

SUBJECT: An ordinance authorizing the granting of a permanent sanitary sewer easement and two temporary construction easements for the Mill Creek Waste Water Treatment Plant Septage Receiving Station project, SS# 5566, to the Board of County Commissioners of Hamilton County, Ohio, through City-owned real estate, which grants are not adverse to the interest in the real estate retained by the City of Cincinnati.

City Council, at its session on Wednesday, January 10, 2007, referred this ordinance to the City Planning Commission for review and report.

BACKGROUND

The requested easements are needed for the construction of an automated Septage Receiving Station and Odor Control facilities (Septage Receiving Station) at the Mill Creek Wastewater Treatment Plan of the Metropolitan Sewer District (MSD). The project consists of a new odor-controlled building that will allow for the processing of two 6,000-gallon semi-trailers or four smaller tank trucks simultaneously in an enclosed odor-controlled facility. The odor control facilities will treat the odors developed at the Septage Receiving Station, the Primary Skimmings Thickening Building, and the primary treatment influent channels at the main plant.

A Coordinated Report for the project was routed in December 2006. Comments were solicited from the Department of Transportation & Engineering, Greater Cincinnati Waterworks, Duke Energy and MSD. The Coordinated Report was not directed to DCDP for review and comment.

The proposed Septage Receiving Station will be located at the southeast corner of Gest and Evans Streets in Lower Price Hill and directly across the street from MetroWest. MetroWest is a \$25 million project that will renew approximately 18 acres of contaminated underutilized industrial land (including the former Queen City Barrel) into approximately 250,000 square feet of new light manufacturing, flexible warehouse and office space; an estimated 400 jobs will be created as a result of this project.

Staff from the Department of Community Development & Planning (DCDP) and the MSD met twice in February 2007 to discuss the Septage Receiving Station. While various land swaps and other development opportunities were discussed, DCDP and MSD could not agree on a mutually beneficial resolution or compromise.

MSD indicated the project was necessary to comply with the 2001 Memorandum of Agreement between the City of Cincinnati Office of Environmental Management and MSD to control odors from its Lower Price Hill plant. Designs for the Septage Receiving Station are complete, and the project has been put out for bid.

DCDP communicated to MSD that the project would likely reduce the value of the MetroWest property, which will lower the sale price of land and the City's return on its investment. The project will negatively impact the desirability of MetroWest as a business address; this will impact the number of jobs and the tax revenue generated by the project and its ability to catalyze further redevelopment and investment in Lower Price Hill. Finally, Al. Neyer, Inc. and Resurgence Group, LLC, the MetroWest development team, is disturbed by the short- and long-term impacts of MSD's project on MetroWest. The development team has strongly stated their belief that the Septage Receiving Station should be relocated to another site.

DISCUSSION

The City's intent to redevelop the former Queen City Barrel and adjoining industrial property has been public knowledge since 2003. The *Lower Price Hill Industrial Area Urban Renewal Plan* (2003) identifies the cleanup and redevelopment of this area as its first and most ambitious goal. The Septage Receiving Station and related work will adversely affect MetroWest, a project in which the City has invested considerable funding and staffing. Of additional note is the current Manufacturing General (MG) zoning of the site. MG Zoning Districts permit waste disposal or waste transfer facilities as a conditional use. MSD has not yet made a formal application for the conditional use and a hearing has not been scheduled with the Hearing Examiner. For these reasons, staff believes the City Planning Commission should not support the approval of the requested easements.

RECOMMENDATION

The Department of Community Development & Planning staff recommends the City Planning Commission deny a permanent sanitary sewer easement and two temporary construction easements for the Mill Creek Waste Water Treatment Plant Septage Receiving Station project, SS# 5566, to the Board of County Commissioners of Hamilton County, Ohio, through City-owned real estate, which grants are not adverse to the interest in the real estate retained by the City of Cincinnati.

APPROVED:

Respectfully Submitted,

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