-2
CITY OF CINCINNATI
HAMILTON COUNTY, OHIO

REVISIONS	Date	Drawn By	Checked By	Scale
	11-15-23	R.B.	C.A.	1"=20'

PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN



This drawing and the design concepts represented, as instruments of service, are the sole property of Abercrombie & Associates Inc., and may not be used, reproduced, or copied for any purpose without prior written authorization of Abercrombie & Associates, Inc.



1-800-362-2764

**Abercrombie
& Associates, Inc.**

Civil Engineering + Surveying
18111 Cheviot Road, Suite 200
Cincinnati, Ohio 45247
513-385-5757
www.abercrombie-associates.com

Abercrombie
& Associates, Inc.

8111 Cheviot Road, Suite 200
Cincinnati, Ohio 45247
513-385-5757
www.abercrombie-associates.com

Sheet Title

Project Title

SITE LAYOUT PLAN

NORTHSIDE GATEWAY

1-27, TOWN-3, F.RANG

CITY OF CINCINNATI
MILTON COUNTY, OHIO

Date 11-15-23

Drawn By RR

Checked By _____

Scale 1" = 20'

REVISIONS

DWG: DDI\1\DD-DDI\1

PRELIMINARY PLANNED UNIT
DEVELOPMENT PLAN

Job No.
23-0272

~~C~~

**Honorable City Planning Commission
Cincinnati, Ohio**

January 19, 2024

SUBJECT: A report and recommendation on a proposed zone change at 3925 and 3927 Old Ludlow Avenue from Commercial Community-Mixed (CC-M) and Manufacturing General (MG) to Planned Development (PD), including the Concept Plan and Development Program Statement, in Northside.

GENERAL INFORMATION:

Location: 3925 and 3927 Old Ludlow Avenue, Cincinnati, OH 45223 (Exhibit A)

Petitioners: Northsiders Engaged in Sustainable Transformation (NEST), Over-the-Rhine Community Housing (OTRCH), Urban Sites

Owner: NEST, 1546 Knowlton Street, Cincinnati, OH 45223

Request: To change the zoning of the property from Commercial Community-Mixed (CC-M) and Manufacturing General (MG) to Planned Development (PD) to allow for the creation of affordable housing units and commercial space through new construction and adaptive reuse of the Stagecraft Building.

EXHIBITS:

Provided in addition to this report are the following exhibits:

- Exhibit A Location Map
- Exhibit B Petition for Zone Change
- Exhibit C Concept Plan
- Exhibit D Development Program Statement
- Exhibit E Letters of Support
- Exhibit F Coordinated Site Review Letter
- Exhibit G Correspondence from Historic Conservator

BACKGROUND:

The subject property, comprised of three parcels, is approximately 2.07 acres in size, and located on the southeast corner of the intersection of Ludlow Avenue and Old Ludlow Avenue, just south of Spring Grove Avenue in the Northside neighborhood. The site currently consists of vacant land as well as a vacant four-story commercial building that formerly housed the Stagecraft company. The subject site is currently zoned Commercial Community-Mixed (CC-M) on the northern portion and Manufacturing General (MG) on the southern portion.

Northsiders Engaged in Sustainable Transformation (NEST), Over-the-Rhine Community Housing (OTRCH), and Urban Sites are proposing to build an affordable housing development. The petitioners are seeking Low-Income Housing Tax Credits (LIHTC), which requires an application to be submitted to the Ohio Housing Finance Agency (OHFA) by the end of February 2024. OHFA requires that the property be properly zoned prior to the LIHTC submission. As such, the petitioners are requesting a zone change from Commercial Community Mixed (CC-M) and Manufacturing General (MG) to Planned Development (PD) for the properties located at 3925 and 3927 Old Ludlow Avenue to permit the development.

ADJACENT LAND USE AND ZONING:

The property requested to be rezoned is currently zoned Commercial Community-Mixed (CC-M) and Manufacturing General (MG). The existing zoning and land use surrounding the subject site is as follows:

North:

Zoning: Commercial Community-Mixed (CC-M)
Existing Use: Commercial (Fast food restaurant, gas station, vacant and occupied storefronts)

East:

Zoning: Commercial Community-Mixed (CC-M) and Manufacturing General (MG)
Existing Use: Single-family residential, Parking lot

South:

Zoning: Manufacturing General (MG)
Existing Use: Mill Creek and William P Dooley Bypass

West:

Zoning: Commercial Community-Mixed (CC-M) and Manufacturing General (MG)
Existing Use: Ludlow Viaduct

PROPOSED DEVELOPMENT:

Northsiders Engaged in Sustainable Transformation (NEST), Over-the-Rhine Community Housing (OTRCH), and Urban Sites are proposing to build an affordable housing development. The development will consist of approximately 50-70 units ranging from studios to three-bedroom apartments affordable to tenants with income levels at or below 60% area median income (AMI). The units would be spread between the renovated Stagecraft Building and a newly constructed four-story building to the south. The proposed development would also include roughly 1 parking space per 2 units. The site is within a 10-minute walk to existing retail, entertainment, the Northside Transit Center, and recreation facilities.

NEST currently owns two of the three parcels that make up the site. The third parcel is owned by the City of Cincinnati. A Coordinated Report was circulated and a proposed sale was initiated to sell the property to NEST. The two sites currently owned by NEST contain the existing Stagecraft Building, which is within the Northside NBD Local Historic District and has remained vacant for many years, and a vacant lot. The City-owned parcel currently operates as a storage site for the Department of Public Services (DPS). The City is working to move the storage site to another location. The proposed development is seeking a LIHTC award in May 2024.

The proposed development includes renovating the existing building and constructing a new residential building on the southern portion of the site. The proposed development is a mixed-use project that includes a unit count between 50 and 70 dwelling units spread across both buildings and commercial use on the first floor of the existing building. The residential units will be a mix of studio, one-, two-, and three-bedroom units. The petitioner anticipates affordability levels of 60% AMI for the units. The intended use of the commercial space is for commercial retail and services, eating and

drinking establishments, and recreation and entertainment. The commercial space is to be located on the ground floor of the existing Stagecraft Building.

Buildings

The existing structure is four stories in height, and approximately 4,300 gross square feet in size. The petitioner is not proposing any additions to the existing structure as shown in the submitted Concept Plan (Exhibit C). The only modification to the existing structure is moving the commercial entry of the Stagecraft Building slightly to create a new, historically compatible storefront. The first floor of the building will be commercial space, with floors two through four containing residential units with a residential lobby in the rear of the building.

The new structure would also be four stories in height and approximately 6,750 gross square feet in size. All four floors will be for residential use; there will be no commercial uses in this building. Residential amenities will be housed in the new structure and include interior bike parking, fitness/community room, terrace, and meeting space.

Parking and Circulation

The proposed Concept Plan includes surface parking spaces on-site immediately to the east of the new structure, providing a buffer between Ludlow Avenue and the residential structure. Vehicular ingress/egress to the surface lot will be from the William P Dooley Bypass to the south of the site. The petitioner indicates an overall parking ratio of around 0.5 parking spaces per unit. The final parking ratio will be based upon the finalized number of dwelling units. The plan also includes bicycle parking within the first floor of the new structure.

Signage

A signage plan will be submitted with the Final Development Plan and will follow the requirements of the Commercial Neighborhood-Mixed, Commercial Community-Mixed, and Urban Mixed Districts (Section 1427-37 “Signs Standards for the C and UM Districts”). Additionally, the Northside NBD Local Historic District includes signage requirements in the Conservation Guidelines. Any signage within the historic district must go before the Historic Conservation Board.

Open Space, Landscaping, and Buffering

Final landscaping and buffering will be submitted with the Final Development Plan. The Concept Plan outlines that the maximum hard surface area for the site is 29,842 square feet, which results in 9,774 square feet of open space (25.5% of the site).

Schedule

The petitioner has provided the following as an estimated timeline of funding and construction for the project:

February 2024	OHFA LIHTC application
May 2024	OHFA LIHTC Award
Summer 2025	Construction begins
Late 2026	Construction completion

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 2.07 contiguous acres (Exhibit A). This satisfies the minimum area required for a PD.

- 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.*

Two of the three properties within the proposed zone change are currently owned by NEST. The third is owned by the City of Cincinnati. A Coordinated Report for the property and right-of-way was circulated among City departments, and no objections were raised. The Department of Community and Economic Development is facilitating the sale.

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

The submitted Concept Plan and Development Program Statement indicates reuse of the existing four-story building known as the Stagecraft Building. An additional four-story building is proposed to be newly constructed on the southern portion of the site. The gross square footage of both buildings combined will be approximately 11,050 sf. (Exhibit D).

- 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.*

The northern portion of the site falls within the Northside NBD Local Historic District. Therefore, the City Planning Commission will require Historic Conservation Board guidance related to approval of the Final Development Plan (Exhibit G). Additionally, any signage proposed for the Stagecraft Building will need to follow the signage regulations of the Northside NBD Local Historic District. Depending on how the parcels are consolidated, the new building may also be subject to the historic district regulations (Exhibit G).

- 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 property is not located with 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.*

The subject 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 (Exhibits E and F). 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 Concept Plan (Exhibit C) and Development Program Statement (Exhibit D) that includes sufficient information regarding proposed uses, building location, street access, pedestrian circulation systems, and open space and landscaping. See *Proposed Development* for more information.

- 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.

Two of the three properties within the proposed zone change are currently owned by NEST. The third is owned by the City of Cincinnati. A Coordinated Report for the property and right-of-way was circulated among City departments, and no objections were raised. The Department of Community and Economic Development is facilitating the sale.

- 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 schedule for the proposed development. The estimated timeline provided as part of the Concept Plan and Development Program Statement is outlined in the *Proposed Development* section of this report. An approval of the Concept Plan and Development Program Statement would lapse two years from its effective date unless a Final Development Plan is approved, or the City Planning Commission approves an extension per Sec. 1429-11.

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

The proposed development was reviewed by City departments and reviewing agencies through the City's Coordinated Site Review process. The Metropolitan Sewer District (MSD) and Stormwater Management Utility (SMU) noted that a Utility Plan and Detention Plan would be required prior to permitting. These plans will be submitted as part of the Final Development Plan.

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

The Development Program Statement indicates a total unit count between 50 and 70 dwelling units on the 0.98 acre-site (this area does not include the portion of the zone change within the right-of-way) which results in a density range of 51 – 71 units/acre. The exact density will be calculated once the final number of dwelling units is determined as part of the Final Development Plan submittal. Additionally, the Development Program Statement explains that approximately 25.5% of the site will be preserved as open space. A landscape plan will be required as part of the Final

Development Plan submittal.

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. Again, the City Planning Commission will require Historic Conservation Board guidance related to approval of the Final Development Plan (Exhibit G).

COORDINATED SITE REVIEW:

The proposed zone change and Concept Plan was reviewed by City departments and reviewing agencies through the City's Coordinated Site Review process as a Development Design Review. A Coordinated Site Review Advisory Team meeting was held on January 2, 2024. A meeting with the petitioner and project partners was held on January 9, 2024, to allow the petitioner the opportunity discuss the comments outlined by each of the departments. No objections were voiced regarding the zone change or Concept Plan, however, additional requirements need to be met before permits are obtained. The full letter is attached as Exhibit F. Below is an outline of the major additional requirements that will be addressed in the Final Development Plan:

- The Metropolitan Sewer District (MSD) outlined that a utility site plan will be required to be submitted and reviewed in order to obtain permits, and that the applicants should work with MSD to determine the proximity of the building to existing sewers.
- Stormwater Management Utility (SMU) requires a detention system for the site, a grading plan, an erosion and sediments control plan, and a utility site plan prior to permitting.
- The Office of Environment and Sustainability (OES) indicated that environmental approval will be necessary if the project seeks City qualified incentives.
- The Department of Transportation and Engineering (DOT) outlined that the proposed parking lot cannot go beyond the property line, that all buildings need to be at least 10 feet from the right-of-way, and that the stopping distance length is appropriate.

The petitioner received a copy of the comments from each of the departments and will be working with the departments to address these requirements prior to submitting a Final Development Plan.

PUBLIC COMMENT AND NOTIFICATION:

The Department of City Planning and Engagement held a virtual Public Staff Conference on the proposed zone change on January 3, 2024. Dual notice of the Public Staff Conference and the January 19, 2024 City Planning Commission meeting was sent to property owners within a 400-foot radius of the subject property, the Northside Community Council, and Northside Business Association. There were 2 community members in attendance along with the petitioner and development team. During

the staff conference, the development team provided an overview of previous related projects, neighborhood engagement, and a summary of the proposed project.

During the discussion portion of the Public Staff Conference, one community member asked for an overview of the proposed project timeline, which the applicant team provided. Another community member voiced enthusiastic support for the proposal. No concerns were voiced during the meeting, although the applicant team noted that extensive community engagement has already been done for this proposal and that more engagement will follow for the final development plan if LIHTC funds are awarded.

Letters of support regarding the proposed zone change and Concept Plan were submitted to the Department of City Planning and Engagement from the Northside Community Council and the Northside Business District (Exhibit E). No other correspondence has been received.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed zone change is consistent with the Goal in the Live Initiative Area of *Plan Cincinnati* (2012) to “Create a more livable community” (p. 156), specifically the strategy to “Support and stabilize our neighborhoods” (p. 160). The proposed zone change aims to help revitalize the southern end of the Northside Business District by rejuvenating a prominent corner on Hamilton Avenue. The proposed development is also consistent with the Live Initiative Area Goal 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). The proposed project is seeking LIHTC to allow for the inclusion of affordable units at 60% AMI.

The proposal is also consistent with the Sustain Initiative Area and the Goal to “Preserve our natural and built environment” and the Strategy to “Preserve our built history” (p. 205), specifically the Action Step to “Preserve our built history with new development incentives and regulatory measures” (p. 205) as the proposed zone change would allow for the reuse of the historic Stagecraft Building.

Northside Comprehensive Land Use Plan (2014)

The proposed zone change, Concept Plan and Development Program Statement are also consistent with many aspects of the *Northside Comprehensive Land Use Plan*. The proposed development is consistent with Live Goal 1, to “Improve the quality and quantity of affordable and market rate rental housing” (p. 82) and the associated Strategy to “Integrate more housing into our neighborhood business district to strengthen it and increase pedestrian activity” (p. 82). The proposal calls for creating 50 to 70 affordable rental units within the Northside Business District, bringing more residents within walking distance of neighborhood resources, including the McKie Recreation Center and the Northside Transit Center. The proposal is also consistent with Sustain Goal 1, to “Enhance the architecturally historic, pedestrian streetscape and ‘green’ character of the neighborhood and preserve our natural environment” (p. 89) and the associated Strategy to “Maintain the historic character of the Hamilton Avenue Business District by encouraging renovation and façade improvements to existing buildings where necessary, and compatible infill development as opportunity rises” (p. 89). The proposal would reactivate a prominent corner of the Northside Business District through the renovation of the ground floor commercial space of the historic Stagecraft Building.

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 are compatible with the surrounding land use patterns and consistent with applicable plans as outlined in the *Consistency with Plans* section of this report. The project abuts the Northside Business District, which is zoned CC-M and contains a mix of commercial and residential uses.

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 the cohesive development of a contained site on a prominent corner at the gateway of the Northside neighborhood while reusing the historic Stagecraft Building. The proposed new development on the southern portion of the site would not be permitted under either the existing MG or CC-M zoning districts. The proposed Concept Plan and Development Program Statement allow for the development of affordable housing and catalytic revitalization of a key property in the Northside Business District, which would not otherwise be able to be approved under the current base districts.

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 mixed-use project is not permitted within the existing zoning districts. The PD zoning district allows for a cohesive site plan that includes the reuse of the existing structure and the construction of a new building in a feasible and innovative manner. Additionally, the proposal meets goals identified by the neighborhood and increases 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 or will be detailed in the Final Development Plan. See *Proposed Development* section for more detail.

ANALYSIS:

The proposed zone change from Commercial Community-Mixed (CC-M) and Manufacturing General (MG) to Planned Development (PD) would reactivate currently vacant or underutilized properties and allow for the coordinated development of three parcels. The proposal, which would allow for the existing four-story Stagecraft Building to be redeveloped as a mixed-use multi-family and

commercial structure alongside a new four-story multi-family residential building, is appropriate. Under the existing MG zoning on the southern portion of the site, multi-family residential is not a permitted use. An alternative zoning option would be to rezone the southern portion of the site to CC-M consistent with the Stagecraft zoning and the Northside Business District and request a Use Variance for ground-floor residential under Section 1445-16 of the Zoning Code. However, the petitioner is seeking LIHTC funding to assist in financing the project, which requires the appropriate zoning be in place in order for the funds to be awarded.

The preservation and reuse of the Stagecraft Building is also consistent with *Plan Cincinnati (2012)* and the *Northside Comprehensive Land Use Plan (2014)*. The reuse of the site as a mixed-use building consisting of 50 to 70 residential dwelling units will increase the population of the Northside neighborhood. This will add to the support and viability of the neighborhood's business district, which the proposed site falls within, and is seen as an important step to the district's revitalization.

Staff of the Department of City Planning and Engagement believe that a Planned Development is an appropriate zoning designation for this site as it allows for continued public engagement through all phases of the development. Staff also believes that special site characteristics exist and the proposed land uses justify development of the property as a PD with an area less than the minimum two-acres as the proposed use of the new structure as residential is not permitted under the existing base zoning district. Additionally, because the site is surrounded by right-of-way, the site size is constrained from meeting the contiguous two acre minimum size requirement for a PD.

A Planned Development also provides assurance to the City and the community of the intended uses and scale of the development. The Planned Development process ensures that 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 and Engagement that the Concept Plan and Development Program Statement are 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-Mixed (CC-M) and Manufacturing General (MG) to Planned Development (PD), including the Concept Plan and Development Program Statement, for the following reasons:

1. The zone change and Concept Plan is consistent with the Goals in the Live Initiative Area and a Goal, Strategy, and Action Step in the Sustain Initiative Area of *Plan Cincinnati*. It is also consistent with Goals in the Live and Sustain areas identified in the *Northside Comprehensive Land Use Plan*.
2. The PD zoning is appropriate in this area as the proposed development does not conform with existing zoning. The zone change and Concept Plan are necessary to establish a PD for a site that allows for the development of affordable units through a new and existing structure.


3. The PD zoning district 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 Plan for the proposal.

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;
- 2) **ADOPT** the Department of City Planning and Engagement Findings as detailed on page 9 of this report; and
- 3) **APPROVE** the proposed zone change at 3927 and 3925 Old Ludlow Avenue from Commercial Community-Mixed (CC-M) and Manufacturing General (MG) to Planned Development (PD) including the Concept Plan and Development Program Statement in Northside; and
- 4) **APPROVE** the proposed Planned Development (PD) district that contains less than two-acres per Section 1429.05 (a) of the Cincinnati Zoning Code as the subject site size is constrained by right-of-way and the development is not feasible under existing base zoning.

Respectfully submitted:



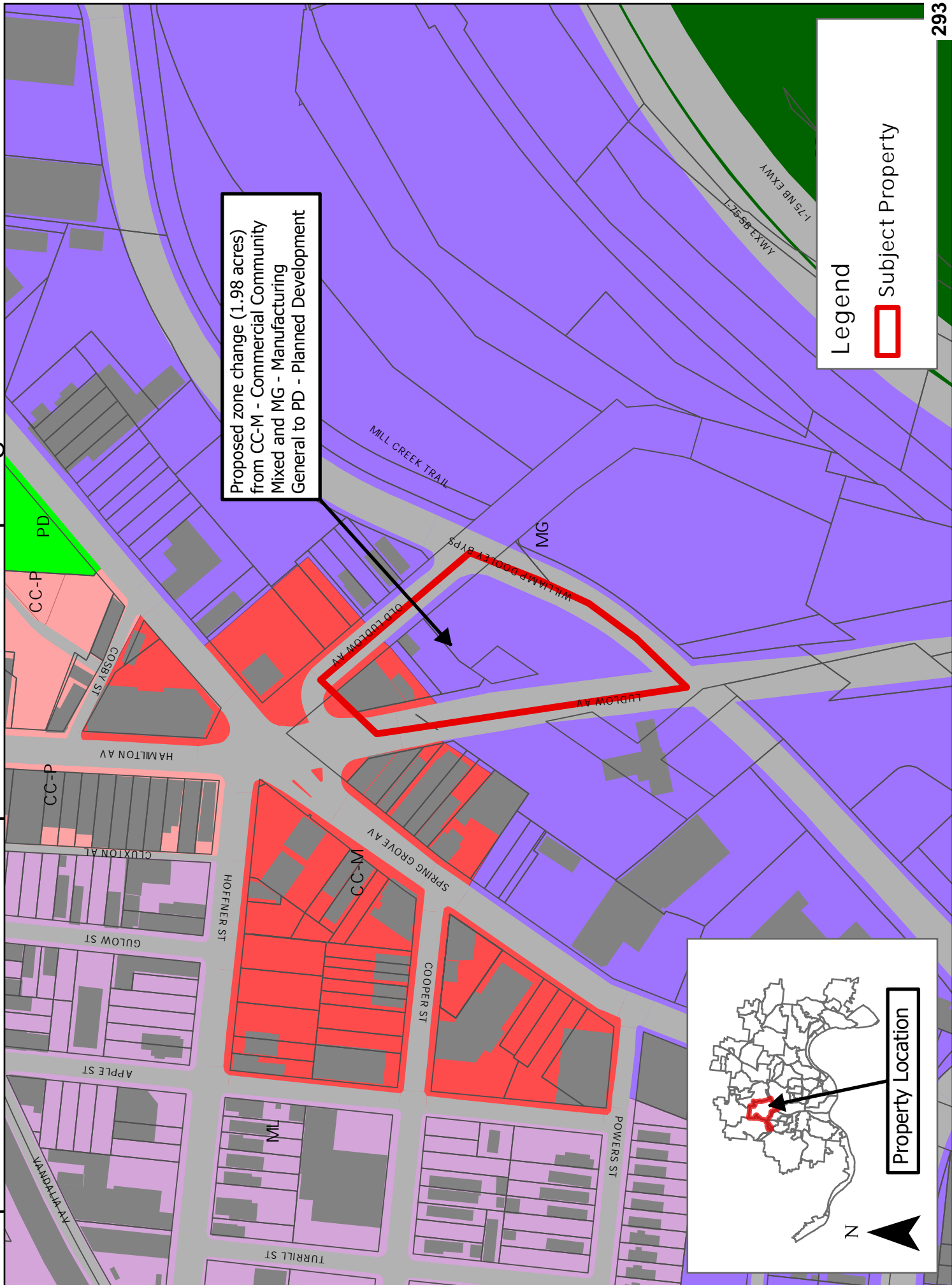
Emily Burns, City Planner
Department of City Planning and Engagement

Approved:



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

Proposed Planned Development at 3950 Spring Grove Ave in Northside



**PETITION FOR CHANGE OF ZONING OF PROPERTY
LOCATED IN THE CITY OF CINCINNATI, OHIO**

To: The Honorable Council of the City of Cincinnati

Date: 11/17/2023

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-P/MG Zone District to the PD (Planned Development) Zone District.

Location of Property (Street Address): 3927 Old Ludlow Ave. and portions of Parcel 019300030031 bordering Old Ludlow and William P. Dooley Bypass as indicated in Civil Drawings

Area Contained in Property (Excluding Streets): Approximately 42,503 sf

Present Use of Property: Business (former Stagecraft building acquired by NEST) and exterior storage lot

Proposed Use of Property & Reason for Change: Proposed use is approximately 4,300 sf of commercial space and 15 affordable residential units in the former Stagecraft Building, and an additional 43 affordable residential units in a new building located to the south, with parking and other site amenities.

Property Owner's Signature: 

Name Typed: Sarah Thomas, Executive Director of NEST

Address: 1546 Knowlton Street Phone: 513-253-3480

Agent Signature: _____

Name Typed: _____

Address: _____ Phone: _____

Please Check if the Following Items are Attached

Application Fee _____ Copies of Plat x Copies of Metes and Bounds x

note: applicant will coordinate payment

NORTHSIDE GATEWAY PLANNED DEVELOPMENT

Project Address:

3950 Spring Grove Ave, Cincinnati, OH 45223

Project Description:

The project includes both the renovation of the existing Stagecraft Building at 3927 Old Ludlow into multi-family apartments with Ground Floor Commercial Space, as well as the development of a new multi-family building on the open parcel southeast of Stagecraft. In total, the project will include approximately 58 affordable apartment units, 4,300 SF of commercial space, on site parking, bike storage, and other residential amenities.

Program Summary:

4,300 SF commercial
57,362 SF residential
30 parking spaces

**Residential
Unit Matrix:**

		S		N		total	
0 BR	6	6	6	12			
1 BR	6	18	24				
2 BR	3	13	16				
3 BR	6	6					
total	15	43	58				

DRAWING INDEX

SHEET NUMBER	SHEET NAME
GENERAL	
G-103	CONCEPT CODE SUMMARY-STAGECRAFT
G-104	CONCEPT CODE SUMMARY- NEW BUILD
G-105	CONCEPT CODE SUMMARY - NEW BUILD
G-106	SITE PHOTOS
G-107	SITE ANALYSIS
G-111	SITE ANALYSIS
G-100	TITLE SHEET
G-101	CONCEPT CODE SUMMARY-STAGECRAFT
DESIGN	
A1-000	LANDSCAPE PLAN
A1-102	LEVEL B STAGECRAFT
A1-103	LEVEL 1 STAGECRAFT
A1-104	LEVELS 2,3,4 STAGECRAFT
A1-105	ROOF STAGECRAFT
A2-101	LEVEL 1 NEW BUILDING
A2-102	LEVEL 2 & 3 NEW BUILDING
A2-103	LEVEL 4 & ROOF NEW BUILDING
A-901	EXTERIOR PERSPECTIVE
A-902	EXTERIOR PERSPECTIVE

		LEV 1		LEV 2		LEV 3		LEV 4			
		S	N	S	N	S	N	S	N		
0 BR	0	1	2	1	2	1	2	3	12		
1 BR	0	4	2	5	2	5	2	4	24		
2 BR	0	3	1	3	1	4	1	3	16		
3 BR	0	2	0	2	0	1	0	1	6		
TOTAL BY LEVEL	0	10	5	11	5	11	5	11	58		

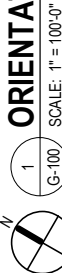
S - STAGECRAFT BUILDING
N - NEW BUILDING

G-100

TITLE SHEET



ORIENTATION PLAN



Northside Gateway

PLANNED DEVELOPMENT



Project Location	Stages Craft Building 3850 Spring Grove Avenue Cincinnati, Ohio 45223		
Project Description	4 story existing building will consist of apartments on the top 4 floors (R-2 use) with commercial space (A-2 use) on the lower floor and basement. The building is constructed of solid masonry walls with steel columns and major beams and wood joist floor assemblies. The top 3 stories will be separated from the first floor. Elevator shafts are concrete construction. Building was designed using Ohio Existing building code, chapter 5, Prescriptive Compliance method, which was used to determine allowable building area and height, and requirements for stairs and egress.		
Authority Having Jurisdiction	City of Cincinnati Department of Buildings and Inspections 805 Central Avenue, Suite 500 Cincinnati, OH 45202		
Building Codes & Standards	2021 Ohio Existing Building Code 2021 Ohio Building Code 2021 Ohio Plumbing Code 2021 Ohio Mechanical Code 2017 Ohio Fire Code NFPA 13-10 Installation of Sprinkler System NFPA 70-10 National Electrical Code NFPA 72-10 National Fire Alarm Code ASME A17.1a 2011 Elevator Code ASHRAE 90.1-07 2009 IECC ICC/ANSI A.117.1-2009		
Applicable Federal Regulations	2010 ADA Standards For Accessible Design		
Type of Work	Renovation		
Occupancy Classification	A-2: Assembly (Restaurants and Dining Facilities) R-2: Residential (nontenant) 310.3.2 Dwelling Units in Mixed Occupancy Building		
*The building will be a mixed-use occupancy utilizing a 1 hour rated horizontal assembly between the use groups based on using NFPA 13 Sprinkler system throughout per table 508.4			
Zoning Requirements	Planned Development		
Zoning	PD	732sf/unit in the planned development	
Site area 42.503s/69 units	Density	0-12ft required, 0 ft existing. (Existing Building).	
Parking	Setbacks	Parking required to be located at side or rear of building. Screening to be provided.	
Number of Spaces		Required	Provided:
		Standard	0
		Accessible	0
		Acc. Van	0
			30
Building Heights and Areas	504	Allowable	Proposed
Construction Type		VA	LV's 08-04
Sprinklered		NFPA 13	Type VA
Occupancy		A-2	S (NFPA 13)
Building Height	Table 504.3	R-2	A-2/R-2
Building Stories	Table 504.4	60 ft. (NFPA 13)	54ft 4 inches
Building Area	Table 506.1	2	4
		18,000sf (SM)	21,000sf (SM)
			4,358 gsf per floor
Mixed Occupancy Building	Table 508.4	The building will be separated with a horizontal assembly having a fire-resistance rating of 1 HR at Second Floor Level.	
Fire Resistance Rating Requirements	Table 601	Type VA	1 hrs
		Primary structural frame	



Northside Gateway

PLANNED DEVELOPMENT

Bearing walls			
Exterior			1 hrs
Interior			1 hrs
Nonbearing walls and partitions			
Exterior			per OBC 705.5
Interior			0 hrs
Floor Construction			1 hrs
Roof Construction			1 hrs
Walls separating dwelling units			1 hr
R-2 Corridor walls (load bearing)			1 hr
R-2 Corridor walls (non-load)			0.5 hr
Floors separating dwelling units			1 hr
Separation Distance			R, S2
X < 5'-0"			1 hr
5'-0" < X < 10'-0"			1 hr
10'-0" < X < 30'-0"			1 hr
X > 30'-0"			0 hrs
Fire & Smoke Protection			
Exterior Wall Openings: (Refer also to Sheet G005 + Civil Drawings for Fire Separation Distances)	Table 705.8	Degree of Opening Protection	Allowable Area
		3 to less than 5	Unprotected Sprinklered
		5 to less than 10	Unprotected Sprinklered
		10 to less than 15	Unprotected Sprinklered
		15 to less than 20	Unprotected Sprinklered
		20 to less than 25	Unprotected Sprinklered
			No Limit
Shaft Enclosure	707.3.1; 713.4	2 Hour Fire Barrier required	
Stair Enclosure	707.3.2; 1023.2	2 Hour Fire Barrier required	
Exterior Walls	707.4	Fire rating of exterior walls that are part of a shaft or stair enclosure shall comply with OBC 705	
Opening Protection	716.5	Doors in fire barriers having required rating of 1 hr to have 1 hr rating Doors in fire barriers having required rating of 2 hr to have 1-1/2 hr rating Doors in fire partitions (corridors) having required rating of .5 hr to have minimum 20 min rating	

G-101

CONCEPT CODE SUMMARY-STAGECRAFT

Minimum Interior Wall & Ceiling Finishes, Class A/B or C		Table 803.11	Interior exit stairways, ramps, exit passageways		Corridors and enclosure for exit access stairways	Rooms and enclosed spaces
			S-2	C	C	C
			R-2	C	C	C
Fire Protection Systems						
Automatic sprinkler system		903	An automatic sprinkler system will be provided (NFPA 13 throughout)			
Sprinkler system supervision and alarms		903.4	All sprinkler system valves to be electronically supervised			
Standpipe Systems		905.3.1	TBD			
Portable Fire Extinguishers		906	GENERAL: RESIDENTIAL FLOORS: Provide (1) portable fire extinguisher in each residential unit rating 1-A:10-B:C Ordinary hazard extinguishers in all mechanical, janitor and storage spaces			
Fire Alarm		907.2.9	TBD			
Fire Department Connection		912	TBD			
Fire Pump		913	TBD			
Means of Egress						
Means of Egress Stairway Capacity		1005.3.1	0.3 inches per occupant = (44" min per 1011.2)			
Means of Egress Other Component		1005.3.2	0.2 inches per occupant			
Max Common Path of Travel for Single Exit		1006.2.1	Occupancies S = 100ft, Occupancy R = 125ft. With sprinkler			
Exit and Exit Access Door Locations		1007.1.1	Exception 2: 1/3 max overall diagonal when sprinkler system installed			
Accessible Exit Access Stairways		1009.3	In buildings equipped throughout with an automatic sprinkler system, stairways do not need to be 48" clear between handrails (exception #2) and do not need an area of refuge (exception #5). See also existing building code compliance method.			
Panic Hardware		1010.1.10	Panic Hardware required for Group A with more than 50 occupants and Electrical Rooms with equipment rated 800 amperes or more.			
Stairway to Roof		1011.12	Roof hatch and permanent ladder will be provided for access			
Window Openings Fall Protection		1015.8	Windows in Group R-2 with the top of sill less than 36" AFF and more than 72" above grade shall be provided with protection: operable windows where the opening will not allow a 4" sphere to pass through at largest open position OR operable windows provided with window fall protection devices complying with ASTM F 2090			
Travel Distance		Table 1017.2	Occupancy	Exit Access Travel Distance (sprinklered)		
			R	250 ft		
			S-2	400 ft		
Minimum Corridor Width		Table 1020.2	44" minimum corridor width required for occupancies greater than 50, 36" within a dwelling unit. Note: OHFA universal design guidelines require 42" corridors within units.			
Dead End Corridors		1020.4	Occupancy	Max. Dead End Corridor		
			R & S	50 ft (sprinklered)		
Accessible Route (Dwelling Units)						
Apartment Houses (R-2)		1107.4	At least one accessible route shall connect ... to the primary entrance of each Type A and Type B unit...			
Type A units		1107.6.2.2	Type A and Type B units shall be provided per ANSI A117.1...			
Type B units		1107.6.2.2.1	...at least 2 percent of units shall be Type A... dispersed among the various classes of units			
Specific Type A units		1107.6.2.2.2	every dwelling and sleeping unit intended to be occupied as a residence shall be a Type B unit			
Refer to overall plans and unit square footage matrix. Additional Type A units are provided per OHFA Q&P requirements.						
Hoistway Enclosures						
Elevator to accommodate stretcher		3002.1	Elevator and other hoistway enclosures shall be shaft enclosures			
Elevator Lobbies and Hoistway Opening Protection		3002.4	Where elevators serve 4 or more stories, one shall accommodate a stretcher 24" x 84"			
		3006	Elevator lobbies are not required			



Northside Gateway

PLANNED DEVELOPMENT

Project Location	*Stage Craft Building*3950 Spring Grove Avenue Cincinnati, Ohio 45223		
Project Description	4 story building consisting of residential (R-2 use) with accessory assembly spaces for use by residents (A-2 use) on the lower floor and level 4, and limited storage and mechanical uses to support building operations. The building is constructed of wood studs with engineered wood truss floor assemblies. Elevator shafts are concrete or concrete block construction.		
Authority Having Jurisdiction	City of Cincinnati Department of Buildings and Inspections 805 Central Avenue, Suite 500 Cincinnati, OH 45202		
Building Codes & Standards	2021 Ohio Building Code 2021 Ohio Building Code 2021 Ohio Plumbing Code 2021 Ohio Mechanical Code 2017 Ohio Fire Code NFPA 13-10 Installation of Sprinkler System NFPA 70-11 National Electrical Code NFPA 72-10 National Fire Alarm Code ASME A17.1a 2011 Elevator Code ASHRAE 90.1-07 2009 IECC ICC/ANSI A 117.1-2009		
Applicable Federal Regulations	2010 ADA Standards For Accessible Design		
Type of Work	New Construction		
Occupancy Classification	A-3: Assembly (may qualify for B occupancy if under 50 occupants, 750sf) R-2: Residential (nontransient)		
Zoning Requirements			
Zoning	PD	Planned Development	
Site area 42,503 sf	Density	732sf/unit in the development	
Parking	Setbacks	0-12ft required, 0 ft existing.	
Number of Spaces		Required	Provided:
		Standard	0
		Accessible	0
		Acc. Van	0
			1
			30
Building Heights and Areas	504	Proposed	
Construction Type		VA	Type VA
Sprinklered		NFPA13R	Sprinkler (NFPA 13R)
Occupancy		R-2	R-2
Building Height	Table 504.3	60 ft (S13R)	50'
Building Stories	Table 504.4	4	4 with S13R
Building Area	506.2	12,000 sf+6000 = 18,000 PLUS FRONTAGE	LV01: 11,050 gsf LV02: 11,168 gsf LV03: 11,168 gsf LV04: 10,899 gsf



Northside Gateway

PLANNED DEVELOPMENT

Frontage increases					Per chart 506.3.3
Perimeter		50-75 %			Increase factor of .50
Open Space		30 feet			18,000 gsf allowable per floor
Fire Resistance Rating Requirements		Table 601		Type V-A	
			Primary structural frame	1 hrs	
			Bearing walls		
			Exterior	1 hrs	
			Interior	1 hrs	
			Nonbearing walls and partitions		
			Exterior		(Not less than rating req'd in Table 705.5)
			Interior	0 hrs	
			Floor Construction	1 hrs	
			Roof Construction	1 hrs	
			Walls separating dwelling units	1 hr	per OBC 708
			R-2 Corridor walls (load bearing)	1 hr	per OBC 601
			R-2 Corridor walls (non-load)	0.5 hr	per OBC 1020.1
			Floors separating dwelling units	1 hr	per OBC 711
Fire Separation Distance		Table 602	Separation Distance	R, S2	
			X ≤ 5'-0"	1 hr	*1 hr from both sides
			5'-0" < X ≤ 10'-0"	1 hr	*1 hr from both sides
			10'-0" < X < 30'-0"	1 hr	
			X ≥ 30'-0"	0 hrs	
Fire & Smoke Protection			Fire Separation Distance (feet)	Degree of Opening Protection	Allowable Area
Exterior Wall Openings: (Refer also to Sheet G005 + Civil Drawings for Fire Separation Distances)		Table 705.8	0-3		0%
			3 to less than 5	Unprotected, Sprinklered	15%
			5 to less than 10	Unprotected, Sprinklered	25%
			10 to less than 15	Unprotected, Sprinklered	45%
			15 to less than 20	Unprotected, Sprinklered	75%
			20 to less than 25	Unprotected, Sprinklered	No Limit
Shaft Enclosure		707.3.1; 713.4	Per OBC 713.4, 2 Hour Fire Barrier required		
Stair Enclosure		707.3.2; 1023.2	Per OBC 1023.2, 2 Hour Fire Barrier required		
Exterior Walls		707.4	Fire rating of exterior walls that are part of a shaft or stair enclosure shall comply with OBC 705		
Opening Protection		716.1(2)	Doors in fire barriers having required rating of 1 hr to have 1 hr rating Doors in fire barriers having required rating of 2 hr to have 1-1/2 hr rating Doors in fire partitions (corridors) having required rating of 1 hr to have minimum 20 min rating		

Minimum Interior Wall & Ceiling Finishes, Class A,B or C		Table 803.11	Occ.	Interior exit stairways, ramps, exit passageways	Corridors and enclosure for exit access stairways	Rooms and enclosed spaces
			S-2 R-2	C C	C C	C C
Fire Protection Systems						
Automatic sprinkler system		903	An automatic sprinkler system will be provided (NFPA 13R throughout)			
Sprinkler system supervision and alarms		903.4	All sprinkler system valves to be electronically supervised			
Standpipe Systems		905.3.1	Class I standpipe system is required per exception 1			
Portable Fire Extinguishers		906	GENERAL: RESIDENTIAL FLOORS: Provide (1) portable fire extinguisher in each residential unit rating 1-A-10-B-C NON RESIDENTIAL FLOORS: 75 foot maximum travel distance AND One extinguisher per 1,500sf Ordinary hazard extinguishers in all mechanical, janitor and storage spaces Light hazard extinguishers to be located in all other locations			
Fire Alarm		907.2.9	Smoke Detectors + Manual Pull Stations required for R.2			
Fire Department Connection		912	TBD			
Fire Pump		913	TBD			
Means of Egress						
Means of Egress Stairway Capacity		1005.3.1	0.3 inches per occupant = (44" min per 1011.2)			
Means of Egress Other Component		1005.3.2	0.2 inches per occupant			
Max Common Path of Travel		1006.2.1	Occupancies S = 100ft, Occupancy R = 125ft. With sprinkler.			
Exit and Exit Access Door Locations		1007.1.1	Exception 2: 1/3 max overall diagonal when sprinkler system installed.			
Accessible Exit Access Stairways		1009.3	In buildings equipped throughout with an automatic sprinkler system, stairways do not need to be 48" clear between handrails (exception #2) and do not need an area of refuge (exception #5).			
Panic Hardware			Panic Hardware required for Group A with more than 50 occupants and Electrical Rooms with equipment rated 800 amperes or more.			
Stairway to Roof		1011.12	Roof hatch and permanent ladder provided for access			
Window Openings Fall Protection		1015.8	Windows in Group R-2 with the top of sill less than 36" AFF and more than 72" above grade shall be provided with protection: -operable windows where the opening will not allow a 4" sphere to pass through at target open position OR -operable windows provided with window fall protection devices complying with ASTM F 2090			
Travel Distance		Table 1017.2	Exit Access Travel Distance (sprinklered)			
			Occupancy	R		
				S2		
			44" minimum corridor width required for occupancies greater than 50, 36" within a dwelling unit.			
			Occupancy	Max Dead End Corridor		
			R & S	50 ft (sprinklered)		
Accessible Route (Dwelling Units)						
Apartment Houses (R-2)		1107.4	At least one accessible route shall connect ... to the primary entrance of each Type A and Type B unit...			
Type A units		1107.6.2.2	Type A and Type B units shall be provided per ANSI A117.1...			
Type B units		1107.6.2.2.1	...at least 2 percent of units shall be Type A...dispersed among the various classes of units			
Specific Type A units		1107.6.2.2.2	...every dwelling and sleeping unit intended to be occupied as a residence shall be a Type B unit			
			Refer to overall plans and unit square footage matrix. Project includes Type A and Sensory units per OHFA			
Hoistway Enclosures						
Elevator to accommodate stretcher		3002.1	Elevator and other hoistway enclosures shall be shaft enclosures			
Elevator Lobbies and Hoistway Opening Protection		3006	Where elevators serve 4 or more stories, one shall accommodate a stretcher 24" x 84"			
Two-way communication		1009.8	A two-way communication system shall be provided at the landing serving each elevator on each accessible floor that is one or more stories above or below the level of exit discharge.			

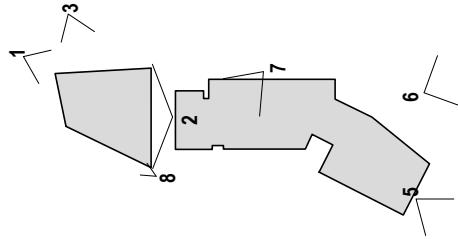


Northside Gateway

PLANNED DEVELOPMENT

G-105

CONCEPT CODE SUMMARY - NEW BUILD



1 VIEW FROM BUSINESS DISTRICT



2 VIEW OF EXISTING BUILDING SOUTH ELEVATION



3 VIEW OF EXISTING FIRE ESCAPE



4 VIEW OF LUDLOW VIADUCT FROM WILLAM DOOLEY BYPASS



5 VIEW ON EXISTING SITE LOOKING SOUTHEAST



6 VIEW ON EXISTING SITE LOOKING SOUTHWEST



7 VIEW OF EXISTING BUILDING ADJACENT TO LUDLOW VIADUCT



8 VIEW OF EXISTING BUILDING ADJACENT TO LUDLOW VIADUCT



Northside Gateway

PLANNED DEVELOPMENT

G-106

SITE PHOTOS

SITE



TRANSIT & TRAFFIC



THE SITE CENTERS RESIDENTS AT AN AREA WITH MULTIPLE TRANSIT OPTIONS. THE NEIGHBORHOOD IS ACTIVELY WORKING TO ADDRESS ISSUES OF PEDESTRIAN SAFETY. THE SITE DESIGN ENCOURAGES RESIDENTS TRAVELING BY VEHICLE TO ENTER FROM DOOLEY BYPASS, AND REINFORCES OLD LUDLOW AS A QUIETER PEDESTRIAN ORIENTED STREET.

THE DESIGN MOVES THE COMMERCIAL ENTRY OF THE STAGECRAFT BUILDING SLIGHTLY IN A NEW HISTORICALLY COMPATIBLE STOREFRONT WHICH GIVES MUCH NEEDED BUFFER SPACE TO POTENTIAL PATRONS.

- HEAVY TRAFFIC 40+ MPH
- MEDIUM TRAFFIC 30+ MPH
- LIGHT TRAFFIC 20+ MPH
- EXISTING PEDESTRIAN CROSSING
- CAR
- BIKE LANE
- NORTHSIDE TRANSIT HUB

Northside Gateway
PLANNED DEVELOPMENT



G-111 SITE ANALYSIS



NOTE: LANDSCAPE PLAN ONLY. SEE CIVIL DRAWINGS FOR ALL INFORMATION AND DIMENSIONS RELATED TO BUILDING FOOTPRINT, SETBACKS, PARKING, PAVING, UTILITIES AND GRADING.

LANDSCAPE LEGEND

- 1 STAGECRAFT BUILDING
- 2 NEW BUILDING
- 3 NATIVE TREES, TYPICAL
- 4 NATIVE PLANTING AREA
- 5 NATIVE PLANTING AREA WET TOLERANT



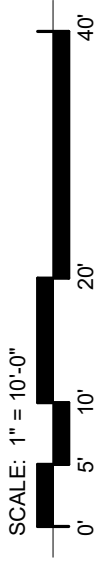
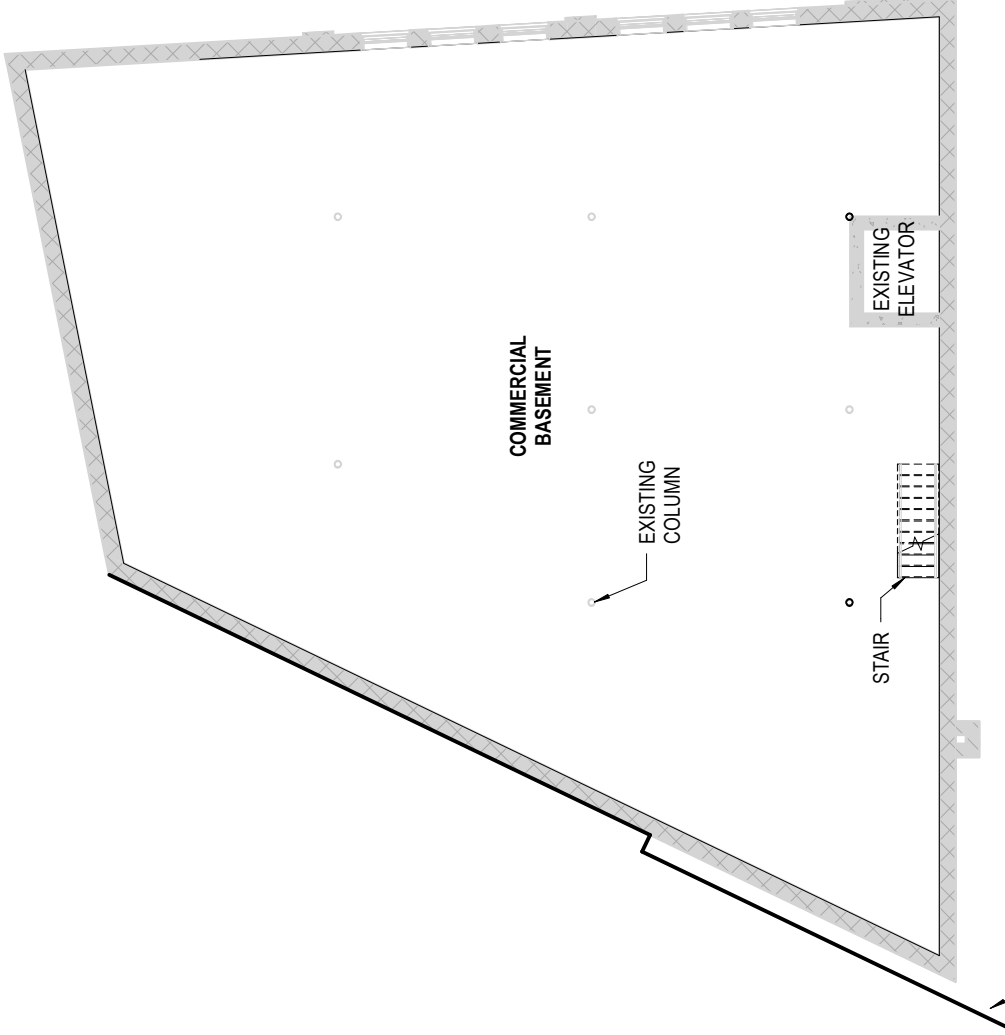
Northside Gateway

PLANNED DEVELOPMENT

SCALE: 1" = 40'-0"



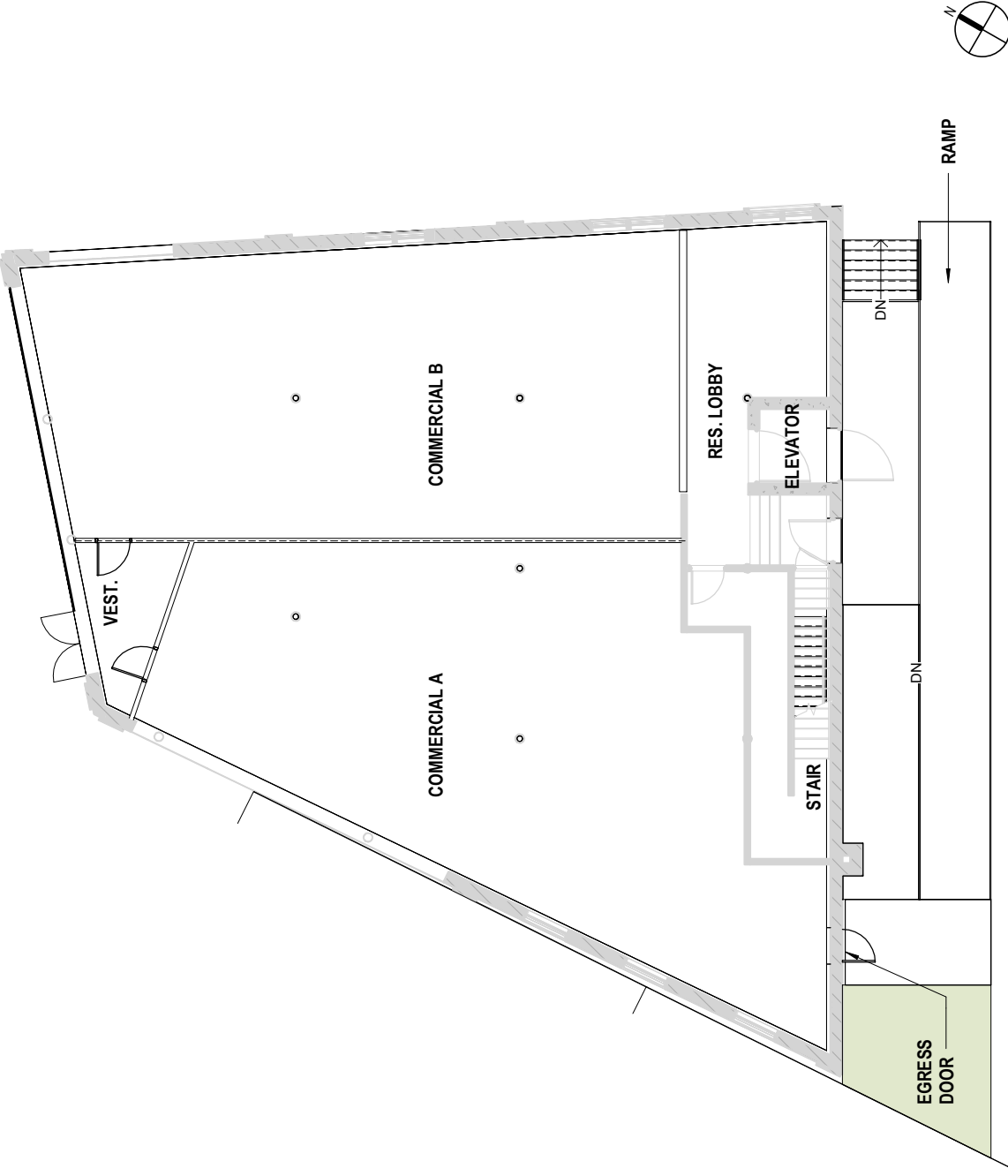
A1-000 LANDSCAPE PLAN



Northside Gateway
PLANNED DEVELOPMENT



A1-102	LEVEL B STAGECRAFT
--------	--------------------



SCALE: 1" = 10'-0"



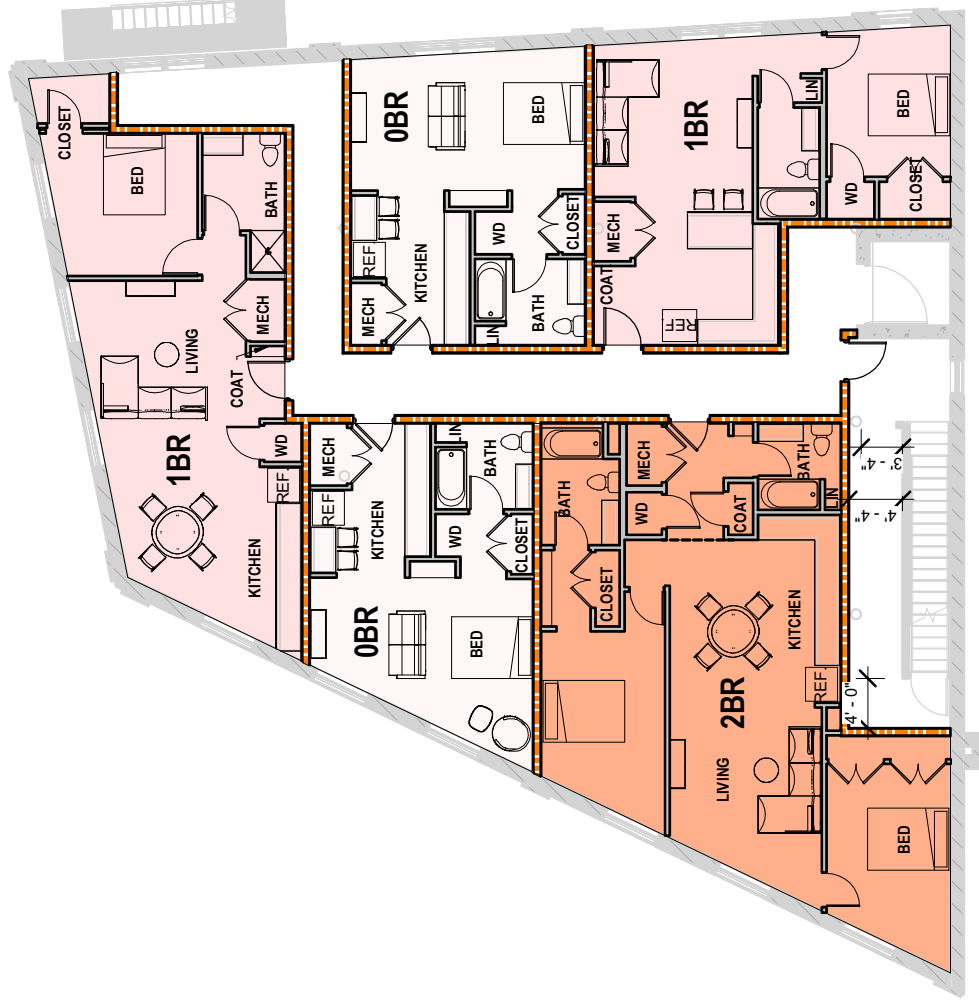
Northside Gateway

PLANNED DEVELOPMENT



A1-103

LEVEL 1 STAGECRAFT



MIN. GROSS SQUARE
FEET PER OHFA QAP
REQUIREMENTS

UNIT TYPE

- 0 BR
- 1 BR
- 2 BR
- 3 BR

450 MIN. GSF
550 MIN. GSF
750 MIN. GSF
950 MIN. GSF

ACCESSIBILITY REQUIREMENTS

ACCESSIBLE UNITS IN COMBINED
DEVELOPMENT:
MINIMUM 3 SECTION 504 UNITS (5%)
PLUS 3 SECTION 504 OR OHFA FLEX UNITS (5%)
PLUS 2 SENSORY UNITS (2%)



SCALE: 1" = 10'-0"

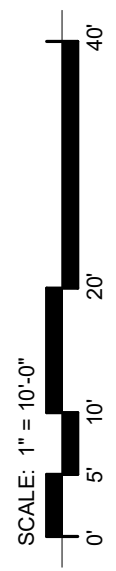
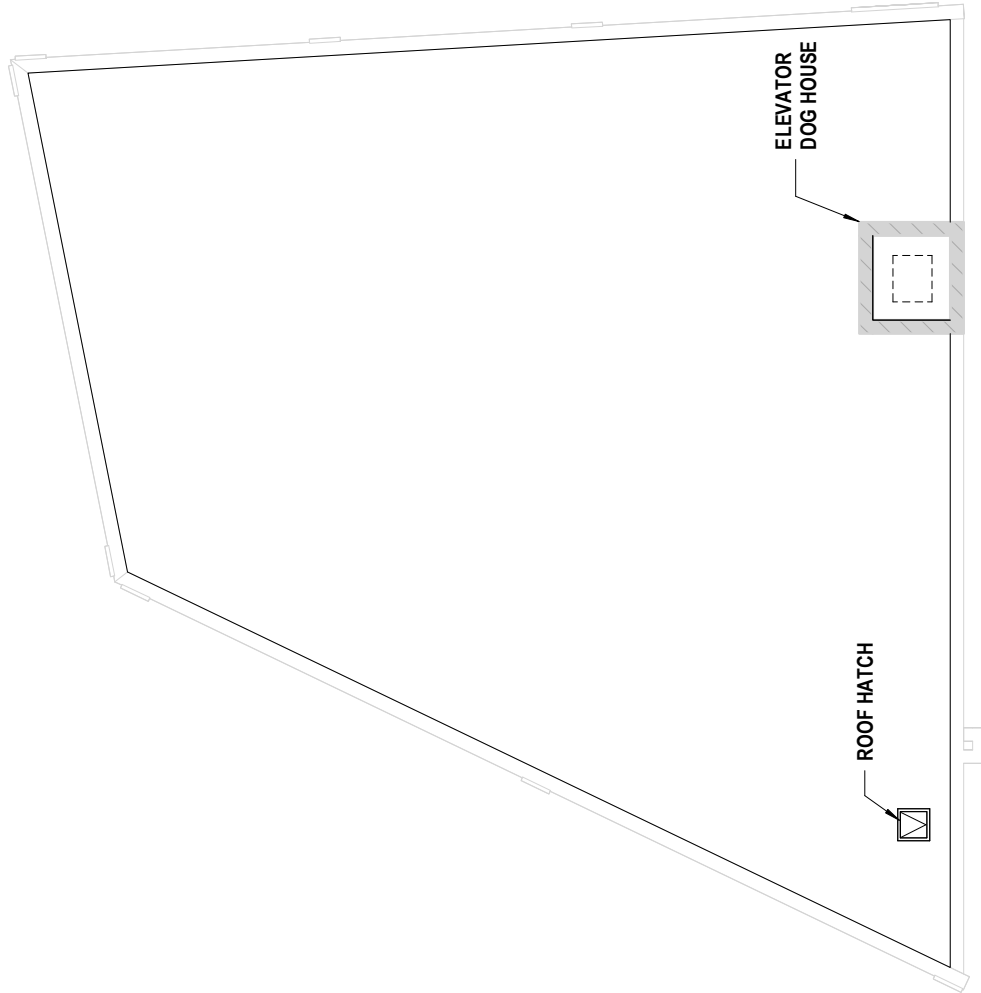


Northside Gateway

PLANNED DEVELOPMENT



A1-104 LEVELS 2,3,4 STAGECRAFT



Northside Gateway
PLANNED DEVELOPMENT



A1-105	ROOF STAGECRAFT
--------	-----------------



Northside Gateway
PLANNED DEVELOPMENT

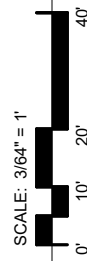


MIN. GROSS SQUARE
FEET PER OHFA QAP
REQUIREMENTS

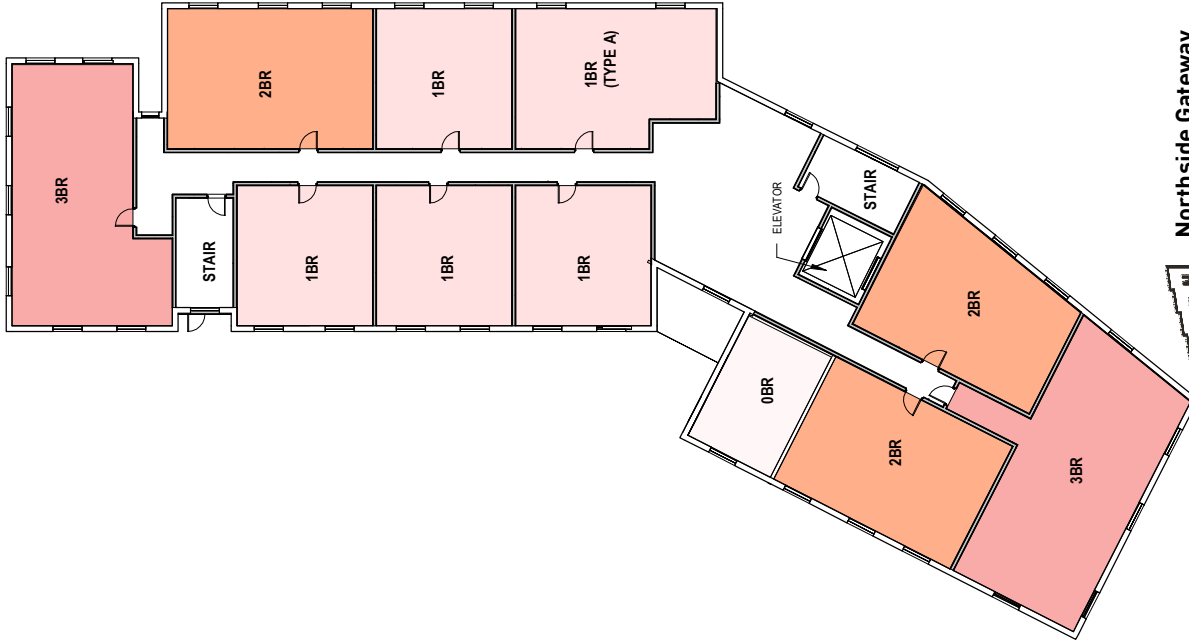
UNIT TYPE	MIN. GROSS SQUARE FEET PER OHFA QAP REQUIREMENTS
0 BR	450 MIN. GSF
1 BR	550 MIN. GSF
2 BR	750 MIN. GSF
3 BR	950 MIN. GSF

ACCESSIBILITY REQUIREMENTS

ACCESSIBLE UNITS IN COMBINED
DEVELOPMENT:
MINIMUM 3 SECTION 504 UNITS (5%)
PLUS 3 SECTION 504 OR OHFA FLEX UNITS (5%)
PLUS 2 SENSORY UNITS (2%)



A2-101 LEVEL 1 NEW BUILDING

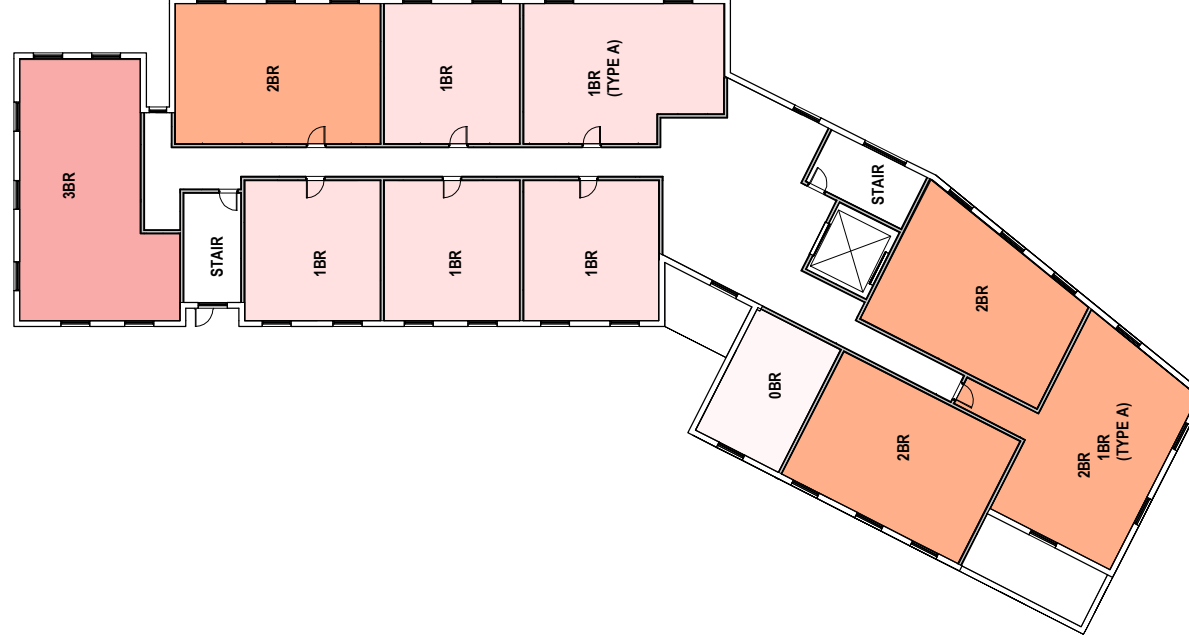


Northside Gateway
 PLANNED DEVELOPMENT

GBBN
 GREEN BUILDING BUILDING NETWORK

OTRCH
 OFFICE OF TRAFFIC AND COMMUNITY HEALTH

URBAN SITES
 URBAN SITES

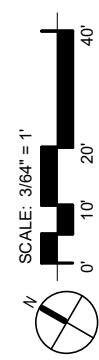


MIN. GROSS SQUARE
 FEET PER OHFA QAP
 REQUIREMENTS

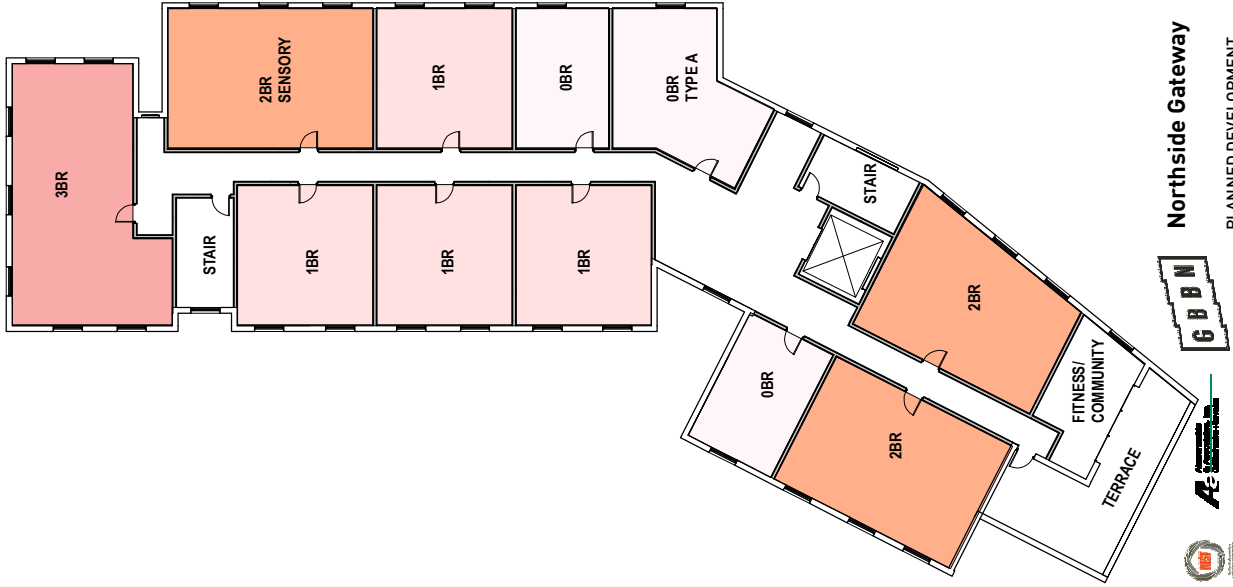
UNIT TYPE	MIN. GROSS SQUARE FEET PER OHFA QAP REQUIREMENTS
0 BR	450 MIN. GSF
1 BR	550 MIN. GSF
2 BR	750 MIN. GSF
3 BR	950 MIN. GSF

ACCESSIBILITY REQUIREMENTS

ACCESSIBLE UNITS IN COMBINED
 DEVELOPMENT:
 MINIMUM 3 SECTION 504 UNITS (5%)
 PLUS 3 SECTION 504 OR OHFA FLEX UNITS (5%)
 PLUS 2 SENSORY UNITS (2%)

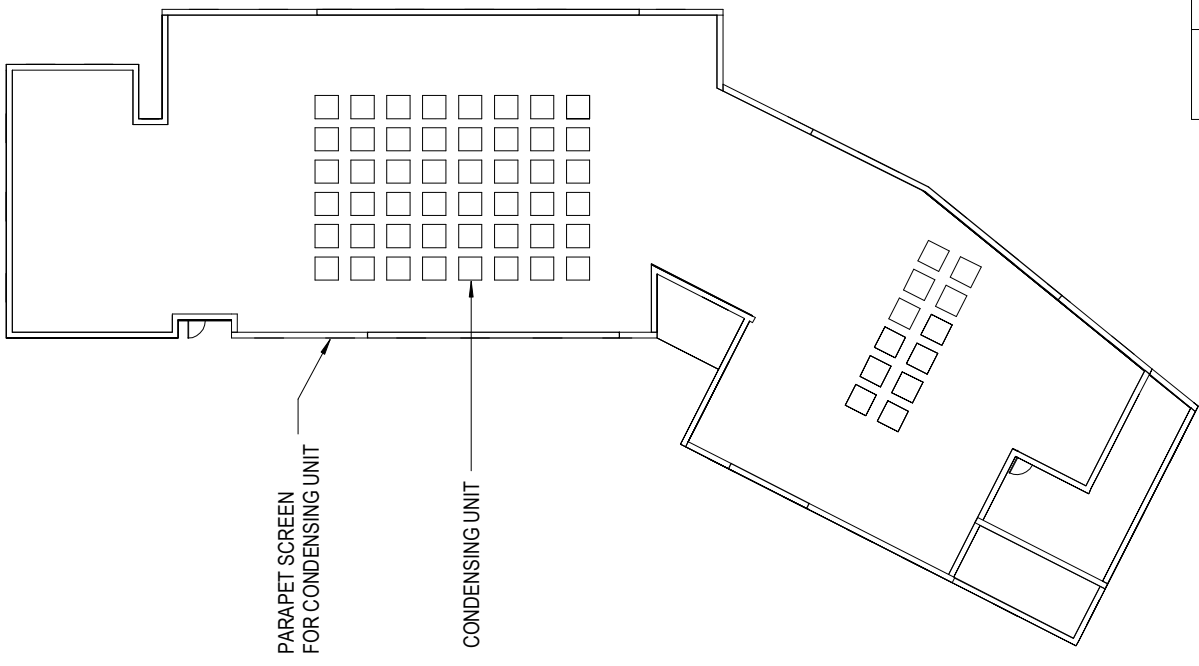


A2-102 LEVEL 2 & 3 NEW BUILDING



Northside Gateway

PLANNED DEVELOPMENT



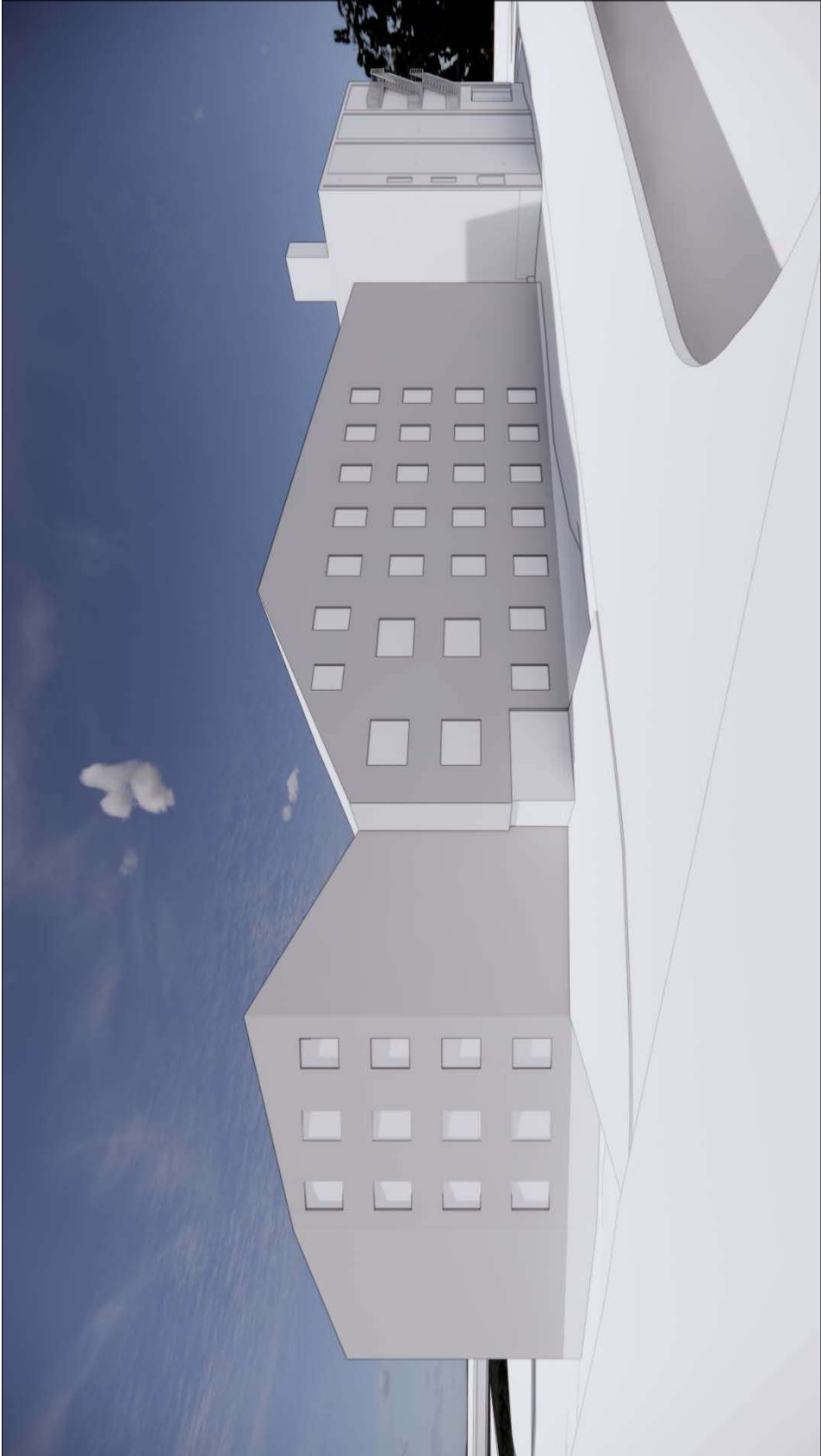
MIN. GROSS SQUARE
FEET PER OHFA QAP
REQUIREMENTS

UNIT TYPE	MIN. GROSS SQUARE FEET PER OHFA QAP REQUIREMENTS
0 BR	450 MIN. GSF
1 BR	550 MIN. GSF
2 BR	750 MIN. GSF
3 BR	950 MIN. GSF

ACCESSIBILITY REQUIREMENTS
ACCESSIBLE UNITS IN COMBINED
DEVELOPMENT:
MINIMUM 3 SECTION 504 UNITS (5%)
PLUS 3 SECTION 504 OR OHFA FLEX UNITS (5%)
PLUS 2 SENSORY UNITS (2%)



A2-103 LEVEL 4 & ROOF NEW BUILDING



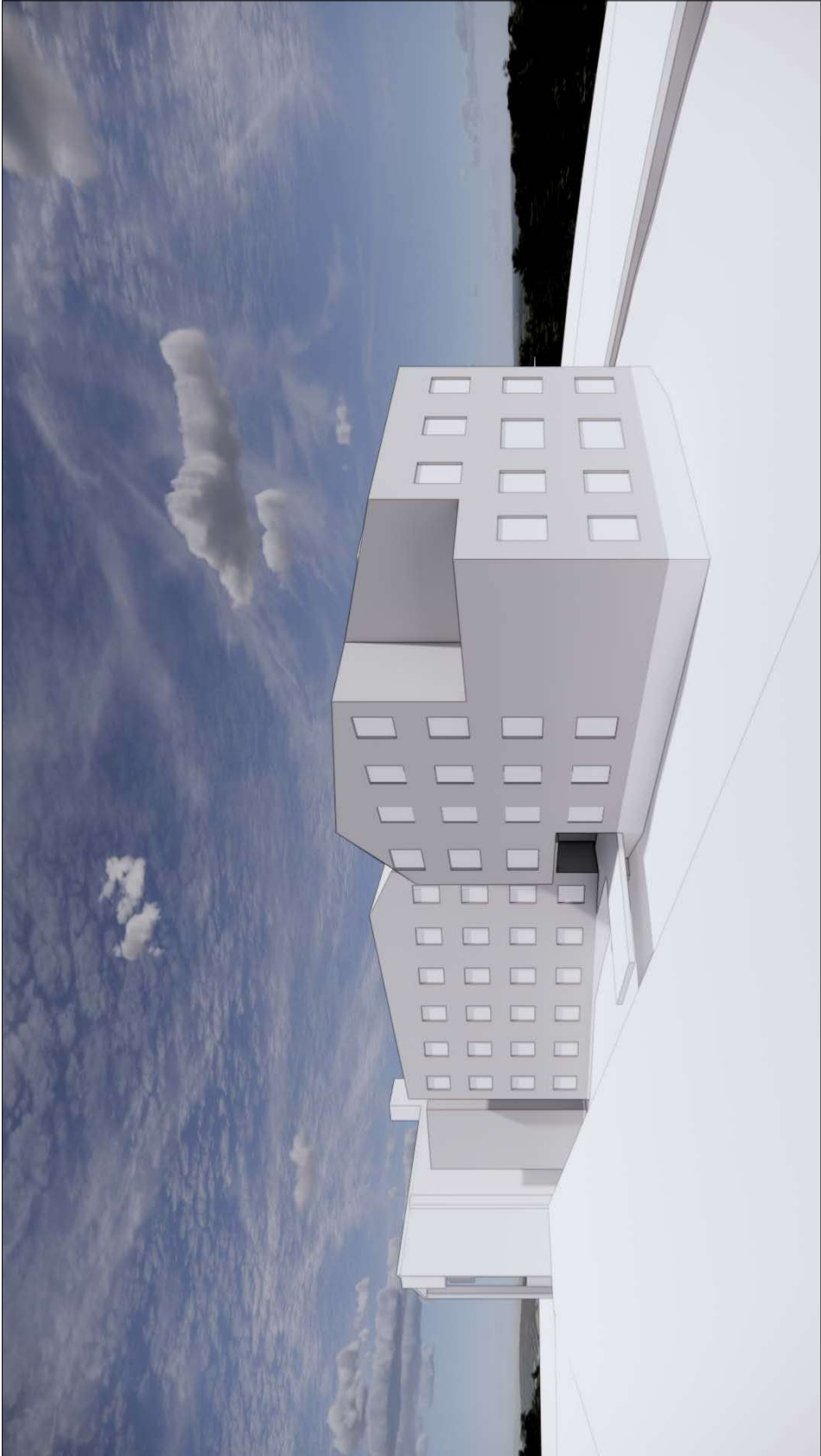
EXTERIOR PERSPECTIVE - VIEW FROM WILLIAM DOOLEY BYPASS



Northside Gateway

PLANNED DEVELOPMENT

A-901 EXTERIOR PERSPECTIVE



EXTERIOR PERSPECTIVE - VIEW FROM LUDLOW VIADUCT







Northside Gateway

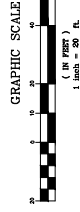
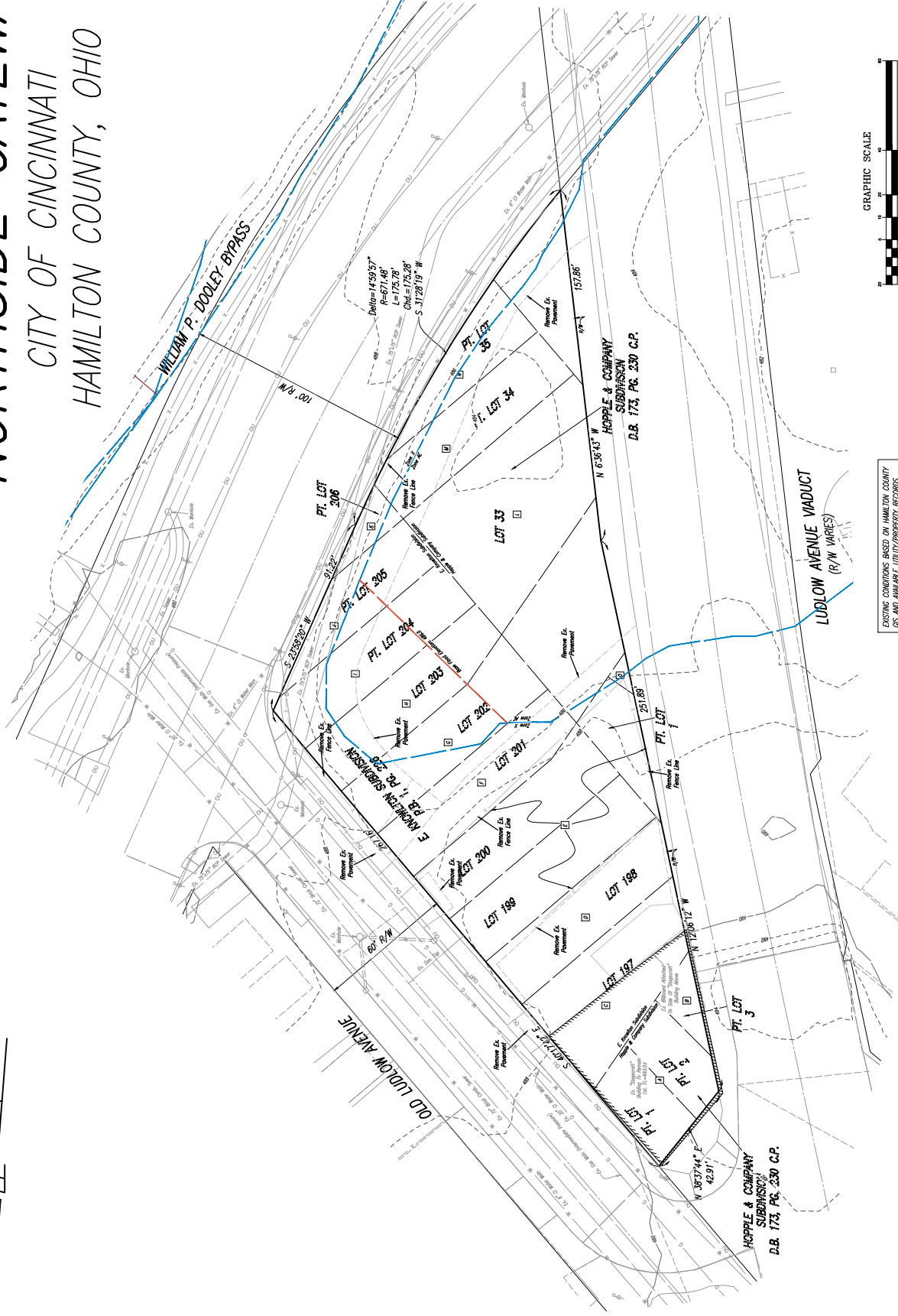
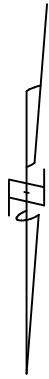
PLANNED DEVELOPMENT

A-902	EXTERIOR PERSPECTIVE
-------	----------------------

NORTHSIDE GATEWAY

CITY OF CINCINNATI

HAMILTON COUNTY, OHIO



EXISTING CONDITIONS BASED ON HAMILTON COUNTY
GIS AND AVAILABLE UTILITY/PROPERTY RECORDS

This drawing and the design concept represented on it are the property of the City of Cincinnati. No part of this drawing may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without permission in writing from the City of Cincinnati.

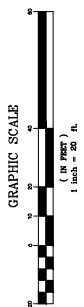


Abercrombie & Associates, Inc.
Civil Engineering & Surveying
8111 Cheviot Road, Suite 200
Cincinnati, OH 45228
www.aberacrombie-associates.com

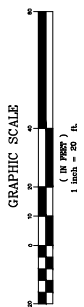
EXISTING CONDITIONS & DEMO PLAN
NORTHSIDE GATEWAY
SECTION-27, TOWN-3, RANGE-2
HAMILTON COUNTY, OHIO

Scale: 1"=20'	Drawn By: R.B.	Check By: C.A.
Date: 11-15-23	Project No: 11-15-23	Revision: 1

PRELIMINARY PLANNED UNIT
DEVELOPMENT PLAN



This drawing and the design concepts represented, as instruments of service, are the sole property of Albernemba & Associates Inc., and may not be used, reproduced, or copied for any purpose without prior written authorization of Albernemba & Associates, Inc.



This drawing and the design concepts represented, as instruments of service, are the sole property of Alcamonte & Associates Inc., and may not be used, reproduced, or copied for any purpose without prior written authorization of Alcamonte & Associates, Inc.



Northsiders Engaged in
Sustainable Transformation

November 17th, 2023

The City of Cincinnati
Planning Department
805 Central Avenue Cincinnati, Ohio 45223

Executive Director

Sarah Thomas

Board of Directors

Pete Metz, President
Laila Ammar, Vice President
Nicole Merrill, Secretary
Will Yokel, Treasurer
Tom Jackson
Barry Schwartz
Cindy Sherding
Carl Sterner
Rachel O'Malley
Fallon Venable
Addison Shedd
Erin Kline
Vic Mullins
Rob Hinton

www.NorthsideNEST.org

1546 Knowlton Street
Cincinnati, OH 45223

Cincinnati Northside Urban
Redevelopment Corporation,
dba NEST, is a 501(c)3
tax-exempt, tax deductible
non-profit corporation.

Please find development program statement below, and concept plans attached for the proposed Planned Development District.

Northside Gateway is an approximately .98 acre project across three separate parcels, two owned by Cincinnati Northside Community Urban Revitalization Corporation (dba NEST, one of the project partners) at 3925 and 3927 Old Ludlow Avenue and one owned by the City of Cincinnati, in the Northside neighborhood. The northernmost parcel contains the former Stagecraft, Inc. building, a vacant 4-story building; the central parcel is vacant land; and the southernmost parcel is a supply yard for the Department of Public Services, owned by the City of Cincinnati.

The project partners are NEST, Over-the-Rhine Community Housing (OTRCH), and Urban Sites. The project partners intend to submit the site to the Ohio Housing Finance Agency for a competitive award of Low-Income Housing Tax Credits (LIHTC). That application is due on February 29, 2024. A threshold requirement for the LIHTC application is that the property be zoned for its intended use, which is only achieved by the timely approval of the proposed Planned Development District.

If the project partners are awarded the LIHTC for affordable family housing, the site will be developed into approximately 50-70 units of multi-family affordable housing, with roughly 1 parking space per 2 units. Total residential square footage is expected to be 57,362 sf. The plan calls for the Stagecraft building to be improved with storefront retail on the corner of Hamilton and Old Ludlow, and housing on floors 2-4. The remaining units would be built in a 4-story new construction building on the other two parcels. Construction would likely begin in summer of 2025, with completion expected in late 2026.

The award date for LIHTC is expected in May 2024. The Department of Public Services would continue to operate its supply yard until some time before construction begins; if the project partners are not awarded the LIHTC, the supply yard could continue operating with the same rights as under the current Manufacturing General designation.

The goals of Northside Gateway are:

1) to provide family housing for the Northside neighborhood; and

2) assist in revitalizing the Northside business district, as the Stagecraft building sits on a prominent corner on Hamilton Ave.

All tenants would need to have income at or below 60% of the Cincinnati metro area's area median income. The project would be owned by NEST and OTRCH. Tenants will be connected to a range of resident services.

The Northside Gateway project aligns with the Northside Comprehensive Land Use Plan (adopted by City Council in 2014) and meets the following goals highlighted on page 44: Increase our population, Build on our assets, Be aggressive and strategic in future growth and development, Facilitate sustainable development and Lead by example for other neighborhoods. The LUP explicitly calls for concentrated revitalization of the Neighborhood Business District (page 47) and linking centers of activity with effective transportation (page 48). Our proposed project correlates with the Northside Future Land Use map on page 56 calling for the mixed-use redevelopment of the historic Stagecraft property. Overall, the Northside Gateway achieves all the category initiatives set out to comply with Plan Cincinnati on page 57: Compete, Connect, Live, Sustain and Collaborate. Lastly, through NEST's routine, extensive community engagement, we know the project achieves some of Northside's highest goals: increasing affordable housing and incentivizing sustainable public transit use amongst residents and visitors.

The project partners have started gathering input from the community, and plan to continue to reach out for support. We presented at NEST's Project Committee in early November 2023, and will be presenting at the Northside Community Council at its November monthly meeting.

The proposed development is in a desirable location for individuals and families looking for affordable housing. It is located nearby the bike lane on Central Parkway and is within a 10-minute walking proximity to existing retail, entertainment, expanded transit and parking amenities, K-12 education and library, and recreation, such as the Mill Creek Trail and McKie Recreation Center, offering choices to residents across age and life stage, socio-economic background, and mobility.

The proposed Planned Development District includes a request for a site less than two acres, but the requested zoning designation is most appropriate within the context of the proposed density of residential housing, community desires, and transportation-related connections of this project, as well as the changing demand in community development in and around Northside.

The proposed zone change would permit rehabilitation of an existing building at the northern portion of the site, which sits within an historic district and neighborhood business district, for future multi-family residential and commercial use. The uses around the site are high-density and include a White Castle restaurant and a row of single-family houses to the east, a five-point intersection of right-of-way from the north, and the Ludlow Viaduct to the west. In addition, the site intersects a FEMA Flood Hazard Zone, with the Mill Creek and the William P Dooley Bypass acting as the southern boundary. In many ways, this site has operated like an island, disconnected and landlocked from surrounding development, as well as being under-utilized.

Flexibility is needed for new development and adaptive reuse in this area and at the site for height, massing, setback, character, and use.

At the same time, the proposed development does not conform to the existing zoning. Currently, the site is zoned Community Commercial – Mixed and Manufacturing General. The current uses around the site have changed over the past two decades, shifting toward adaptive reuse of older, light industrial buildings to high-density residential, with recent installations in transit infrastructure, such as the Northside Metro Transit Center, and buffering of the Central Parkway to Downtown bike lanes. In fact, along the periphery of the south end of Northside, most of the uses in the current manufacturing zone are commercial, including amenities such as restaurants, retail, building material sales and services, banks and financial institutions drinking establishments, convenience markets, and maintenance and repair services. The existing Stagecraft building has been previously used commercially, as a shop and showroom. While no final plans have been made for establishing future commercial tenants, possible future uses we hope to mix with multi-family residential at the site include amenities for families, such as commercial retail and services, eating and drinking establishments, and recreation and entertainment. In any event, the total commercial space will not exceed 4,056 square feet. As we move forward with community engagement and receive feedback, future plans for commercial uses at the site will be outlined.

NEST is Northside's community development corporation with a mission to ensure Northside thrives as a vibrant and sustainable community by preserving, improving and creating the neighborhood's built environment. Any questions or inquiries may be directed to me via email: Sarah@northsidenest.org.

Regards,

A handwritten signature in black ink, appearing to read 'S. Thomas'.

Sarah Thomas
Executive Director



Northsiders Engaged in
Sustainable Transformation

October 17th, 2023

RE: Letter of Support for the "Northside Gateway" Project

Dear Timothy Westrich,

I write to convey Northsiders Engaged in Sustainable Transformation ("NEST") support for the funding applications necessary to progress the planned affordable housing community, Northside Gateway, located at 3950 Spring Grove Avenue.

Regards,

Sarah Thomas
Executive Director

Executive Director

Sarah Thomas

Board of Directors

Pete Metz, President

Laila Ammar, Vice President

Nicole Merrill, Secretary

Will Yokel, Treasurer

Tom Jackson

Barry Schwartz

Cindy Sherding

Carl Sterner

Rachel O'Malley

Fallon Venable

Addison Shedd

Erin Kline

Vic Mullins

Rob Hinton

www.NorthsideNEST.org

1546 Knowlton Street

Cincinnati, OH 45223

Cincinnati Northside Urban
Redevelopment Corporation,
dba NEST, is a 501(c)3
tax-exempt, tax deductible
non-profit corporation.



December 8, 2023

City of Cincinnati Planning Department
805 Central Avenue
Cincinnati, Ohio 45202

Re: 3927 Ludlow Avenue
Cincinnati, Ohio 45223

NBA President
Tim Jeckering

NBA Vice President
vacant

NBA Secretary
William Walker

NBA Treasurer
Natasha Arcaro

Board of Directors
Ryan Durner
Julia Green
Katie Klug
Kathy Long
Melanie Quallen
Sarah Thomas
Victor Williams
Britt Zeiger

<https://welcometonorthside.com/>

All,

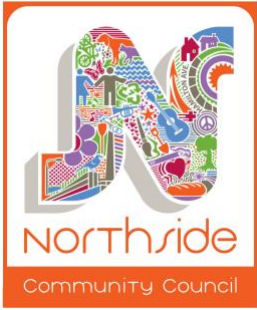
Nest Representatives presented to the attendees at the December monthly meeting of the Northside Business Association an overview of their Proposed Northside Gateway Building Renovation and Proposed New Residential Buildings Development. 3927 Ludlow has been a huge eyesore at the southern entrance to Northside for decades. The mostly vacant and completely uncared for three-story building has gradually deteriorated, year after year, for as long as this writer can remember. NBA wholeheartedly welcomed and applauded the proposed changes.

The Southern Gateway to Northside is truly a diamond in the rough. This unique 5-way traffic intersection is dotted with two historic buildings, a 1960 era White Castle, a BP station and a 1970's remodeling of a one-story commercial storefront. NBA recently had a new neighborhood entry sign installed and landscaped in front of the one-story commercial building. Also landscaped was the small garden area in front of the White Castle. The new landscaping and signage are complimented by the completion of the New Northside QCM Transfer Hub that is less than a block away. The above investments in the gateway to Northside will be complimented and further enhanced if the PD Zoning for the above referenced project is granted.

At the December 2023 meeting, the NBA attendees voted unanimously to endorse the zoning change to PD Zoning. NBA believes the proposed zoning change will allow for the momentum to continue to enhance the existing QCM Transfer Hub, allowing the new development to claim TOD Status (Transit Orientated Development) in its truest form. Also adjacent to this development is the Millcreek Bikeway, a huge asset for the future residents of 3927 Ludlow. NBA welcomes quality development sensitive to our beloved historic shopping, we are confident our local redevelopment corporation will continue to meet our demands, please heed our call for support.

Sincerely,

Tim Jeckering
NBA President



November 22nd, 2023

Sarah Thomas, Executive Director
Northsiders Engaged in Sustainable Transformation (NEST)
1546 Knowlton St
Cincinnati, Ohio 45223

Dear Ms. Thomas,

It is with great pride to present you with this letter of support, from the Northside Community Council.

Monday, November 20th, 2023, the Northside Community Council, at its monthly meeting of the general council voted unanimously in favor to pass the following motion:

Motion

Northside Community Council to issue letters of support for both the City of Cincinnati's Planned Development application and OHFA's LIHTC application for the Northside Gateway project which creates affordable housing, revitalizes the lower Historic Neighborhood Business District, and incentivizes sustainable transit-oriented living within the community.

As NCC continues to be grateful for the work done by NEST and the collaborative nature of our organizations, we support their application and pursuit of funding with great sincerity. Whereas our community is passionately committed to increasing housing opportunities; we also wish to acknowledge and uplift NEST's abundant contributions towards cultivating equitable solutions in our community and city. The planned development presented is a product of utilizing genuine considerations for increased accessibility to the vast population we happily welcome in Northside.

Approval of their application by the city's planning department and receipt of such funding would, not only be largely impactful to Northside, a great benefit and incredible asset to the city as a whole.

I am available for any questions and/or concerns most efficiently via email at president@northsidecouncil.com.

Sincerely,

Briana (Bree) Moss
President, Northside Community Council
513-402-2733



January 7, 2024

Ms. Sarah Thomas
NEST
1546 Knowlton Street
Cincinnati, Ohio 45223

Re: 3925 & 3927 Old Ludlow Avenue | Northside Gateway (D) – **(CPRE220072)** Final Recommendations

Dear Ms. Thomas,

This letter is to inform you that our CSR Advisory-TEAM and CSPRO Committee has reviewed your proposing to renovate the existing Stagecraft Building at 3927 Old Ludlow into multi-family apartments with ground floor commercial space, as well as the development of a new multi-family building on the open parcel southeast of Stagecraft. In total, the project will include approximately 58 affordable apartment units, 4,300 sf of commercial space, on-site parking, bike storage, and other residential amenities. 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 **Microsoft Teams conference call meeting** with you on **January 9, 2024 @ 10 am** to discuss this information. Please see the feedback listed below. Thank you for developing within the City of Cincinnati.

City Planning & Engagement – Planning Division

Immediate Requirements to move the project forward:

1. The subject properties are zoned Commercial Community Mixed (CC-M) and Manufacturing General (MG). The proposed development is not permitted in this zoning district. **A zone change is required.**
2. The applicant is proposing a zone change to PD. The City Planning Commission and City Council will review the Concept Plan, Development Program Statement, and Zone Change.

Requirements to obtain permits:

1. The applicant will need to return to obtain approval for the Final Development Plan.

Recommendations:

1. It is highly recommended to reach out and share these plans with the adjacent property owners and the Northside Community Council.

Contact:

- **Emily Burns** | City Planning | 513-352-4855 | emily.burns@cincinnati-oh.gov

City Planning & Engagement – Zoning / Historic Division

Immediate Requirements to move the project forward:

1. The existing Stagecraft building at 3927 Old Ludlow is located within the Northside NBD Local Historic District. Any alterations or additions to the building require a Certificate of Appropriateness (COA). Minor alterations may be approved at the Staff Level, while major alterations such as additions require approval from the Historic Conservation Board (HCB).
2. If the new construction remains separate from the existing building, HCB review will not be required for the new building(s) to the south, which are located outside the historic district boundary.

Requirements to obtain permits:

1. Work with City Planning and Engagement staff on the implementation of a Planned Development.

Recommendations:

- None

Contact:

- **Doug Owen** | ZPE | 513-352-4848 | douglas.owen@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.
2. Detention is currently shown connecting to a sanitary only sewer. The system must connect to the sewer in Old Ludlow.
3. An approved site utility plan will be required for building to receive approved permit.
4. Southern tip of proposed new building may be encroaching on sewer main in Dooley Bypass.

Recommendations

- None

Contact:

- **Rob Kern** | MSD | 513-244-5588 | rob.kern@cincinnati-oh.gov

Stormwater Management Utility (SMU)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. Detention

- If detention is required by MSD, provide SMU with a copy of the following items, approved detention calculations, drainage map, detailed drawing of detention control structure with elevations.
- 2. Storm Requirements
 - Calculations for storm water conveyance system, major storm calculations / flood routing.
- 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 how downspouts tie to the underground sewer system.
 - Curb cuts: driveway aprons at min. 5' away from SMU inlets.
 - Tie into Curb inlets are NOT PERMITTED.
- 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. Driveway that runs down the east property line needs to capture runoff over 800sf and routed to the underground sewer system.
- 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@cincinnati-oh.gov

Water Works

Immediate Requirements to move the project forward:

1. On December 8, 2022, GCWW conditionally approved Coordinated Report CR106-2022 below are the listed comments noted in CR106-2022.
2. GCWW will require review of the parcel cut-up before it is finalized and has the following requirement:
 - a. GCWW anticipates future approval of the sale of a portion of the following parcels: 193-3-71, 193-3-72, 193-3-78, 193-3-79 and 193-3-80. GCWW has an existing 6" water main and related appurtenances within portions of the subject action.

GCWW requires the parcels to be divided so that the portion being sold is at least 5 ft from the public water main.

3. GCWW requires that a survey of the parcels be prepared showing the location of the existing water main, the existing William Dooley Bypass roadway, and the associated sidewalk. GCWW anticipates that the City will retain the portions of the existing William Dooley Bypass roadway and sidewalk plus one foot outside of the sidewalk.
4. GCWW approval of the portions to be sold may be provided after the review of the survey and approval of exact parcel split locations.
5. GCWW is willing to mark the location of its water main for the petitioner to capture in their survey. GCWW requires a minimum of one week of notice in order to mark. Please contact GCWW Supervising Survey Bill Ruberry at 513-591-7875 for coordination to mark the location of the GCWW water main along William Dooley bypass between Old Ludlow Avenue and the Ludlow Viaduct.
6. GCWW has no objection to the sale of parcels 193-3-67, 193-3-68, 193-3-69, 193-3-70 and the portion of Ludlow Ave ROW northeast of the Ludlow Viaduct

Requirements to obtain permits:

1. A stamped and recorded consolidation plat is required before any building permits are approved, or water service branches sold.
2. The subject development property is receiving water service from the following:

Address	Branch #	Size	Meter #	Size	
3925 Old Ludlow Ave H-58157 side*		5/8"	006464	5/8"	Lead on public and private
3927 Old Ludlow Ave H-68772 side*		1"	025979	5/8"	Lead on public and private

* Please note that there are known health risks with lead service lines. Greater Cincinnati Water Works records indicate the existing public and private side of the water service lines (H-58157 and H-68772) at this site are Lead Service lines. In accordance with CMC Chapter 401 Division M, water service line should be replaced with copper service line if it is to remain.

3. If the water service branch(es) are not to remain, the 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 the discontinuance of the account associated with the existing water service branch(es). This process must be completed before any new water service branch(es) can be sold.
4. If the existing water service branch(es) for this project is not to be used for this development, it must be disconnected at the owner's / developer's expense. The discontinued branch(es) will require a drawing showing the branch(es) and branch number(s) that is to be physically disconnected from the main. Submit to Phil Young at Phillip.Young@gcww.cincinnati-oh.gov. Alternatively, this may be included with the installation of any large branches, if applicable.

Recommendations:

1. Within the proximity of the right of way on William P Dooley Bypass there is an existing 6-inch public water main. Caution must be exercised when working near the right of way to avoid damage to the 6-inch public water main during grading and paving operations. Any damage done to the public water main, or any related appurtenance must be repaired entirely at project expense, and at no expense to the Water Works.

2. The Owner(s)/Developer(s) will need to hire a Greater Cincinnati Water Works certified licensed and bonded fire protection company and plumber to perform the private water service branch design work and installation.
3. The Owner(s)/Developer(s) must have a licensed fire protection company and plumber that is bonded and certified with GCWW and fill out the Online Branch application <https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/> for water service.

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).

Requirements to obtain Permits:

1. Your site plan will need to show that there are at least two readily accessible fire hydrants within 400' from all parts of the structures.
2. Hydrants currently located at 3996 Old Ludlow and 3920 Old Ludlow Avenue
3. A Private hydrant may be required near the entrance to new building.
4. Fire Department Connections are to be within 50' of a fire hydrant.
5. Hydrants and FDC placement cannot block fire apparatus access to the structures.
6. Emergency Responder Radio Coverage is required for any buildings over 20,000 square feet.
7. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet.
8. Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.
9. Access Streets, Roadways or Driveways. (b) The surface shall be of sufficient strength and type to adequately support any fire division apparatus under any weather conditions.
10. The weight of our apparatus is as follows:

Apparatus	Width	Length	Height	Weight	Front axle	Rear axle	Turn radius inside/outside
Ladder	10'	41' 10"	11' 9"	70,000	21,600	48,000	35.45/39.25
Engine	10'	31' 6"	9' 5"	44,000	20,000	24,000	34' 6"/41' 6"
Ambulance	9' 4"	22' 2"	9' 2"	18,500			34'/41'

Recommendations:

- None

Contact:

- **Robert 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. A current Phase I ESA performed to the ASTM Standard E1527-21 of the proposed offsite borrow source property must be submitted for review. Stockpiled soils that will be used as fill material from an offsite borrow source require environmental sampling and analysis and the results be submitted for review. Please contact OES for a recommended sampling plan.

Recommendations:

1. The following recommendation is based on State of Ohio requirements:
 - a. Due to the anticipated age of the existing site structures, 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 renovation.
2. The following recommendations are based on adopted City of Cincinnati environmental and sustainability policies:
 - a. The project site is mapped within a flood zone. Site development precautions should be taken for riparian and flash flooding concerns.
 - b. The development goal should be to earn at a minimum the LEED Certified rating level.
 - c. Rooftop solar should be considered in the design as a renewable energy source.
 - d. Site parking should include charging stations for electric vehicles.
 - e. Site areas designated for trash dumpsters should also have at least equal space designated for recycling dumpsters.
 - f. The use of trees in the landscape design should be included to enhance urban forestry. The city does not have incentives to plant native trees and can only provide trees for the public right of way. Native trees applicable for this development include Hornbeam, Serviceberry, Bur Oak, Swamp White Oak, Sugar Maple, or Red Maple. For additional questions and support on tree planting, contact Urban Forestry.
 - g. 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:

1. Protect any and all trees on ROW. If possible, add new trees where appropriate.

Recommendations:

- None

Contact:

- **Kurt Kastner** | Urban Forestry | 513-861-9070 | kurt.kastner@cincinnati-oh.gov

Department of Transportation & Engineering (DOTE)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. 10' minimum right of way is needed along property frontages. A 5' tree lawn and 5' sidewalk, or 10' sidewalk is needed.
2. All new curbs need to be set at 6" height. Sidewalk elevations need to be set assuming 6" curb and 2% cross slope. New floor elevations need to be set appropriately.
3. The proposed parking lot cannot extend beyond the property line.
4. Show dimensions at the driveway. Width needs to be 20'-24'.
5. Remove all unused driveway aprons and replace them to meet City standards.
6. Work with DOTE on the streetscape plans. Any major changes may need to go to the Community Council.
7. Show the sight distance is met for the driveway location with piers of the bridge.
8. Show the stopping sight distance is met on Dooley for the left turn into the sight.
 - a. If this is not met, work with DOTE on additional requirements.
9. The existing fire escape needs an easement.
10. The CR process needs to be completed for the purchase of the property.
11. It is too early in the BRT study to know any specific details at this time.
12. Driveway aprons need to meet city standards. Proper clearance must be met.
13. All work in the public right-of-way will require a separate DOTE permit.
14. The assigned addresses for the project are 3919 OLD LUDLOW AVE (new building), 3927 OLD LUDLOW AVE (existing building residential), and 1090 LUDLOW AVE (existing building commercial). Each assigned address number must be posted at the respective entrance and be visible from the street. It is up to the property owner/manager to assign any secondary designations for interior spaces (Apt 201, Unit A, etc.). Contact DTEaddress@cincinnati-oh.gov with questions.

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. If the Stagecraft elevator is replaced it will be required to be sized for a stretcher. If it is being modernized, then it will be required to be stretcher compliant.
2. The fire escape can be utilized as a secondary means of egress provided it is certified as "safe."

3. Both the existing building and the proposed new building require a fire suppression system.
4. A geotechnical report is required at the time of permit submission.

Recommendations:

- None

Contact:

- **Art Dahlberg** | B&I Plans Exam | 513-352-2424 | art.dahlberg@cincinnati-oh.gov

Law Department

Immediate Requirements to move the project forward:

1. No comment at this time.

Requirements to obtain permits:

- None

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:

- **Greg Koehler** | DCED | 513-352-1596 | greg.koehler@cincinnati-oh.gov

Health Department

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. A food facility plan review by the Cincinnati Health Department (CHD) will be required if future or current commercial space (or tenant) is licensable (or is currently licensed) as a food service operation (FSO) or retail food establishment (RFE). If licensable, plumbing will not issue permits until CHD has completed the food facility review and approved the project.

Recommendations:

1. For assistance in determining whether facility is licensable as an FSO/RFE or not, please contact Trisha Blake.

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

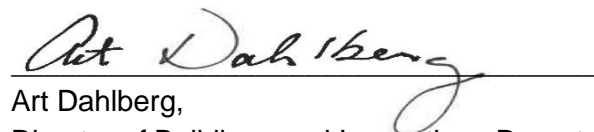
Contact:

- **Katalin Howard** | Police Dept. | 513-352-3298 | katalin.howard@cincinnati-oh.gov
- **Brandon Kyle** | Police Dept. | 513-564-1870 | brandon.kyle@cincinnati-oh.gov

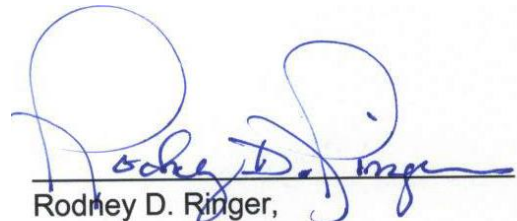
FINAL ACTION: The CSR Advisory-TEAM and CSPRO Committee believes that the proposed project plans are moving in the appropriate direction and recommends that the project move forward to the City Planning Commission subject to the following condition.

- **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



Rodney D. Ringer,
Development Manager

AD:RDR:hs



Date: 1.9.24

Honorable Members of the City Planning Commission:

The applicants are proposing a Planned Development District (Northside Gateway) encompassing 3925-3927 Old Ludlow Avenue, including all land between Old Ludlow Avenue on the east, the Ludlow Viaduct on the west, and the William P. Dooley Bypass on the south. The northern portion of this land, including the existing historic Stagecraft Building at 3927 Old Ludlow, is located within the Northside NBD Local Historic District. The district boundary runs just south of this existing building and does not include the southern portion of the site.

The future lot configuration of the site has not yet been determined. If the applicants decide to retain the Stagecraft Building on its own parcel, only this building would be subject to historic review. Minor changes, such as window and storefront replacements, would be subject to a Staff Level Certificate of Appropriateness (COA), while major changes, such as additions and demolitions would require a COA from the Historic Conservation Board (HCB). Under this scenario with separate lots for the existing building and the new construction, the new construction on the south of the site would not require historic review or a COA.

If the applicants consolidate the parcels onto one lot including the existing Stagecraft Building and the new construction to the south, all new work will require a COA. Under this scenario, the new construction would require HCB approval for the issuance of a COA.

The level of detail presented in the Concept Plan is not sufficient to determine whether Staff Level or HCB reviews would be required for the COA. Once the lot configuration is determined and more detailed elevation drawings are available, the Historic Conservation Office will make further determinations. If needed, the HCB review will occur prior to the Planning Commission's consideration of the Final Development Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "DO", with a stylized flourish extending from the end.

Douglas Owen | Urban Conservator

City of Cincinnati | City Planning & Engagement

Two Centennial Plaza | 805 Central Avenue, Suite 720 | Cincinnati, OH 45202

513-352-4848 (p) | 513-352-2378 (f)

February 13, 2024

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 the Ludlow Viaduct to the west, Old Ludlow Avenue to the east, and the William P. Dooley Bypass to the south in the Northside neighborhood from the CC-M, “Commercial Community-Mixed,” and MG, “Manufacturing General,” zoning districts to Planned Development District No. 100, “Northside Gateway.”

Summary:

The petitioners – Northsiders Engaged in Sustainable Transformation (NEST), Over-the-Rhine Community Housing (OTRCH), and Urban Sites – are requesting a zone change for the properties located at 3925 and 3925 Old Ludlow Avenue in Northside from Community Commercial-Mixed (CC-M) and Manufacturing General (MG) to Planned Development (PD). The proposed Concept Plan and Development Program Statement are for renovating the existing Stagecraft Building and constructing a new residential building to create a mixed-use project that units a unit count between 50 and 70 dwelling units affordable at or below 60% Area Median Income (AMI) with commercial use on the first floor of the existing building.

The City Planning Commission recommended the following on January 19, 2024 to City Council:

APPROVE the Concept Plan and Development Program Statement as submitted;

ADOPT the Department of City Planning and Engagement Findings as Detailed on page 9 of this report; and

APPROVE the proposed zone change at 3927 and 3925 Old Ludlow Avenue from Commercial Community-Mixed (CC-M) and Manufacturing General (MG) to Planned Development (PD) including the Concept Plan and Development Program Statement in Northside.

Motion to Approve: Mr. Samad
 Seconded: Ms. Kearney

Ayes: Ms. Beltran
 Mr. Eby
 Mr. Stallworth
 Mr. Weber

Recused: Ms. Sesler

THE CITY PLANNING COMMISSION



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