



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, February 16, 2022

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MAYOR AFTAB

Cincinnati Board of Health

1. [202200351](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Ashlee Young, MPH to the Cincinnati Board of Health for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/African American)

Recommendation CONFIRM

Sponsors: Mayor

2. [202200352](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Jennifer W. Forrester, MD to the Cincinnati Board of Health for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/White)

Recommendation CONFIRM

Sponsors: Mayor

MAYOR AFTAB

MR. JOHNSON

3. [202200424](#) **RESOLUTION**, submitted by Mayor Aftab Pureval and Councilmember Johnson, from Andrew W. Garth, City Solicitor, **RECOGNIZING** and honoring Chief Eliot K. Isaac for his distinguished career in public safety, including six years with the Cincinnati Police Department as the Police Chief.

Recommendation PASS

Sponsors: Mayor and Johnson

MR. HARRIS

4. [202200432](#) **RESOLUTION**, submitted by Councilmember Harris, from Andrew Garth, City Solicitor, **RECOGNIZING** and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Jennifer Foster during Black History Month 2022 for her decades of continuous leadership and work within the

Avondale Community and with organizations in the City of Cincinnati.

Recommendation PASS

Sponsors: Harris

MS. KEARNEY

5. [202200454](#) **RESOLUTION**, submitted by Vice Mayor Kearney, from Andrew Garth, City Solicitor, **RECOGNIZING** and honoring Curtis J. Fuller for his groundbreaking and innovative work in local media, his commitment to supporting and uplifting our community, and for his many contributions to the City of Cincinnati.

Recommendation PASS

Sponsors: Kearney

MR. LANDSMAN

6. [202200415](#) **RESOLUTION**, submitted by Councilmember Landsman, from Andrew Garth, City Solicitor, **RECOGNIZING** and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Alexis Kidd-Zaffer during Black History Month 2022 for her work with Seven Hills Neighborhood Houses, an organization that provides invaluable services to the City of Cincinnati, in particular, our West End Community.

Recommendation PASS

Sponsors: Landsman

MS. PARKS

7. [202200407](#) **RESOLUTION**, submitted by Councilmember Parks, from Andrew Garth, City Solicitor, **RECOGNIZING** and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to William Earl "Bootsy" Collins during Black History Month 2022 for his contributions to the music world, his advocacy, and his years of dedication to the City of Cincinnati through the Bootsy Collins Foundation.

Recommendation PASS

Sponsors: Parks

MR. JEFFREYS

8. [202200394](#) **RESOLUTION**, submitted by Councilmember Jeffreys, from Andrew Garth, City Solicitor, **EXPRESSING** the support of the Mayor and City Council for a revision to Ohio Revised Code Sections 4511.06 and 4511.21 to allow municipalities like the City of Cincinnati to establish their own speed limits on roads within their jurisdiction.

Recommendation PASS

Sponsors: Jeffreys

MS. OWENS

9. [202200399](#) **RESOLUTION**, submitted by Councilmember Owens, from Andrew Garth, City Solicitor, **EXPRESSING** the support of the Mayor and Council of the City of

Cincinnati for the application for a grant from the 2022 Clean Ohio Conservation Fund, NRAC 2, Round 16, by the Cardinal Land Conservancy on behalf of the Cincinnati Waldorf School, for the purchase of approximately 19 acres of land by the Cardinal Land Conservancy from the Cincinnati Waldorf School, in order to create a permanent nature preserve within the City of Cincinnati, adjacent to the former Bahr Family Farm, the last family farm within the City.

Recommendation PASS

Sponsors: Owens

MS. KEATING

10. [202200278](#) **ORDINANCE** submitted by Councilmember Keating, from Andrew Garth, City Solicitor, **MODIFYING** Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by amending the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415-09, "Development Regulations," to reduce or remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

Recommendation EQUITABLE GROWTH & HOUSING COMMITTEE

Sponsors: Keating

MR. LANDSMAN

MS. KEARNEY

MS. OWENS

11. [202200446](#) **MOTION**, submitted by Councilmembers Landsman, Owens and Vice Mayor Kearney, As the Administration prepares its budget, **WE HEREBY MOVE** that the following core services be priorities: Public safety staffing (CFD, CPD), including support for the fire recruit class *and* a second police recruit class; Public services staffing (DPS), including support for additional sanitation crews *and* efforts to improve retention (potentially through adjusted compensation); Core municipal amenities (DPS), including urgent road repair to uphold lane miles and pothole maintenance - especially in historically underserved neighborhoods, wherein residents experience the highest financial consequences of crumbling infrastructure. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED)

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Landsman and Kearney

CITY MANAGER

12. [202200277](#) **REPORT**, dated 2/16/2022 submitted by John P. Curp, Interim City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for SYMPOSIUM CINCINNATI LLC, DBA

SYMPOSIUM, 2835 Woodburn Avenue, Cincinnati, Ohio 45206. (#8652835, D5, NEW) [Objections: NONE]

Recommendation FILE

Sponsors: City Manager

13. [202200354](#) **REPORT**, dated 2/16/2022 submitted by John P. Curp, Interim City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for CINCY CORK 2LLC, 1833 Sycamore Street, Cincinnati, Ohio 45202. (#1495181, D3, NEW) [Objections: NONE]

Recommendation FILE

Sponsors: City Manager

14. [202200356](#) **REPORT**, dated 2/16/2022 submitted by John P. Curp, Interim City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for DOWNTOWN CINCINNATI LLC, East Court Street BTWN Vine & Walnut Streets, Cincinnati, Ohio 45202. (#2292156, F8, TEMPORARY) [Objections: NONE]

Recommendation FILE

Sponsors: City Manager

15. [202200357](#) **REPORT**, dated 2/16/2022 submitted by John P. Curp, Interim City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for WINNIETIN LLC, DBA PIG CANDY, 5901 Kellogg Avenue & Patio, Cincinnati, Ohio 45230. (#9699760, D2, NEW) [Objections: NONE]

Recommendation FILE

Sponsors: City Manager

16. [202200359](#) **REPORT**, dated 2/16/2022, submitted by John P. Curp, Interim City Manager, regarding Special Event Permit Application for 2022 SUPER BOWL VICTORY BLOCK PARTY.

Recommendation FILE

Sponsors: City Manager

17. [202200360](#) **REPORT**, dated 2/16/2022, submitted by John P. Curp, Interim City Manager, regarding Special Event Permit Application for BENGALS SUPER BOWL PARADE.

Recommendation FILE

Sponsors: City Manager

18. [202200385](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/16/2022, **AMENDING** Ordinance No. 0273-2021, which authorized the acceptance and appropriation of a donation from Clifton resident Timothy Maxey to existing capital improvement program project account no. 980x232x212383, "Pedestrian Safety Improvements," to provide resources for the purchase of two new solar powered blinking stop signs at the intersection of Middleton Avenue and Resor Avenue, for the purpose of increasing the donation and appropriation amount from \$2,920 to \$3,120.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

19. [202200386](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/16/2022, **AUTHORIZING** the City Manager to apply for two grants in the amounts of up to \$417,631 and \$420,293 from the Ohio Environmental Protection Agency's Volkswagen Mitigation Trust Fund for the purpose of providing resources to install public electric vehicle charging stations at 361 Central Avenue and on Plum Street in the City of Cincinnati.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

20. [202200387](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 2/16/2022, **AUTHORIZING** the City Manager to accept and deposit a donation in an amount up to \$40,000 from the Cincinnati Park Board Commissioners' Fund into Fund 430, "Parks Private Endowment and Donations," for the purpose of providing resources for a grove and bird sanctuary in Ault Park; **ESTABLISHING** new capital improvement program project account no. 980x203x222020, "Carter's Grove at Ault Park," for the purpose of providing resources for creating a grove and bird sanctuary in Ault Park; and **AUTHORIZING** the transfer and appropriation of up to \$40,000 from the unappropriated surplus of Fund 430, "Parks Private Endowment and Donations," to newly established capital improvement program project account no. 980x203x222020, "Carter's Grove at Ault Park."

Recommendation
BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

21. [202200388](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 2/16/2022, **AMENDING** Ordinance No. 0235-2020, which established COVID-19 Fund 473 for receipt of funds from various sources earmarked to reimburse expenses related to the Coronavirus Disease 2019 ("COVID-19") pandemic other than resources from the Federal Emergency Management Agency (FEMA); **AUTHORIZING** an appropriation reduction in the amount of \$7,178,998 from American Rescue Plan grant project account no. 469x101xARP101, "ERA2," for the purpose of reducing the appropriation by the amount allocated for Emergency Rental Assistance 2 funding to instead reflect these funds as an appropriation to COVID-19 Fund 473 based upon guidance promulgated by the United States Department of the Treasury; and **AUTHORIZING** an appropriation in the amount of \$7,178,998 to the City Manager's Office non-personnel operating budget account no. 473x101x7400 for the purpose of providing reimbursement of, or resources for, certain non-personnel expenditures for the Emergency Rental Assistance 2 program based upon guidance promulgated by the United States Department of the Treasury.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

22. [202200400](#) **REPORT**, dated 2/16/2022, submitted by John P. Curp, Interim City Manager, regarding Central Parkway bike lane phase 2 options. (SEE REFERENCE DOCUMENT #202200116)

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: City Manager

23. [202200408](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/16/2022, **AUTHORIZING** the City Manager to accept and appropriate a donation in the amount of \$3,500 from Paddock Hills Assembly to the Cincinnati Recreation Commission for the purpose of providing resources to resurface the Paddock Hills Recreation Area basketball court; and **AUTHORIZING** the Finance Director to deposit the donated funds into capital improvement program project account no. 980x199x201903, "Athletics Facilities Renovation."

Recommendation

BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

CLERK OF COUNCIL

24. [202200363](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Richard Merz/Parks/Division Manager.

Recommendation FILE

Sponsors: Clerk of Council

25. [202200364](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Daniel Clare Fortinberry/DCED Parking/Division Manager.

Recommendation FILE

Sponsors: Clerk of Council

26. [202200365](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Kelly Lavender Carr/Human Resources/Deputy Director.

Recommendation FILE

Sponsors: Clerk of Council

27. [202200366](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Daniel Betts/Recreation/Director.

Recommendation FILE

Sponsors: Clerk of Council

28. [202200367](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Joel Q. Koopman/Dept of Public Services/Deputy Director.

Recommendation FILE

Sponsors: Clerk of Council

29. [202200368](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the

Financial Disclosure Statement for Margaret A. O'Neill/Information Technology Manager.

Recommendation FILE

Sponsors: Clerk of Council

30. [202200369](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Jonathan A. Peters/GCWW/Superintendent.

Recommendation FILE

Sponsors: Clerk of Council

31. [202200370](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Karli R. Piper/ECC/Deputy Director.

Recommendation FILE

Sponsors: Clerk of Council

32. [202200371](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Edward Guy Ramsey/Human Resources Director.

Recommendation FILE

Sponsors: Clerk of Council

33. [202200372](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Jennifer Lynn Richmond/MSD-WWC Superintendent.

Recommendation FILE

Sponsors: Clerk of Council

34. [202200373](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Cheryl Drexler Watson/Finance/Division Manager.

Recommendation FILE

Sponsors: Clerk of Council

35. [202200374](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Terra L. Williams/Finance/Division Manager.

Recommendation FILE

Sponsors: Clerk of Council

36. [202200375](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Deborah Wyler Allison/Finance Manager.

Recommendation FILE

Sponsors: Clerk of Council

37. [202200376](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Michael Armando Washington/Fire Chief.

Recommendation FILE

Sponsors: Clerk of Council

38. [202200377](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the

Financial Disclosure Statement for Nicole Dorothy Lee/Finance/City Treasurer.

Recommendation FILE

Sponsors: Clerk of Council

39. [202200378](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Sheryl M. Long/Assistant City Manager.

Recommendation FILE

Sponsors: Clerk of Council

40. [202200379](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Jerry Lavene Wilkerson, Jr/Dept of Public Services/Director.

Recommendation FILE

Sponsors: Clerk of Council

41. [202200380](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Steve Joseph Pacella/Recreation/Assistant Director.

Recommendation FILE

Sponsors: Clerk of Council

42. [202200381](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Kelly Leigh LaFrankie/OPDA - Division Manager of Innovation.

Recommendation FILE

Sponsors: Clerk of Council

43. [202200382](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Chelsea Noelle Ahting/Division Manager/Office of Budget & Evaluation/City Manager's Office.

Recommendation FILE

Sponsors: Clerk of Council

44. [202200383](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Kelsey Lynne Braido/Human Resources/Division Manager-Employee Services

Recommendation FILE

Sponsors: Clerk of Council

45. [202200384](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Matthew Stuart Hulme/DOTE/Division Manager.

Recommendation FILE

Sponsors: Clerk of Council

46. [202200437](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Amy Reineke/GCWW/Division Manager.

Recommendation FILE

Sponsors: Clerk of Council

47. [202200438](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Jeff Swertfeyer/Water Works/Treatment Superintendent.

Recommendation FILE

Sponsors: Clerk of Council

48. [202200439](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Michael Aaron Barnhill/Cincinnati Retirement System/Executive Director.

Recommendation FILE

Sponsors: Clerk of Council

BUDGET AND FINANCE COMMITTEE

49. [202200260](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **ESTABLISHING** capital improvement program project account no. 980x203x222022, "Sawyer Point Parking Lot Repairs," for the purpose of providing resources for restoring the asphalt in the parking lot located at the main entrance and exit to Sawyer Point Park; and **AUTHORIZING** the transfer and appropriation of up to \$74,264 from the unappropriated surplus of Sawyer Point Fund 318 to newly established capital improvement program project account no. 980x203x222022, "Sawyer Point Parking Lot Repairs."

Recommendation

PASS EMERGENCY

Sponsors: City Manager

50. [202200261](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **AUTHORIZING** the City Manager to accept and appropriate a donation in an amount up to \$16,925 from private sources to existing capital improvement program project account no. 980x203x202005, "Bramble Park Streambank Restoration" for the purpose of restoring the streambank in, and removing invasive species from, Bramble Park; and **AUTHORIZING** the Finance Director to deposit the donated funds into existing capital improvement program project account no. 980x203x202005, "Bramble Park Streambank Restoration."

Recommendation

PASS EMERGENCY

Sponsors: City Manager

51. [202200262](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **ESTABLISHING** new capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant," for the purpose of providing resources for curb repairs, pavement repairs, roadway resurfacing, and related needs under the Street Rehabilitation Program on Fairbanks and Delhi Avenues in the neighborhood of Sedamsville; **AUTHORIZING** the City

Manager to accept and appropriate grant resources in an amount of up to \$121,000 from the Hamilton County Municipal Road Fund to newly established capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant"; AUTHORIZING the Finance Director to deposit the grant resources into capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant"; and AUTHORIZING the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Recommendation

PASS

Sponsors:

City Manager

52. [202200263](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **AUTHORIZING** the payment of \$23,884 from the General Fund Enterprise Software and License non-departmental non-personnel budget account no. 050x952x0000x7418 as a moral obligation to Tyler Technologies, Inc. for software and technical support services provided to the City.

Recommendation

PASS EMERGENCY

Sponsors:

City Manager

53. [202200264](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in an amount of up to \$2,542,904 from the United States Department of Health and Human Services, Health Resources and Services Administration, assistance listing 93.224, for the purpose of supplementing the operating expenses of the City of Cincinnati Primary Care Health Centers; and AUTHORIZING the Finance Director to deposit the grant funds into Public Health Research Fund 350.

Recommendation

PASS

Sponsors:

City Manager

54. [202200274](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **AUTHORIZING** the City Manager to solicit and accept monetary donations from the Cincinnati business community for the purpose of engagement and awareness activities for the LGBTQIA+ Employee Resource Group, "City Pride"; and AUTHORIZING the Finance Director to deposit donated funds to the City of Cincinnati for "City Pride" into Department of Human Resources Employee Relations Fund 310.

Recommendation

PASS EMERGENCY

Sponsors:

City Manager

55. [202200312](#) **ORDINANCE (EMERGENCY)**, submitted by Councilmember Owens, from Andrew Garth, City Solicitor, **ADOPTING** a Council Code of Conduct pursuant to Section 101-45, "Code of Conduct," of the Cincinnati Municipal Code to govern conduct by Councilmembers and their staff.

Recommendation

PASS EMERGENCY

Sponsors:

Owens

REVISED

SUPPLEMENTAL ITEMS

CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

56. [202200183](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **AUTHORIZING** the City Manager to execute a Grant of Easement in favor of HG Pearl Provident, LLC, pursuant to which the City of Cincinnati will grant encroachment easements upon portions of Vine and E. Seventh Streets in the Central Business District.
- Recommendation PASS
- Sponsors: City Manager
57. [202200194](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/2/2022, **ACCEPTING AND CONFIRMING** the grant of a public utility easement in favor of the City of Cincinnati for water mains, appurtenances, fixtures, and equipment in and upon certain real property located in Miami Township related to The Reserve at Deer Run, Phase 3 Subdivision.
- Recommendation PASS
- Sponsors: City Manager
58. [202200310](#) **MOTION (AMENDED)**, submitted by Councilmember Jeffreys, **WE MOVE** that the Administration provide a report within ~~thirty (30)~~ *forty-five (45) days on the cost and timing of doing a comprehensive, multi-year plan across the 52 neighborhoods for pedestrian safety as a roadmap to achieving the City of Cincinnati's Vision Zero policy. This integrated, neighborhood-by-neighborhood plan should include Complete Streets plans where there are structural changes needed to traffic (e.g. road diets, bump outs, speed humps, etc.), as well as protected bike lanes (connecting anchor point destinations of employment, recreation and shopping), permanent implementation of rush hour parking in neighborhood business districts, and dedicated bus lanes-all of which reduce crashes and make our streets safer. The outcome of this report will be a decision on whether to pursue this comprehensive plan based on process, costs, and timing outlined. (STATEMENT ATTACHED).
- Recommendation ADOPT
- Sponsors: Jeffreys
59. [202200330](#) **MOTION**, submitted by Councilmember Owens, In an effort to further environmental development and climate protection in the City of Cincinnati, **WE MOVE** that the Administration provide a report within thirty (30) days on the status of the 2018 Green Cincinnati Plan. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED).
- Recommendation ADOPT
- Sponsors: Owens
60. [202200332](#) **MOTION**, submitted by Councilmember Owens, **WE MOVE** that the

Administration prepare a report, to be submitted within 30 days, cataloguing the following: 1) All infrastructure projects within the City of Cincinnati that are currently underway; and 2) All infrastructure projects within the City of Cincinnati that have been started or worked on since January 1st, 2019 but have since been paused. (BALANCE ON FILE IN CLERK'S OFFICE) (STATEMENT ATTACHED)

Recommendation ADOPT

Sponsors: Owens

EQUITABLE GROWTH & HOUSINGS COMMITTEE

61. [202200092](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 1/20/2022, **AUTHORIZING** the real property located at 932 McPherson Avenue in the East Price Hill neighborhood to be developed and used as a two-family dwelling NOTWITHSTANDING the use limitations in Chapter 1403, "Single Family Districts," of the Cincinnati Municipal Code and any other applicable zoning regulations that would prevent the property's development and use as a two-family dwelling.

Recommendation PASS

Sponsors: City Manager

62. [202200255](#) **MOTION**, submitted by Councilmember Keating, **WE MOVE** that the City of Cincinnati form a Task Force with the goal of pursuing *Intel* suppliers for the express purpose of capitalizing on the opportunities that are brought by the relocation of *Intel* to New Albany, Ohio. The objectives of this Task Force should include: Work to develop a list of suppliers and potential suppliers for Intel; Identify potential sites within city limits for Intel suppliers; Develop potential incentives to attract these prospective businesses; Assist and advise City Administration in the process of both attracting and pursuing suppliers to relocate their business to the City of Cincinnati. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED)

Recommendation ADOPT

Sponsors: Keating

ANNOUNCEMENTS

Adjournment



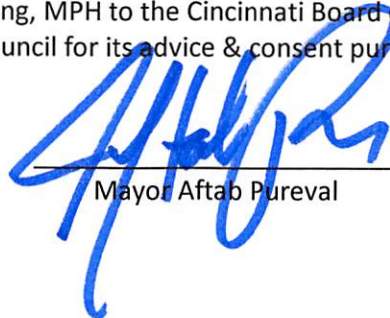
Mayor Aftab Pureval

801 Plum Street, Suite 150
Cincinnati, Ohio 45202
Phone (513) 352-3250
Fax (513) 352-5201
Email: aftab.pureval@cincinnati-oh.gov

February 2022

APPOINTMENT

I hereby appoint Ashlee Young, MPH to the Cincinnati Board of Health for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval

ASHLEE YOUNG

VICE PRESIDENT POLICY AND STRATEGIC INITIATIVES

CONTACT

HIGHLIGHTS

Selected to serve as external grant viewer for The Health Forward Foundation in Kansas City, Missouri in 2020 and 2021.

Developed relationships with key community stakeholders in order to execute Young Professional agenda in the region and country

As EVP of National Urban League Young Professionals worked collaboratively with corporate sponsors to execute partnerships in communities throughout the country

Lead the development and management of evaluation framework for Interact for Health's Opioid portfolio and place-based work

Selected as a community lead for COVID-19 response

Developed key grantmaking, equity and evaluation frameworks

Selected to present at Collective Impact Convening 2016, "Moving Equity from Theory to Practice"

Team lead for strategic planning process at Interact for Health

Educated future nurses about community health and engagement as an Adjunct Professor at Mount St. Joseph University

EDUCATION

MASTERS OF PUBLIC HEALTH
Wright State University

NATIONAL COMMISSION FOR HEALTH EDUCATION CREDENTIALING, INC
Certified Health Education Specialist (CHES)

BACHELOR OF SCIENCE
The Ohio State University

EXPERIENCE

Urban League of Greater Southwestern Ohio | Cincinnati, Ohio

VICE PRESIDENT POLICY AND STRATEGIC INITIATIVES | JANUARY 2021- PRESENT

- Lead COVID-19 community response efforts (i.e., testing site, vaccination POD)
- Develop and execute ULGSO's policy and advocacy framework which focuses on systemic and equitable policy change
- Oversee special initiatives, including Covid-19 related initiatives that promote equitable access to healthcare, education, and housing
- Launched and manage a multi-sector collaborative to address disparities in COVID-19
- Manage fundraising efforts for policy/advocacy efforts and COVID-19 resulting in over \$700k raised
- Built strategic partnership with Ohio Department of Health to ensure equitable access to COVID-19 vaccine
- Worked collaboratively with Ohio Council of Urban League's on statewide advocacy efforts

VICE PRESIDENT OF IMPACT | March 2020- January 2021

- Implemented and designed an organizational dashboard to monitor goals
- Created the infrastructure to successfully launch workforce programming and training virtually
- Launched healthcare workforce pathway programming

MANAGER COMMUNITY STRATEGIES

StrivePartnership | Cincinnati, Ohio | Oct. 2018- March 2020

- Designed and lead regional community engagement efforts
- Collaborated with marketing and communication experts to develop a strategy to inform the community about education in the region
- Institutionalized policies and practices that advance racial equity and social justice
- Lead, designed, and implemented strategies that identify, mobilize, and magnify community assets
- Managed projects related to the exploration of the Education Ecosystem

PROGRAM DIRECTOR

Child Poverty Collaborative | Cincinnati, Ohio | Jan 2018- Oct. 2018

- Lead efforts around community engagement, evaluation and strategy development
- Engaged over 20 local non-profits in identifying strategies to address poverty

EVALUATION OFFICER

Interact for Health | Cincinnati, Ohio | June 2014 - January 2018

- Coordinated grantmaking and organizational evaluation and learning
- Designed, implemented, and monitored evaluation strategies and plans for grantmaking portfolios totaling over \$1 million and catalyst activities
- Identified and implemented opportunities to build strategic learning agenda
- Collaborated with teams to identify, synthesize, and share lessons learned from grantmaking
- Identified internal cross-team strategic opportunities and promote opportunities for leveraging work across teams and grantees
- Managed evaluation budget
- Supported planning and implementation of quarterly learning collaborative for place-based community work at Interact

HEALTH EDUCATOR

Hamilton County Public Health | Cincinnati, Ohio | Nov 2013-May 2014 & Jan 2012-June 2012 (contractor)

- Facilitated county-wide mobilization for policy, systems and environmental changes through WeTHRIVE! Initiative
- Managed and organized WeTHRIVE! Learning Collaborative which offers training and capacity building opportunities for communities
- Assisted communities with the completion of the Community Health Assessment and Group Evaluation (CHANGE Tool) and provided recommendations

COMMUNITY HEALTH PROGRAM COORDINATOR

The Center for Closing the Health Gap | Cincinnati, Ohio | July 2012 - Nov 2013

- Served as an assistant researcher in the development, implementation and evaluation of lifestyle modification program in collaboration with community residents
- Designed and implemented nutrition education programming and evaluation for Do Right! Healthy Corner Store Initiative
- Developed and implemented strategies to reach residents and community partners through community education and engagement

ASHLEE YOUNG

VICE PRESIDENT POLICY AND STRATEGIC INITIATIVES

PUBLICATIONS

"Thriving Communities: A Model for Community-Engaged Grantmaking", The Foundation Review, December 2018

"Looking in the Mirror: Equity in Practice for Philanthropy", The Foundation Review, December 2017

COMMUNITY LEADERSHIP

| | |
|-----------------------------------------------------------------------------------------------------------------|-----------------------|
| Board Member , Delta Gateway Foundation | Sep. 2019 - Present |
| Committee Chair , Queen City (OH) Chapter of The Links, Incorporated | May 2019 - Present |
| Board Secretary , MORTAR | Aug. 2018 - Present |
| Advisory Committee Member , State Health Assessment and State Health Improvement Plan Advisory Committee | Dec. 2018 - Present |
| Board Trustee and Finance Committee Member , Hamilton County Mental Health & Recovery Services Board | Oct 2017 - Present |
| Board President , Design Impact | Jan 2017 - Present |
| Committee member , Health Policy Institute of Ohio (HPIO) Equitable Strategies Committee | Jan 2015 - Present |
| Executive Vice President , National Urban League Young Professionals | Aug. 2019 - Dec. 2021 |
| Southwest Regional Board Member , Children's Hunger Alliance | Oct 2012 - Dec. 2017 |
| Board Trustee , Urban League of Greater Southwestern Ohio | Aug 2014 - Dec. 2017 |
| Health and Wellness Chair , Greater Cincinnati National Action Network | Jan 2016 - Dec. 2017 |
| President , Urban League Young Professionals Greater Southwestern Ohio | Oct 2014 - June 2017 |
| Committee member , National Urban League Young Professionals Advocacy Committee | June 2015 - June 2017 |

AWARDS

MAKING BLACK HISTORY HONOREE

Cincinnati USA Regional Chamber | February 2021

WOMEN OF IMPACT NOMINEE

American Heart Association | February 2021

40 UNDER 40 AWARD

Cincinnati Business Courier | August 2020

ASHLEE YOUNG PILLAR OF THE COMMUNITY AWARD RECIPIENT

Urban League Young Professionals Greater Southwestern Ohio | April 2019

AFFIRMED AWARD RECIPIENT

Urban League Young Professionals Greater Southwestern Ohio | April 2019

BRIGHT AWARD RECIPIENT

Cincinnati Herald and African American Regional Chamber | May 2017

RISING STAR AWARD RECIPIENT

Cincinnati YWCA | 2015

JOURNEY AWARD RECIPIENT

Urban League of Greater Southwestern Ohio | Sep 2015



Mayor Aftab Pureval

801 Plum Street, Suite 150
Cincinnati, Ohio 45202
Phone (513) 352-3250
Fax (513) 352-5201
Email: aftab.pureval@cincinnati-oh.gov

February 2022

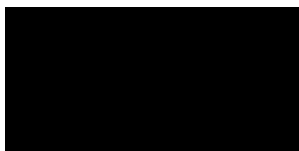
APPOINTMENT

I hereby appoint Jennifer W. Forrester, MD to the Cincinnati Board of Health for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.

Mayor Aftab Pureval

CURRICULUM VITAE

1. JENNIFER WALL FORRESTER, M.D., FACP, F.I.D.S.A



2. EDUCATION

Infectious Diseases Fellowship 2007-2009
University of Cincinnati College of Medicine (Cincinnati, OH)

Internal Medicine Residency 2004-2007
University of Cincinnati College of Medicine (Cincinnati, OH)

Doctor of Medicine (M.D.) 2000-2004
University of Cincinnati College of Medicine (Cincinnati, OH)

Bachelor of Science, Chemistry and Biology (cum laude with honors) 1996-2000
University of Richmond (Richmond, VA)

Board Certifications:

Diplomat, American Board of Internal Medicine
Certificate in Internal Medicine 2008-present
Certificate in Infectious Diseases 2010-present
State Medical License (Ohio) Active

Other Certifications:

Intermediate Improvement Science Series Graduate 2019
(Cincinnati Children's Hospital Medical Center)
Fellow, Infectious Diseases Society of America 2018
Fellow (Invited), American College of Physicians 2017
Master Teacher Program, Department of Internal Medicine 2012
(University of Cincinnati College of Medicine)
IDSA/SHEA Infection Control Course Certificate 2008

3. ACADEMIC APPOINTMENTS

Associate Professor of Medicine 2017-present
University of Cincinnati College of Medicine

Assistant Professor of Medicine 2009-2017
University of Cincinnati College of Medicine

Associate Chief Medical Officer, Ambulatory 2019-present
UC Health, Cincinnati, OH

Vice Chair, Ambulatory Clinical Affairs 2018-present
Department of Internal Medicine, University of Cincinnati College of Medicine

Medical Director, Infectious Diseases Center 2015-2020
University of Cincinnati Medical Center

| | |
|-------------------------------------------------------------------------------------------------------------------|--------------|
| Program Director, Infectious Diseases Fellowship Program University of Cincinnati College of Medicine | 2014-present |
| Program Director, Advanced Infectious Diseases Fellowship Program University of Cincinnati College of Medicine | 2016-present |
| Associate Program Director, Infectious Diseases Fellowship University of Cincinnati College of Medicine | 2011-2014 |
| Quality Improvement Director, Infectious Diseases Center University of Cincinnati Medical Center | 2009-2011 |

4. AWARDS AND HONORS

| | |
|-------------------------------------------------------------------------------------------------------------------|------------|
| Champions of Humanistic Care Awardee (Physician Category) Arnold P. Gold Foundation | 2021 |
| Venue Magazine Rising Star, Medical Leaders Category | 2020 |
| Top Doctor, Infectious Diseases, Cincy Magazine | 2020, 2021 |
| Top 3 Grand Rounds Presentation, Department of Internal Medicine. University of Cincinnati College of Medicine | 2019 |
| Elected Participant, AAIM Executive Leadership Seminar | 2018 |
| Elected Participant, AAMC Early Women in Medicine and Science Professional Development Seminar | 2015 |
| Top Docs, Cincinnati Magazine | 2012-2021 |
| 2 nd Place Clinical Category, Trainees Grand Rounds University of Cincinnati College of Medicine | 2008 |

5. MEMBERSHIPS IN PROFESSIONAL ORGANIZATIONS

| | |
|-----------------------------------------------------|--------------|
| Member, Infectious Diseases Society of America | 2007-present |
| Fellow | 2018-present |
| Member, American College of Physicians | 2010-present |
| Invited Fellow | 2017-present |
| Member, American Academy of Internal Medicine | 2014-present |
| Member, AAMC Group on Women In Medicine and Science | 2015-present |

6. SERVICE

A. Committee Involvement:

Regional:

| | |
|-----------------------------------------------------------------|----------------|
| Member, IHI Strategic Partners COVID-19 Vaccination Strategies | 2021 |
| Member, UC Health COVID-19 Vaccine Core Team | 2021 |
| Member, UC Health COVID-19 Core Emergency Response Team | 3/2020-present |
| Member, UC Health DPD Committee | 2020-present |
| Member, UC Health Credentialing Committee | 2019-present |
| Member, UC Health Ambulatory Structure Team | 2020-2022 |
| Member, UC Health CICIP ED Utilization Workgroup | 2019-2021 |
| Co-Chair, UC Health Ambulatory Space Committee | 2018-2020 |
| Member, UC Health Operation Plan Performance Review Committee | 2018-2020 |
| Member, UC Health MyChart Steering Committee | 2018-2020 |
| Member, UC Health Heroin Task Force | 2015-2016 |
| Member, Cincinnati Health Network Quality Improvement Committee | 2009-2011 |

University/College:

| | |
|---------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Member, University of Cincinnati COVID-19 Vaccine Response Team | 2021-present |
| Member, University of Cincinnati Employee and Student Health COVID-19 Response Team | 2020-present |
| President, Women in Medicine and Science (University of Cincinnati College of Medicine) | 2019-2022 |
| President-Elect, Women in Medicine and Science (University of Cincinnati College of Medicine) | 2018-2019 |
| Executive Committee Member (secretary, president-elect), Women in Medicine and Science (University of Cincinnati College of Medicine) | 2016-present |
| LEAN Process Improvement Team for UC Health Referrals | 2017 |
| Lead, Special Review Committee for Psychiatry/Family Medicine (University of Cincinnati College of Medicine) | 2018 |
| Lead, Internal Special Review Committee for OB/Gyn (University of Cincinnati College of Medicine) | 2016 |
| Lead, Internal Special Review Committee for Allergy/Immunology (University of Cincinnati College of Medicine) | 2016 and 2018 |
| Voting Member, Graduate Medical Education Committee (University of Cincinnati College of Medicine) | 2018-present |
| Voting Member, Graduate Medical Education Accreditation Committee (University of Cincinnati College of Medicine) | 2014-2021 |
| Voting Member, Internal Review Committee for Abdominal Transplant Fellowship (University of Cincinnati College of Medicine) | 2014 |

Departmental:

| | |
|---------------------------------------------------------------------------------------|--------------|
| Chair, Internal Medicine Clinical Governance Committee | 2018-present |
| Member, Internal Medicine Clinical Governance Committee (University of Cincinnati) | 2011-2018 |
| - Outpatient Subcommittee | 2011-present |
| - Inpatient to Outpatient Transition Group | 2015-2018 |
| - LEAN Process Improvement Team for Hospital Discharge Follow-up | 2016 |
| - Access Workgroup | 2018-present |
| - Infusion Workgroup | 2018-2019 |
| - Referral Workgroup | 2019-present |
| Member, Department of Internal Medicine EPIC Workgroup | 2018-present |
| Member, Department of Internal Medicine Clinical Decisions Workgroup | 2018-present |
| Voting Member, Department of Internal Medicine RPT Committee | 2017-present |
| Member, Internal Medicine Educational Governance Committee | 2015-present |
| Voting Member, Internal Medicine Residency Selection Committee | 2011-2021 |

Divisional:

| | |
|--------------------------------------------------------------------------------------------------------------------------------|--------------|
| Member, Infectious Diseases Center Mental Health Quality Group | 2016-present |
| Member, Infectious Diseases Center Leadership Committee | 2014-present |
| Member, HIV Perinatal Committee | 2009-present |
| Voting Member, Infectious Diseases Fellowship Evaluation Committee/ Program Evaluation Committee (University of Cincinnati) | 2009-present |
| Voting Member, Infectious Diseases Fellowship Competency Committee (University of Cincinnati) | 2014-present |
| Director, Quality Improvement Committee of Infectious Diseases Center (University of Cincinnati Medical Center) | 2009-2011 |

B. Mentorship

| | |
|----------------------------------------------------------------------------------------|--------------|
| KL2 Scholars Mentor for Maggie Powers-Fletcher, PhD | 2021-present |
| Member, Dissertation Committee for Catherine Beauchamp (PhD) | 2021-present |
| Member, Career Development Committee for Dr. Danielle Weber | 2020-present |
| Coach for Dr. Jenn Molano, Champions Course in Quality Improvement UC Health | 2020-2021 |
| Faculty Mentor for MPH Candidate, Dr. Kelli Williams | 2019-2020 |
| Coach for Dr. Christine Burrows, Champions Course in Quality Improvement, UC Health | 2019-2020 |

C. Healthcare Quality Improvement Experience:

| | |
|---------------------------------------------------------------------------------------|--------------|
| Population Health Committee, UC Health | 2021-present |
| Quality Improvement Team for Readmissions, UC Health | 2020-present |
| Referral Improvement Process Team, UC Health | 2019-present |
| Intermediate Improve Science Series, Cincinnati Children's Hospital Medical Center | 2018-2019 |
| Process Improvement Team, Hospital Discharge Follow-up | 2016-2019 |
| Access Improvement Project for Department of Internal Medicine | 2018-present |
| Infusion Process Improvement Team, UC Health | 2018-2019 |

D. Community Involvement:

| | |
|------------------------------------------------------------------------------------------------------------------------|--------------|
| Assistant Coach, Girls Volleyball, Our Lady of Victory School | 2021 |
| Assistant Coach, Girls Passers Soccer, Our Lady of Victory School | 2021 |
| Infectious Diseases Consultant, Cincinnati Museum Center | 2021-present |
| Consultant- COVID-19 Safety Plan, Cincinnati Opera | 2021-present |
| Infectious Diseases Specialist, Worship Together Safely, Archdiocese of Cincinnati | 2021-present |
| Infectious Diseases Specialist, Cincinnati Bengals Football Club | 2020-present |
| Consultant- COVID-19 Return to School Planning Committee, Cincinnati Country Day School | 2020-present |
| Consultant- COVID-19 Return to School, Our Lady of Victory School | 2020-2021 |
| Assistant Coach, Girls Passers Soccer, Our Lady of Victory School | 2019 |
| Assistant Coach, Boys 5-6 grade Volleyball, Our Lady of Victory School | 2019 |
| Committee Member, Costuming and Hair&Makeup Committees Our Lady of Victory Players, <i>Aladdin, Jr</i> | 2018-2019 |
| Committee Member, Costuming and Hair&Makeup Committees Our Lady of Victory Players, <i>Singin' in the Rain, Jr.</i> | 2017-2018 |

7. TEACHING:**A. Guest Lectureships:**

| | |
|-------------------------------------------------------------------------------------------------------------|----------|
| 1. Invited Speaker, Ohio Department of Health COVID-19 Update | 1/13/22 |
| 2. Invited Speaker, Ohio Department of Health COVID-19 Update | 12/22/21 |
| 3. Speaker, Vaccine Information Series, Sunopta, Inc, | 11/17/21 |
| 4. Speaker, Emerging Infections and Pandemics, Cincinnati Women's Club | 11/12/21 |
| 5. Speaker, COVID-19 Vaccines Virtual Conference, Adolfson & Peterson Construction Co. (Minneapolis, MN) | 10/6/21 |
| 6. Speaker, COVID-19 Vaccine Update, Cincinnati Zoo and Botanical Garden | 9/30/21 |

7. Speaker, COVID-19 Vaccine and Variants, Scripps National Presentation 9/16/21
8. Panelist, University of Cincinnati Alumni Health Series, COVID-19 Back to School Update 8/24/21
9. Panelist, HealthLeaders Healthcare System of the Future Virtual Roundtable 6/16/21
10. Speaker, "Healthcare Post COVID-19," UC Foundation 4/15/21
11. Presenter, "Bacteria, Viruses and COVID-19," Our Lady of Victory-Sixth Grade 4/14/21
12. Presenter, SWOH Regional Internal Medicine Board Review 4/11/21
13. Panelist, Uptown Consortium Webinar, COVID-19 2/24/21
14. Guest, Hamilton County, OH Commissioner Driehaus Press Conference, COVID-19 Update 2/24/21
15. Panelist, Cincinnati Bell Webinar, COVID-19 2/3/21
16. Guest Speaker, Governor DeWine Press Conferences, OH 12/15/20, 12/10/20
17. Presenter, COVID-19 Our Lady of Victory School, Second Grade 12/10/20
18. Choice Words Presented by Planned Parenthood of Southwest Ohio: Impact of COVID-19 on Health, Wellness and Relationships Panel 5/27/20
19. Tri-State Pulmonary Roundtable: COVID-19 Update Panel 3/29/20
20. Internal Medicine Grand Rounds "Past, Present and Future of HIV (abridged)", University of Cincinnati College of Medicine 2019
21. Southwest Ohio Internal Medicine Update and Board Review "HIV" and "STI's" 2017, 2021
22. Obstetrics and Gynecology Grand Rounds "Zika" University of Cincinnati College of Medicine 2017
23. Urology Grand Rounds (Urinary Tract Infections) University of Cincinnati College of Medicine 2015
24. Internal Medicine Grand Rounds (Urinary Tract Infections) University of Cincinnati College of Medicine 2014
25. Oral and Maxillofacial Surgery Grand Rounds (Osteomyelitis of the Jaw) University of Cincinnati College of Medicine 2012
26. Managing Chronic Pain in HIV-Infected Patients Webinar Pennsylvania/Mid-Atlantic AIDS Education and Training Center 2012
27. Perinatal Testing Integration Care Lecture Ohio Program for Collaboration and Service Integration 2011

B. Course Directorship/ Involvement:

1. Lecturer, UC3 Clinical Conferences: Empiric Antibiotic Decisions 2018- present
2. Course Director for Infectious Diseases Core Lecture Series/Board Review Series University of Cincinnati College of Medicine 2010-present
3. Lecturer, MS 3 Intercession: Clinical Issues in HIV Care 2013-2016

C. Educational Presentations

*** Educational Portfolio with list of Educational Presentations available**

8. RESEARCH

A. Publications

1. Eckman M, Powers-Fletcher M, Forrester J, Fichtenbaum C, Lofgren R, Smulian A. Take Your Best Shot: Which SARS-CoV-2 Vaccine Should I Get? MDM Policy and Practice. 2021 July 1; 6 (2).

2. Robertson J, Meier M, **Wall J**, Fichtenbaum C. Immune reconstitution syndrome in HIV: Validating a case definition and identifying clinical predictors in persons initiating antiretroviral therapy. *Clin Infect Dis*. 2006 Jun 1;42(11):1639-46.
3. Terrell I, **Wall J**, Daley C, et al. YZGD from *Paenibacillus thiaminolyticus*, a Pyridoxal Phosphatase of the Haloacid Dehalogenase (HAD) Superfamily and a Versatile Member of the Nudix Hydrolase Superfamily. *Biochem J*. 2006 Mar 15;394(Pt 3):665-74.

B. Oral Presentations

1. **Forrester J**, Townsend M, Roberts K. "Bedside Concierge Service," Vizion Academic Clinical Leaders Forum, June 11-12, 2019 Chicago, IL.
2. **Forrester J**, Cohelo-Prabu N, Ying J, Fichtenbaum C. Durability of Initial HAART in HIV+ Adults: Clinical Efficacy versus Effectiveness, Internal Medicine Trainee's Grand Rounds Oral Presentation, University of Cincinnati, 2008.
3. **Wall J**, Fichtenbaum C. Long-Term Durability of Potent Antiretroviral Therapy In Treatment-Naïve HIV-Infected Persons, Midwest Regional Meeting of the Society of General Internal Medicine (Chicago, IL), September 2006.

C. Abstracts

1. **Forrester J**, Cohelo-Prabu N, Ying J, Fichtenbaum C. Efficacy versus Effectiveness: Differences in Clinical Efficacy and Effectiveness: A Comparison of Clinical Trials to Clinical Practice. Infectious Diseases Society of America Conference (Washington, DC), October 2008.
2. Robertson J, Meier M, **Wall J**, Fichtenbaum C. Case definition and clinical predictors of immune reconstitution syndrome in persons with HIV infection. Infectious Diseases Society of America Conference (San Francisco, CA), October 2005. Abstract 772
3. **Wall J**, Bryant G. Leg Pain as a Presenting Symptom of Carcinoma of the Lung, Clinical Vignette, National Meeting of the Society of General Internal Medicine (Chicago, IL), May 2004.
4. **Wall J**, Bryant G. Leg Pain as a Presenting Symptom of Carcinoma of the Lung, Clinical Vignette. Midwest Regional Meeting of the Society of General Internal Medicine (Chicago, IL), October 2004.
5. **Wall J**, Bryant G. Leg Pain as a Presenting Symptom of Carcinoma of the Lung, Clinical Vignette. American College of Physicians- Ohio State Meeting (Covington, KY), September 2004.
6. **Wall J**, David M, Fichtenbaum C. The Risk of Ischemic Disease is Significant in Persons with HIV Infection, Conference on Retroviruses and Opportunistic Infections (Seattle, WA), February 2002. Abstract 695-T


D. Interviews/ Press Briefings/ Public Service Announcements:

These article and segments include comments from Jennifer Wall Forrester, MD

1. **Dr. SMART YouTube Channel: 1/28/22** [“What to Do if you get COVID” Link: What to do if I have COVID? Treatment & Recovery at Home ~ 2022 UPDATE - YouTube](#))
2. **National Public Radio, 12/23/21:** [Morning Edition](#)
3. **WHIO- TV, 12/22/21:** [Ohio Department of Health COVID-19 Update](#)
4. **Cincinnati Enquirer, 12/16/21:** [With Christmas and Kwanzaa near and COVID-19 a risk, we ask, 'Would you do this, doc?'](#)
5. **Cincinnati Enquirer, 10/6/21:** [Boo! Halloween with COVID-19 Again? We Asked Doctors, 'Would You Do This?'](#)
6. **Cincinnati Enquirer, 8/23/21:** [Children and the Delta Variant](#)
7. **700WLW Radio, Sterling Show, 7/29/21:** [Interview with Jennifer Forrester, MD](#)
8. **Cincinnati Enquirer, 6/14/21:** [I've had the COVID-19 vaccine but my kids haven't. So what can we do this summer, doc?](#)
9. **Cincinnati Enquirer, 4/8/21:** [It's spring. You're vaccinated. We asked docs what they feel is safe, what they'd avoid](#)
10. **HealthLeaders Magazine, 4/7/21:** [UC Health Shares 4 Lessons Learned from Coronavirus Pandemic](#)
11. **Cincinnati Enquirer 3/26/21:** [Coffee Break with Katherine Nero, Facebook Live](#)
12. **Cincinnati Enquirer, 3/23/21:** [Passover, Easter are near. We asked COVID-19 experts: 'Would you do this, doc?'](#)
13. **Cincinnati Enquirer, 3/11/21:** [Coronavirus vaccines: Why younger people, women react strongly and other questions answered](#)
14. **Spectrum News One, 3/8/21:** [COVID 19 Update.](#)
15. **WLWT- TV, 3/5/21:** [Side Effects of the COVID-19 Vaccines](#)
16. **WXIX-TV, 3/3/21:** [COVID-19:Common Symptoms - Dr. Jennifer Forrester, infectious disease expert with U.C. Health](#)
17. **Cincinnati Enquirer, 2/25/21:** [UC Health doctor: Coronavirus variant likely not last](#)
18. **WVXU, 2/24/21:** [Hamilton County Must 'Continue With Our Vigilance' Against UK COVID Variant](#)
19. **WXIX-TV, 2/24/21:** [Hamilton County one of 11 in Ohio with COVID-19 variant detected](#)
20. **Hamilton County, OH, 2/24/21:** [Commissioner Driehaus holds press conference on VOCID variants.](#)
21. **Spectrum News One, 2/13/21:** [Ohioans 65 and Older Struggle to Get COVID-19 Vaccine Appointments](#)
22. **Ohio Department of Health, Public Service Announcement, 2/1/21 (began airing):** [Safety of Vaccines for COVID-19](#)
23. **WXIX-TV, 1/6/21:** [COVID-19: Fact or Fiction - Dr. Jennifer Forrester, infectious disease expert with U.C. Health](#)
24. **WKRC-TV, 12/21/20:** [Health experts say masks, social distance still needed until COVID-19 cases fall](#)
25. **WHIO- TV, 12/15/20:** [DeWine Gives COVID-19 Update](#)
26. **WHIO-TV, 12/10/20:** [DeWine Gives More Vaccine Distribution Details](#)
27. **Cincinnati Family Magazine, 12/1/20:** [The BEST of the Season](#)
28. **Cincinnati Enquirer, 11/24/20:** ['Tis the season! Or is it? We asked COVID-19 experts: 'Would you do this, doc?'](#)
29. **Cincinnati Enquirer, 11/12/20:** [COVID-19: Students return soon from college for Thanksgiving; so what would you do, doc?](#)
30. **Columbus Dispatch, 10/23/20:** [Tracking the spread: Tracing COVID-19 cases to bars and restaurants easier said than done](#)
31. **WLWT-TV, 10/14/20:** ['COVID fatigue' a factor in surge of new cases](#)

32. **Cincinnati Enquirer, 9/27/20:** [Will pandemic hamper Halloween fun? We asked COVID-19 experts, 'Would you do this, doc?'](#)
33. **Cincinnati Enquirer, 9/6/20:** [Hang onto your mask and see what COVID-19 experts say when asked, 'Would you do this, doc?'](#)
34. **WLWT-TV, 8/21/20:** [Early flu vaccine availability has some wondering if it's too soon for a flu shot](#)
35. **WKRC-TV, 7/22/20:** [What to do when someone in your household tests positive for COVID-19](#)
36. **Cincinnati Enquirer, 7/15/20:** [Would you do this, doc? This time, COVID-19 experts answer readers' kid-related questions](#)

Date: February 11, 2022

To: Mayor Aftab Pureval and Councilmember Scotty Johnson
From: Andrew W. Garth, City Solicitor 
Subject: **Resolution – Chief Eliot K. Isaac**

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING and honoring Chief Eliot K. Isaac for his distinguished career in public safety, including six years with the Cincinnati Police Department as the Police Chief.

AWG/LES(lnk)
Attachment
358002

AWB

RESOLUTION NO. _____ - 2022

RECOGNIZING and honoring Chief Eliot K. Isaac for his distinguished career in public safety, including six years with the Cincinnati Police Department as the Police Chief.

WHEREAS, Chief Eliot K. Isaac was the 15th Cincinnati Police Department Chief and has served in that position for over six years; and

WHEREAS, in 1989, Chief Isaac was promoted to Cincinnati Police Officer, serving in Districts 1 and 4; and

WHEREAS, Chief Isaac was promoted to Police Sergeant in 1997, and to Police Lieutenant in 2002, serving District 4; and

WHEREAS, Chief Isaac was promoted to Police Captain in 2004, and served as Patrol Bureau Night Chief, Patrol Bureau Administrative Liaison, District 4 Commander, as well as serving in the Internal Investigation Section, the Criminal Investigation Section, and the Patrol Administration Section; and

WHEREAS, Chief Isaac was promoted to Assistant Police Chief, Executive Officer assigned to Support Bureau in July of 2015; and

WHEREAS, Chief Isaac was promoted to Police Chief in December of 2015; and

WHEREAS, in 2016, Chief Isaac was recognized by the Cincinnati Enquirer as one of "Those Who Will Shape Our New Year" and also received the Man of Honor award from the National Sorority of Phi Delta Kappa, Inc.; and

WHEREAS, in 2017, Chief Isaac received an Emmy Award for Juncta Juvant ("Better Together") and a Certificate of Appreciation from the United States Secret Service; and

WHEREAS, in 2019, Chief Isaac received an Emmy Award for the "Shoot This. Not That." story, the Poverty Impactor Trophy from Cincinnati Works "In Recognition of Your Tireless Fight Against Poverty," and received recognition from The Abercrombie Group at their 10th Annual Men of Honor Awards Dinner; and

WHEREAS, throughout Chief Isaac's career with the Cincinnati Police Department, he served with the highest level of integrity, intelligence, fairness, and compassion; and

WHEREAS, Chief Isaac will retire, effective March 1, 2022, after diligently serving the Cincinnati Police Department and the citizens of Cincinnati for 33 years; now, therefore,

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

Section 1. That the Mayor and Cincinnati City Council hereby recognize and honor Chief Eliot K. Isaac for his distinguished career in public safety, including six years as Chief of the Cincinnati Police Department.

Section 2. That this resolution be spread upon the minutes of Council and that copies be provided to Chief Isaac through the office of Mayor Pureval.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Mayor Aftab Pureval and Councilmember Scotty Johnson

Date: February 11, 2022

To: Councilmember Reggie Harris
From: Andrew Garth, City Solicitor *AWG*
Subject: **Resolution – Black History Month Jennifer Foster**

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Jennifer Foster during Black History Month 2022 for her decades of continuous leadership and work within the Avondale Community and with organizations in the City of Cincinnati.

AWG/CMZ/(lnk)
Attachment
357930

AWB

RESOLUTION NO. _____ - 2022

RECOGNIZING and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Jennifer Foster during Black History Month 2022 for her decades of continuous leadership and work within the Avondale Community and with organizations in the City of Cincinnati.

WHEREAS, Jennifer Foster has been a dedicated single mother and surrogate mother for ten children, pouring love, time, and energy into her family while working tirelessly in her community; and

WHEREAS, Jennifer Foster has facilitated the construction, maintenance, and renovation of affordable housing within Cincinnati through her work with Cincinnati Metropolitan Housing Authority in the Architecture Department working with roofers, carpenters, and others; and

WHEREAS, Jennifer Foster played eight years for the Cincinnati Sizzle in the largest football league in the world for women, and her lifetime of commitment to her team and to Cincinnati helped to uplift others in our community; and

WHEREAS, Jennifer Foster has worked tirelessly to promote healthy lifestyles through her work on the CROWN Trail and Wasson Way Trail committees and the Avondale Walking Club, resulting in the planned expansion of Wasson Way into Avondale thereby helping to create a more walkable community and providing a safe place for enjoying nature, stress relief, and exercising; and

WHEREAS, Jennifer Foster has helped to deliver balanced food options to members of her community through her work with Green Umbrella and as a Health Champion through the Avondale Children Thrive program, and her work has helped to provide vital food services to food deserts and historically disinvested communities; and

WHEREAS, Jennifer Foster's work with the Children's Hospital Parent Partner Program has provided needed insight for improved customer service in our healthcare system to better address the needs of single mothers, children experiencing trauma, and other marginalized people; and

WHEREAS, Jennifer Foster has maintained a steadfast dedication to her community by participating in the Avondale Community Council for over a decade, where her work has promoted equitable and sustainable growth and improvements to the quality of life for all residents; and

WHEREAS, despite the gun violence she has experienced, Jennifer Foster actively works to address trauma in her community through her work with Joining Force, operating under the mantra of either "I can complain or I can do something about it," and she has completed the

Community Engagement Academy in order to further her ability to help address the impact of trauma on her community, especially on children; 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 Jennifer Foster as a 2022 City of Cincinnati Black History Month honoree for her positive impact on the City of Cincinnati and for her dedication to advancing racial justice, equality for all persons, and the protection of our sacred democracy.

Section 2. That this resolution be spread upon the minutes of Council.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Reggie Harris

202200454

Date: February 15, 2022

To: Vice Mayor Jan-Michele Lemon Kearney
From: Andrew Garth, City Solicitor *AWG*
Subject: Resolution – Black History Month Curtis J. Fuller

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING and honoring Curtis J. Fuller for his groundbreaking and innovative work in local media, his commitment to supporting and uplifting our community, and for his many contributions to the City of Cincinnati.

AWG/CMZ/(lnk)
Attachment
358168

RESOLUTION NO. _____ - 2022

RECOGNIZING and honoring Courtis J. Fuller for his groundbreaking and innovative work in local media, his commitment to supporting and uplifting our community, and for his many contributions to the City of Cincinnati.

WHEREAS, Courtis J. Fuller is an Emmy award winning veteran broadcast journalist with a broadcasting career that has spanned more than 40 years, having served as anchor for the Cincinnati NBC affiliate WLWT-TV for most of his career, and he has received numerous accolades and awards for his excellence in journalism and his tireless commitment to community service; and

WHEREAS, Courtis is a 2021 inductee in the prestigious Ohio Valley Chapter of the National Academy of Television Arts & Sciences Silver Circle, which is an elite hall of fame style honor for television professionals who have made lasting contributions to the industry and to the community for 25 or more years, and Courtis is one of the first journalists inducted into the Central Florida Association of Black Journalists and Broadcasters Hall of Fame; and

WHEREAS, Courtis has been recognized by the Ohio Society of Professional Journalists, the Cincinnati Society of Professional Journalists, the Associated Press, United Press International, the Orlando Press Club, and the Cleveland Press Club, and in 2021, the Hamilton County Board of Commissioners named a day in his honor for his many contributions to the community; and

WHEREAS, Courtis is the recipient of the prestigious Dr. Martin Luther King Jr. Award, the YMCA's Legend Award, was named one of Cincinnati's Men of Honor, and has been voted Cincinnati's Favorite TV Personality; and

WHEREAS, Courtis has consistently demonstrated professionalism, leadership, and a deep commitment to our community, and as a community advocate, Courtis led a proposal to Cincinnati City Council for an inner-city street to be renamed in honor of high school honor student Derrick Turnbow, who was tragically shot and killed; he led the effort to have the City of Cincinnati and the Cincinnati Reds honor the 50th anniversary of Jackie Robinson's entrance into Major League Baseball; and he also envisioned and produced an eight-day Cincinnati Jazz and Heritage Festival; and

WHEREAS, in 2001, Courtis stepped away from his familiar anchor desk to once again demonstrate his commitment to the City of Cincinnati, and he gained international attention as a political newcomer by winning the primary election in his bid to become the first directly elected Mayor of Cincinnati in 75 years and he received a respectable 45 percent of the vote in the general election but returned to WLWT-TV in July 2003 after hosting his own talk show on WCIN radio; and

WHEREAS, Courtis is a much sought-after speaker and the longtime host for dozens of local Cincinnati events, including the MLK Jr. Coalition King Day, Opera Goes to Church, Council of Christian Communion, Senior Citizens Hall of Fame, NAACP Freedom Fund, Cincinnati Human Relations and Midwest Regional Black Family Reunion; and

WHEREAS, Courtis is currently an advisory board member for the Cincinnati Scholarship Foundation, an honorary member of the Cincinnati Opera Board, and previously served as a member of the Cincinnati Symphony Orchestra Board, the Greater Cincinnati Tall Stacks Commission, the U.S. Department of Education's Back-to-School National Advisory Board, and the Executive Board of the National Association of Black Journalists; and

WHEREAS, Courtis believes in Cincinnati and is always looking for ways to serve his community, and in 2010, a scholarship was established in his name to help young aspiring journalists achieve their dreams; and

WHEREAS, in 2012, Courtis founded the Greater Cincinnati Association of Black Journalists, a chapter of the National Association of Black Journalists, after the Greater Cincinnati region had gone without an active chapter for almost a decade; 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 Courtis Fuller for his outstanding support for our community, his legacy as a broadcaster, and for his many contributions to the City of Cincinnati.

Section 2. That this resolution be spread upon the minutes of Council and a copy be provided to Courtis J. Fuller by the Council Office of Councilmember Jan-Michele Lemon Kearney.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Vice Mayor Jan-Michele Lemon Kearney

Date: February 10, 2022

To: Councilmember Greg Landsman
From: Andrew Garth, City Solicitor *AWG*
Subject: Resolution – Black History Month Alexis Kidd-Zaffer

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Alexis Kidd-Zaffer during Black History Month 2022 for her work with Seven Hills Neighborhood Houses, an organization that provides invaluable services to the City of Cincinnati, in particular, our West End Community.

AWG/CMZ/(lnk)
Attachment
357630

AWB

RESOLUTION NO. _____ - 2022

RECOGNIZING and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Alexis Kidd-Zaffer during Black History Month 2022 for her work with Seven Hills Neighborhood Houses, an organization that provides invaluable services to the City of Cincinnati, in particular, our West End Community.

WHEREAS, Alexis Kidd-Zaffer was born and raised in Sandusky, Ohio, before relocating to Cincinnati in 1996 to attend the University of Cincinnati and falling in love with the West End community; and

WHEREAS, after years of impressive work in public service and youth empowerment - including volunteering with the Cincinnati Youth Collaborative (CYC) - Alexis Kidd-Zaffer was appointed Executive Director of Seven Hills Neighborhood Houses (SHNH) in 2015; and

WHEREAS, since 1961, SHNH has served our West End Community through a varied, ever-growing arsenal of social services, including resources, community gathering spaces, youth programming, crime prevention initiatives, and eviction prevention efforts; and

WHEREAS, Cincinnati's West End has a powerful, storied history as a popular re-settlement neighborhood for African Americans migrating from Southern states to find work in the Queen City during slavery; as a sanctuary area for European immigrants fleeing persecution in their home countries; and as home to the oldest Jewish community west of the Allegheny Mountains, 'the birthplace of American Reform Judaism'; and

WHEREAS, by the 1930s, the West End was a cultural, religious, and social hub, home to 70 percent of Cincinnati's African American population and established branches of prominent civic organizations, such as the National Association for the Advancement of Colored People (NAACP), Universal Negro Improvement Association (UNIA), and the Negro Civic Welfare Association; and

WHEREAS, the 1944 Federal Highway Act and the ensuing construction of I-75 set in motion decades of institutionally-enshrined demolition of the neighborhood's built environment - including hundreds of businesses and places of worship, and 10,000 homes - and displaced thousands of West End residents under the guise of 'urban renewal' and 'slum removal'; and

WHEREAS, this destruction and the following years of disinvestment is intrinsically linked to the West End currently being one of our poorest neighborhoods, with the fourth lowest average income, the fourth highest infant mortality rate, and among the lowest life expectancy in all of Cincinnati; and

WHEREAS, using the 'settlement house' model of service, SHNH was created in the shadows of this history, ensuring Cincinnati leaders and investors listen to the voices of low-

income residents, and plays an indispensable role in shaping, preserving, and reviving the West End neighborhood through affordable housing advocacy, anti-displacement initiatives, and community outreach efforts; and

WHEREAS, SHNH annually serves as a 'safe-haven' for approximately 2,500 - 3,000 at-risk children, teens, families, seniors, and disadvantaged citizens; and

WHEREAS, under the leadership of Alexis Kidd-Zaffer, SHNH grew from a small group of dedicated volunteers to a robust and financially stable organization with a broad network of partners and full- and part-time employees; and

WHEREAS, during unprecedented regional and national emergencies, Alexis Kidd-Zaffer and SHNH have spearheaded collaborative initiatives to support residents in crisis, such as opening remote learning sites and trauma-care telehealth services, and providing food delivery to senior homes during the COVID-19 pandemic; and

WHEREAS, Cincinnati, and in particular, the West End neighborhood, is an undeniably happier, healthier, and more prosperous place because of the loving, compassionate leadership of Alexis Kidd-Zaffer and her lifelong dedication to fulfilling the fundamental human needs of her neighbors; 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 Alexis Kidd-Zaffer for her work with Seven Hills Neighborhood Houses, an organization that provides invaluable services to the City of Cincinnati, and in particular, our West End Community.

Section 2. That this resolution be spread upon the minutes of Council.

Passed: _____, 2022

Attest: _____

Aftab Pureval, Mayor

Submitted by Councilmember Greg Landsman

Date: February 10, 2022

To: Councilmember Victoria Parks
From: Andrew Garth, City Solicitor *AWG*
Subject: Resolution – William Earl “Bootsy” Collins

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to William Earl “Bootsy” Collins during Black History Month 2022 for his contributions to the music world, his advocacy, and his years of dedication to the City of Cincinnati through the Bootsy Collins Foundation.

AWG/CFG(lnk)
Attachment
357636

RESOLUTION NO. _____ - 2022

RECOGNIZING and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to William Earl “Bootsy” Collins during Black History Month 2022 for his contributions to the music world, his advocacy, and his years of dedication to the City of Cincinnati through the Bootsy Collins Foundation.

WHEREAS, William Earl Collins, professionally known as “Bootsy,” is a leading figure in the world of music, particularly in the funk genre; and

WHEREAS, Bootsy has been active in music for over 50 years, beginning his career at the historic King Records building, still standing at 1540 Brewster Avenue, in the City of Cincinnati; and

WHEREAS, Bootsy applied his considerable influence in the City to help lead the revitalization of the King Records building; and

WHEREAS, he has been recognized as one of the greatest bass players of all time, and was inducted into the Rock and Roll Hall of Fame in 1997; and

WHEREAS, he has collaborated with a variety of musical superstars, including James Brown, Snoop Dogg, Keith Richards, Cyndi Lauper, Bruno Mars, and the Red Hot Chili Peppers; and

WHEREAS, Bootsy and his wife Patricia (“Patti”) Ann Collins have been leading members and spokespersons of the Oral Health Coalition, improving oral health care in Hamilton County, Ohio; and

WHEREAS, Bootsy and Patti Collins have established the Bootsy Collins Foundation to inspire, educate, and enrich the lives of individuals from all backgrounds; 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 William Earl “Bootsy” Collins during Black History Month 2022 for his contributions to the music world, his advocacy, and his years of dedication to the City of Cincinnati through the Bootsy Collins Foundation.

Section 2. That this resolution be spread upon the minutes of Council.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Victoria Parks

Date: February 10, 2022

To: Councilmember Mark Jeffreys
From: Andrew Garth, City Solicitor *AWG*
Subject: **Resolution – Municipalities to Establish Speed Limits**

Transmitted herewith is a resolution captioned as follows:

EXPRESSING the support of the Mayor and City Council for a revision to Ohio Revised Code Sections 4511.06 and 4511.21 to allow municipalities like the City of Cincinnati to establish their own speed limits on roads within their jurisdiction.

AWG/CMZ/(lnk)
Attachment
356870

AWB

RESOLUTION NO. _____ - 2022

EXPRESSING the support of the Mayor and City Council for a revision to Ohio Revised Code Sections 4511.06 and 4511.21 to allow municipalities like the City of Cincinnati to establish their own speed limits on roads within their jurisdiction.

WHEREAS, the rate of pedestrian fatalities and injuries due to vehicular accidents related to excessive speed has continued to climb, with a 20% increase in pedestrian deaths by car crashes from 2019 to 2020 despite a decrease in vehicular traffic within that same time period; and

WHEREAS, the solution to this issue is multifaceted, including redesigning roads to calm traffic on city streets with Complete Streets plans, enforcement of speed limits, and lowering speed limits; and

WHEREAS, there are several residential streets in Cincinnati characterized by children playing and families walking that have speed limits that allow cars to drive 40-50 mph, often resulting in unnecessary deaths; and

WHEREAS, Ohio Revised Code Section 4511.21 precludes municipalities from establishing speed limits on streets within their own jurisdiction without approval from the Ohio Department of Transportation; and

WHEREAS, this prohibition infringes on Ohio municipalities' ability to address excessive speeding in a way that protects the health and safety of their residents; now, therefore,

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

Section 1. That the Mayor and this Council ask the Ohio General Assembly to amend Sections 4511.06 and 4511.21 of the Ohio Revised Code to enable municipalities to establish speed limits within their own jurisdictions on all thoroughfares except for highways within the city limits.

Section 2. That this resolution be spread upon the minutes of Council and that copies of this resolution be provided to the Ohio Department of Transportation, State Senators Thomas,

Blessing, III, and Wilson, and State Representatives Abrams, Ingram, Brinkman, Seitz, Kelly, and Denson through the office of Councilmember Jeffreys.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmembers Jeffreys

Date: February 10, 2022

To: Councilmember Meeka Owens
From: Andrew Garth, City Solicitor *AWG*
Subject: **Resolution – Cardinal Land Conservancy**

Transmitted herewith is a resolution captioned as follows:

EXPRESSING the support of the Mayor and Council of the City of Cincinnati for the application for a grant from the 2022 Clean Ohio Conservation Fund, NRAC 2, Round 16, by the Cardinal Land Conservancy on behalf of the Cincinnati Waldorf School, for the purchase of approximately 19 acres of land by the Cardinal Land Conservancy from the Cincinnati Waldorf School, in order to create a permanent nature preserve within the City of Cincinnati, adjacent to the former Bahr Family Farm, the last family farm within the City.

AWG/CFG(lnk)
Attachment
357617

RESOLUTION NO. _____ - 2022

EXPRESSING the support of the Mayor and Council of the City of Cincinnati for the application for a grant from the 2022 Clean Ohio Conservation Fund, NRAC 2, Round 16, by the Cardinal Land Conservancy on behalf of the Cincinnati Waldorf School, for the purchase of approximately 19 acres of land by the Cardinal Land Conservancy from the Cincinnati Waldorf School, in order to create a permanent nature preserve within the City of Cincinnati, adjacent to the former Bahr Family Farm, the last family farm within the City.

WHEREAS, the Cardinal Land Conservancy, formerly known as the Citizens Land Conservancy of Hamilton County ("the Conservancy"), a non-profit 501(c)(3) land preservation organization and land trust, has worked since 1999 to preserve land in Hamilton County and elsewhere in southwest Ohio for farmland, natural areas, and open space, focusing on preservation of regional lands with natural, recreational, scenic, historic, or agricultural value; and

WHEREAS, the Conservancy seeks a resolution of support from the City of Cincinnati for the award of a grant from the State of Ohio 2022 Clean Ohio Conservation Fund ("the Fund"), which would allow the Conservancy to create a permanent nature preserve on approximately 19 acres of wooded hillside adjacent to the last family farm within the City; and

WHEREAS, the Cincinnati Waldorf School ("Waldorf School") intends to sell certain real property more particularly described as Hamilton County, Ohio parcel nos. 237-0002-0016 and 237-0002-0046 ("the Property") and identified in Attachment A to this Resolution, to the Conservancy at a reduced price in coordination with the Conservancy's intention to apply for a grant from the Fund to help preserve the Property in its natural wooded hillside state, and support the continued agricultural use of the immediately adjacent property as a farmstead; and

WHEREAS, Council has received a request from the Conservancy and landowner Waldorf School for support of the Conservancy's application to the State of Ohio for grant funds to purchase the Property; and

WHEREAS, Council further acknowledges that the requirements of the Fund require a least a 25 percent match for the project costs, to be provided by the Waldorf School; and

WHEREAS, Council finds that the request for the preservation of the Property as open space and natural habitat, through nomination of the Property for the Fund program, is compatible with the long-range goals regarding greenspace preservation for the City; now, therefore,

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

Section 1. That the Mayor and this Council support the application for a grant from the 2022 Clean Ohio Conservation Fund, NRAC 2, Round 16, by the Cardinal Land Conservancy on

behalf of the Cincinnati Waldorf School, for the purchase of approximately 19 acres of land by the Cardinal Land Conservancy from the Cincinnati Waldorf School, in order to create a permanent nature preserve within the City of Cincinnati, adjacent to the former Bahr Family Farm, the last family farm within the City.

Section 2. That Council has determined that the purchase of the nominated land and its proposed use as a permanent nature preserve is compatible with the long-range land use goals of the City of Cincinnati.

Section 3. That Council acknowledges that as the sponsor, Cardinal Land Conservancy, has agreed to hold, monitor, and supervise the land to be purchased with 2022 Clean Ohio Conservation Fund grant monies, and will do so in conjunction with the rights of the Ohio Public Works Commission, according to the terms of the 2022 Clean Ohio Conservation Fund.

Section 4. That Council acknowledges that, per the 2022 Clean Ohio Conservation Fund requirements, the Cincinnati Waldorf School as landowner is required to donate a local match of at least 25 percent of the appraised property value, and that Council appreciates this commitment by the landowners who voluntarily participate in the program.

Section 5. That this resolution be spread upon the minutes of Council, and that a copy be sent to the Cardinal Land Conservancy, c/o Mr. Andy Dickerson, 790 Garfield Avenue, P.O. Box 957, Milford, Ohio 45150.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Meeka D. Owens

ATTACHMENT A TO RESOLUTION _____

2022 Clean Ohio Conservation Fund, NRAC 2,
properties nominated for preservation by
Local Sponsor Cardinal Land Conservancy, Inc.



PROJECT NAME: Winton Road Nature Preserve

Hamilton County, Ohio, Auditor Parcels (partial)

Titled in the name of Cincinnati Waldorf School:

023700020016

023700020046

collectively containing 19 acres, more or less (the "Property").

An aerial map depicting the parcels and adjacent farm has also been provided to the City and will be shared with the College Hill Area Council and the Hamilton County Commissioners.



P.O. Box 957
Milford, Ohio 45150

(513) 752-2828

CardinalLandConservancy.org

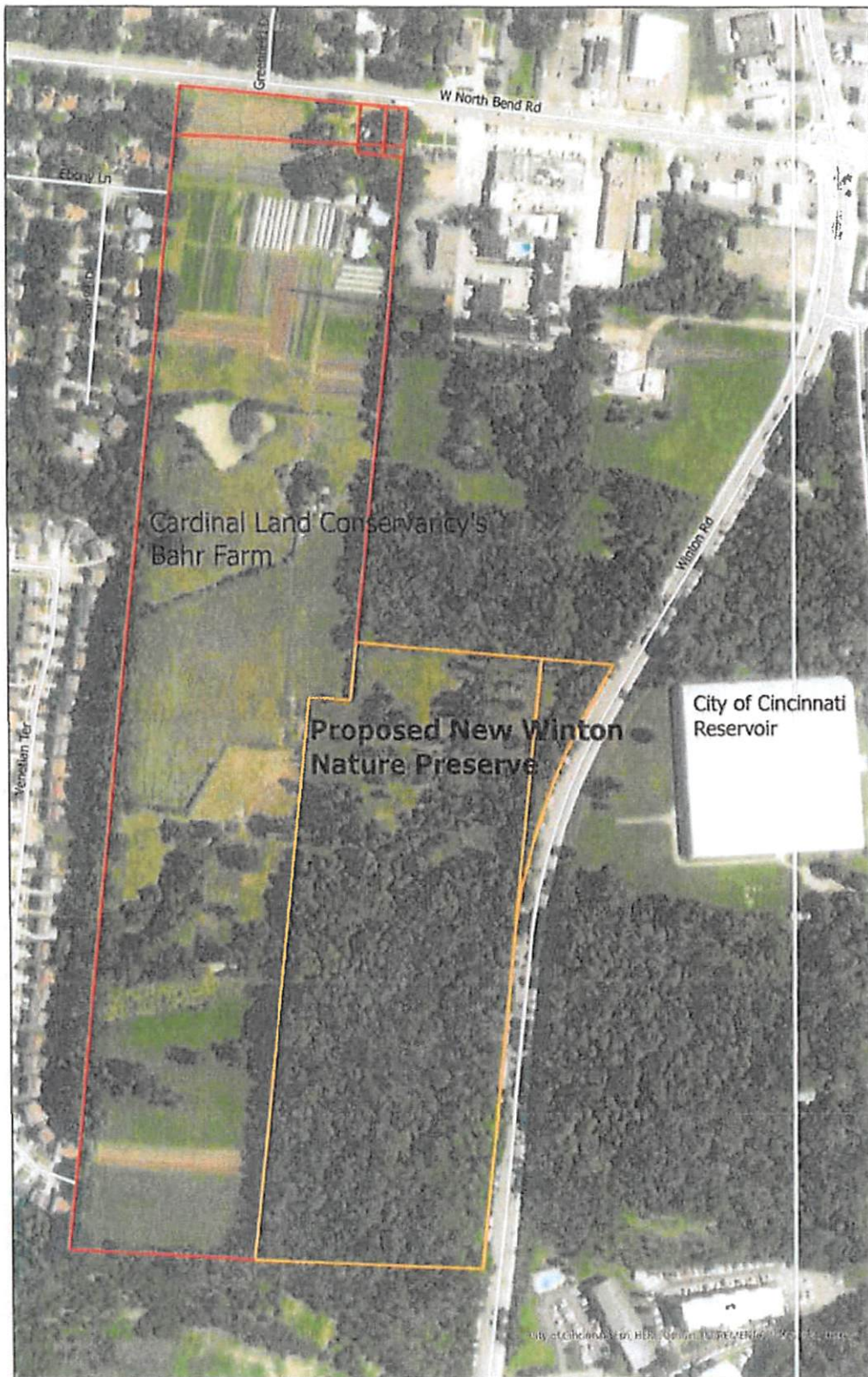
Cardinal Land Conservancy – New Nature Preserve on Winton Road

Cardinal Land Conservancy is a non-profit land trust with over 8,000 acres of protection in our portfolio throughout the seven counties in southwest Ohio. Last year, we attained ownership of the last family farm in the City of Cincinnati – the Bahr Farm. It is 32 acres located off of North Bend Road near Winton Road. We are hosting Our Harvest Cooperative as a tenant who have multiple greenhouses where they grow produce for local families and work with Cincinnati State's Horticulture Department to train young people how to grow food. We have the opportunity to purchase the adjoining 20 acres to add to our protected farm. We intend to apply for a Clean Ohio Greenspace Grant to purchase the property and seek a resolution of support from you as required by the application guidelines. The money comes from the State of Ohio as approved by the voters of Ohio in bipartisan fashion back in 2001.

The Waldorf School is a thrilled and willing participant in the creation of this new nature preserve in the City of Cincinnati and look to continue to work with Cardinal to add value over time to this valuable piece of local natural heritage. We hope to develop passive recreational trails so people can enjoy the views of the heavily wooded ravine, associated creek and wildlife. Having this property deed restricted by the State of Ohio will also help to permanently protect a buffer to the City's Waterworks Reservoir located on the adjacent parcels at 5930 Winton Road.



Winton Nature Preserve



250
Feet



February 9, 2022

To: Mayor and Members of City Council

From: John C. Curp, Interim City Manager

Subject: **Ordinance – Removal of Density Restrictions from Zoning Code**

Transmitted is an Ordinance captioned:

MODIFYING Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by amending the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415-09, "Development Regulations," to reduce or remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

Summary

On May 7, 2021, the Department of City Planning received an Ordinance sponsored by Councilmember Liz Keating that would remove land area/unit (density) limitations in the zoning code to allow for construction of more housing within Multi-Family, Office, Commercial, Urban Mix, Manufacturing, and Riverfront zoning districts. The removal of these limitations is among the strategies the City Administration recommended for increasing the supply, availability, and affordability of housing within the City in a March 16, 2021 report to City Council. Upon receipt of this Ordinance, the Department of City Planning initiated the process for its consideration by the City Planning Commission and City Council.

The proposed ordinance only impacts zoning regulations that impose land area/unit (density) limitations. There are other forms of regulating density in the zoning code that this proposed ordinance does not impact—including use restrictions, building height, setbacks, Overlay Districts (Historic, Hillside, Urban Design), parking requirements, etc. Density in Single-Family zoning districts is not affected by this proposal, as density in these areas is primarily regulated by minimum lot size versus a land area/unit limitation.

The proposed elimination of density restrictions is consistent with *Plan Cincinnati* (2012) and the *Green Cincinnati Plan* (2018)

The City Planning Commission failed to approve the zone change at their February 4, 2022 meeting.

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

**Honorable City Planning Commission
Cincinnati, Ohio**

SUBJECT: A report and recommendation on proposed zoning text amendments to modify Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by amending the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415-09, "Development Regulations," to reduce or remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

EXHIBITS:

Provided in addition to this report are:

- Exhibit A – Original Ordinance by Councilmember Liz Keating
- Exhibit B – Revised proposed Ordinance by Councilmember Liz Keating after initial public comment
- Exhibit C – Council report 202100478
- Exhibit D – Maps of affected zoning districts by neighborhood
- Exhibit E – Density variances approved by the Historic Conservation Board since 2017
- Exhibit F – Correspondence before the June 4, 2021, City Planning Commission meeting
- Exhibit G – Correspondence after the June 4, 2021, City Planning Commission meeting

BACKGROUND:

On May 7, 2021, the Department of City Planning and Engagement received an Ordinance sponsored by Councilmember Liz Keating that would remove land area/unit (density) limitations in the Zoning Code to allow for construction of more housing within Residential Multi-Family, Office, Commercial, Urban Mix, Manufacturing, and Riverfront zoning districts. The removal of these limitations is among the strategies the City Administration recommended for increasing the supply, availability, and affordability of housing within the City in a March 16, 2021 report to City Council (Exhibit C). Upon receipt of this proposed Ordinance, the Department of City Planning and Engagement initiated the process for its consideration by the City Planning Commission and City Council.

The original proposed Ordinance was presented to the City Planning Commission on June 4, 2021. During this meeting, residents and neighborhood leaders expressed concern that neighborhoods were not given enough time to review the proposal. The City Planning Commission held the proposal and asked City Planning and Engagement staff to do additional education and outreach. After the feedback from the meeting, the website was updated with additional information to help make this proposal easier to understand. Councilmember Keating's office also conducted additional outreach to neighborhood leaders and through Invest in Neighborhoods.

A second public staff conference was held on August 4, 2021. After the feedback received at this meeting from neighborhood leaders, the Ordinance was amended to allow for double the density in Residential Multi-Family (RM-0.7, RM-1.2, and RM-2.0) instead of allowing unlimited density, along with limiting the permitted maximum building height in the RM-0.7 zoning district to 50 feet instead of an unlimited height tied to additional building setbacks from property lines. All other development regulations still apply.

A third public staff conference to discuss the changes to this proposal was held on December 14, 2021. The proposed revised Ordinance only impacts zoning regulations that impose land area/unit (density) limitations. There are other forms of regulating density in the Zoning Code that this proposed revised Ordinance does not

impact—including use restrictions, building height, setbacks, Overlay Districts (Historic, Hillside, Urban Design), parking requirements, etc. Density in Single-Family zoning districts is not affected by this proposal, as density in these areas is primarily regulated by minimum lot size versus a land area/unit limitation.

The proposed changes are to:

Section 1405-07 “Development Regulations – Multi-Family”

- Removes the minimum lot size requirement of 2,500 square feet per residential unit for two and three-family dwellings in the Residential Mixed 1-3 family (RMX) zoning district. It does not allow for more than 3 units per lot.
- Changes the minimum lot size requirement of 2,000 square feet per residential unit to 1,000 square feet per residential unit for two-family and multi-family dwellings in the Residential Multi-Family 2.0 (RM-2.0) zoning district.
- Changes the minimum lot size requirement of 1,200 square feet per residential unit to 600 square feet per residential unit for two-family and multi-family dwellings in the Residential Multi-Family 1.2 (RM-1.2) zoning district.
- Changes the minimum lot size requirement of 700 square feet per residential unit to 350 square feet per residential unit for two-family and multi-family dwellings in the Multi-Family 0.7 (RM-0.7) zoning district.
- Changes the maximum height in the Multi-Family 0.7 (RM-0.7) zoning district from unlimited to a maximum of 50 feet.

Section 1407-07 “Development Regulations – Office Districts”

- Removes the minimum lot size requirement of 1,200 square feet per residential unit in the Office Limited (OL) zoning district.
- Removes the minimum lot size requirement of 700 square feet per residential unit in Office General (OG) zoning district.

Section 1409-09 “Development Regulations – Commercial Districts”

- Removes the minimum lot size requirement of 700 square feet per residential unit (new construction) in all Commercial zoning districts.
- Removes the minimum lot size requirement of 500 square feet per residential unit (using an existing building) in all Commercial zoning districts.

Section 1410-07 “Development Regulations – Urban Mix”

- Removes the minimum lot size requirement of 700 square feet per residential unit.
- Removes the minimum lot size requirement of 700 square feet per residential unit for interior and exterior row houses.
- Removes the minimum lot size requirement of 2,000 square feet for “other uses.”

Section 1413-07 “Development Regulations – Manufacturing Districts”

- Removes the minimum lot size requirement of 2,000 square feet per dwelling unit in the Manufacturing Limited (ML) zoning district.

Section 1415-09 “Development Regulations – Riverfront Districts”

- Removes the minimum lot size requirement of 2,000 square feet per dwelling unit in the Riverfront Residential/Recreational (RF-R) zoning district.

A full list of proposed changes is attached in the Ordinance as Exhibit B.

PUBLIC COMMENT:

The first public staff conference was held on May 25, 2021, via Zoom. Notice was sent to all active Community Councils and Community Development Corporations via email and regular mail since this proposal would make text amendments to the Zoning Code, which is applied City-wide. Besides City staff, six people attended the initial public staff conference.

There were questions as to how this would affect more traditional neighborhoods outside of the urban core neighborhoods close to downtown since commercial and multi-family zoning districts could be built denser. There were also questions if this would incentivize demolishing older existing historic structures to build new buildings at a higher density. Many of these older buildings have little or no parking, so demolishing them would require current parking requirements to be met.

A Pendleton resident stated concerns that removing density requirements on top of Urban Parking Overlay District #1: Urban Core, which removed off-street parking requirements, would negatively impact Pendleton, where she stated street parking is full even for existing residents, not including commercial activity. She also stated that public parking garages are not convenient for Pendleton and are expensive. There were also questions about certain projects in Oakley and how those were approved and if they benefited from this proposal. There were also concerns from several attendees about notification and that there was not enough time for Community Councils to react.

Staff received a letter from the Northside Planning and Zoning Committee which is generally supportive of the proposed changes. Staff also received a letter from a Northside resident who is opposed to the changes.

A second public staff conference was held on August 4, 2021 via Zoom. Notice was sent to all active Community Councils and Community Development Corporations via email and regular mail. Anyone who had signed up for the previous public staff conference or City Planning Commission meeting also received an email notification.

General statements of support included that more housing is needed at all price points, as more housing units at any price point would help to allow demand pressure to slow, that solving the lack of housing supply requires incremental, broad-based changes are needed to help bring down housing costs, and that many smaller development projects aren't feasible without adding a government subsidy or additional density.

General statements of concern were that these changes are too broad based instead of looking at them neighborhood by neighborhood, that adding additional density could overburden additional infrastructure, that this proposal could make it easier to steer additional low-income housing into low-income neighborhoods, that this proposal negatively affects Over-the-Rhine and Pendleton as there are no off-street parking requirements in those neighborhoods, and that families need three bedroom units, when most units in higher density developments are one or two bedroom units. The question was also asked why the City isn't looking at amending single-family zoning districts as well. Another legislative proposal is being discussed to allow accessory dwelling units (ADUs) in single-family zoning districts, which was a proposal originating from the Property Tax Working Group.

A third public staff conference was held on December 14, 2021 via Zoom. Notice was sent to all active Community Councils and Community Development Corporations via email and regular mail. Anyone who had signed up for a previous public staff conference or City Planning Commission meeting also received an email notification. At this meeting, the proposed changes to residential multi-family zoning districts were presented, statements of support and opposition were generally unchanged, specifically the points that the City needs more housing that is more affordable, and although the City looks at housing as a regional issue, the changes should be made on a neighborhood level instead of a blanket approach across the City.

Throughout this process, Councilmember Keating's Office attended Community Council meetings and Invest in

Neighborhoods meetings to present and answer questions related to this topic.

City Planning and Engagement staff have also received several letters on this topic, including one from Invest in Neighborhoods, which provided a summary of participating neighborhoods. The letters of support and opposition generally echo the feedback received at the three public staff conferences and City Planning Commission meetings, and are attached as Exhibit F.

ANALYSIS:

This proposal affects approximately 25% of land area in the City. Maps of how this proposal would affect each neighborhood are attached as Exhibit D. The existing land area/unit density regulations are an obstacle to creating high density housing and walkable, pedestrian-friendly, mixed-use environments. Additionally, the historic purpose for this type of density regulation was to regulate development for public safety and health reasons—a concern that is now adequately addressed by modern building codes, fire codes, and other government regulation. Lifting these existing density requirements will simplify the approval process for the creation of dense housing developments, encouraging increased housing supply and promoting housing affordability.

Under existing regulations, the minimum density is based on the zoning district for new construction:

| Zoning District | Density Requirement for Multi-family |
|--------------------------------------------|--------------------------------------------------------------------------|
| Residential Mixed (RMX) | 2,500 SF per unit/parcel area |
| Residential Multi-family 2.0 (RM-2.0) | 2,000 SF per unit/parcel area |
| Residential Multi-family 1.2 (RM-1.2) | 1,200 SF per unit/parcel area |
| Residential Multi-family 0.7 (RM-0.7) | 700 SF per unit/parcel area |
| Office Limited (OL) | 1,200 SF per unit/parcel area |
| Office General (OG) | 700 SF per unit/parcel area |
| All Commercial Districts | 700 SF per unit/parcel area (new) 500 SF per unit/parcel area (existing) |
| Urban Mix (UM) | 700 SF per unit/parcel area |
| Manufacturing Limited (ML) | 2,000 SF per unit/parcel area |
| Riverfront Residential/Recreational (RF-R) | 2,000 SF per unit/parcel area |

Much of the City's historic building stock has density in excess of currently permitted levels. For example, most residential buildings in Cincinnati's oldest neighborhoods (Over-the-Rhine, West End, Lower Price Hill, Northside, Mount Auburn, Mount Adams, Walnut Hills, etc.) that were built in the late 1800s or early 1900s have a higher density than 500 square feet of land area per unit. Even in commercial districts, where rehabbing an existing building has the lowest density requirements at 500 square feet per unit/parcel area, many existing buildings still do not meet this requirement and require a density variance from the Zoning Hearing Examiner or extensive renovations will be required to the building to convert it to less units. These examples typically happen in older neighborhoods, where buildings were constructed before zoning requirements were in place. For example, the historic San Marco apartments in East Walnut Hills on the corner of Gilbert Avenue and Madison Road has 30 units for a residential density of 217.8 square feet of land area per unit. Many other units, such as the "four-plex" buildings throughout Cincinnati often do not meet minimum density requirements and would have to go through a variance process if they sit vacant for more than 365 days. Requirements for variances add time, cost, and uncertainty to the development process—creating a disincentive for development of housing. Further, allowing more units per building drives down the per unit development costs of housing development by allowing for economies of scale. Therefore, removal of land area/unit limitations both eliminates a disincentive and creates an incentive for housing production.

The proposed revised Ordinance only impacts zoning regulations that impose land area/unit (density) limitations. There are other forms of regulating density in the Zoning Code that this proposed revised Ordinance does not

impact and still remain—including use regulations, building height, setbacks, Overlay Districts (Historic, Hillside, Urban Design), parking requirements, etc. Density in Single-Family zoning districts is not affected by this proposal, as density in these areas is primarily regulated by minimum lot size and not a land area/unit limitation.

Reducing or removing land area/unit density limitations could encourage the development of denser housing projects, increasing housing supply and promoting housing affordability. Though there are still other regulations that impact density, the removal of land area/unit density limitations is an important step to increasing supply and to expand the City's tax base, improve housing affordability, support neighborhood small businesses, be more sustainable, promote desegregation, and reduce blight.

CONSISTENCY WITH PLANS:

The proposed text amendments are consistent with several areas of *Plan Cincinnati* (2012), including the vision of Thriving Re-Urbanization (p. 71), along with the Guiding Policy Principles to “Increase our Population” (p. 74), “Build on our Assets” (p. 75), and to “Be aggressive and strategic in future growth and development” (p. 77). A short-range strategy under the Live Initiative Area is to “Revise the City’s Building and Zoning Codes...with standards that emphasize traditional neighborhood development over suburban development” (p. 157) and the Sustain Initiative Area to “Develop changes to zoning regulations to remove barriers to the adaptive reuse of buildings” (p. 197).

A recommendation in the *Green Cincinnati Plan* (2018) is to “Encourage population density and transit-oriented development in appropriate locations through zoning and incentives” (p. 50).

The existing minimum density regulations emphasize suburban development patterns, obstruct the renovation and rehabilitation of existing buildings, and endanger the urban fabric and historic character of the city by lowering the desired density in this area, contrary to the recommendations of these plans and existing development patterns. Though these City and neighborhood plans also provide additional strategies to increase the number of affordable housing units within the City to ensure everyone has a place to live, increasing the allowable density is an important step to increasing affordability within the urban core.

CONCLUSIONS:

The proposed elimination of land area/unit density limitations for multi-family housing will remove a disincentive and create an incentive for development of dense housing projects by removing the need for density variances and leveraging economics of scale efficiencies to reduce the cost per unit of development. By encouraging an increase in supply of housing, this proposal will promote housing affordability. The proposed zoning regulations affect land area/unit (density) limitations; however, this proposal does not impact other forms of density regulation in the Cincinnati Zoning Code—including use restrictions, building height, setbacks, Overlay Districts (Historic, Hillside, Urban Design), parking requirements, etc. Further, density in Single-Family zoning districts is not affected by this proposal, as density in these areas is primarily regulated by minimum lot size and not a land area/unit limitation.

RECOMMENDATION:

The staff of the Department of City Planning and Engagement recommends that the City Planning Commission take the following actions:

APPROVE the proposed zoning text amendments to modify Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by amending the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415- 09, "Development Regulations," to reduce or remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

Respectfully Submitted:



James Weaver, AICP, Senior City Planner
Department of City Planning and Engagement

Approved:



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

Date: May 7, 2021

To: Councilmember Liz Keating
From: Andrew Garth, City Solicitor *AWG*
Subject: Ordinance – Removal of Density Restrictions from Zoning Code

Transmitted herewith is an emergency ordinance captioned as follows:

MODIFYING Title XIV, “Zoning Code of the City of Cincinnati,” of the Cincinnati Municipal Code by **AMENDING** the provisions of Section 1405-03, “Specific Purposes of Multi-Family Subdistricts,” Section 1405-07, “Development Regulations,” Section 1407-07, “Development Regulations,” Section 1409-09, “Development Regulations,” Section 1410-07, “Development Regulations,” Section 1413-07, “Development Regulations,” and Section 1415-09, “Development Regulations,” to remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

AWG/MEH/(Ink)
Attachment
336148



City of Cincinnati

MEH

AWB

An Ordinance No. _____

- 2021

MODIFYING Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by **AMENDING** the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415-09, "Development Regulations," to remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

WHEREAS, in response to City Council's desire to increase the supply and availability of housing that is affordable across a broad spectrum, the Administration has explored a number of strategies that would facilitate the production of housing in the city, which strategies are more particularly described in a March 16, 2021 report to the Council (item no. 202101105); and

WHEREAS, the Administration's recommendations for increasing the housing supply include a recommendation to legislatively streamline housing production by, among other things, lifting density restrictions in certain targeted areas; and

WHEREAS, the Council hereby resolves to lift density restrictions in certain targeted areas to remove a barrier to the creation of housing in the city, consistent with its desire to increase the supply and availability of housing; and

WHEREAS, at its regularly scheduled meeting on _____, the City Planning Commission reviewed the proposed amendments to the zoning code and recommended their approval, finding them to be in the interest of the public's health, safety, morals, and general welfare; and

WHEREAS, a committee of Council held a public hearing on the proposed text amendments following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the proposed text amendments; and

WHEREAS, the text amendments are consistent with Plan Cincinnati (2012), including the "Live" goal to "provide a full spectrum of housing options, and improve housing quality and affordability" (p. 164); and

WHEREAS, the Council finds the proposed text amendments 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 Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-03. - Specific Purposes of the Multi-Family Subdistricts.

The specific purposes of the RM Residential Multi-family subdistricts are to create, maintain and enhance neighborhood residential areas with multi-family housing that are typically located near the city's major arterials and characterized by a mix of attached housing, small and large multi-unit buildings and community facilities, where appropriate. Future development will be primarily residential in character, although some small-scale public and non-residential uses on the ground floor in a mixed use building on an arterial street may be allowed with specific limitations. Four RM District subdistricts are established:

- (a) *RMX Residential Mixed*. This subdistrict is intended to create, maintain and enhance areas of the city that have a mix of lot sizes and house types at moderate intensities (one to three dwelling units). Existing multi-family buildings of four or more units are acknowledged but new construction is not permitted.
- (b) *RM-2.0 Multi-family*. This subdistrict is intended to provide for a medium density mix of residential housing predominantly duplexes and multi-family on lots that have already been platted. The scale of buildings is generally similar to a large single-family home on a small lot. Where land is assembled, the same scale should be maintained. ~~The minimum land area for every dwelling unit is 2,000 square feet.~~
- (c) *RM-1.2 Multi-family*. This subdistrict is intended to provide for mixed residential uses at moderately high densities. This is an intense district with an urban character. ~~The minimum land area for every dwelling unit is 1,200 square feet.~~
- (d) *RM-0.7 Multi-family*. This subdistrict is the most intense residential district and it will normally consist of tall multi-family or condominium structures. The character is intended to be urban and should be used where high intensity residential is needed to provide a residential base for important commercial areas. ~~The minimum land area for every dwelling unit is 700 square feet.~~

FIGURES 1405-03-A-D The following illustrations represent examples of the multi-family districts in this chapter:

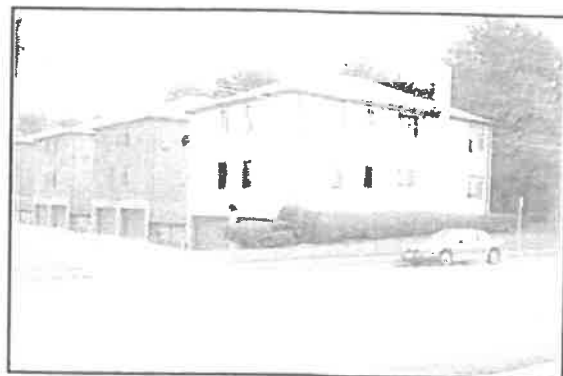


Figure 1405-03-A, B

Exhibit A

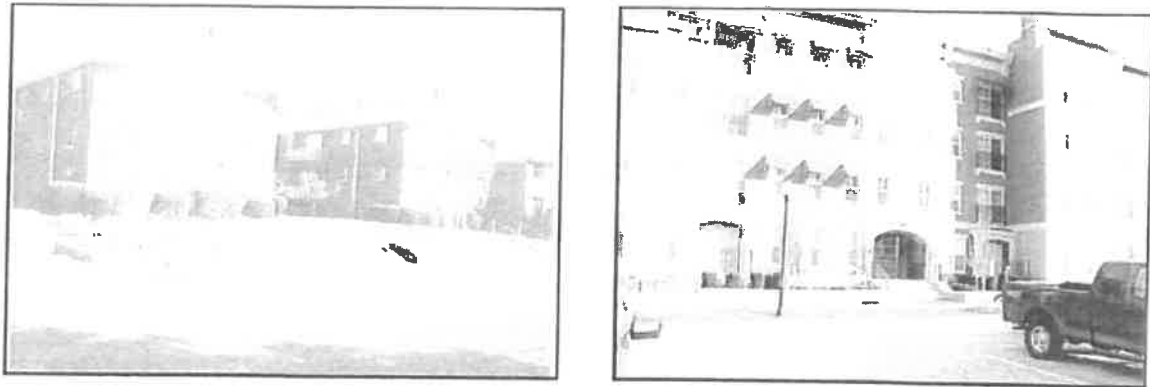


Figure 1405-03-C, D

Section 2. That existing Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," of the Cincinnati Municipal Code is hereby repealed.

Section 3. That Section 1405-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-07. - Development Regulations.

Schedule 1405-07 below prescribes the development regulations for the RM Districts, including lot area for every unit, minimum lot width, setbacks and maximum height. Figure 1405-07 illustrates the setbacks for the RM Districts. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

Schedule 1405-07 Development Regulations - Residential Multi-family Districts

| Building Form and Location | Lot Area (sq. ft.) | Lot Area/Unit (sq. ft.) | Lot width (ft.) | Setbacks (ft.) | | | |
|----------------------------|--------------------|-------------------------|-----------------|----------------|----------------------|-----------|----------------------|
| | | | | Front Yard | Side Yard Min./Total | Rear Yard | Maximum Height (ft.) |
| RMX single-family | 2,500 | — | 25 | 20 | 0/5 | 20 | 35 |
| RMX rowhouse exterior | 2,500 | — | — | 20 | 0/5 | 20 | 35 |
| RMX rowhouse interior | 2,000 | — | — | 20 | 0/0 | 20 | 35 |
| RMX two-family | 5,000 | 2,500 | 25 | 20 | 3/6 | 20 | 35 |
| RMX three-family | 7,500 | 2,500 | 25 | 20 | 3/6 | 20 | 35 |

Exhibit A

| | | | | | | | |
|--------------------------|-------|-------|----|-----------------|-------------------|-----------------|----|
| RMX other | | | 25 | 20 | 3/6 | 20 | 35 |
| | | | | | | | |
| RM 2.0 single-family | 2,000 | — | 25 | 20 | 0/5 | 20 | 35 |
| RM 2.0 rowhouse exterior | 2,500 | — | — | 20 | 0/5 | 20 | 35 |
| RM 2.0 rowhouse interior | 2,000 | — | — | 20 | 0/0 | 20 | 35 |
| RM 2.0 two-family | 4,000 | 2,000 | 25 | 20 | 3/6 | 20 | 35 |
| RM 2.0 multi-family | — | 2,000 | — | 20 ¹ | 5/17 ³ | 35 | 45 |
| RM 2.0 other | | | 25 | 20 ¹ | 5/17 ³ | 35 | 45 |
| | | | | | | | |
| RM 1.2 single-family | 2,000 | — | 25 | 20 | 0/5 | 20 | 35 |
| RM 1.2 rowhouse exterior | 2,000 | — | — | 20 | 0/5 | 20 | 35 |
| RM 1.2 rowhouse interior | 1,500 | — | — | 20 | 0/0 | 20 | 35 |
| RM 1.2 two-family | 2,400 | 1,200 | 25 | 20 | 3/6 | 20 | 35 |
| RM 1.2 multi-family | — | 1,200 | — | 20 ² | 5/17 ³ | 30 ² | - |
| RM 1.2 other | | | | 20 ² | 5/17 ³ | 30 ² | — |
| | | | | | | | |
| RM 0.7 single-family | 2,000 | — | 25 | 5 | 0/5 | 20 | 35 |
| RM 0.7 rowhouse exterior | 2,000 | — | — | 5 | 0/5 | 20 | 35 |
| RM 0.7 rowhouse interior | 1,500 | — | — | 5 | 0/0 | 20 | 35 |

Exhibit A

| | | | | | | | |
|---------------------|-------|-----|----|---|------------------|-----------------|----|
| RM 0.7 two-family | 2,000 | 700 | 25 | 5 | 0/5 | 20 | 35 |
| RM 0.7 multi-family | — | 700 | — | 5 | 0/5 ⁴ | 25 ² | — |
| RM 0.7 other | | | | 5 | 0/5 ⁴ | 25 ² | — |

“Yes” means additional regulations apply.

| Regulations | RMX | RM 2.0 | RM 1.2 | RM 0.7 | Additional Regulations |
|----------------------------------------------------|------------------|--------|--------|--------|------------------------|
| Vehicle Accommodation Driveways and Parking | | | | | |
| Location of parking | Yes | Yes | Yes | Yes | See § 1425-17 |
| Parking lot landscaping | Yes | Yes | Yes | Yes | See § 1425-31 |
| Parking lot screening | Yes | Yes | Yes | Yes | See § 1425-29 |
| Truck docks; loading and service areas | Yes | Yes | Yes | Yes | See § 1405-09 |
| Other Regulations | | | | | |
| Buffering along district boundaries | Yes | Yes | Yes | Yes | See § 1423-13 |
| Accessory structures | See Chapter 1421 | | | | |
| General site standards | See Chapter 1421 | | | | |
| Landscaping and buffer yards | See Chapter 1423 | | | | |
| Nonconforming uses and structures | See Chapter 1447 | | | | |
| Off-street parking and loading | See Chapter 1425 | | | | |
| Signs | See Chapter 1427 | | | | |
| Additional development regulations | See Chapter 1419 | | | | |

¹ Additional 1-foot of setback for each 1-foot of building height above 35 feet.

² Additional 1-foot of setback for each five feet of building height above 35 feet.

³ Addition 0.5-foot of minimum side yard and 1-foot sum of side yard setback for each 1-foot of building height above 35 feet.

⁴ Additional 1-foot of minimum side yard and 2-foot sum of side yard setback for each five feet of building height above 35 feet.

Exhibit A

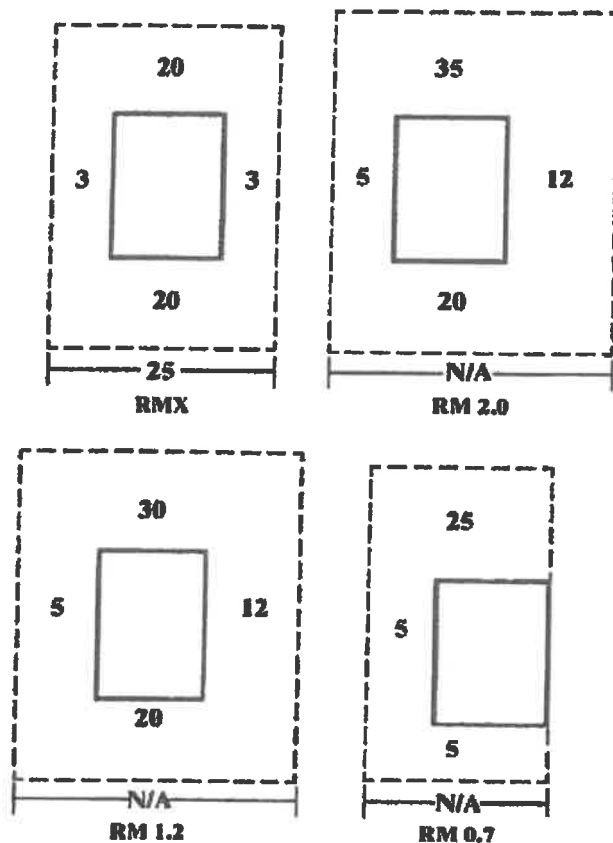


Figure 1405-07 Minimum Setbacks for Multi-Family Buildings 35 ft. in Height

Section 4. That existing Section 1405-07, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 5. That Section 1407-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1407-07. - Development Regulations.

Schedule 1407-07 prescribes the development regulations for O Office Districts, including ~~minimum lot area~~, maximum floor area ratio (FAR), maximum building height, minimum yards, driveways and parking and other standards that apply. Letter designations in the additional regulations column refer to regulations that follow Schedule 1407-07.

Schedule 1407-07: Development Regulations - Office Districts

| Regulations | OL | OG | Additional Regulations |
|------------------------------------------------------|------------------|------|------------------------|
| Building Scale - Intensity of Use | | | |
| Minimum lot area for every dwelling unit | 1200 | 700 | |
| Maximum gross floor area ratio | 0.6 | 1.75 | |
| Building Form and Location | | | |
| Maximum building height | 45 | 100 | |
| Minimum yard (ft.) | | | |
| Front | 20 | 20 | See § 1407-09 |
| Side (minimum/total) | 5/10 | 5/20 | See § 1407-11 |
| Side rowhouse (minimum/total) | | | |
| Exterior lot | 0/5 | — | |
| Interior lot | 0/0 | — | |
| Rear | 20 | 20 | See § 1407-13 |
| Vehicle Accommodation - Driveways and Parking | | | |
| Driveway restrictions | Yes | Yes | See § 1407-15 |
| Location of parking | Yes | Yes | See § 1425-15 |
| Parking lot landscaping | Yes | Yes | See § 1425-29 |
| Truck docks; loading and service areas | Yes | Yes | See § 1407-17 |
| Other Regulations | | | |
| Buffering along district boundaries | Yes | Yes | See § 1423-13 |
| Accessory uses and structures | See Chapter 1421 | | |
| General site standards | See Chapter 1421 | | |
| Landscaping and buffer yards | See Chapter 1423 | | |
| Nonconforming uses and structures | See Chapter 1447 | | |
| Off-street parking and loading | See Chapter 1425 | | |
| Signs | See Chapter 1427 | | |
| Additional development regulations | See Chapter 1419 | | |

Section 6. That existing Section 1407-07, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 7. That Section 1409-09, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1409-09. - Development Regulations.

Schedule 1409-09 prescribes the development regulations for Commercial Districts, maximum building height, minimum setbacks, driveways and parking and other standards that apply. Yes means regulations apply.

Schedule 1409-09: Development Regulations - Commercial Districts

| Regulations | CN-P | CN-M | CC-P | CC-M | CC-A | CG-A | Additional Regulations |
|------------------------------------------------------|------------------|------|------|------|------|------|-----------------------------|
| Building Scale-Intensity of Use | | | | | | | |
| Minimum Lot Area | 0 | 0 | 0 | 0 | 0 | 0 | |
| Building Form and Location | | | | | | | |
| Maximum building height (ft.) | 50 | 50 | 85 | 85 | 85 | 85 | |
| Minimum building height (ft.) | 15 | 15 | 15 | 15 | 15 | 15 | |
| Minimum front yard setbacks (ft.) | 0 | 0 | 0 | 0 | 0 | 0 | |
| Maximum front yard setbacks (ft.) | 0 | 12 | 0 | 12 | — | — | See § 1409-19 |
| Building placement requirements | Yes | Yes | Yes | Yes | No | No | See § 1409-17 and § 1409-21 |
| Ground floor transparency standards | Yes | Yes | Yes | Yes | No | No | See § 1409-23 |
| Vehicle Accommodation - Driveways and Parking | | | | | | | |
| Driveway restrictions | Yes | Yes | Yes | Yes | Yes | Yes | See § 1409-11 |
| Drive-through facilities | Yes | Yes | Yes | Yes | Yes | Yes | See § 1409-13 and 1419-13 |
| Location of parking | Yes | Yes | Yes | Yes | No | No | See § 1409-25 |
| Parking lot landscaping | Yes | Yes | Yes | Yes | Yes | Yes | See § 1425-29 |
| Truck docks; loading and service areas | Yes | Yes | Yes | Yes | Yes | Yes | See § 1409-15 |
| Other Regulations | | | | | | | |
| Buffering along district boundaries | Yes | Yes | Yes | Yes | Yes | Yes | See § 1423-13 |
| Accessory structures | See Chapter 1421 | | | | | | |
| General site standards | See Chapter 1421 | | | | | | |

Exhibit A

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|------------------------------------------------------|------------------|-----|-----|-----|-----|-----|--|
| Landscaping and buffer yards | See Chapter 1423 | | | | | | |
| Nonconforming structures | See Chapter 1447 | | | | | | |
| Parking and loading | See Chapter 1425 | | | | | | |
| Signs | See Chapter 1427 | | | | | | |
| Additional development regulations | See Chapter 1419 | | | | | | |
| Residential Regulations | | | | | | | |
| New residential only | | | | | | | |
| Lot area/unit (sq. ft.) | 700 | 700 | 700 | 700 | 700 | 700 | |
| Front yard setback | 0 | 0 | 0 | 0 | 0 | 0 | |
| Interior side yard setback | 0 | 0 | 0 | 0 | 0 | 0 | |
| Corner side yard setback | 0 | 0 | 0 | 0 | 0 | 0 | |
| Rear yard setback | 25 | 25 | 25 | 25 | 25 | 25 | |
| Residential development in existing buildings | | | | | | | |
| Lot area/unit (sq./ft.) | 500 | 500 | 500 | 500 | 500 | 500 | |

Section 8. That existing Section 1409-09, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 9. That Section 1410-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1410-07. - Development Regulations.

Schedule 1410-07 below prescribes the development regulations for the UM district, including lot area for every unit, minimum lot width, setbacks and maximum height. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

Schedule 1410-07 Development Regulations—Urban Mix District

| Building Form and Location | | | | Setbacks (ft.) | | | |
|----------------------------|--------------------|-------------------------|-----------------|------------------------|----------------------|------------------|----------------------|
| | Lot Area (sq. ft.) | Lot Area/Unit (sq. ft.) | Lot width (ft.) | Front Yard (Min./Max.) | Side Yard Min./Total | Rear Yard (Min.) | Maximum Height (ft.) |
| UM Residential | 2,000 | 700 | 25 | 0/10 | 0/0 | 10 | 45 |

Exhibit A

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|--------------------|-------|-------|----|------------------------|-----|----|----|
| UM Non-residential | 2,000 | 0 | 25 | 0/0 | 0/0 | 10 | 45 |
| UM Rowhouse | | | | | | | |
| Interior | 1,500 | 700 | 25 | 0/10 | 0/0 | 10 | 45 |
| Exterior | 1,500 | 700 | 25 | 0/10 | 0/0 | 10 | 45 |
| UM Other Use | 2,000 | 2,000 | 25 | 0/0 | 0/0 | 10 | 45 |
| Regulations | | | UM | Additional Regulations | | | |

| Vehicle Accommodation—Driveways and Parking | | |
|---------------------------------------------|-----|------------------|
| Driveway Restrictions | NO | |
| Drive-Through Facilities | NO | |
| Required Parking | YES | See 1410-09 |
| Location of Parking | YES | See 1425-15 |
| Parking Lot Landscaping | NO | |
| Parking Lot Screening | YES | See 1425-27 |
| Truck Dock; Loading; Service Areas | YES | See 1403-09 |
| Other Regulations | | |
| Buffering along District Boundaries | YES | See 1423-14 |
| Accessory Structures | YES | See Chapter 1421 |
| General Site Standards | YES | See Chapter 1421 |
| Landscaping and Buffer Yards | YES | See Chapter 1423 |
| Nonconforming Structures | YES | See Chapter 1447 |
| Off Street Parking & Loading | YES | See Chapter 1425 |
| Signs | YES | See Chapter 1427 |
| Additional Development Regulations | YES | See Chapter 1419 |

“Yes” means additional regulations apply.

Section 10. That existing Section 1410-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 11. That Section 1413-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1413-07. - Development Regulations.

Schedule 1413-07 below prescribes the development regulations for M Manufacturing Districts, including minimum lot area, maximum height, minimum yards and other standards. Additional standards are included in Chapter 1419.

Schedule 1413-07: Development Regulations - Manufacturing Districts

| Regulations | MA | ML | MG | ME | Additional Regulations |
|------------------------------------------------------|--------------|------------------|------------------|--------------|------------------------|
| Building Scale - Intensity of Use | | | | | |
| Minimum Lot Area (sq. ft.) | | | | | |
| Residential Uses | 20,000 | 4,000 | — | — | |
| Non-residential Uses | 20,000 | 0 | 0 | 0 | |
| Land area for every dwelling unit | — | 2,000 | — | — | |
| Building Form and Location | | | | | |
| Maximum Building Height (ft.) | 35 | 45 | 85 | 85 | |
| Minimum Yard (ft.) | | | | | |
| Front Residential | 40 | 20 | 0 | 0 | |
| Front Non-Residential | 25 | 20 | 0 | 0 | |
| Side Residential (minimum/total) | 10/20 | 3/12 | 0 | 0 | |
| Side Non-Residential (minimum/total) | 10/20 | 10/20 | 0 | 0 | |
| Rear Residential | 35 | 25 | 0 | 0 | |
| Rear Non-Residential | 20 | 10 | 0 | 0 | |
| Vehicle Accommodation - Driveways and Parking | | | | | |
| Driveway Restrictions | Yes | Yes | Yes | Yes | See § 1413-09 |
| Parking Lot Landscaping | Yes | Yes | Yes | Yes | See § 1425-29 |
| Truck Docks; Loading and Service Areas | Yes | Yes | Yes | Yes | See § 1413-11 |
| Other Regulations | | | | | |
| Buffering Along District Boundaries | Yes | Yes | Yes | Yes | See § 1423-13 |
| Accessory Uses and Structures | | | See Chapter 1421 | | |
| General Site Standards | | | See Chapter 1421 | | |
| Landscaping and Buffer Yards | | | See Chapter 1423 | | |
| Nonconforming Uses and Structures | | | See Chapter 1447 | | |
| Off-Street Parking and Loading | | | See Chapter 1425 | | |
| Signs | | | See Chapter 1427 | | |

| | | |
|------------------------------------|--|------------------|
| Additional Development Regulations | | See Chapter 1419 |
|------------------------------------|--|------------------|

Section 12. That existing Section 1413-07, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 13. That Section 1415-09, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1415-09. - Development Regulations.

Schedule 1415-09 below prescribes the property development regulations for RF Riverfront Districts, including minimum lot area, maximum height, setback, parking and driveways and other standards. Additional standards are included in Chapter 1419, Additional Development Regulations.

Schedule 1415-09: Development Regulations - Riverfront Districts

| Regulations | RF-R | RF-C | RF-M | Additional Regulations |
|------------------------------------------------------|------------------|-------|------|------------------------|
| Building Scale - Intensity of Use | | | | |
| Minimum lot area (sq. ft.) | 4,000 | — | — | |
| Minimum lot area (sq. ft.) rowhouse | 2,000 | — | — | |
| Minimum area for every dwelling unit | 2,000 | — | — | |
| Building Form and Location | | | | |
| Maximum building height (ft.) | 35 | 100 | — | See § 1415-11 |
| Minimum yard (ft.) | | | | |
| Front | 10 | 25 | 20 | |
| Side least width/sum | 3/6 | 10/20 | 5/10 | |
| Side rowhouse exterior, least width/sum | 0/3 | — | — | |
| Side rowhouse interior, least width/sum | 0/0 | — | — | |
| Rear | 30 | 10 | 5 | |
| Maximum building coverage (%) | 60 | 70 | 80 | See § 1415-13 |
| Vehicle Accommodation - Driveways and Parking | | | | |
| Parking lot landscaping | Yes | Yes | Yes | See § 1425-29 |
| Truck docks; loading and service areas | Yes | Yes | Yes | See § 1415-15 |
| Other Standards | | | | |
| Buffering along district boundaries | Yes | Yes | Yes | See § 1415-17 |

Exhibit A

| | | | | |
|------------------------------------|-----|-----|-----|------------------|
| Ohio River bank area | Yes | Yes | Yes | See § 1415-19 |
| Little Miami Riverfront area | Yes | Yes | Yes | See § 1415-21 |
| Accessory uses and structures | | | | See Chapter 1421 |
| General site standards | | | | See Chapter 1421 |
| Landscaping and buffer yards | | | | See Chapter 1423 |
| Nonconforming uses and structures | | | | See Chapter 1447 |
| Off-street parking and loading | | | | See Chapter 1425 |
| Signs | | | | See Chapter 1427 |
| Additional development regulations | | | | See Chapter 1419 |

Section 14. That existing Section 1415-09, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 15. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2021

Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strike through.

MODIFYING Title XIV, “Zoning Code of the City of Cincinnati,” of the Cincinnati Municipal Code by **AMENDING** the provisions of Section 1405-03, “Specific Purposes of Multi-Family Subdistricts,” Section 1405-07, “Development Regulations,” Section 1407-07, “Development Regulations,” Section 1409-09, “Development Regulations,” Section 1410-07, “Development Regulations,” Section 1413-07, “Development Regulations,” and Section 1415-09, “Development Regulations,” to reduce or remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

WHEREAS, in response to City Council’s desire to increase the supply and availability of housing that is affordable across a broad spectrum, the Administration has explored a number of strategies that would facilitate the production of housing in the city, which strategies are more particularly described in a March 16, 2021 report to the Council (item no. 202101105); and

WHEREAS, the Administration’s recommendations for increasing the housing supply include a recommendation to legislatively streamline housing production by, among other things, lifting density restrictions in certain targeted areas; and

WHEREAS, the Council hereby resolves to lift or reduce density restrictions in certain targeted areas to remove a barrier to the creation of housing in the city, consistent with its desire to increase the supply and availability of housing; and

WHEREAS, at its regularly scheduled meeting on _____, the City Planning Commission reviewed the proposed amendments to the zoning code and recommended their approval, finding them to be in the interest of the public’s health, safety, morals, and general welfare; and

WHEREAS, a committee of Council held a public hearing on the proposed text amendments following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the proposed text amendments; and

WHEREAS, the text amendments are consistent with Plan Cincinnati (2012), including the “Live” goal to “provide a full spectrum of housing options, and improve housing quality and affordability” (p. 164); and

WHEREAS, the Council finds the proposed text amendments 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 Section 1405-03, “Specific Purposes of Multi-Family Subdistricts,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-03. - Specific Purposes of the Multi-Family Subdistricts.

The specific purposes of the RM Residential Multi-family subdistricts are to create, maintain and enhance neighborhood residential areas with multi-family housing that are typically located near the city's major arterials and characterized by a mix of attached housing, small and large multi-unit buildings and community facilities, where appropriate. Future development will be primarily residential in character, although some small-scale public and non-residential uses on the ground floor in a ~~mixed-use~~ ~~mixed-use~~ building on an arterial street may be allowed with specific limitations. Four RM District subdistricts are established:

- (a) *RMX Residential Mixed*. This subdistrict is intended to create, maintain and enhance areas of the city that have a mix of lot sizes and house types at moderate intensities (one to three dwelling units). Existing multi-family buildings of four or more units are acknowledged but new construction is not permitted.
- (b) *RM-2.0 Multi-family*. This subdistrict is intended to provide for a medium density mix of residential housing predominantly duplexes and multi-family on lots that have already been platted. The scale of buildings is generally similar to a large single-family home on a small lot. Where land is assembled, the same scale should be maintained. ~~The minimum land area for every dwelling unit is 2,000 square feet.~~
- (c) *RM-1.2 Multi-family*. This subdistrict is intended to provide for mixed residential uses at moderately high densities. This is an intense district with an urban character. ~~The minimum land area for every dwelling unit is 1,200 square feet.~~
- (d) *RM-0.7 Multi-family*. This subdistrict is the most intense residential district and it will normally consist of tall multi-family or condominium structures. The character is intended to be urban and should be used where high intensity residential is needed to provide a residential base for important commercial areas. ~~The minimum land area for every dwelling unit is 700 square feet.~~

FIGURES 1405-03-A-D The following illustrations represent examples of the multi-family districts in this chapter:



Figure 1405-03-A, B

Exhibit B

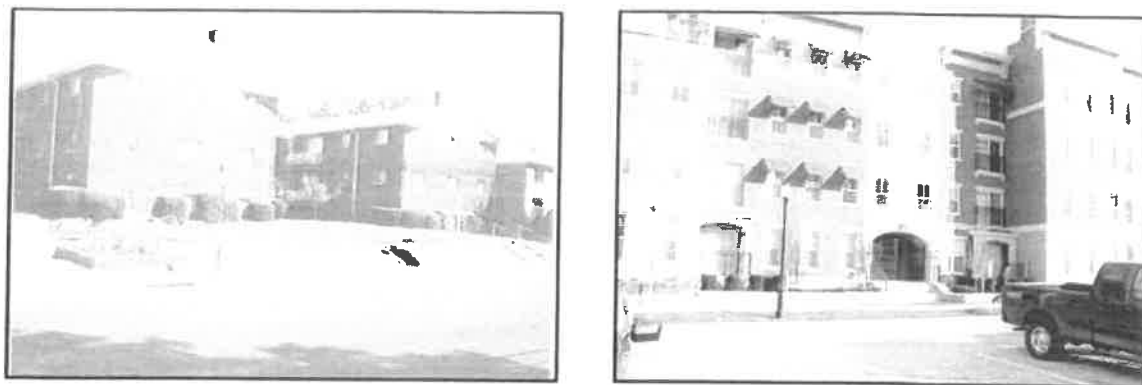


Figure 1405-03-C, D

Section 2. That existing Section 1405-03, “Specific Purposes of Multi-Family Subdistricts,” of the Cincinnati Municipal Code is hereby repealed.

Section 3. That Section 1405-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-07. - Development Regulations.

Schedule 1405-07 below prescribes the development regulations for the RM Districts, including lot area for every unit, minimum lot width, setbacks and maximum height. Figure 1405-07 illustrates the setbacks for the RM Districts. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

Schedule 1405-07 Development Regulations - Residential Multi-family Districts

| Building Form and Location | Lot Area (sq. ft.) | Lot Area/Unit (sq. ft.) | Lot width (ft.) | Setbacks (ft.) | | | Maximum Height (ft.) |
|----------------------------|--------------------|-------------------------|-----------------|----------------|----------------------|-----------|----------------------|
| | | | | Front Yard | Side Yard Min./Total | Rear Yard | |
| RMX single-family | 2,500 | — | 25 | 20 | 0/5 | 20 | 35 |
| RMX rowhouse exterior | 2,500 | — | — | 20 | 0/5 | 20 | 35 |
| RMX rowhouse interior | 2,000 | — | — | 20 | 0/0 | 20 | 35 |
| RMX two-family | 5,000 | <u>2,500</u> | 25 | 20 | 3/6 | 20 | 35 |
| RMX three-family | 7,500 | <u>2,500</u> | 25 | 20 | 3/6 | 20 | 35 |

Exhibit B

| | | | | | | | |
|--------------------------|-------|--------------------|----|-----------------|-------------------|-----------------|----|
| RMX other | | | 25 | 20 | 3/6 | 20 | 35 |
| RM 2.0 single-family | 2,000 | — | 25 | 20 | 0/5 | 20 | 35 |
| RM 2.0 rowhouse exterior | 2,500 | — | — | 20 | 0/5 | 20 | 35 |
| RM 2.0 rowhouse interior | 2,000 | — | — | 20 | 0/0 | 20 | 35 |
| RM 2.0 two-family | 4,000 | <u>1,000</u> 2,000 | 25 | 20 | 3/6 | 20 | 35 |
| RM 2.0 multi-family | — | <u>1,000</u> 2,000 | — | 20 ¹ | 5/17 ³ | 35 | 45 |
| RM 2.0 other | | | 25 | 20 ¹ | 5/17 ³ | 35 | 45 |
| RM 1.2 single-family | 2,000 | — | 25 | 20 | 0/5 | 20 | 35 |
| RM 1.2 rowhouse exterior | 2,000 | — | — | 20 | 0/5 | 20 | 35 |
| RM 1.2 rowhouse interior | 1,500 | — | — | 20 | 0/0 | 20 | 35 |
| RM 1.2 two-family | 2,400 | <u>600</u> 1,200 | 25 | 20 | 3/6 | 20 | 35 |
| RM 1.2 multi-family | — | <u>600</u> 1,200 | — | 20 ² | 5/17 ³ | 30 ² | — |
| RM 1.2 other | | | | 20 ² | 5/17 ³ | 30 ² | — |
| RM 0.7 single-family | 2,000 | — | 25 | 5 | 0/5 | 20 | 35 |
| RM 0.7 rowhouse exterior | 2,000 | — | — | 5 | 0/5 | 20 | 35 |
| RM 0.7 rowhouse interior | 1,500 | — | — | 5 | 0/0 | 20 | 35 |

Exhibit B

| | | | | | | | |
|---------------------|-------|-------------------|----|---|------------------|-----------------|-----------------|
| RM 0.7 two-family | 2,000 | 350700 | 25 | 5 | 0/5 | 20 | 35 |
| RM 0.7 multi-family | — | 350700 | — | 5 | 0/5 ⁴ | 25 ² | 50 — |
| RM 0.7 other | | | | 5 | 0/5 ⁴ | 25 ² | — |

“Yes” means additional regulations apply.

| Regulations | RMX | RM 2.0 | RM 1.2 | RM 0.7 | Additional Regulations |
|----------------------------------------------------|------------------|--------|--------|--------|------------------------|
| Vehicle Accommodation Driveways and Parking | | | | | |
| Location of parking | Yes | Yes | Yes | Yes | See § 1425-17 |
| Parking lot landscaping | Yes | Yes | Yes | Yes | See § 1425-31 |
| Parking lot screening | Yes | Yes | Yes | Yes | See § 1425-29 |
| Truck docks; loading and service areas | Yes | Yes | Yes | Yes | See § 1405-09 |
| Other Regulations | | | | | |
| Buffering along district boundaries | Yes | Yes | Yes | Yes | See § 1423-13 |
| Accessory structures | See Chapter 1421 | | | | |
| General site standards | See Chapter 1421 | | | | |
| Landscaping and buffer yards | See Chapter 1423 | | | | |
| Nonconforming uses and structures | See Chapter 1447 | | | | |
| Off-street parking and loading | See Chapter 1425 | | | | |
| Signs | See Chapter 1427 | | | | |
| Additional development regulations | See Chapter 1419 | | | | |

¹ Additional 1-foot of setback for each 1-foot of building height above 35 feet.

² Additional 1-foot of setback for each five feet of building height above 35 feet.

³ Addition 0.5-foot of minimum side yard and 1-foot sum of side yard setback for each 1-foot of building height above 35 feet.

⁴ Additional 1-foot of minimum side yard and 2-foot sum of side yard setback for each five feet of building height above 35 feet.

Exhibit B

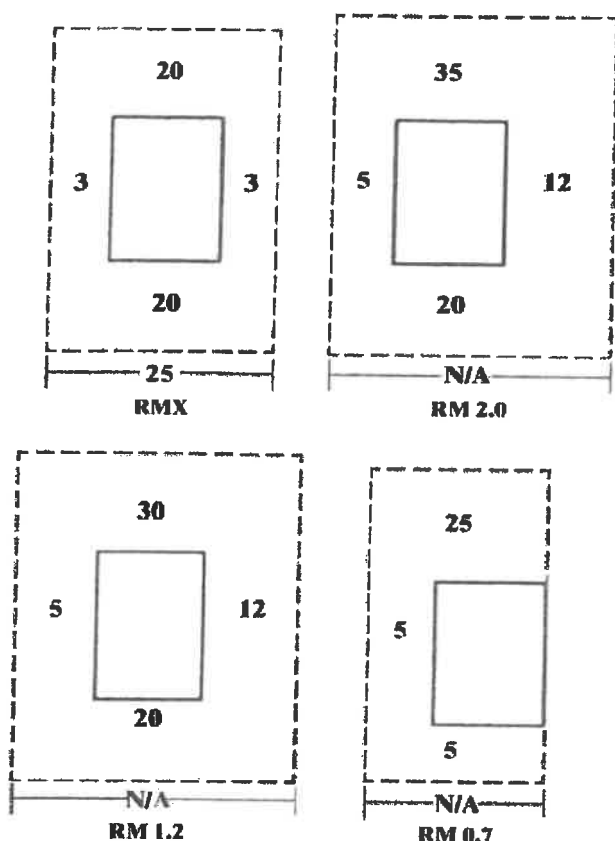


Figure 1405-07 Minimum Setbacks for Multi-Family Buildings 35 ft. in Height

Section 4. That existing Section 1405-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 5. That Section 1407-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1407-07. - Development Regulations.

Schedule 1407-07 prescribes the development regulations for O Office Districts, including ~~minimum lot area~~, maximum floor area ratio (FAR), maximum building height, minimum yards, driveways and parking and other standards that apply. Letter designations in the additional regulations column refer to regulations that follow Schedule 1407-07.

Exhibit B

Schedule 1407-07: Development Regulations - Office Districts

| Regulations | OL | OG | Additional Regulations |
|------------------------------------------------------|------------------|------|------------------------|
| Building Scale - Intensity of Use | | | |
| Minimum lot area for every dwelling unit | 1200 | 700 | |
| Maximum gross floor area ratio | 0.6 | 1.75 | |
| Building Form and Location | | | |
| Maximum building height | 45 | 100 | |
| Minimum yard (ft.) | | | |
| Front | 20 | 20 | See § 1407-09 |
| Side (minimum/total) | 5/10 | 5/20 | See § 1407-11 |
| Side rowhouse (minimum/total) | | | |
| Exterior lot | 0/5 | — | |
| Interior lot | 0/0 | — | |
| Rear | 20 | 20 | See § 1407-13 |
| Vehicle Accommodation - Driveways and Parking | | | |
| Driveway restrictions | Yes | Yes | See § 1407-15 |
| Location of parking | Yes | Yes | See § 1425-15 |
| Parking lot landscaping | Yes | Yes | See § 1425-29 |
| Truck docks; loading and service areas | Yes | Yes | See § 1407-17 |
| Other Regulations | | | |
| Buffering along district boundaries | Yes | Yes | See § 1423-13 |
| Accessory uses and structures | See Chapter 1421 | | |
| General site standards | See Chapter 1421 | | |
| Landscaping and buffer yards | See Chapter 1423 | | |
| Nonconforming uses and structures | See Chapter 1447 | | |
| Off-street parking and loading | See Chapter 1425 | | |
| Signs | See Chapter 1427 | | |
| Additional development regulations | See Chapter 1419 | | |

Section 6. That existing Section 1407-07, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Exhibit B

Section 7. That Section 1409-09, "Development Regulations," of the Cincinnati Municipal

Code is hereby amended as follows:

§ 1409-09. - Development Regulations.

Schedule 1409-09 prescribes the development regulations for Commercial Districts, maximum building height, minimum setbacks, driveways and parking and other standards that apply. Yes means regulations apply.

Schedule 1409-09: Development Regulations - Commercial Districts

| Regulations | CN-P | CN-M | CC-P | CC-M | CC-A | CG-A | Additional Regulations |
|------------------------------------------------------|------------------|------|------|------|------|------|-----------------------------|
| Building Scale-Intensity of Use | | | | | | | |
| Minimum Lot Area | 0 | 0 | 0 | 0 | 0 | 0 | |
| Building Form and Location | | | | | | | |
| Maximum building height (ft.) | 50 | 50 | 85 | 85 | 85 | 85 | |
| Minimum building height (ft.) | 15 | 15 | 15 | 15 | 15 | 15 | |
| Minimum front yard setbacks (ft.) | 0 | 0 | 0 | 0 | 0 | 0 | |
| Maximum front yard setbacks (ft.) | 0 | 12 | 0 | 12 | — | — | See § 1409-19 |
| Building placement requirements | Yes | Yes | Yes | Yes | No | No | See § 1409-17 and § 1409-21 |
| Ground floor transparency standards | Yes | Yes | Yes | Yes | No | No | See § 1409-23 |
| Vehicle Accommodation - Driveways and Parking | | | | | | | |
| Driveway restrictions | Yes | Yes | Yes | Yes | Yes | Yes | See § 1409-11 |
| Drive-through facilities | Yes | Yes | Yes | Yes | Yes | Yes | See § 1409-13 and 1419-13 |
| Location of parking | Yes | Yes | Yes | Yes | No | No | See § 1409-25 |
| Parking lot landscaping | Yes | Yes | Yes | Yes | Yes | Yes | See § 1425-29 |
| Truck docks; loading and service areas | Yes | Yes | Yes | Yes | Yes | Yes | See § 1409-15 |
| Other Regulations | | | | | | | |
| Buffering along district boundaries | Yes | Yes | Yes | Yes | Yes | Yes | See § 1423-13 |
| Accessory structures | See Chapter 1421 | | | | | | |
| General site standards | See Chapter 1421 | | | | | | |

Exhibit B

| | | | | | | |
|------------------------------------------------------|------------------|-----|-----|-----|-----|-----|
| Landscaping and buffer yards | See Chapter 1423 | | | | | |
| Nonconforming structures | See Chapter 1447 | | | | | |
| Parking and loading | See Chapter 1425 | | | | | |
| Signs | See Chapter 1427 | | | | | |
| Additional development regulations | See Chapter 1419 | | | | | |
| Residential Regulations | | | | | | |
| New residential only | | | | | | |
| Lot area/unit (sq. ft.) | 700 | 700 | 700 | 700 | 700 | 700 |
| Front yard setback | 0 | 0 | 0 | 0 | 0 | 0 |
| Interior side yard setback | 0 | 0 | 0 | 0 | 0 | 0 |
| Corner side yard setback | 0 | 0 | 0 | 0 | 0 | 0 |
| Rear yard setback | 25 | 25 | 25 | 25 | 25 | 25 |
| Residential development in existing buildings | | | | | | |
| Lot area/unit (sq./ft.) | 500 | 500 | 500 | 500 | 500 | 500 |

Section 8. That existing Section 1409-09, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 9. That Section 1410-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1410-07. - Development Regulations.

Schedule 1410-07 below prescribes the development regulations for the UM district, including ~~lot area for every unit~~, minimum lot width, setbacks and maximum height. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

Schedule 1410-07 Development Regulations—Urban Mix District

| Building Form and Location | | | | Setbacks (ft.) | | | |
|----------------------------|--------------------|------------------------------------|-----------------|------------------------|----------------------|------------------|----------------------|
| | Lot Area (sq. ft.) | Lot Area/Unit (sq. ft.) | Lot width (ft.) | Front Yard (Min./Max.) | Side Yard Min./Total | Rear Yard (Min.) | Maximum Height (ft.) |
| UM Residential | 2,000 | 700 | 25 | 0/10 | 0/0 | 10 | 45 |

Exhibit B

| | | | | | | | |
|--------------------|-------|-------|----|------------------------|-----|----|----|
| UM Non-residential | 2,000 | 0 | 25 | 0/0 | 0/0 | 10 | 45 |
| UM Rowhouse | | | | | | | |
| Interior | 1,500 | 700 | 25 | 0/10 | 0/0 | 10 | 45 |
| Exterior | 1,500 | 700 | 25 | 0/10 | 0/0 | 10 | 45 |
| UM Other Use | 2,000 | 2,000 | 25 | 0/0 | 0/0 | 10 | 45 |
| Regulations | | | UM | Additional Regulations | | | |

| Vehicle Accommodation—Driveways and Parking | | |
|---------------------------------------------|-----|------------------|
| Driveway Restrictions | NO | |
| Drive-Through Facilities | NO | |
| Required Parking | YES | See 1410-09 |
| Location of Parking | YES | See 1425-15 |
| Parking Lot Landscaping | NO | |
| Parking Lot Screening | YES | See 1425-27 |
| Truck Dock; Loading; Service Areas | YES | See 1403-09 |
| Other Regulations | | |
| Buffering along District Boundaries | YES | See 1423-14 |
| Accessory Structures | YES | See Chapter 1421 |
| General Site Standards | YES | See Chapter 1421 |
| Landscaping and Buffer Yards | YES | See Chapter 1423 |
| Nonconforming Structures | YES | See Chapter 1447 |
| Off Street Parking & Loading | YES | See Chapter 1425 |
| Signs | YES | See Chapter 1427 |
| Additional Development Regulations | YES | See Chapter 1419 |

“Yes” means additional regulations apply.

Section 10. That existing Section 1410-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 11. That Section 1413-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

Exhibit B

§ 1413-07. - Development Regulations.

Schedule 1413-07 below prescribes the development regulations for M Manufacturing Districts, including minimum lot area, maximum height, minimum yards and other standards. Additional standards are included in Chapter 1419.

Schedule 1413-07: Development Regulations - Manufacturing Districts

| Regulations | MA | ML | MG | ME | Additional Regulations |
|------------------------------------------------------|--------|-------|------------------|-----|------------------------|
| Building Scale - Intensity of Use | | | | | |
| Minimum Lot Area (sq. ft.) | | | | | |
| Residential Uses | 20,000 | 4,000 | — | — | |
| Non-residential Uses | 20,000 | 0 | 0 | 0 | |
| Land area for every dwelling unit | — | 2,000 | — | — | |
| Building Form and Location | | | | | |
| Maximum Building Height (ft.) | 35 | 45 | 85 | 85 | |
| Minimum Yard (ft.) | | | | | |
| Front Residential | 40 | 20 | 0 | 0 | |
| Front Non-Residential | 25 | 20 | 0 | 0 | |
| Side Residential (minimum/total) | 10/20 | 3/12 | 0 | 0 | |
| Side Non-Residential (minimum/total) | 10/20 | 10/20 | 0 | 0 | |
| Rear Residential | 35 | 25 | 0 | 0 | |
| Rear Non-Residential | 20 | 10 | 0 | 0 | |
| Vehicle Accommodation - Driveways and Parking | | | | | |
| Driveway Restrictions | Yes | Yes | Yes | Yes | See § 1413-09 |
| Parking Lot Landscaping | Yes | Yes | Yes | Yes | See § 1425-29 |
| Truck Docks; Loading and Service Areas | Yes | Yes | Yes | Yes | See § 1413-11 |
| Other Regulations | | | | | |
| Buffering Along District Boundaries | Yes | Yes | Yes | Yes | See § 1423-13 |
| Accessory Uses and Structures | | | See Chapter 1421 | | |
| General Site Standards | | | See Chapter 1421 | | |
| Landscaping and Buffer Yards | | | See Chapter 1423 | | |
| Nonconforming Uses and Structures | | | See Chapter 1447 | | |
| Off-Street Parking and Loading | | | See Chapter 1425 | | |
| Signs | | | See Chapter 1427 | | |

Exhibit B

| | |
|------------------------------------|------------------|
| Additional Development Regulations | See Chapter 1419 |
|------------------------------------|------------------|

Section 12. That existing Section 1413-07, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 13. That Section 1415-09, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1415-09. - Development Regulations.

Schedule 1415-09 below prescribes the property development regulations for RF Riverfront Districts, including minimum lot area, maximum height, setback, parking and driveways and other standards. Additional standards are included in Chapter 1419, Additional Development Regulations.

Schedule 1415-09: Development Regulations - Riverfront Districts

| Regulations | RF-R | RF-C | RF-M | Additional Regulations |
|------------------------------------------------------|-------|-------|------|------------------------|
| Building Scale - Intensity of Use | | | | |
| Minimum lot area (sq. ft.) | 4,000 | — | — | |
| Minimum lot area (sq. ft.) rowhouse | 2,000 | — | — | |
| Minimum area for every dwelling unit | 2,000 | — | — | |
| Building Form and Location | | | | |
| Maximum building height (ft.) | 35 | 100 | — | See § 1415-11 |
| Minimum yard (ft.) | | | | |
| Front | 10 | 25 | 20 | |
| Side least width/sum | 3/6 | 10/20 | 5/10 | |
| Side rowhouse exterior, least width/sum | 0/3 | — | — | |
| Side rowhouse interior, least width/sum | 0/0 | — | — | |
| Rear | 30 | 10 | 5 | |
| Maximum building coverage (%) | 60 | 70 | 80 | See § 1415-13 |
| Vehicle Accommodation - Driveways and Parking | | | | |
| Parking lot landscaping | Yes | Yes | Yes | See § 1425-29 |
| Truck docks; loading and service areas | Yes | Yes | Yes | See § 1415-15 |
| Other Standards | | | | |
| Buffering along district boundaries | Yes | Yes | Yes | See § 1415-17 |

Exhibit B

| | | | | |
|------------------------------------|-----|-----|-----|------------------|
| Ohio River bank area | Yes | Yes | Yes | See § 1415-19 |
| Little Miami Riverfront area | Yes | Yes | Yes | See § 1415-21 |
| Accessory uses and structures | | | | See Chapter 1421 |
| General site standards | | | | See Chapter 1421 |
| Landscaping and buffer yards | | | | See Chapter 1423 |
| Nonconforming uses and structures | | | | See Chapter 1447 |
| Off-street parking and loading | | | | See Chapter 1425 |
| Signs | | | | See Chapter 1427 |
| Additional development regulations | | | | See Chapter 1419 |

Section 14. That existing Section 1415-09, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 15. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2021

Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strike through.

March 16, 2021

To: Mayor and Members of City Council
From: Paula Boggs Muething, City Manager
Subject: Affordable Housing: Recommendations

REFERENCE DOCUMENT #202100478

Economic Growth and Zoning Committee at its meeting on February 3, 2021 referred the following item for review and report:

WE MOVE that the City Administration produce a report on affordable housing within the City of Cincinnati that includes, but is not limited to: Identification of building inventory currently in the Port Authority's Land Bank which may be suited for affordable housing. Methods for inclusion/equity in the transfer of property from the Land Bank to any individual or developer. Accounting of all current funds in the Affordable Housing Trust and identification of potential sources of additional funds.

Summary and Context

This report provides an overview of the role of the City in the production of affordable housing, information on the City's current activities, and recommendations on how the City can facilitate preserving and increasing the supply of affordable housing.

The term "affordable housing" encompasses a broad array of housing products—from lower cost housing primarily created by market forces to publicly funded or even publicly owned housing units. This term encompasses both single-family housing or multi-family housing and either rental or owner-occupied. The degree of affordability of a particular housing option is relative to an individual's or household's income—the general standard of affordability is that no more than thirty percent of a household's gross income should be committed to housing expenses.¹

¹ For renters, expenses include both rent and utilities. For homeowners, expenses include mortgage payments, property taxes, utilities, homeowner's insurance, and maintenance expenses.

Exhibit C

The price of housing in a particular market is driven by the basic economic forces of supply and demand.² Real estate prices are particularly affected by the cost of producing additional supply since housing development is resource-intensive, high-risk, and requires extensive, time consuming planning. There is a long history of local, state, and federal government intervention in the private housing market to achieve public policy goals, such as affordability; these steps have had mixed success.

Current market conditions in the City of Cincinnati regarding affordability are ever evolving and have been studied in-depth by multiple external groups. This report is not intended as a statement on current market conditions or a description of all City activities or policies that assist lower income households with housing, such as eviction prevention or job training programs. The purpose of this report is to contextualize current City activities in the housing market to facilitate production of new affordable housing and to recommend strategies for preserving and increasing housing affordability throughout the City.

City's Role in New Affordable Housing Production and Current Programs

The City is not a developer and does not directly develop housing; therefore, all housing production in the City and all City efforts in this area are dependent upon a willing developer to invest resources in creating new units or rehabilitating existing housing units. These developers are primarily for-profit private parties, supplemented in our region by the activities of several non-profit developers and quasi-governmental entities, such as the Port of Greater Cincinnati Development Authority and the Cincinnati Metropolitan Housing Authority.

The City generally plays two roles in direct housing production: (1) regulatory and (2) providing incentives.

The City's regulatory function includes its role in administering and enforcing the State of Ohio building code and, as a home-rule municipality, in passing and enforcing a zoning code.

The current City programs that incentivize housing production focus on: (1) decreasing the costs of creating or operating housing, primarily through property tax exemptions, or (2) providing direct funding to subsidize the cost of producing new housing.

Current Programs

The City Administration has previously reported and presented on current City programs that facilitate new affordable housing production. Accordingly, this section is a high-level overview of existing programs.

² Glaeser, Edward and Gyourko, Joseph. 2018. "The Economic Implications of Housing Supply" *Journal of Economic Perspectives* 32(1): 3-30.

Exhibit C

The City's activities to encourage and support affordable homeownership are detailed in a recent report dated 12/16/2020 (Item #202002025), filed in response to a motion from Councilmember Kearney. These activities include offering tax incentives or direct funding, with funding programs focused primarily on subsidizing repairs for homeowners, down-payment assistance for first-time homebuyers with an income at or below 80% of the area median income, or subsidizing projects developing single-family homes.

The City's primary program to fund affordable multi-family housing production is through NOFA – Notice of Funding Availability. Through this competitive program the City deploys available local and federal funding to developers in the form of loans or grants. This includes the deployment of available HOME and CDBG funding and any City capital funds appropriated for these purposes. In 2019 and 2020, this program facilitated the creation of over 700 units of affordable housing. The effectiveness of the NOFA program in creating new housing units is largely tied to the ability of developers to integrate and leverage the City's funding with other subsidy programs (such as the federal Low-Income Housing Tax Credits, state or federal New Markets Tax Credits, or state or federal historic tax credits). NOFA is cyclical and typically deploys funding through two application cycles each calendar year.

Recommendations

Over the past seven months, the City Manager's office has reviewed financing options, engaged City partners, and benchmarked programs in other cities. As a result, we have developed the following recommendations for preserving and increasing housing affordability within the City.

Recommendation: Create a Structure to Encourage Informed Public Discourse on Affordable Housing Development and the Strategic Deployment and Oversight of Available Public Funding

At present, there are many perspectives in the public discourse about the best way to address the issue of affordable housing within the City. In order to promote a more formalized and informed public discussion of this issue and to generate a comprehensive strategy with public and private support, the City Administration recommends appointing a Housing Advisory Board pursuant to Cincinnati Municipal Code Chapter 209 and Ohio Revised Code Chapter 176. Under state and local law, this board is intended, among other purposes, to review and advise upon comprehensive plans for the preservation and development of affordable housing in the City. At present, the City of Cincinnati relies on the Community Development Advisory Board, known as CDAB, to serve as the City's housing advisory board for use as both the housing advisory board required for federal sources and as required under Ohio Revised Chapter 176.

The City Administration recommends separating the state law-based housing advisory board into a distinct board that would be solely focused on developing, in cooperation with the City Administration, comprehensive priorities for the

Exhibit C

development and maintenance of affordable housing within the boundaries of the City and deployment of funding described herein. This separate board will have expertise in issues affecting housing development and affordability and can consider the broad range of resources and solutions available to address these issues as it develops priorities to meet the challenge. Once finalized, these priorities will be submitted to Council for approval and will inform the implementation of the programs described below.

The Housing Advisory Board is appointed by the Mayor with consent from Council, and, as set forth in state law and in the municipal code, would include representation from the following groups:

- Institutions that lend money for housing;
- Nonprofit builders and developers of housing;
- For-profit builders and developers of housing;
- For-profit builders and developers of rental housing;
- Real estate brokers licensed under Ohio Revised Code Chapter 4735;
- Other persons with professional knowledge regarding local housing needs and fair housing issues;
- Residents of Cincinnati that could receive housing assistance from the City;
- The Cincinnati Metropolitan Housing Authority;
- City Councilmembers;
- Additional groups or individuals that are necessary to provide balanced advice on housing plans and programs.

Recommendation: Formalize Finance and Development Partnerships into Structured Programming

Urban redevelopment projects face many challenges. Large urban development sites are often difficult to assemble and costly to acquire; intensive site work, demolition, or environmental remediation may be required; developers must navigate complex regulatory frameworks and approval processes; and some projects will face community opposition. These factors result in higher development costs. To be financially feasible, a project's revenue must support the higher costs of development. Accordingly, in the City of Cincinnati, many market-rate development projects are not financially feasible without some level of subsidy.

Lowering rents or sale prices in order to increase housing affordability reduces the amount of revenue that a project produces. This introduces a further challenge to developing an affordable housing product. To make affordable housing projects financially feasible, this reduced revenue must be accounted for with additional equity or debt financing to subsidize the development costs. Given these conditions, addressing today's affordable housing needs requires government intervention and subsidy.

Exhibit C

The two industry professional groups most critical for improving housing production are financiers and developers. Many effective partner organizations already exist in our region in these areas—including but not limited to the Cincinnati Development Fund, LISC, and the Port of Greater Cincinnati Development Authority. The City Administration recommends formalizing partnerships with existing organizations and creating programming to achieve two goals: (1) to increase available financing tools to encourage the production of new housing units and the preservation of existing affordable housing units and (2) to increase capacity within the development industry for production of housing units.

From the financing perspective, the City Administration recommends establishing a partnership with a local CDFI³ for deployment of the funding described below. The program structure would focus on providing low-cost financing and direct subsidy to facilitate the development of affordable housing.

- 1) **Section 108 Loan Pool** – The City would pursue a Section 108 Loan from the United States Department of Housing and Urban Redevelopment under the Community Development Block Grant program in a minimum amount of \$20 million to fund a loan pool for financing the acquisition and rehabilitation costs of residential properties where the developer/borrower will make between 51% and 100% of the units available to low to moderate income individuals. The loan pool would be structured to provide loans with favorable interest rates to encourage the private market, non-profit or for-profit organizations, to utilize this financing to acquire, rehabilitate, and preserve already existing housing units. As a requirement of the loan, a restrictive covenant would be placed on the property securing the long-term maintenance of the units as affordable.
- 2) **Affordable Housing Trust Fund** – The City would pursue consolidation of all local funding currently earmarked for affordable housing into a fund that will be utilized to provide loans—including, when feasible and appropriate, forgivable loans—to provide for flexible local financing and subsidy for affordable housing projects. To increase overall impact, program parameters would ensure that the fund could leverage other sources of funding for affordable housing projects, including private funding, federal and state tax credit programs, etc. Any principal repaid on the primary loans will be recycled for new projects. The forgivable loans would be similar to grants, but would provide enhanced accountability and would only be forgiven once certain affordability benchmarks are satisfied. City funding sources would include all funds that have been committed to the Affordable Housing Trust Fund and any additional sources appropriated by Council for this purpose. As described below, this local public investment would be utilized to raise as much private funding as possible to supplement and leverage public resources.

³ Community Development Finance Institution.

Exhibit C

As described above, all housing development that occurs in the City is dependent upon a willing and effective developer. To make a material impact on housing affordability, our City needs increased capacity in both for-profit and non-profit housing developers. To begin this process, the City Administration recommends establishing a program with the Port of Greater Cincinnati Development Authority, including its affiliated organizations the Landbank and the Homestead Urban Redevelopment Corporation. This program would focus on the goal of building development capacity in community development corporations and similar community-based development organizations.

These community-based development entities play a critical role in both completing development projects in their neighborhood but also facilitating larger development projects being undertaken by other developers, providing a bridge between for-profit developers and residents. These organizations also function to balance community concerns and feedback with project viability, creating successful projects with community support. All City neighborhoods deserve the benefits provided by a community-based development organization, so this program will work to provide those benefits where organizations do not currently exist. In areas where we already have excellent community-based development organizations, this program will seek to increase capacity.

The City Administration recommends development of additional programming in this area to address targeted housing development capacity needs, based on feedback and input from the Housing Advisory Board.

Throughout these proposed programs, there will be an emphasis on participation by minority-owned and women-owned business enterprises to increase capacity and access to opportunity for these organizations.

Recommendation: Leverage City Investment to Fundraise from Private Parties

While government subsidy is critical to addressing affordable housing needs, government alone cannot solve this societal issue. To increase overall funding, the City Administration recommends a strategy of consolidating all available City funding in order to leverage the public investment to attract private funding. The consolidated fund would be deployed, as described above, through the Affordable Housing Trust Fund programmatic structure for provision of loans to provide flexible local financing and subsidy for affordable housing projects.

To accomplish this purpose, the City Administration recommends formalizing a fundraising campaign with financing partner(s), members of the Housing Advisory Board, and other key public and private organizations.

Recommendation: Legislatively Streamline Housing Production

Regulatory costs increase the overall cost of housing development and can often serve as a barrier to market entry for small or less-experienced developers—in both

Exhibit C

instances constraining the production of additional housing supply. Over the years, regulations have been enacted on a one-off basis and often without providing the legislative body with a clear picture of the impacts on overall development costs. Given the increasing need for all housing products, the City Administration recommends a concentrated effort to reduce portions of the regulatory framework that can serve as an impediment to housing production. This process would include amendments to the zoning code to streamline approvals, re-alignment of staff involved in regulation of housing production, and removal of other barriers to housing development. This focused realignment of the City's regulatory functions would reduce costs and the timelines associated with producing additional housing supply.

The City Administration does not recommend as a strategy for production of affordable housing the maintenance of existing or creation of new regulatory barriers to housing production—such as inclusionary zoning regulations. Research shows that, even in the strongest of markets, inclusionary zoning is ineffective at producing material amounts of affordable housing. Some evidence suggests that it may contribute to higher overall housing prices and reduced construction of new units.⁴ Cincinnati is not a leading housing market and city officials must be cognizant of regulations that will suppress market participation. Reducing regulatory barriers to development while providing additional resources to proactively assist the development of affordable housing, as described above, balances the local market realities with housing needs to materially increase affordable housing units.

The City Administration will present legislation and internal updates to implement this recommendation, including but not limited to legislation focused on lifting parking requirements and density restrictions in targeted areas; amending the administrative code to realign development focused city staff and improve operations; allowing more as-of-right housing development options, including accessory dwelling units; clarifying variance standards; pre-approvals of certain affordable housing incentives, such as CRA incentives for projects that meet certain affordable housing benchmarks; and adjustments to clarify and streamline other development regulations, including hillside overlays and setback regulations.

Conclusion

The production of housing is a complex and expensive undertaking; however, increased production of all housing, affordable projects to market-rate, is critical to addressing the need for increased housing affordability. To facilitate increased supply, the City Administration is recommending a multi-pronged approach that focuses on building a cohesive strategy to be executed through partnerships and structured programs. Public investment will be utilized to attract private investment in order to expand impact and the City will take steps to streamline the regulatory framework that constricts supply. Deploying these recommendations will leverage

⁴ Freeman, Lance and Schuetz, Jenny. 2017. "Producing Affordable Housing in Rising Markets: What Works?" *Cityscape: A Journal of Policy Development and Research* 19(1): 225-227.

Exhibit C

limited public resources and encourage private investment, meaningfully advancing the goal of materially increasing housing affordability throughout Cincinnati.

Exhibit D

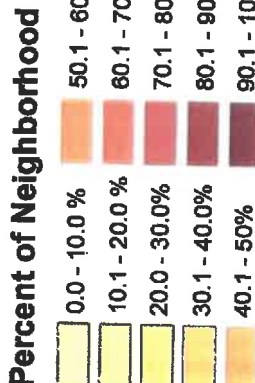


Exhibit E - Density Variances approved in Historic Districts

| Case | Address | District | Variance | Additional Variance | INC/existing | Decision | Notes |
|------------|--------------------|-----------------|----------|---------------------------|------------------|----------|------------------------------------------------------------------------------------------------------|
| ZH20160169 | 1632 Central Pkwy | OTR | CU | Ground Floor residential | existing | Approved | 44 units = 431 sf/unit (existing bldg) - 0 units existing - 37 permitted by Code |
| ZH20160213 | 1925 Vine | OTR | Density | | existing | | 20 units = 283 sf/unit (existing bldg) - 17 units existing - 11 permitted by Code |
| ZH20170033 | 1216-1218 Race | OTR | Density | Setbacks | New Construction | Approved | 22 units = 324 sf/unit (new bldg) - 10 permitted by Code |
| ZH20170136 | 203 E Clifton | OTR | Density | Setbacks | Existing | Approved | 7 units = 354 sf/unit (existing bldg) - 6 units existing - 3 permitted by Code |
| ZH20170145 | 1437 Elm | OTR | Density | Setbacks | New Construction | Approved | 3 units = 466 sf/unit (new bldg) - 2 permitted by Code |
| ZH20170162 | 1531 Elm | OTR | Density | Ground Floor residential | Existing | Approved | 8 units = 253 sf/unit (existing bldg) - 7 units existing - 4 permitted by Code |
| ZH20170163 | 1533 Elm | OTR | Density | Ground Floor residential | Existing | Approved | 8 units = 275 sf/unit (existing bldg) - 6 units existing - 4 permitted by code |
| ZH20180066 | 161 E McMicken | OTR | Density | | Existing | Approved | 5 units = 357 sf/unit (existing bldg) - 6 units existing - 3 permitted by Code |
| ZH20180099 | 1431 Republic | OTR | Density | | Existing | Approved | 3 units = 864 sf/unit (existing bldg) - 2 units existing - 2 permitted by Code |
| ZH20180128 | 24-26 W 15th | OTR | Density | Parking | Existing | Approved | 12 units = 150 sf/unit (existing bldg) - unknown number of previous units - 3 permitted by Code |
| ZH20180142 | 1518 Race | OTR | Density | Parking | New Construction | DENIED | 16 units = 281 sf/unit (new) - 6 units permitted by Code |
| ZH20180150 | 1118 Sycamore | OTR | Density | Parking | New Construction | Approved | 155 units = 261 sf/unit (new bldg) - 58 permitted by Code |
| ZH20180151 | 2806-2808 Woodburn | Woodburn Ave | Density | Parking | Existing | Approved | 19 units = 362 sf/unit (existing bldg) - 10 units existing - 12 permitted by Code |
| ZH20180181 | 1505 Republic | OTR | Density | | Existing | Approved | 7 units = 211 sf/unit (existing bldg) - 6 units existing - 1 permitted by code |
| ZH20180182 | 1513 Republic | OTR | Density | | Existing | Approved | 8 units = 185 sf/unit (existing bldg) - 6 units existing - 1 permitted by Code |
| ZH20180183 | 1515 Republic | OTR | Density | | Existing | Approved | 8 units = 185 sf/unit (existing bldg) - 6 units existing - 1 permitted by Code |
| ZH20180193 | 528 E 12th | OTR | Density | Buffer Yard, articulation | | | |
| ZHUV180007 | 2415 Maplewood | Kinsey Apt Bldg | Density | Parking, landscaping | Existing | DENIED | 56 units = 287 sf/unit (new bldg) - 23 permitted by Code |
| ZH20190017 | 1505 Vine | OTR | Density | Sign | New Construction | Approved | 14 units = 855 sf/unit (existing bldg) - 7 units existing - 3 permitted by Code (RMX - 4 by density) |
| ZH20190021 | 1735 Vine | OTR | Density | | Existing | Approved | 12 units = 458 sf/unit (new construction) - 7 permitted by Code |
| ZH20190061 | 1733 Elm | OTR | Density | | Existing | Approved | 6 units = 413 sf/unit (existing building) - original number unknown - 4 permitted by Code |
| ZH20190108 | 1512 Republic | OTR | Density | Setbacks | Existing | Approved | 10 units = 278.75/unit (existing bldg) - 9 units existing - 5 permitted by Code |
| ZH20190109 | 1521 Vine | OTR | Density | | New Construction | Approved | 27 units = 283 sf/unit (new) - 10 permitted by Code |
| ZH20190110 | 1600-1602 Pleasant | OTR | Density | Setbacks | New Construction | Approved | 18 units = 321 sf/unit (new) - 8 permitted by Code |
| ZH20190111 | 1617 Race | OTR | Density | Setbacks | New Construction | Approved | 24 units = 247 sf/unit (new) - 4 permitted by Code |
| | | | | | | Approved | 15 units = 366 sf/unit (new) - 7 permitted by Code |

| | | | | | | | | |
|------------|-------------------|-----|--|---------|-------------------------------------|------------------|----------|-----------------------------------------------------------------------------|
| ZH20190117 | 211 Woodward | OTR | | Density | | Existing | Approved | 7 units = 392 sf/unit (existing) - 4 units existing - 5 permitted by Code |
| ZH20190119 | 1604 Pleasant | OTR | | Density | | Existing | Approved | 6 units = 283 sf/unit (existing) - 5 units existing - 3 permitted by Code |
| ZH20190121 | 1601 Race | OTR | | Density | | Existing | Approved | 12 units = 300 sf/unit (existing) - 11 units existing - 7 permitted by Code |
| ZH20190122 | 20 E 15th | OTR | | Density | | Existing | Approved | 8 units = 345 sf/unit (existing) - 6 units existing - 5 permitted by Code |
| ZH20190123 | 1510 Moore | OTR | | Density | | Existing | Approved | 6 units = 300 sf/unit (existing) - 5 units existing - 3 permitted by Code |
| ZH20190124 | 215 Woodward | OTR | | Density | | Existing | Approved | 5 units = 260 sf/unit (existing) - 2 units existing - 2 permitted by Code |
| ZH20200007 | 68 E McMicken Ave | OTR | | Density | | Existing | Approved | 11 units = 327 sf/unit (existing) - 6 units existing - 7 permitted by code |
| ZH20200101 | 528 E 12th Street | OTR | | Density | Buffer yard, articulation | New Construction | Approved | 33 Units = 404 sf/unit (allowed 19 units permitted by code) |
| ZH20200102 | 600 E 12th Street | OTR | | Density | Buffer yard, articulation, setbacks | New Construction | Approved | 23 units = 426 sf/unit (allowed 14 units permitted by code) |



24 May 2021

James Weaver, Senior City Planner
805 Central Ave
Cincinnati, Ohio 45202

Mr. Weaver,

In response to the notice sent regarding "Proposed Removal of Density Restrictions from the Cincinnati Zoning Code," the Chair of the Planning and Zoning Committee solicited comments from Committee members for your consideration. Comments are as follow.

"This is very, very good. These density limitations are a serious problem when it comes to affordability. And they make it really hard for small developments to happen. Basically, under the current regime, only folks who can amass large numbers of contiguous parcels are able to develop anything in these districts. This should help us take a step toward encouraging more of the "missing middle" type housing. Smaller apartment buildings, duplexes, triplexes, etc. The city should take this further and consider reducing or eliminating parking minimums, setbacks, etc. that have a similar effect of reducing the housing supply. We should also look at allowing duplexes, triplexes, small apartment buildings, and ADUs in our current single-family zone. We have these housing types spread throughout the neighborhood but most are illegal to build today."

"I think increased density in theory. I become concerned with 3 and 4 story structures being built adjacent to single family homes in traditional low-rise areas. Ideally these developments can infill areas left where larger commercial, retail, and manufacturing has left the neighborhood. These developments can then restore a street edge (similar to what the Apple Street Senior Living building will do). One big issue with increased density with apartments and condos is the demands it puts on greenspace. Many of the residents of these places must seek out outdoor spaces for recreation. There has to be a way to require enlarging and increasing outdoor space in the form of parks and public spaces alongside the increase in density. The proposed amendments appear to eliminate the minimum lot sizes in districts altogether. It seems safer to me to just find what an optimal reduction in the minimum lot size is and then amend the number."


"I'm generally supportive of the changes as needing a minimum amount of lot square footage per unit incentivizes buying up lots of adjacent parcels to create a sprawling apartment building due to small lot sizes and irregular lot shapes which unnecessarily decreases the number of units that can be built."

"I support removing the limitations. During the recent discussions of the failed ballot effort around affordable housing, it occurred to me that loosening density and use restrictions to allow for more multi-unit and mixed use development is the best way to do achieve more affordable housing and more amenities as neighborhoods densify, all without a controversial budget allocations."

Exhibit F



If you have any questions about these comments, feel free to contact me.



Jason Schneider, AIA
Chair, Planning and Zoning Committee
planning@northsidecouncil.com

CC: Becky Smolenski-Finnigan

Exhibit F

Weaver, James

From: Jim Albers <jalbers@earthlink.net>
Sent: Monday, May 24, 2021 9:13 AM
To: Weaver, James
Cc: planning@northsidecouncil.com; president@northsidecouncil.com
Subject: [External Email] Proposal to modify Title XIV, Zoning Code of the City of Cincinnati of the Cincinnati Municipal Code

External Email Communication

24 May 2021

James Weaver, Senior City Planner

Department of Planning, City of Cincinnati

Re: Proposal to modify Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by amending the provisions of Section 1405-03, Section 1405-07, Section 1407-07, Section 1409-09, Section 1410-07, Section 1413-07, and Section 1415-09

Mr. Weaver,

I'm a 27 year City of Cincinnati Northside resident and homeowner, a member of the Northside Community Council and a new member of the Planning and Zoning committee. I'm submitting comments in opposition to the proposed elimination of zoning density requirements in the above referenced sections for the following reasons.

First, I'm opposed to eliminating zoning provisions that can help to regulate the pace and cost of neighborhood/community change that otherwise would be driven by market forces unconcerned the residents needs or the character and/or values of the community. Northside, long known as a racially and socioeconomic diverse community, has lost much of that diversity during the past 10 – 20 years as rents and housing prices have dramatically increased.

According to the Northside Housing Research Institute, (February 2021), between 2010-2019, median gross rent and home value, respectively, increased by 40% and 43%. while median household income increased 53%.

Second, eliminating density requirements to allow developers to build more smaller units can reduce construction costs, but does not necessarily result in an increase in affordable units that can sustain a diverse racial and socioeconomic neighborhood. Market forces will not meet the housing needs, for example, of a lower-wage service sector workers and their families.

Smaller units do not beget affordable housing, as small studio and one-bedroom apartments in new multi-family residences in Northside currently rent from \$800+ to \$1300 per month, respectively, exceeding the 30% AMI of a large section of the Cincinnati workforce.

Third, I believe the period allowed for comment is inadequate and the city administration has not adequately

Exhibit F

solicited the input of communities in this rush to change the zoning density requirements.

Finally, minority and working class residents have been uprooted and/or priced out of the new and renovated housing in neighborhoods where were born, because we have a housing market driven almost exclusively by the profit motive. Eliminating zoning requirements can only exacerbate this process. We need a commitment to stabilize communities impacted by anarchic market forces, not add government assistance to those forces. We need to recognize that affordable housing is a right and can only be met with the necessary public investment.

Respectfully,

James Albers

4312 Langland Street

Cincinnati, OH 45223

jalbers@earthlink.net

Exhibit G



Community Council Opposition to Proposed Density Legislation

Dear Councilmembers, and members of the Planning Commission,

We are writing on behalf of Invest in Neighborhood's **Neighborhood Councils Action Coalition**, and as individuals who have researched, discussed, and engaged with this issue for many months.

The goal of the proposed legislation is to increase density which will increase affordable housing. This is a laudable goal and we do not oppose the idea of creating affordable housing.

However, we do not agree that this blanket approach to modifying the density restrictions within specific zoning codes is the correct approach. A blanket approach through a code change across the board would result in unintended consequences that would negatively impact the diversity of our neighborhoods.

First, and significantly, this would remove the ability of neighborhoods to have their voices heard and to have any influence on the development in their neighborhood. Second, and related, the proposed change does not recognize the distinctly different neighborhoods with different needs and different concerns in their communities. Both of these problems would consequently limit the ability of communities to manage growth while maintaining what is unique to their neighborhood.

In order to emphasize that this is not merely "NIMBYISM", we have gathered concerns from different neighborhoods which demonstrate that specific needs and problems cannot be solved with a universal approach. We have appended (lightly edited) representative examples from individuals from different communities across the City that provide very specific and valid concerns.

In addition to reviewing these, we also encourage the Planning Commission and City Council to listen to the recordings of the public meetings, reach out to the communities and hear their arguments before voting on this critical issue.

Again, we are NOT opposed to affordable housing and looking at ways to increase density in ways which can improve affordability, but we are opposed to a blanket approach.

Finally, we feel that a legislative approach that works toward meeting these objectives can be crafted in collaboration with us which would lead to a stronger city and have long lasting positive effects on those who live here and will choose to live here.

Thank you for your consideration,

Signed,

{signatories below}

Exhibit G

Signatories

| | | | |
|---------------------|-----------------|----------------------|----------------------|
| Andria Carter | Avondale | Laura Whitman | Mt. Lookout |
| Celeste Wonson | Bond Hill | Brian Spitler | Mt Lookout |
| Theodora Fambrough | Bond Hill | Pamela J. Adams | North Fairmount |
| Dorothy Brundidge | Bond Hill | Joe Groh | Oakley |
| Carolyn White | Bond Hill | Myra Greenberg | Over-the-Rhine |
| Winfred White | Bond Hill | Linda Plevyak | Over-the-Rhine |
| Morris Williams | Bond Hill | William Leavitt | Over-the-Rhine |
| Robbe Bluestein | Camp Washington | Victoria Leavitt | Over-the-Rhine |
| Karen Bluestein | Camp Washington | Margy Waller | Over-the-Rhine |
| Peter Block | Clifton | Michael Bootes | Over-the-Rhine |
| John Osterman | Clifton | Lynne Stone | Paddock Hills |
| Malcolm Montgomery | Clifton | Lina Orr | Paddock Hills |
| Linda Keegan | Clifton | Luekiucius Brown | Paddock Hills |
| Drew Asimus | College Hill | Elizabeth Swain | Paddock Hills |
| Phyllis Slusher | College Hill | Shirley Rosenzweig | Pendelton |
| Chip Kusmaul | CUF | Abbigail Tissot | Pendelton |
| Maureen France | CUF | Patricia Schneider | Pendelton |
| Linda Ziegler | CUF | Michelle Avery Keely | Pendelton |
| Kurt Grossman | Downtown | Adam Tissot | Pendelton |
| Natasha Mitchell | East Price Hill | Kertsze Nunes | Pendelton |
| Eric Buhrer | East Price Hill | Sarah Baker | Pendelton |
| Reginald Roberts | East Westwood | Deborah Mays | Pendelton |
| Robert Moore | East Westwood | Mark Rosenzweig | Pendelton |
| Rodney Christian | East Westwood | Ken Jones | Pendelton |
| Georgia Brown | Evanston | Bonnie Dixon | Pleasant Ridge |
| Laura Feldman | Hartwell | Bella Amor | Pleasant Ridge |
| Norman Lewis | Hyde Park | Nancy Sunnenberg | Roselawn |
| Janet Buening | Hyde Park | Ward Wenstrup | Roselawn |
| Michael Mauch | Hyde Park | Melvina Murdock | Roselawn |
| John Isch | Hyde Park | Robin Woods | Roselawn |
| Andy Corn | Hyde Park | Mary Dornette | Saylor Park |
| Karen Planet | Hyde Park | Lois Mingo | South Cumminsville |
| Douglas Burkey | Hyde Park | Jim Casey | South Fairmount |
| Jean Bange | Kennedy Heights | Jerry Carrico | Spring Grove Village |
| Nancy Dickson | Mt. Airy | Karen Ball | West Price Hill |
| Terrance F. Crooker | Mt. Airy | Kim Hale-McCarty | West End |
| Belle Walsh | Mt. Airy | | |
| Mark Menkhaus | Mt. Airy | | |

Specific Neighborhood Concerns addressing the impact of blanket change to code:

Neighborhood: OTR

"The various zoning variances requested by developers here are some of our only opportunities to register our objections to outsized and architecturally insensitive development proposals. As we understand the proposals they are nothing more than carte blanche concessions to developers who too often ignore the preferences and character of neighborhoods.

Zoning variances give us a chance to demand affordable housing units in exchange for infrastructure and tax abatement subsidies. The current lame duck administration has made repeated concessions to corporate development interests that have left the City budget impoverished and have displaced 43% of the black population of OTR in the last 10 years. Further concessions such as the proposed density changes are egregious."

Neighborhood: Paddock Hills

I think the only concern for our neighborhood is that we do have a significant amount of multi-family housing that could be replaced with larger, taller buildings with less parking

Neighborhood: West End

Speaking solely as a resident of the West End I feel that universally removing density limitations from residential multifamily districts will disproportionately harm people and communities of color. Removing density limitations in the West End, and other communities that are racially concentrated areas of poverty, will have the effect of exacerbating concentrated poverty and perpetuate segregation. The proposed zone changes specifically target the city's most dense areas, including entire communities which are primarily poor and black. Removing density limitations in these historically disinvested areas will continue to steer low-income (aka affordable housing) developers to the very areas that are struggling with the residual effects of past (then legal) discriminatory housing patterns that relegated black people to poor black communities.

As an aside, with this knowledge it should not come as a surprise to understand why these areas contain most of the regions affordable housing units. The city is fully aware that 94% of residents in low-income, aka affordable housing, are African American. When that housing, now being hyper-incentivized to only be built in poor, predominately black areas/communities, is sited in those communities, this has the effect of dictating where poor, predominately black people will live. It is shameful. No child's zip code should determine her future.

Neighborhood: Evanston

There is and has been locally and nationwide the concern of inequities in Neighborhoods populated with people of color and or limited income. To be honest, it seems no money no voice. Unfortunately, we don't seem to have enough leadership representation willing to discuss and work together to consider that concern. Limited concern about maintaining the historic layout and structures of communities already there when there is money to be made. There is a realization that each community has it's needs.

Funds seem to be and are limited to maintain existing structure and no concerned in working to revitalize what exists, which has a better quality of material. New means more money and tax

Exhibit G

abatements. There needs to be more discussion on this and other ongoing issues that really affect the total welfare of every community. We are really one big community, just different boundaries

Neighborhood: Hartwell

Hartwell is a small neighborhood. Our neighborhood is already directly impacted by apartment housing, specifically the boarding houses.

Our area would not be able to handle higher density housing in a mostly residential area. Not only would it be completely out of place, we do not have the police presence to handle an influx of residents

Neighborhood: Kennedy Heights

Kennedy Heights is experiencing a mind-blowing surge in housing prices. We are seeing homes being bought up, demolished, and new constructions going for three times the price of the home that had been there previously. A recent addition to the market is priced at a point that I can only assume is based on a buyer wanting its noticeable acreage, with the end goal of adding more housing. All this is occurring within the restraints of current zoning allowances. We are also facing a drastic shortage of affordable senior housing, and a growing senior population that is struggling to keep up with rising property taxes and physical maintenance of their properties.

Kennedy Heights is in the middle of our neighborhood plan right now, and the overwhelming response we are hearing is that our priorities as a neighborhood is to preserve our diversity—this includes socioeconomic level and age. A universal removal of density requirements, while pitched to the public as increasing inventory and therefore affordability, does not offer the desired protections against profit-motivated developers who would continue to fill our neighborhood with luxury homes and luxury apartment complexes, thus continuing to change Kennedy Heights into a more homogeneous population.

Neighborhood: Oakley

This impacts a significant portion of Oakley properties, and the impacted properties are in areas that contain most of our most affordable housing.

- *By including all RM zoned districts, this would allow developers to buy an existing 1/2/3 family unit/property, demo it, build up to 10/12 units *with off street parking* without needing any OCC approvals.*
- *They also tout "affordable housing", but this would have the opposite impact, as there is no way a developer is going to take on the expense to buy/demo/build/ and then offer the units at a price lower than current rent/mortgage is.*
- *Additionally, by adding units in the same footprint, you will run off families as the new units would simply be too small.*
- *Net impact - most of the more affordable housing, as documented in the recent Oakley Housing Inventory study, would likely be replaced by more expensive housing units.*
- *The ordinance was done *without any community input*, which is concerning. Thankfully, Liz is willing to have the town hall - mainly because the feedback has been overwhelmingly negative.*
- *I have no real issue with the changes to the other zoning districts, just the RM.*
- *My recommendation is to remove RM from the ordinance/proposal, and allow that to continue to be an item that each neighborhood has the ability to have input on, on an individual development basis.*
- *I've been very clear, when I've voiced my opinion, that I'm speaking as an individual resident, and not on behalf of the OCC - because we've not discussed this as a group, nor have we voted to make a statement on the issue.*

Exhibit G

- *I'll also add that, one reason the city put forth for doing this is really to make their job a little easier - they commented that most of the zoning requests that get submitted for land/size variances get approved, so why not just do away with the need to have a hearing. Sorry, IMHO that is a weak rationale for taking control (what limited control/influence we do have) away from the neighborhoods.*

Neighborhood: Linwood

Future development based on increased density could, and most likely would, result in high priced rental units, for one or two occupants, not conducive to affordable housing for families which is what our City is lacking. Our neighborhood, Linwood, already has a rental percentage of 45%+ even while having 700K+ new single family housing built in the last ten years driven by development (developers') pressure. Linwood has some zoning for manufacturing making its housing less concentrated around a neighborhood center where some density might be acceptable and desirable. Any residential building with many units, accommodating only one or two occupants, built in a non-walkable environment can only increase unwanted traffic in a City where mass transit is not practically available. There appears to be no actual universal planning by the City to create suitable profiles for each neighborhood; ours could use affordable SF housing, possibly attached, as a nod to density.

Neighborhood: Clifton

For Clifton: loss of historic homes and other historic structures that would be replaced with new builds that are made of cheap materials, out of scale for the neighborhood and inconsistent with the "Clifton aesthetic" that is part of its charm.

Neighborhood: Downtown Residents Council

1. *The downtown core is already quite dense so it's not clear what the impact of this specific overlay would be here. But it can have dramatic impacts on other neighborhoods. We should be supportive of our neighbors as our 52 neighborhoods make us "Cincinnati".*
2. *The concern from the downtown perspective, in my opinion, is two-fold based on things that have been largely unsaid. This zoning issue is, I believe, one part if a bigger effort that can be much more troubling.*

2.A For example, I understand that there will also be efforts to reduce parking minimums with more dense developments. Downtown already has parking challenges which, if made worse, will (i) cause fewer people to want to come downtown for business or pleasure and (I) will cause existing parking to increase (possibly by a lot!) their fees which will not only deter people from coming but merely line the pockets of those controlling the parking lots. And other neighborhoods may have similar or even more compelling problems. By way of example, OTR has been quite vocal about the struggle from lack of available parking even for their existing residents. Density should not be looked at without understanding "what's next".

2.B. There may also be a background effort to ease setback requirements in the downtown core that will mean narrower and even more dangerous sidewalks for pedestrians (who already have to share with scooters and bikes). Other neighborhoods likely share these same concerns. Again, what's the bigger picture?

Neighborhood: CUF

Since September 5, 2002, I have been a Residential Home Owner living in the CUF (Clifton Heights-University Heights-Fairview) Neighborhood which is already the "most densely populated" neighborhood in the City of Cincinnati, primarily due to the large amount of older housing stock located in Clifton Heights, which is normally rented by UC Students and sometimes other Temporary Renters. The large amount of Transient and Temporary Residents co-existing among the Long-Term Home and Business Owners in the area poses a unique and often "very challenging" set of issues with vandalism, trash, littering, poorly maintained yards/exterior housing facades (one can only guess about the interiors), large unsupervised noisy parties, drug dealing in our local Parks and Streets, lack of enforced parking rules, too many cars without enough parking spaces, inability of the City to operate a Proper/Tax Payer Funded Street Sweeping Program, and young College Students walking around with targets on their backs as potential/actual robbery and assault victims. While some of these issues listed are mostly applicable to CUF and other nearby UC Campus neighborhoods, many more of the other issues listed will begin to "exponentially and negatively" impact other City Neighborhoods if "common sense" Zoning and Density Requirements are removed. The City of Cincinnati currently can't (or won't) stay on top of most of these Quality-of-Life and Infrastructure/Population Support Issues on a "consistent" basis as it is, let alone allowing Get-Rich-Quick Developers to build new Cheap, Shoddy, and possibly Toxic Multi-Housing Structures all over the City that probably won't last a couple of decades (if that) without needing to be bulldozed and replaced.

I also "highly concur with" every comment that I read pertaining to the Importance of Preservation of our Historic Buildings and the need to "prioritize" Community and Economic Incentives to properly rehab our existing building stock, much of which has sadly been allowed to deteriorate and rot over time by Irresponsible and Immoral Greedy Slumlords. Some of these properties exist where I live in the lower Fairview portion of CUF, around W. McMicken Avenue. Fortunately, we also have some of the opposite, beautiful historic older buildings (Single and Multi Family) that have been well maintained and cared for for over a Century by their Owners. Adding more density of people and buildings to a City that currently lacks in Adequately Safe Modern Street Lighting in ALL Neighborhoods, and is still scrambling to comply with Federally Mandated Sewer Pipe and Drainage Systems, and has an Inadequately Staffed Police/Safety Department needed to properly protect ALL of our Neighborhoods is Totally Asinine, Fiscally Irresponsible, and Structurally Unsustainable!!!

Neighborhood: Camp Washington

Parking, traffic congestion, loss of neighborhood character

Neighborhood: Northside

Very few negative issues beyond constraining the on-street parking supply. My neighborhood (Northside) already has a strong mix of 1, 2, 3, and 4 family homes which has kept the area diverse and with multiple kinds of housing options for people. Interestingly as the neighborhood became less dense over the years and more buildings were converted to single-family homes, the on-street parking issue became much worse. This may be because people who live in single-family homes tend to have multiple personal vehicles, whereas people who live in denser housing tend to have fewer or no personal vehicles. Very few Northside homes have driveways so on-street parking is key. As the neighborhood has become more attractive to higher earners and more single-family homes were built (as the current zoning only allows that) the on-street parking problem has actually gotten worse. Northside now has fewer housing units than a decade ago, but far more cars.

Neighborhood: Hyde Park

City Homes, on Wasson Road (across from Hyde Park Kroger) - the project is too dense for the site; there are multiple serious environmental and traffic concerns related to the development; it is not an optimal use for this property, which is adjacent to the Wasson Way Trail; the development will not be a good architectural fit in the community; there has been no progress on the development since Ken French was granted City approval for the project, and the land is vacant, overgrown, and an eyesore to the neighboring properties. More than 2,000 Hyde Park residents signed a petition opposing the variances and other zoning relief that was granted for this project, and had City Council support to prevent the development, but the Mayor remanded the project to Planning Commission and they were able to approve the lot splits and variances without City Council approval. A new development, by PLK, on property zoned CCA on Wasson Rd. between Michigan and Shaw does not require a zone change or any zoning relief. The developer intentionally did not engage with the community in any way, nor did the City send notice about the development. What is being proposed fits into the requirements for CCA - though they are being very fudgy about the commercial use requirement (that will be only 219 sq ft of office space that the developer will use as a leasing office for the property.) The proposed use (1 and 2 BR apartments) is too dense for the space and the adjacent neighborhood; the 100+ new residents (and cars) it will bring in will present serious traffic and pedestrian safety issues. The height of the building (72 ft) and proximity to neighboring residences, and the balconies that will look down into those properties, will diminish property values as well as the neighbors' enjoyment of their homes. Also, the architecture is completely out of character with the neighboring homes, and screening for the 2-story above-ground garage on which the apartments will be built appears to be marginal and ineffective. This project is, on every level, a case study for bad community development.

Neighborhood: Pendleton

Creation of new buildings that have too many people for the existing resources of the area (ex: too little parking, green space, room for trash cans), resulting in a worse quality of life for all existing residents/neighbors and thus changing the entire living context of the small neighborhood. Example: proposed Bennett Point project by CMHA.

Neighborhood: Pendleton

Historical district architectural characteristics (height etc) must be preserved. Affordable housing Act requires keeping dignity to all. Allowing many people to live within small confined apartments (after allowed with high density affordable housing) in old or new buildings without entertainment areas, hot rooms and noise environment with high density living, is illegal based on the federal law act above.

Neighborhood: Mt. Lookout

We have RM areas nestled in the midst of SF zoning. Increasing density will directly affect those in SF areas - more traffic, more noise, more strain on infrastructure and local services. Our sewers are already over capacity. Adding more is not as feasible in neighborhoods as opposed to more commercial areas. Also, developers are already buying contiguous properties and then combining to build bigger multi-family developments. Eliminating density restrictions will encourage this practice and existing property owners will bear the brunt (it's already happening now) as open space and views of trees and sky are replaced with walls of new buildings and parking lots. This irrevocably changes the character of the neighborhood and has a gross negative impact on the families that have already invested financially and emotionally here.

Exhibit G

Neighborhood: College Hill

Neighborhoods join the City in recognizing the need for more people and higher density to grow our City. We would rather see the City work with us to develop a comprehensive plan for making that happen than to expect great things from a piecemeal ordinance. Developers should not be the drivers for density. Bring a plan to us. Don't just deal with each developer as it comes to the City seeking subsidies and tax breaks.

Weaver, James

From: John Brannock
Sent: Tuesday, July 27, 2021 1:49 PM
To: Weaver, James
Cc: #COUNCIL; info@mtlookout.org
Subject: [External Email] PROPOSED REMOVAL OF DENSITY RESTRICTIONS

External Email Communication

Hello Mr. Weaver (City Council and MLCC cc'd),

I'm a resident of Mt. Lookout and served as President and other various positions on the Mt. Lookout Community Council for 15 years (dropped out a couple years ago due to other commitments with my kids' schools). I am writing to say I am not in favor of the proposal to remove density restrictions for RM 1.2 and RM 2.0 and here are some reasons why:

1. With all the recent tear downs of single family homes, lot splits, and apartment/condo development in Mt. Lookout, Hyde Park, Columbia Tusculum, and Oakley, traffic has become a huge problem. The existing roads cannot be modified and that becomes a problem when you add a few thousand more residents to this area that was already pretty congested. This removal of density restrictions will only make this worse especially since the areas most affected are new the business districts.
2. There are many modest single family homes within this zoning that are very desirable for middle class young families, single people, elderly, etc. that will be torn down and replaced with large apartments/condo because it will provide a large profit for developers at the expense of the previously mentioned groups that desire these homes in these great neighborhoods. We will be losing the character that comes with these homes as well as the opportunities that these groups want and desire. With this proposal, all of Ellison Ave and Van Dyke, for example, could be wiped out and replaced with huge apartment buildings (I know the size could be the same as today but more units makes it much more profitable for a developer to do so) which would be a travesty to the character of this area.
3. Sewers - please contact MSD and ask them how much more flooding has occurred in the past few years because of all the new development and the runoff now going into gutters and into the sewers instead of natural runoff like it was when there were greenspace and single family yards. More development will add to this issue as again, like the roads, the sewers cannot be easily, if at all, modified.
4. There isn't parking available for the large increase of residents. On street parking is already maxed out in many areas and this will just make it more difficult (think of Chicago neighborhoods if you have been there - driving around for hours to find a spot within a couple blocks of your residence). Again, not fair for the elderly that live in these areas.
5. Schools - the public schools in this area (Kilgour, Hyde Park, etc) are way over capacity today and this will likely add to that problem.

Exhibit G

6. Perhaps a compromise would be to limit this density to those neighborhoods that can use it like Madisonville, Linwood, East End, Westwood, Mt. Washington, etc. HP, ML, Oak, and CT don't need more density due to the reasons stated above.

Unfortunately, I will be on vacation on 8/4 so I will not be able to attend the meeting but wanted to send you my comments ahead of time for your review.

Please feel free to reach out to me for any further comments or questions. I have lived in HP and ML for about 26 years and have seen a lot of changes (some good and some bad) and would love to share more if needed.

Thank you for your time.
John Brannock

Exhibit G

Weaver, James

From: David Petersen <dcpetersen808@gmail.com>
Sent: Wednesday, July 28, 2021 10:03 AM
To: Weaver, James
Subject: [External Email] Fwd: Proposed Zoning text amendments to Chapter XIV, "Zoning Code of the City of Cincinnati" to remove density limitations for multi-family development in certain districts Citi-wide per City Planning Commission Staff Conference of Jun...
Attachments: USPSNoticeofPublicHStaffConferenceCoCPlanningCommission07292021.pdf

External Email Communication

Sorry, I had the wrong email address in this first email.

Begin forwarded message:

From: David Petersen <dcpetersen808@gmail.com>
Subject: Proposed Zoning text amendments to Chapter XIV, "Zoning Code of the City of Cincinnati" to remove density limitations for multi-family development in certain districts Citi-wide per City Planning Commission Staff Conference of June, 4 2021.
Date: July 28, 2021 at 9:56:32 AM EDT
To: james.weaver@cinci-oh.gov, andy.juengling@cincinnati-oh.gov
Cc: cgriffin.nati@yahoo.com, Noah O'Brien <noahjobrien@gmail.com>, Sherri King <sherribarberphotography@gmail.com>, Kim Hale-McCarty <KimHaleMcCarty@gmail.com>, Keith Blake <kablake@live.com>, Linda Petersen <lpetersen808@gmail.com>, CityCouncil@cincinnati-oh.gov, "Cranley, Mayor" <mayor.cranley@cincinnati-oh.gov>, Crystal Kendrick <crystal@thevoiceofyourcustomer.com>, John valentine <johnv913@gmail.com>, "Keough-Jurs, Katherine" <katherine.keough-jurs@cincinnati-oh.gov>, lbrunner@cincinnatiport.org, Ashley White <ericashley.cook@icloud.com>, Deaven Williams <dwmichelle89@gmail.com>, Abdiel Acevedo <alacevedo05@gmail.com>, Ingrid Jones <bluedogjones@me.com>

Hello Mr. Weaver and Mr. Juengling,

At its meeting of July 20, 2021, the West End Community Council (WECC) voted to oppose the proposed zoning text amendments that included removing "density limitation for multi-family development in certain zoning districts..."

It also voted to notify you in writing to inform you of the WECC's position.

I'm sending you this email today so that this information might be included in tomorrow's "virtual public staff meeting".

Newly elected WECC President Griffin's letter has not yet been published, and I wanted to be certain that you both were aware of the WECC's position prior to your July 29, 2021 meeting. Please include this email in your proceedings.

Personally, I strongly oppose the proposed zoning text amendment as well. I additionally support Councilman Goodin's suggestion to prohibit additional subsidized housing in neighborhoods with subsidized housing exceeding 50% of existing units.

Studies show that subsidized housing rates above 20% tend to concentrate poverty, increase segregation and is harmful to the well being of a community.

Thank you,

Dave Petersen. (West End)
808 Dayton Street

Exhibit G

Cincinnati, OH 45214

(513) 651 1890

Exhibit G

Weaver, James

From: GEORGE ELLIOTT <gsewine@aol.com>
Sent: Thursday, July 29, 2021 2:48 PM
To: Weaver, James
Subject: [External Email] PROPOSED REMOVAL OF DENSITY RESTRICTIONS FROM CITY ZONING CODES

External Email Communication

We are totally opposed to the above proposal as it relates to both Mt Lookout and Hyde Park. Developers have ripped apart these 2 neighborhoods and they don't need any further encouragement from the city to continue. We don't need any more of their devastation. Thanks.

Regards,
George & Jeane Elliott
Hyde Park

Sent from my iPhone 

West End Community Council

PO Box 14424

Cincinnati, Ohio 45250

July 25, 2021

Dear Mr. Weaver and Mr. Juengling,

At its meeting of July 20, 2021, the West End Community Council (WECC) voted to oppose the proposed zoning text amendments that included removing "density limitations for multi-family development in certain zoning districts..."

Please enter this letter into the record and include it in your upcoming planning meetings on this subject.

Regards,



**Chris Griffin
President, WECC**

Exhibit G

Weaver, James

From: Juengling, Andy
Sent: Wednesday, July 21, 2021 8:00 AM
To: Weaver, James
Subject: FW: [External Email] RE: Zone amendments & Segregation

Follow Up Flag: Follow up
Flag Status: Flagged

Another one with your email address misspelled.

Andy Juengling, AICP | Senior City Planner
City of Cincinnati | Department of City Planning and Engagement
Two Centennial Plaza | 805 Central Avenue, Suite 720 | Cincinnati, OH 45202
(p): 513.352.4840 | (f): 513.352.4853 | [Website](#) | [Twitter](#) | [Plan Cincinnati](#)



From: Crystal Kendrick <crystal@thevoiceofyourcustomer.com>
Sent: Tuesday, July 20, 2021 11:31 PM
To: Kim Hale-McCarty <kimhalemcarty@gmail.com>; 'David Petersen' <dcpetersen808@gmail.com>; Goodin, Steven <steven.goodin@cincinnati-oh.gov>
Cc: Landsman, Greg <Greg.Landsman@cincinnati-oh.gov>; Sundermann, Betsy <Betsy.Sundermann@cincinnati-oh.gov>; Keating, Liz <liz.keating@cincinnati-oh.gov>; Mann, David <david.mann@cincinnati-oh.gov>; Kearney, Jan-Michele <Jan-Michele.Kearney@cincinnati-oh.gov>; Seelbach, Chris <Chris.Seelbach@cincinnati-oh.gov>; Cranley, Mayor <mayor.cranley@cincinnati-oh.gov>; 'Noah O'Brien' <noahjobrien@gmail.com>; 'Sherri King' <sherribarberphotography@gmail.com>; 'Linda Petersen' <lpetersen808@gmail.com>; alacevedo05@gmail.com; 'Ingrid Jones' <bluedogjones@me.com>; 'John valentine' <johnv913@gmail.com>; 'Ashley White' <ericashley.cook@icloud.com>; 'Deaven Williams' <dwmichelle89@gmail.com>; 'Jay D' <jdovertherhine@gmail.com>; johnwalter@cinci.rr.com; 'Tom Walter' <klotterbldr@aol.com>; 'Sharon' <buyartscg@aol.com>; james.weaver@cincinnati-oh.gov; Juengling, Andy <Andy.Juengling@cincinnati-oh.gov>; 'Matt Landers' <mlanders07@yahoo.com>; 'matthew king' <matt@beerfestinfo.com>; 'John Rogers' <johnrogers714@hotmail.com>; 'Jim W' <jnw847@gmail.com>; 'Michelle Holley' <holleyma@ucmail.uc.edu>; 'Clay Jones' <claytojones@gmail.com>; alacevedo05@me.com; aogletree03@gmail.com; ashbs@ucmail.uc.edu; bcannon1111@yahoo.com; begleyh@yahoo.com; bhook306@gmail.com; bluedogjones@mac.com; craig@beerfestinfo.com; fortsillies@gmail.com; grldbates@aol.com; hayes.shanesy@gmail.com; jamesw190@aol.com; jerinmcintosh@gmail.com; jon@jonentine.com; JoshuaKimber1@gmail.com; Kevin Macey <realtorkevinm@gmail.com>; kovacsbr@gmail.com; kparkercincy@gmail.com; kyhm@cinci.rr.com; larry.morris@cinbell.com; loganpreynolds@gmail.com; luke.citystation@gmail.com; mueller-william@sbcglobal.net; onherhook@gmail.com; patrick.jeremy@ymail.com; san.carr66@yahoo.com; sean.caldwell@caplaw.com; slater.anytime@gmail.com; terranceupshaw11@gmail.com; valerieoh4@aol.com; willowtreehouse@aol.com
Subject: [External Email] RE: Zone amendments & Segregation

Crystal Kendrick

To our illustrious city leaders~

Exhibit G

As other West End residents have done, I also want to express my concern about the proposed zoning amendments. Overriding the parking requirements in the multi-family districts reduces the quality of life for the residents and, in some cases, is dangerous for the following reasons:

- 1) For years, developers have been permitted to override the parking requirements. As such, parking is limited. We do not want to think about parking permits as our colleagues in other communities have done.
- 2) Property owners are replacing green space with driveways, thus eliminating parking spaces on the streets
- 3) Parking violations such as abandoned, unmoved and unregistered vehicles, illegal parking and neighborhood mechanics using parking spaces as workspaces are not addressed
- 4) When law enforcement is contacted about violations such as parking or noise, officers have been known to issue warnings and name the callers on the citations, thus creating safety concerns for residents

The lack of parking results in cars parked outside of legal spaces, which makes it difficult to see moving cars at cross-sections, blocks fire hydrants and makes it very difficult for school buses and delivery trucks to navigate residential streets safely.

The parking requirements were established for meaningful reasons. I hope you will not overlook the safety and quality of life of the residents when reviewing these requests. I encourage developers to look at how they can add parking to the design of the property lot.

Thank you.

Crystal L. Kendrick, President
The Voice of Your Customer
513.281.3228
www.thevoiceofyourcustomer.com
www.thevoiceofblackcincinnati.com

The Voice of Your Customer is a marketing firm specializing in leading surveys, focus groups, secret shopping and media campaigns. The Voice of Your Customer holds the following certifications: HUBZone, MBE, WBE, DBE, SBE.

From: Kim Hale-McCarty <kimhalemccarty@gmail.com>
Sent: Sunday, July 18, 2021 11:15
To: 'David Petersen' <dpetersen808@gmail.com>; 'Goodin, Steven' <steven.goodin@cincinnati-oh.gov>
Cc: greg.landsman@cincinnati-oh.gov; 'Sundermann, Betsy' <betsy.sundermann@cincinnati-oh.gov>; liz.keating@cincinnati-oh.gov; 'Mann, David' <david.mann@cincinnati-oh.gov>; 'Kearney, Jan-Michele' <jan-michele.kearney@cincinnati-oh.gov>; chris.seelbach@cincinnati-oh.gov; 'Cranley, Mayor' <mayor.cranley@cincinnati-oh.gov>; 'Noah O'Brien' <noahjobrien@gmail.com>; 'Sherri King' <sherribarberphotography@gmail.com>; 'Linda Petersen' <lpetersen808@gmail.com>; 'Abdiel Acevedo' <alacevedo05@gmail.com>; 'Ingrid Jones' <bluedogjones@me.com>; Crystal Kendrick <crystal@thevoiceofyourcustomer.com>; 'John valentine' <johnv913@gmail.com>; 'Ashley White' <ericashley.cook@icloud.com>; 'Deaven Williams' <dwmichelle89@gmail.com>; 'Jay D' <jdoverttherhine@gmail.com>; 'John Walter' <johnwalter@cinci.rr.com>; 'Tom Walter' <klotterbldr@aol.com>; 'Sharon' <buyartscg@aol.com>; james.weaver@cinci-oh.gov; andy.juengling@cincinnati-oh.gov; 'Matt Landers' <mlanders07@yahoo.com>; 'matthew king' <matt@beerfestinfo.com>; 'John Rogers' <johnrogers714@hotmail.com>; 'Jim W' <jnw847@gmail.com>; 'Michelle Holley' <holleyma@ucmail.uc.edu>; 'Clay Jones' <claytojones@gmail.com>; alacevedo05@me.com; aogletree03@gmail.com; ashbs@ucmail.uc.edu; bcannon1111@yahoo.com; begleyh@yahoo.com; bhook306@gmail.com; bluedogjones@mac.com; craig@beerfestinfo.com; fortsillies@gmail.com; grldbates@aol.com; hayes.shanesy@gmail.com; jamesw190@aol.com; jerinmcintosh@gmail.com; jon@jonentine.com; JoshuaKimber1@gmail.com; Kevin Macey <realtorkevinm@gmail.com>; kovacsbr@gmail.com; kparkerccincy@gmail.com; kyhm@cinci.rr.com; larry.morris@cinbell.com; loganpreynolds@gmail.com;

Exhibit G

luke.citystation@gmail.com; mueller-william@sbcglobal.net; onherhook@gmail.com; patrick.jeremy@ymail.com; san.carr66@yahoo.com; sean.caldwell@caplaw.com; slater.anytime@gmail.com; terranceupshaw11@gmail.com; valerieoh4@aol.com; willowtreehouse@aol.com

Subject: RE: Zone amendments & Segregation

Mayor, Council, and city residents,

I would like to add to Mr. Petersen's comments regarding the proposed amendments to the city's Zoning Code. While the proposed policy may appear neutral on its face, it could have a disparate impact on African Americans, exacerbate concentrated poverty and perpetuate segregation.

While it is commendable to consider ways to increase the overall housing supply as a method to increase housing affordability, the amendments, however, will ease density restrictions in residential multi-family districts - the city's already *least* restrictive zones. Zones, where naturally most residential rental units, including most income-based affordable housing units are already concentrated.

Regarding the impact these changes would have Cincinnati's West End, eighty-four percent of residential housing units in the community are rental units – there are less than 500 homeowners. And, to correct Mr. Petersen's data, more than 70% of all occupied/occupiable rental units in the community are long term, deed-restricted income-based affordable housing units (aka, affordable housing).

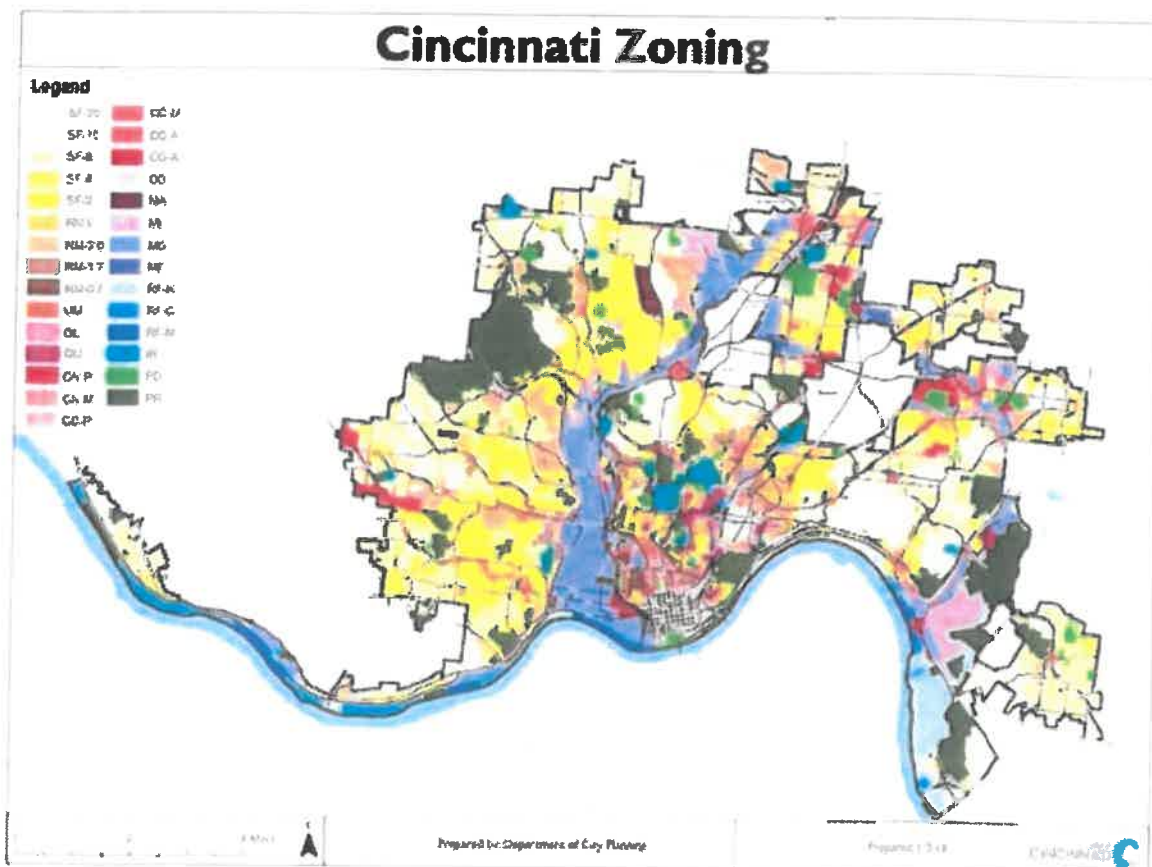


Exhibit G

The proposed amendments will increase density in the tan/dark brown areas on the map, yet does nothing to open up the **expansive single-family districts** that dominate Cincinnati (cream's & yellow's). The targeted zones are miniscule and assure concentrated poverty and segregation in perpetuity. This is striking.

Exclusionary single-family zoning is seen by Civil Rights and Fair Housing Advocates as a tool that was created to replace "redlining". As historian Richard Rothstein has demonstrated, single family zoning arose shortly after the U.S. Supreme Court handed down its 1917 decision, *Buchanan v. Warley*, which struck down zoning laws that forbade Black people from buying in White neighborhoods. In fact, when in 2020 Minneapolis moved to eliminate single-family zoning citywide, it explicitly pointed to the racist roots of the original policy.

Single family exclusionary zoning limits housing supply and affects housing affordability. And regrettably in Cincinnati, zoning laws that prohibit the construction of relatively affordable homes (including income-based affordable housing — duplexes, triplexes, quads and larger multifamily units), disproportionately impacts African Americans. Ninety-four percent of occupants in income-based affordable housing are African American.

When public, and/or otherwise assisted housing (aka, affordable housing) continues to be funded / built exclusively in poor black communities which dictates where (predominately) poor black people will live, this action violates the Civil Rights of thousands of black residents in Cincinnati and beyond. (Title VIII of the Civil Rights Act made segregation illegal in 1968).

As past HUD Secretary Julian Castro stated, "Too often, zoning regulations trap low-income families, especially families of color, in segregated neighborhoods and price them out of housing opportunity." If anything, Cincinnati's Legislatures should be implementing policy that prohibits additional income-based affordable housing in its racially segregated areas of concentrated poverty and incentivizing housing in areas that offer more opportunity.

Further, it is terribly disingenuous in Mrs. Keating's proposed Ordinance of the zone changes to cite compliance to Plan Cincinnati's "Live" goal; to "provide a full spectrum of housing options and improve housing quality and affordability" without including the verbiage of the entire goal:

3. Provide a full spectrum of housing options, and improve housing quality and affordability.

A. Provide quality healthy housing for all income levels.

B. Incentivize housing options of varied sizes and types for residents at all stages of life.

C. **Evenly distribute housing that is affordable throughout the city.**

D. Affirmatively further fair housing

The proposed Ordinance does not, in any shape or form, incentivize housing, particularly income-based affordable housing to be built anywhere other than where it always has – in poor predominantly black communities. The proposed Ordinance does not, in any shape or form work to "evenly distribute housing that is affordable throughout the city. And, regrettably, the proposed Ordinance cannot in any shape or form affirmatively further fair housing.

In conclusion, the topic of systemic racism is finally being addressed in a meaningful manner in Cincinnati and across the United States. It is policies and practices like the proposed zone changes

Exhibit G

that are being *removed* from the books, not plowed in. Dismantling systemic racism includes systemic changes to our built environment. It is for these reasons I urge you to sincerely consider the unintended consequences the proposed zone changes will have on Cincinnati and its people.

Kim Hale-McCarty

From: David Petersen <dcpetersen808@gmail.com>

Sent: Saturday, July 17, 2021 8:14 PM

To: Goodin, Steven <steven.goodin@cincinnati-oh.gov>

Cc: greg.landsman@cincinnati-oh.gov; Sundermann, Betsy <betsy.sundermann@cincinnati-oh.gov>; liz.keating@cincinnati-oh.gov; Mann, David <david.mann@cincinnati-oh.gov>; Kearney, Jan-Michele <jan-michele.kearney@cincinnati-oh.gov>; chris.seelbach@cincinnati-oh.gov; Cranley, Mayor <mayor.cranley@cincinnati-oh.gov>; Noah O'Brien <noahjobrien@gmail.com>; Sherri King <sherribarberphotography@gmail.com>; Linda Petersen <lpetersen808@gmail.com>; Abdiel Acevedo <alacevedo05@gmail.com>; Ingrid Jones <bluedogjones@me.com>; Crystal Kendrick <crystal@thevoiceofyourcustomer.com>; John valentine <johnv913@gmail.com>; Ashley White <ericashley.cook@icloud.com>; Deaven Williams <dwmichelle89@gmail.com>; Kim Hale-McCarty <KimHaleMcCarty@gmail.com>; Jay D <jdoverttherhine@gmail.com>; John Walter <johnwalter@cinci.rr.com>; Tom Walter <klotterbldr@aol.com>; Sharon <buyartscg@aol.com>; James Weaver <james.weaver@cinci-oh.gov>; Andy Juengling <andy.juengling@cincinnati-oh.gov>; Matt Landers <mlanders07@yahoo.com>; Matthew King <matt@beerfestinfo.com>; John Rogers <johnrogers714@hotmail.com>; Jim W <jnw847@gmail.com>; Michelle Holley <holleyma@ucmail.uc.edu>; Clay Jones <claytoijones@gmail.com>

Subject: Proposed zoning changes

Hello Steve,

The attached proposed zoning changes and City Planning meeting on text amendments will enable more dense and subsidized housing in the West End and will certainly continue the concentration of poverty in our community.

It is my hope and belief that these changes will be opposed at July's West End Community Council Meeting (WECC). I am absolutely opposed to them.

I am directing this to you because of your idea of limiting support of subsidized housing when a community has more than 50% level of subsidized housing. National studies show that an excess of 20% is dangerous.

The West End has well over 50% and perhaps over 80% when vouchers are considered.

These proposed zoning changes will certainly further concentrate poverty in the West End and I ask for your help and support in opposing these harmful zoning changes.

Thank you,

Dave Petersen

808 Dayton Street
Cincinnati, OH 45214

513 651 1890

Exhibit G

Weaver, James

From: Dave Rosekrans <cdrosekrans@gmail.com>
Sent: Tuesday, August 3, 2021 10:47 AM
To: Weaver, James
Subject: [External Email] Zoning Density

External Email Content Hidden

Please send me a link to the August 4 meeting.

Real estate property taxes are driving people away from Cincinnati and forcing elderly to move from life long homes. Increased density will provide additional income to hold down property taxes. There would be little negative effect in Mt Lookout from the increased density and would increase business in the square.

David Rosekrans
3256 Hardsity Ave
Cincinnati 45208

Sent from [Mail](#) for Windows 10

Exhibit G

Weaver, James

From: Kathleen Balog <katie.balog@gmail.com>
Sent: Tuesday, August 3, 2021 11:08 AM
To: Weaver, James; president@mtlookout.org
Subject: [External Email] Zoning - Mt Lookout

External Email Communication

Dear Mr. Weaver,

As a 2+ yr Mt Lookout Resident (Beverly Hill Drive), and the recipient of ~\$50,000+ worth of home damage (currently paying out of pocket, wasted one week of vacation, hours of my life I'll never get back negotiating between Sewer and Storm on the phone, still dealing with the fall out and rebuild, a missed wedding for my college roommate, and strong emotional toll of this whole situation) due to the over-taxed Cincinnati Sewer & Storm System (appx 1 month ago), I'm strongly against the proposed re-zoning that would allow for higher density, particularly in my vicinity on Linwood. Additionally, as I am on the corner of Linwood and Beverly, I hear daily the cars going by at over 50 miles an hour regularly, as if Linwood were a race track. It feels like I'm taking my life into my hands turning onto Linwood because of the speed and density of the traffic, and it scares me to think about how much worse it could get if more homes (and thus drivers) are added on Linwood.

If the concern is adding taxpayer dollars to help increase funds for things like infrastructure or community services, as a tax paying citizen, I would love to see the prolific tax abatements in this area be taken away. Adding more homes isn't going to solve the problem, it's only going to make it worse for those already here. At a minimum, more surveying to understand these problems and concerns would be a start.

Best,
Katie Balog
732-948-9957

Exhibit G

Weaver, James

From: Seth Maney <seth@8kconstruction.com>
Sent: Tuesday, August 3, 2021 12:10 PM
To: Weaver, James
Subject: [External Email] Removal of density requirements

External Email Communication

Hi James,

I want to voice my support for the removal of density requirements in commercial districts in the city. I would also like a link to join the meeting so I may attend virtually.

Thank you,
Seth

Exhibit G

Weaver, James

From: wendy ellis gardner <wegardner@hotmail.com>
Sent: Tuesday, August 3, 2021 2:11 PM
To: Weaver, James
Subject: [External Email] Fw: Dissatisfaction with City Zoning & Comments

External Email Communication

Hello

I am forwarding a note I sent to other planners, having seen your name referenced as contact for the upcoming Planning meeting on August 4. We are not in favor of the proposed increase in density, given the already strained situations of the Mt Lookout neighborhood (high traffic, overcrowded Kilgour school, stormwater challenges, as well as other proposed developments that will significantly impact our tree canopy (read - reduce!) and associated issues with that (increase UHI, air and noise pollution).

Thank you

Wendy Ellis Gardner

From: wendy ellis gardner <wegardner@hotmail.com>
Sent: Friday, July 30, 2021 9:00 PM
To: alex.peppers@cincinnati-oh.gov <alex.peppers@cincinnati-oh.gov>
Subject: Fw: Dissatisfaction with City Zoning

See note below...thank you.

Wendy Ellis Gardner
513.484.1182

From: wendy ellis gardner
Sent: Friday, July 30, 2021 8:59 PM
To: Andy.Juengling@cincinnati-oh.gov <Andy.Juengling@cincinnati-oh.gov>; Stacey.Hoffman@cincinnati-oh.gov <Stacey.Hoffman@cincinnati-oh.gov>
Subject: Dissatisfaction with City Zoning

Hello,

This is a note to communicate our extreme dissatisfaction with recent zoning moves and approvals by the city that harm our most beautiful neighborhoods of Hyde Park and Mt Lookout. From the allowance of the removal of hundreds of mature trees to make way for unneeded development, to increases in unit and plot densities, to a lack of focus on traffic and congestion, the city zoning department is knowingly and blatantly eroding our quality of life. We do not understand even the consideration of such awful developments as Redstone on Linwood, Wasson Tower, Brookfield Dev and the development behind UDF on Mt Lookout Sq (unsure of the name). As someone in landscape architecture, and hence, somewhat familiar with urban planning, none of these projects seem to align with ideals of fostering a welcoming, thriving city neighborhood

Exhibit G

with a strong quality of life. These will only serve to increase air and water pollution (CSO issues that already exist with current population), increase traffic and noise in areas that are already congested, and increase the heat island effect with the additional hardscape and impervious surfaces, while simultaneously destroying valuable city tree canopy. And this does not even consider the impact of erosion and additional potential landslide issues where extreme excavation will be necessary.

All of this only seems to serve the pockets of the developers, who do not live here, and frankly, do not care about our home. What is the purpose, from your perspective, of approving these awful projects? It's can't be 'progress.' We just cannot understand why all of this is being allowed. Such a shame and will create areas that can't be regenerated in our lifetimes once allowed.

The city is making it much tougher to want to stay.

Wendy & Todd Gardner
1225 Hayward Ave
45208

Wendy Ellis Gardner
513.484.1182

Weaver, James

From: Doug Moormann <DMoormann@devstrategiesgroup.com>
Sent: Tuesday, August 3, 2021 2:25 PM
To: Weaver, James
Cc: Florea, Lindsey; Gerhardt, William
Subject: [External Email] Staff Conference Wednesday 8/4 re: Density

External Email: Beware of Malicious Links

James:

Over the last decade, my firm, Development Strategies Group, has represented dozens of developers working to increase and improve the housing stock in the City of Cincinnati. The city has made progress, especially with the attraction of residents to the downtown-area, but much work remains to be done. As I am sure you noted, just last week a Cincinnati Chamber report highlighted the region's outstanding housing needs.

One strategy to continue promoting new housing opportunities in the city is to remove land area/unit (density) limitations in specifically targeted areas. This will, in turn, allow for construction of more housing within these often-times desirable, commercially zoned business districts located across Cincinnati. These locations offer both the walkability and live, work, play environments many residents desire. The introduction of new residents to these neighborhoods also provides the base of regular customers needed to maintain and increase the viability of neighborhood businesses.

Removal of the density restrictions accomplished many public policy objectives:

- Creating new housing opportunities
- Creating housing opportunities in close proximity to jobs
- Helping to stabilize or improve neighborhood business districts
- Adding to the mix of housing stock available in a neighborhood

I encourage the city to embrace these zoning code changes and open a door leading to more and a greater variety of housing opportunities.

Thank you.

Doug



www.DevStrategiesGroup.com

Doug Moormann

Vice President

700 Walnut Street, Suite 450

Cincinnati, OH 45202

O: 513.651.4100 ext 305

M: 513.237.2466

Follow DSG & GSG on [Facebook](#), [Twitter](#), and [Instagram](#)

Exhibit G

Weaver, James

From: Sarah Thomas <sarah@greyrockdevelopment.com>
Sent: Tuesday, August 3, 2021 3:55 PM
To: Weaver, James
Subject: [External Email] Support for Proposed Removal of Density Restrictions

External Email Communication

Hello,

I am writing to convey strong support for the proposed removal of density restrictions. I am an independent developer of low/mod and market rate housing and believe this would lead to significant benefits for our city, especially in neighborhood and affordable housing development.

Thank you,
Sarah Thomas, Owner
1546 Knowlton St.
Cincinnati, Ohio 45223



Exhibit G

Weaver, James

From: Adam Gelter <agelter@3cdc.org>
Sent: Tuesday, August 3, 2021 4:32 PM
To: Weaver, James
Subject: [External Email] Proposed Removal of Density Restrictions from the Cincinnati Zoning Code

External Email Communication

James – I am writing to voice 3CDC's strong support for the Proposed Removal of Density Restrictions from the Cincinnati Zoning Code. This change will have a significant positive impact on housing development and affordable housing in particular.

Thank you,

Adam

Adam Gelter, Executive Vice President
agelter@3cdc.org
p: 513-977-8004
f: 513-621-5800



1203 Walnut Street, 4th Floor
Cincinnati, OH 45202

3CDC.org
myfountainsquare.com
washingtonpark.org
zieglerpark.org
memorialhallotr.com
downtowncincinnati.com

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Weaver, James

From: Jan McNerney <janmcnern@gmail.com>
Sent: Tuesday, August 3, 2021 5:56 PM
To: Weaver, James
Subject: [External Email] Increase in density to neighborhoods

External Email Communication

Dear Mr Weaver:

Hyde Park/Mt Lookout has already been negatively impacted by the city's decision to abate taxes thus reducing city income, demolishing lovely residences, and allowing builders to put up two or more homes on one lot. Please do not increase the density of our neighborhood further. The character of Mt Lookout has been damaged, two hillside areas are in the crosshairs of developers who will remove anchoring trees, and I worry about traffic increase. Please be the person in city management who cares for the residents and the neighborhoods.

Best regards,

Jan McNerney
1331 Park Ridge Pl
Cincinnati, Oh 45208

Weaver, James

From: J.A. Raabe <jaraabe@aol.com>
Sent: Wednesday, August 4, 2021 11:19 AM
To: Weaver, James
Subject: [External Email] Regarding the Density issue

External Email Communication

Dear Jeff,

Per your interest in receiving comments from the community, I'd like to offer some of my thoughts on the city's Density issue.

1. First, why should this change be considered at this time? The 1960 city area and housing unit capacity is still the same. What we need to do is fill the empty buildings and already-zoned land, not add density when we aren't even at 1960 levels. Then we can discuss the need for more density.
2. An increase in population can be achieved under the current zoning.
3. Just because it's built doesn't mean people will come. This seems a thinly veiled attempt to add density to certain neighborhoods, not the entire city. And those neighborhoods are already experiencing a barrage of development.
4. Per a comment you made at a meeting in June, you consider making this change easy, "low-hanging fruit." But easy does not make it right or good. How healthy is a city that bends to developers' will against the quality of life rights of its tax-paying citizens who do not want this? We need a more enlightened approach to increasing the city's population, more study on the consequences of this action.
5. We have a right to expect the city's administration to thoughtfully study and present a fully developed analysis to Cincinnati's citizens regarding how they will deal with the consequences of this change. How many police officers will they add? How many more emergency vehicles and personnel will they fund? How will stormwater issues be addressed? Where is there room in the already-full impacted schools for more students? How will the hills of the "City of Seven Hills" be protected?
6. Before this is given the green light, the livability aspects that such a change would affect need to be studied and addressed. Social issues—the quality of life of existing residents in the city of Cincinnati—need to be addressed in tandem with economic issues.

Please come back to us in six months with a full report before moving forward on this change.

Thank you for your consideration,

Tony Raabe
Mt. Lookout

Exhibit G

Weaver, James

From: Laura Whitman <laurawmlcc@gmail.com>
Sent: Wednesday, August 4, 2021 5:01 PM
To: Weaver, James
Cc: Brian Spitler; Renee LaFaive; Rob Pasquinucci
Subject: [External Email] Proposed Density Amendments to the CZC

Follow Up Flag: Follow up
Flag Status: Flagged

External Email Communication

Good afternoon James,

I had hoped to be able to participate in tomorrow's staff conference regarding the proposed elimination of density limits to certain zoning code designations. Unfortunately, I no longer believe I will be able to attend due to a family issue. Instead, I'm submitting my comments in written form below. I would appreciate it if you can share these comments with the team reviewing public input on this topic.

Thank you very much,

Laura Whitman
Mt. Lookout resident

Good afternoon -

Following a recent conversation with Assistant City Manager Billy Weber and Councilmember Keating (as well as past conversations with Mr. Sittenfeld), I came to understand that the drive to change density limits in certain zoning code areas is in large part a desire to increase housing stock to bring more residents to the City, thus generating more tax dollars to pay for public services and poverty assistance programs. I also understand that there is a hope that this strategy will have a positive, though indirect, impact on the availability of affordable housing.

While these are laudable goals, the proposed solution will be to the benefit of some communities but at the cost of others. This core issue is that, as proposed, the elimination of density limits to certain zoning designations, affects all areas within those zoning designations in all of Cincinnati's 52 neighborhoods.

This is the same approach that the City used for the tax abatement program, which has proven to be problematic. The baseline concept behind that strategy (provide incentives to encourage development in areas that want and need it) was also laudable, but we've now seen and experienced the problems that the blanket application of that program created. Rather than focus on communities in need, developers have instead flocked to communities where they can get the biggest return on their investments - healthy communities that don't need new development. The City has now spent multiple years dealing with the repercussions and community outcry due to overdevelopment in these neighborhoods, but not enough development in others. As a result, the City has spent hundreds of hours discussing the issue and is now soliciting proposals to study restructuring the program into a tiered format that would provide more incentive in some neighborhoods, less in others. Proceeding with the density changes as currently proposed would be repeating the same mistake previous administrations made with the tax abatement program.

Exhibit G

Before making the proposed density modifications to the zoning code, the City needs to step back and thoroughly evaluate the potential impacts to each neighborhood that would be affected by the changes. **With this information in hand, zoning modifications can be formulated to specifically target new development and growth to the appropriate areas.** Perhaps this might include developing a new Density Growth Overlay program or limiting the elimination of density limits to certain types of locations, such as along major roadway arterials and in commercial areas, rather than internal residential streets. There are many options that would serve the cause better than a blanket application that, like tax abatements, will generate unintended negative consequences in thriving neighborhoods while leaving those in need still in need.

With this in mind, I ask that the City pull back on these proposed changes for now and instead pursue a more deliberate and targeted effort, developed with community input regarding the potential impacts to their neighborhoods, so that any changes made will have a more positive and useful impact.



September 10, 2021

Via email to the Commission

City Planning Commission
Byron Stallworth, Chair
John Eby, Vice-Chair
Olivia McKinney
Anne Sesler
Jacob Samad
Paula Boggs
Christopher Smitherman

Dear City Planning Commission Members:

Affordable Housing Advocates urges the Planning Commission to defer action on the proposed changes in density restrictions, and to consider amendments that would promote more affordable housing in Cincinnati. We support increases in residential density only if it includes requirements for housing affordable to low and moderate income households. However, the current proposal serves to increase development of high-market and luxury housing, without any requirement of inclusivity and diversity. In addition, the current proposal would result in further losses of affordable housing and displacement.

The current proposal is part of a national trend toward increasing density for housing. However, the proposal does nothing to address the gap in affordable housing in our community. By contrast, using density variances as an incentive for affordable housing development is a long-term useful strategy that we support.

Affordable Housing Advocates would be happy to work with the Commission and staff to develop inclusionary zoning proposals that allow for increasing density in ways that support inclusive development rather than incentivizing further affordable housing loss. We also believe that the concepts proposed by Councilmember Jan-Michele Lemon Kearney should be included in amendments to density restrictions. For example, permitting two and three family residences in some single family zones can increase affordable housing and also promote owner occupied housing.

Affordable Housing Advocates
117 E. 12th Street, Cincinnati, OH 45202-7203
www.cincyaha.org

*Mission: To promote the availability of high quality, safe,
accessible, affordable housing in the Greater Cincinnati Area.*



Please give more consideration to the need to promote affordable housing as part of this proposal, and thank you for considering our comments.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John E. Schrider, Jr.', is placed above the printed name.

John E. Schrider, Jr.
Chair, Affordable Housing Advocates

JS/sb

Affordable Housing Advocates
117 E. 12th Street, Cincinnati, OH 45202-7203
www.cincyaha.org

*Mission: To promote the availability of high quality, safe,
accessible, affordable housing in the Greater Cincinnati Area.*



September 10, 2021

By electronic mail

Cincinnati Planning Commission
planning@cincinnati-oh.gov

RE: Proposed Changes to Density Restrictions

Dear Commission Members:

I am writing as the President of The East Walnut Hills Assembly, Inc., the community council for East Walnut Hills. The board of trustees has considered the proposed removal of the density restrictions, and has concerns about the impact of the proposal on our community and the rushed process related to the proposal. If passed, we would feel a need to review the current zoning for various parts of our neighborhood, and consider making requests for re-zoning.

The proposed zoning deregulation ordinance would remove density restrictions from most zoning districts with the exception of single-family zoning districts. While supporters of this change note the increased density would be allowed along commercial and major transportation corridors, in practice, this change would extend throughout neighborhoods, even to the smallest residential streets. In communities such as East Walnut Hills, this change has the potential to change the character of the community. There are several residential connector streets with single-family and two-family homes that are zoned Residential Multi-Family that would be open to multi-family buildings under the proposed zoning update. No map has been created and shared so that communities can begin to understand the potential impact of broad density deregulation in their communities. By increasing the number of units without changes to other development regulations, the proposal would necessarily allow for more, smaller units.

The proposal is a blunt solution to a complex challenge. The presentation framing the proposal references other cities that have increased density. These cities have studied the issue extensively and have undertaken community engagement that has informed the solutions. The solutions they arrived at increased building heights adjacent to transit corridors, increased allowance of accessory dwelling units, and increased density permitted in single-family zoning districts. None is as simplistic as Cincinnati's proposal. In Portland, zoning updates in single-family districts allow for attached units and four- or six-plexes if half of the units are affordable, and maximum square footage by type. Minneapolis' zoning updates include elimination of single-family zoning (following its long-term redevelopment plan, Minneapolis 2040). Minneapolis has also allowed taller buildings along transit corridors. Finally, I will add that

Cincinnati Planning Commission
September 10, 2021
Page Two

Indianapolis has just updated its zoning code to allow for increased density along transit corridors.

While the City administration and ordinance sponsor have attended meetings and hosted meetings to receive feedback on the proposal, we ask that they be open to making changes in response to the feedback they have heard. This is an overly simplistic and highly impactful change to Cincinnati's zoning code, and it deserves the time, attention, and authentic engagement of all stakeholders in shaping the change. It should not be rushed through, and the needs of all of our neighborhoods need to be considered.

We recommend the City administration bring together communities, developers, and a range of other neighborhood stakeholders to collaboratively develop a more nuanced proposal to increase density and improve affordability. This approach can ensure the stated objective is met through a process that values all stakeholders. Communities have demonstrated their support for increased density and ability to work as partners with developers, as East Walnut Hills did through its support of Woodburn Exchange. We ask that the City administration build on these successes to create a sustainable, predictable outcome, not rush through a broad sweeping change that is sure to have unintended negative consequences.

Thank you for your consideration.

Sincerely yours,



M. Freeman Durham
President

cc: Cincinnati City Council citycouncil@cincinnati-oh.gov

| Timestamp | Neighborhood | For or Against Current Proposal | Comments | Alternatives or Suggestions |
|---------------------|-----------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8/28/2021 12:22:52 | Camp Washington | Against | Parking, traffic congestion, loss of neighborhood character | |
| 1/22/2022 9:37:50 | Camp Washington | Against | Neighborhoods need to have final decision making input because one size ordinance does not fit all. Since September 5, 2002, I have been a Residential Home Owner living the CUF (Clifton Heights-University Heights-Fairview) Neighborhood which is already the "most densely populated" neighborhood in the City of Cincinnati, primarily due to the large amount of older housing stock located in Clifton Heights, which is normally rented by UC Students and sometimes other Temporary Renters. The large amount of Transient and Temporary Residents co-existing among the Long-Term Home and Business Owners in the area poses a unique and often "very challenging" set of issues with vandalism, trash, littering, poorly maintained yards/exterior housing facades (one can only guess about the interiors), large unsupervised noisy parties, drug dealing in our local Parks and Streets, lack of enforced parking rules, too many cars without enough parking spaces, inability of the City to operate a Proper/Tax Payer Funded Street Sweeping Program, and young College Students walking around with targets on their backs as potential/actual robbery and assault victims. While some of these issues listed are mostly applicable to CUF and other nearby UC Campus neighborhoods, many more of the other issues listed will begin to "exponentially and negatively" impact other City Neighborhoods if "common sense" Zoning and Density Requirements are removed. The City of Cincinnati currently can't (or won't) stay on top of most of these Quality-of-Life and Infrastructure/Population Support issues on a "consistent" basis as it is, let alone allowing Get-Rich-Quick Developers to build new Cheap, Shoddy, and possibly Toxic Multi-Housing Structures all over the City that probably won't last a couple of decades (if that) without needing to be bulldozed and replaced. I also "highly concur with" every comment that I read pertaining to the Importance of Preservation of our Historic Buildings and the need to "prioritize" Community and Economic Incentives to properly rehab our existing building stock, much of which has sadly been allowed to deteriorate and rot over time by Irresponsible and Immoral Greedy Slumlords. Some of these properties exist where I live in the lower Fairview portion of CUF, around W. McMicken Avenue. Fortunately, we also have some of the opposite, beautiful historic older buildings (Single and Multi Family) that have been well maintained and cared for for over a Century by their Owners. Adding more density of people and buildings to a City that currently lacks in Adequately Safe Modern Street Lighting in ALL | I also "highly concur with" every comment that I read pertaining to the Importance of Preservation of our Historic Buildings and the need to "prioritize" Community and Economic Incentives to properly rehab our existing building stock, much of which has sadly been allowed to deteriorate and rot over time |
| 8/30/2021 11:48:14 | CUF | Against | | |
| 1/12/2022 20:59:45 | CUF | Against | Restoration of Historic Houses for Residential Home Ownership to offset the large density of temporary College Student Renters who don't permanently contribute to the Neighborhood. | Restoration of Historic Houses for Residential Home Ownership to offset the large density of temporary College Student Renters |
| December 2021 email | East Price Hill | Against | See link for all points. | Plan Cincinnati calls for an inclusionary zoning proposal to increase affordable housing. In my opinion, we should be working on that. To me, the current proposal will wind up being a developer giveaway that doesn't benefit the intended population and may even harm them. It's classic Cincinnati. In my opinion, we can do better. |

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|--------------------|----------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8/30/2021 0:12:04 | Evanston | Neutral? | <p>There is and has been locally and nation wide the concern of enclivities in Neighborhoods populated with people of color and or limited income. To be honest, it seems no money no voice. Unfortunately we don't seem to have enough leadership representation willing to discuss and work together to consider that concern. Limited concern about maintaining the historic layout and structures of communities already there, when there is money to be made. There is a realization that each community has it's needs. Funds seem to be and are limited to maintain existing structure and no concerned in working to revitalize what exists, which has a better quality of material. New means more money and tax abatements. There needs to be more discussion on this and other on going issues that really affect the total welfare of every community. We are really one big community, just different boundaries. I am not interested in editing my response because there is a need to consider. I really appreciate what Ms Keating is attempting to do.</p> <p>Hartwell is a small neighborhood. Our neighborhood is already directly impacted by apartment housing, specifically the boarding houses.</p> <p>Our area would not be able to handle higher density housing in a mostly residential area. Not only would it be completely out of place, we do not have the police presence to handle an influx of residents.</p> <p>Thank you, Laura Feldman President Hartwell Improvement Association</p> | <p>There is a realization that each community has it's needs. Funds seem to be and are limited to maintain existing structure and no concerned in working to revitalize what exists, which has a better quality of material. New means more money and tax abatements. There needs to be more discussion on this and other on going issues that really affect the total welfare of every community.</p> |
| 8/30/2021 11:51:38 | Hartwell | Against | <p>I am entering this on behalf of Hyde Park from their comments in the survey -EG:</p> <p>City Homes, on Wasson Road (across from Hyde Park Kroger) - the project is too dense for the site; there are multiple serious environmental and traffic concerns related to the development; it is not an optimal use for this property, which is adjacent to the Wasson Way Trail; the development will not be a good architectural fit in the community; there has been no progress on the development since Ken French was granted City approval for the project, and the land is vacant, overgrown, and an eyesore to the neighboring properties. More than 2,000 Hyde Park residents signed a petition opposing the variances and other zoning relief that was granted for this project, and had City Council support to prevent the development, but the Mayor remanded the project to Planning Commission and they were able to approve the lot splits and variances without City Council approval.</p> <p>A new development, by PLK, on property zoned CCA on Wasson Rd. between Michigan and Shaw does not require a zone change or any zoning relief. The developer intentionally did not engage with the community in any way, nor did the City send notice about the development. What is being proposed fits into the requirements for CCA - though they are being very fudgy about the commercial use requirement (that will be only 219 sq ft of office space that the developer will use as a leasing office for the property.)</p> <p>The proposed use (1 and 2 BR apartments) is too dense for the space and the adjacent neighborhood; the 100+ new residents (and cars) it will bring in will present serious traffic and pedestrian safety issues. The height of the building (72 ft) and proximity to neighboring residences, and the balconies that will look down into those properties, will diminish property values as well as the neighbors enjoyment of their homes. Also, the architecture is completely out of character with the neighboring homes, and screening for the 2-story above-ground garage on which the apartments will be built appears to be marginal and ineffective. This project is, on every level, a case study for bad community development.</p> | |

| | | | | |
|--------------------|-----------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| 9/7/2021 17:36:59 | Hyde Park | Against | <p>Over the past decade, developers have demonstrated that they will build the most dense development allowable since Hyde Park is considered a desirable and profitable place to build. Capital Investment Group tried to build a too-dense mix of residential rental and retail/office by obliterating Besuden Ave for a parking garage to serve the development on Madison between Besuden and Zumstein. HPNC was successful in combating this.</p> <p>Currently PLK is planning to shoehorn a large apt complex along Wasson between Michigan and Shaw; apt dwellers will look down from their balconies into adjacent single family homes and yards. There is a need for multi-family residential (both rental and condo) but sized to be a good fit into this community of mostly single-family residences and respectful to the adjoining property owners. The Wasson Way trail seems to attract and encourage dense development, to maximize ROI for the developers.</p> <p>Removing density restrictions would exacerbate the situation and be detrimental to the residential character and quality of our community.</p> | |
| 8/30/2021 11:18:50 | Kennedy Heights | Against | <p>Kennedy Heights is experiencing a mind-blowing surge in housing prices. We are seeing homes being bought up, demolished, and new constructions going for three times the price of the home that had been there previously. A recent addition to the market has clearly been priced at a point that I can only assume is based on a buyer wanting to take advantage of its noticeable acreage—a tactic that succeeds only with the end goal of adding more housing. All this is occurring within the restraints of current zoning allowances. Meanwhile, we are also facing a drastic shortage of affordable senior housing, and a growing senior population that is struggling to keep up with rising property taxes and physical maintenance of their properties. These challenges mean that housing inventory and affordability are a great concern to our residents. I am not sure, however, that universal removal of density requirements is the best approach.</p> <p>Kennedy Heights is in the middle of updating our neighborhood plan right now, and the overwhelming response we are hearing is that our priorities as a neighborhood is to preserve our diversity—this includes socioeconomic level and age. A universal removal of density requirements, without offering the desired protections against profit-motivated developers who would fill our neighborhood with luxury homes and luxury apartment complexes, thus continuing to change Kennedy Heights into a more homogeneous population.</p> <p>The tax abatements that City Council already tried was a perfect example of an idea great in theory, but terrible in practice. Instead of encouraging developers to create new projects in a broad array of neighborhoods in the city, especially those that need it the most, it has concentrated development into only a few of the more "desirable" neighborhoods and therefore increasing populations disproportionately in the City and not fostering a diverse range of residents nor properties to purchase. In those locations there were only two primary constructions, 1. luxury homes that are unaffordable to most in the city, or 2. sprawling apartment complexes, in order to maximize the developers' profits. There is little to no focus on family starter homes or middle class homes. This may lead to families leaving the city proper (and taking their property taxes with them) if they cannot find an affordable home to purchase to raise their families.</p> | <p>Focus on the family unit, not apartment units.</p> <p>More SF-1,2,4 zones to create affordable homes/residences for purchase.</p> |
| | Linwood | Against | <p>Linwood needs more family homes that can be purchased. There are already too many apartments/transient residents in this city and it is affecting traffic, health and safety, and the economies of residents, including property values. Home ownership and a focus housing that is conducive to this (which is available in a multitude of price ranges) will help foster community, property value (and taxes), and sense of ownership in neighborhoods.</p> | |
| | Linwood | Against | | |

| | | | | |
|----------------------------------|-------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| 8/29/2021 8:33:15 | Linwood | Neutral? | <p>Future development based on increased density could, and most likely would, result in high priced rental units, for one or two occupants, not conducive to affordable housing for families which is what our City is lacking. Our neighborhood, Linwood, already has a rental percentage of 45%+ even while having 700K+ new single family housing built in the last ten years driven by development (developers') pressure. Linwood has some zoning for manufacturing making its housing less concentrated around a neighborhood center where some density might be acceptable and desirable. Any residential building with many units, accommodating only one or two occupants, built in a non-walkable environment can only increase unwanted traffic in a City where mass transit is not practically available. There appears to be no actual universal planning by the City to create suitable profiles for each neighborhood; ours could use affordable SF housing, possibly attached, as a nod to density.</p> <p>I did not attend Ms. Keating's presentation, so my contribution is a general one, probably not speaking to her specific points.</p> | ours could use affordable SF housing, possibly attached, as a nod to density. |
| 8/30/2021 8:32:31 | Mt. Lookout | Against | <p>We have RM areas nestled in the midst of SF zoning. Increasing density will directly affect those in SF areas - more traffic, more noise, more strain on infrastructure and local services. Our sewers are already over capacity. Adding more is not as feasible in neighborhoods as opposed to more commercial areas. Also, developers are already buying contiguous properties and then combining to build bigger multi-family developments. Eliminating density restrictions will encourage this practice and existing property owners will bare the brunt (it's already happening now) as open space and views of trees and sky are replaced with walls of new buildings and parking lots. This irrevocably changes the character of the neighborhood and has a gross negative impact on the families that have already invested financially and emotionally here.</p> | |
| December 2021 email conversation | Northside | For | <p>density limits are in addition to all kinds of other things that limit density on a site, like minimum lot sizes, setbacks, etc. Having all of those things, PLUS density limits are actually very uncommon and, in all the places I've lived and worked professionally as a planner, Cincinnati is the only place that has this. It creates another layer of friction that prevents new housing development from happening and continues to limit supply. Developers end up building a lot fewer units and the prices of those units have to be higher to make up for it. That contributes greatly to our housing crisis.</p> | |
| 8/28/2021 12:44:40 | Northside | For | <p>Very few negative issues beyond constraining the on-street parking supply. My neighborhood (Northside) already has a strong mix of 1, 2, 3, and 4 family homes which has kept the area diverse and with multiple kinds of housing options for people. Interestingly as the neighborhood became less dense over the years and more buildings were converted to single-family homes, the on-street parking issue became much worse. This may be because people who live in single-family homes tend to have multiple personal vehicles, whereas people who live in denser housing tend to have fewer or no personal vehicles. Very few Northside homes have driveways so on-street parking is key. As the neighborhood has become more attractive to higher earners and more single-family homes were built (as the current zoning only allows that) the on-street parking problem has actually gotten worse. Northside now has fewer housing units than a decade ago, but far more cars.</p> | |
| December 2021 email | Oakley | Against | <p>I'll add that this Keating proposal would actually have negative impact on both affordability & sustainability in most neighborhoods. Passing city-wide changes like these take away what little control we in the communities have over what happens to us, will not have the impact the supporters claim. I see no common sense at all.</p> | |

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|--------------------|----------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8/31/2021 11:04:48 | Oakley | Against | <p>Traffic congestion and traffic problems surrounding Oakley business districts have increased exponentially over the last 12 years that I have lived in Oakley. Removing density restrictions would only exacerbate this problem. This presents a serious safety issue in terms of increased traffic accidents and danger to pedestrians.</p> <p>I think the only concern for our neighborhood is that we do have a significant amount of multi-family housing that could be replaced with larger, taller buildings with less parking.</p> <p>Creation of new buildings that have too many people for the existing resources of the area (ex: too little parking, green space, room for trash cans), resulting in a worse quality of life for all existing residents/neighbors and thus changing the entire living context of the small neighborhood. Example: proposed Bennett Point project by CMHA.</p> |
| 8/30/2021 11:48:43 | Paddock Hills | Neutral? | |
| 8/29/2021 22:43:58 | Pendleton | Against | <p>Historical district architectural characteristics (night etc) must be preserved.</p> <p>Affordable housing act requires keeping dignity to all. Allowing many people to live within small confined apartments (after allowed with high density affordable housing) in old or new buildings without entertainment areas, hot rooms and noise environment with high density living . is illegal based on the federal law act above.</p> <p>Lower density could lead to more high speed roadways. We as a group support higher density walkable development that encourages neighbors to interact with each other.</p> |
| 8/29/2021 23:38:50 | Pendleton | Against | |
| 8/29/2021 21:53:14 | South Fairmont | For | <p>Hi Elizabeth and Brian: Please know although the West End voted to oppose the proposed zone changes, I am speaking only on behalf of myself.</p> |
| 8/30/2021 11:51:15 | West End | Against | <p>Universally removing density limitations from residential multifamily districts will disproportionately harm people and communities of color. Removing density limitations in the West End, and other communities that are racially concentrated areas of poverty, will have the effect of exacerbating concentrated poverty and perpetuate segregation. The proposed zone changes specifically target the city's most dense areas, including entire communities which are primarily poor and black. Removing density limitations in these historically disinvested areas will continue to steer low-income (aka affordable housing) developers to the very areas that are struggling with the residual effects of past (then legal) discriminatory housing patterns that related black people to poor black communities.</p> <p>As an aside, with this knowledge it should not come as a surprise to understand why these areas contain most of the regions affordable housing units. The city is fully aware that 94% of residents in low-income, aka affordable housing, are African American. When that housing, now being hyper-incentivized to only be built in poor, predominately black areas/communities, is sited in those communities, this has the effect of dictating where poor, predominately black people will live. It is shameful. No child's zip code should determine her future.</p> <p>Here is a map of the current zoning in Cincinnati. The targeted residential areas are orangish, tan/s and dark brown. I believe the Chamber's recent report indicated that nearly 70% of our land mass is zoned single family (creams, yellows). If this effort was sincerely about easing a housing crisis as Mrs. Keating kept insisting, why not target</p> |

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| 8/30/2021 11:47:28 | | Against | Creation of new buildings that have too many people for the existing resources of the area (ex: too little parking, green space, room for trash cans), resulting in a worse quality of life for all existing residents/neighbors and thus changing the entire living context of the small neighborhood. Example: proposed Bennett Point project by CMHA. | |
| December 2021 email | Unknown | For | I generally agree...on the need for more density and am a bit disappointed that parking requirements are not addressed in this proposal. If we still require the 1-1.5 parking spaces per unit we're not really going to see major density changes because of how much space the parking lot would take up for a development with more units and the huge expense of building structured parking. Most neighborhoods don't have large expanses of vacant or redevelopable land that could accommodate a larger building and a lot of surface parking together. | |
| | Total Neighborhoods: | | | |
| | 15 | For: 4 Neutral: 2 Against: 17 | | |
| | For: Northside, S.Fairmont | | | |
| | Against: Camp Washington CUF East Price Hill Hartwell Hyde Park Kennedy Heights Linwood Mt. Lookout Oakley Pendleton | | | |

Proposed Removal of Density Restrictions - Cincinnati Planning Commission 2/4/2022
Opposition Statement 01/30/2022

Dear Members of the Cincinnati Planning Commission:

This proposed ordinance has sunset status, the date of final action is listed as 12/31/2021 in the City record (attached), and should not be heard today since its has expired. It was a product of the previous City Administration and one newly appointed Councilmember and should be left dead. The proposed Zoning amendments have not been studied for human impacts on current moderate- and low-income residents of specific neighborhoods , impacts on the general health and livability of Cincinnati's 52 various neighborhoods, or even its ability to bring housing prices down where needed. This is not the way - any increases in allowable density must done in a measured way and only in neighborhoods where appropriate, so as not to overburden and overcrowd already dense areas.

The housing shortage and affordable housing needs in Cincinnati must be studied and understood, to make sure that whatever is done now does not just reshuffle the problem and make it worse for many. Affordable housing needs: how many units and best locations, income levels to target in order the meet the greatest regional needs, what amenities give residents a chance for a decent life and opportunities.

The proposed ordinance was conceived by Mayor Cranley's Administration, and sponsored by Councilmember Liz Keating on 5/7/2021. Just five days later it was "referred as indicated" by the mayor during a Council meeting on 5/12/2021 - directly to the Planning Commission without ever being debated or voted upon by the previous City Council or any Council Committees.

A member of CCM Liz Keating's staff explained during the Public Staff Conference #2, 8/4/2021, that they went to the City Manager's office to discuss initiating a motion to enact Density Overlay Zoning and were talked out of this more measured approach by the City Manager's office and convinced to sponsor the current proposed zoning amendment instead. (The above is paraphrased from my notes of Conference #2.) James Weaver, the Senior Planner in charge, refused to record this Conference #2 with 65 people in attendance even though it was requested by an attendee up front and it was pointed out that other staff conferences around this same time period were being recorded. 65 members of Cincinnati's various neighborhoods showed up, and the majority of those in attendance were opposed to the proposed ordinance and gave specific examples of how it would harm their neighborhood. Much of this detail is lost in the notes provided on the City website. This is a shame.

The Planning Department still has not provided any evidence or studies to show that the proposed amendments will make housing more affordable. In fact, in the most desirable neighborhoods it is likely cause rising housing prices, and displacement of modest- and lower-income households.

Proposed Removal of Density Restrictions-Cincinnati Planning Commission 2/4/2022
Opposition Statement - 1/30/2022
Page 2

If the ordinance is intended to help low income residents -- this is definitely not the way forward in the neighborhood in which I work: Over-the-Rhine and its Pendleton neighborhood. Here the Parking Overlay has in effect eliminated parking requirements. Every project that is allowed an increased density variance (without providing parking) increases the parking shortage. Current residents have and need cars and nearby places to park them. The 2019 ACS Census estimates that nearly 37% of Pendleton households were living below the Federal Poverty Guidelines. This is 1.4 times the rate of poverty in Cincinnati overall, and more than double the rate in Hamilton County.

A recent flood of Increased density variances are turning OTR/Pendleton into an area where only people who can afford to pay for parking can comfortably live here. Those losing out are the elderly, families, persons with mobility challenges and low income households. And in Pendleton the walk to the nearest parking garage is one-half mile in many cases. Public transit is not efficient to connect workers to good jobs throughout the region. Less than 25% of the regions jobs can be reached by a 90 minute or less bus ride. And 56% of current Pendleton workers drive to work.



500 Block of E. 12th St., narrow one lane for traffic frequently blocked, parking full when workers are home



500 Block of E. 13th St., parking full when workers are home

The recent flood of Increased density variances being granted in OTR and Pendleton has also led to increased pressures to approve and resulting approvals of many other variances such as the elimination of required yards and granting COA's for many projects that are oversized and incompatible with the historic guidelines. This threatens to destroy the accessible and friendly scale, character and quality of the OTR Historic District, and is a slap in the face to all those who have invested so much into restoring their properties while following the historic guidelines. We have also begun to see several projects where historic buildings are emptied of tenants and then converted to double the number of units. This will lead to more displacement, substandard sized apartments excluding families, high turnover of residents, and the weakening of community cohesion and lessening diversity.

Proposed Removal of Density Restrictions-Cincinnati Planning Commission 2/4/2022

Opposition Statement - 1/30/2022

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Senior Planner, James Weaver, admitted after being asked in Conference #3 on 12/12/2021 with 44 in attendance, that to his knowledge, no other major City has tried this approach to increasing the housing supply. Related to the removal of Density Restrictions, the City has not performed or presented a study of the human impacts; nor the impacts on infrastructure in terms of traffic, parking, green space, even the currently undersized sewer capacity in the various neighborhoods. This is reckless and careless! The proposed ordinance is an extremely blunt instrument that will not accomplish the stated goals and will do much harm to long-time moderate- and low-income residents in many neighborhoods.

At this same Conference #3, Councilmember Liz Keating made her first appearance. She defended her motion, with an article/paper titled "The Effect of Density Zoning on Racial Segregation in U.S. Urban Areas" which was sent out to us after the conference for our review. The article/paper does not support her proposal. From the abstract: "Results estimated using ordinary least squares indicate a strong and significant cross-sectional relationship between low-density zoning and racial segregation." And from the Summary: "Our results suggest that, whatever their racial motivations, homeowners reveal their political preferences to exclude households of modest means through low density zoning under certain predictable conditions." This paper seems to have nothing to do with predicting the outcomes of increasing the allowable density in the City's densest areas?

Many of the high density areas of the city are already crowded, and removing density restrictions will cause overcrowding, reduced quality of life and increased hardships to current residents, many of whom live in modest and low-income households. In these areas, the current density allowed by Zoning is high enough. There are still many vacant buildings, and spaces that will allow for more housing to be added. There is a need for policies that help keep low-income residents in their homes and to protect tenant's rights.

The low density areas, ie Single Family districts which make up the majority of the City land area, should be the first target for any initiatives to increase the allowable density. Before implementing any comprehensive strategy, the issues and demographics must be understood while keeping in mind what amenities are needed for good housing in this City, such as adequate green space (keep required yards), play areas for children, parking and much more.

Mayor Pureval and Councilmember Harris made the following motions last week related to beginning the work of determining what policy changes will be helpful in increasing the supply of affordable housing. Please see next page.

Proposed Removal of Density Restrictions-Cincinnati Planning Commission 2/4/2022

Opposition Statement - 1/30/2022

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[202200163](#) 1 5. Motion MOTION, submitted by Mayor Aftab Pureval, WE MOVE that the City Administration engage in a collaborative review of city housing incentives & zoning policies with the express purpose of matching incentives with Mayoral & Council priorities of increased housing development within the City of Cincinnati, specifically including mixed-income, workforce, and affordable housing developments. WE FURTHER MOVE that this review process should include stakeholder engagement sessions that are racially & economically diverse, including renters, homeowners, M/WBE developers, large developers, and tenant advocacy & assistance organizations, among others. Topics of review should include zoning reforms to remove barriers to new, high-quality housing and to pursue policies targeting our most lucrative tax incentives to mixed-income, workforce, and affordable developments.

[202200178](#) 1 7. Motion MOTION, submitted by Councilmember Harris, WE MOVE that the Administration provide a report within thirty (30) days outlining the number, neighborhood geography and Adjusted Median Income (AMI) range for new housing units that have come online in the City of Cincinnati for at least the last five (5) years. The administration shall take into consideration a variety of data sources, considering but not limited to: Building & Inspections, CAGIS, Cincinnati Waterworks, and other feasible and accurate sources. (STATEMENT ATTACHED).

Let's let the current mayor and council review and act upon housing challenges, as we have elected them to do so. Hopefully they can enact policies that will focus on the development of vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods.

Please disapprove today's proposed Zoning amendments to Remove Density Restrictions.

Thank you for your consideration.

Sincerely,

Michelle Avery Keely, RA
Ken Jones & Associates
542 East 12th Street

Attachment: City Record of Ordinance

Cincinnati City Council

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Title: ORDINANCE (EMERGENCY), dated 05/07/2021, submitted by Councilmember Keating, from Andrew W. Garth, City Solicitor, MODIFYING Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by AMENDING the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415-09, "Development Regulations," to remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

Sponsors: [Liz Keating](#)**Attachments:** 1. [Transmittal](#), 2. [Emergency Ordinance](#)[History \(1\)](#) [Text](#)[1 record](#) [Group](#) [Export](#)

| Date | Ver. | Action By | Action | Result | Action Details | Meeting Details | Video |
|-----------|------|-------------------------|--------------------------------------|--------|--------------------------------|---------------------------------|---------------|
| 5/12/2021 | 1 | Cincinnati City Council | Referred to City Planning Commission | | Action details | Meeting details | Not available |

Additional Correspondence

Proposed Removal of Density Restrictions - Cincinnati Planning Commission 2/4/2022 **Opposition Statement 01/30/2022**

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Proposed Removal of Density Restrictions-Cincinnati Planning Commission 2/4/2022

Opposition Statement - 1/30/2022

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Opposition Statement - 1/30/2022

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File #: 202101677 **Version:** 1

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File created: 5/7/2021

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On agenda: 5/12/2021

Final action: 12/31/2021

ORD/RES# date:

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Sponsors: [Liz Keating](#)

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History (1) [Text](#)

[1 record](#) [Group](#) [Export](#)

| Date | Ver. | Action By | Action | Result | Action Details | Meeting Details | Video |
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| 5/12/2021 | 1 | Cincinnati City Council | Referred to City Planning Commission | | Action details | Meeting details | Not available |

| Timestamp | Neighborhood | For or Against Current Proposal | Comments | Alternatives or Suggestions |
|---------------------|-----------------|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8/28/2021 12:22:52 | Camp Washington | Against | Parking, traffic congestion, loss of neighborhood character Neighborhoods need to have final decision making input because one size ordinance does not fit all. | |
| 1/22/2022 9:37:50 | Camp Washington | Against | <p>Since September 5, 2002, I have been a Residential Home Owner living the CUF (Clifton Heights-University Heights-Fairview) Neighborhood which is already the "most densely populated" neighborhood in the City of Cincinnati, primarily due to the large amount of older housing stock located in Clifton Heights, which is normally rented by UC Students and sometimes other Temporary Renters. The large amount of Transient and Temporary Residents co-existing among the Long-Term Home and Business Owners in the area poses a unique and often "very challenging" set of issues with vandalism, trash, littering, poorly maintained yards/exterlor housing facades (one can only guess about the interiors), large unsupervised noisy parties, drug dealing in our local Parks and Streets, lack of enforced parking rules, too many cars without enough parking spaces, inability of the City to operate a Proper/Tax Payer Funded Street Sweeping Program, and young College Students walking around with targets on their backs as potential/actual robbery and assault victims. While some of these issues listed are mostly applicable to CUF and other nearby UC Campus neighborhoods, many more of the other issues listed will begin to "exponentially and negatively" impact other City Neighborhoods if "common sense" Zoning and Density Requirements are removed. The City of Cincinnati currently can't (or won't) stay on top of most of these Quality-of-Life and Infrastructure/Population Support Issues on a "consistent" basis as it is, let alone allowing Get-Rich-Quick Developers to build new Cheap, Shoddy, and possibly Toxic Multi-Housing Structures all over the City that probably won't last a couple of decades (if that) without needing to be bulldozed and replaced.</p> <p>I also "highly concur with" every comment that I read pertaining to the Importance of Preservation of our Historic Buildings and the need to "prioritize" Community and Economic Incentives to properly rehab our existing building stock, much of which has sadly been allowed to deteriorate and rot over time by Irresponsible and Immoral Greedy Slumlords. Some of these properties exist where I live in the lower Fairview portion of CUF, around W. McMicken Avenue. Fortunately, we also have some of the opposite, beautiful historic older buildings (Single and Multi Family) that have been well maintained and cared for for over a Century by their Owners. Adding more density of people and buildings to a City that currently lacks in Adequately Safe Modern Street Lighting in ALL</p> | <p>I also "highly concur with" every comment that I read pertaining to the Importance of Preservation of our Historic Buildings and the need to "prioritize" Community and Economic Incentives to properly rehab our existing building stock, much of which has sadly been allowed to deteriorate and rot over time</p> <p>Restoration of Historic Houses for Residential Home Ownership to offset the large density of temporary College Student Renters</p> |
| 8/30/2021 11:48:14 | CUF | Against | | |
| 1/12/2022 20:59:45 | CUF | Against | <p>Restoration of Historic Houses for Residential Home Ownership to offset the large density of temporary College Student Renters who don't permanently contribute to the Neighborhood.</p> | <p>Restoration of Historic Houses for Residential Home Ownership to offset the large density of temporary College Student Renters</p> <p>Plan Cincinnati calls for an Inclusionary zoning proposal to increase affordable housing. In my opinion, we should be working on that. To me, the current proposal will wind up being a developer giveaway that doesn't benefit the intended population and may even harm them. It's classic Cincinnati. In my opinion, we can do better.</p> |
| December 2021 email | East Price Hill | Against | <p>See link for all points.</p> | |

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| 8/30/2021 0:12:04 | Evanston | Neutral? | <p>There is and has been locally and nation wide the concern of enclivities in Neighborhoods populated with people of color and or limited income. To be honest, it seems no money no voice. Unfortunately we don't seem to have enough leadership representation willing to discuss and work together to consider that concern. Limited concern about maintaining the historic layout and structures of communities already there, when there is money to be made. There is a realization that each community has it's needs, Funds seem to be and are limited to maintain existing structure and no material. New means more money and tax abatements. There needs to be more discussion on this and other on going issues that really affect the total welfare of every community. We are really one big community, just different boundaries. I am not interested in editing my response because there is a need to consider. I really appreciate what Ms Keating is attempting to do.</p> <p>Hartwell is a small neighborhood. Our neighborhood is already directly impacted by apartment housing, specifically the boarding houses.</p> <p>Our area would not be able to handle higher density housing in a mostly residential area. Not only would it be completely out of place, we do not have the police presence to handle an influx of residents.</p> <p>Thank you, Laura Feldman President Hartwell Improvement Association</p> | <p>There is a realization that each community has it's needs. Funds seem to be and are limited to maintain existing structure and no material. New means more money and tax abatements. There needs to be more discussion on this and other on going issues that really affect the total welfare of every community.</p> |
| 8/30/2021 11:51:39 | Hartwell | Against | <p>I am entering this on behalf of Hyde Park from their comments in the survey -EG:</p> <p>City Homes, on Wasson Road (across from Hyde Park Kroger) - the project is too dense for the site; there are multiple serious environmental and traffic concerns related to the development; it is not an optimal use for this property, which is adjacent to the Wasson Way Trail; the development will not be a good architectural fit in the community; there has been no progress on the development since Ken French was granted City approval for the project, and the land is vacant, overgrown, and an eyesore to the neighboring properties. More than 2,000 Hyde Park residents signed a petition opposing the variances and other zoning relief that was granted for this project, and had City Council support to prevent the development, but the Mayor remanded the project to Planning Commission and they were able to approve the lot splits and variances without City Council approval.</p> <p>A new development, by PLK, on property zoned CCA on Wasson Rd. between Michigan and Shaw does not require a zone change or any zoning relief. The developer intentionally did not engage with the community in any way, nor did the City send notice about the development. What is being proposed fits into the requirements for CCA - though they are being very fudgy about the commercial use requirement (that will be only 219 sq ft of office space that the developer will use as a leasing office for the property.) The proposed use (1 and 2 BR apartments) is too dense for the space and the adjacent neighborhood; the 100+ new residents (and cars) it will bring in will present serious traffic and pedestrian safety issues. The height of the building (72 ft) and proximity to neighboring residences, and the balconies that will look down into those properties, will diminish property values as well as the neighbors enjoyment of their homes. Also, the architecture is completely out of character with the neighboring homes, and screening for the 2-story above-ground garage on which the apartments will be built appears to be marginal and ineffective. This project is, on every level, a case study for bad community development.</p> | |
| 8/29/2021 13:19:31 | Hyde Park | Against | | |

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| 9/7/2021 17:36:59 | Hyde Park | Against | <p>Over the past decade, developers have demonstrated that they will build the most dense development allowable since Hyde Park is considered a desirable and profitable place to build. Capital Investment Group tried to build a too-dense mix of residential rental and retail/office by obliterating Besuden Ave for a parking garage to serve the development on Madison between Besuden and Zumstein. HPNC was successful in combating this.</p> <p>Currently PLK is planning to shoehorn a large apt complex along Wasson between Michigan and Shaw; apt dwellers will look down from their balconies into adjacent single family homes and yards. There is a need for multi-family residential (both rental and condo) but sized to be a good fit into this community of mostly single-family residences and respectful to the adjoining property owners. The Wasson Way trail seems to attract and encourage dense development, to maximize ROI for the developers.</p> <p>Removing density restrictions would exacerbate the situation and be detrimental to the residential character and quality of our community.</p> | |
| 8/30/2021 11:18:50 | Kennedy Heights | Against | <p>Kennedy Heights is experiencing a mind-blowing surge in housing prices. We are seeing homes being bought up, demolished, and new constructions going for three times the price of the home that had been there previously. A recent addition to the market has clearly been priced at a point that I can only assume is based on a buyer wanting to take advantage of its noticeable acreage—a tactic that succeeds only with the end goal of adding more housing. All this is occurring within the restraints of current zoning allowances. Meanwhile, we are also facing a drastic shortage of affordable senior housing, and a growing senior population that is struggling to keep up with rising property taxes and physical maintenance of their properties. These challenges mean that housing inventory and affordability are a great concern to our residents. I am not sure, however, that universal removal of density requirements is the best approach.</p> <p>Kennedy Heights is in the middle of updating our neighborhood plan right now, and the overwhelming response we are hearing is that our priorities as a neighborhood is to preserve our diversity—this includes socioeconomic level and age. A universal removal of density requirements, without offering the desired protections against profit-motivated developers who would fill our neighborhood with luxury homes and luxury apartment complexes, thus continuing to change Kennedy Heights into a more homogeneous population.</p> <p>The tax abatements that City Council already tried was a perfect example of an idea great in theory, but terrible in practice. Instead of encouraging developers to create new projects in a broad array of neighborhoods in the city, especially those that need it the most, it has concentrated development into only a few of the more "desirable" neighborhoods and therefore increasing populations disproportionately in the City and not fostering a diverse range of residents nor properties to purchase. In those locations there were only two primary constructions, 1. luxury homes that are unaffordable to most in the city, or 2. sprawling apartment complexes, in order to maximize the developers' profits. There is little to no focus on family starter homes or middle class homes. This may lead to families leaving the city proper (and taking their property taxes with them) if they cannot find an affordable home to purchase to raise their families.</p> <p>Linwood needs more family homes that can be purchased. There are already too many apartments/transient residents in this city and it is affecting traffic, health and safety, and the economies of residents, including property values. Home ownership and a focus housing that is conducive to this (which is available in a multitude of price ranges) will help foster community, property value (and taxes), and sense of ownership in neighborhoods.</p> | <p>Focus on the family unit, not apartment units.</p> <p>More SF1,2,4 zones to create affordable homes/residences for purchase.</p> |

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| 8/29/2021 8:33:15 | Linwood | Neutral? | <p>Future development based on increased density could, and most likely would, result in high priced rental units, for one or two occupants, not conducive to affordable housing for families which is what our City is lacking. Our neighborhood, Linwood, already has a rental percentage of 45%+ even while having 700K+ new single family housing built in the last ten years driven by development (developers') pressure. Linwood has some zoning for manufacturing making its housing less concentrated around a neighborhood center where some density might be acceptable and desirable. Any residential building with many units, accommodating only one or two occupants, built in a non-walkable environment can only increase unwanted traffic in a City where mass transit is not practically available. There appears to be no actual universal planning by the City to create suitable profiles for each neighborhood; ours could use affordable SF housing, possibly attached, as a nod to density.</p> <p>I did not attend Ms. Keating's presentation, so my contribution is a general one, probably not speaking to her specific points.</p> | <p>ours could use affordable SF housing, possibly attached, as a nod to density.</p> |
| 8/30/2021 8:32:31 | Mt. Lookout | Against | <p>We have RM areas nestled in the midst of SF zoning. Increasing density will directly affect those in SF areas - more traffic, more noise, more strain on infrastructure and local services. Our sewers are already over capacity. Adding more is not as feasible in neighborhoods as opposed to more commercial areas. Also, developers are already buying contiguous properties and then combining to build bigger multi-family developments. Eliminating density restrictions will encourage this practice and existing property owners will bare the brunt (it's already happening now) as open space and views of trees and sky are replaced with walls of new buildings and parking lots. This irrevocably changes the character of the neighborhood and has a gross negative impact on the families that have already invested financially and emotionally here.</p> | |
| December 2021 email conversation | Northside | For | <p>density limits are in addition to all kinds of other things that limit density on a site, like minimum lot sizes, setbacks, etc. Having all of those things, PLUS density limits are actually very uncommon and, in all the places I've lived and worked professionally as a planner, Cincinnati is the only place that has this. It creates another layer of friction that prevents new housing development from happening and continues to limit supply. Developers end up building a lot fewer units and the prices of those units have to be higher to make up for it. That contributes greatly to our housing crisis.</p> | |
| 8/29/2021 12:44:40 | Northside | For | <p>Very few negative issues beyond constraining the on-street parking supply. My neighborhood (Northside) already has a strong mix of 1, 2, 3, and 4 family homes which has kept the area diverse and with multiple kinds of housing options for people. Interestingly as the neighborhood became less dense over the years and more buildings were converted to single-family homes, the on-street parking issue became much worse. This may be because people who live in single-family homes tend to have multiple personal vehicles, whereas people who live in denser housing tend to have fewer or no personal vehicles. Very few Northside homes have driveways so on-street parking is key. As the neighborhood has become more attractive to higher earners and more single-family homes were built (as the current zoning only allows that) the on-street parking problem has actually gotten worse. Northside now has fewer housing units than a decade ago, but far more cars.</p> | |
| December 2021 email | Oakley | Against | <p>I'll add that this Keating proposal would actually have negative impact on both affordability & sustainability in most neighborhoods. Passing city-wide changes like these take away what little control we in the communities have over what happens to us, will not have the impact the supporters claim. I see no common sense at all.</p> | |

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| 8/31/2021 11:04:46 | Oakley | Against | <p>Traffic congestion and traffic problems surrounding Oakley business districts have increased exponentially over the last 12 years that I have lived in Oakley. Removing density restrictions would only exacerbate this problem. This presents a serious safety issue in terms of increased traffic accidents and danger to pedestrians.</p> <p>I think the only concern for our neighborhood is that we do have a significant amount of multi-family housing that could be replaced with larger, taller buildings with less parking.</p> <p>Creation of new buildings that have too many people for the existing resources of the area (ex: too little parking, green space, room for trash cans), resulting in a worse quality of life for all existing residents/neighbors and thus changing the entire living context of the small neighborhood. Example: proposed Bennett Point project by CMHA.</p> |
| 8/30/2021 11:48:43 | Paddock Hills | Neutral? | |
| 8/29/2021 22:43:58 | Pendleton | Against | <p>Historical district architectural characteristics (height etc) must be preserved. Affordable housing act requires keeping dignity to all. Allowing many people to live within small confined apartments (after allowed with high density affordable housing) in old or new buildings without entertainment areas, hot rooms and noise environment with high density living, is illegal based on the federal law act above. Lower density could lead to more high speed roadways. We as a group support higher density walkable development that encourages neighbors to interact with each other.</p> |
| 8/29/2021 23:38:50 | Pendleton | Against | |
| 8/29/2021 21:53:14 | South Fairmont | For | <p>Hi Elizabeth and Brian: Please know although the West End voted to oppose the proposed zone changes, I am speaking only on behalf of myself.</p> |
| | | | <p>Universally removing density limitations from residential multifamily districts will disproportionately harm people and communities of color. Removing density limitations in the West End, and other communities that are racially concentrated areas of poverty, will have the effect of exacerbating concentrated poverty and perpetuate segregation. The proposed zone changes specifically target the city's most dense areas, including entire communities which are primarily poor and black. Removing density limitations in these historically disinvested areas will continue to steer low-income (aka affordable housing) developers to the very areas that are struggling with the residual effects of past (then legal) discriminatory housing patterns that related black people to poor black communities.</p> <p>As an aside, with this knowledge it should not come as a surprise to understand why these areas contain most of the regions affordable housing units. The city is fully aware that 94% of residents in low-income, aka affordable housing, are African American. When that housing, now being hyper-incentivized to only be built in poor, predominately black areas/communities, is sited in those communities, this has the effect of dictating where poor, predominately black people will live. It is shameful. No child's zip code should determine her future.</p> <p>Here is a map of the current zoning in Cincinnati. The targeted residential areas are orangish, tan/s and dark brown. I believe the Chamber's recent report indicated that nearly 70% of our land mass is zoned single family (creams, yellows). If this effort was sincerely about easing a housing crisis as Mrs. Keating kept insisting, why not target</p> |
| 8/30/2021 11:51:15 | West End | Against | |

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|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 8/30/2021 11:47:28 | | Against | Creation of new buildings that have too many people for the existing resources of the area (ex: too little parking, green space, room for trash cans), resulting in a worse quality of life for all existing residents/neighbors and thus changing the entire living context of the small neighborhood. Example: proposed Bennett Point project by CMHA. | |
| December 2021 email | Unknown | For | I generally agree... on the need for more density and am a bit disappointed that parking requirements are not addressed in this proposal. If we still require the 1-1.5 parking spaces per unit we're not really going to see major density changes because of how much space the parking lot would take up for a development with more units and the huge expense of building structured parking. Most neighborhoods don't have large expanses of vacant or redevelopable land that could accommodate a larger building and a lot of surface parking together. | |
| | Total Neighborhoods: | | | |
| | 15 | For: 4 Neutral: 2 Against: 17 | | |
| | For: Northside, S.Fairmont Against: Camp Washington CUJ East Price Hill Hartwell Hyde Park Kennedy Heights Linwood Mt. Lookout Oakley Pendleton | | | |

June 3, 2021

Dear Members of Planning Commission –

I am writing to express the Cincinnati USA Regional Chamber's support of Item 9, Councilmember Keating's ordinance to amend the zoning code to remove minimum land area per unit requirements in non-residential zones in the City.

At the Chamber, we are focused on creating a more connected region and fostering an environment that incentivizes economic development and growth. This ordinance is an important first step in doing that.

Eliminating density requirements is one way to create additional housing in the City and has a positive impact on the developer's ability to provide a wide array of price points and unit mixes to the market. Additionally, this proposal supports the Chamber's goals of increasing transit-oriented development to maximize the investments made by the passage of Issue 7 and implementation of Reinventing Metro.

We look forward to continuing to engage with the Planning Commission, members of Council and stakeholders in the community to build on this important first step proposed today.

Thank you,



Katie Eagan
Vice President, Government Affairs



January 31, 2022

Cincinnati Planning Commission
Byron Stallworth, Chair
Jacob Samad, Vice-Chair
Olivia McKinney, Commissioner
Anne Sesler, Commissioner
John Eby, Commissioner
John Curp, Interim City Manager
Jan-Michele Lemon Kearney, Vice Mayor

Via email: james.weaver@cincinnati-oh.gov

Dear City Planning Commission:

Affordable Housing Advocates writes about proposed changes to zoning density requirements and urges the Planning Commission to consider amendments that would promote more affordable housing in Cincinnati.

We recognize the importance of a growing population in our City among all groups of people. Permitting increased residential development density can help achieve this goal, but it should include requirements for housing affordable to low and moderate income households. While the current proposal serves to increase development of high-market and luxury housing, it lacks any requirement of inclusivity and diversity. In addition, the current proposal would likely result in further losses of affordable housing and displacement.

We understand that the current proposal is part of a national trend toward increasing density for housing. Reducing the need for requests for variances can promote important residential development. However, the current proposal does nothing to address the gap in affordable housing in our community. By contrast, using density incentives for affordable housing development is a long-term useful strategy that we support.

Affordable Housing Advocates would be happy to work with the Commission and staff to develop inclusionary zoning proposals that allow for increasing density in ways that support inclusive development rather than incentivizing further affordable housing loss.

Affordable Housing Advocates
117 E. 12th Street, Cincinnati, OH 45202-7203
www.cincyaha.org

*Mission: To promote the availability of high quality, safe,
accessible, affordable housing in the Greater Cincinnati Area.*

Please give more consideration to the need to promote affordable housing as part of this proposal, and thank you for considering our comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Schrider".

John Schrider
Chair, Affordable Housing Advocates

Cc: Katherine Keough-Jurs
JS/sb

**Opposition to the Proposed Removal of Density Restrictions (CPC Item #9, June 4, 2021)
6/1/2021**

Dear Members of the Cincinnati Planning Commission:

The city's documents for today's hearing include the statement that "by encouraging an increase in the supply of housing, this proposal will promote affordable housing." We can all agree that Cincinnati needs to do better when it comes to policies to help meet the needs for more housing affordable for those in need.

But today's proposal is a massive change in the Zoning Code that has not been adequately studied for its effects on the health safety and welfare of residents in the individual neighborhoods effected. It is a blunt instrument that will cause much harm to the quality of life in Over-the-Rhine and its Pendleton sub-area.

The proposed removal of all density restrictions in Multifamily and many other districts, but not Single Family districts, is being brought before the Planning Commission without adequate notice for Communities to respond and engage. Community Councils only received a 2-week notice before the Public Planning Staff Meeting on May 25, 2021; only six members of the public attended and only 1 or 2 Community Councils were represented. Community Councils only meet once a month and need more time digest information, discuss and hold a vote by membership. The proposed zoning changes are being brought before the Planning Commission with very little public input and no planning studies of the specific areas involved.

PART ONE

The proposed removal of density restrictions is not an equitable plan and will over-burden the already burdened Over-the-Rhine and Pendleton neighborhoods, especially when used in combination with the Parking Overlay, that has effectively eliminated parking requirements.

In these neighborhoods, the Parking Overlay Ordinance which went into effect 10/2018 is being illegitimately applied since last summer to stop the Historic Conservation Board from requiring parking to offset the negative effects of loss of parking to existing residents for significant Increased Density Variance requests. This is an area where there is no room on the typical building lot for off-street parking - and all the street parking is full every evening (when workers return) until morning and on the weekends.

In the walk shed calculated at a half-mile radius from the east end of East 12th Street, no off-street parking options exist—so where will the new residents and their visitors park? Nearby parking and non-availability as of May 7, 2021:

- Hard Rock Casino Parking Garage
No monthly parking permits are sold nor offered for residents. The Casino only offers parking permits to businesses, and for Monday thru Friday at normal business hours. The remaining parking is for Casino Customers.
(per Yvonne (513-250-3384) accounting department at Hard Rock Casino)

Opposition to Proposed Removal of Density Restrictions

6/1/2021

Page 2

- Ziegler Park Garage
\$105 per month, located one-half mile from Bennett Point, no reserved spaces, the garage is frequently full especially during weekends, evenings, special events. No reserved spaces even for monthly parking permit holders. (3CDC 513-621-4400)
- Olde Sycamore Square
All monthly lots are full (513-873-8001)

All increases in the allowable Density in OTR/Pendleton should be accompanied by additional parking so that there is no loss of parking to longtime residents, in accordance with the Zoning Rules for reviewing variances (Zoning Code 1445-13 General Standards for Public Interest and specifically item (j) "Adverse Effects" and item (p) "Public benefits. The public peace, health, safety and welfare")

Common sense would tell us the same - if we would for a minute put ourselves in the shoes of longtime residents. Access to parking will be taken away. Traffic will become more congested and blocked more often by double-parked vehicles for drop offs, deliveries, etc. because there are no available pull-off spaces since some streets have only one narrow lane of traffic. Emergency services will be hampered. Some blocks are of such a small scale that they will become overcrowded, especially since there is not much green space.



500 Block of E. 12th St., narrow one lane for traffic frequently blocked by double-parked vehicles making drop-offs and pick-ups, causing traffic back-ups. Parking filled by current residents returning from work every evening into morning and on weekends.



500 Block of E. 13th St., wider two lanes of traffic. But parking still full as described above.

According to the 2019 ACS Census estimates, the Pendleton neighborhood (Census tract 11) of OTR is an area of concentrated poverty, where 36.6% of residents live below the poverty line - this is 1.4 times the rate of poverty in Cincinnati and twice the rate of poverty in Hamilton County. Further, more than half of workers over age 16 drive to work. Cincinnati's public transit system is not adequate to connect workers to good jobs throughout the region, and the area's residents rely upon on-street parking.

<https://censusreporter.org/profiles/14000US39061001100-census-tract-11-hamilton-oh/>

According to the 2015 Regional Indicator's Report on Transit for the Greater Cincinnati and Northern Kentucky Region, only 22.5% of this region's jobs can be reached by a ninety minute or less bus ride (page 5), and the greater Cincinnati region "trails its peer cities when it comes to funding, ridership and access..."

<https://media.bizj.us/view/img/7599552/transitstudy.pdf>

Hardships will be created for property owners and renters, many of whom already have enough challenges. Many longtime residents are already being pushed out of the neighborhood due to loss of parking by a recent onslaught of developments being built to double the allowable density without the adequate provision of parking to offset the increased demand. This is worsening social conditions and

destabilizing the neighborhoods. The proposed zoning changes will only increase the problems, and make the neighborhoods unlivable. This does not benefit anyone and must be fixed.

There are better ways to increase the supply of housing in Cincinnati, and these require a full and complete process. The citizens of Cincinnati deserve a less politicized, and a logical and equitable approach to increasing housing availability throughout the city, including Single Family areas.

A similar proposed zoning change to remove density restrictions, in Over-the-Rhine and Pendleton, was set to come before the Planning Commission last November 2020 under the name "Urban Housing Overlay" zoning, District #1. This hearing was cancelled at nearly the last minute - without explanation.

Both the Pendleton Neighborhood Council and the Over-the-Rhine Community Council voted to oppose the "Urban Housing Overlay" zoning changes that would also have remove density restrictions. For the zoning changes being heard today, there has been not been enough time for community councils to respond or organize a vote.

PART TWO

When Portland, Oregon faced similar housing shortages, their response was different than the proposed zoning amendments and seems like it would yield better results if it were followed without shortcuts and rushing. Please see excerpts from the Portland Zoning Code text below:

<https://www.portlandoregon.gov/bps/article/53339>

33.405.010 Purpose

The purpose of the Alternative Design Density Overlay Zone is to focus development of vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The concept for the zone is to allow increased density for development that meets additional design compatibility requirements."

"33.405.030 Applying the Alternative Design Density Overlay Zone

The Alternative Design Density Overlay Zone may be established or removed as the result of an area planning study, reviewed through the legislative procedure.

Portland's zoning amendment required an area planning study be performed first, then reviewed by the legislative process before the establishment of any such increased density district. We have had no area planning studies for the proposed zoning changes - which contradict the only City approved planning study that is focused on OTR: "The Over the Rhine Comprehensive Plan." The Comprehensive Plan makes specific density recommendations for the varied areas within OTR. There is no "one size fits all" solution. The quality of life for current residents is being endangered without due process.

A full range of ideas should be considered including: allowing one apartment unit above garage outbuilding structures in Single Family neighborhoods; assistance with home ownership and keeping

residents in their homes; and correcting policies that are unduly forcing vulnerable residents out of their homes such as the Parking Overlay, District #1; and more.

As we all try to brainstorm and find ways to improve access to affordable housing for low-income residents, it is important to understand what amenities are involved in good housing - amenities that provide residents a good chance for success in life such as outdoor gathering spaces, play areas for children and parking so that residents can have more options for good paying jobs, healthy food, etc.

The densest, high-poverty areas of our city are not the first place we should focus upon when trying to increase density and add more low-income housing.

The Urban Institute blog article "For many low-income families, cars may be key to greater opportunity" discusses conclusions based upon the 2014 Urban Institute Study, "Driving to Opportunity: Understanding the Links between Transportation Access, Residential Outcomes, and Economic Opportunity for Housing Voucher Recipients." (that utilized data from two HUD studies)

- the Urban Institute 2014 study "suggests there is at least one group that may need to drive more, not less: low-income residents of high-poverty neighborhoods."

<https://www.urban.org/urban-wire/many-low-income-families-cars-may-be-key-greater-opportunity>

- From p. 58 of the study – "In the absence of building extensive transit networks which are fiscally impractical in all but the densest US metropolitan areas, our study suggests that cars present a more viable means of connecting low income workers to jobs."

<https://www.urban.org/research/publication/driving-opportunity-understanding-links-among-transportation-access-residential-outcomes-and-economic-opportunity-housing-voucher-recipients>

I respectfully urge the Members of the Planning Commission to deny approval for the proposed zoning amendments to remove density restrictions. It is critical that we get this right. Thank you for your consideration.

Sincerely,

Michelle Avery Keely, RA
Ken Jones & Associates Architects
542 E. 12th Street
Cincinnati Ohio 45202

February 1, 2022

Mr. James Weaver
City of Cincinnati Planning Dept.
Re: City Planning Commission Meeting: Feb. 4th at 9 AM
Via email

Good Morning James,

I will make every effort to attend this meeting, but do NOT need to speak. I am writing to offer my opinion on the “**proposed zoning text amendments to modify Title XIV, 'Zoning Code of the City of Cincinnati,'**”. This is not an official communication from the Linwood Community Council, because we have taken no vote, nor broader engagement with our residents at this time.

This sweeping change in minimum sq. footage per dwelling unit, is an approach that invites development land acquisition, without a comprehensive plan for the neighborhood in any foreseeable future. The City would need to act in tandem to keep our sprawling neighborhood cohesive and navigable. Therefore, I do not support this ordinance as it stands.

Linwood, on the Eastern periphery of the City has a wide range of zoning types, at least half being Park and Recreational (PR). Plan Cincinnati refers to the community as an “existing industrial area”; we do not have “Neighborhood Centers” or “Centers of Activity”. Additionally, the Plan describes it as “underserved” acknowledging the needs of residents to have better transportation options, and more walkability. Any proposed construction of residential density, specifically, must have these surrounding support systems.

For example, one of our many zoning codes being considered for eliminating minimum square footage per dwelling unit, is **Manufacturing Limited (ML)** having a sub-category for types of dwellings. This code, ML, is particularly isolated and is in, or adjacent to, the flood plain. It is singularly inappropriate for having density without concurrently planned and executed, urban support systems. This is one example for the argument that “no one size fits all”. Other examples of our zoning districts, which stand to be affected by this change are, **CC-P, CC-A, CG-A, and RF-R**.

Thank you for considering my opinion in the larger context of knowing my neighborhood.

Sincerely,

Nina Johns
Trustee, Linwood Community Council

Cincinnati, February 2nd 2022.

To: Members of the City Planning Commission and Council Members

Subject: In response to the proposed Zoning text amendments title XIV in regards to Density
(to be attached to the package of the City Planning Commission Meeting on 2.4.2022)

Sirs,

As a resident of one highly dense and diverse neighborhood in Cincinnati, Pendleton/Over-the-Rhine, I want to express my strong opposition to the changes proposed by this staff to the Zoning text amendments of Title XIV in regards to "Unrestricted" Density .

I have already expressed my disapproval during several Density Virtual Public Staff meetings. I am very disappointed to see the disregard from this Commission to all concerns expressed by several residents and community council members against removing land area / unit limitation from the City zoning code. The Planning Commission is still proposing to move on with the same text without any response to the residents' concerns. If these proposed amendments pass, living in my current neighborhood environment will be much more difficult. The number of inhabitants living in much smaller and denser multi-family spaces will increase to unsustainable levels, unable to maintain basic safety and dignity living. The increase in density will make impossible to guarantee a health urban environment, public safety, decent public services, and wellbeing of everyone. It will reverse the direction the City was taking to improve the conditions of the City living in the last years.

Hud.gov documents consider the term "inclusionary zoning" (IZ) as the criteria to design and plan housing for mix-income populations in the same area. A typical mix-income neighborhood protected by the inclusionary zoning policy targets 85 percent of units for wealthier people and 15 percent for low- to moderate-income families and must be clearly stated in the Zoning Ordinances.

Several US cities are studying the impact of increasing the affordable housing numbers in their diverse neighborhood before implementing any Zoning Code changes. Some studies evaluated the increase in neighborhood crime being proportional to an increase of low-income population living in high dense affordable housing communities.

Similar studies also considered the impact of affordable housing concentration related to the overall youth education outcome from public schools in these communities. It is a fact that the attention required by the public educators to kids coming from the low-income family structures, living in affordable housing communities, is much more intense and specialized. If the public school teachers have a larger number of kids in this category, they are limited in time to give the required attention to these kids. It is expected not only poor overall performance, but also an increase in school evasion not only from these students, but also from the defeated educators. A better planned affordable housing percentage would help the youth education to achieve the goal to prepare these children for a better adult life.

Another line of studies evaluated the burden on public service dependence in neighborhoods with high concentration of low-income population living in highly dense affordable housing communities. These

studies are consistent not only across US cities, but in many other foreign cities that have similar urban development.

Please, consider the fact that the current City Zoning Code and ordinances imply (by omission) that all Cincinnati neighborhoods have similar status of development, same need for affordable housing and similar population stratification. This implication seems to be the basis for these amendments. If these changes take place in the Title XIV, the zoning codes will allow an unrestricted “freedom” for the private developers to select any neighborhood without taking in consideration the particular need of each community. Each one of the 52 neighborhoods in Cincinnati has different socio-economic patterns and concentrations. In order to follow the Federal Affordable Housing Act guidelines and create more affordable living, the City Planning department and Council members need to protect the current residents and make the changes more reasonable in long term. The impact of the affordable housing on communities and households in Cincinnati need to be understood to have the expected effect and before any changes in the Zoning ordinances take place.

I urge the City Planning commission and City Council Members to evaluate carefully the impact of changing the zoning ordinances before moving on with these patched up amendments to an already outdated Zoning code.

Looking forward to seeing better responses to the communities concerns in the future.

Sincerely,

Shirley Rosenzweig

Weaver, James

From: Eric Buhner <porkov@gmail.com>
Sent: Tuesday, February 1, 2022 4:08 PM
To: Weaver, James; Aftab, Mayor; #COUNCIL; Curp, John
Cc: Sheila Rosenthal
Subject: [External Email] Proposed zoning changes - City Planning Commission meeting - Density
Attachments: CPC Notice Density 2-4-22.pdf; Letter about removing zoning density.docx; Zoning East Price Hill.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

External Email Communication

Greetings;

I fully support the assessment of my Community Council President, Sheila, Rosenthal, on the zoning proposals intended to permit increased housing density in my (and other) neighborhoods. This is NOT a callous NIMBY reaction, but rather an informed opinion that your proposal is not in any way an effective solution to the problems it purports to address.

Summary of Proposed Text Amendments

Click on each link below to view more information.

Section 1405-07 "Development Regulations – Multi-Family"

- Removes the minimum lot size requirement of 2,500 square feet per residential unit for two and three-family dwellings in the Residential Mixed 1-3 family (RMX) zoning district. The maximum number of new units permitted per lot is three. **SR Comment- While the maximum number of units remains 3, there will be NO minimum lot size required. Remember that lots are frequently subdivided and the only restrictions on those divisions has been zoning.**
- Changes the minimum lot size requirement of 2,000 square feet per residential unit for two-family and multi-family dwellings in the Residential Multi-Family 2.0 (RM-2.0) zoning district to 1,000 square feet per residential unit. **SR Comment- Density is "only" doubled. 1000 square feet is "only" 31.6 ft by 31.6 ft.**
- Changes the minimum lot size requirement of 1,200 square feet per residential unit for two-family and multi-family dwellings in the Residential Multi-Family 1.2 (RM-1.2) zoning district to 600 square feet per residential unit. **SR Comment- Density is "only" doubled. 600 square feet is "only" 24.5 ft. by 24.5 ft. Height remains unlimited.**
- Changes the minimum lot size requirement of 700 square feet per residential unit for two-family and multi-family dwellings in the Multi-Family 0.7 (RM-0.7) zoning district to 350 square feet per residential unit. This proposal also limits the height from unlimited to a maximum of 50 feet. **SR Comment- Density is "only" doubled. 350 square feet is "only" 18.7 ft by 18.7 ft. (For reference: The average length of a car is 14.7 ft. The recommended minimum size of a two car garage is 20ft. by 20 ft.)**

Section 1409-09 "Development Regulations – Commercial Districts"

- Removes the minimum lot size requirement of 700 square feet per residential unit (new construction) in all Commercial zoning districts. **SR Comment: There will be NO minimum lot size required. This will mean the number of units is unrestricted. Remember that lots are frequently subdivided and the only restriction on those divisions have been zoning restrictions.**
- Removes the minimum lot size requirement of 500 square feet per residential unit (using an existing building) in all Commercial zoning districts. **SR Comment: There will be NO minimum lot size required. This will mean the number of units is unrestricted. Remember that lots are frequently subdivided and the only restriction on those divisions have been zoning restrictions.**

Section 1413-07 "Development Regulations – Manufacturing Districts"

- Removes the minimum lot size requirement of 2,000 square feet per dwelling unit in the Manufacturing Limited (ML) zoning district. **SR Comment: There will be NO minimum lot size required. Remember that lots are frequently subdivided and the only restrictions on those divisions has been zoning restrictions.**

Although this is being presented as a removal of a "barrier to the creation of housing within the city", it really is not. There are literally thousands upon thousands of opportunities for housing development in Cincinnati, and the barriers that do exist are not related to zoning. This is about enabling more dense development in already desirable neighborhoods and maximizing profits. It is about enabling slumlords to create higher density pockets of poverty in already poor communities. It is about removing the voice of the community in the development process. In my opinion, this is not about fixing something that is broken: it is about getting rid of protections that exist and putting greed in the driver's seat.

FYI. No changes have been made to this since the planning staff conferences where the majority of speakers were in opposition.

While this stuff may seem dry and confusing, it is critically important to every neighborhood. Zoning is the framework on which all development occurs. I do **not** believe this will be a beneficial change for our city or community. These changes **WILL** impact our community and this zoning change will remove the community's ability to review and address the appropriateness of any dense developments.

I believe these changes are the camel's nose. It is only logical that once these particular zoning changes are made, developers will either seek exceptions to other restrictions like height limitations and parking requirements, or will seek to have them also removed from the zoning code. Developers will claim that those restrictions make it impossible to build the kind of dense developments that they want, and are contrary to the spirit of this zoning density change.

Sheila Rosenthal
President, EPHIA

Eric Buhner
EPHIA Trustee
(513) 244-1771
eric.buhner@ephia.org



Weaver, James

From: Ivy Thompson <ivy.thompson@gmail.com>
Sent: Wednesday, February 2, 2022 8:54 AM
To: Cincinnati City Planning
Subject: [External Email] 2-4-2022 Item 5

External Email Communication

Good morning Planning Commissioners:

I am writing to align myself with the comments contained in the letter submitted by Invest in Neighborhoods-Neighborhood Councils Actions Coalition expressing opposition to the proposed amendments to the Zoning Ordinance. I specifically oppose the proposed amendments to both the Multi-family zoned and the RF-R Zone properties.

Respectfully,

Ivy R. Thompson
Property owner East End Neighborhood

Weaver, James

From: F.Thompson <fawnt@juno.com>
Sent: Wednesday, February 2, 2022 9:00 AM
To: Cincinnati City Planning
Subject: [External Email] Item 5

External Email Communication

I do not support the proposed zoning changes as submitted.

Fawn Thompson

Weaver, James

From: president <president@ephia.org>
Sent: Wednesday, February 2, 2022 10:55 AM
To: Aftab, Mayor; #COUNCIL; Weaver, James
Cc: EPHIA Corresponding Secretary
Subject: [External Email] The Proposed Reduction and Removal of Residential Density Restrictions
Attachments: Logo for email.jpg

External Email Communication

Dear Mayor Aftab Pureval, Members of City Council, Chair and Members of the Planning Commission,

I am writing to express the East Price Hill Improvement Association (EPHIA) Community Council's voted opposition to the proposed text amendments to reduce or remove residential density restrictions in the Cincinnati Zoning code which you either have or potentially will have before you.

The two primary constructs of the Cincinnati municipal zoning code are density and use. Those factors are so integral that they are the actual name of the relevant zoning codes pertaining to purely residential uses. The proposed changes reduce or remove density limitations for every residential zoning type except single family, and essentially remove one of the two legs on which the zoning code is framed.

In every public meeting held by the city planning department on the proposed zoning text amendments, the overwhelming feedback has been negative because of the many problems those changes will create. The questions and concerns that have been raised in those public meetings and in multiple private meetings with the sponsor of the legislation regarding these zoning text amendments have not been answered or addressed.

The unintended consequences of the removal of density restrictions will have negative impacts in the East Price Hill community and the city of Cincinnati. Please consider the following:

- The proposed reduction and removal of density restrictions will remove the community's ability and right to weigh in and address development issues around density. This will not be good for residents, communities, or the city and will ultimately be bad for developers. Community input is a good developmental practice.
- Increasing density across the board without assessing the impacts on already stressed infrastructure and services invites destabilization of neighborhoods and the city.
- With no other interventions, the reduction and removal of density restrictions will enable landlords who are already a problem in the community to subdivide existing substandard housing and create even more substandard housing.
- Poor neighborhoods will see further concentrations of poverty which will prevent any opportunity for future improvement in the community.
- Subdivision of existing housing units will result in the displacement of families. Families are already struggling to find appropriate housing in Cincinnati.
- The assumption that increased density will result in decreased housing costs is not supported by fact.
- There is no assurance that any decrease in housing cost will not be generated by a decrease in housing quality.
- Simply expecting the market to drive development will not allow, enable, or create equitable or affordable development in all communities in our city, and will actually have the opposite effect.

- **The Cincinnati Planning Department has stated that they know of no example of any other city that has ever done this.** In other words, this proposal is completely out of line with standard zoning and planning practices.

These changes have been proposed as a means of removing barriers to housing development, and have been couched in terms of improving both the availability and affordability of housing across the city where those benefits are an assumed result rather than a proven one. When pressed on this, the conversation pivots to the need to address a claimed loss of 2000 housing units accompanied by an increase of 12,000 residents in the city, and the need for even more residents to increase Cincinnati's tax base in the face of revenues lost to the suburbs due to home-based work. Neither the loss of 2000 housing units, nor the increase of 12,000 residents are proof that a problem exists. The questions of how 2000 housing units were lost during a period of significant housing development and what the actual residential property vacancy rate is have not been answered. It must be noted that even with the increase of 12,000 residents, the population of Cincinnati is more than 30% smaller than it was at its peak.

Pressure on housing is felt most at the affordable level, and Cincinnati has faced a significant challenge there for many years. The premise that building housing at any price point will create affordable housing is a "trickle down" theory that has been proven false by recent residential development in Cincinnati. Removal of density restrictions will not bring equitable development or more affordable housing: it will only exacerbate existing issues by enabling over-development of "desirable" areas within the city while also opening the door to the creation of even more substandard housing in neighborhoods that are already struggling with or may face that issue. There is no evidence based reason to believe that this proposal will result in the creation of quality affordable housing or increased affordability at any price point.

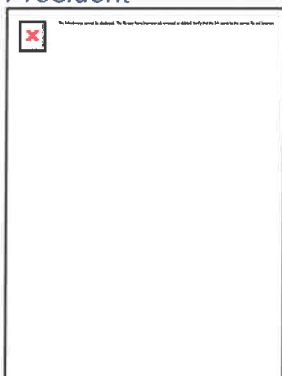
The issues of zoning, development, housing availability and affordability, infrastructure, city services, quality of life, jobs, poverty and the loss of tax base are all complex and interconnected issues which require deliberate, thoughtful, comprehensive and integrated solutions and policy. The proposed reduction and removal of density restrictions is not a silver bullet that is going to solve any of the problems the city faces. Without a comprehensive plan and without addressing the issues and inequities that exist across the 52 neighborhoods of Cincinnati the proposed zoning changes will exacerbate the issues that each community and the city overall face. Like jumping from a great height without placing a safety net, removing restrictions without developing a plan is a recipe for disaster.

The proposal as it stands is not good for residents, it is not good for neighborhoods and it is not good for the city. The East Price Hill community asks that you reject this proposed reduction and removal of zoning density restrictions.

Sincerely,

Sheila Rosenthal

President



East Price Hill Improvement Association

PO Box 5420

Cincinnati, OH 45205

P: 513-341-8430

Weaver, James

From: poeticb@netzero.net
Sent: Wednesday, February 2, 2022 11:09 AM
To: Cincinnati City Planning
Subject: [External Email] 2-4- 2022 Item 5

External Email Communication

To the Planning Commissioners

I am writing in support with the comments in the letter submitted by Invest In Neighborhoods Councils Actions Coalition expressing opposition to the proposed amendments to the Zoning Ordinance. I am specifically opposed to the proposed amendments to both Multi-family zoned and RF-R Zone properties.

With Regards,

William Sanders
Developer/Property Owner, East End Neighborhood

Weaver, James

From: Lain, Newman <newman.lain@umr.com>
Sent: Wednesday, February 2, 2022 12:16 PM
To: Weaver, James; Aftab, Mayor; #COUNCIL
Cc: president@ephia.org; newman.lain@ephia.org
Subject: [External Email] Opposition to changes to the zoning code to removed or reduce density limitations

External Email Communication

To the Mayor, Members of City Council, Chair and Esteemed Members of the Planning Commission:

I am writing to express opposition to the proposed removal of residential density restrictions in the Cincinnati Zoning code which you have or will have before you.

The unintended consequences of the removal of these restrictions will have negative impacts in my community. Please consider the following:

- With no other interventions, the removal of density restrictions will enable bad landlords who are already a problem in the community to subdivide existing substandard housing and create even more substandard housing.
- Poor neighborhoods will see further concentrations of poverty which will prevent any opportunity for future improvement in the community.
- The subdivision of existing housing units will result in the displacement of families. Families are already struggling to find appropriate housing in Cincinnati.
- The assumption that increased density will result in decreased housing costs is not supported by fact.
- There is no assurance that any decrease in housing cost will not be generated by a decrease in housing quality.
- Simply allowing the market to drive development will not allow, enable, or create equitable or affordable development in all

communities in our city, and will actually have the opposite effect.

- Removal of these density restrictions will also remove the community's ability and right to weigh in and address development issues around density. While this may initially be good for developers, it will not be good for communities and will ultimately be bad for developers. Asking a developer to get the support of an affected community is a good practice.

Please reject this proposed removal of residential density restrictions as a bad policy.

Sincerely,

Newman Anthony N. Lain
401 Grand Avenue
Cincinnati, OH 45205

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or intended recipient's authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

Hon. Planning Commission Members
Cincinnati Planning Commission
Cincinnati, Ohio 45202

January 30, 2022

Re: Feb 4 Agenda-Item 5 (Multifamily Density)



Dear Planning Commission;

Thank you for the opportunity to see the proposed text changes and make comments. While not considered by the Hyde Park Neighborhood Council (HPNC) Trustees, the proposed changes were considered by the HPNC Zoning Committee and the following are our comments.

More housing units and more affordable housing units may be the goal, but we are uncertain this approach will accomplish both goals. We fear that allowing more density will encourage tear down of existing multi-family structures because the existing two family in RM2.0 on a 6,000 sq ft lot can be replaced with a six family. Each new unit may be smaller sq. ft. than existing but will be able to attract higher rent. The residents of the former two family are forced out and may not be able to pay the higher rent in the new building. We now have more housing units but less affordable housing. We see the same thing taking place in the single family housing market encouraged by the property tax abatement program. Hyde Park "starter homes", the \$250,000 to 300,000 price range have mostly disappeared replaced by re-habbed or teardown/new construction homes with sales prices 3 to 4 times higher. If the tax abatement applies to multi-family, this may be the gasoline that starts the bon-fire.

In the documents distributed for Staff Conference #3, Portland, Seattle and Minneapolis were cited as examples of cities that have implemented similar changes. Is there any evidence from those cities or any others that the multi-family density text changes they have made resulted in the desired outcome? More specifically, is there evidence that the Portland, Seattle and Minneapolis zoning density changes achieved any or all of the four goals cited on the Benefits of Density (document for Staff Conference #3)? Were there any undesired outcomes or unintended consequences?

Furthermore, we don't believe the simplistic linear formula that assumes constant total construction costs and divides the potential single unit(@\$10,000/month rent) into four units(@\$2500/month rent) and nine units (@\$1111/month rent) is appropriate. The only fair rent/income comparison would be if the single unit is assumed to have nine kitchens, nine full bathrooms, nine HVAC systems, nine electrical distribution panels and 14 parking spaces (@ 1.5 per unit) the same as the nine unit would require. We think the evidence will show the small home have increased cost per sq. ft. due to the cost of the electrical and mechanical systems.

There are other items that increasing density seems to be forgotten about by the promoters of this.

One is sewer and storm water piping. More density means more waste in the line. Tearing down small houses and increasing the coverage increases the hard surface runoff water to the sewers. Many of these areas still have combined sewer overflow piping which MSD is mandated to reduce. It has been our observation that the cost of increasing the sewer pipes and managing the storm water runoff is at the cost to the taxpayer, not the developer.

Second, it seems that increased traffic is not considered. HP experienced this with the recent Wasson Tower presentation at 3660 Michigan. More units, more traffic, more hard surface parking. Not many six families have underground or multilevel parking. This in turn can make for more run off as well as less green space. All things that don't seem to be considered in the increased density discussions.

Lastly, we worry about the people who bought in an area because of the lesser density. Why are their rights and desires any less important than a developer or the renter?

Should you or anyone with the City have any questions, please call me on 513-243-8719/513-608-3342.

Yours truly,



Gary Wollenweber, Chair
HPNC Zoning Committee

cc: President HPNC; HPNC Zoning Committee

Community Council Opposition to Proposed Density Legislation

Dear Councilmembers, and members of the Planning Commission,

We are writing on behalf of Invest in Neighborhood's **Neighborhood Councils Action Coalition**, and as individuals who have researched, discussed, and engaged with this issue for many months.

The goal of the proposed legislation is to increase density which will increase affordable housing. This is a laudable goal and we do not oppose the idea of creating affordable housing.

However, we do not agree that this blanket approach to modifying the density restrictions within specific zoning codes is the correct approach. A blanket approach through a code change across the board would result in unintended consequences that would negatively impact the diversity of our neighborhoods.

First, and significantly, this would remove the ability of neighborhoods to have their voices heard and to have any influence on the development in their neighborhood. Second, and related, the proposed change does not recognize the distinctly different neighborhoods with different needs and different concerns in their communities. Both of these problems would consequently limit the ability of communities to manage growth while maintaining what is unique to their neighborhood.

In order to emphasize that this is not merely "NIMBYISM", we have gathered concerns from different neighborhoods which demonstrate that specific needs and problems cannot be solved with a universal approach. We have appended (lightly edited) representative examples from individuals from different communities across the City that provide very specific and valid concerns.

In addition to reviewing these, we also encourage the Planning Commission and City Council to listen to the recordings of the public meetings, reach out to the communities and hear their arguments before voting on this critical issue.

Again, we are NOT opposed to affordable housing and looking at ways to increase density in ways which can improve affordability, but we are opposed to a blanket approach.

Finally, we feel that a legislative approach that works toward meeting these objectives can be crafted in collaboration with us which would lead to a stronger city and have long lasting positive effects on those who live here and will choose to live here.

Thank you for your consideration,

Signed,

{signatories below}

Signatories

| | | | |
|---------------------|-----------------|----------------------|----------------------|
| Andria Carter | Avondale | Laura Whitman | Mt. Lookout |
| Celeste Wonson | Bond Hill | Brian Spitler | Mt Lookout |
| Theodora Fambrough | Bond Hill | Pamela J. Adams | North Fairmount |
| Dorothy Brundidge | Bond Hill | Joe Groh | Oakley |
| Carolyn White | Bond Hill | Myra Greenberg | Over-the-Rhine |
| Winfred White | Bond Hill | Linda Plevyak | Over-the-Rhine |
| Morris Williams | Bond Hill | William Leavitt | Over-the-Rhine |
| Robbe Bluestein | Camp Washington | Victoria Leavitt | Over-the-Rhine |
| Karen Bluestein | Camp Washington | Margy Waller | Over-the-Rhine |
| Peter Block | Clifton | Michael Bootes | Over-the-Rhine |
| John Osterman | Clifton | Lynne Stone | Paddock Hills |
| Malcolm Montgomery | Clifton | Lina Orr | Paddock Hills |
| Linda Keegan | Clifton | Luekiucius Brown | Paddock Hills |
| Drew Asimus | College Hill | Elizabeth Swain | Paddock Hills |
| Phyllis Slusher | College Hill | Shirley Rosenzweig | Pendelton |
| Chip Kussmaul | CUF | Abbigail Tissot | Pendelton |
| Maureen France | CUF | Patricia Schneider | Pendelton |
| Linda Ziegler | CUF | Michelle Avery Keely | Pendelton |
| Kurt Grossman | Downtown | Adam Tissot | Pendelton |
| Natasha Mitchell | East Price Hill | Kertsze Nunes | Pendelton |
| Eric Buhrer | East Price Hill | Sarah Baker | Pendelton |
| Reginald Roberts | East Westwood | Deborah Mays | Pendelton |
| Robert Moore | East Westwood | Mark Rosenzweig | Pendelton |
| Rodney Christian | East Westwood | Ken Jones | Pendelton |
| Georgia Brown | Evanston | Bonnie Dixon | Pleasant Ridge |
| Laura Feldman | Hartwell | Bella Amor | Pleasant Ridge |
| Norman Lewis | Hyde Park | Nancy Sunnenberg | Roselawn |
| Janet Buening | Hyde Park | Ward Wenstrup | Roselawn |
| Michael Mauch | Hyde Park | Melvina Murdock | Roselawn |
| John Isch | Hyde Park | Robin Woods | Roselawn |
| Andy Corn | Hyde Park | Mary Dornette | Sayler Park |
| Karen Planet | Hyde Park | Lois Mingo | South Cumminsville |
| Douglas Burkey | Hyde Park | Jim Casey | South Fairmount |
| Jean Bange | Kennedy Heights | Jerry Carrico | Spring Grove Village |
| Nancy Dickson | Mt. Airy | Karen Ball | West Price Hill |
| Terrance F. Crooker | Mt. Airy | Kim Hale-McCarty | West End |
| Belle Walsh | Mt. Airy | | |
| Mark Menkhaus | Mt. Airy | | |

Specific Neighborhood Concerns addressing the impact of blanket change to code:

Neighborhood: OTR

"The various zoning variances requested by developers here are some of our only opportunities to register our objections to outsized and architecturally insensitive development proposals. As we understand the proposals they are nothing more than carte blanche concessions to developers who too often ignore the preferences and character of neighborhoods.

Zoning variances give us a chance to demand affordable housing units in exchange for infrastructure and tax abatement subsidies. The current lame duck administration has made repeated concessions to corporate development interests that have left the City budget impoverished and have displaced 43% of the black population of OTR in the last 10 years. Further concessions such as the proposed density changes are egregious."

Neighborhood: Paddock Hills

I think the only concern for our neighborhood is that we do have a significant amount of multi-family housing that could be replaced with larger, taller buildings with less parking

Neighborhood: West End

Speaking solely as a resident of the West End I feel that universally removing density limitations from residential multifamily districts will disproportionately harm people and communities of color. Removing density limitations in the West End, and other communities that are racially concentrated areas of poverty, will have the effect of exacerbating concentrated poverty and perpetuate segregation. The proposed zone changes specifically target the city's most dense areas, including entire communities which are primarily poor and black. Removing density limitations in these historically disinvested areas will continue to steer low-income (aka affordable housing) developers to the very areas that are struggling with the residual effects of past (then legal) discriminatory housing patterns that relegated black people to poor black communities.

As an aside, with this knowledge it should not come as a surprise to understand why these areas contain most of the regions affordable housing units. The city is fully aware that 94% of residents in low-income, aka affordable housing, are African American. When that housing, now being hyper-incentivized to only be built in poor, predominately black areas/communities, is sited in those communities, this has the effect of dictating where poor, predominately black people will live. It is shameful. No child's zip code should determine her future.

Neighborhood: Evanston

There is and has been locally and nationwide the concern of inequities in Neighborhoods populated with people of color and or limited income. To be honest, it seems no money no voice. Unfortunately, we don't seem to have enough leadership representation willing to discuss and work together to consider that concern. Limited concern about maintaining the historic layout and structures of communities already there when there is money to be made. There is a realization that each community has it's needs.

Funds seem to be and are limited to maintain existing structure and no concerned in working to revitalize what exists, which has a better quality of material. New means more money and tax

abatements. There needs to be more discussion on this and other ongoing issues that really affect the total welfare of every community. We are really one big community, just different boundaries

Neighborhood: Hartwell

Hartwell is a small neighborhood. Our neighborhood is already directly impacted by apartment housing, specifically the boarding houses.

Our area would not be able to handle higher density housing in a mostly residential area. Not only would it be completely out of place, we do not have the police presence to handle an influx of residents

Neighborhood: Kennedy Heights

Kennedy Heights is experiencing a mind-blowing surge in housing prices. We are seeing homes being bought up, demolished, and new constructions going for three times the price of the home that had been there previously. A recent addition to the market is priced at a point that I can only assume is based on a buyer wanting its noticeable acreage, with the end goal of adding more housing. All this is occurring within the restraints of current zoning allowances. We are also facing a drastic shortage of affordable senior housing, and a growing senior population that is struggling to keep up with rising property taxes and physical maintenance of their properties.

Kennedy Heights is in the middle of our neighborhood plan right now, and the overwhelming response we are hearing is that our priorities as a neighborhood is to preserve our diversity—this includes socioeconomic level and age. A universal removal of density requirements, while pitched to the public as increasing inventory and therefore affordability, does not offer the desired protections against profit-motivated developers who would continue to fill our neighborhood with luxury homes and luxury apartment complexes, thus continuing to change Kennedy Heights into a more homogeneous population.

Neighborhood: Oakley

This impacts a significant portion of Oakley properties, and the impacted properties are in areas that contain most of our most affordable housing.

- *By including all RM zoned districts, this would allow developers to buy an existing 1/2/3 family unit/property, demo it, build up to 10/12 units *with off street parking* without needing any OCC approvals.*
- *They also tout "affordable housing", but this would have the opposite impact, as there is no way a developer is going to take on the expense to buy/demo/build/ and then offer the units at a price lower than current rent/mortgage is.*
- *Additionally, by adding units in the same footprint, you will run off families as the new units would simply be too small.*
- *Net impact - most of the more affordable housing, as documented in the recent Oakley Housing Inventory study, would likely be replaced by more expensive housing units.*
- *The ordinance was done *without any community input*, which is concerning. Thankfully, Liz is willing to have the town hall - mainly because the feedback has been overwhelmingly negative.*
- *I have no real issue with the changes to the other zoning districts, just the RM.*
- *My recommendation is to remove RM from the ordinance/proposal, and allow that to continue to be an item that each neighborhood has the ability to have input on, on an individual development basis.*
- *I've been very clear, when I've voiced my opinion, that I'm speaking as an individual resident, and not on behalf of the OCC - because we've not discussed this as a group, nor have we voted to make a statement on the issue.*

- *I'll also add that, one reason the city put forth for doing this is really to make their job a little easier - they commented that most of the zoning requests that get submitted for land/size variances get approved, so why not just do away with the need to have a hearing. Sorry, IMHO that is a weak rationale for taking control (what limited control/influence we do have) away from the neighborhoods.*

Neighborhood: Linwood

Future development based on increased density could, and most likely would, result in high priced rental units, for one or two occupants, not conducive to affordable housing for families which is what our City is lacking. Our neighborhood, Linwood, already has a rental percentage of 45%+ even while having 700K+ new single family housing built in the last ten years driven by development (developers') pressure. Linwood has some zoning for manufacturing making its housing less concentrated around a neighborhood center where some density might be acceptable and desirable. Any residential building with many units, accommodating only one or two occupants, built in a non-walkable environment can only increase unwanted traffic in a City where mass transit is not practically available. There appears to be no actual universal planning by the City to create suitable profiles for each neighborhood; ours could use affordable SF housing, possibly attached, as a nod to density.

Neighborhood: Clifton

For Clifton: loss of historic homes and other historic structures that would be replaced with new builds that are made of cheap materials, out of scale for the neighborhood and inconsistent with the "Clifton aesthetic" that is part of its charm.

Neighborhood: Downtown Residents Council

1. The downtown core is already quite dense so it's not clear what the impact of this specific overlay would be here. But it can have dramatic impacts on other neighborhoods. We should be supportive of our neighbors as our 52 neighborhoods make us "Cincinnati".

2. The concern from the downtown perspective, in my opinion, is two-fold based on things that have been largely unsaid. This zoning issue is, I believe, one part of a bigger effort that can be much more troubling.

2.A For example, I understand that there will also be efforts to reduce parking minimums with more dense developments. Downtown already has parking challenges which, if made worse, will (i) cause fewer people to want to come downtown for business or pleasure and (ii) will cause existing parking to increase (possibly by a lot!) their fees which will not only deter people from coming but merely line the pockets of those controlling the parking lots. And other neighborhoods may have similar or even more compelling problems. By way of example, OTR has been quite vocal about the struggle from lack of available parking even for their existing residents. Density should not be looked at without understanding "what's next".

2.B. There may also be a background effort to ease setback requirements in the downtown core that will mean narrower and even more dangerous sidewalks for pedestrians (who already have to share with scooters and bikes). Other neighborhoods likely share these same concerns. Again, what's the bigger picture?

Neighborhood: CUF

Since September 5, 2002, I have been a Residential Home Owner living in the CUF (Clifton Heights-University Heights-Fairview) Neighborhood which is already the "most densely populated" neighborhood in the City of Cincinnati, primarily due to the large amount of older housing stock located in Clifton Heights, which is normally rented by UC Students and sometimes other Temporary Renters. The large amount of Transient and Temporary Residents co-existing among the Long-Term Home and Business Owners in the area poses a unique and often "very challenging" set of issues with vandalism, trash, littering, poorly maintained yards/exterior housing facades (one can only guess about the interiors), large unsupervised noisy parties, drug dealing in our local Parks and Streets, lack of enforced parking rules, too many cars without enough parking spaces, inability of the City to operate a Proper/Tax Payer Funded Street Sweeping Program, and young College Students walking around with targets on their backs as potential/actual robbery and assault victims. While some of these issues listed are mostly applicable to CUF and other nearby UC Campus neighborhoods, many more of the other issues listed will begin to "exponentially and negatively" impact other City Neighborhoods if "common sense" Zoning and Density Requirements are removed. The City of Cincinnati currently can't (or won't) stay on top of most of these Quality-of-Life and Infrastructure/Population Support Issues on a "consistent" basis as it is, let alone allowing Get-Rich-Quick Developers to build new Cheap, Shoddy, and possibly Toxic Multi-Housing Structures all over the City that probably won't last a couple of decades (if that) without needing to be bulldozed and replaced.

I also "highly concur with" every comment that I read pertaining to the Importance of Preservation of our Historic Buildings and the need to "prioritize" Community and Economic Incentives to properly rehab our existing building stock, much of which has sadly been allowed to deteriorate and rot over time by Irresponsible and Immoral Greedy Slumlords. Some of these properties exist where I live in the lower Fairview portion of CUF, around W. McMicken Avenue. Fortunately, we also have some of the opposite, beautiful historic older buildings (Single and Multi Family) that have been well maintained and cared for for over a Century by their Owners. Adding more density of people and buildings to a City that currently lacks in Adequately Safe Modern Street Lighting in ALL Neighborhoods, and is still scrambling to comply with Federally Mandated Sewer Pipe and Drainage Systems, and has an Inadequately Staffed Police/Safety Department needed to properly protect ALL of our Neighborhoods is Totally Asinine, Fiscally Irresponsible, and Structurally Unsustainable!!!

Neighborhood: Camp Washington

Parking, traffic congestion, loss of neighborhood character

Neighborhood: Northside

Very few negative issues beyond constraining the on-street parking supply. My neighborhood (Northside) already has a strong mix of 1, 2, 3, and 4 family homes which has kept the area diverse and with multiple kinds of housing options for people. Interestingly as the neighborhood became less dense over the years and more buildings were converted to single-family homes, the on-street parking issue became much worse. This may be because people who live in single-family homes tend to have multiple personal vehicles, whereas people who live in denser housing tend to have fewer or no personal vehicles. Very few Northside homes have driveways so on-street parking is key. As the neighborhood has become more attractive to higher earners and more single-family homes were built (as the current zoning only allows that) the on-street parking problem has actually gotten worse. Northside now has fewer housing units than a decade ago, but far more cars.

Neighborhood: Hyde Park

City Homes, on Wasson Road (across from Hyde Park Kroger) - the project is too dense for the site; there are multiple serious environmental and traffic concerns related to the development; it is not an optimal use for this property, which is adjacent to the Wasson Way Trail; the development will not be a good architectural fit in the community; there has been no progress on the development since Ken French was granted City approval for the project, and the land is vacant, overgrown, and an eyesore to the neighboring properties. More than 2,000 Hyde Park residents signed a petition opposing the variances and other zoning relief that was granted for this project, and had City Council support to prevent the development, but the Mayor remanded the project to Planning Commission and they were able to approve the lot splits and variances without City Council approval.

A new development, by PLK, on property zoned CCA on Wasson Rd. between Michigan and Shaw does not require a zone change or any zoning relief. The developer intentionally did not engage with the community in any way, nor did the City send notice about the development. What is being proposed fits into the requirements for CCA - though they are being very fudgy about the commercial use requirement (that will be only 219 sq ft of office space that the developer will use as a leasing office for the property.) The proposed use (1 and 2 BR apartments) is too dense for the space and the adjacent neighborhood; the 100+ new residents (and cars) it will bring in will present serious traffic and pedestrian safety issues. The height of the building (72 ft) and proximity to neighboring residences, and the balconies that will look down into those properties, will diminish property values as well as the neighbors' enjoyment of their homes. Also, the architecture is completely out of character with the neighboring homes, and screening for the 2-story above-ground garage on which the apartments will be built appears to be marginal and ineffective. This project is, on every level, a case study for bad community development.

Neighborhood: Pendleton

Creation of new buildings that have too many people for the existing resources of the area (ex: too little parking, green space, room for trash cans), resulting in a worse quality of life for all existing residents/neighbors and thus changing the entire living context of the small neighborhood. Example: proposed Bennett Point project by CMHA.

Neighborhood: Pendleton

Historical district architectural characteristics (height etc) must be preserved. Affordable housing Act requires keeping dignity to all. Allowing many people to live within small confined apartments (after allowed with high density affordable housing) in old or new buildings without entertainment areas, hot rooms and noise environment with high density living, is illegal based on the federal law act above.

Neighborhood: Mt. Lookout

We have RM areas nestled in the midst of SF zoning. Increasing density will directly affect those in SF areas - more traffic, more noise, more strain on infrastructure and local services. Our sewers are already over capacity. Adding more is not as feasible in neighborhoods as opposed to more commercial areas. Also, developers are already buying contiguous properties and then combining to build bigger multi-family developments. Eliminating density restrictions will encourage this practice and existing property owners will bear the brunt (it's already happening now) as open space and views of trees and sky are replaced with walls of new buildings and parking lots. This irrevocably changes the character of the neighborhood and has a gross negative impact on the families that have already invested financially and emotionally here.

Neighborhood: College Hill

Neighborhoods join the City in recognizing the need for more people and higher density to grow our City. We would rather see the City work with us to develop a comprehensive plan for making that happen than to expect great things from a piecemeal ordinance. Developers should not be the drivers for density. Bring a plan to us. Don't just deal with each developer as it comes to the City seeking subsidies and tax breaks.

Weaver, James

From: Brian Spitler <briankspitler@gmail.com>
Sent: Thursday, February 3, 2022 2:34 PM
To: Weber, William; Kearney, Jan-Michele; jeff.camerding@cincinnati-oh.gov; mark.jefferys@cincinnati-oh.gov; Johnson, Scotty; Keating, Liz; Owens, Meeka; Landsman, Greg; Harris, Reggie; Parks, Victoria; Weaver, James
Cc: Keough-Jurs, Katherine; bartley@investinneighborhoods.com; Peppers, Alex
Subject: [External Email] Re: Planning Commission Item 5 - Removal of Density Limits
Attachments: Letter - Community Council Opposition to Proposed Density Legislation.pdf

External Email Communication

Hello,

This is a followup letter attempting to outline our position given the latest dialogue with Council Member Keating and the City Planning Department.

Attach please find a letter previously put together and distributed to last years City Council. The content is still relevant to the discussion. We realize that many of you are new to the Council and undoubtedly have been engaged by others on this topic. The Invest in Neighborhoods Housing and Economic subcommittee would appreciate the opportunity to have direct conversations with the new Council members related to this topic.

We are not opposed to Density as a means of accomplishing the city and community goals. We are opposed the blanket legislation that doesn't take into account the diverse elements of our individual communities. As you will see in the letter provided, many different communities have expressed dramatically different concerns as to how blanket legislation will adversely affect their community as well may not serve the greater good.

To date there have been three public staff conferences. Yes, it is great the everyone had the opportunity to be heard! We hope this will continue. However we would hope that the listening, which is primarily what was done, is not constituted as engagement. As part of engagement we would hope that the items of concern could be addressed and discussed. To date this has not happened.

Please consider "Holding" this matter and encourage direct engagement on the concerns being raised by various communities throughout the city.

James, would you kindly include this correspondence in the Planning Commission packet?

--

Brian K. Spitler
Chair, Housing and Economic Committee
Invest in Neighborhoods
513.312.1362

--

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THE PORT

Making Real Estate Work

3 February 2022

Alex Peppers
Two Centennial Plaza
805 Central Avenue, Suite 720
Cincinnati, OH 45202


Members of the Cincinnati City Planning Commission,

The Port of Greater Cincinnati Development Authority is pleased to support the proposed zoning text amendments which modify Title XIV, "Zoning Code of the City of Cincinnati" of the Municipal Code to reduce or remove density restrictions. This amendment to the Zoning Code is important for the creation of a proactive development environment which prioritizes the creation of housing within the City. The current code presents barriers to the construction of new housing. Responsibly revising the restrictions will ease the path for private, non-profit, and community developers to construct financially feasible projects, with fewer incentives that respond to market demand.

As reflected in the collaborative Housing Our Future report, an increase in new available units supports housing affordability, creating a more inclusive and available housing stock to account for a growing population and current residents. Furthermore, this revision is a small step toward better supporting existing and future neighborhood businesses, such as grocery stores and local retail, widening the impact of economic development. Clearly, more study, engagement, and planning are necessary to best leverage the zoning code and development regulations to support housing and affordability, but this proposal is a modest, responsible, and incremental step toward that future.

We appreciate the extensive City Staff time that has been devoted and we support the recommendation to reduce or remove density limitations in the proposed zones to encourage housing availability and economic development through increased housing construction.

Sincerely,


Philip M. Denning
Executive Vice President

Office: 513.621.3000 | Email: wfischer@cincinnatiport.org
3 East Fourth Street, Suite 300
Cincinnati, OH 45202





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Cincinnati OH 45219

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Cincinnati OH 45214

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Mt. Adams Civic Association
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Cincinnati OH 45206

Mt. Airy Town Council
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North Avondale Neighborhood
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Cincinnati OH 45216

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Cincinnati OH 45212

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5301 Winneste Avenue
Cincinnati OH 45232

Queensgate Business Alliance
1301 Western Avenue
Cincinnati, OH 45203

Avondale Comprehensive
Development Corporation
3635 Reading Road, Suite 200
Cincinnati, OH 45229

Bond Hill Roselawn Collaborative
4721 Reading Rd
Cincinnati, OH 45237

Brewery District CURC
1619 Moore Street
Cincinnati, Ohio 45202

Camp Washington Community Board
2951 Sidney Ave #2134,
Cincinnati, OH 45225

Clifton Heights Community Urban
Redevelopment Corporation
2510 Ohio Ave C
Cincinnati, OH 45219

College Hill CURC
6107 Hamilton Avenue
Cincinnati, Ohio 45224

Cornerstone Renter's Equity
1641 Vine St
Cincinnati, OH 45202

Kennedy Heights
Development Corporation
6312 Kennedy Ave
Cincinnati, OH 45213

Madisonville Community Urban
Redevelopment Corporation
6111 Madison Rd.
Cincinnati, OH 45227

Mt. Airy Community Urban
Revitalization Enterprise
2563 W North Bend
Cincinnati OH 45239

Over-the-Rhine Community Housing
114 West 14th Street
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Working in Neighborhoods
1814 Dreman Avenue
Cincinnati, OH 45223

Invest in Neighborhoods
315 W Court St, 2nd Floor
Cincinnati, OH 45202

Date: February 7, 2022

To: Councilmember Liz Keating

From: Andrew Garth, City Solicitor *AWG*

Subject: **Ordinance – Modifying Title XIV Zoning Code Density**

Transmitted herewith is an ordinance captioned as follows:

MODIFYING Title XIV, “Zoning Code of the City of Cincinnati,” of the Cincinnati Municipal Code by AMENDING the provisions of Section 1405-03, “Specific Purposes of Multi-Family Subdistricts,” Section 1405-07, “Development Regulations,” Section 1407-07, “Development Regulations,” Section 1409-09, “Development Regulations,” Section 1410-07, “Development Regulations,” Section 1413-07, “Development Regulations,” and Section 1415-09, “Development Regulations,” to reduce or remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

AWG/MEH/(lnk)
Attachment
348965



City of Cincinnati

MEH

AWB

- 2022

An Ordinance No. _____

MODIFYING Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by **AMENDING** the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415-09, "Development Regulations," to reduce or remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

WHEREAS, in response to City Council's desire to increase the supply and availability of housing that is affordable across a broad spectrum, the Administration has explored a number of strategies that would facilitate the production of housing in the city, which strategies are more particularly described in a March 16, 2021 report to the Council (item no. 202101105); and

WHEREAS, the Administration's recommendations for increasing the housing supply include a recommendation to legislatively streamline housing production by, among other things, lifting density restrictions in certain targeted areas; and

WHEREAS, the Council hereby resolves to lift or reduce density restrictions in certain targeted areas to remove a barrier to the creation of housing in the city, consistent with its desire to increase the supply and availability of housing; and

WHEREAS, at its regularly scheduled meeting on February 4, 2022, the City Planning Commission reviewed the proposed amendments to the zoning code, and it failed to recommend their approval; and

WHEREAS, a committee of Council held a public hearing on the proposed text amendments following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1 at which it reviewed and considered the proposed text amendments; and

WHEREAS, the text amendments are consistent with Plan Cincinnati (2012), including the "Live" goal to "provide a full spectrum of housing options, and improve housing quality and affordability" (p. 164); and

WHEREAS, the Council finds the proposed text amendments to be in the best interests of the City and the public's health, safety, morals, and general welfare, and it resolves, by a vote of at least two-thirds of its members, to overrule the City Planning Commission's failure to recommend their approval; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio, by a vote of at least two-thirds of its members:

Section 1. That Section 1405-03, “Specific Purposes of Multi-Family Subdistricts,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-03. - Specific Purposes of the Multi-Family Subdistricts.

The specific purposes of the RM Residential Multi-family subdistricts are to create, maintain and enhance neighborhood residential areas with multi-family housing that are typically located near the city's major arterials and characterized by a mix of attached housing, small and large multi-unit buildings and community facilities, where appropriate. Future development will be primarily residential in character, although some small-scale public and non-residential uses on the ground floor in a ~~mixed-use-mixed-use~~ building on an arterial street may be allowed with specific limitations. Four RM District subdistricts are established:

- (a) *RMX Residential Mixed*. This subdistrict is intended to create, maintain and enhance areas of the city that have a mix of lot sizes and house types at moderate intensities (one to three dwelling units). Existing multi-family buildings of four or more units are acknowledged but new construction is not permitted.
- (b) *RM-2.0 Multi-family*. This subdistrict is intended to provide for a medium density mix of residential housing predominantly duplexes and multi-family on lots that have already been platted. The scale of buildings is generally similar to a large single-family home on a small lot. Where land is assembled, the same scale should be maintained. ~~The minimum land area for every dwelling unit is 2,000 square feet.~~
- (c) *RM-1.2 Multi-family*. This subdistrict is intended to provide for mixed residential uses at moderately high densities. This is an intense district with an urban character. ~~The minimum land area for every dwelling unit is 1,200 square feet.~~
- (d) *RM-0.7 Multi-family*. This subdistrict is the most intense residential district and it will normally consist of tall multi-family or condominium structures. The character is intended to be urban and should be used where high intensity residential is needed to provide a residential base for important commercial areas. ~~The minimum land area for every dwelling unit is 700 square feet.~~

FIGURES 1405-03-A-D The following illustrations represent examples of the multi-family districts in this chapter:



Figure 1405-03-A, B



Figure 1405-03-C, D

Section 2. That existing Section 1405-03, “Specific Purposes of Multi-Family Subdistricts,” of the Cincinnati Municipal Code is hereby repealed.

Section 3. That Section 1405-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-07. - Development Regulations.

Schedule 1405-07 below prescribes the development regulations for the RM Districts, including lot area for every unit, minimum lot width, setbacks and maximum height. Figure 1405-07 illustrates the setbacks for the RM Districts. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

Schedule 1405-07 Development Regulations - Residential Multi-family Districts

| | | | | | Setbacks (ft.) | | | |
|----------------------------|--------------------|---------------------------|-----------------|-----------------|----------------------|-----------|----------------------|--|
| Building Form and Location | Lot Area (sq. ft.) | Lot Area/Unit (sq. ft.) | Lot width (ft.) | Front Yard | Side Yard Min./Total | Rear Yard | Maximum Height (ft.) | |
| RMX single-family | 2,500 | — | 25 | 20 | 0/5 | 20 | 35 | |
| RMX rowhouse exterior | 2,500 | — | — | 20 | 0/5 | 20 | 35 | |
| RMX rowhouse interior | 2,000 | — | — | 20 | 0/0 | 20 | 35 | |
| RMX two-family | 5,000 | <u>2,500</u> | 25 | 20 | 3/6 | 20 | 35 | |
| RMX three-family | 7,500 | <u>2,500</u> | 25 | 20 | 3/6 | 20 | 35 | |
| RMX other | | | 25 | 20 | 3/6 | 20 | 35 | |
| | | | | | | | | |
| RM 2.0 single-family | 2,000 | — | 25 | 20 | 0/5 | 20 | 35 | |
| RM 2.0 rowhouse exterior | 2,500 | — | — | 20 | 0/5 | 20 | 35 | |
| RM 2.0 rowhouse interior | 2,000 | — | — | 20 | 0/0 | 20 | 35 | |
| RM 2.0 two-family | 4,000 | <u>1,000</u> <u>2,000</u> | 25 | 20 | 3/6 | 20 | 35 | |
| RM 2.0 multi-family | — | <u>1,000</u> <u>2,000</u> | — | 20 ¹ | 5/17 ³ | 35 | 45 | |
| RM 2.0 other | | | 25 | 20 ¹ | 5/17 ³ | 35 | 45 | |
| | | | | | | | | |
| RM 1.2 single-family | 2,000 | — | 25 | 20 | 0/5 | 20 | 35 | |
| RM 1.2 rowhouse exterior | 2,000 | — | — | 20 | 0/5 | 20 | 35 | |

| | | | | | | | |
|--------------------------|-------|------------------|----|-----------------|-------------------|-----------------|-------------|
| RM 1.2 rowhouse interior | 1,500 | — | — | 20 | 0/0 | 20 | 35 |
| RM 1.2 two-family | 2,400 | <u>600</u> 1,200 | 25 | 20 | 3/6 | 20 | 35 |
| RM 1.2 multi-family | — | <u>600</u> 1,200 | — | 20 ² | 5/17 ³ | 30 ² | - |
| RM 1.2 other | | | | 20 ² | 5/17 ³ | 30 ² | — |
| | | | | | | | |
| RM 0.7 single-family | 2,000 | — | 25 | 5 | 0/5 | 20 | 35 |
| RM 0.7 rowhouse exterior | 2,000 | — | — | 5 | 0/5 | 20 | 35 |
| RM 0.7 rowhouse interior | 1,500 | — | — | 5 | 0/0 | 20 | 35 |
| RM 0.7 two-family | 2,000 | <u>350</u> 700 | 25 | 5 | 0/5 | 20 | 35 |
| RM 0.7 multi-family | — | <u>350</u> 700 | — | 5 | 0/5 ⁴ | 25 ² | <u>50</u> — |
| RM 0.7 other | | | | 5 | 0/5 ⁴ | 25 ² | — |

“Yes” means additional regulations apply.

| Regulations | RMX | RM 2.0 | RM 1.2 | RM 0.7 | Additional Regulations |
|----------------------------------------------------|------------------|--------|--------|--------|------------------------|
| Vehicle Accommodation Driveways and Parking | | | | | |
| Location of parking | Yes | Yes | Yes | Yes | See § 1425-17 |
| Parking lot landscaping | Yes | Yes | Yes | Yes | See § 1425-31 |
| Parking lot screening | Yes | Yes | Yes | Yes | See § 1425-29 |
| Truck docks; loading and service areas | Yes | Yes | Yes | Yes | See § 1405-09 |
| Other Regulations | | | | | |
| Buffering along district boundaries | Yes | Yes | Yes | Yes | See § 1423-13 |
| Accessory structures | See Chapter 1421 | | | | |
| General site standards | See Chapter 1421 | | | | |

| | |
|------------------------------------|------------------|
| Landscaping and buffer yards | See Chapter 1423 |
| Nonconforming uses and structures | See Chapter 1447 |
| Off-street parking and loading | See Chapter 1425 |
| Signs | See Chapter 1427 |
| Additional development regulations | See Chapter 1419 |

¹ Additional 1-foot of setback for each 1-foot of building height above 35 feet.

² Additional 1-foot of setback for each five feet of building height above 35 feet.

³ Addition 0.5-foot of minimum side yard and 1-foot sum of side yard setback for each 1-foot of building height above 35 feet.

⁴ Additional 1-foot of minimum side yard and 2-foot sum of side yard setback for each five feet of building height above 35 feet.

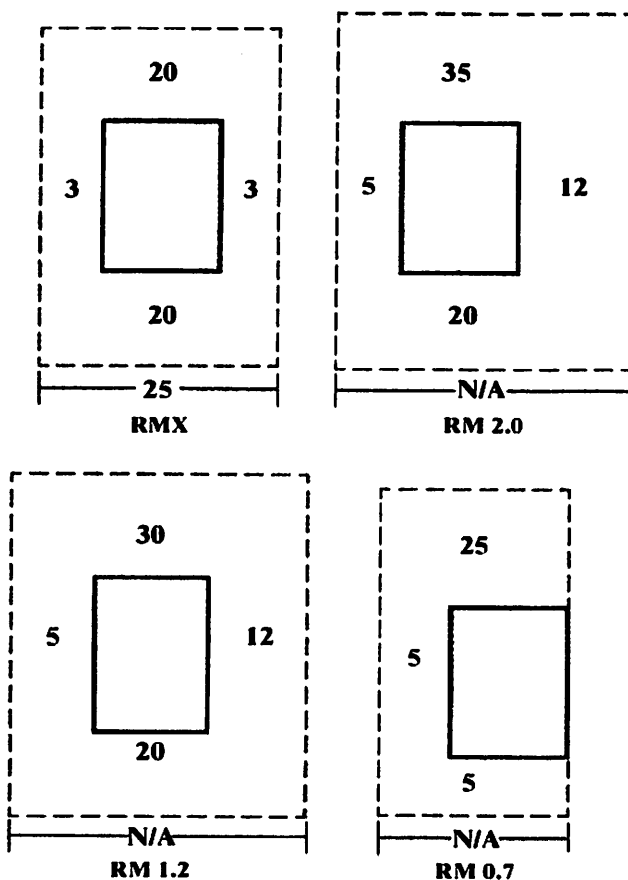


Figure 1405-07 Minimum Setbacks for Multi-Family Buildings 35 ft. in Height

Section 4. That existing Section 1405-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 5. That Section 1407-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1407-07. - Development Regulations.

Schedule 1407-07 prescribes the development regulations for O Office Districts, including ~~minimum lot area~~, maximum floor area ratio (FAR), maximum building height, minimum yards, driveways and parking and other standards that apply. Letter designations in the additional regulations column refer to regulations that follow Schedule 1407-07.

Schedule 1407-07: Development Regulations - Office Districts

| Regulations | OL | OG | Additional Regulations |
|------------------------------------------------------|------|------|------------------------|
| Building Scale - Intensity of Use | | | |
| Minimum lot area for every dwelling unit | 1200 | 700 | |
| Maximum gross floor area ratio | 0.6 | 1.75 | |
| Building Form and Location | | | |
| Maximum building height | 45 | 100 | |
| Minimum yard (ft.) | | | |
| Front | 20 | 20 | See § 1407-09 |
| Side (minimum/total) | 5/10 | 5/20 | See § 1407-11 |
| Side rowhouse (minimum/total) | | | |
| Exterior lot | 0/5 | — | |
| Interior lot | 0/0 | — | |
| Rear | 20 | 20 | See § 1407-13 |
| Vehicle Accommodation - Driveways and Parking | | | |
| Driveway restrictions | Yes | Yes | See § 1407-15 |
| Location of parking | Yes | Yes | See § 1425-15 |
| Parking lot landscaping | Yes | Yes | See § 1425-29 |
| Truck docks; loading and service areas | Yes | Yes | See § 1407-17 |
| Other Regulations | | | |
| Buffering along district boundaries | Yes | Yes | See § 1423-13 |

| | |
|------------------------------------|------------------|
| Accessory uses and structures | See Chapter 1421 |
| General site standards | See Chapter 1421 |
| Landscaping and buffer yards | See Chapter 1423 |
| Nonconforming uses and structures | See Chapter 1447 |
| Off-street parking and loading | See Chapter 1425 |
| Signs | See Chapter 1427 |
| Additional development regulations | See Chapter 1419 |

Section 6. That existing Section 1407-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 7. That Section 1409-09, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1409-09. - Development Regulations.

Schedule 1409-09 prescribes the development regulations for Commercial Districts, maximum building height, minimum setbacks, driveways and parking and other standards that apply. Yes means regulations apply.

Schedule 1409-09: Development Regulations - Commercial Districts

| Regulations | CN-P | CN-M | CC-P | CC-M | CC-A | CG-A | Additional Regulations |
|------------------------------------------------------|------|------|------|------|------|------|-----------------------------|
| Building Scale-Intensity of Use | | | | | | | |
| Minimum Lot Area | 0 | 0 | 0 | 0 | 0 | 0 | |
| Building Form and Location | | | | | | | |
| Maximum building height (ft.) | 50 | 50 | 85 | 85 | 85 | 85 | |
| Minimum building height (ft.) | 15 | 15 | 15 | 15 | 15 | 15 | |
| Minimum front yard setbacks (ft.) | 0 | 0 | 0 | 0 | 0 | 0 | |
| Maximum front yard setbacks (ft.) | 0 | 12 | 0 | 12 | — | — | See § 1409-19 |
| Building placement requirements | Yes | Yes | Yes | Yes | No | No | See § 1409-17 and § 1409-21 |
| Ground floor transparency standards | Yes | Yes | Yes | Yes | No | No | See § 1409-23 |
| Vehicle Accommodation - Driveways and Parking | | | | | | | |

| | | | | | | | |
|-----------------------------------------------|------------------|-----|-----|-----|-----|-----|---------------------------|
| Driveway restrictions | Yes | Yes | Yes | Yes | Yes | Yes | See § 1409-11 |
| Drive-through facilities | Yes | Yes | Yes | Yes | Yes | Yes | See § 1409-13 and 1419-13 |
| Location of parking | Yes | Yes | Yes | Yes | No | No | See § 1409-25 |
| Parking lot landscaping | Yes | Yes | Yes | Yes | Yes | Yes | See § 1425-29 |
| Truck docks; loading and service areas | Yes | Yes | Yes | Yes | Yes | Yes | See § 1409-15 |
| Other Regulations | | | | | | | |
| Buffering along district boundaries | Yes | Yes | Yes | Yes | Yes | Yes | See § 1423-13 |
| Accessory structures | See Chapter 1421 | | | | | | |
| General site standards | See Chapter 1421 | | | | | | |
| Landscaping and buffer yards | See Chapter 1423 | | | | | | |
| Nonconforming structures | See Chapter 1447 | | | | | | |
| Parking and loading | See Chapter 1425 | | | | | | |
| Signs | See Chapter 1427 | | | | | | |
| Additional development regulations | See Chapter 1419 | | | | | | |
| Residential Regulations | | | | | | | |
| New residential only | | | | | | | |
| Lot area/unit (sq. ft.) | 700 | 700 | 700 | 700 | 700 | 700 | |
| Front yard setback | 0 | 0 | 0 | 0 | 0 | 0 | |
| Interior side yard setback | 0 | 0 | 0 | 0 | 0 | 0 | |
| Corner side yard setback | 0 | 0 | 0 | 0 | 0 | 0 | |
| Rear yard setback | 25 | 25 | 25 | 25 | 25 | 25 | |
| Residential development in existing buildings | | | | | | | |
| Lot area/unit (sq./ft.) | 500 | 500 | 500 | 500 | 500 | 500 | |

Section 8. That existing Section 1409-09, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 9. That Section 1410-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1410-07. - Development Regulations.

Schedule 1410-07 below prescribes the development regulations for the UM district, including ~~lot area for every unit~~, minimum lot width, setbacks and maximum height. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

Schedule 1410-07 Development Regulations—Urban Mix District

| Building Form and Location | | | | Setbacks (ft.) | | | |
|----------------------------|--------------------|------------------------------------|-----------------|------------------------|----------------------|------------------|----------------------|
| | Lot Area (sq. ft.) | Lot Area/Unit (sq. ft.) | Lot width (ft.) | Front Yard (Min./Max.) | Side Yard Min./Total | Rear Yard (Min.) | Maximum Height (ft.) |
| UM Residential | 2,000 | 700 | 25 | 0/10 | 0/0 | 10 | 45 |
| UM Non-residential | 2,000 | 0 | 25 | 0/0 | 0/0 | 10 | 45 |
| UM Rowhouse | | | | | | | |
| Interior | 1,500 | 700 | 25 | 0/10 | 0/0 | 10 | 45 |
| Exterior | 1,500 | 700 | 25 | 0/10 | 0/0 | 10 | 45 |
| UM Other Use | 2,000 | 2,000 | 25 | 0/0 | 0/0 | 10 | 45 |
| Regulations | | | UM | Additional Regulations | | | |

| Vehicle Accommodation—Driveways and Parking | | |
|---------------------------------------------|-----|------------------|
| Driveway Restrictions | NO | |
| Drive-Through Facilities | NO | |
| Required Parking | YES | See 1410-09 |
| Location of Parking | YES | See 1425-15 |
| Parking Lot Landscaping | NO | |
| Parking Lot Screening | YES | See 1425-27 |
| Truck Dock; Loading; Service Areas | YES | See 1403-09 |
| Other Regulations | | |
| Buffering along District Boundaries | YES | See 1423-14 |
| Accessory Structures | YES | See Chapter 1421 |
| General Site Standards | YES | See Chapter 1421 |
| Landscaping and Buffer Yards | YES | See Chapter 1423 |

| | | |
|------------------------------------|-----|------------------|
| Nonconforming Structures | YES | See Chapter 1447 |
| Off Street Parking & Loading | YES | See Chapter 1425 |
| Signs | YES | See Chapter 1427 |
| Additional Development Regulations | YES | See Chapter 1419 |

“Yes” means additional regulations apply.

Section 10. That existing Section 1410-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 11. That Section 1413-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1413-07. - Development Regulations.

Schedule 1413-07 below prescribes the development regulations for M Manufacturing Districts, including minimum lot area, maximum height, minimum yards and other standards. Additional standards are included in Chapter 1419.

Schedule 1413-07: Development Regulations - Manufacturing Districts

| Regulations | MA | ML | MG | ME | Additional Regulations |
|----------------------------------------------|--------|-------|----|----|------------------------|
| Building Scale - Intensity of Use | | | | | |
| Minimum Lot Area (sq. ft.) | | | | | |
| Residential Uses | 20,000 | 4,000 | — | — | |
| Non-residential Uses | 20,000 | 0 | 0 | 0 | |
| Land area for every dwelling unit | — | 2,000 | — | — | |
| Building Form and Location | | | | | |
| Maximum Building Height (ft.) | 35 | 45 | 85 | 85 | |
| Minimum Yard (ft.) | | | | | |
| Front Residential | 40 | 20 | 0 | 0 | |
| Front Non-Residential | 25 | 20 | 0 | 0 | |
| Side Residential (minimum/total) | 10/20 | 3/12 | 0 | 0 | |
| Side Non-Residential (minimum/total) | 10/20 | 10/20 | 0 | 0 | |
| Rear Residential | 35 | 25 | 0 | 0 | |
| Rear Non-Residential | 20 | 10 | 0 | 0 | |

| Vehicle Accommodation - Driveways and Parking | | | | | |
|------------------------------------------------------|-----|-----|------------------|-----|---------------|
| Driveway Restrictions | Yes | Yes | Yes | Yes | See § 1413-09 |
| Parking Lot Landscaping | Yes | Yes | Yes | Yes | See § 1425-29 |
| Truck Docks; Loading and Service Areas | Yes | Yes | Yes | Yes | See § 1413-11 |
| Other Regulations | | | | | |
| Buffering Along District Boundaries | Yes | Yes | Yes | Yes | See § 1423-13 |
| Accessory Uses and Structures | | | See Chapter 1421 | | |
| General Site Standards | | | See Chapter 1421 | | |
| Landscaping and Buffer Yards | | | See Chapter 1423 | | |
| Nonconforming Uses and Structures | | | See Chapter 1447 | | |
| Off-Street Parking and Loading | | | See Chapter 1425 | | |
| Signs | | | See Chapter 1427 | | |
| Additional Development Regulations | | | See Chapter 1419 | | |

Section 12. That existing Section 1413-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 13. That Section 1415-09, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1415-09. - Development Regulations.

Schedule 1415-09 below prescribes the property development regulations for RF Riverfront Districts, including minimum lot area, maximum height, setback, parking and driveways and other standards. Additional standards are included in Chapter 1419, Additional Development Regulations.

Schedule 1415-09: Development Regulations - Riverfront Districts

| Regulations | RF-R | RF-C | RF-M | Additional Regulations |
|-------------------------------------------------|------------------|--------------|--------------|------------------------|
| Building Scale - Intensity of Use | | | | |
| Minimum lot area (sq. ft.) | 4,000 | — | — | |
| Minimum lot area (sq. ft.) rowhouse | 2,000 | — | — | |
| Minimum area for every dwelling unit | 2,000 | — | — | |
| Building Form and Location | | | | |
| Maximum building height (ft.) | 35 | 100 | — | See § 1415-11 |

| | | | | |
|------------------------------------------------------|-----|-------|------------------|---------------|
| Minimum yard (ft.) | | | | |
| Front | 10 | 25 | 20 | |
| Side least width/sum | 3/6 | 10/20 | 5/10 | |
| Side rowhouse exterior, least width/sum | 0/3 | — | — | |
| Side rowhouse interior, least width/sum | 0/0 | — | — | |
| Rear | 30 | 10 | 5 | |
| Maximum building coverage (%) | 60 | 70 | 80 | See § 1415-13 |
| Vehicle Accommodation - Driveways and Parking | | | | |
| Parking lot landscaping | Yes | Yes | Yes | See § 1425-29 |
| Truck docks; loading and service areas | Yes | Yes | Yes | See § 1415-15 |
| Other Standards | | | | |
| Buffering along district boundaries | Yes | Yes | Yes | See § 1415-17 |
| Ohio River bank area | Yes | Yes | Yes | See § 1415-19 |
| Little Miami Riverfront area | Yes | Yes | Yes | See § 1415-21 |
| Accessory uses and structures | | | See Chapter 1421 | |
| General site standards | | | See Chapter 1421 | |
| Landscaping and buffer yards | | | See Chapter 1423 | |
| Nonconforming uses and structures | | | See Chapter 1447 | |
| Off-street parking and loading | | | See Chapter 1425 | |
| Signs | | | See Chapter 1427 | |
| Additional development regulations | | | See Chapter 1419 | |

Section 14. That existing Section 1415-09, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 15. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strike through.



Greg Landsman
Councilmember

February 14, 2022

MOTION

Prioritizing Staffing for Core Services in FY 2023 Budget

As the Administration prepares its budget, we hereby move that the following core services be priorities:

- Public safety staffing (CFD, CPD), including support for the fire recruit class *and* a second police recruit class;
- Public services staffing (DPS), including support for additional sanitation crews *and* efforts to improve retention (potentially through adjusted compensation);
- Core municipal amenities (DPS), including urgent road repair to uphold lane miles and pothole maintenance — especially in historically underserved neighborhoods, wherein residents experience the highest financial consequences of crumbling infrastructure.¹

The Administration should prioritize working closely with the relevant bargaining units in order to ensure the success of these investments.

Additionally, as the Administration develops the FY 2023 budget, we move that a public hearing/engagement session is scheduled in order for the community to give feedback directly to the Administration. We recommend it happen as soon as feasible (eg. March), as it would be preceding, and *in addition to*, the public engagement sessions Council will hold prior to our adjustment and final approval of the budget.

STATEMENT

The most important role of a City is providing the effective, consistent, well-functioning, and continuously improving municipal amenities residents expect in exchange for taxes; these include everything from emergency and public safety services (CPD, CFD, EMS), to utilitarian services like waste collection, snow removal, road maintenance, architectural maintenance services, and more (DPS).

¹ "Poor Pavement Hits Lower-Income Americans Hard." Pothole.Info, 2021, www.pothole.info/2016/02/poor-pavement-hits-lower-income-americans-hard.

City of Cincinnati



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Email: greg.landsman@cincinnati-oh.gov
Web: www.cincinnati-oh.gov

Greg Landsman
Councilmember

Just as was acknowledged in a previously passed motion by Council concerning CFD's 2022 recruit class, CPD and DPS face serious attrition and turnover concerns. In addition, these departments face the detrimental fact that much of their workforce is approaching retirement age. 156 DPS employees (43%) are over 51 (67% are over 41+), and 381 CPD officers (34%) are over 51 (65% are over 41+) — hiring and nurturing their succeeding generation of staff is of *imminent concern* to this Council.

This Motion aims to clearly affirm Council's support for the staffing requests needed to address this issue in CFD, CPD (in particular, funding their entry-level recruit class in 2022; a vital aspect of sustaining a younger, more diverse police department), and DPS. These investments will increase the long-term capacity and minimize the consistent negative impact of staffing shortages, ultimately saving taxpayers' money.

NOTE: Council will provide an additional Omnibus budget motion at a later date which will expand and further detail our collective priorities — as has been done in years past — but before doing so, we believed it important to express upfront our sincere commitment to improving core municipal services.

Councilmember Greg Landsman

Date: February 16, 2022

To: Mayor and Members of City Council

202200277

From: John P. Curp, Interim City Manager

Subject: Liquor License – New

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: 8652835
PERMIT TYPE: NEW
CLASS: D5
NAME: SYMPOSIUM CINCINNATI LLC
DBA: SYMPOSIUM
2835 WOODBURN AVE
CINCINNATI, OH 45206

On January 13, 2022, East Walnut Hills Assembly 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, 2022

Date: February 16, 2022

To: Mayor and Members of City Council

202200354

From: John P. Curp, Interim City Manager

Subject: **Liquor License – New**

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: 1495181
PERMIT TYPE: NEW
CLASS: D3
NAME: CINCY CORK 2 LLC
DBA: NONE LISTED
1833 SYCAMORE ST
CINCINNATI, OH 45202

On January 17, 2022, Mt. Auburn 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, 2022

Date: February 16, 2022

To: Mayor and Members of City Council

202200356

From: John P. Curp, Interim City Manager

Subject: Liquor License – Temporary (F8)

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: 2292156

PERMIT TYPE: TEMP

CLASS: F8

NAME: DOWNTOWN CINCINNATI LLC

DBA: NONE LISTED

EAST COURT ST BTWN VINE & WALNUT STS
CINCINNATI, OH 45202

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

On January 13, 2022, Downtown Residents Council was notified of this application and do not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation

☐ Objection

☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: February 22, 2022

Date: February 16, 2022

To: Mayor and Members of City Council

202200357

From: John P. Curp, Interim City Manager

Subject: **Liquor License – New**

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: 9699760
PERMIT TYPE: NEW
CLASS: D2
NAME: WINNIETIN LLC
DBA: PIG CANDY
5901 KELLOGG AVE & PATIO
CINCINNATI, OH 45230

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

On January 13, 2022, California 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: February 18, 2022

Date: 02/16/2022

To: Mayor and Members of City Council
From: John P. Curp, Interim City Manager *JP Curp* 202200359
Subject: **SPECIAL EVENT PERMIT APPLICATION: (2022 Super Bowl Victory Block Party)**

In accordance with Cincinnati Municipal Code, Chapter 765; (Banks Community Authority) 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 current objections). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: 2022 Super Bowl Victory Block Party
EVENT SPONSOR/PRODUCER: Banks Community Authority
CONTACT PERSON: Lori Salzarulo
LOCATION: Freedom Way at the Banks
DATE(S) AND TIME(S): 02/16/2022 12:00PM to 9:00PM
EVENT DESCRIPTION: Super Bowl Victory Party at the Banks
ANTICIPATED ATTENDANCE: 2,000
ALCOHOL SALES: ☒ YES. ☐ NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: (T.B.D.)

Eliot K. Isaac

cc: Colonel Eliot K. Isaac, Police Chief

Date: 02/16/2022

To: Mayor and Members of City Council
From: John P. Curp, Interim City Manager *JP Curp for JC* 202200360
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Bengals Super Bowl Parade)**

In accordance with Cincinnati Municipal Code, Chapter 765; (Cincinnati Bengals) 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 current objections). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Bengals Super Bowl Parade
EVENT SPONSOR/PRODUCER: Cincinnati Bengals
CONTACT PERSON: Alex Schweppe
LOCATION: OTR and Central Business Section
DATE(S) AND TIME(S): 02/16/2022 2:30PM to 4:00PM
EVENT DESCRIPTION: Super Bowl Victory Parade
ANTICIPATED ATTENDANCE: 200,000
ALCOHOL SALES: ☐ YES. ☒ NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: (N/A)

Eliot K. Isaac

cc: Colonel Eliot K. Isaac, Police Chief

February 16, 2022

To: Mayor and Members of City Council 202200385

From: John P. Curp, Interim City Manager

Subject: **Ordinance – DOTE: Amend Ordinance No. 0273-2021**

Attached is an Ordinance captioned:

AMENDING Ordinance No. 0273-2021, which authorized the acceptance and appropriation of a donation from Clifton resident Timothy Maxey to existing capital improvement program project account no. 980x232x212383, “Pedestrian Safety Improvements,” to provide resources for the purchase of two new solar powered blinking stop signs at the intersection of Middleton Avenue and Resor Avenue, for the purpose of increasing the donation and appropriation amount from \$2,920 to \$3,120.

This Ordinance amends Ordinance No. 0273-2021, which authorized the acceptance and appropriation of a donation from Clifton resident Timothy Maxey to existing capital improvement program project account no. 980x232x212382, “Pedestrian Safety Improvements,” to provide resources for the purchase of two new solar powered blinking stop signs at the intersection of Middleton Avenue and Resor Avenue, for the purpose of increasing the donation and appropriation amount from \$2,920 to \$3,120.

At the time of the donation, the cost of the two stop signs was quoted as \$2,920. The final cost of the signs upon purchase increased to \$3,120. Timothy Maxey wishes to donate the full purchase amount of \$3,120, which requires City Council authorization to accept the additional \$200.

The Administration recommends passage of this Ordinance.

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

Attachment

AMENDING Ordinance No. 0273-2021, which authorized the acceptance and appropriation of a donation from Clifton resident Timothy Maxey to existing capital improvement program project account no. 980x232x212383, "Pedestrian Safety Improvements," to provide resources for the purchase of two new solar powered blinking stop signs at the intersection of Middleton Avenue and Resor Avenue, for the purpose of increasing the donation and appropriation amount from \$2,920 to \$3,120.

WHEREAS, Ordinance No. 0273-2021, passed on June 11, 2021, authorized the City Manager to accept and appropriate a donation in an amount up to \$2,920 from Clifton resident Timothy Maxey to existing capital improvement program project account no. 980x232x212383, "Pedestrian Safety Improvements," for the purpose of providing resources for the purchase of two new solar powered blinking stop signs requested by the Clifton Town Meeting for the intersection of Middleton Avenue and Resor Avenue; and

WHEREAS, at the time of the donation, the cost of the two stop signs was quoted as \$2,920; and

WHEREAS, the final cost of the signs upon purchase amounted to \$3,120; and

WHEREAS, Timothy Maxey wishes to donate the full purchase amount of \$3,120, requiring Council authorization to accept the additional \$200; now, therefore,

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

Section 1. That Section 1 of Ordinance No. 0273-2021, passed by Council on June 11, 2021, which authorized the acceptance and appropriation of a donation from Clifton resident Timothy Maxey to existing capital improvement program project account no. 980x232x212383, "Pedestrian Safety Improvements," to provide resources for the purchase of two new solar powered blinking stop signs at the intersection of Middleton Avenue and Resor Avenue, is hereby amended to read as follows:

Section 1. That the City Manager is hereby authorized to accept, with gratitude, and appropriate a donation in an amount up to ~~\$2,920~~ \$3,120 from Clifton resident Timothy Maxey to existing capital improvement program project account no. 980x232x212383, "Pedestrian Safety Improvements," for the purpose of providing

resources for the purchase of two new solar powered blinking stop signs for the intersection of Middleton Avenue and Resor Avenue.

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

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strikethrough.

February 16, 2022

To: Mayor and Members of City Council 202200386

From: John P. Curp, Interim City Manager

Subject: **Ordinance – OES: OEPA Volkswagen Mitigation Trust Fund Grant for Electric Vehicle (EV) Charging Stations**

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for two grants in the amounts of up to \$417,631 and \$420,293 from the Ohio Environmental Protection Agency's Volkswagen Mitigation Trust Fund for the purpose of providing resources to install public electric vehicle charging stations at 361 Central Avenue and on Plum Street in the City of Cincinnati.

This Ordinance authorizes the City Manager to apply for two grants in the amounts of up to \$417,631 and \$420,293 from the Ohio Environmental Protection Agency (OEPA)'s Volkswagen Mitigation Trust Fund for the purpose of providing resources to install public electric vehicle charging stations at 361 Central Avenue and on Plum Street in the City of Cincinnati.

If awarded, the Ohio Environmental Protection Agency Volkswagen Mitigation Trust Fund grant will reimburse the City for up to 90% of eligible project costs associated with the deployment of electric vehicle chargers. The remaining 10% will be reimbursed after five years of successful charger usage reporting to the OEPA. The grant does not require any new FTEs.

The administration has already applied for the OEPA Volkswagen Mitigation Trust Fund grant. However, grant resources will not be accepted without City Council approval.

Installing electric vehicle chargers supports the goal of the Green Cincinnati Plan (2018) to "[d]ecrease the consumption of fossil fuels, including gas, diesel, and natural gas by 20%," and its recommendation to "[e]ncourage the use of electric vehicles through City programs that incentivize EV ownership and infrastructure," as set forth on pages 205-211 of the Plan.

Installing electric vehicle chargers is in accordance with the "Sustain" goal to "[b]ecome a healthier Cincinnati" and strategy to "[c]reate a healthy environment and reduce energy consumption," as set forth on pages 181-186 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



-2021

AUTHORIZING the City Manager to apply for two grants in the amounts of up to \$417,631 and \$420,293 from the Ohio Environmental Protection Agency's Volkswagen Mitigation Trust Fund for the purpose of providing resources to install public electric vehicle charging stations at 361 Central Avenue and on Plum Street in the City of Cincinnati.

WHEREAS, on May 16, 2018, Council adopted the Green Cincinnati Plan in Motion No. 201800830; and

WHEREAS, installing electric vehicle chargers supports the goal of the Green Cincinnati Plan (2018) to "[d]ecrease the consumption of fossil fuels, including gas, diesel, and natural gas by 20%," and its recommendation to "[e]ncourage the use of electric vehicles through City programs that incentivize EV ownership and infrastructure," as set forth on pages 205-211 of the Green Cincinnati Plan; and

WHEREAS, if awarded, the Ohio Environmental Protection Agency ("OEPA") grants will reimburse the City for up to 90% of eligible project costs associated with deployment of electric vehicle chargers and will reimburse the remaining 10% of costs after five years of successful charger usage reporting to the OEPA; and

WHEREAS, the grant does not require any new FTEs; and

WHEREAS, in the event that charger usage reporting requirements are met, no local match resources are required; and

WHEREAS, the administration has already applied for the grant, but no grant funds will be accepted without prior Council approval; and

WHEREAS, installing electric vehicle chargers is in accordance with the "Sustain" goal to "[b]ecome a healthier Cincinnati" and strategy to "[c]reate a healthy environment and reduce energy consumption," as set forth on pages 181-186 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to apply for two grants in the amounts of up to \$417,631 and \$420,293 from the Ohio Environmental Protection Agency's

Volkswagen Mitigation Trust Fund for the purpose of providing resources to install electric vehicle charging stations at 361 Central Avenue and on Plum Street in the City of Cincinnati.

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

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

February 16, 2022

To: Mayor and Members of City Council 202200387

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – Parks: Carter’s Grove at Ault Park**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept and deposit a donation in an amount up to \$40,000 from the Cincinnati Park Board Commissioners’ Fund into Fund 430, “Parks Private Endowment and Donations,” for the purpose of providing resources for a grove and bird sanctuary in Ault Park; **ESTABLISHING** new capital improvement program project account no. 980x203x222020, “Carter’s Grove at Ault Park,” for the purpose of providing resources for creating a grove and bird sanctuary in Ault Park; and **AUTHORIZING** the transfer and appropriation of up to \$40,000 from the unappropriated surplus of Fund 430, “Parks Private Endowment and Donations,” to newly established capital improvement program project account no. 980x203x222020, “Carter’s Grove at Ault Park.”

This Emergency Ordinance would authorize the City Manager to accept and deposit a donation totaling \$40,000 from the Cincinnati Park Board Commissioners’ Fund into Parks Private Endowment and Donations Fund 430. This Emergency Ordinance would also establish new capital improvement program project account no. 980x203x222020, “Carter’s Grove at Ault Park” for the purpose of providing resources for a grove and bird sanctuary in Ault Park. Finally, this Emergency Ordinance would authorize the Finance Director to transfer and appropriate \$40,000 from the unappropriated surplus of Parks Private Endowment and Donations Fund 430 to the newly established capital improvement program project account no. 980x203x222020, “Carter’s Grove at Ault Park.”

Lee and Shannon Carter donated funds to the Cincinnati Parks Foundation for the creation of a grove and bird sanctuary in Ault Park to be located within the forest edge of the Southwest end of Ault Commons. It will provide an accessible, quiet, and contemplative space under the canopy of trees and surrounding wildlife away from the active areas of Ault Park and will include seating and new understory plantings with views facing the forested hillside and down to the cherry tree grove.

This donation requires neither additional FTE nor matching funds.

The reason for the emergency is the immediate need to have resources in place to obtain bids and start construction.

Creating a grove and bird sanctuary in Ault Park is in accordance with the Sustain goal to “Preserve our natural and built environment” and strategy to “Protect our natural resources,” as described on pages 193 – 196 of Plan Cincinnati (2012).

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

KKF

- 2022

AUTHORIZING the City Manager to accept and deposit a donation in an amount up to \$40,000 from the Cincinnati Park Board Commissioners' Fund into Fund 430, "Parks Private Endowment and Donations," for the purpose of providing resources for a grove and bird sanctuary in Ault Park; **ESTABLISHING** new capital improvement program project account no. 980x203x222020, "Carter's Grove at Ault Park," for the purpose of providing resources for creating a grove and bird sanctuary in Ault Park; and **AUTHORIZING** the transfer and appropriation of up to \$40,000 from the unappropriated surplus of Fund 430, "Parks Private Endowment and Donations," to newly established capital improvement program project account no. 980x203x222020, "Carter's Grove at Ault Park."

WHEREAS, Lee and Shannon Carter donated funds to the Cincinnati Parks Foundation for the creation of a grove and bird sanctuary in Ault Park to be located within the forest edge at the southwest end of Ault Commons; and

WHEREAS, the grove and bird sanctuary will provide an accessible, quiet, and contemplative space under the canopy of trees and surrounding wildlife away from the active areas of the Park, and will include seating and new understory plantings with views facing the forested hillside and down to the cherry tree grove; and

WHEREAS, acceptance of the funds from this generous donation will reimburse the City's costs for the creation of the grove and bird sanctuary; and

WHEREAS, there are no matching funds required with the acceptance of this donation; and

WHEREAS, there are no new FTEs associated with the acceptance of this donation; and

WHEREAS, creating a grove and bird sanctuary in Ault Park is in accordance with the "Sustain" goal to "[p]reserve our natural and built environment," and the strategy to "[p]rotect our natural resources," as described on pages 193 – 196 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept and deposit a donation in an amount of up to \$40,000 from the Cincinnati Park Board Commissioners' Fund into Fund 430, "Parks Private Endowment and Donations," for the purpose of providing resources for a grove and bird sanctuary in Ault Park.

Section 2. That new capital improvement program project account no. 980x203x222020, “Carter’s Grove at Ault Park,” is hereby established for the purpose of providing resources for creating a grove and bird sanctuary in Ault Park.

Section 3. That the City Manager is hereby authorized to transfer and appropriate up to \$40,000 from the unappropriated surplus of Fund 430, “Parks Private Endowment and Donations,” to newly established capital improvement program project account no. 980x203x222020, “Carter’s Grove at Ault Park,” for the purpose of creating a grove and bird sanctuary in Ault Park.

Section 4. That the proper City officials are hereby authorized to do all things necessary and proper to comply with the terms of Sections 1 through 3 herein.

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 have resources in place to obtains bids and start construction.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

February 16, 2022

To: Mayor and Members of City Council 202200388

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – American Rescue Plan (ARP) Appropriation Adjustments for Emergency Rental Assistance (ERA) Programs**

Attached is an Emergency Ordinance captioned:

AMENDING Ordinance No. 0235-2020, which established COVID-19 Fund 473 for receipt of funds from various sources earmarked to reimburse expenses related to the Coronavirus Disease 2019 (“COVID-19”) pandemic other than resources from the Federal Emergency Management Agency (FEMA); **AUTHORIZING** an appropriation reduction in the amount of \$7,178,998 from American Rescue Plan grant project account no. 469x101xARP101, “ERA2,” for the purpose of reducing the appropriation by the amount allocated for Emergency Rental Assistance 2 funding to instead reflect these funds as an appropriation to COVID-19 Fund 473 based upon guidance promulgated by the United States Department of the Treasury; and **AUTHORIZING** an appropriation in the amount of \$7,178,998 to the City Manager’s Office non-personnel operating budget account no. 473x101x7400 for the purpose of providing reimbursement of, or resources for, certain non-personnel expenditures for the Emergency Rental Assistance 2 program based upon guidance promulgated by the United States Department of the Treasury.

COVID-19 Fund 473 was established by Ordinance No. 0235-2020 for the receipt of funds from various sources earmarked to reimburse expenses related to the Coronavirus Disease 2019 (COVID-19) pandemic other than the Federal Emergency Management Agency (FEMA). This Emergency Ordinance would amend the purpose of COVID-19 Fund 473 in order to expand the use of the fund to include expenses for the purpose of providing reimbursement of, or resources for, certain non-personnel expenditures for Emergency Rental Assistance programs.

The City received funding from the United States Department of the Treasury pursuant to the American Rescue Plan (ARP) Act as part of the Coronavirus Local Fiscal Recovery Fund Act for the Emergency Rental Assistance 2 (ERA2) program which those funds were appropriated to American Rescue Plan grant project account no. 469x101xARP101, “ERA2.”

Subsequent guidance promulgated by the United States Department of the Treasury and the Ohio Auditor of State determined that these funds should be appropriated to

COVID-19 Fund 473 instead of Local Fiscal Recovery Fund 469. This Emergency Ordinance authorizes an appropriation reduction for Fund 469 and a corresponding appropriation increase for Fund 469 for the ERA2 program in order to comply with the guidance but does not affect the amount of funds received or make any additional funds available for another use.

The reason for the emergency is the immediate need to comply with guidance promulgated by the United States Department of the Treasury.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

AKS

- 2022

AMENDING Ordinance No. 0235-2020, which established COVID-19 Fund 473 for receipt of funds from various sources earmarked to reimburse expenses related to the Coronavirus Disease 2019 (“COVID-19”) pandemic other than resources from the Federal Emergency Management Agency (FEMA); **AUTHORIZING** an appropriation reduction in the amount of \$7,178,998 from American Rescue Plan grant project account no. 469x101xARP101, “ERA2,” for the purpose of reducing the appropriation by the amount allocated for Emergency Rental Assistance 2 funding to instead reflect these funds as an appropriation to COVID-19 Fund 473 based upon guidance promulgated by the United States Department of the Treasury; and **AUTHORIZING** an appropriation in the amount of \$7,178,998 to the City Manager’s Office non-personnel operating budget account no. 473x101x7400 for the purpose of providing reimbursement of, or resources for, certain non-personnel expenditures for the Emergency Rental Assistance 2 program based upon guidance promulgated by the United States Department of the Treasury.

WHEREAS, Ordinance No. 0235-2020 established COVID-19 Fund 473 for the receipt of funds from various sources earmarked to reimburse expenses related to the Coronavirus Disease 2019 (COVID-19) pandemic other than resources from the Federal Emergency Management Agency (FEMA); and

WHEREAS, the purpose of this fund needs to be expanded to allow for expenses related to providing reimbursement of, or resources for, certain non-personnel expenditures for Emergency Rental Assistance programs; and

WHEREAS, the City received Emergency Rental Assistance 2 (ERA2) funding from the United States Department of the Treasury pursuant to the American Rescue Plan Act; and

WHEREAS, those funds were appropriated to American Rescue Plan grant project account no. 469x101xARP101, “ERA2;” and

WHEREAS, subsequent guidance promulgated by the United States Department of the Treasury and the Ohio Auditor of State determined that these funds should be appropriated to COVID-19 Fund 473 instead of Local Fiscal Recovery Fund 469; and

WHEREAS, this appropriation reduction does not affect the amount of funds received or make any additional funds available for another use; now, therefore,

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

Section 1. That Section 1 of Ordinance No. 0235-2020 is hereby amended as follows to further expand permissible uses of the fund's resources to include expenses related to Emergency Rental Assistance programs:

Section 1. That new Fund 473 entitled "COVID-19" is hereby established for receipt of funds from various sources earmarked to reimburse expenses related to the Coronavirus Disease 2019 (COVID-19) pandemic other than the Federal Emergency Management Agency (FEMA), including providing funding for emergency rental assistance programs.

Section 2. That in all other respects not inconsistent with the modifications provided for herein, Ordinance No. 0235-2020 as drafted shall be and remain in full force and effect as written.

Section 3. That an appropriation reduction in the amount of \$7,178,998 from American Rescue Plan grant project account no. 469x101xARP101, "ERA2," is hereby authorized for the purpose of reducing the appropriation by the amount allocated for Emergency Rental Assistance 2 (ERA2) funding to instead reflect these funds as an appropriation to COVID-19 Fund 473 based upon guidance promulgated by the United States Department of the Treasury.

Section 4. That the sum of \$7,178,998 is hereby appropriated to the City Manager's Office non-personnel operating budget account no. 473x101x7400 for the purpose of providing reimbursement of, or resources for, certain non-personnel expenditures for the Emergency Rental Assistance 2 (ERA2) program based upon guidance promulgated by the United States Department of the Treasury.

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

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is

the immediate need to comply with guidance promulgated by the United States Department of the Treasury.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strikethrough.

February 16, 2022

To: Mayor and Members of City Council

From: John P. Curp, Interim City Manager

202200400

Subject: CENTRAL PARKWAY BIKE LANE PHASE 2 OPTIONS

Reference Document #202200116

The Council at its session on January 20, 2022, referred the following item for review and report:

MOTION, dated 1/12/22, submitted by Councilmembers Jeffreys and Owens, WE MOVE that, the Administration pause work on the Central Parkway bike lane extension as a shared use path from Marshall Street to Ludlow Avenue and provide a report within thirty (30) days on the cost, design, and feasibility of continuing the Central Parkway bike lane north from its current northern terminus at Marshall Avenue with three options: (1) its current design structure as a protected bike lane; (2) a design as a protected bike lane along the entire extension with a tree and/or grass median; (3) a design as a protected bike lane with a tree and/or grass median along only portions of it. WE FURTHER MOVE that, in that report the Administration outline alternative uses for the already approved funding to extend the Central Parkway protected bike lane downtown to major employers and to the riverfront and the Oasis Trail and potential ways to ensure that OKI funding can be utilized. WE FURTHER MOVE that, this already approved funding only be utilized for bike infrastructure—as it was originally intended.

The following report by the Department of Transportation and Engineering (DOTE) details the options and feasibility for the Central Parkway Phase 2 bike lane project from Marshall Avenue to Ludlow Avenue and recommendations for alternative uses of the existing funding.

PROJECT OPTIONS AND COSTS

The matrix provides a summary of four options for the Central Parkway Phase 2 bike lane project from Marshall Avenue to Ludlow Avenue. Current funding includes \$2.8 million City capital funds plus \$750,000 OKI Transportation Alternative (TA) grant.

OKI has indicated that all the bike options below would be eligible to utilize the TA grant while applying the original grant conditions, such as same project location and the same funding ratio of Federal funds to City funds which is 23% Federal to 77% City funds. This is the reason why the matrix does not show the maximum TA grant funding of \$750,000 being applied to all options. Also, DOTE needs to gather additional community feedback to obtain support for the chosen option.

| <u>Option</u> | A Shared Use Path | #1 Protected Bike Lane | #2 Protected Bike Lane with median the entire length | #3 Protected Bike Lane with median along a portion |
|----------------------------------------|-----------------------------------------------------------------|----------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| | See Exhibit A | See Exhibit 1 | See Exhibits 2 & 3 | See Exhibit 2 |
| <u>Feasibility</u> | Meets All Ages and Abilities Bikeway Standards for this Street | Meets All Ages and Abilities Bikeway Standards for this Street | Meets All Ages and Abilities Bikeway Standards for this Street | Meets All Ages and Abilities Bikeway Standards for this Street |
| | Requires significant pavement removal and drainage relocations. | Does not require pavement removal or drainage relocations. | Requires significant pavement removal and excavation in roadway. | Requires significant pavement removal and excavation in roadway. |
| | | | Median locations limited by maintaining all current side street and driveway access. | Median locations limited by maintaining all current side street and driveway access. |
| | | | Scope includes - 1,200 feet of medians | Scope includes - 300 feet of median |
| <u>Project Cost</u> | \$3.36M | \$1.30M | \$2.70M | \$1.90M |
| <u>TA Grant Used</u> | \$0.75M | \$0.30M | \$0.62M | \$0.44M |
| <u>City Funds Used</u> | \$2.61M | \$1.0M | \$2.08M | \$1.46M |
| <u>City Funds Remaining</u> | \$0.19 M | \$1.8M | \$0.72M | \$1.34M |

CENTRAL BUSINESS DISTRICT (CBD) CENTRAL PARKWAY EXTENSION

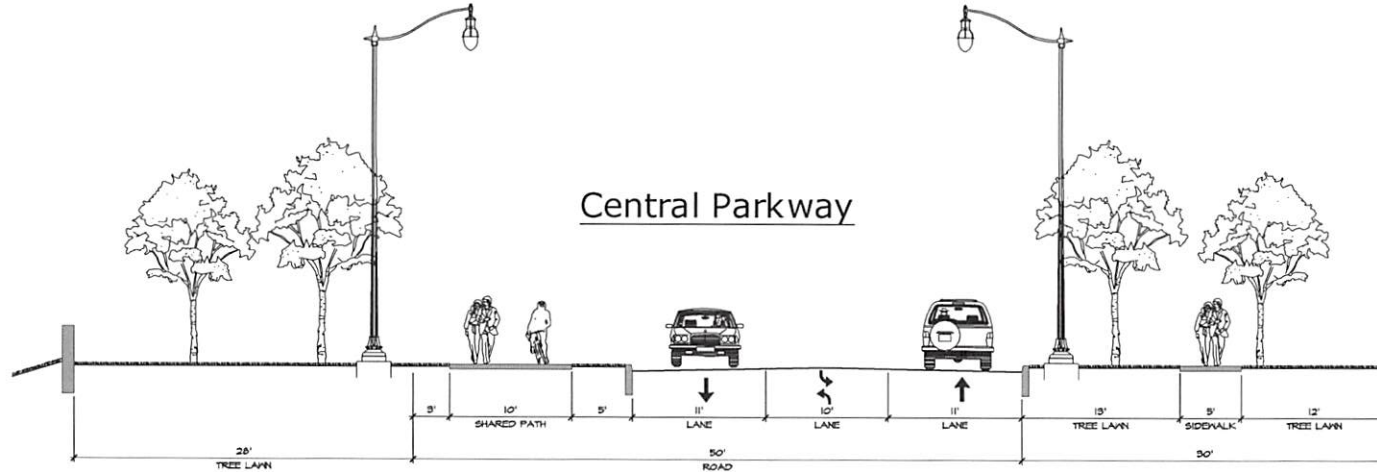
Depending on the option selected for Central Parkway Phase 2, the City capital funding available for additional bike infrastructure varies. Extending the existing Central Parkway protected bike lanes in the CBD to connect to the riverfront via Eggleston Avenue is estimated to cost \$1.8M.

RECOMMENDATION

DOTe recommends Protected Bike Lanes for Central Parkway Phase 2 (option #1 in matrix). This option will reduce the total cost of the project and maximize the funding available this calendar year for the construction of bike infrastructure in the West End and Queensgate.

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

Exh A

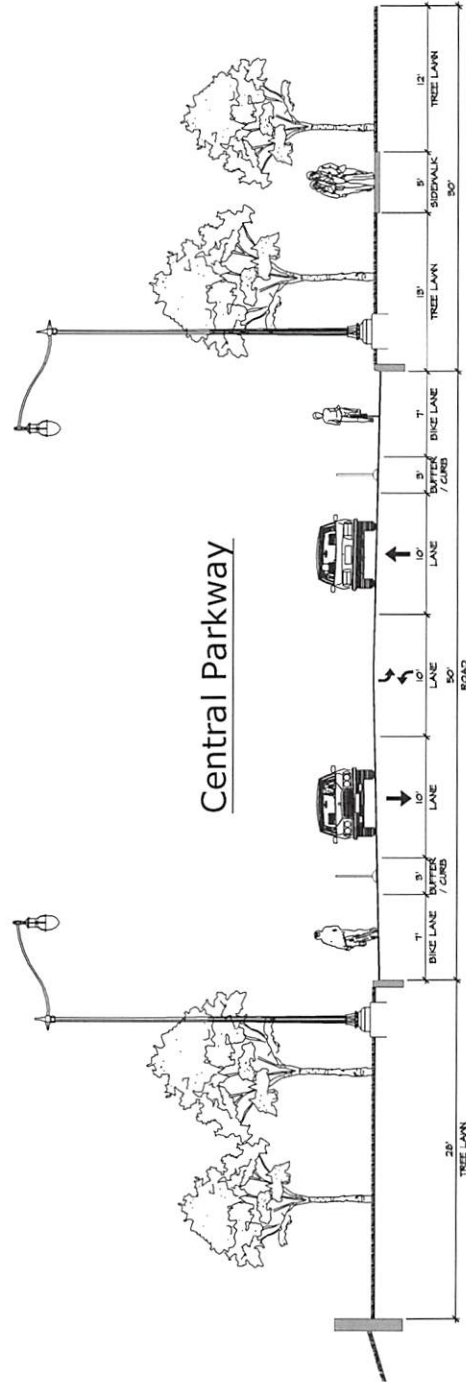


kjk 1/31/22

Central Parkway Phase 2 Current Design as a Sidepath



Exh 1

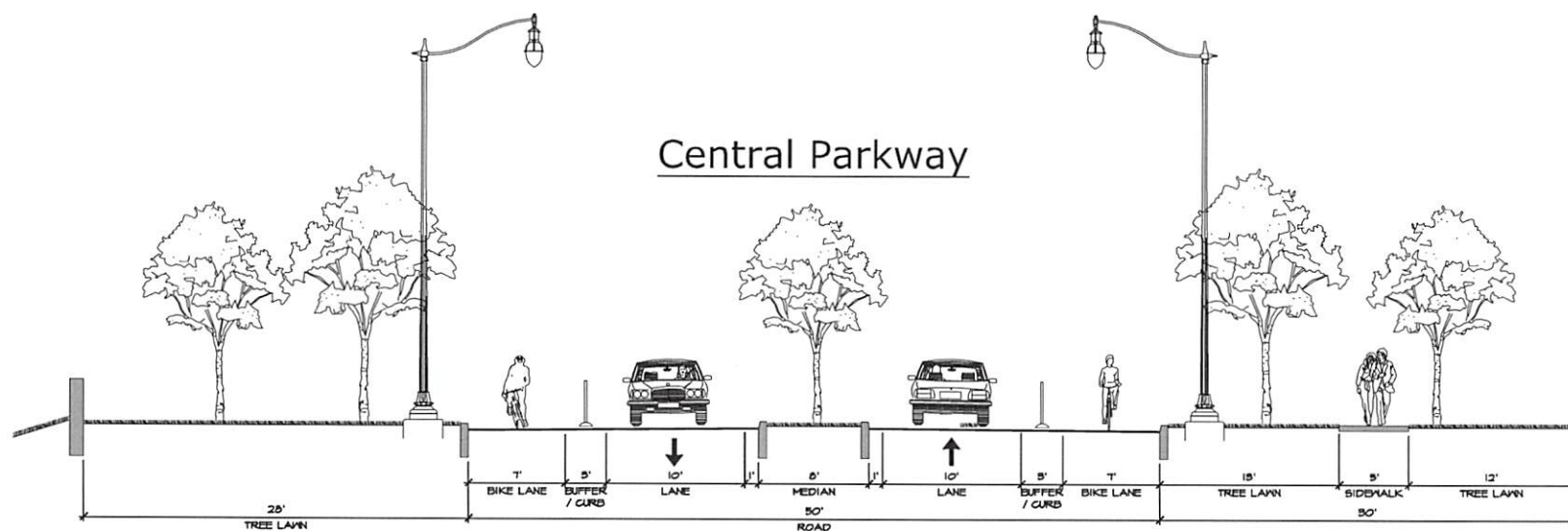


kjk 1/31/22



Central Parkway Phase 2 Protected Bike Lane Alternate

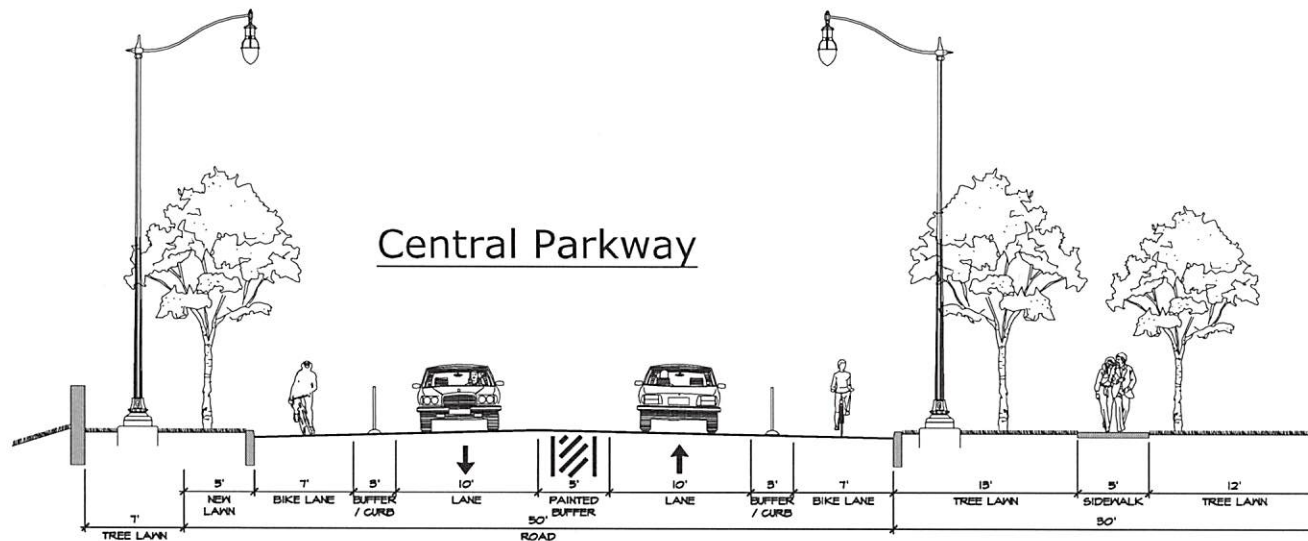
Exh 2



Central Parkway Phase 2 Protected Bike Lane Alternate with Median Trees Marshall to Clifton Hills

kjk 1/31/22

Exh 3



Central Parkway Phase 2 Protected Bike Lane Alternate with Tree Bumpouts on West Along Cincinnati State

kjk 1/31/22

February 16, 2022

To: Mayor and Members of City Council 202200408

From: John P. Curp, Interim City Manager

Subject: **Ordinance – CRC: Paddock Hills Assembly Donation to Resurface Paddock Hills Recreation Area Basketball Court**

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate a donation in the amount of \$3,500 from Paddock Hills Assembly to the Cincinnati Recreation Commission for the purpose of providing resources to resurface the Paddock Hills Recreation Area basketball court; and **AUTHORIZING** the Finance Director to deposit the donated funds into capital improvement program project account no. 980x199x201903, “Athletics Facilities Renovation.”

This Ordinance authorizes the City Manager to accept and appropriate a donation in the amount of \$3,500 from Paddock Hills Assembly to the Cincinnati Recreation Commission to provide resources to resurface the Paddock Hills Recreation Area basketball court. The resources will be deposited into existing capital improvement program project account no. 980x199x201903, “Athletics Facilities Renovation.”

Acceptance of this donation requires no matching funds. There are no FTEs associated with the donation.

Accepting the donation from the Paddock Hills Assembly in an amount of \$3,500 to resurface the Paddock Hills Recreation Area basketball court 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 in the amount of \$3,500 from Paddock Hills Assembly to the Cincinnati Recreation Commission for the purpose of providing resources to resurface the Paddock Hills Recreation Area basketball court; and **AUTHORIZING** the Finance Director to deposit the donated funds into capital improvement program project account no. 980x199x201903, “Athletics Facilities Renovation.”

WHEREAS, the Paddock Hills Assembly has graciously offered a donation in the amount of \$3,500 to the Cincinnati Recreation Commission for the purpose of providing resources for the resurfacing of the Paddock Hills Recreation Area basketball court; and

WHEREAS, acceptance of the donation requires no matching funds, and there are no FTEs associated with the donations; and

WHEREAS, this ordinance 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); now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept and appropriate a donation in the amount of \$3,500 from Paddock Hills Assembly to the Cincinnati Recreation Commission’s capital improvement program project account no. 980x199x201903 “Athletics Facilities Renovation,” for the purpose of providing resources to resurface the Paddock Hills Recreation Area basketball court.

Section 2. That the Director of Finance is hereby authorized to deposit the donated funds into capital improvement program project account no. 980x199x201903, “Athletics Facilities Renovation.”

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 hereof.

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

February 9, 2022

To: Mayor and Members of City Council 202200260

From: John P. Curp, Interim City Manager

Subject: Emergency Ordinance – Parks: Sawyer Point Parking Lot Repairs

Attached is an Emergency Ordinance captioned:

ESTABLISHING capital improvement program project account no. 980x203x222022, “Sawyer Point Parking Lot Repairs,” for the purpose of providing resources for restoring the asphalt in the parking lot located at the main entrance and exit to Sawyer Point Park; and **AUTHORIZING** the transfer and appropriation of up to \$74,264 from the unappropriated surplus of Sawyer Point Fund 318 to newly established capital improvement program project account no. 980x203x222022, “Sawyer Point Parking Lot Repairs.”

Approval of this Emergency Ordinance would authorize the establishment of new capital improvement program project account no. 980x203x222022, “Sawyer Point Parking Lot Repairs,” for the purpose of providing resources for restoring the asphalt in the parking lot located at the main entrance and exit to Sawyer Point Park. Approval of this Emergency Ordinance would also authorize the transfer and appropriation of up to \$74,264 from the unappropriated surplus of Sawyer Point Fund 318 to newly established capital improvement program project account no. 980x203x222022, “Sawyer Point Parking Lot Repairs.”

Sawyer Point Park sits along the Ohio River on the east side of downtown between Smale Riverfront Park and Berry International Friendship Park. The asphalt restoration will be concentrated at the park’s main entry and exit point near Eggleston Avenue.

This Emergency Ordinance is in accordance with the Sustain goal to “Preserve our natural and built environment” as described on pages 193 – 198 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to transfer the funding necessary to avoid project delays.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

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- 2022

ESTABLISHING capital improvement program project account no. 980x203x222022, “Sawyer Point Parking Lot Repairs,” for the purpose of providing resources for restoring the asphalt in the parking lot located at the main entrance and exit to Sawyer Point Park; and **AUTHORIZING** the transfer and appropriation of up to \$74,264 from the unappropriated surplus of Sawyer Point Fund 318 to newly established capital improvement program project account no. 980x203x222022, “Sawyer Point Parking Lot Repairs.”

WHEREAS, the parking lot owned by the City at Sawyer Point is in need of restoration primarily at Sawyer Point Park’s main entry and exit point near Eggleston Avenue; and

WHEREAS, sufficient resources are currently available in the unappropriated surplus of Sawyer Point Fund 318; and

WHEREAS, this ordinance is in accordance with the “Sustain” goal to “[p]reserve our natural and built environment” as described on pages 193-199 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That capital improvement program project account no. 980x203x222022, “Sawyer Point Parking Lot Repairs,” is hereby established for the purpose of providing resources for restoring the asphalt in the parking lot located at the main entrance and exit to Sawyer Point Park.

Section 2. That the transfer and appropriation of up to \$74,264 from the unappropriated surplus of Sawyer Point Fund 318 to newly established capital improvement program project account no. 980x203x222022, “Sawyer Point Parking Lot Repairs,” is hereby authorized for the purpose of providing resources for restoring the asphalt in the parking lot located at the main entrance and exit to Sawyer Point Park.

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 hereof.

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to transfer the funding necessary to avoid project delays.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

February 9, 2022

To: Mayor and Members of City Council 202200261

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – Parks: Acceptance of Cash Donation for Bramble Park**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate a donation in an amount up to \$16,925 from private sources to existing capital improvement program project account no. 980x203x202005, “Bramble Park Streambank Restoration” for the purpose of restoring the streambank in, and removing invasive species from, Bramble Park; and **AUTHORIZING** the Finance Director to deposit the donated funds into existing capital improvement program project account no. 980x203x202005, “Bramble Park Streambank Restoration.”

Approval of this Emergency Ordinance will authorize the City Manager to accept and appropriate a donation in the amount of up to \$16,925 from private sources to existing capital improvement program project account no. 980x203x202005, “Bramble Park Streambank Restoration” for the purpose restoring the streambank in, and removing invasive species from, Bramble Park. This Emergency Ordinance would also authorize the Finance Director to deposit the donated funds into existing capital improvement program project no. 980x203x202005, “Bramble Park Streambank Restoration.”

On January 24, 2019, the City Council passed Ordinance No. 0019-2019, which authorized the City Manager to apply for a grant in the amount of up to \$259,650 from the Ohio Public Works Commission (OPWC) Clean Ohio Fund Green Space Conservation Program for the purpose of providing funding for the Bramble Park/Little Duck Creek Nature Preserve Restoration and Trails Project. The project was awarded \$129,255 in grant funds on September 9, 2019.

On November 14, 2019, the City Council passed Ordinance No. 0437-2019, which authorized the establishment of capital improvement program account no. 980x203x202005, “Bramble Park Streambank Restoration,” accepted and appropriated both the grant award of \$129,255, and the 25% local match of \$43,075 raised through private donations. The Parks Department has since raised an additional \$16,925 in private donations, which will increase the total project budget to \$189,225.

This Emergency Ordinance is in accordance with the “Sustain” goal to “Preserve our natural and built environment” and strategy to “Protect our natural resources,” as described on pages 193 – 196 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept the funds to restore the streambank in, and remove invasive species from, Bramble Park at the earliest possible time.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

EMERGENCY

KKF

-2022

AUTHORIZING the City Manager to accept and appropriate a donation in an amount up to \$16,925 from private sources to existing capital improvement program project account no. 980x203x202005, “Bramble Park Streambank Restoration,” for the purpose of restoring the streambank in, and removing invasive species from, Bramble Park; and **AUTHORIZING** the Finance Director to deposit the donated funds into existing capital improvement program project account no. 980x203x202005, “Bramble Park Streambank Restoration.”

WHEREAS, on January 24, 2019, Council passed Ordinance No. 0019-2019 authorizing the City Manager to apply for a grant in the amount of up to \$259,650 from the Ohio Public Works Commission Clean Ohio Fund Green Space Conservation Program for the purpose of providing funding for the Bramble Park/Little Duck Creek Nature Preserve Restoration and Trails Project (“Project”), which grant was awarded in the amount of \$129,255; and

WHEREAS, on November 14, 2019, Council passed Ordinance No. 0437-2019 establishing capital improvement program account no. 980x203x202005, “Bramble Park Streambank Restoration,” accepting and appropriating the grant award of \$129,255, and accepting and appropriating a 25 percent local match of \$43,075 raised through private donations; and

WHEREAS, an additional \$16,925 in private donations was raised for the Project, which will increase the total Project budget to \$189,225; and

WHEREAS, there is no match requirement associated with the acceptance of this donation; and

WHEREAS, there are no FTEs associated with the acceptance of this donation; and

WHEREAS, this ordinance is in accordance with the “Sustain” goal to “[p]reserve our natural and built environment,” and the strategy to “[p]rotect our natural resources,” as described on pages 193-196 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept and appropriate a donation in an amount up to \$16,925 from private sources to existing capital improvement program project account no. 980x203x202005, “Bramble Park Streambank Restoration,” for the purpose of restoring the streambank in, and removing invasive species from, Bramble Park.

Section 2. That the Director of Finance is hereby authorized to deposit the donated funds into existing capital improvement program project account no. 980x203x202005, “Bramble Park Streambank Restoration.”

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

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accept the funds to restore the streambank in, and remove invasive species from, Bramble Park at the earliest possible time.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

February 9, 2022

To: Mayor and Members of City Council 202200262

From: John P. Curp, Interim City Manager

Subject: **Ordinance – DOTE: Municipal Road Fund Grant for Fairbanks and Delhi Avenues**

Attached is an Ordinance captioned:

ESTABLISHING new capital improvement program project account no. 980x233x222356, “Fairbanks & Delhi Ave MRF Grant,” for the purpose of providing resources for curb repairs, pavement repairs, roadway resurfacing, and related needs under the Street Rehabilitation Program on Fairbanks and Delhi Avenues in the neighborhood of Sedamsville; **AUTHORIZING** the City Manager to accept and appropriate grant resources in an amount of up to \$121,000 from the Hamilton County Municipal Road Fund to newly established capital improvement program project account no. 980x233x222356, “Fairbanks & Delhi Ave MRF Grant”; **AUTHORIZING** the Finance Director to deposit the grant resources into capital improvement program project account no. 980x233x222356, “Fairbanks & Delhi Ave MRF Grant”; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

This Ordinance establishes capital improvement program project account no. 980x233x222356, “Fairbanks & Delhi Ave MRF Grant,” for the purpose of providing resources for curb repairs, pavement repairs, roadway resurfacing, and related needs under the Street Rehabilitation Program on Fairbanks and Delhi Avenues in the neighborhood of Sedamsville. This Ordinance also authorizes the City Manager to accept and appropriate grant resources in an amount of up to \$121,000 from the Hamilton County Municipal Road Fund to new capital improvement program project account no. 980x233x222356, “Fairbanks & Delhi Ave MRF Grant.” This Ordinance also authorizes the Finance Director to deposit resources into capital improvement program project account no. 980x233x222356. Finally, this Ordinance authorizes the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

On October 14, 2020, the City Council passed Ordinance No. 0344-2020, which authorized the City Manager to apply for these Hamilton County Municipal Road Fund grant resources, but City Council’s authorization is required to accept and appropriate the grant resources.

The grant requires local matching funds in the amount of \$2,279,000, which will be provided from resources available in existing capital improvement program project

account nos. 980x233x222308, “Street Rehabilitation,” and 980x233x212339, “Fairbanks and Delhi Avenues Safety OPWC Grant.” No new FTEs are required.

The rehabilitation project on Fairbanks and Delhi Avenues is in accordance with the “Connect” goal to “develop a regional transportation system that promotes economic vitality,” and the strategy to “use the City’s transportation network to help facilitate economic development opportunities,” as described on pages 139-143 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

ESTABLISHING new capital improvement program project account no. 980x233x222356, “Fairbanks & Delhi Ave MRF Grant,” for the purpose of providing resources for curb repairs, pavement repairs, roadway resurfacing, and related needs under the Street Rehabilitation Program on Fairbanks and Delhi Avenues in the neighborhood of Sedamsville; **AUTHORIZING** the City Manager to accept and appropriate grant resources in an amount of up to \$121,000 from the Hamilton County Municipal Road Fund to newly established capital improvement program project account no. 980x233x222356, “Fairbanks & Delhi Ave MRF Grant”; **AUTHORIZING** the Finance Director to deposit the grant resources into capital improvement program project account no. 980x233x222356, “Fairbanks & Delhi Ave MRF Grant”; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

WHEREAS, on October 14, 2020, Council passed Ordinance No. 0344-2020, which authorized the City Manager to apply for Hamilton County Municipal Road Fund grant resources, but Council’s authorization is required to accept and appropriate the grant resources awarded to the City; and

WHEREAS, the grant resources will be used for the rehabilitation of Fairbanks and Delhi Avenues in the neighborhood of Sedamsville; and

WHEREAS, the grant requires local matching funds in the amount of \$2,279,000, which will be provided from resources available in existing capital improvement program project account nos. 980x233x222308, “Street Rehabilitation,” and 980x233x212339, “Fairbanks and Delhi Avenues Safety OPWC Grant”; and

WHEREAS, there are no new FTE requirements associated with the acceptance of these grant resources; and

WHEREAS, the rehabilitation project on Fairbanks and Delhi Avenues is in accordance with the “Connect” goal to “[d]evelop a regional transportation system that promotes economic vitality,” and the strategy to “[u]se the City’s transportation network to help facilitate economic development opportunities,” as described on pages 139-143 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the establishment of new capital improvement program project account no. 980x233x222356, “Fairbanks & Delhi Ave MRF Grant,” is hereby authorized for the purpose

of providing resources for curb repairs, pavement repairs, roadway resurfacing, and related needs under the Street Rehabilitation Program on Fairbanks and Delhi Avenues in the neighborhood of Sedamsville.

Section 2. That the City Manager is authorized to accept and appropriate grant resources in an amount of up to \$121,000 from the Hamilton County Municipal Road Fund to newly established capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant."

Section 3. That the Finance Director is hereby authorized to deposit the grant resources into capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant."

Section 4. That the City Manager is authorized to enter into any agreements necessary for the receipt and administration of these grant resources.

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

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

February 9, 2022

To: Mayor and Members of City Council 202200263

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – OPDA: Moral Obligation to Tyler Technologies, Inc.**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the payment of \$23,884 from the General Fund Enterprise Software and License non-departmental non-personnel budget account no. 050x952x0000x7418 as a moral obligation to Tyler Technologies, Inc. for software and technical support services provided to the City.

This Emergency Ordinance authorizes the payment of \$23,884 from the General Fund Enterprise Software and License non-departmental non-personnel operating budget account no. 050x952x0000x7418 as a moral obligation to Tyler Technologies, Inc. for software and technical support services provided to the City.

In April 2019, the City of Cincinnati entered into a contract with Socrata, Inc. (“Socrata”), a wholly owned subsidiary of Tyler Technologies, Inc. (“Tyler”), to provide software and technical support. The contract with Socrata expired on October 31, 2021. Socrata continued to provide support for the City’s Open Data Portal after the contract expired. On December 31, 2021, Socrata merged into its parent company, Tyler, which continued to provide software and technical support to the City. The term of services after the contract’s expiration is from November 1, 2021 to February 28, 2022, which necessitates a moral obligation payment.

Sufficient resources are available in General Fund Enterprise Software License non-departmental non-personnel operating budget account no. 050x952x0000x7418 to pay for the services provided by Tyler. The City Council desires to provide payment of such services in the amount of \$23,884.

The reason for the emergency is the immediate need to pay Tyler Technologies, Inc. for services provided to the City of Cincinnati.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

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- 2022

AUTHORIZING the payment of \$23,884 from the General Fund Enterprise Software and License non-departmental non-personnel budget account no. 050x952x0000x7418 as a moral obligation to Tyler Technologies, Inc. for software and technical support services provided to the City.

WHEREAS, in April 2019, the City of Cincinnati entered into a contract with Socrata, Inc. (“Socrata”), a wholly owned subsidiary of Tyler Technologies, Inc. (“Tyler”), to provide software and technical support; and

WHEREAS, the contract with Socrata expired on October 31, 2021; and

WHEREAS, Socrata continued to provide support for the City’s Open Data Portal after October 31, 2021; and

WHEREAS, on December 31, 2021, Socrata merged into its parent company Tyler, with Tyler continuing to honor the obligations and terms of the City’s contract with Socrata by providing software and technical support to the City; and

WHEREAS, the term of services after the contract’s expiration is from November 1, 2021 to February 28, 2022; and

WHEREAS, sufficient resources are available in General Fund Enterprise Software and License non-departmental non-personnel budget account no. 050x952x0000x7418 to pay for the services provided by Tyler; and

WHEREAS, City Council desires to provide payment for such services in the amount of \$23,884; now, therefore,

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

Section 1. That the Finance Director is authorized to make a payment in the amount of \$23,884 from the General Fund Enterprise Software and License non-departmental non-personnel budget account no. 050x952x0000x7418 to Tyler Technologies, Inc. as a moral obligation of the City of Cincinnati for payment of charges owed for software and technical support services provided to the City.

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

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 pay Tyler Technologies, Inc. for services provided to the City of Cincinnati.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

February 9, 2022

To: Mayor and Members of City Council 202200264

From: John P. Curp, Interim City Manager

Subject: Ordinance – Health: Health Resources and Services Administration (HRSA) Health Center Program Grant

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in an amount of up to \$2,542,904 from the United States Department of Health and Human Services, Health Resources and Services Administration, assistance listing 93.224, for the purpose of supplementing the operating expenses of the City of Cincinnati Primary Care Health Centers; and **AUTHORIZING** the Finance Director to deposit the grant funds into Public Health Research Fund 350.

Approval of this Ordinance authorizes the City Manager to apply for, accept, and appropriate a Health Center Program Grant in an amount of up to \$2,542,904 from the United States Department of Health and Human Services, Health Resources and Services Administration for the purpose of providing support for the City of Cincinnati Primary Care Health Centers. This Ordinance further authorizes the Finance Director to deposit such grant funds into Public Health Research Fund 350.

No additional FTEs or local matching funds are required to accept this grant.

The Cincinnati Health Department applied for the grant on August 11, 2021, and was notified of a grant award on November 23, 2021, but CHD will not accept the grant funding without City Council approval.

This Ordinance is in accordance with the Sustain goal to “Become a healthier Cincinnati” as described on page 181 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 apply for, accept, and appropriate a grant in an amount of up to \$2,542,904 from the United States Department of Health and Human Services, Health Resources and Services Administration, assistance listing 93.224, for the purpose of supplementing the operating expenses of the City of Cincinnati Primary Care Health Centers; and **AUTHORIZING** the Finance Director to deposit the grant funds into Public Health Research Fund 350.

WHEREAS, grant resources are available from the United States Department of Health and Human Services, Health Resources and Services Administration, assistance listing 93.224, for the purpose of supporting primary care health centers; and

WHEREAS, the Cincinnati Health Department (“CHD”) will use such grant funds, if accepted, to supplement the operating expenses of the City of Cincinnati Primary Care Health Centers; and

WHEREAS, no additional FTEs or local matching funds are required to accept this grant; and

WHEREAS, CHD applied for this grant on August 11, 2021, and was notified of being awarded grant resources on November 23, 2021, but no funds will be accepted without Council approval; and

WHEREAS, this ordinance is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on page 181 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to apply for, accept, and appropriate a grant in an amount of up to \$2,542,904 from the United States Department of Health and Human Services, Health Resources and Services Administration, assistance listing 93.224, for the purpose of supplementing the operating expenses of the City of Cincinnati Primary Care Health Centers.

Section 2. That the Director of Finance is hereby authorized to deposit the grant funds into Public Health Research Fund 350.

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

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

February 9, 2022

To: Mayor and Members of City Council 202200274

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – HR: LGBTQIA+ Employee Resource Group
"City Pride" Charitable Solicitation**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to solicit and accept monetary donations from the Cincinnati business community for the purpose of engagement and awareness activities for the LGBTQIA+ Employee Resource Group, "City Pride"; and **AUTHORIZING** the Finance Director to deposit donated funds to the City of Cincinnati for "City Pride" into Department of Human Resources Employee Relations Fund 310.

Approval of this Emergency Ordinance authorizes the City Manager to solicit and accept monetary donations from the Cincinnati business community for the purposes of engagement and awareness activities for the LGBTQIA+ Employee Resource Group, "City Pride." The Emergency Ordinance also authorizes the deposit of donated funds into Department of Human Resources Employee Relations Fund 310.

The donations will be used to purchase items such as a larger Pride flag for the City Hall Plaza, which will be flown from June 1st to June 30th annually; Pride parade registration and participation; Pride festival table rental and décor; and to host events for City staff that promote LGBTQIA+ history and awareness.

The reason for the emergency is immediate need to solicit and accept donations in a timely fashion before LGBTQIA+ Health Awareness week in March 2022.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

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- 2022

AUTHORIZING the City Manager to solicit and accept monetary donations from the Cincinnati business community for the purpose of engagement and awareness activities for the LGBTQIA+ Employee Resource Group, “City Pride”; and **AUTHORIZING** the Finance Director to deposit donated funds to the City of Cincinnati for “City Pride” into Department of Human Resources Employee Relations Fund 310.

WHEREAS, the City Administration is committed to creating an inclusive and accepting workplace and fostering an environment that is welcoming to all Cincinnatians, which includes celebrating the diversity of our residents and co-workers and acknowledging their struggle for inclusion; and

WHEREAS, the City Administration, at the request of City employees, would like to solicit donations to be used to fund the purchase of a larger Pride flag for the City; pay for Pride parade registration and participation and Pride festival table rental and décor; and to host events for City staff that promote LGBTQIA+ history and awareness; 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 solicit and accept monetary donations from the Cincinnati business community for the purpose of engagement and awareness activities for the LGBTQIA+ Employee Resource Group, “City Pride.”

Section 2. That the Finance Director is hereby authorized to receive and deposit funds donated to the City of Cincinnati for “City Pride” into Department of Human Resources Employee Relations Fund 310.

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 hereof.

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

immediate need to solicit and accept donations in a timely fashion before LGBTQIA+ Health Awareness week in March 2022.


Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: February 11, 2022

To: Councilmember Meeka Owens

From: Andrew Garth, City Solicitor 

Subject: **Emergency Ordinance - Cincinnati City Council Code of Conduct**

Transmitted herewith is an emergency ordinance captioned as follows:

ADOPTING a Council Code of Conduct pursuant to Section 101-45, "Code of Conduct," of the Cincinnati Municipal Code to govern conduct by Councilmembers and their staff.

AWG/AKS(lnk)
Attachment
357618

EMERGENCY

City of Cincinnati

An Ordinance No. _____

AKS

AWB

-2022

ADOPTING a Council Code of Conduct pursuant to Section 101-45, "Code of Conduct," of the Cincinnati Municipal Code to govern conduct by Councilmembers and their staff.

WHEREAS, on December 16, 2020, City Council passed Ordinance 384-2021, establishing the Economic Development Reform Panel ("EDRP"), with a mission of studying the City's development process and making recommendations regarding best practices regarding economic development to insulate the development process from political influence and cronyism; and

WHEREAS, on July 29, 2021, the EDRP submitted its report and recommendations to Council, which included that Council and the Mayor adopt and abide by Codes of Conduct setting out expected behaviors for elected officials particularly in relation to the development process; and

WHEREAS, on October 20, 2021, Council amended Chapter 101 of the Cincinnati Municipal Code to create new Section 101-45, "Code of Conduct," to require City Council to adopt and abide by a code of conduct as recommended by the EDRP; and

WHEREAS, the attached Code of Conduct contains guidelines to promote the aspirational goals of good, open government; and

WHEREAS, Council wishes to adopt the attached Code of Conduct for members of Council and their staff; now, therefore,

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

Section 1. That pursuant to Cincinnati Municipal Code Section 101-45, Council hereby approves and adopts the attached Council Code of Conduct which will govern the conduct of members of Council and their staff.

Section 2. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to put Codes of Conduct in place as required by Section 101-45 of the

Cincinnati Municipal Code to govern the behavior of elected officials and their staff in order to restore public trust.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

CINCINNATI CITY COUNCIL

CODE OF CONDUCT

This code of conduct contains principles that shall guide the conduct of City Council and all Council staff, with the express purpose of fostering the highest standards of governance, cooperation, and respect for the City Charter, the laws of the City of Cincinnati, and City Council. Within forty-five days of becoming a member of City Council, whether by election or appointment, every member of City Council shall sign a commitment to follow the Cincinnati City Council's Code of Conduct set forth in this document. Within forty-five days of being hired as a staff member for a member of City Council, every staff member shall sign a commitment to follow the Cincinnati City Council's Code of Conduct set forth in this document. The Clerk of Council shall administer this requirement and provide a copy of the commitment to each member of Council and their staff members.

Pursuant to Section 101-45 of the Cincinnati Municipal Code, Council is charged with enforcement of this Code by public censure of violations, which requires a vote of majority of the members of Council, excluding the member of Council subject to possible censure. Upon approval by a majority of council, the censure shall be filed with the Clerk of Council.

All members of Council and their staff shall:

- 1) Recognize the charter role of the Mayor, Council, and City Manager, particularly in contracting, development projects, and incentives;
- 2) Recognize the obligation of elected officials and staff to not attempt to privately interfere with quasi-judicial proceedings of boards and commissions or the zoning hearing examiner;
- 3) Cultivate a culture of reporting of conflicts of interest and unethical conduct and a commitment to avoid retaliating against those who report suspected conflicts or unethical conduct;
- 4) Commit to understanding and following the applicable ethics and conflict of interest laws (See Ohio Revised Code Chapter 102 and Section 2921.42);
- 5) Commit to attend training at least annually on Ohio ethics laws and other state and local laws pertinent to the role of the Council;
- 6) Commit to never use city resources or personnel for political activity;

- 7) Support the integrity of the City's development processes and promote public trust by directing inquiries from developers related to financial assistance or land use approvals to the City Manager's Office so that they can be handled uniformly through transparent City administrative processes;
- 8) Set City funding and appropriation priorities in an open, transparent, and public manner;
- 9) Not use City resources or personnel to disclose confidential information obtained through the performance of City work for private gain or publicity or as prohibited by Ohio Revised Code section 102.03(B);
- 10) Adhere to all applicable laws and regulations that provide equal opportunity for all persons regardless of race, color, religion, gender, gender identity, national origin, age, sexual orientation, or disability.
- 11) Report, without undue delay, to the City Manager, City Solicitor, Ohio Ethics Commission, or other appropriate authority, conduct in the performance of official duties that is reasonably believed to violate the law or reasonably believed to violate this code of conduct.

CINCINNATI CITY COUNCIL

CODE OF CONDUCT

This code of conduct contains principles that shall guide the conduct of City Council and all Council staff, with the express purpose of fostering the highest standards of governance, cooperation, and respect for the City Charter, the laws of the City of Cincinnati, and City Council. Within forty-five days of becoming a member of City Council, whether by election or appointment, every member of City Council shall sign a commitment to follow the Cincinnati City Council's Code of Conduct set forth in this document. Within forty-five days of being hired as a staff member for a member of City Council, every staff member shall sign a commitment to follow the Cincinnati City Council's Code of Conduct set forth in this document. The Clerk of Council shall administer this requirement and provide a copy of the commitment to each member of Council and their staff members.

Pursuant to Section 101-45 of the Cincinnati Municipal Code, Council is charged with enforcement of this Code by public censure of violations, which requires a vote of majority of the members of Council, excluding the member of Council subject to possible censure. Upon approval by a majority of council, the censure shall be filed with the Clerk of Council.

All members of Council and their staff shall:

- 1) Recognize the charter role of the Mayor, Council, and City Manager, particularly in contracting, development projects, and incentives;
- 2) Recognize the obligation of elected officials and staff to not attempt to privately interfere with quasi-judicial proceedings of boards and commissions or the zoning hearing examiner;
- 3) Cultivate a culture of reporting of conflicts of interest and unethical conduct and a commitment to avoid retaliating against those who report suspected conflicts or unethical conduct;
- 4) Commit to understanding and following the applicable ethics and conflict of interest laws (See Ohio Revised Code Chapter 102 and Section 2921.42);
- 5) Commit to attend training at least annually on Ohio ethics laws and other state and local laws pertinent to the role of the Council;
- 6) Commit to never use city resources or personnel for political activity;

- 7) Support the integrity of the City's development processes and promote public trust by directing inquiries from developers related to financial assistance or land use approvals to the City Manager's Office so that they can be handled uniformly through transparent City administrative processes;**
- 8) Set City funding and appropriation priorities in an open, transparent, and public manner;**
- 9) Not use City resources or personnel to disclose confidential information obtained through the performance of City work for private gain or publicity or as prohibited by Ohio Revised Code section 102.03(B);**
- 10) Adhere to all applicable laws and regulations that provide equal opportunity for all persons regardless of race, color, religion, gender, gender identity, national origin, age, sexual orientation, or disability.**
- 11) Report, without undue delay, to the City Manager, City Solicitor, Ohio Ethics Commission, or other appropriate authority, conduct in the performance of official duties that is reasonably believed to violate the law or reasonably believed to violate this code of conduct.**

Date: February 9, 2022

To: Mayor and Members of City Council 202200183

From: John P. Curp, Interim City Manager

Subject: ORDINANCE – GRANT OF EASEMENT – HG PEARL PROVIDENT LLC (VINE AND E. SEVENTH STREETS)

Attached is an ordinance captioned as follows:

AUTHORIZING the City Manager to execute a Grant of Easement in favor of HG Pearl Provident, LLC, pursuant to which the City of Cincinnati will grant encroachment easements upon portions of Vine and E. Seventh Streets in the Central Business District.

HG Pearl Provident, LLC, an Indiana limited liability company (“Grantee”) owns the property located at 630 Vine Street in the Central Business District and has requested an encroachment easement for the purpose of installing seven out-swinging doors, which will encroach upon portions of Vine and E. Seventh Streets.

The City has determined that granting the easement to Grantee is not adverse to the City’s retained interest in the public right-of-way and that granting the easement will not have an adverse effect on the usability or accessibility of any existing transportation facilities.

The fair market value of the easements is approximately \$980 which Grantee has agreed to pay.

The City Planning Commission approved the easements at its meeting on December 3, 2021.

The Administration recommends passage of the attached ordinance.

Attachment I – Grant of Easement

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

AUTHORIZING the City Manager to execute a *Grant of Easement* in favor of HG Pearl Provident, LLC, pursuant to which the City of Cincinnati will grant encroachment easements upon portions of Vine and E. Seventh Streets in the Central Business District.

WHEREAS, HG Pearl Provident, LLC, an Indiana limited liability company (“Grantee”), owns certain real property located at 630 Vine Street in the Central Business District; and

WHEREAS, the City of Cincinnati owns the adjoining Vine Street and E. Seventh Street public rights-of-way (the “Property”), which Property is under the management of the City’s Department of Transportation and Engineering (“DOT”); and

WHEREAS, Grantee has requested easements from the City for encroachments upon portions of the Property, namely, seven out-swinging doors, as more particularly depicted and described in the *Grant of Easement* attached to this ordinance as Attachment A and incorporated herein by reference; and

WHEREAS, the City Manager, in consultation with DOT, has determined (i) that granting the easements to Grantee is not adverse to the City’s retained interest in the Property and; (ii) that granting the easements will not have an adverse effect on the usability or accessibility of any existing transportation facilities located within the public rights-of-way; and

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

WHEREAS, the City’s Real Estate Services Division has determined by an appraisal that the fair market value of the easements is approximately \$980, which Grantee has agreed to pay; and

WHEREAS, the City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the easements at its meeting on December 3, 2021; 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 *Grant of Easement* in favor of HG Pearl Provident, LLC, an Indiana limited liability company (“Grantee”), owner of the property located at 630 Vine Street in the Central Business District, in substantially the form

attached to this ordinance as Attachment A and incorporated herein by reference, pursuant to which the City of Cincinnati will grant to Grantee easements for encroachments upon the Vine Street and E. Seventh Street public rights-of-way (the “Property”).

Section 2. That granting the easements to Grantee (i) is not adverse to the City’s retained interest in the Property; and (ii) will not have an adverse effect on the usability or accessibility of any existing transportation facilities located within the public rights-of-way.

Section 3. That it is in the best interest of the City to grant the easements without competitive bidding because, as a practical matter, no one other than Grantee, an adjoining property owner, would have any use for the easements.

Section 4. That the fair market value of the easements, as determined by appraisal by the City’s Real Estate Services Division, is approximately \$980, which Grantee has agreed to pay.

Section 5. That the proceeds from the *Grant of Easement* shall be deposited into Property Management Fund 209 to pay the fees for services provided by the City’s Real Estate Services Division in connection with the *Grant of Easement*, and that the City’s Finance Director is hereby authorized to deposit amounts in excess thereof, if any, into Miscellaneous Permanent Improvement Fund 757.

Section 6. That the City’s Finance Director is authorized to transfer and appropriate such excess funds from Miscellaneous Permanent Improvement Fund 757 into Capital Improvement Program Project Account No. 980x233xYY2306, “Street Improvements,” in which “YY” represents the last two digits of the fiscal year in which the closing occurs and the proceeds are received, referencing the latter fiscal year if the events occur in different fiscal years.

Section 7. That the City Manager and other City officials are authorized to take all necessary and proper actions to carry out the provisions of this ordinance and to fulfill the terms

of the *Grant of Easement*, including, without limitation, executing any and all ancillary agreements, plats, and other real estate documents.

Section 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

[SPACE ABOVE FOR RECORDER'S USE]

GRANT OF EASEMENT

(encroachments upon portions of Vine and E. Seventh Streets)

This Grant of Easement is granted as of the Effective Date (as defined on the signature page hereof) by the **CITY OF CINCINNATI**, an Ohio municipal corporation, 801 Plum Street, Cincinnati, OH 45202 (the "**City**"), in favor of **HG PEARL PROVIDENT, LLC**, an Indiana limited liability company, with a tax mailing address of 630 Vine Street, Cincinnati, OH 45202 ("**Grantee**").

Recitals:

A. By virtue of a *Quitclaim Deed* recorded on March 21, 2018, in OR 13629, Page 1682, Hamilton County, Ohio Records, Grantee holds title to certain real property located at 630 Vine Street, Cincinnati, OH 45202, as more particularly described on Exhibit A (*Legal Description – Benefitted Property*) and depicted on Exhibit B (*Survey Plat*) hereto (the "**Benefitted Property**").

B. The City owns the adjoining Vine and E. Seventh Streets public rights-of-way, which are under the management of the City's Department of Transportation and Engineering ("**DOT**").

C. Grantee has requested the City to grant easements for encroachments on and across the Vine and E. Seventh Streets public rights-of-way, i.e., out-swinging doors (the "**Encroachments**").

D. The City Manager, in consultation with DOT, has determined that (i) the easements will not have an adverse effect on the City's retained interest in the Vine and E. Seventh Streets public rights-of-way, and (ii) granting the easements will not have an adverse effect on the usability or accessibility of any existing Vine and E. Seventh Streets public rights-of-way facilities.

E. The City's Real Estate Services Division has determined that the fair market value of the easements, as determined by professional appraisal, are \$980, which has been deposited with the Real Estate Services Division.

F. City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the easements at its meeting on December 3, 2021.

G. Cincinnati City Council approved the easement by Ordinance No. [____]-2022, passed on [____], 2022.

NOW THEREFORE, the parties do hereby agree as follows:

1. Grant of Easement. The City does hereby grant to Grantee, on the terms and conditions set forth herein, as an appurtenance to and for the benefit of the Benefitted Property, seven non-exclusive encroachment easements to use, maintain, repair, reconstruct, replace, and remove out-swinging doors in, on, and across the Vine and E. Seventh Streets public rights-of-way, as more particularly depicted on Exhibit B and described on Exhibit C (*Legal Description-Out-Swinging Door Easements*) hereto (the "**Door Easements**" or "**Door Easement Areas**", as applicable). Grantee shall not make any modifications to the Encroachments within the Door Easement Areas without the City's prior written consent.

2. Termination. Notwithstanding anything herein to the contrary, the Door Easements shall automatically terminate upon (i) the complete or respective partial demolition of the Encroachments within the Door Easement Areas, such that the Door Easements would be rendered unnecessary; (ii) upon written notice from the City, if the City determines that it needs the Door Easement Areas, or any portion thereof for a municipal purpose, including, without limitation to the implementation of Americans with Disabilities Act ("**ADA**") regulations compliance or accessibility standards; (iii) or upon written notice from the City if the City determines that the Encroachments are creating a public safety issue, such as noncompliance with ADA accessibility regulations, contributing to adverse impacts on the usability or accessibility of any public right-of-way facilities.

3. Maintenance and Repairs. At no cost to the City, Grantee shall maintain the Encroachments in a continuous state of good and safe condition and repair. Grantee acknowledges that there may be existing easements, utility lines, and related facilities in the vicinity of the Door Easement Areas ("**Third-Party Utility Lines**"). In connection with Grantee's maintenance, repair, and use of the Encroachments, Grantee shall not interfere with the access of utility companies to maintain and repair the Third-Party Utility Lines and shall, at Grantee's expense, promptly repair any and all damage to Third-Party Utility Lines caused by Grantee, its agents, employees, contractors, subcontractors, tenants, licensees, or invitees. Any relocation of Third-Party Utility Lines necessitated by the maintenance, repair, reconstruction, removal, or sealing of the Encroachments under this instrument shall be handled entirely at Grantee's expense. All activities undertaken by Grantee under this instrument shall be in compliance with all applicable codes, laws, and other governmental standards, policies, guidelines and requirements.

4. Insurance; Indemnification. At all times, and in addition to whatever other insurance and bond requirements as the City may from time to time require, Grantee shall maintain or cause to be maintained a policy of Commercial General Liability insurance, with an insurance company reasonably acceptable to the City and naming the City as an additional insured, in an amount not less than \$1,000,000 per occurrence, combined single limit/\$1,000,000 aggregate, or in such greater amount as the City may from time to time require. Grantee shall furnish to the City a certificate of insurance evidencing such insurance upon the City's request and, in any event, prior to undertaking any construction activities within the Door Easement Areas. Grantee hereby waives all claims and rights of recovery against the City, and on behalf of Grantee's insurers, rights of subrogation, in connection with any damage to the Encroachments, no matter how caused. Grantee shall defend (with counsel reasonably acceptable to the City), indemnify, and hold the City harmless from and against any and all claims, actions, losses, costs (including without limitation reasonable attorneys' fees), liability and damages suffered or incurred by, or asserted against, the City in connection with the use, maintenance, repair, and all other matters associated with the Encroachments.

5. Default. If Grantee, its successors-in-interest, or assigns fail to perform any required work under this instrument and fails to address the same to DOTE's satisfaction within thirty (30) days after receiving written notice thereof from DOTE, the City shall have right to perform such work, at Grantee's expense, payable within ten (10) days after receiving an invoice from DOTE evidencing the amount due. Grantee, its successors-in-interest, or assigns shall be liable to DOTE for the payment of such work. Any outstanding amount due under this instrument shall create a lien on the Benefitted Property until fully

paid. At the City's option, the City may file an affidavit in the Hamilton County, Ohio Recorder's office to memorialize any outstanding amounts due under this instrument.

6. Covenants Running with the Land. The provisions hereof shall run with the land and shall inure to the benefit of and be binding upon the City, Grantee, and their respective successors-in-interest and assigns.

7. Governing Law; Severability. This instrument shall be governed by and construed in accordance with the laws of the City of Cincinnati and the State of Ohio. If any provisions hereof are determined to be invalid or unenforceable by a court of law, the remainder of this instrument shall not be affected thereby, and all other provisions of this instrument shall be valid and enforceable to the fullest extent permitted by law.

8. Notices. All notices given hereunder shall be in writing and shall be sent by U.S. certified or registered mail, return receipt requested, or delivered by a recognized courier service, or by personal delivery, to the parties at their respective addresses set forth in the introductory paragraph hereof or such other address as either party may specify from time to time by notice given in the manner prescribed herein. All notices to the City shall be addressed to the Office of the City Manager, and a copy of each such notice shall simultaneously be delivered to: Department of Transportation and Engineering, Attn: Director, Room 450. In the event of an alleged breach by the City of this instrument, a copy of each notice of breach shall simultaneously be delivered to the Office of the City Solicitor, 801 Plum Street, Room 214, Cincinnati, OH 45202.

9. Coordinated Report Conditions (CR #21-2020). The following additional conditions shall apply:

(A) DOT:

(i) The doors must remain in their existing recessed position—the same doorjamb.

(ii) Grantee must provide a clear pedestrian path of at least 8 feet from the outswing door edge to the curb.

(iii) Grantee must obtain zoning approval, including, but not limited to, a Certificate of Appropriateness issued by the Urban Conservator or Historic Conservation Board, as applicable.

(B) Cincinnati Bell: There are existing underground telephone facilities at or around this location. The existing facilities must remain in place, in service and able to be accessed. Any damage done to the facilities, or any work done to relocate the facilities as a result of this instrument will be handled entirely at Grantee's expense.

(C) Buildings and Inspections: Grantee shall record a consolidation plat for the Benefitted Property.

10. Counterparts and Electronic Signatures. This instrument may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original. This instrument may be executed and delivered by electronic signature; any original signatures that are initially delivered electronically shall be physically delivered as soon as reasonably possible.

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

Exhibit A – *Legal Description - Benefitted Property*

Exhibit B – *Survey Plat*

Exhibit C – *Legal Description - Out-Swinging Door Easements*

Executed by the parties on the respective date of acknowledgement listed below, effective as the later of such dates (the "**Effective Date**").

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

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

Notary Public
My commission expires: _____

Approved by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form by:

Assistant City Solicitor

[*Grantee Signature Page Follows*]

ACCEPTED AND AGREED TO BY:

HG PEARL PROVIDENT, LLC,
an Indiana limited liability company,

By: _____

Printed Name: _____

Title: _____

Date: _____, 2022

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022 by _____, the _____ of **HG PEARL PROVIDENT, LLC**, an Indiana limited liability company, on behalf of the company. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

Notary Public
My commission expires: _____

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

EXHIBIT A

to Grant of Easement

LEGAL DESCRIPTION - BENEFITTED PROPERTY

Situated in the City of Cincinnati, Hamilton County, Ohio, at the southeast corner of Vine Street and Seventh Street and being all of Lots 17, 18, 24, 25 and 26 and part of Lots 23 and 27 of J.S. Gano Subdivision as recorded in Plat Book M, Volume 1, Page 689 of the Hamilton County, Ohio Records, and being more particularly described as follows:

Commencing at the intersection of the South line of Seventh Street and the East line of Vine Street, also being the northwest corner of said J.S. Gano Subdivision; thence from said beginning point eastwardly along the South line of Seventh Street and along the North lines of Lots 25, 24, and 17 of said J. S. Gano Subdivision to the West line of Lodge Street, said point also being the northeast corner of Lot No. 17 of said J. S. Gano Subdivision; thence southwardly along the west line of Lodge Street and along the East line of Lots 17 and 18 of J. S. Gano Subdivision to the North line of Gano Street, said point also being in the southeast corner of Lot 18 of J. S. Gano Subdivision; thence westwardly along the North line of Gano Street and along the South lines of Lot 18 and 23 of J. S. Gano Subdivision a distance of 72 feet 8 inches more or less to the Southeast corner of Registered Land Certificate No. 14138; thence North 16 degrees West along the East line of Registered Land Certificate No. 14138 a distance of 70.95 feet to the Northeast corner of Registered Land Certificate No. 14138; thence South 74 degrees 06' West 116.45 feet to the East line of Vine Street and the northwest corner of Registered Land Certificate No. 14138; thence northwardly along the East line of Vine Street a distance of 117.50 feet, more or less to the place of beginning.

The above property is also described as follows:

Situated in Section 18, Town 4, Fractional Range 1, City of Cincinnati, Hamilton County, Ohio, being all of Lots 17, 18, 24, 25 and 26 and part of Lots 23 and 27 of John S. Gano Subdivision, as recorded in Deed Book M. Volume 1, Page 689 of the Hamilton County Ohio Records, described as follows:

Beginning at the intersection of the south line of Seventh Street with the east line of Vine Street thence North 74°06'30" East, along the South line of Seventh Street, a distance of 189.53 feet to the west line of Ruth Lyons Lane (formerly Lodge Street); thence South 16°03'30" East, along the west line of Ruth Lyons Lane, a distance of 188.24 feet, to the north line of Gano Street; thence South 74°06'30" West, along the north line of Gano Street, a distance of 73.17 feet, to the east line of Registered Land No. 148881 (formerly Registered Land No. 14138); thence North 16°00' West, along the east line of Registered Land No. 148881 and No. 121267, a distance of 70.83 feet, to the northeast corner of Registered Land No. 121267 (formerly Registered Land No. 14138); thence South 74°06' West, along the north line of Registered Land No. 121267, a distance of 116.45 feet, to the northwest corner of Registered Land No. 121267 and the east line of Vine Street; thence North 16°03'30" West, along the east line of Vine Street, a distance of 117.42 feet, to the place of beginning.

EXHIBIT B

to Grant of Easement

Survey Plat

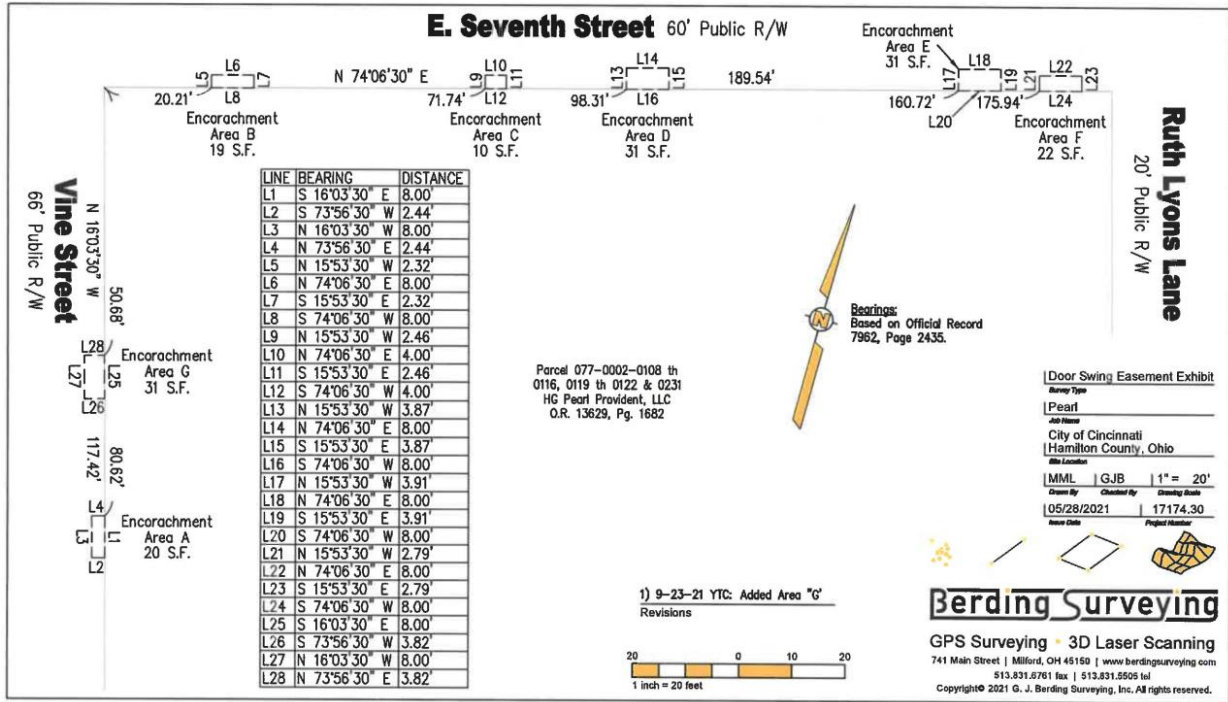


EXHIBIT C

to Grant of Easement

Legal Description – Out-Swinging Door Easements

Description for: Door Swing Encroachment Easement AREA A

Location: E. Seventh St. & Vine St. City of Cincinnati, Hamilton County, Ohio

Situated in The City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

BEGINNING in the east line of Vine Street, South 16°03'30" East, 80.62 feet from the intersection of the south line of East Seventh Street and the east line of Vine Street;

Thence along the east line of said Vine Street, South 16°03'30" East, 8.00 feet;

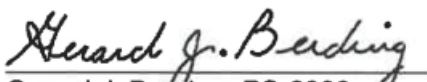
Thence through the right of way of said Vine Street the following three (3) courses:

1. South 73°56'30" West, 2.44 feet,
2. North 16°03'30" West, 8.00 feet,
3. North 73°56'30" East, 2.44 feet to the **POINT OF BEGINNING**.

CONTAINING 20 SQUARE FEET.

Bearings based on Official Record 7962, Page 2435 as recorded at the Hamilton County Recorder's Office.

Based on an easement exhibit prepared by G.J. BERDING SURVEYING, INC.


Gerard J. Berding, PS 6880

05-28-2021
Date



EXHIBIT C (Cont.)

Description for: Door Swing Encroachment Easement AREA B

Location: E. Seventh St. & Vine St. City of Cincinnati, Hamilton County, Ohio

Situated in The City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

BEGINNING in the south line of East Seventh Street, North 74°06'30" East, 20.21 feet from the intersection of the south line of East Seventh Street and the east line of Vine Street;

Thence through the right of way of said East Seventh Street the following three (3) courses:

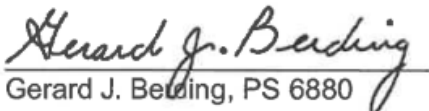
1. North 15°53'30" West, 2.32 feet,
2. North 74°06'30" East, 8.00 feet,
3. South 15°53'30" East, 2.32 feet to the south line of aforesaid East Seventh Street;

Thence along the south line of East Seventh Street, South 74°06'30" West, 8.00 feet to the **POINT OF BEGINNING.**

CONTAINING 19 SQUARE FEET.

Bearings based on Official Record 7962, Page 2435 as recorded at the Hamilton County Recorder's Office.

Based on an easement exhibit prepared by G.J. BERDING SURVEYING, INC.


Gerard J. Berding, PS 6880

05-28-2021
Date



EXHIBIT C (Cont.)

Description for: Door Swing Encroachment Easement AREA C

Location: E. Seventh St. & Vine St. City of Cincinnati, Hamilton County, Ohio

Situated in The City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

BEGINNING in the south line of East Seventh Street, North 74°06'30" East, 71.74 feet from the intersection of the south line of East Seventh Street and the east line of Vine Street;

Thence through the right of way of said East Seventh Street the following three (3) courses:

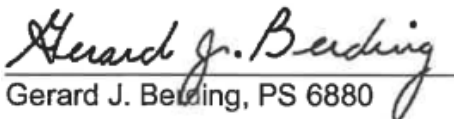
1. North 15°53'30" West, 2.46 feet,
2. North 74°06'30" East, 4.00 feet,
3. South 15°53'30" East, 2.46 feet to the south line of aforesaid East Seventh Street;

Thence along the south line of East Seventh Street South 74°06'30" West, 4.00 feet to the **POINT OF BEGINNING.**

CONTAINING 10 SQUARE FEET.

Bearings based on Official Record 7962, Page 2435 as recorded at the Hamilton County Recorder's Office.

Based on an easement exhibit prepared by G.J. BERDING SURVEYING, INC.


Gerard J. Berding, PS 6880

05-28-2021
Date



EXHIBIT C (Cont.)

Description for: Door Swing Encroachment Easement AREA D

Location: E. Seventh St. & Vine St. City of Cincinnati, Hamilton County, Ohio

Situated in The City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

BEGINNING in the south line of East Seventh Street, North 74°06'30" East, 98.31 feet from the intersection of the south line of East Seventh Street and the east line of Vine Street;

Thence through the right of way of said East Seventh Street the following three (3) courses:

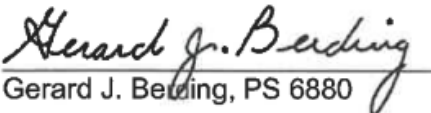
1. North 15°53'30" West, 3.87 feet,
2. North 74°06'30" East, 8.00 feet,
3. South 15°53'30" East, 3.87 feet to the south line of aforesaid East Seventh Street;

Thence along the south line of East Seventh Street, South 74°06'30" West, 8.00 feet to the **POINT OF BEGINNING.**

CONTAINING 31 SQUARE FEET.

Bearings based on Official Record 7962, Page 2435 as recorded at the Hamilton County Recorder's Office.

Based on an easement exhibit prepared by G.J. BERDING SURVEYING, INC.


Gerard J. Berding, PS 6880

05-28-2021
Date



EXHIBIT C (Cont.)

Description for: Door Swing Encroachment Easement AREA E

Location: E. Seventh St. & Vine St. City of Cincinnati, Hamilton County, Ohio

Situated in The City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

BEGINNING in the south line of East Seventh Street, North 74°06'30" East, 160.72 feet from the intersection of the south line of East Seventh Street and the east line of Vine Street;

Thence through the right of way of said East Seventh Street the following three (3) courses:

1. North 15°53'30" West, 3.91 feet,
2. North 74°06'30" East, 8.00 feet,
3. South 15°53'30" East, 3.91 feet to the south line of aforesaid East Seventh Street;

Thence along the south line of East Seventh Street, South 74°06'30" West, 8.00 feet to the **POINT OF BEGINNING.**

CONTAINING 31 SQUARE FEET.

Bearings based on Official Record 7962, Page 2435 as recorded at the Hamilton County Recorder's Office.

Based on an easement exhibit prepared by G.J. BERDING SURVEYING, INC.


Gerard J. Berding, PS 6880

05-28-2021
Date



EXHIBIT C (Cont.)

Description for: Door Swing Encroachment Easement AREA F

Location: E. Seventh St. & Vine St. City of Cincinnati, Hamilton County, Ohio

Situated in The City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

BEGINNING in the south line of East Seventh Street, North 74°06'30" East, 175.94 feet from the intersection of the south line of East Seventh Street and the east line of Vine Street;

Thence through the right of way of said East Seventh Street the following three (3) courses:

1. North 15°53'30" West, 2.79 feet,
2. North 74°06'30" East, 8.00 feet,
3. South 15°53'30" East, 2.79 feet to the south line of aforesaid East Seventh Street;

Thence along the south line of East Seventh Street, South 74°06'30" West, 8.00 feet to the **POINT OF BEGINNING.**

CONTAINING 22 SQUARE FEET.

Bearings based on Official Record 7962, Page 2435 as recorded at the Hamilton County Recorder's Office.

Based on an easement exhibit prepared by G.J. BERDING SURVEYING, INC.


Gerard J. Berding, PS 6880

05-28-2021
Date



EXHIBIT C (Cont.)

Description for: Door Swing Encroachment Easement AREA G

Location: E. Seventh St. & Vine St. City of Cincinnati, Hamilton County, Ohio

Situated in The City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

BEGINNING in the east line of Vine Street, South $16^{\circ}03'30''$ East, 50.68 feet from the intersection of the south line of East Seventh Street and the east line of Vine Street;

Thence along the east line of said Vine Street, South $16^{\circ}03'30''$ East, 8.00 feet;

Thence through the right of way of said Vine Street the following three (3) courses:

1. South $73^{\circ}56'30''$ West, 3.82 feet,
2. North $16^{\circ}03'30''$ West, 8.00 feet,
3. North $73^{\circ}56'30''$ East, 3.82 feet to the **POINT OF BEGINNING**.

CONTAINING 31 SQUARE FEET.

Bearings based on Official Record 7962, Page 2435 as recorded at the Hamilton County Recorder's Office.

Based on an easement exhibit prepared by G.J. BERDING SURVEYING, INC.


Gerard J. Berding, PS 6880

09-23-2021
Date



City of Cincinnati

An Ordinance No. _____

CHM

AWB

- 2022

ACCEPTING AND CONFIRMING the grant of a public utility easement in favor of the City of Cincinnati for water mains, appurtenances, fixtures, and equipment in and upon certain real property located in Miami Township related to The Reserve at Deer Run, Phase 3 Subdivision.

WHEREAS, DRCC, LLC, an Ohio limited liability company, and Deer Run Neighborhood Association, Inc., an Ohio nonprofit corporation, have granted an easement in favor of the City of Cincinnati for water mains, appurtenances, fixtures, and equipment in and upon certain real property located in Miami Township related to The Reserve at Deer Run, Phase 3 Subdivision, as more particularly depicted and described on an easement plat recorded in Plat Book 482, Page 86, Hamilton County, Ohio Recorder's Office; and

WHEREAS, the aforementioned plat has been examined and approved as to its technical features by the Greater Cincinnati Water Works Chief Engineer, who has found it to be correct; and

WHEREAS, based on the foregoing, the City Manager, upon consultation with the Greater Cincinnati Water Works, recommends that Council accept and confirm the acceptance of the aforementioned public utility easement; now, therefore,

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

Section 1. That the easement granted by DRCC, LLC, an Ohio limited liability company, and Deer Run Neighborhood Association, Inc., an Ohio nonprofit corporation, to the City of Cincinnati for the construction, installation, reconstruction, operation, maintenance, repair, replacement, modification, and removal of water mains and related fixtures, equipment, and appurtenances in and upon certain real property located in Miami Township related to The Reserve at Deer Run, Phase 3 Subdivision, as depicted on the plat entitled *Waterline Easement Plat WSL# 3628 PS- The Reserve at Deer Run, Phase 3 – E-1048*, as more particularly depicted and described on an easement plat recorded in Plat Book 482, Page 86, Hamilton County, Ohio Recorder's Office and incorporated herein by reference, is hereby accepted and confirmed. The real property encumbered by the easement is more particularly described as follows:

Tract I

SITUATE IN SECTION 2, TOWN 1, FRACTIONAL RANGE 2, MIAMI TOWNSHIP, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF LOT 145, THE RESERVE AT DEER RUN, PHASE 3, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 484, PAGES 83 AND 84, OF THE HAMILTON COUNTY RECORDER'S OFFICE, CINICINNATI, OHIO

Tract II

SITUATE IN SECTION 2, TOWN 1, FRACTIONAL RANGE 2, MIAMI TOWNSHIP, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF LOT 146, THE RESERVE AT DEER RUN, PHASE 3, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 484, PAGES 83 AND 84, OF THE HAMILTON COUNTY RECORDER'S OFFICE, CINICINNATI, OHIO

Tract III

SITUATE IN SECTIONS 1 AND 2, TOWN 1, FRACTIONAL RANGE 2, MIAMI TOWNSHIP, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SET 5/8" IRON PIN AND CAP (#7862) AT THE NORTHWEST CORNER OF LOT 20 OF DEER RUN COUNTRY CLUB ESTATES, SECTION 1 AS RECORDED IN PLAT BOOK 262, PAGES 97 AND 98 OF THE HAMILTON COUNTY, OHIO RECORDS; THENCE ALONG THE LINES OF SAID DEER RUN COUNTRY CLUB ESTATES, SECTION 1 THE FOLLOWING FIVE COURSES AND DISTANCES, SOUTH 37°28'39" EAST, 151.45 FEET TO A POINT IN THE NORTHWESTERLY RIGHT OF WAY OF PICKWAY DRIVE; THENCE ALONG THE NORTHWESTERLY RIGHT OF WAY OF PICKWAY DRIVE, ALONG A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 325.00 FEET; A DISTANCE OF 30.07 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 48°55'30" WEST, 30.06 FEET TO A POINT; THENCE LEAVING THE NORTHWESTERLY RIGHT OF WAY OF PICKWAY DRIVE, NORTH 37°28'39" WEST, 165.00 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 73°02'10" WEST, 134.17 FEET TO A POINT, BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.23 FEET NORTH; THENCE NORTH 71°47'55" WEST, 51.99 FEET TO THE NORTHWEST CORNER OF SAID DEER

RUN COUNTRY CLUB ESTATES, SECTION 1 BEING THE NORTHEAST CORNER OF DEER RUN COUNTRY CLUB ESTATES, SECTION 2A AS RECORDED IN PLAT BOOK 270, PAGE 19 AND 20 OF THE HAMILTON COUNTY, OHIO RECORDS AND BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.24 FEET NORTH; THENCE LEAVING THE NORTHERLY LINE OF SAID DEER RUN COUNTRY CLUB ESTATES, SECTION 1 ALONG THE NORTHERLY LINES OF SAID DEER RUN COUNTRY CLUB ESTATES, SECTION 2A THE FOLLOWING TWO COURSES AND DISTANCES, NORTH 67°04'01" WEST, 186.91 FEET TO A POINT, BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.23 FEET WEST; THENCE NORTH 83°20'12" WEST, 262.49 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) AT THE NORTHWEST CORNER OF SAID DEER RUN COUNTRY CLUB ESTATES, SECTION 2A BEING THE NORTHEAST CORNER OF DEER RUN COUNTRY CLUB ESTATES, SECTION 2B AS RECORDED IN PLAT BOOK 278, PAGES 96 AND 97 OF THE HAMILTON COUNTY, OHIO RECORDS; THENCE LEAVING THE NORTHERLY LINE OF SAID DEER RUN COUNTRY CLUB ESTATES, SECTION 2A ALONG THE LINES OF SAID DEER RUN COUNTRY CLUB ESTATES SECTION 2B THE FOLLOWING TWENTY THREE COURSES AND DISTANCES, NORTH 49°19'01" WEST, 238.68 FEET TO AN EXISTING IRON PIN AND CAP; THENCE NORTH 45°51'26" WEST, 217.34 FEET TO AN EXISTING IRON PIN AND CAP; THENCE NORTH 86°50'03" WEST, 98.04 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 64°31'12" WEST, 125.26 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 39°58'14" WEST, 127.51 FEET TO AN EXISTING 5/8" IRON PIN; THENCE SOUTH 02°25'11" EAST, 160.14 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 61°02'47" EAST, 224.30 FEET TO AN EXISTING 5/8" IRON PIN; THENCE SOUTH 40°40'59" WEST, 85.00 FEET TO A POINT, BEING WITNESSED BY AN EXISTING 5/8" IRON PIN WHICH IS 0.89 FEET WEST; THENCE NORTH 63°24'10" WEST, 236.47 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 65°00'16" WEST, 230.07 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 08°58'21" EAST, 233.55 FEET TO A POINT, BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.37 FEET NORTH AND 0.29 FEET EAST; THENCE SOUTH 62°19'01" EAST, 215.00 FEET TO A POINT; THENCE SOUTH 78°16'01" EAST, 20.19 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 28°12'35" WEST, 168.92 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 10°23'00" EAST, 58.66 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 28°01'01" EAST, 97.78 FEET TO AN EXISTING 5/8" IRON PIN; THENCE SOUTH 68°21'51" EAST, 166.81 FEET TO AN EXISTING 5/8" IRON PIN; THENCE NORTH 88°28'59" EAST, 134.05 FEET TO AN EXISTING IRON PIN AND CAP; THENCE NORTH 17°26'23" EAST, 334.22 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 26°45'26" EAST, 70.67

FEET TO AN EXISTING IRON PIN AND CAP; THENCE NORTH 40°35'36" EAST, 162.40 FEET TO AN EXISTING IRON PIN AND CAP AND NORTH 23°21'54" EAST, 28.49 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) AT THE SOUTHWEST CORNER OF LOT 38 OF THE AFOREMENTIONED DEER RUN ESTATES, SECTION 2A; THENCE LEAVING THE LINES OF SAID DEER RUN COUNTRY CLUB ESTATES, SECTION 2B ALONG THE LINES OF SAID DEER RUN COUNTRY CLUB ESTATES SECTION 2A THE FOLLOWING NINE COURSES AND DISTANCES, SOUTH 68°08'22" EAST, 80.93 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 79°04'27" EAST, 86.90 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 21°53'11" WEST, 38.67 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 38°14'11" WEST, 337.56 FEET TO AN EXISTING 5/8" IRON PIN; THENCE SOUTH 10°01'54" EAST, 230.60 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 78°48'04" EAST, 248.65 FEET TO AN EXISTING IRON PIN AND CAP; THENCE NORTH 37°43'03" EAST, 196.98 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 41°42'29" EAST, 283.50 FEET TO A POINT; BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.17 FEET SOUTH AND 0.22 FEET WEST; THENCE NORTH 10°58'53" EAST, 108.00 FEET TO AN EXISTING 1" IRON PIN AT THE SOUTHWEST CORNER OF LOT 16 OF THE AFOREMENTIONED DEER RUN ESTATES, SECTION 1; THENCE LEAVING THE LINES OF SAID DEER RUN ESTATES, SECTION 2A ALONG THE LINES OF SAID DEER RUN ESTATES SECTION 1 THE FOLLOWING FOURTEEN COURSES AND DISTANCES, SOUTH 84°22'26" EAST, 97.07 FEET TO A POINT; BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.34 FEET SOUTH AND 0.51 FEET WEST; THENCE SOUTH 00°16'15" WEST, 53.01 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 20°08'59" EAST, 188.48 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 55°47'14" EAST, 142.20 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 72°24'08" EAST, 188.81 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 20°35'19" EAST, 151.65 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 18°25'48" WEST, 188.03 FEET TO A POINT; BEING WITNESSED BY AN EXISTING 5/8" IRON PIN WHICH IS 0.23 FEET NORTH AND 0.28 FEET WEST; THENCE NORTH 37°28'39" WEST, 199.30 FEET TO A POINT IN THE NORTHERLY RIGHT OF WAY OF PICKWAY DRIVE; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF PICKWAY DRIVE, ALONG A CURVE DEFLECTING TO THE LEFT, HAVING A RADIUS OF 375.00 FEET; A DISTANCE OF 30.05 FEET, THE CHORD OF SAID CURVE BEARS NORTH 49°24'22" EAST, 30.04 FEET TO A POINT; THENCE SOUTH 37°28'39" EAST, 128.81 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 66°27'27" EAST, 105.00 FEET TO AN EXISTING 1" IRON PIN, THENCE SOUTH 44°11'11" EAST, 84.57 FEET TO A SET 5/8" IRON PIN AND CAP (#7862);

THENCE SOUTH 74°43'19" EAST, 101.00 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 53°24'39" EAST, 140.00 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) AT THE SOUTHEAST CORNER OF SAID DEER RUN ESTATES, SECTION 1, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 284 OF KIRKRIDGE ACRES, BLOCK "L" AS RECORDED IN PLAT BOOK 256, PAGE 37 OF THE HAMILTON COUNTY, OHIO RECORDS; THENCE LEAVING SAID DEER RUN ESTATES SECTION 1 ALONG THE WESTERLY LINES OF SAID KIRKRIDGE ACRES, BLOCK "L" THE FOLLOWING FOUR COURSES AND DISTANCES, SOUTH 04°57'04" WEST, 81.49 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 01°22'20" EAST, 156.50 FEET TO AN EXISTING IRON PIN AND CAP WHICH IS 1.81 FEET SOUTH AND 0.95 FEET EAST; THENCE SOUTH 43°55'59" WEST, 50.00 FEET A POINT, BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 2.16 FEET SOUTH AND 1.36 FEET EAST; THENCE SOUTH 46°04'01" EAST, 182.37 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) IN THE NORTHERLY LINE OF THE PROPERTY AS CONVEYED TO ERNEST AND JEANNE CIAMBARELLA IN DEED BOOK 4347, PAGE 1156 OF THE HAMILTON COUNTY, OHIO RECORDS; THENCE LEAVING THE WESTERLY LINE OF SAID KIRKRIDGE ACRES, BLOCK "L" ALONG THE NORTHERLY LINES OF SAID CIAMBARELLA TRACT THE FOLLOWING FOUR COURSES AND DISTANCES, SOUTH 73°30'23" WEST, 369.52 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 43°55'59" WEST, 329.02 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 46°04'01" WEST, 131.10 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) AND SOUTH 51°55'59" WEST, 640.41 FEET TO A POINT IN THE NORTHERLY LINE OF THE PROPERTY AS CONVEYED TO RUSSELL G. AND SUSAN J. CORNETT IN OFFICIAL RECORD 12582, PAGE 448 OF THE HAMILTON COUNTY, OHIO RECORDS AND BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.24 FEET NORTH; THENCE LEAVING THE NORTHERLY LINE OF SAID CIAMBARELLA TRACT ALONG THE NORTHERLY LINE OF SAID CORNETT TRACT THE FOLLOWING SIX COURSES AND DISTANCES, NORTH 38°04'01" WEST, 4.00 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 85°12'19" WEST, 217.00 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 77°58'59" WEST, 178.62 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 61°28'59" WEST, 69.83 FEET TO AN EXISTING 5/8" IRON PIN; THENCE SOUTH 74°26'59" WEST, 86.92 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) AND SOUTH 61°00'26" WEST, 257.03 FEET TO THE NORTHWEST CORNER OF SAID CORNETT TRACT; SAID POINT BEING IN THE NORTHEASTERLY LINE OF THE PROPERTY S CONVEYED TO WESTERN WILDLIFE CORRIDOR, INC. IN OFFICIAL RECORD 12786, PAGE 1198 OF THE HAMILTON COUNTY, OHIO RECORDS AND BEING WITNESSED BY A 5/8" IRON PIN WHICH IS

0.37 FEET WEST; THENCE LEAVING THE NORTHERLY LINE OF SAID CORNETT TRACT ALONG THE NORTHERLY LINE OF SAID WESTERN WILDLIFE CORRIDOR TRACT THE FOLLOWING TWO COURSES AND DISTANCES, NORTH 81°06'01" WEST, 81.76 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); AND NORTH 53°55'01" WEST, 5.68 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) ; THENCE LEAVING THE NORTHEASTERLY LINE OF SAID WESTERN WILDLIFE CORRIDOR TRACT ALONG A NEW DIVISION LINE THE FOLLOWING TWENTY SIX COURSES AND DISTANCES, NORTH 05°02'20" WEST, 537.81 FEET TO A POINT; THENCE ALONG A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 76.00 FEET; A DISTANCE OF 35.15 FEET; THE CHORD OF SAID CURVE BEARS NORTH 81°47'17" WEST, 34.84 FEET TO A POINT; THENCE SOUTH 58°28'12" WEST, 12.13 FEET TO A POINT; THENCE ALONG A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 86.00 FEET; A DISTANCE OF 23.46 FEET, THE CHORD OF SAID CURVE BEARS NORTH 55°51'08" WEST, 23.38 FEET TO A POINT; THENCE NORTH 48°02'20" WEST, 288.86 FEET TO A POINT; THENCE ALONG A CURVE DEFLECTING TO THE LEFT, HAVING A RADIUS OF 114.00 FEET, A DISTANCE OF 41.27 FEET, THE CHORD OF SAID CURVE BEARS NORTH 58°24'32" WEST, 41.04 FEET TO A POINT; THENCE NORTH 68°46'43" WEST, 193.06 FEET TO A POINT; THENCE ALONG A CURVE DEFLECTING TO THE LEFT, HAVING A RADIUS OF 40.00 FEET; A DISTANCE OF 27.27 FEET, THE CHORD OF SAID CURVE BEARS NORTH 01°41'37" EAST, 26.74 FEET TO A POINT; THENCE NORTH 46°33'10" EAST, 150.00 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 57°29'39" WEST, 165.10 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 03°24'08" EAST, 790.85 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 05°31'33" EAST, 68.29 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 27°45'13" EAST, 55.88 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 38°24'08" EAST, 239.48 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 45°50'18" EAST, 66.18 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 59°39'05" EAST, 66.18 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 73°28'25" EAST, 66.18 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 87°17'46" EAST, 66.18 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 79°27'24" EAST, 70.85 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 76°35'52" EAST, 354.94 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 85°11'05" EAST, 267.63 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 76°35'31" EAST, 592.82 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 57°35'30" EAST, 383.65 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 17°34'01" EAST, 107.53 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 37°55'59" WEST, 114.46

FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 52°04'01" EAST, 12.00 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 37°55'59" WEST, 125.00 FEET TO THE PLACE OF BEGINNING.

THUS CONTAINING 56.6128 ACRES OF LAND AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

Section 2. That the City Solicitor shall cause an authenticated copy of this ordinance to be recorded in the Hamilton County, Ohio Recorder's Office.

Section 3. That the proper City officers and officials are authorized to take all necessary and proper actions to carry out the provisions 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: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

February 2, 2022

To: Mayor and Members of City Council

From: John P. Curp, Interim City Manager

Subject: Ordinance-Reserve at Deer Run Phase 3 Easement

Attached is an Ordinance captioned:

ACCEPTING AND CONFIRMING the grant of a public utility easement in favor of the City of Cincinnati for water mains, appurtenances, fixtures, and equipment in and upon certain real property located in Miami Township related to The Reserve at Deer Run, Phase 3 Subdivision.

The City's Greater Cincinnati Water Works (GCWW) provides retail water service to a portion of Miami Township in Hamilton County that is being developed by the owner, DRCC, LLC as the Reserve at Deer Run, Phase 3 Subdivision. To benefit the development, DRCC is installing certain water mains and other water appurtenances that will be owned and maintained by GCWW following completion and GCWW acceptance. This ordinance is to accept an easement from DRCC, LLC for the City to access, operate, maintain, repair, and replace the City-owned water facilities on the developer's property.

The Administration recommends passage of this Ordinance.

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

CBB by PSC



Mark Jeffreys
Councilmember

February 1, 2022

MOTION

WE MOVE that, the Administration provide a report within thirty (30) days on the cost and timing of doing a comprehensive, multi-year plan across the 52 neighborhoods for pedestrian safety as a roadmap to achieving the City of Cincinnati's Vision Zero policy. This integrated, neighborhood-by-neighborhood plan should include Complete Streets plans where there are structural changes needed to traffic (e.g. road diets, bump outs, speed humps, etc.), as well as protected bike lanes (connecting anchor point destinations of employment, recreation and shopping), permanent implementation of rush hour parking in neighborhood business districts, and dedicated bus lanes--all of which reduce crashes and make our streets safer. The outcome of this report will be a decision on whether to pursue this comprehensive plan based on the process, costs, and timing outlined.

STATEMENT

Despite an increase in funding for Vision Zero pedestrian safety initiatives in the city in 2021, there were 305 accidents involving pedestrians and cyclists in 2021 that included 7 deaths.¹ The city rightfully seeks a solution to a "problem intersection" when there is an incident; however, that reaction is not grounded in a comprehensive, neighborhood-by-neighborhood pedestrian safety plan.

Data demonstrates that tools used for other transportation objectives have a separate benefit of pedestrian safety but are usually not considered as speed calming measures. Specifically, protected bike lanes reduce crashes by 47% for cars, pedestrians, and cyclists. Data from the Clifton Avenue temporary protected bike lanes reinforced this with 6,300 fewer cars speeding per week as a result of the protected bike lanes. Separate data on dedicated bus lanes, including bus rapid transit lanes, and implementation of rush hour parking in neighborhood business districts has also show a reduction in crashes due to those measures' resulting in a reduction in speeding.

¹ <https://insights.cincinnati-oh.gov/stories/s/sj28-dfcf>

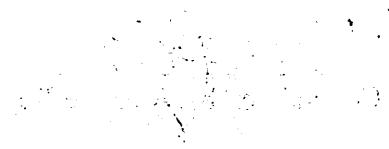
Development of this comprehensive, 52-neighborhood plan would involve engaging Community Councils, neighborhood stakeholders, and all residents to fully understand the needs of each community as well as advocacy groups. While we would expect this comprehensive roadmap of action could take a year or so to develop, the intent of this motion is not to delay immediate work under way now to address urgent issues involving pedestrian safety over the next year throughout the city.

The expectation is that the ultimate comprehensive plan would require significant investment in time and resources of the Department of Transportation & Engineering (DOT) to implement changes needed to make our streets safer across all 52 neighborhoods. After we understand that full cost and plan then we can tackle the tough challenge of identifying dedicated funding sources for these multi-year needs rather than the patchwork solution we have today on this issue.


Councilmember Mark Jeffreys

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2/9/2022
Calendar
298



Meeka D. Owens
Cincinnati City Council

February 8, 2022

MOTION

In an effort to further environmental development and climate protection in the City of Cincinnati, WE MOVE that the Administration provide a report within thirty (30) days on the status of the 2018 Green Cincinnati Plan, outlining:

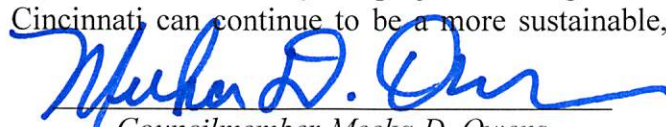
- 1) which recommendations have been completed; and
- 2) which recommendations have been started but are not yet completed; and
- 3) which recommendations have yet to be addressed or begun; and
- 4) the cost, feasibility, and potential timeline to complete the remaining, uncompleted recommendations.

In addition, we further MOVE that the Administration present recommendations for projects that could be undertaken if a Green Cincinnati Fund were to be established within the City of Cincinnati using the rebate of up to \$100,000 per year from Dynegy Energy Services, LLC pursuant to the Dynegy Greenback Program, including the rebate that has already been accepted by the City Manager for FY 2022, and the rebates that will be given to the city for FY 2023 through FY 2026.

STATEMENT

In 2011, Cincinnati voters approved a ballot initiative to implement an opt-out electric aggregation program that enables the City to negotiate reduced energy rates on behalf of program participants and take advantage of collective purchasing power. The City entered an agreement with Dynegy Energy Services, LLC ("Dynegy") beginning in May 2021 to administer the electric aggregation program. The City's agreement with Dynegy includes the Dynegy Greenback Program, which offers up to \$100,000 in annual rebates for energy efficiency work performed and completed at City services locations each calendar year from 2021 to 2025. City Council authorized the acceptance of these rebates in January 2022.

As the rebates from the Dynegy Greenback Program come from energy efficiency work, the funds saved should be reapplied towards other green projects that fight climate change and improve the environment so that Cincinnati can continue to be a more sustainable, equitable, and resilient city.


Councilmember Meeka D. Owens

Monica Windholtz 11:46 am 2/8/22

CAL

Monica Windholtz



202200332

Meeka D. Owens
Cincinnati City Council

February 8, 2022

MOTION

We MOVE that the Administration prepare a report, to be submitted within 30 days, cataloguing the following:

- 1) All infrastructure projects within the City of Cincinnati that are currently underway; and
- 2) All infrastructure projects within the City of Cincinnati that have been started or worked on since January 1st, 2019 but have since been paused. In addition, the report should detail why the projects have been paused; and
- 3) All infrastructure projects that are scheduled to begin at any date after this motion is submitted.

We further MOVE that the Administration organize the above information by the neighborhoods in which the project is located, with an additional section for projects that span across more than one neighborhood.

STATEMENT

The Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Bill, was signed into law on November 15, 2021. The law includes approximately \$1.2 trillion in spending, which will provide expansive funding for both physical infrastructure and human/social infrastructure. This includes projects ranging from transit, highway safety, research, rail programs, broadband access, clean water, and electric grid renewal. Funds from the law are available for municipalities to put towards local projects. In preparation for applications to these funds, it is pivotal that the City of Cincinnati have a reference to the projects that are underway or anticipated to begin soon.

By preparing a report as detailed in this Motion, City Administration will be able to identify areas that could benefit from receipt of funding from the Bipartisan Infrastructure Bill. Maximizing the City's applications and projects addressed will allow the City to improve in countless ways in the future.


Councilmember Meeka D. Owens

monica windholt 2 11:46am 2/8/22

CAZ

08300830

08300830

January 20, 2022

To: Mayor and Members of City Council 202200092
From: Paula Boggs Muething, City Manager
Subject: Notwithstanding Ordinance – 932 McPherson Avenue

Transmitted is an Ordinance captioned:

AUTHORIZING the real property located at 932 McPherson Avenue in the East Price Hill neighborhood to be developed and used as a two-family dwelling NOTWITHSTANDING the use limitations in Chapter 1403, “Single Family Districts,” of the Cincinnati Municipal Code and any other applicable zoning regulations that would prevent the property’s development and use as a two-family dwelling.

The City Planning Commission recommended approval of the Notwithstanding Ordinance at its December 17, 2021 meeting.

Summary:

The petitioner, Vice Mayor Smitherman, requests a Notwithstanding Ordinance to permit the development of a two-family dwelling at 932 McPherson Avenue in East Price Hill. The property owner, BLOC Ministries (BLOC), purchased the property and the existing vacant building on the property in 2019 from the Hamilton County Land Reutilization Corporation. BLOC proposes to renovate the interior of the existing building into a two-family dwelling to serve graduates of BLOC’s recovery program. The existing building footprint is not proposed to be changed. Since the property is located in a SF-2 zoning district which does not permit two-family dwellings, a Notwithstanding Ordinance is requested to permit the renovation of the existing building into a two-family dwelling. The requested permission is notwithstanding the use limitations in Chapter 1403, “Single-Family Districts,” and any other applicable zoning regulations that would prevent the property’s development and use as a two-family dwelling, including, but not limited to, the off-street parking requirements set forth in Section 1425-19, “Off-Street Parking and Loading Requirements,” of the Cincinnati Zoning Code.

The City Planning Commission recommended the following on December 17, 2021, to City Council:

APPROVE the proposed Notwithstanding Ordinance to permit the development of a two-family dwelling at 932 McPherson Avenue in East Price Hill subject to the following conditions:

- 1) The development and use of 932 McPherson Avenue as a two-family dwelling must be developed as per the plans on file with the Department of Buildings and Inspections under permit no. 2021P07766.
- 2) The Notwithstanding Ordinance does not provide a variance from any other laws of the City of Cincinnati, and the properties shall remain subject to all other provisions of the Cincinnati Municipal Code, SF-2, “Single-family,” zoning district.

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

City of Cincinnati

MEH

BWL

An Ordinance No. _____

- 2022

AUTHORIZING the real property located at 932 McPherson Avenue in the East Price Hill neighborhood to be developed and used as a two-family dwelling NOTWITHSTANDING the use limitations contained in Chapter 1403, "Single-Family Districts," of the Cincinnati Municipal Code and any other applicable zoning regulations that would prevent the property's development and use as a two-family dwelling.

WHEREAS, BLOC Ministries, Inc. ("BLOC") owns the real property located at 932 McPherson Avenue in the East Price Hill neighborhood ("Property"), which it purchased from the Hamilton County Land Reutilization Corporation in 2019; and

WHEREAS, the Property is located in the SF-2, "Single-Family," zoning district, and it consists of a single parcel containing a vacant residential structure; and

WHEREAS, BLOC wishes to develop the Property for use as a two-family dwelling to serve graduates of its recovery program ("Project"), but two-family dwellings are not permitted in the SF-2, "Single-Family," zoning district; and

WHEREAS, the Project is compatible with the surrounding land uses in the vicinity of the Property, which land uses include other two-family dwellings, multi-family dwellings, and institutional and commercial uses; and

WHEREAS, reasonable deviations from zoning code provisions that would otherwise prevent the Property's use as a two-family dwelling will benefit the surrounding area by returning a vacant property to productive use and by providing safe and attractive housing to support graduates of BLOC's recovery program; and

WHEREAS, the City Planning Commission, at its regularly scheduled meeting on December 17, 2021, upon considering the factors set forth in Cincinnati Municipal Code ("CMC") Section 111-5, recommended the adoption of a notwithstanding ordinance authorizing the Project subject to certain conditions; and

WHEREAS, a legislative variance authorizing the Project is consistent with *Plan Cincinnati* (2012), specifically its Sustain and Live Initiative Areas that respectively seek to "[b]ecome a healthier Cincinnati" (page 81) and to "provide quality healthy housing for all income levels" (page 165); and

WHEREAS, the Council finds that the Project will enhance the quality and character of the area by rehabilitating an existing vacant building that will fit within the context of McPherson Avenue and the East Price Hill neighborhood; and

WHEREAS, the Council additionally finds that permitting the Project will not have an adverse effect on the character of the area or the public health, safety, and welfare, and the Project is 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, following its own independent review and consideration, the City Council incorporates the foregoing recitals as if fully rewritten herein, and it hereby confirms that the legislative variance criteria set forth in Section 111-5 of the Cincinnati Municipal Code are satisfied in all respects.

Section 2. That the Council specifically finds that a legislative variance authorizing the development and use of the property located at 932 McPherson Avenue ("Property") in the East Price Hill neighborhood as a two-family dwelling, which Property is depicted on the map attached hereto as Exhibit A and incorporated herein by reference, will not have an adverse effect on the character of the surrounding area or the public's health, safety, and general welfare, and that it is consistent with the purposes of the Cincinnati Municipal Code and the zoning district within which the Property is located.

Section 3. That the Council authorizes the Property's development and use as a two-family dwelling, subject to the terms and conditions set forth in this ordinance. This authorization is granted notwithstanding the use limitations contained in Chapter 1403, "Single-Family Districts," of the Cincinnati Municipal Code, and any other applicable zoning regulations that would prevent the Property's development and use as a two-family dwelling, including, but not limited to, the off-street parking requirements set forth in Section 1425-19, "Off-Street Parking and Loading Requirements," of the Cincinnati Municipal Code.

Section 4. That the Council authorizes the Property's development and use as a two-family dwelling on the condition that the Property is developed as per the plans on file with the Department of Buildings and Inspections under permit no. 2021P07766.

Section 5. That this ordinance does not provide a variance from any other laws of the City of Cincinnati, and the Property shall remain subject to all other provisions of the Cincinnati Municipal Code and the SF-2, "Single-Family," zoning district.

Section 6. That the City Manager and the appropriate City officials are authorized to take all necessary and proper actions to implement this ordinance, including by issuing building permits and related approvals provided they conform to applicable building codes, housing codes, accessibility laws, and other applicable laws, rules, and regulations.

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

Passed: _____, 2022

Aftab Pureval Mayor

Attest: _____
Clerk

EXHIBIT A

Location Map of 932 McPherson Ave in East Price Hill

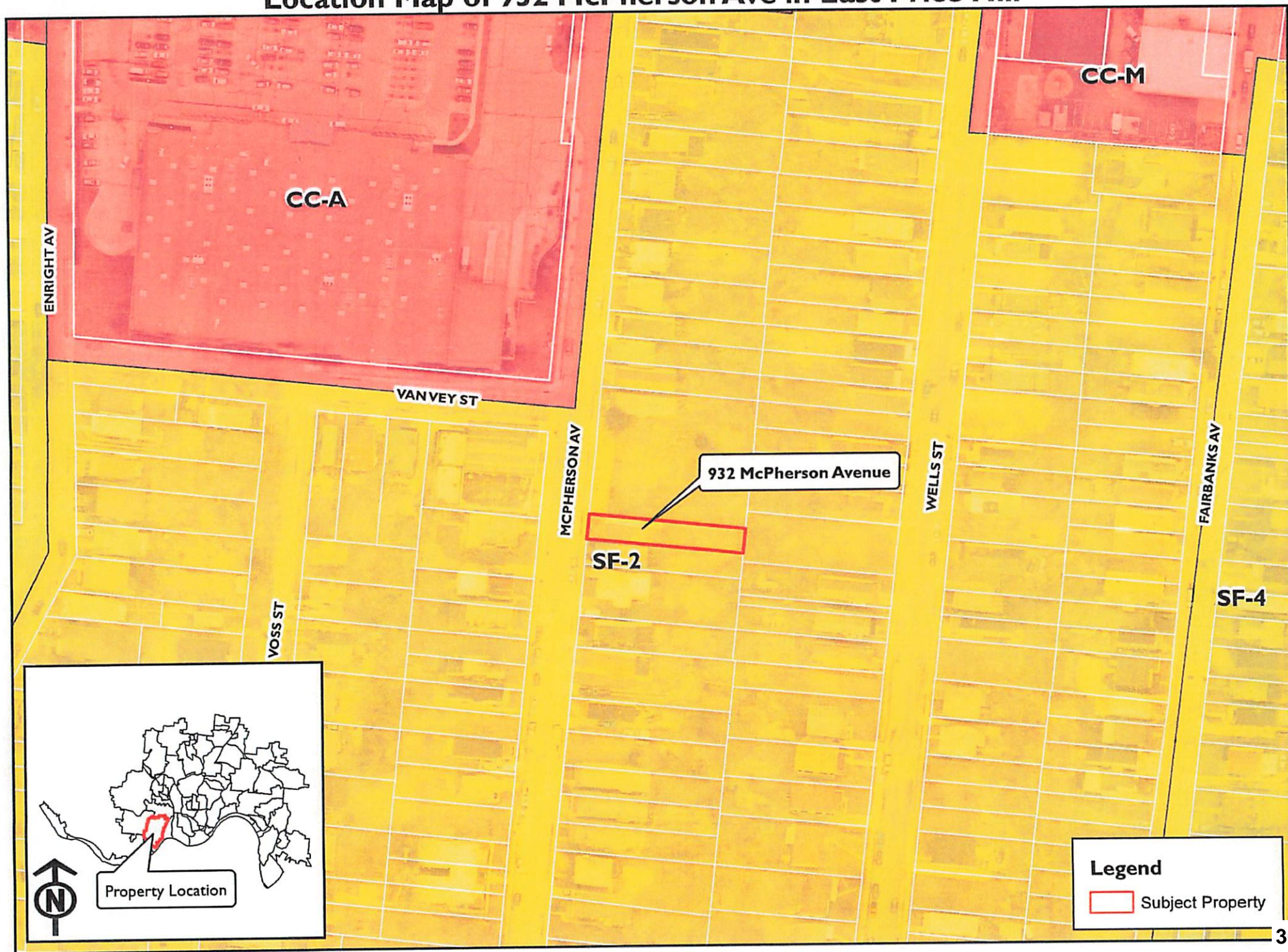
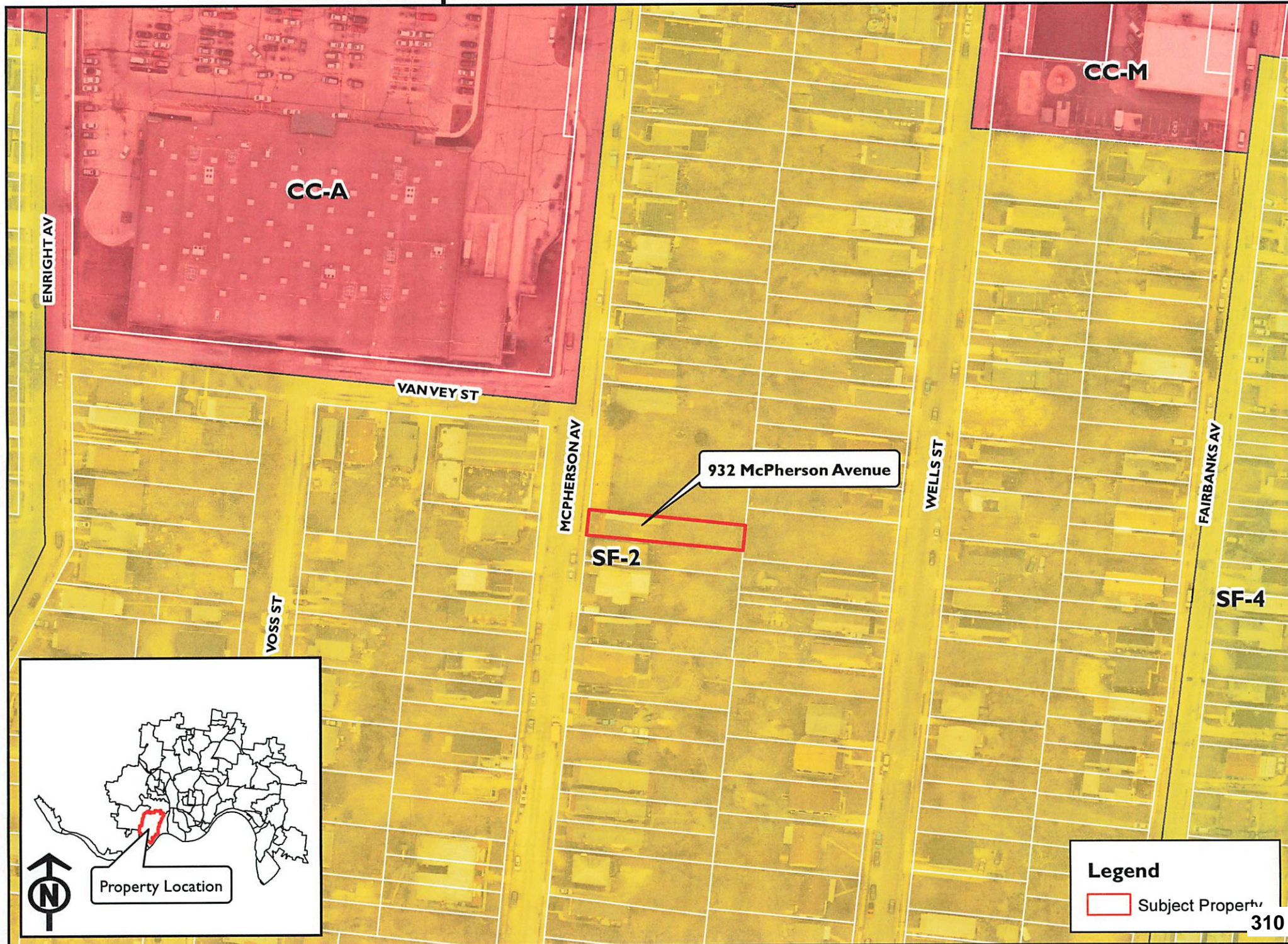


EXHIBIT A

Location Map of 932 McPherson Ave in East Price Hill



SUBJECT: A report and recommendation on a proposed Notwithstanding Ordinance to permit the development of a two-family dwelling at 932 McPherson Avenue in East Price Hill.

GENERAL INFORMATION:

Location: 932 McPherson Avenue, Cincinnati, OH 45205

Petitioner: Vice Mayor Christopher Smitherman
801 Plum Street, Cincinnati 45202

Owner: BLOC Ministries
911 West 8th Street, Cincinnati 45203

EXHIBITS:

Provided in addition to this report are the following exhibits:

- Exhibit A Location Map
- Exhibit B Proposed Notwithstanding Ordinance
- Exhibit C Renovation Plans

BACKGROUND & PROPOSED NOTWITHSTANDING ORDINANCE:

The petitioner, Vice Mayor Christopher Smitherman, requests a Notwithstanding Ordinance to permit the development of a two-family dwelling at 932 McPherson Avenue in East Price Hill. The subject property is zoned Single-family (SF-2) and located a block south of the East Price Hill Neighborhood Business District along Warsaw Avenue. The property owner, BLOC Ministries (BLOC), purchased the property and the existing vacant building on the property in 2019 from the Hamilton County Land Reutilization Corporation. BLOC Ministries is a faith-based non-profit organization that focuses on healthy personal relationships and activities that help to build hope, purpose, and virtual life skills for students, families, and adults to thrive and succeed despite difficult circumstances. The organization has been active in the neighborhood for over 24 years.

BLOC proposes to renovate the interior of the existing building into a two-family dwelling to serve seven graduates of BLOC's recovery program. The existing building footprint is not proposed to be changed. Since the property is located in a SF-2 zoning district which does not permit two-family dwellings, a Notwithstanding Ordinance is requested to permit the renovation of the existing building into a two-family dwelling. The requested permission is notwithstanding the use limitations in Chapter 1403, "Single-Family Districts," and any other applicable zoning regulations that would prevent the property's development and use as a two-family dwelling, including, but not limited to, the off-street parking requirements set forth in Section 1425-19, "Off-Street Parking and Loading Requirements," of the Cincinnati Zoning Code.

ANALYSIS:

The Department of City Planning and Engagement has generally taken a position to not support Notwithstanding Ordinances for land use decisions because they do not comply with the Cincinnati Zoning Code that the department is charged with developing and enforcing. However, Cincinnati Municipal Code Section 111-5 establishes a list of factors by which a City Council committee may

consider a notwithstanding ordinance application. As such, the City Planning Commission shall consider the following when making a recommendation on notwithstanding ordinances to City Council:

- 1) Whether the proposed application will not have an adverse effect on the character of the area or the public health, safety and welfare;

The proposed use and rehabilitation of the building at 932 McPherson Avenue will not have an adverse effect on the area. There are no proposed changes to the existing building footprint and the use will remain residential which is consistent with the surrounding neighborhood.

- 2) Whether the proposed application is consistent with the purposes of this code and the zoning district where the subject property is located including but not limited to:

- (a) Providing a guide for the physical development of the city.

Not applicable to this application.

- (b) Preserving the character and quality of residential neighborhoods.

The proposed Notwithstanding Ordinance would permit the renovation of an existing single-family dwelling into a two-family dwelling which is consistent with the surrounding neighborhood. The proposed renovation will be an interior renovation and the existing structure will not be changed substantially. Additionally, the proposed renovation will return a currently vacant property to a productive, residential use.

- (c) Fostering convenient, harmonious and workable relationships among land uses.

The land uses surrounding the subject property are predominantly residential, including single-, two-, and multi-family dwellings, and commercial uses. The proposed two-family dwelling is consistent with this land use pattern.

- (d) Achieving the arrangement of land uses described in the comprehensive plan for the development of the city as may have been adopted by council.

The proposed Notwithstanding Ordinance is consistent with Plan Cincinnati (2012) (see "Consistency with Plans" for further analysis).

- (e) Promoting the economic stability of existing land uses and protecting them from intrusions by inharmonious or harmful land uses.

The proposed two-family dwelling is consistent with the residential land uses in the area and will support the nearby commercial uses in the East Price Hill Neighborhood Business District along Warsaw Avenue which is one block north of the subject property.

- (f) Providing opportunities for economic development and new housing for all segments of the community.

The proposed two-family dwelling will provide safe and quality housing for seven graduates of BLOC's recovery program.

- (g) Creating pedestrian-friendly environments to reduce reliance on the automobile for travel.
The subject property is located within 0.12 miles walking distance of the East Price Hill Neighborhood Business District along Warsaw Avenue. The Route 33 bus runs along Warsaw Avenue with bus stops located at the intersection of McPherson Avenue and Warsaw Avenue. Additionally, the subject property is less than 500 feet from a full-service grocery store.
- (h) Preventing excessive population densities and overcrowding of land or buildings.
The proposed Notwithstanding Ordinance would permit a two-family dwelling to house seven individuals. Section 1401-01-F2 states that up to four persons unrelated to each other by blood, marriage, or legal adoption, may live together as a single housekeeping unit.
- (i) Ensuring the provision of adequate open space for light, air and fire safety.
The proposed Notwithstanding Ordinance does not provide a variance from any other laws of the City of Cincinnati. The owner would need to abide by the building code and fire regulations outlined in the Cincinnati Municipal Code.
- (j) Ensuring that development is compatible with the environment, particularly on the hillsides and along the riverfront.
Not applicable to this application.
- (k) Promoting the conservation, protection, restoration and enhancement of the historic resources of the city.
The subject property is not located within a historic district. The proposed Notwithstanding Ordinance would permit the rehabilitation of an existing building, preserving the built character on the street.
- (l) Lessening congestion in the public streets by providing for off-street parking and loading areas for commercial vehicles.
Section 1425-19, Off-Street Parking and Loading Requirements, requires one off-street parking space per unit in a SF-2 zoning district. The proposal does not provide any off-street parking, and thus seeks relief through the Notwithstanding Ordinance. The subject property one block away from the Route 33 bus which connects East Price Hill with Downtown to the east and Westwood to the northwest.
- (m) Providing effective signage that is compatible with the surrounding urban environment.
Proposed signage for the building was not submitted as part of the application. However, a condition of the proposed Notwithstanding Ordinance is that the property shall remain subject to all other provisions of the Cincinnati Municipal Code, including the SF-2, "Single-family," zoning district, including any signage regulations.
- (n) Setting standards by which a nonconforming use may continue to function and to provide for the adaptive reuse of nonconforming buildings.

Not applicable to this application.

PUBLIC COMMENT AND NOTIFICATION:

Notice of the December 17, 2021 City Planning Commission was sent to property owners within a 400-foot radius of the subject property, as well as the East Price Hill Improvement Association and Price Hill Will, on December 2, 2021. BLOC Ministries, an organization that has been active in the neighborhood for over 24 years, has discussed the proposed project with neighbors. They have not received any concerns. Staff has not received any additional correspondence to-date.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed Notwithstanding Ordinance is consistent with *Plan Cincinnati* in the Live Initiative Area, specifically the Goal to “Provide a full spectrum of housing options and improve housing quality and affordability” (p. 164). Within that Goal, the proposal is consistent with two of the Strategies: “Provide quality healthy housing for all income levels” (p. 165) and “Offer housing options of varied sizes and types for residents at all stages of life” (p. 169). The proposed renovation will provide housing for graduates of BLOC’s recovery program. Additionally, it is consistent with the Guiding Geographic Principle to “Focus revitalization on existing centers of activity” (p. 86). The subject property is located within the compact walkable quarter mile of the East Price Hill Neighborhood Business District.

Price Hill Plan (2014)

The proposed Notwithstanding Ordinance is consistent with the Future Land Use map (p. 16) in the *Price Hill Plan* (2015), which calls for residential uses with a transition to mixed-use along McPherson Avenue. It is also consistent with an Action Step within the Housing section of the plan which states, “Create desirable new and rehabbed homes that provide an attractive housing stock to meet a range of market demands” (p. 21).

CONCLUSIONS:

The proposed Notwithstanding Ordinance would permit a two-family dwelling use in a SF-2 zoning district at 932 McPherson Avenue and waive all associated parking requirements. The requested relief through the Notwithstanding Ordinance has been found to be reasonable since the proposed Notwithstanding Ordinance:

- Complements surrounding land uses
- Enhances the quality and character of the area by rehabilitating an existing vacant building that will fit within the neighborhood context
- Provides safe and quality housing for seven individuals within proximity of a bus route and Neighborhood Business District
- Is consistent with *Plan Cincinnati* (2012) and the *Price Hill Plan* (2014)

However, the Department of City Planning and Engagement has generally taken the position to not support Notwithstanding Ordinances for land use decisions because they do not comply with the zoning laws that the department is charged with developing and enforcing.

RECOMMENDATION:

The staff of the Department of City Planning and Engagement recommends that the City Planning Commission take the following action:

DENY the proposed Notwithstanding Ordinance to permit the development of a two-family dwelling at 932 McPherson Avenue in East Price Hill.

- 1) The Department of City Planning and Engagement cannot support any Notwithstanding Ordinances for land use decisions because the ordinances do not comply with the zoning laws that the Department of City Planning and Engagement is charged with developing and enforcing.

If the City Planning Commission decides to recommend approval of the Notwithstanding Ordinance, the City Planning Commission should consider the following conditions:

- 1) The development and use of 932 McPherson Avenue as a two-family dwelling must be developed as per the plans on file with the Department of Buildings and Inspections under permit no. 2021P07766.
- 2) The Notwithstanding Ordinance does not provide a variance from any other laws of the City of Cincinnati, and the properties shall remain subject to all other provisions of the Cincinnati Municipal Code, SF-2, "Single-family," zoning district.

Respectfully submitted:



Samantha McLean, AICP, Senior City Planner
Department of City Planning and Engagement

Approved:



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

Proposed Notwithstanding Ordinance at 932 McPherson Ave in East Price Hill

EXHIBIT A

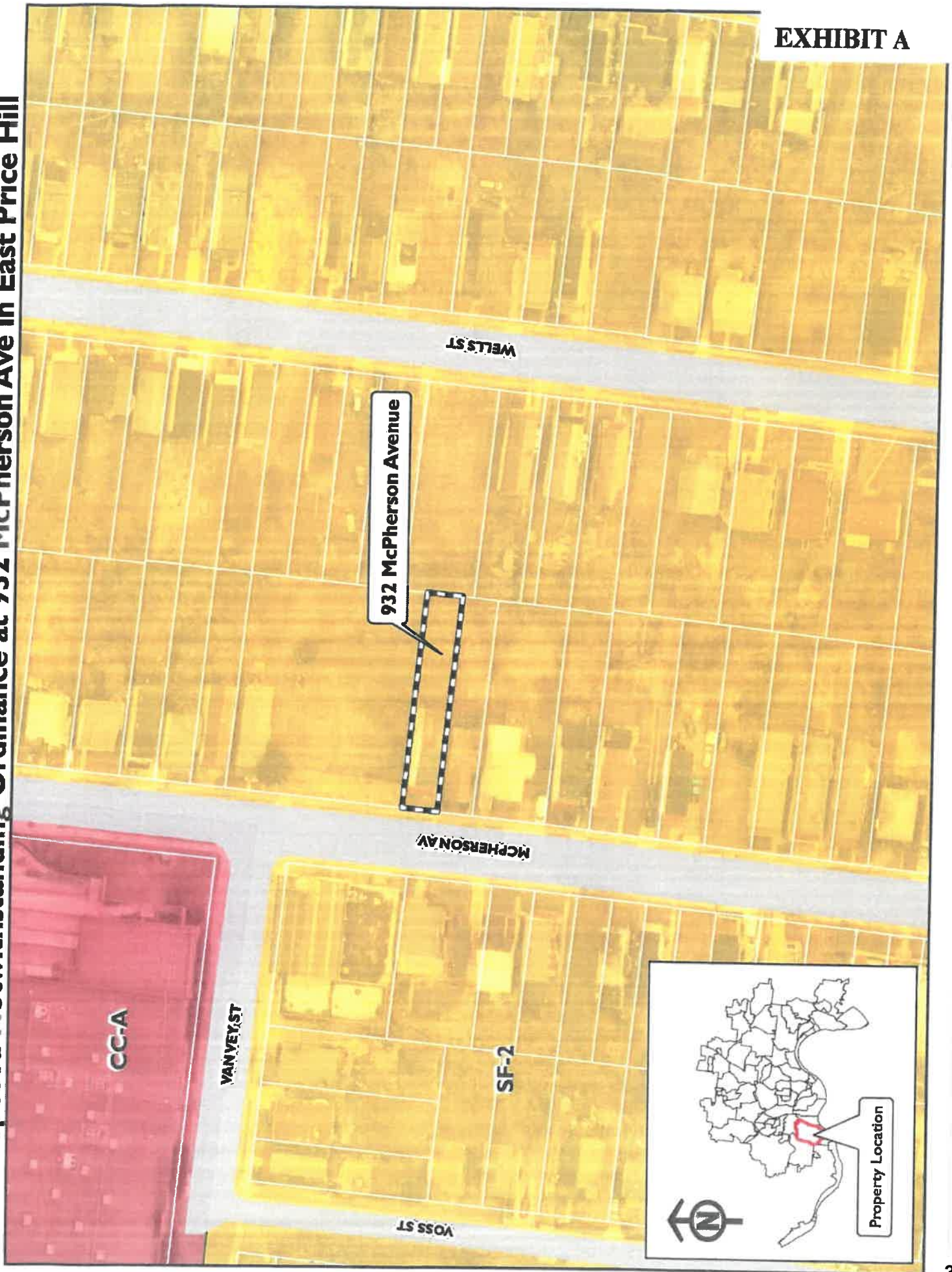


EXHIBIT B



Date: November 23, 2021

AWG/EESW

To: Vice Mayor Christopher Smitherman
From: Andrew Garth, City Solicitor
Subject: Ordinance – 932 McPherson Avenue

Transmitted herewith is an ordinance captioned as follows:

AUTHORIZING the real property located at 932 McPherson Avenue in the East Price Hill neighborhood to be developed and used as a two-family dwelling **NOTWITHSTANDING** the use limitations contained in Chapter 1403, "Single-Family Districts," of the Cincinnati Municipal Code and any other applicable zoning regulations that would prevent the property's development and use as a two-family dwelling.

AWG/MEH/(lnk)
Attachment
35360

AWG/ESW

MEH

- 2021

City of Cincinnati
An Ordinance No. _____

AUTHORIZING the real property located at 932 McPherson Avenue in the East Price Hill neighborhood to be developed and used as a two-family dwelling **NOTWITHSTANDING** the use limitations contained in Chapter 1403, "Single-Family Districts," of the Cincinnati Municipal Code and any other applicable zoning regulations that would prevent the property's development and use as a two-family dwelling.

WHEREAS, BLOC Ministries, Inc. ("BLOC") owns the real property located at 932 McPherson Avenue in the East Price Hill neighborhood ("Property"), which it purchased from the Hamilton County Land Reutilization Corporation in 2019; and

WHEREAS, the Property is located in the SF-2, "Single-Family," zoning district, and it consists of a single parcel containing a vacant residential structure; and

WHEREAS, BLOC wishes to develop the Property for use as a two-family dwelling to serve graduates of its recovery program ("Project"), but two-family dwellings are not permitted in the SF-2, "Single-Family," zoning district; and

WHEREAS, the Project is compatible with the surrounding land uses in the vicinity of the Property, which land uses include other two-family dwellings, multi-family dwellings, and institutional and commercial uses; and

WHEREAS, reasonable deviations from zoning code provisions that would otherwise prevent the Property's use as a two-family dwelling will benefit the surrounding area by returning a vacant property to productive use and by providing safe and attractive housing to support graduates of BLOC's recovery program; and

WHEREAS, the City Planning Commission, at its regularly scheduled meeting on December 17, 2021, upon considering the factors set forth in Cincinnati Municipal Code ("CMC") Section 111-5, recommended the adoption of a notwithstanding ordinance authorizing the Project subject to certain conditions; and

WHEREAS, a legislative variance authorizing the Project is consistent with *Plan Cincinnati* (2012), specifically its Sustain and Live Initiative Areas that respectively seek to "[b]ecome a healthier Cincinnati" (page 81) and to "provide quality healthy housing for all income levels" (page 165); and

WHEREAS, the Council finds that the Project will enhance the quality and character of the area by rehabilitating an existing vacant building that will fit within the context of McPherson Avenue and the East Price Hill neighborhood; and

WHEREAS, the Council additionally finds that permitting the Project will not have an adverse effect on the character of the area or the public health, safety, and welfare, and the Project is 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, following its own independent review and consideration, the City Council incorporates the foregoing recitals as if fully rewritten herein, and it hereby confirms that the legislative variance criteria set forth in Section 111-5 of the Cincinnati Municipal Code are satisfied in all respects.

Section 2. That the Council specifically finds that a legislative variance authorizing the development and use of the property located at 932 McPherson Avenue ("Property") in the East Price Hill neighborhood as a two-family dwelling, which Property is depicted on the map attached hereto as Exhibit A and incorporated herein by reference, will not have an adverse effect on the character of the surrounding area or the public's health, safety, and general welfare, and that it is consistent with the purposes of the Cincinnati Municipal Code and the zoning district within which the Property is located.

Section 3. That the Council authorizes the Property's development and use as a two-family dwelling, subject to the terms and conditions set forth in this ordinance. This authorization is granted notwithstanding the use limitations contained in Chapter 1403, "Single-Family Districts," of the Cincinnati Municipal Code, and any other applicable zoning regulations that would prevent the Property's development and use as a two-family dwelling, including, but not limited to, the off-street parking requirements set forth in Section 1425-19, "Off-Street Parking and Loading Requirements," of the Cincinnati Municipal Code.

Section 4. That the Council authorizes the Property's development and use as a two-family dwelling on the condition that the Property is developed as per the plans on file with the Department of Buildings and Inspections under permit no. 2021P07766.

Section 5. That this ordinance does not provide a variance from any other laws of the City of Cincinnati, and the Property shall remain subject to all other provisions of the Cincinnati Municipal Code and the SF-2, "Single-Family," zoning district.

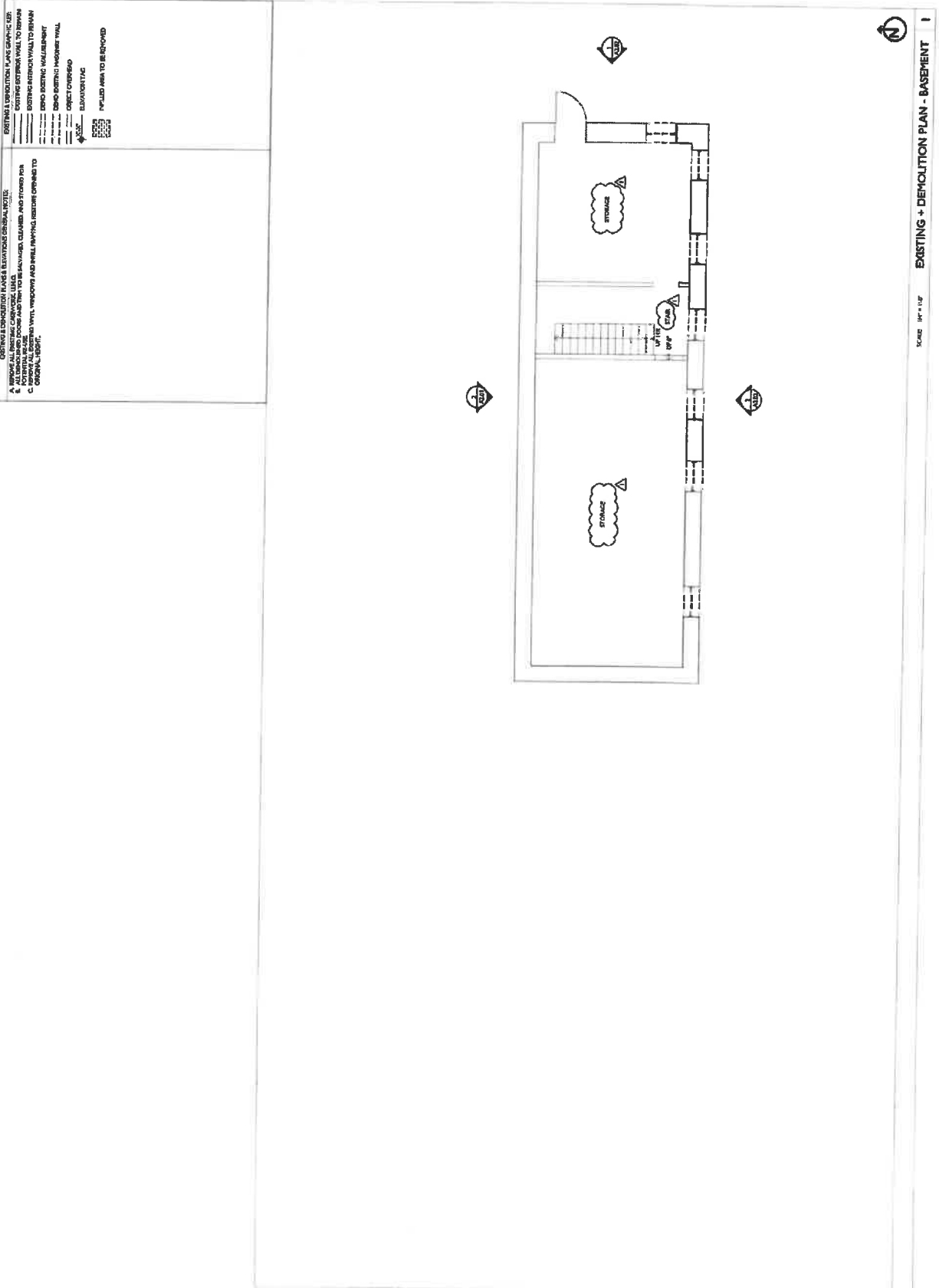
Section 6. That the City Manager and the appropriate City officials are authorized to take all necessary and proper actions to implement this ordinance, including by issuing building permits and related approvals provided they conform to applicable building codes, housing codes, accessibility laws, and other applicable laws, rules, and regulations.

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

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk



A1.02

INTERIOR RENOVATION
BLOC MINISTRIES
932 MC PHERSON
CINCINNATI, OH, 45205

1818 CAMPBELL ALLEY, SUITE 300 | CINCINNATI, OH 45204
WWW.PLATTEDESIGN.COM | T: 513.871.1850 | F: 513.871.1839

PLATTE
architecture + design



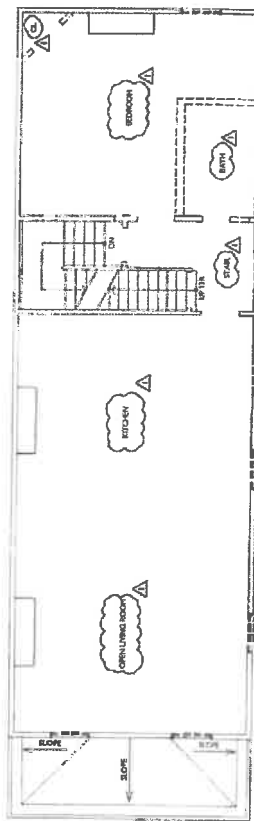
Project Name
BLOC MINISTRIES

Project No.
10883

Design Team
Creative

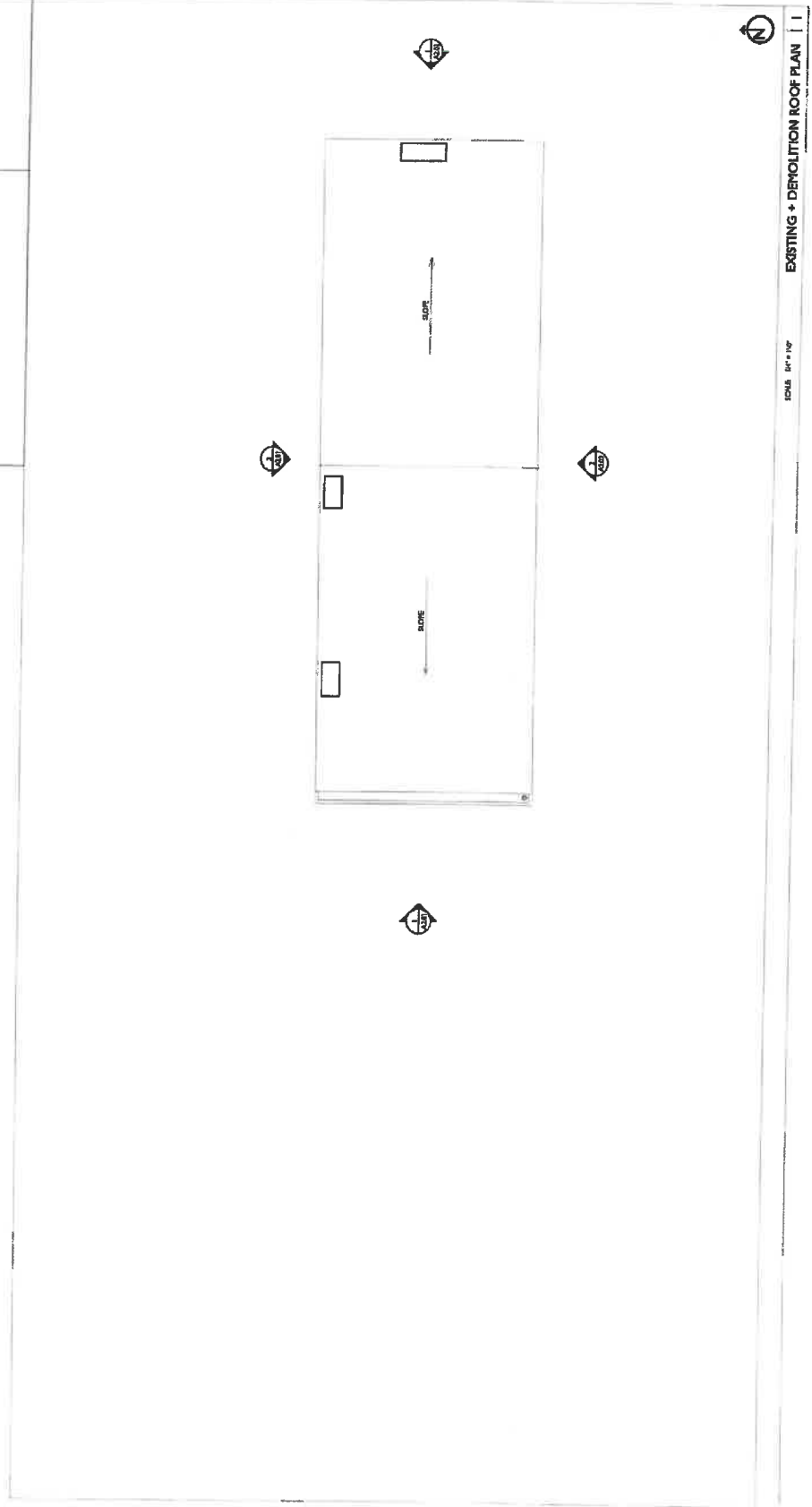
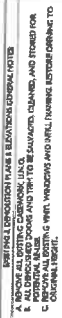


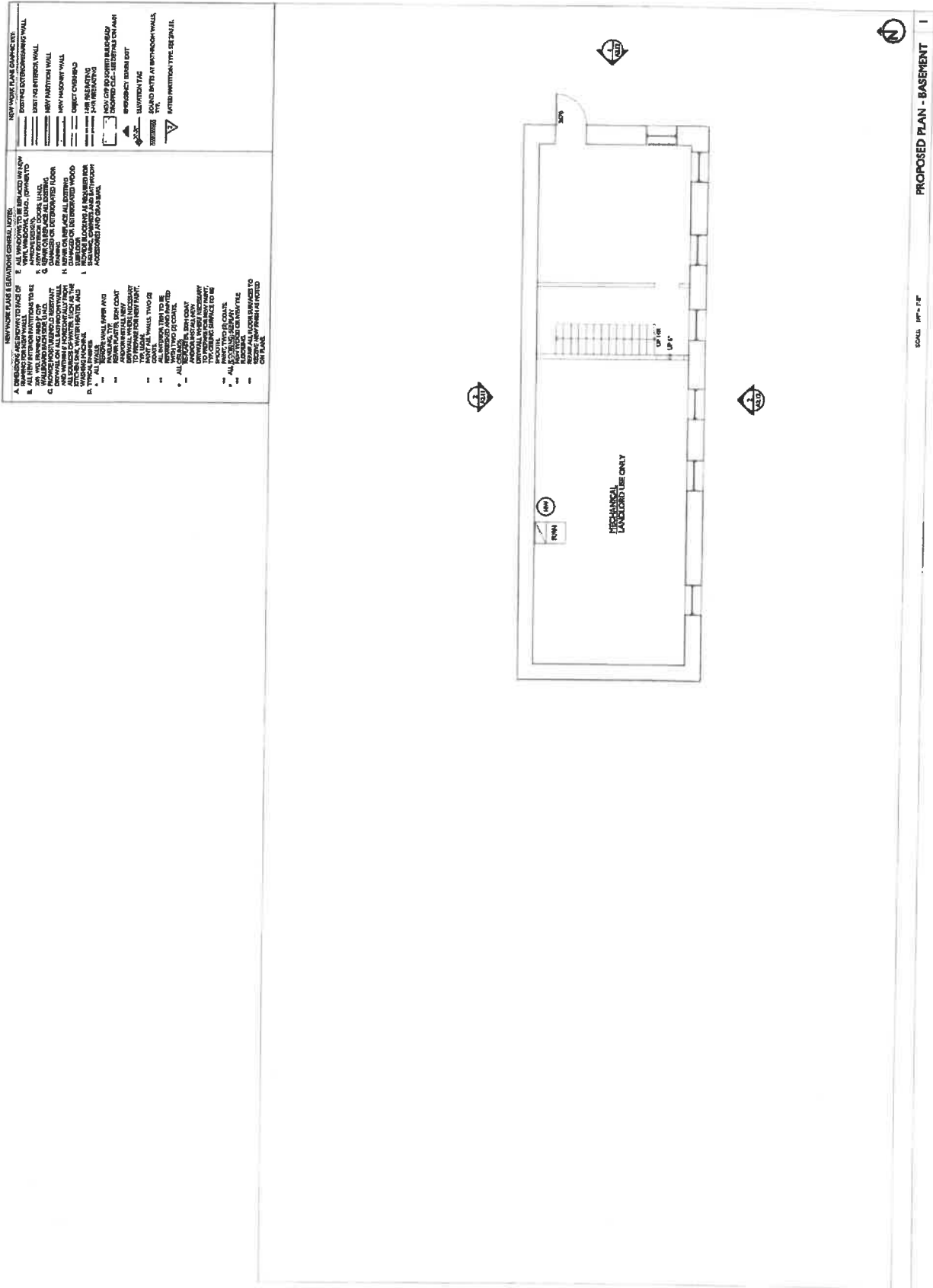
SCALE: 1/4" = 1'-0" EXISTING + DEMOLITION PLAN - SECOND FLOOR



EXISTING + DEMOLITION PLAN - SECOND FLOOR
A. REMOVE ALL EXISTING CARPENTRY, WALLS, FLOORING, AND CEILING
B. REMOVE ALL EXISTING PARTITION WALLS TO BE DEMOLISHED
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EXISTING + DEMOLITION PLAN - SECOND FLOOR
A. REMOVE ALL EXISTING CARPENTRY, WALLS, FLOORING, AND CEILING
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 DRAWING: 1311201
 DESIGNER: J. PLATTE
 CHECKER: J. PLATTE

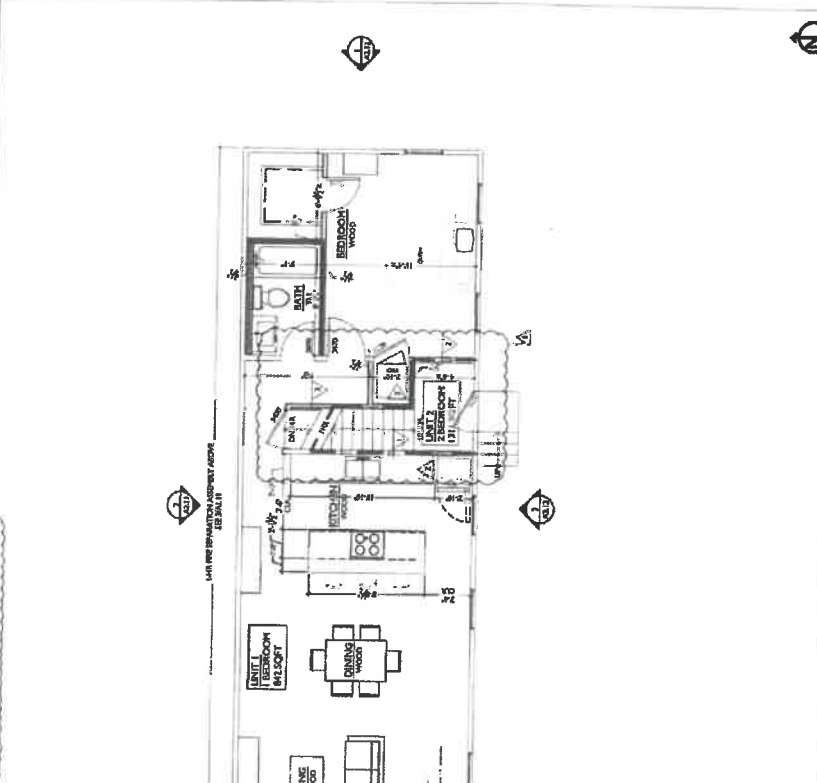
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NEW WORK, SAME AS EXISTENCE GENERAL NOTES:

- ALL WORK SHALL BE IN ACCORDANCE WITH THE 2011 INTERNATIONAL RESIDENTIAL CODE, AS AMENDED BY THE CITY OF CINCINNATI.
- ALL EXISTING WALLS SHALL BE REMOVED AND NEW WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2011 INTERNATIONAL RESIDENTIAL CODE, AS AMENDED BY THE CITY OF CINCINNATI.
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PROPOSED PLAN - FIRST FLOOR

KEYED NOTES:

1. FINISHED FLOOR
2. EXISTING WALL
3. NEW WALL
4. NEW DOOR
5. NEW WINDOW
6. NEW BATH
7. NEW KITCHEN
8. NEW LIVING AREA
9. NEW BEDROOM
10. NEW HALLWAY

SECTION 1

1. EXISTING 1/2" x 1/2" STUD WALL

2. NEW 1/2" x 1/2" STUD WALL

3. NEW 1/2" x 1/2" STUD WALL

4. NEW 1/2" x 1/2" STUD WALL

5. NEW 1/2" x 1/2" STUD WALL

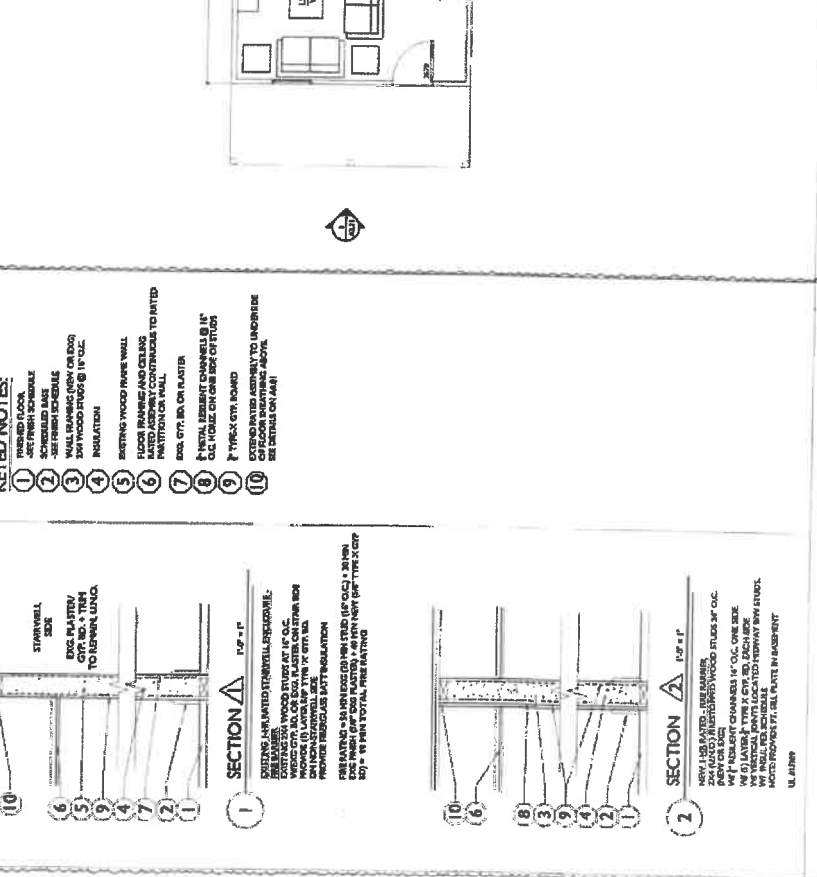
6. NEW 1/2" x 1/2" STUD WALL

7. NEW 1/2" x 1/2" STUD WALL

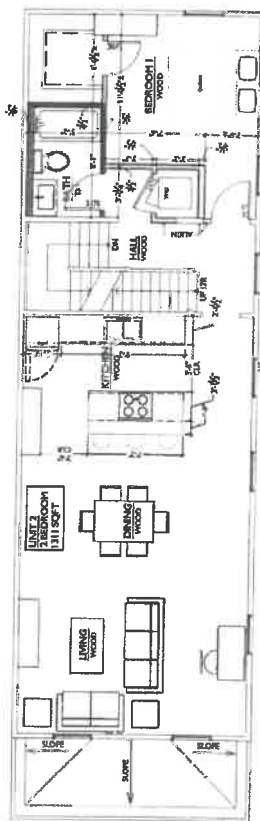
8. NEW 1/2" x 1/2" STUD WALL

9. NEW 1/2" x 1/2" STUD WALL

10. NEW 1/2" x 1/2" STUD WALL



RATED PARTITION SECTIONS 2

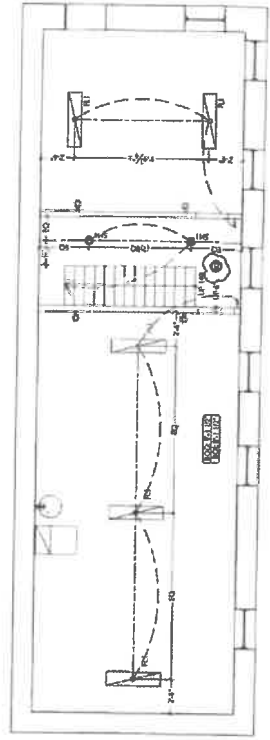
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SCALE 1/8" = 1'-0"

PROPOSED ROOF PLAN

REFLECTED CEILING PLAN - BASEMENT

SCALE 1/4" = 1'-0"



- CEILING SYMBOL LEGEND**
- 1 SURFACE MOUNTED LIGHT
 - 2 SWITCH
 - 3 3-WAY SWITCH
 - 4 DIMMER OUTLET
 - 5 20A OUTLET FOR APPLIANCES
 - 6 OUTLET FOR CIRCUIT
 - 7 OUTLET
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AI.20

INTERIOR RENOVATION
BLOC MINISTRIES
932 MC PHERSON
CINCINNATI, OH 45205

PROJECT NO. 2020
DATE 03/23/20

1800 CAMPBELL ALLEY, SUITE 300 | CINCINNATI, OH 45204
WWW.PLATTEDESIGN.COM | T: 513.871.1850 | F: 513.871.1829

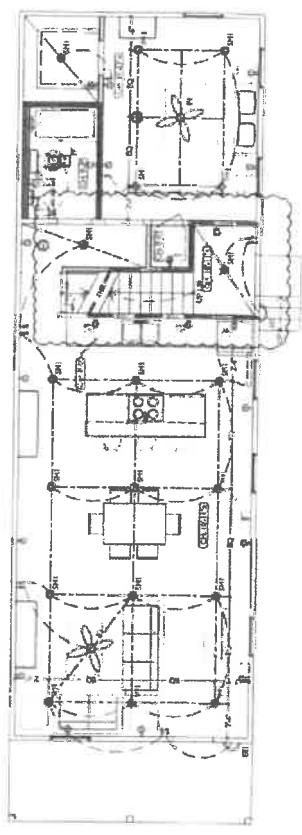
PLATTE
architecture + design

PROJECT NO. 2020
DATE 03/23/20

PROJECT NAME
DRAWN BY

DESIGNED BY
DATE 03/23/20

PROJECT NO. 2020
DATE 03/23/20



SCALE 1/8" = 1'-0"

INTERIOR RENOVATION
BLOC MINISTRIES
932 MC PHERSON
CINCINNATI, OH, 45205

DATE: 03/23/2011

DESIGN: TERRY
DRAWN: JAY

PROJECT: 10039
DATE: 03/23/2011



1810 CAMPAIGN ALLEY, SUITE 200 | CINCINNATI, OH 45202
WWW.PLATTEDESIGN.COM | P: 513.871.1850 | F: 513.871.1829
architect + design
PLATTE

A1.22

REVISED PROJECT

BLOC MINISTRIES
INTERIOR RENOVATION
932 MC PHERSON
CINCINNATI, OH, 45205

PLATE
architectures + design

1810 CAMPBELL ALLEY, SUITE 300 | CINCINNATI, OH 45202
WWW.PLATDESIGN.COM | P: 513.871.1830 | F: 513.871.1825

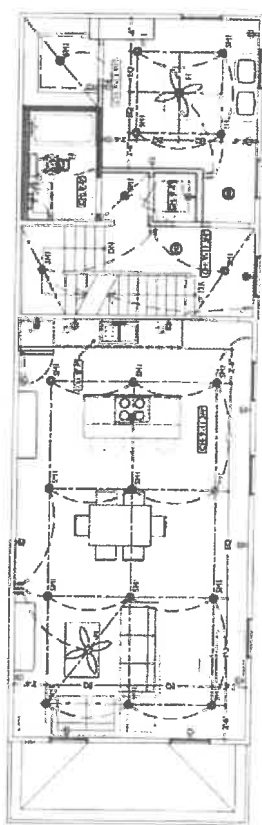


Project Name: BLOC MINISTRIES
Client: BLOC MINISTRIES
Architect: KURT PLATE
Design Team: KURT PLATE
Drawn By: KURT PLATE



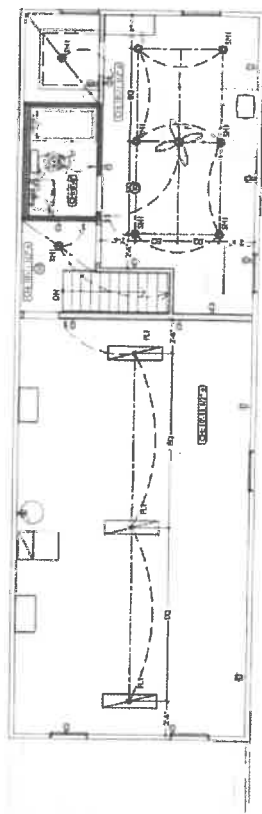
REFLECTED CEILING PLAN - SECOND FLOOR

SCALE: 1/4" = 1'-0"



- SYMBOLS INCLUDE:**
- 1. SURF-MOUNTED LIGHT
 - 2. RECESSED LIGHT
 - 3. TRACK LIGHT
 - 4. PENDANT LIGHT
 - 5. CHandelier
 - 6. SWAY SWITCH
 - 7. DIMMER SWITCH
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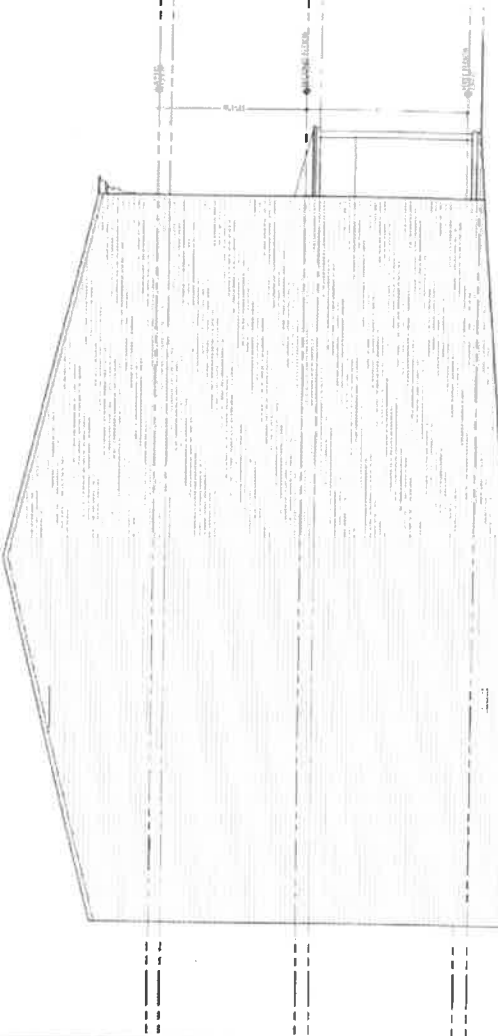
REFLECTED CEILING PLAN - THIRD FLOOR



GENERAL NOTES:

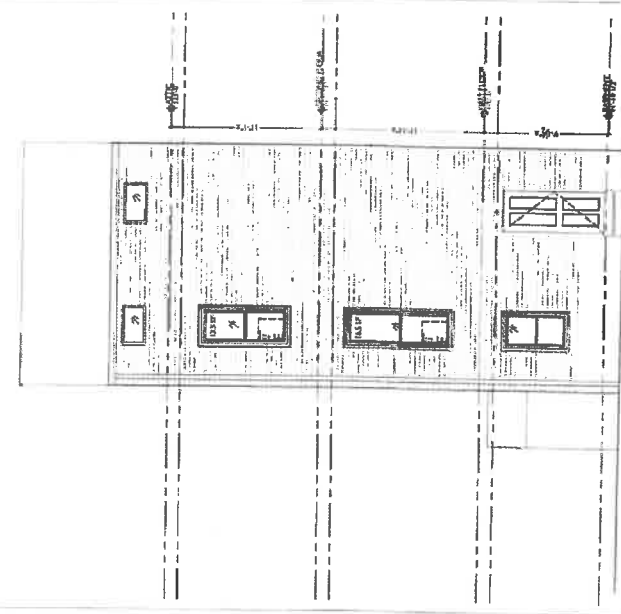
- 1. SURFACE MOUNTED LIGHT
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EXISTING + DEMOLITION ELEVATION - NORTH

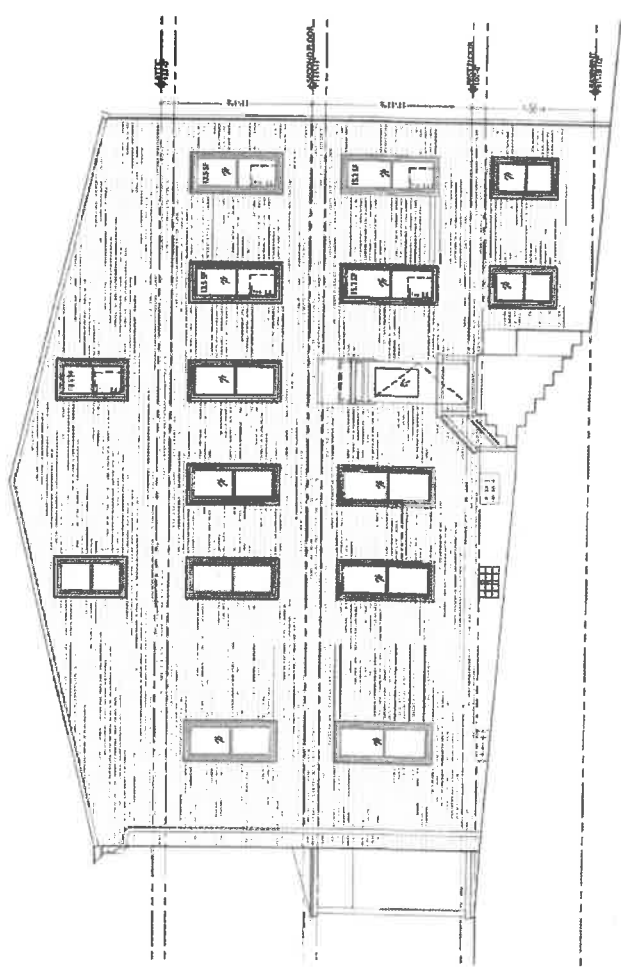


- A. REMOVE ALL DOTTING CARTRIDGE LINED
- B. REMOVE ALL DOTTING CARTRIDGE LINED
- C. REMOVE ALL DOTTING CARTRIDGE LINED

| PROPOSED ELEVATION - NORTH | 1 | IC212 1/4" = 1'-0" | PROPOSED ELEVATION - WEST | 1 |
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| PROPOSED ELEVATION - EAST | 1 |
|---------------------------|---|
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| PROPOSED ELEVATION - SOUTH | 2 |
|----------------------------|---|
|----------------------------|---|

ITEM #5 - Additional Correspondence

December 13, 2021

City of Cincinnati
City Planning Commission
805 Central Avenue
Cincinnati, OH 45202
Attn: Samantha McClean

To Samantha McClean and the members of the Planning Commission,

On behalf of Price Hill Will, I am writing to advocate for the change of the one family residence at 932 McPherson Avenue to a two family residence by BLOC Ministries. The home will support women in our neighborhood by providing housing for women who are graduates of BLOC's long term recovery program. Each unit will be occupied by one woman. They each have full time employment and will be paying their way forward. Price Hill Will fully encourages and supports this much needed program that improves quality of life and provides further housing stability to our Price Hill communities.

Price Hill Will is a community development corporation dedicated to creating systemic change in Price Hill through equitable physical, civic, social, economic, and creative development that improves the quality of life for all families in our community. We help residents build on their assets and gain skills as we connect them with resources to improve their quality of life. We achieve this via community leadership development, community gardens, neighborhood business district planning and revitalization, residential and commercial real estate development, our MYCincinnati 120-member youth orchestra, arts and cultural events, and many other programs.

Thank you for your consideration. Please feel free to reach out to me if you have any questions – I can be reached at jay@pricehillwill.org.

Thank you,



Jay Kratz, RA
Director of Real Estate Development
Price Hill Will



513-251-3800
3301 Price Avenue
Cincinnati, OH 45205

www.pricehillwill.org
www.arcoincincinnati.org
www.mycincinnatiorchestra.org

1562 RUTH AVE LLC
8595 BEECHMONT AVE
103
CINCINNATI OH 45255

2 AI LLC
P O BOX 389220
CINCINNATI OH 45238

2B GUMMY LLC
855 VILLAGE CENTER DR
STE 262
NORTH OAKS MN 55127

903 AVE MCPHEARSON HOLDINGS LLC
24 E UNIVERSITY AVE
#OFC
CINCINNATI OH 45219

905 WELLS LLC
PO BOX 11276
CINCINNATI OH 45211

923 FAIRBANKS AVE LLC
4270 IVY POINTE BLVD
#225
CINCINNATI OH 45245

935 WELLS LLC
1317 HOPPLE ST
CINCINNATI OH 45225

950 MCPHERSON LLC
P O BOX 9422
CINCINNATI OH 45209

AAA FAMILY 2 LLC
3987 EBENEZER RD
CINCINNATI OH 45248

AFFORDABLE HOUSING CORPORATION
2902 GRANDIN RD
CINCINNATI OH 45208

ALFREY CAROLINE A
919 WELLS ST
CINCINNATI OH 45205

ALVAREZ EUGENE & JOAN
947 FAIRBANKS AVE
CINCINNATI OH 45205

AMIDOU IBRAHIM & PADILATOU
3054 WEST TOWER AVE
CINCINNATI OH 45238

ASH VANISE
931 FAIRBANKS AVE
CINCINNATI OH 45205

AVRAHAM EITAN & ORIT
4204 CARRIAGELITE DR
CINCINNATI OH 45241

BARTLETT PHYLLIS L
917 VOSS ST
CINCINNATI OH 45205

BATTISTONI NELLO ROBERTO
846 MCPHERSON AVE
CINCINNATI OH 45205

BLOC MINISTRIES INC
911 W 8TH ST
CINCINNATI OH 45203

BLOC MINISTRIES INC
911 W 9TH ST
CINCINNATI OH 45203

BRITTON RONALD J & OPHALENA
BRITTON
6820 BRAGG LANE
HARRISON OH 45030

BUELTERMAN MARK E & JOHN J
920 WELLS ST
CINCINNATI OH 45205-1827

BUSCH DONALD D SR & JOAN
904 WELLS ST
CINCINNATI OH 45205-1827

CARNES ROSEMARY A
930 MCPHERSON AVE
CINCINNATI OH 45205-1815

CARTHAGE CONTRACTORS LLC
6809 VINE ST
CINCINNATI OH 45216

C-DEVELOPMENT COMPANY LLC
903 FAIRBANKS AVE
CINCINNATI OH 45205

CHILDRESS SHANAY L
909 MCPHERSON AVE
CINCINNATI OH 45205

CINCY HOUSE LLC
PO BOX 14148
CINCINNATI OH 45250

CINVESTMENTS GROUP LLC
6457 GLENWAY AVE
SUITE 112
CINCINNATI OH 45211

DENSFORD WAYNE F & MELISA SUE
939 VOSS ST
CINCINNATI OH 45205-1719

DGTH LLC
P O BOX 32261
CINCINNATI OH 45232

DIEM PHILANA
P O BOX 610713
MIAMI FL 33161

ESCOBEDO JULIAN
2131 LINCOLN AVE
CINCINNATI OH 45224

FAIRBANKS-SUNSET LLC
PO BOX 23316
CINCINNATI OH 45223

FAIRBANKS-SUNSET LLC
P O BOX 9731
CINCINNATI OH 45209

FOLEY DALON I
941 FAIRBANKS AVE
CINCINNATI OH 45205

FOREVER REDEEMED PROPERTIES LLC
PO BOX 24433
CINCINNATI OH 45229

FRYE MARJORIE
939 WELLS ST
CINCINNATI OH 45205

GALACTIC UNION GROUP LLC
201 N 46TH AVE
HOLLYWOOD FL 33021

GREY FOREST DEVELOPMENT LLC
4047 CEDARWOOD LN
CINCINNATI OH 45245

HABITAT FOR HUMANITY OF GREATER
CINCINNATI
4910 PARA DR
CINCINNATI OH 45237

HAMILTON COUNTY LAND
REUTILIZATION CORPORATION
3 EAST FOURTH ST
STE 300
CINCINNATI OH 45202
JONES LAQUEA
925 VOSS ST
CINCINNATI OH 45205

HARMON JAQUNNA PATRICE
917 FAIRBANKS
CINCINNATI OH 45205
KROGER LIMITED PARTNERSHIP I
1014 VINE ST
CINCINNATI OH 45202

LASWELL JOHNNIE M
909 WELLS ST
CINCINNATI OH 45205-1826

LEE CATHY LUCILLE
932 WELLS AVE
CINCINNATI OH 45205

LOREN REAL ESTATE LLC
7184 GREGORY CREEK LN
WEST CHESTER OH 45069

LUCERNE PROPERTIES LLC
P O BOX 1812
WEST CHESTER OH 45071

MATEO ROSA MARTINEZ
1604 ROSE AVE
CINCINNATI OH 45205

MCCLURE JAMES P
1702 QUEBEC RD
CINCINNATI OH 45205

MCGUANE FRANCIS
924 MCPHERSON AVE
CINCINNATI OH 45205-1815

MELLON VINCENT & SHAAKIRA
SARGENT
930 ENRIGHT AVE
CINCINNATI OH 45205

METCALF IGNACIO A
11211 BUCKHEAD CT
MIDLOTHIAN VA 23113

MEYER MANAGEMENT INC
P O BOX 5486
CINCINNATI OH 45205

MS TEES PROPERTY GROUP
1123 FRONT ST
HAMILTON OH 45011

MUNOZ LUIS & SHANNON G
910 VOSS ST
CINCINNATI OH 45205

NASTOLD MARY M
947 WELLS ST
CINCINNATI OH 45205-1826

NGENDAKUMANA VANANCIA
911 VOSS ST
CINCINNATI OH 45205

NIXON ROBERT H JR
10950 CAROLINA TRACE
HARRISON OH 45030

PACKER JAMES P JR
5764 GLENWAY AVE
CINCINNATI OH 45238

PALACIO OSCAR
8340 RIDGEVALLEY CT
CINCINNATI OH 45247

PHELPS BETTY A
958 MCPHERSON AVE
CINCINNATI OH 45205-1863

PRICE HILL WILL
3301 PRICE AVE
CINCINNATI OH 45205

REAL HANDYMAN SERVICE LLC
963 WELLS ST
CINCINNATI OH 45205

REDEEMED INVESTMENTS LLC
2343 PARK ROSE AVE
DUARTE CA 91010

RISING PHOENIX PROPERTIES LLC
11970 STREAMSIDE DR
LOVELAND OH 45140

ROBERTS RICHARD P & WILMA I
940 WELLS ST
CINCINNATI OH 45205

RUTLAND NAKIA N
937 FAIRBANKS AVE
CINCINNATI OH 45205

SCHLOSS MARGARET
4508 HECTOR AVENUE
CINCINNATI OH 45227

SCHOLL JEFFREY W & ALISON M
4666 GLENWAY AVE
CINCINNATI OH 45238

SFR3 AIC LLC
500 WESTOVER DR
#14104
SANFORD NC 27330

SFR3-020 LLC
228 PARK AVE S
STE 73833
NEW YORK NY 10003

SIMS GREGORY P
927 FAIRBANKS AVE
CINCINNATI OH 45205-1807

SKIMORE JOSEPH & ROBERTA E
949 WELLS ST
CINCINNATI OH 45205

SMITH LEROY
950 WELLS ST
CINCINNATI OH 45205

ST LEON MANAGEMENT LLC
8214 JORDAN RIDGE DR
CLEVES OH 45002

STASER CHRISTOPHER J & KELSIE O
942 MCPHERSON
CINCINNATI OH 45205

STEPHENS HEATHER
911 MCPHERSON AVE
CINCINNATI OH 45205

STOWELL PHILIP A & BARBARA J
928 MCPHERSON AVE
CINCINNATI OH 45205

STRAUGHN PAULA & FREDRICK
835 MCPHERSON AVE
CINCINNATI OH 45205

STRAYHORN VICTOR & CHAUNA
1380 MEREDITH DR
CINCINNATI OH 45231

TAYLOR RONALD F JR & ELIZABETH A
924 ENRIGHT AVE
CINCINNATI OH 45205

VANDENBOSCH MARY
2338 KENTON ST
CINCINNATI OH 45206

VINA REAL-ESTATE INVESTMENT
GROUP LLC
P O BOX 32183
CINCINNATI OH 45232

WALLS REAL ESTATE INVESTMENTS III
LLC
10 GREEN ST
CINCINNATI OH 45202

WEBER NANCY A
6885 WESSELMAN RD
CLEVES OH 45002

WEINGARTNER JEFFREY T
3030 JESSUP RD
CINCINNATI OH 45239

WIGLE MICHAEL J
922 ENRIGHT AVE
CINCINNATI OH 45205-1704

WOLF EMILIE
971 WELLS AVE
CINCINNATI OH 45205

WYOMING DDL LLC
901 MCPHERSON AVE
CINCINNATI OH 45205

YOUNG DWIGHT & STEPHANIE
3952 NORTHBEND RD
CINCINNATI OH 45211

YOUNG STEPHANIE MOORE
831 ROSEMONT AVE
CINCINNATI OH 45205

EAST PRICE HILL IMPROVEMENT
ASSOCIATION
PO BOX 5420
CINCINNATI OH 45205

January 20, 2022

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

Dear Members of Council:

We are transmitting herewith an Ordinance captioned as follows:

AUTHORIZING the real property located at 932 McPherson Avenue in the East Price Hill neighborhood to be developed and used as a two-family dwelling **NOTWITHSTANDING** the use limitations in Chapter 1403, "Single Family Districts," of the Cincinnati Municipal Code and any other applicable zoning regulations that would prevent the property's development and use as a two-family dwelling.

Summary:

The petitioner, Vice Mayor Smitherman, requests a Notwithstanding Ordinance to permit the development of a two-family dwelling at 932 McPherson Avenue in East Price Hill. The property owner, BLOC Ministries (BLOC), purchased the property and the existing vacant building on the property in 2019 from the Hamilton County Land Reutilization Corporation. BLOC proposes to renovate the interior of the existing building into a two-family dwelling to serve graduates of BLOC's recovery program. The existing building footprint is not proposed to be changed. Since the property is located in a SF-2 zoning district which does not permit two-family dwellings, a Notwithstanding Ordinance is requested to permit the renovation of the existing building into a two-family dwelling. The requested permission is notwithstanding the use limitations in Chapter 1403, "Single-Family Districts," and any other applicable zoning regulations that would prevent the property's development and use as a two-family dwelling, including, but not limited to, the off-street parking requirements set forth in Section 1425-19, "Off-Street Parking and Loading Requirements," of the Cincinnati Zoning Code.

The City Planning Commission recommended the following on December 17, 2021, to City Council:

APPROVE the proposed Notwithstanding Ordinance to permit the development of a two-family dwelling at 932 McPherson Avenue in East Price Hill subject to the following conditions:

- 1) The development and use of 932 McPherson Avenue as a two-family dwelling must be developed as per the plans on file with the Department of Buildings and Inspections under permit no. 2021P07766.
- 2) The Notwithstanding Ordinance does not provide a variance from any other laws of the City of Cincinnati, and the properties shall remain subject to all other provisions of the Cincinnati Municipal Code, SF-2, "Single-family," zoning district.

Motion to Approve: Mr. Smitherman

Seconded: Mr. Juech

Ayes:

Mr. Eby
Mr. Juech
Ms. McKinney
Mr. Samad
Ms. Sesler
Mr. Smitherman
Mr. Stallworth

THE CITY PLANNING COMMISSION

A handwritten signature in dark ink, appearing to read 'K. Keough-Jurs'.

FOR KATHERINE KEOUGH-JURS

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

January 20, 2022

To: Office of the Clerk of Council

From: Katherine Keough-Jurs, AICP, Director, Department of City Planning and Engagement ^{KKS}

Copies to: Samantha McLean, City Planner, Department of City Planning and Engagement

Subject: Scheduling of Notwithstanding Ordinance – 932 McPherson Avenue

The above referenced Ordinance is to be scheduled for a Committee of Council. This item has been requested to be placed on the next Committee meeting following the required two-week notification period.

Included in this submission are the following items:

- 1) The transmittal letter to the Mayor and City Council;
- 2) A copy of the City Planning Commission staff report dated December 17, 2021;
- 3) Additional Attachments
- 4) The Notwithstanding Ordinance;
- 5) Mailing labels for the notice of the public hearing at Committee; and
- 6) A copy of the mailing labels for your file.



Liz Keating
Councilmember

MOTION

WE MOVE that the City of Cincinnati form a Task Force with the goal of pursuing *Intel* suppliers for the express purpose of capitalizing on the opportunities that are brought by the relocation of *Intel* to New Albany, Ohio.

The objectives of this Task Force should include:

- Work to develop a list of suppliers and potential suppliers for *Intel*
- Identify potential sites within city limits for *Intel* suppliers
- Develop potential incentives to attract these prospective businesses
- Assist and advise City Administration in the process of both attracting and pursuing suppliers to relocate their business to the City of Cincinnati

WE FURTHER MOVE that the Task Force consists of representatives across the City, including (but not limited to) REDI Cincinnati, LISC, local chambers of commerce, City Administration, and other key stakeholders within the economic development community.


WE FURTHER MOVE that this Task Force is created, with members appointed, within 60 days of this motion passing.

WE FURTHER MOVE that the Task Force comes back with their recommendations, no later than 4 months after their creation.

WE FURTHER MOVE that the recommendations made by this Task Force are implemented no longer than 6 months after the passage of this motion.

WE FURTHER MOVE that City Administration proactively works with the Task Force to attract these businesses to Cincinnati.

(Statement Attached)



Liz Keating



Liz Keating
Councilmember

Statement

The State of Ohio, and by proxy the City of Cincinnati, have been handed a great opportunity with the relocation of the *Intel Chip Plant* to New Albany, Ohio. The City of Cincinnati must capitalize on this relocation by attracting suppliers to our city.

Over 70% of Cincinnati's general fund comes from the earnings tax. When the allocation of federal stimulus dollars is over, our City will face a devastating budget crisis. Our top priority as a City needs to be attracting more people and more jobs within our city limits in order to expand our tax base and have a healthy revenue stream. Increasing our tax base is imperative to our City's future and our ability to fund the basic services that the City must provide.

The new *Intel Chip Plant* is now only 2 hours away from Cincinnati, making the City a prime location for potential suppliers. It is imperative that we capitalize on the opportunities that come with the relocation of *Intel* to our state and the growth that this region will see as a result. We must be proactive in our efforts for attracting and retaining new talent and businesses within the tech industry.

If the City of Cincinnati is actively engaging with tech suppliers and promoting the benefits of locating within the City, it creates an opportunity to house some of the most innovative and cutting-edge businesses. By taking a proactive approach, Cincinnati can become the hub for new tech and tech professionals within the Midwest.

COMMITTEES

Member: Budget & Finance • Economic Growth & Zoning • Law & Public Safety

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