

**HONORABLE CITY PLANNING COMMISSION
CINCINNATI, OHIO**

June 1, 2007

SUBJECT:

A report and recommendation on a proposed zone change at 24 East University Avenue from the existing RMX Residential Mix District to a CN-M Commercial Neighborhood Mixed District in the neighborhood of Corryville.

GENERAL INFORMATION:

Current Owner and Petitioner: Kenneth William Tully
7681 Briargreen Drive
Cincinnati, Ohio 45248

Request: A rezoning of the property at 24 East University Avenue (HCAP, Bk. 104, Pg. 4, Par. 42) from the existing RMX Residential Mix District to a CN-M Commercial Neighborhood Mixed District.

Staff Conference: The Department of Community Development and Planning staff held a conference on this request on Wednesday May 16, 2007.

Findings: The property at 24 East University Avenue is currently zoned RMX Residential Mix District. The property is a nonconforming use within the RMX District. The property was previously zoned B-2 Community Business District prior to 2004. The property is immediately adjacent to an existing CN-M District. The property owner is having difficulty selling the property and believes the nonconforming status limited sale opportunities. The current land use is office, food preparation [bakery] and six apartments. The building was built in approximately 1880 and has had a long history of commercial use on the first and lower floors with residential units above.

Throughout its history the property has been a location for a book warehouse, Nick the Tailor, a theater company that presented live performances and bakeries. From 1946 to 1962 Bacher's Bakery operated from this property. From 1965 to 1976 the property was home to Bake and Freeze Pie Company. The petitioner has owned the property since 1976 and operated the Randy's Pie Company until recently when The Bakery Company operation began producing dog briskets. The apartment units have occupied most recently as college student housing.

Adjacent Land Use: The adjacent land use to the west is community parking lot, to the north, east and south are two and three unit residential buildings

Community Response: The Corryville Community Council has been notified of all public meetings associated with this change of zoning request.

Plans: The Corryville University Village Urban Renewal Plan [Ord. 114-2005] approved by City Council on March 23, 2005 identifies this property within the Opportunities Plan subsection as a proposed residential redevelopment area [page 48].

Zoning Code Review: The property is an existing nonconforming within the existing RMX District. The property has use rights found in Chapter 1447, Nonconforming Uses and Structures that are attributing to the RM 0.7 District. In the RM 0.7 District office uses are limited and food preparation is not permitted. The proposed CN-M District would permit the Office Use, Food Preparation [Bakery] and the six apartments.

CONCLUSIONS:

1. The property at 24 East University Avenue has had a long history of mix land use office, food preparation and multi-family residential occupancy.
2. The property was previously zoned B-2 Community Business District prior to 2004 that would have permitted current uses.
3. Change in the zone designation for this property from RMX to CN-M would make all current land use activity a permitted use.

RECOMMENDATION:

The staff of the Department of Community Development and Planning recommends that the City Planning Commission take the following action:

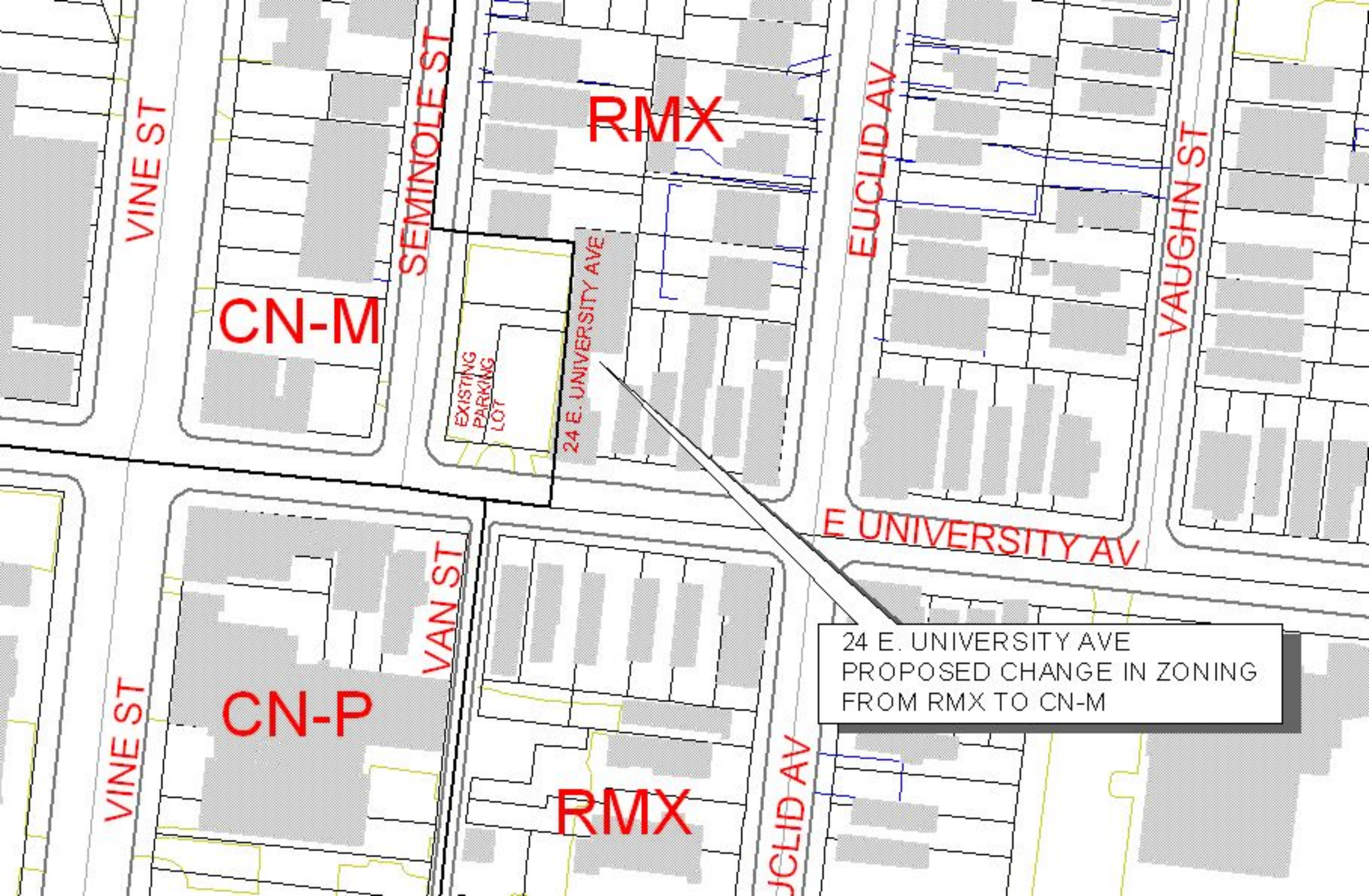
Approve a zone change at 24 East University Avenue from the existing RMX Residential Mix District to a CN-M Commercial Neighborhood Mixed District.

Respectfully Submitted:

Stephen C. Briggs
Senior City Planner

Approved:

Margaret A. Wuerstle, AICP
Chief Planner



VINE ST

CN-M

SEMINOLE ST

RMX

EUCLID AV

VAUGHN ST

EXISTING
PARKING
LOT

24 E. UNIVERSITY AVE

E UNIVERSITY AV

VINE ST

CN-P

VAN ST

RMX

EUCLID AV

24 E. UNIVERSITY AVE
PROPOSED CHANGE IN ZONING
FROM RMX TO CN-M