

PROCEEDINGS OF THE CITY PLANNING COMMISSION

January 20, 2023

Regular Meeting

A regular meeting of the Cincinnati City Planning Commission for Friday, January 20, 2023 was held in the Council Chambers of City Hall, 801 Plum Street, Cincinnati, Ohio 45202 and virtually on Zoom.

The manner of remote participation complied with all requirements of the Open Meetings Act. The meeting could be watched in real time on CitiCable or by livestreaming the meeting at www.cincinnati-oh.gov/media. Members of the public were invited to participate in-person or by registering online to receive the Zoom link. Public comments and questions to be shared with the City Planning Commission could be submitted to the Department of City Planning and Engagement in advance of the meeting.

Present: Mr. Byron Stallworth, Chair
Mr. Jacob Samad, Vice Chair
Mr. John Eby, Commissioner
Vice Mayor Ms. Jan-Michele Lemon Kearney, Commissioner (via Zoom)
Ms. Anne Sesler, Commissioner (via Zoom)
Assistant City Manager, Mr. William “Billy” Weber, Commissioner

Resigned: Ms. Olivia Smitherman, Commissioner (resigned on January 19, 2023)

Staff Present: Ms. Katherine Keough-Jurs, City Planning & Engagement, Director
Mr. Charles Martinez, Law, Legal Counsel
Mr. Alex Peppers, City Planning & Engagement, Deputy Director
Ms. Emily Ahouse, City Planning & Engagement, Zoning Administrator
Ms. Gabrielle Couch, City Planning & Engagement, City Planner
Ms. Maria Dienger, City Planning & Engagement, City Planner
Mr. Jeremiyah Hairston, City Planning & Engagement, Community Engagement Specialist
Mr. Andrew Halt, City Planning & Engagement, City Planner
Ms. Stacey Hoffman, City Planning & Engagement, Senior City Planner
Ms. Caroline Kellam, City Planning & Engagement, Senior City Planner
Mr. Doug Owen, City Planning & Engagement, Urban Conservator
Mr. Jesse Urbancsik, City Planning & Engagement, Senior City Planner
Ms. Ashlie Wilkson, City Planning & Engagement, Senior Administrative Specialist

Mr. Stallworth called the meeting to order at 9:06 a.m. and asked that everyone join in the Pledge of Allegiance, followed by a Moment of Silence in honor of those impacted by COVID-19.

Ms. Keough-Jurs announced the resignation of Ms. Smitherman on January 19, 2023 from her role as a Commissioner of the City Planning Commission as she recently became an employee of Jostin Construction and resigned from the Commission due to potential conflicts of interest moving forward. Her seat on the Commission was set to expire on March 14, 2023 as she had filled the unexpired term of former Commission member Ms. Melissa Wideman that began on March 14, 2018. The seat will remain vacant until the Mayor appoints a new member of the City Planning Commission with majority approval by City Council to begin a new five-year term.

Election of Chair and Vice Chair

Mr. Stallworth asked for nominations for City Planning Commission Chair and Vice-Chair for the calendar year 2023.

Commission Action:

Elect Mr. Byron Stallworth as Chair for 2023.

Motion: Ms. Kearney
Second: Ms. Sesler
Ayes: Mr. Eby, Ms. Kearney, Mr. Samad, Ms. Sesler, Mr. Stallworth, Mr. Weber

Elect Mr. Jacob Samad as Vice-Chair for 2023.

Motion: Mr. Stallworth
Seconded: Ms. Sesler
Ayes: Mr. Eby, Ms. Kearney, Ms. Sesler, Mr. Stallworth, Mr. Weber
Abstained: Mr. Samad

Minutes

Commission Action:

Approved the minutes from the December 2, 2022 meeting.

Motion: Ms. Sesler
Second: Ms. Kearney
Ayes: Mr. Eby, Ms. Kearney, Mr. Samad, Ms. Sesler, Mr. Stallworth, Mr. Weber
Nays: None

Consent Agenda – Administrative

ITEM 1

A report and recommendation on a proposed one-year extension of Planned Development #90 (PD-90), Crosley Building, in Camp Washington. The Department of City Planning and Engagement staff recommended that the City Planning Commission:

APPROVE a one-year extension to the approval of the Concept Plan and Development Program Statement for Planned Development #90 (PD-90) located at 1329-1333 Arlington Street in Camp Washington subject to the conditions stated in Ordinance #37-2021.

Commission Action:

Moved to approve the staff's recommendation for Item 1 on the Administrative Consent Agenda.

Motion: Mr. Samad
Second: Ms. Sesler
Ayes: Mr. Eby, Ms. Kearney, Mr. Samad, Ms. Sesler, Mr. Stallworth, Mr. Weber
Nays: None

Consent Agenda – Quasi-Judicial

ITEM 2

A report and recommendation on a proposed Development Plan and Final Plat with relief from the Cincinnati Zoning Code located at 571 and 575 Delta Avenue in Columbia Tusculum. The Department of City Planning and Engagement staff recommended that the City Planning Commission:

- 1) **ADOPT** the Department of City Planning and Engagement findings that the proposed division of land is generally consistent with the General Provision Purposes outlined in Section 100-03 of the Subdivision Regulations as detailed on pages 1-3 of the staff report;
- 2) **ADOPT** the Department of City Planning and Engagement findings, analysis, and recommendation of the zoning relief of the five (5) dimensional variances as outlined in the Zoning Relief Staff Report (Exhibit F); and
- 3) **APPROVE** the proposed Development Plan and Final Plat for 571 and 575 Delta Avenue in Columbia Tusculum including the variance request from the Cincinnati Zoning Code based on the fact that the proposed subdivision is substantially consistent with Section 300-09(a)(6) and Section 300-09(c)(1) of the Subdivision Regulations.

ITEM 3

A report and recommendation on a proposed new parking booth and relocation of a pay kiosk on an existing surface parking lot at 629 Sycamore Street in the Central Business District and within Interim Development Control (IDC) Overlay District No. 88, “Surface Parking in the Downtown Development Zoning District.” The Department of City Planning and Engagement staff recommended that the City Planning Commission:

- 1) **ADOPT** the Department of City Planning and Engagement findings as outlined on pages 1-4 of the staff report; and
- 2) **APPROVE** the permit application for the new parking booth and relocation of the existing pay kiosk on an existing parking lot at 629 Sycamore Street in Central Business District and within the boundary of Interim Development Control Overlay District No. 88, “Surface Parking in the Downtown Development District.”

Commission Action:

Moved to approve the staff's recommendations for Items 2 & 3 on the Quasi-Judicial Consent Agenda.

Motion: Mr. Samad
Second: Mr. Weber
Ayes: Mr. Eby, Ms. Kearney, Mr. Samad, Ms. Sesler, Mr. Stallworth, Mr. Weber
Nays: None

Consent Agenda – Legislative

ITEM 4

A report and recommendation on a proposed sale of City-owned property and dedication of right-of-way on E. Pete Rose Way in the Central Business District. The Department of City Planning and Engagement staff recommended that the City Planning Commission:

- 1) **APPROVE** the proposed sale of City-owned property at the southwest corner of E. Pete Rose Way and Butler Street; and
- 2) **APPROVE** the proposed dedication of right-of-way along the southern side of E. Pete Rose Way between Pike Street and Butler Street.

ITEM 5

A report and recommendation on a proposed land sale and swap, a proposed vacation and sale, and the proposed dedication of right-of-way in the East End. The Department of City Planning and Engagement staff recommended that the City Planning Commission:

- 1) **APPROVE** the proposed sale/swap of City-owned property at 248 Watson Street and 256 Wenner Street in exchange for privately-owned 260 Wenner Street;
- 2) **APPROVE** the proposed vacation and sale of a City-owned unnamed paper alley to Riverside Lots, LLC; and
- 3) **APPROVE** the proposed dedication of right-of-way along Babb Alley, between Wenner Street and Strader Street to be used for the East End's Neighborhood Business District parking.

ITEM 6

A report and recommendation on a proposed public art installation in Rapid Run Park and Dunham Recreation Center in West Price Hill and Westwood. The Department of City Planning and Engagement staff recommended that the City Planning Commission:

- APPROVE** the proposed public art installation in Rapid Run Park and Dunham Recreation Center in West Price Hill and Westwood with the following conditions:

- 1) That the artwork installation, size, location, and general design is substantially consistent with the project description in Exhibit B and be reviewed and approved by Cincinnati Board of Park Commissioners and Cincinnati Recreation Commission staff at the time of permit review;
- 2) The petitioner shall coordinate with the City regarding the donation of the art including a contract with the City in a similar form as the City of Cincinnati Artwork Donation Agreement (Exhibit C); and
- 3) All artists involved in the creation and installation of the artwork shall provide the City with a Waiver of Rights pursuant to the Visual Artists Rights Act (Exhibit D).

Commission Action:

Moved to approve the staff’s recommendations for Items 4, 5, & 6 on the Legislative Consent Agenda.

Motion: Mr. Samad
 Second: Mr. Weber
 Ayes: Mr. Eby, Ms. Kearney, Mr. Samad, Ms. Sesler, Mr. Stallworth, Mr. Weber
 Nays: None

Discussion Agenda – Legislative

ITEM 7

Mr. Urbancsik presented a report and recommendation on the proposed zone change from Single-family Residential (SF-6) to Commercial Community-Mixed (CC-M) at 729 Overlook Avenue in West Price Hill. The Department of City Planning and Engagement staff recommended that the City Planning Commission:

APPROVE the proposed zone change from Single-family Residential (SF-6) to Commercial – Mixed (CC-M) at 729 Overlook Avenue in West Price Hill.

Speakers and Discussion:

Mr. Craig Abercrombie, with Abercrombie & Associates Inc. and civil engineer for the applicant team, stated he was available for any engineering questions.

Mr. Jason Phillips, owner of Western Hills Window Company and member of the applicant team, stated he was excited about their business expansion project, believed it would be an improvement to the subject corner, and alleviate traffic and make the area safer. Mr. Stallworth asked how many individuals were employed and if there were plans for expansion. Mr. Phillips stated there were 10 employees and confirmed future plans for expansion to maintain operations.

Commission Action:

Moved to approve the staff’s recommendation for Item 7 on the Legislative Discussion Agenda.

Motion: Ms. Kearney
Second: Mr. Samad
Ayes: Mr. Eby, Ms. Kearney, Mr. Samad, Ms. Sesler, Mr. Stallworth, Mr. Weber
Nays: None

ITEM 8

Ms. Dienger presented a report and recommendation on a proposed zone change from Commercial General – Auto-oriented (CG-A) to Planned Development (PD), including a Concept Plan and Development Program Statement, at 7030 Reading Road in Bond Hill. The Department of City Planning and Engagement staff recommended that the City Planning Commission:

- 1) **ACCEPT** the Concept Plan and Development Program Statement as submitted (Exhibits E and F);
- 2) **ADOPT** the Department of City Planning and Engagement Findings as detailed on page 8 of the staff report; and
- 3) **APPROVE** the proposed change in zoning from Commercial General – Auto-oriented (CG-A) to Planned Development (PD), including a Concept Plan and Development Program Statement, at 7030 Reading Road in Bond Hill.

Speakers and Discussion:

Mr. Stephen Dronen, with KEAN Ventures and a member of the applicant team, stated his excitement for the project and was available for questions. Mr. Stallworth asked about Mr. Dronen's experience with similar projects. Mr. Dronen provided a brief history of projects developed in Cincinnati as well as other cities and areas. Mr. Stallworth asked about their economic inclusion goals. Mr. Dronen confirmed they were meeting and exceeding the inclusion efforts as required by the City and said they would continue to use the same inclusion plan for the proposal. Ms. Kearney asked for more information regarding the inclusion goals. Mr. Dronen stated he did not have exact figures at the time but confirmed they had a 30% target goal for women and small business enterprise contracts. Mr. Dronen stated they would bring forward an economics package once they were further along in the design process and had actual costs identified.

Ms. Kearney asked about Bond Hill Community Council's conditional approval based on a community benefits agreement. Mr. Dronen stated their focus was on the design and uses that Bond Hill had requested of the applicant team. Ms. Kearney asked if the project would include mixed-income price points. Mr. Dronen provided general rent prices and confirmed the target market was middle professional income range. Ms. Kearney stressed the importance of the applicant engaging with the community and the community's concerns regarding affordability. Mr. Dronen stated he would commit to further exploring opportunities to target more affordability.

Mr. Weber asked Mr. Dronen to discuss where there might be transit-oriented development opportunities. Mr. Dronen discussed the transit concept design in detail and addressed areas of possible transit opportunities on the site plan.

Mr. Stallworth asked how the project would be managed and if a general contractor had been selected. Mr. Dronen stated a general contractor would be selected after the concept plan had been approved.

Mr. Eby asked Mr. Dronen about his confidence in attracting tenants to lease the commercial space that would be available. Mr. Dronen stated he believed tenant occupancy would depend on pricing and the market. Mr. Eby reiterated Ms. Kearney's statements regarding the importance of community engagement.

Mr. Stallworth asked about traffic connectivity to the interstate highways nearby. Mr. Dronen stated the project would be using the existing curb cuts and surrounding infrastructure and said the demand the proposal would create would be less than what the area was initially designed for.

Mr. Bill Fisher, Vice President of Community Development for The Port of Greater Cincinnati Development Authority (The Port), stated his support for the proposal and said he believed the project would be a great addition to the area. Mr. Stallworth asked if The Port was part of the capital stack. Mr. Fisher confirmed The Port had not been asked to be a part of the capital stack.

Ms. Marcia Boyd, Vice President of the Bond Hill Community Council, stated her support of the concept plan and zone change but said she would like for the developer to engage more and work with the neighborhood on a community benefits agreement. Ms. Boyd stated Mr. Dronen made a commitment to attend the next community council meeting to discuss a community benefits agreement. Ms. Sesler thanked Ms. Boyd for her work with the community council.

Ms. Kearney stated she was encouraged that Mr. Dronen made the commitment to attend the Bond Hill Community Council meeting in February and restated the importance of community engagement.

Commission Action:

Moved to approve the staff's recommendations for Item 8 on the Legislative Discussion Agenda.

Motion: Mr. Samad

Second: Ms. Sesler

Ayes: Mr. Eby, Ms. Kearney, Mr. Samad, Ms. Sesler, Mr. Stallworth, Mr. Weber

Nays: None

ITEM 9

Ms. Kellam presented a report and recommendation on a proposed Local Historic Landmark designation of 700 Chalfonte Place in Avondale and North Avondale. The Department of City Planning and Engagement staff recommended that the City Planning Commission:

1) **APPROVE** the proposed Local Historic Landmark designation of La Ventura Apartments at 700 Chalfonte Place in Avondale and North Avondale, as described in the "La Ventura Apartments Historic Designation Report" as seen in Attachment B;

2) **APPROVE** the map amendment designating the Local Historic Landmark as seen in Attachment A; and

3) APPROVE the “La Ventura Apartments Historic Conservation Guidelines” as seen in Attachment C.

Speakers and Discussion:

Ms. Beth Sullebarger, historic preservation consultant and member of the applicant team, stated the subject building met the criteria in the historic conservation guidelines, reiterated the proposal was consistent with *Plan Cincinnati* (2012), and said the Avondale Development Corporation provided a letter of support in addition to the Avondale Community Council.

Ms. Kearney asked about the North Avondale Neighborhood Association’s concern regarding the number of units and parking and if there were any other points of opposition. Ms. Sullebarger confirmed the number of units would meet the current zoning allowance and stated parking would be available on- and off-site but said she would defer to the North Avondale Neighborhood Association representatives for further comments. Ms. Kearney asked if there were chances to include lower income units. Ms. Sullebarger deferred to the property owner to address Ms. Kearney’s question. Ms. Sesler asked if the property did not receive the tax credit what would happen to the vacant property and if not receiving the designation would hamper development. Ms. Sullebarger stated the rehabilitation of the building would have to meet the historic guidelines regardless of the nature of the housing within the building and said she would defer the remainder of the question to the property owner.

Mr. Nadav Livne, applicant and property owner, addressed Ms. Kearney’s question regarding opportunities to include lower-income units and stated he was very connected to the community and that they would be open to including affordable units. Mr. Livne confirmed the affordable units were not included in the business plan but stated there were multiple projects within Avondale that were affordable housing focused. Mr. Livne addressed Ms. Sesler’s question regarding what would happen to the property if tax credits were not received and said there were 3 programs (national, state, and local) for historic designation tax credit. Mr. Livne explained they expected a portion of the national program tax credit and hoped to receive approval from the state tax credit. Mr. Livne confirmed the project would still move forward if the state tax credit was not approved.

Mr. Weber asked Mr. Livne for his experience as a developer and plans to manage the property. Mr. Livne stated he had similar buildings in the neighborhood that were self-owned and managed and confirmed there were no intentions to sell.

Mr. Stallworth asked about the project’s renovations timeline. Mr. Livne stated he hoped to have tax credit approvals by late summer to begin renovations and to have the units occupied within 15 to 18 months.

Ms. Sarah Koucky, President of the North Avondale Neighborhood Association, clarified that they did not oppose the project and stated they were only recently made aware of the proposal before the Historic Conservation Board meeting. Ms. Koucky stated the subject street was located in the North Avondale neighborhood as well as Avondale, but confirmed they were willing to work with Avondale and the property owner and said they appreciated the developer working on the subject street. Ms. Koucky asked Mr. Livne if he owned other buildings located on the subject street and

what their statuses were. Mr. Livne stated he did not own other buildings on the street and clarified the locations of the other businesses and buildings. Ms. Koucky invited Mr. Livne to attend the upcoming North Avondale Neighborhood Association meeting to speak to the community and residents regarding the development plans. Mr. Livne accepted Ms. Koucky's invitation to the meeting to share information but confirmed there were no plans at the time because the proposal needed approval prior to developing plans.

Ms. Kearney stated she was encouraged regarding the owner's goals to provide more affordable housing and her support for the proposal.

Commission Action:

Moved to approve the staff's recommendations for Item 9 on the Legislative Discussion Agenda.

Motion: Mr. Samad
Second: Ms. Sesler
Ayes: Mr. Eby, Ms. Kearney, Mr. Samad, Ms. Sesler, Mr. Stallworth, Mr. Weber
Nays: None

Other Business

Mr. Peppers and Ms. Ahouse presented on the 2022 Department of City Planning and Engagement Annual Report and the 2023 Department of City Planning and Engagement Work Program.

Mr. Stallworth thanked Mr. Peppers and Ms. Ahouse for their presentation and the Department of City Planning and Engagement staff for their work. Ms. Kearney reiterated Mr. Stallworth's statements, commended the work completed for the same-day permits, and stated she was proud of the community engagement work. Mr. Weber commended Ms. Keough-Jurs for her leadership and congratulated the staff for the work performed. Ms. Sesler reiterated Mr. Weber's statements and stated her appreciation for the community engagement work throughout the city and Mr. Samad agreed.

Director's Report

Ms. Keough-Jurs recognized Mr. Peppers and Ms. Ahouse for their leadership roles in the department. She also thanked Mr. Owen, Urban Conservator, and Ms. Wilkson, Senior Administrative Specialist, for their work throughout the year. Ms. Keough-Jurs also acknowledged the Planning and Zoning Divisions for their excellent work while being understaffed and stated her excitement for the new staff joining the department. She also acknowledged Mr. Urbancsik's role on the board as the Program Manager for the Cincinnati Chapter of the American Planning Association. Ms. Keough-Jurs thanked the Commissioners for their time throughout the year and thanked Ms. Smitherman for her time on the City Planning Commission. Ms. Keough-Jurs introduced the Department of City Planning and Engagement's new Community Engagement Specialist, Mr. Jeremiyah Hairston. Mr. Hairston discussed his background and excitement to join the Department and City of Cincinnati team.

The meeting adjourned at 11:24 a.m.

APPROVAL OF THE PROCEEDINGS OF THE CITY PLANNING COMMISSION

January 20, 2023

The minutes for the January 20, 2023 Regular Meeting are approved as distributed.



Katherine Keough-Jurs, FAICP, Director
Department of City Planning & Engagement



Byron Stallworth, Chair
City Planning Commission

Date: 2/3/2023

Date: 3 FEB 2023