

801 Plum Street Cincinnati, OH 45202

Agenda - Final

Economic Growth & Zoning Committee

Vice Mayor Christopher Smitherman, Chairperson Councilmember Jeff Pastor, Vice Chair Councilmember Betsy Sundermann

Tuesday, September 15, 2020

11:00 AM

Council Chambers, Room 300

AGENDA

1. 202001386

ORDINANCE (EMERGENCY), dated 9/2/2020, submitted by Paula Boggs Muething, Interim City Manager, ACCEPTING and confirming the dedication of 0.054 acres of real property in the Avondale neighborhood of Cincinnati to public use for right-of-way purposes as portions of the Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive rights-of-way.

2. 202000633

MOTION, submitted by Councilmembers Landsman and Sittenfeld, The need to update Cincinnati's residential property tax abatement program has emerged as a key community priority. As part of this evolving conversation, the Property Tax Working Group has released preliminary recommendations Q1 of this year. One recommendation from the Working Group is amending the residential property tax abatement program to include a tiered approach, similar to that implemented in Columbus, Ohio. This tiered approach would allow for equitable funding for our schools and other critical levies; increased support for critical City services; and new investments in neighborhoods to support residents and reverse decades-long patterns of disinvestment. Ensuring that Cincinnati remains competitive while increasing equity and lifting up all of our neighborhoods and residents is essential for Cincinnati's success now and in the future. WE MOVE that the City Administration report on the impact of residential abatements on both property and earning tax revenues. WE FURTHER MOVE that the City Administration report on how Cincinnati can bes create a tiered residential abatement program that would continue to encourage residential development in neighborhoods that are already experiencing growth; further incentivize residential development in neighborhoods that have lacked similar investment; and strengthen the incentive for rehabilitation of existing residential properties in high-investment neighborhoods, thus relieving the unintended economic pressure to tear down and build new vs. rehab when appropriate. (BALANCE OF MOTION ON FILE IN THE CLERK'S OFFICE)



Date: September 2, 2020

To: Mayor and Members of City Council

From: Paula Boggs Muething, Interim City Manager

Subject: EMERGENCY ORDINANCE – ACCEPTING AND CONFIRMING DEDICATION OF A

PORTION OF BURNET AVENUE

Attached is an emergency ordinance captioned as follows:

ACCEPTING and confirming the dedication of 0.054 acres of real property in the Avondale neighborhood of Cincinnati to public use for right-of-way purposes as portions of the Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive rights-of-way.

The University of Cincinnati Medical Center, LLC ("Dedicator") holds title to 1.270 acres of property bounded by Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive in Avondale. They would like to dedicate a 0.054-acre portion of this property to public use for right-of-way purposes to be included as portions of Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive.

The City Engineer has examined the Dedication Plat as to its technical features and found it to be correct.

The City Planning Commission approved the Dedication Plat and the dedication of the 0.054-acre portion of the property to public use at its meeting on May 22, 2020.

The Administration recommends passage of the attached emergency ordinance.

Attachment I – Dedication Plat

cc: John S. Brazina, Director, Transportation and Engineering – john b

EMERGENCY

City of Cincinnati

CHM AWL

An Ordinance No.

- 2020

ACCEPTING and confirming the dedication of 0.054 acres of real property in the Avondale neighborhood of Cincinnati to public use for right-of-way purposes as portions of the Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive rights-of-way.

WHEREAS, by virtue of a deed recorded in OR 13903, Page 1043, Hamilton County, Ohio Records, University of Cincinnati Medical Center, LLC ("Dedicator") holds title to 1.270 acres of real property generally bounded by Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive in the Avondale neighborhood, which property is identified as Hamilton County Auditor's Parcel ID No.: 106-0001-0386-00 (the "Property");

WHEREAS, Dedicator desires to dedicate a 0.054 acre portion of the Property to public use for right-of-way purposes to be included as portions of the public streets known as Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive, and has prepared and executed a plat entitled "Dedication Plat" attached to this ordinance as Attachment A for such purpose (the "Dedication Plat"); and

WHEREAS, the City Engineer has examined the Dedication Plat as to its technical features and found it to be correct; and

WHEREAS, the City Planning Commission, at its meeting on May 22, 2020 approved the Dedication Plat, and the dedication of a 0.054 acre portion of the Property to public use for right-of-way purposes to be included as portions of the Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive public rights-of-way; and

WHEREAS, the City Manager, upon consultation with the City's Department of Transportation and Engineering, recommends the Council accept the dedication for right-of-way purposes of said 0.054 acres of real property for inclusion as portions of the Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive public rights-of-way; now, therefore,

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

Section 1. That the City hereby accepts and confirms the dedication of a 0.054 acre portion of real property located along Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive to public use for right-of-way purposes, as depicted on the plat entitled "Dedication Plat" attached hereto as Attachment "A" and incorporated herein (the "ROW Property"). A copy of the Dedication Plat depicting the Property is on file in the office of the City Engineer.

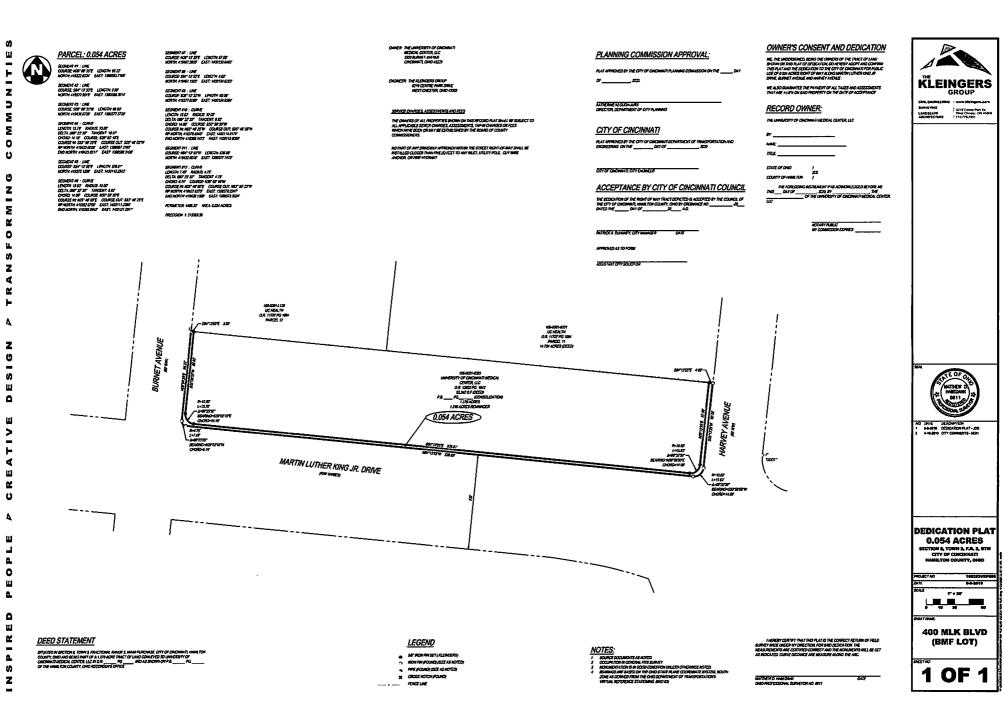
Section 2. That the proper City officials are hereby authorized to take all necessary and proper actions to carry out the terms of this ordinance, including execution of all necessary real estate documents.

Section 3. That the City Solicitor shall cause an authenticated copy of this ordinance to be filed with the Hamilton County, Ohio Auditor's Office, and recorded in the Hamilton County, Ohio Recorder's Office.

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 for the City's Department of Transportation and Engineering to coordinate the maintenance and repair of the newly dedicated public right-of-way with the maintenance and repair of adjacent public rights-of-way.

Passed:	, 2020	
		John Cranley, Mayor
Attest:	lerk	

ATTACHMENT A



PARCEL: 0.054 ACRES

SEGMENT #1 : LINE COURSE: N06° 09' 35"E LENGTH: 95.22' NORTH: 419522.8034' EAST: 1399583.7166'

SEGMENT#2 : LINE COURSE: S84° 13' 55"E LENGTH: 3.00' NORTH: 419522.5019' EAST: 1399586.7014'

SEGMENT#3 : LINE COURSE: S06° 09' 35"W LENGTH: 86.93' NORTH: 419436.0738' EAST: 1399577.3738'

SEGMENT #4 : CURVE LENGTH: 15.78' RADIUS: 10.00' DELTA: 090° 23′ 30" TANGENT: 10.07' CHORD: 14.19' COURSE: S39° 02' 10"E COURSE IN: S83° 50' 25"E COURSE OUT: S05° 46' 05"W RP NORTH: 419435.0008' EAST: 1399587.3160' END NORTH: 419425.0517' EAST: 1399586.3108'

SEGMENT #5 : LINE COURSE: S84° 13' 55"E LENGTH: 526.61' NORTH: 419372.1266' EAST: 1400110.2545'

SEGMENT #6 : CURVE LENGTH: 15.63' RADIUS: 10.00' DELTA: 089° 32' 30" TANGENT: 9.92' CHORD: 14.09' COURSE: N50° 59' 50"E COURSE IN: N05° 46' 05"E COURSE OUT: S83° 46' 25"E RP NORTH: 419382.0759' EAST: 1400111.2595' END NORTH: 419380.9942' EAST: 1400121.2041'

SEGMENT #7 : LINE COURSE: N06° 13' 35"E LENGTH: 87.08' NORTH: 419467.5605' EAST: 1400130.6485'

SEGMENT#8 : LINE COURSE: S84° 13' 55"E LENGTH: 4.00' NORTH: 419467.1585' EAST: 1400134.6283'

SEGMENT #9 : LINE COURSE: S06° 13' 35"W LENGTH: 90.08' NORTH: 419377.6099' EAST: 1400124.8584'

SEGMENT #10 : CURVE LENGTH: 15.63' RADIUS: 10.00' DELTA: 089° 32′ 30" TANGENT: 9.92′ CHORD: 14.09' COURSE: S50° 59' 50"W COURSE IN: N83° 46' 25"W COURSE OUT: S05° 46' 05"W RP NORTH: 419378.6945' EAST: 1400114.9174' END NORTH: 419368.7423' EAST: 1400113.9089'

SEGMENT #11 : LINE COURSE: N84° 13' 55"W LENGTH: 538.89' NORTH: 419422.9016' EAST: 1399577.7473'

SEGMENT #12 : CURVE LENGTH: 7.49' RADIUS: 4.75' DELTA: 090° 23' 30" TANGENT: 4.78' CHORD: 6.74' COURSE: N39° 02' 10"W COURSE IN: N05° 46' 05"E COURSE OUT: N83° 50' 25"W RP NORTH: 419427.6275' EAST: 1399578.2247' END NORTH: 419428.1369' EAST: 1399573.5024'

─ S84°13'55"E 3.00'

L=15.78'

L=7.49' *-- Δ=90°23'30"*

--- Δ=90°23'30"

BEARING=N39°02'10"W CHORD=6.74'

BEARING=S39°02'10"E CHORD=14.19'

106-0001-L109 UC HEALTH O.R. 11707 PG 1894 PARCEL 12

MARTIN LUTHER KING JR. DRIVE

PERIMETER: 1486.35' AREA: 0.054 ACRES

PRECISION 1: 315089.36

OWNER: THE UNIVERSITY OF CINCINNATI MEDICAL CENTER, LLC 3200 BURNET AVENUE CINCINNATI, OHIO 45229

ENGINEER: THE KLEINGERS GROUP 6219 CENTRE PARK DRIVE WEST CHESTER, OHIO 45069

SERVICE CHARGES, ASSESSMENTS AND FEES

THE OWNERS OF ALL PROPERTIES SHOWN ON THIS RECORD PLAT SHALL BE SUBJECT TO ALL APPLICABLE SEWER CHARGES, ASSESSMENTS, TAP-IN CHARGES OR FEES WHICH HAVE BEEN OR MAY BE ESTABLISHED BY THE BOARD OF COUNTY

NO PART OF ANY DRIVEWAY APPROACH WITHIN THE STREET RIGHT-OF-WAY SHALL BE INSTALLED CLOSER THAN FIVE (5) FEET TO ANY INLET, UTILITY POLE, GUY WIRE ANCHOR, OR FIRE HYDRANT.

> 106-0001-0085 UNIVERSITY OF CINCINNATI MEDICAL CENTER, LLC O.R. 13903 PG. 1043 55,342 S.F (DEED) P.B. _____ PG.____ (CONSOLIDATION) 1.270 ACRES

> > 1.216 ACRES REMAINDER

0.054 ACRES

PLANNING COMMISSION APPROVAL:

KATHERINE KEOUGH-JURS

PLAT APPROVED BY THE CITY OF CINCINNATI PLANNING COMMISSION ON THE _____ DAY

DIRECTOR, DEPARTMENT OF CITY PLANNING

CITY OF CINCINNATI PLAT APPROVED BY THE CITY OF CINCINNATI DEPARTMENT OF TRANSPORTATION AND ENGINEERING ON THE ______ DAY OF ______, 2020. CITY OF CINCINNATI, CITY ENGINEER ACCEPTANCE BY CITY OF CINCINNATI COUNCIL THE DEDICATION OF THE RIGHT OF WAY TRACT DEPICTED IS ACCEPTED BY THE COUNCIL OF THE CITY OF CINCINNATI, HAMILTON COUNTY, OHIO BY ORDINANCE NO.:___ DATED THE _____ DAY OF _____ 20 ____ A.D. PATRICK A. DUHANEY, CITY MANAGER APPROVED AS TO FORM: ASSISTANT CITY SOLICITOR S84°13′55″E 4.00′ ─

> L=15.63' Δ=89°32'30" -

> > BEARING=S50°59'50"W CHORD=14.09'

BEARING=N50°59'50"E

OWNER'S CONSENT AND DEDICATION

WE, THE UNDERSIGNED, BEING THE OWNERS OF THE TRACT OF LAND SHOWN ON THIS PLAT OF DEDICATION, DO HEREBY ADOPT AND CONFIRM THIS PLAT AND THE DEDICATION TO THE CITY OF CINCINNATI FOR PUBLIC USE OF 0.054 ACRES RIGHT OF WAY ALONG MARTIN LUTHER KING JR. DRIVE, BURNET AVENUE AND HARVEY AVENUE.

WE ALSO GUARANTEE THE PAYMENT OF ALL TAXES AND ASSESSMENTS THAT ARE A LIEN ON SAID PROPERTY ON THE DATE OF ACCEPTANCE.

RECORD OWNER:

THE UNIVERSITY OF CINCINNATI MEDICAL CENTER, LLC STATE OF OHIO COUNTY OF HAMILTON)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF ________, 2020, BY ___ OF THE UNIVERSITY OF CINCINNATI MEDICAL CENTER,

> NOTARY PUBLIC MY COMMISSION EXPIRES:

DEED STATEMENT

SITUATED IN SECTION 8, TOWN 3, FRACTIONAL RANGE 2, MIAMI PURCHASE, CITY OF CINCINNATI, HAMILTON COUNTY, OHIO AND BEING PART OF A 1.270 ACRE TRACT OF LAND CONVEYED TO UNIVERSITY OF CINCINNATI MEDICAL CENTER, LLC IN O.R. _____ PG. ____ AND AS SHOWN ON P.B. _____ PG. ____ OF THE HAMILTON COUNTY, OHIO RECORDER'S OFFICE.

LEGEND

- 5/8" IRON PIN SET (KLEINGERS)
- O IRON PIN (FOUND) (SIZE AS NOTED)
- PIPE (FOUND) (SIZE AS NOTED) ★ CROSS NOTCH (FOUND)

_____ × ____ *FENCE LINE*

NOTES:

106-0001-0001 UC HEALTH O.R. 11707 PG 1894 PARCEL 11 14.734 ACRES (DEED)

- SOURCE DOCUMENTS AS NOTED.
- OCCUPATION IN GENERAL FITS SURVEY. MONUMENTATION IS IN GOOD CONDITION UNLESS OTHERWISE NOTED.
- BEARINGS ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE AS DERIVED FROM THE OHIO DEPARTMENT OF TRANSPORTATION'S VIRTUAL REFERENCE STATIONING. (NAD 83)

I HEREBY CERTIFY THAT THIS PLAT IS THE CORRECT RETURN OF FIELD SURVEY MADE UNDER MY DIRECTION, FOR SAID DEDICATION. THE MEASUREMENTS ARE CERTIFIED CORRECT AND THE MONUMENTS WILL BE SET AS INDICATED. CURVE DISTANCE ARE MEASURE ALONG THE ARC.

MATTHEW D. HABEDANK OHIO PROFESSIONAL SURVEYOR NO. 8611 **KLEINGERS** CIVIL ENGINEERING | www.kleingers.com SURVEYING

LANDSCAPE

6219 Centre Park Dr. West Chester, OH 45069 **ARCHITECTURE** 513.779.7851

NO. DATE DESCRIPTION 5-9-2019 DEDICATION PLAT - JDB 4-16-2019 CITY COMMENTS - MDH

DEDICATION PLAT 0.054 ACRES

SECTION 8, TOWN 3, F.R. 2, BTM CITY OF CINCINNATI HAMILTON COUNTY, OHIO

PROJECT NO: 180283VRP00 5-9-2019

1" = 30'

SHEET NAME:

400 MLK BLVD (BMF LOT)

OF 1



Melissa Autry, CMC Clerk of Council

Office of the Clerk

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

Residential Property Tax Abatement Reform

The need to update Cincinnati's residential property tax abatement program has emerged as a key community priority. As part of this evolving conversation, the Property Tax Working Group has released preliminary recommendations Q1 of this year.

One recommendation from the Working Group is amending the residential property tax abatement program to include a tiered approach, similar to that implemented in Columbus, Ohio.

This tiered approach would allow for equitable funding for our schools and other critical levies; increased support for critical City services; and new investments in neighborhoods to support residents and reverse decades-long patterns of disinvestment.

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WE FURTHER MOVE that the City Administration report on how Cincinnati can best create a tiered residential abatement program that would continue to encourage residential development in neighborhoods that are already experiencing growth; further incentivize residential development in neighborhoods that have lacked similar investment; and strengthen the incentive for rehabilitation of existing residential properties in high-investment neighborhoods, thus relieving the unintended economic pressure to tear down and build new vs. rehab when appropriate.

8



Melissa Autry, CMC Clerk of Council

9

Office of the Clerk

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

This report should:

- Identify whether a three-tiered system of area-groupings would best be implemented at the neighborhood, zip-code, or census-tract level; and,
- Recommend how often area-groupings should be updated in order to account for real estate market changes
 occurring in different parts of the City; and,
- Incorporate differing abatement term lengths and percentages depending upon the residential investments needs of the individual area-groupings. The determination of area-groupings should incorporate the following criteria:
 - Poverty rate: the percentage of the population in an area living at or below the federally established poverty level
 - o Foreclosure rate: percentages of homes foreclosed upon in an area
 - Median household income: percentage change in median household income for an area over a five-year period
 - Housing vacancy rate: the percentage of unoccupied housing units in an area
 - Population growth: percentage change of population for an area over a five year period

WE FURTHER MOVE that this report should take into consideration, with all of these analyses of possible changes, the potential negative impacts associated with:

- Additional administration expense; and,
- Creating a competitive disadvantage in attracting the desired development per neighborhood.

www.cincinnati-oh.gov Equal Opportunity Employer



Melissa Autry, CMC Clerk of Council

Office of the Clerk

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

WE FURTHER MOVE that as part of the City of Cincinnati's Fiscal Year 2021 Closeout Budget process, \$150k be allocated to fund a study that would allow for the research and design of a tiered residential abatement program.

WE FURTHER MOVE that the City Administration examine the possibility of changes to State law that would allow for lengthened abatement terms that could be implemented solely to incentivize the rehabilitation or new construction of affordable residential development.

4

Council Member Greg Landsman

P.G. Sitterfold

Council Member P.G. Sittenfeld