PROCEEDINGS OF THE CITY PLANNING COMMISSION

November 15, 2019

Regular Meeting

A regular meeting of the City Planning Commission was held this day at 9:00 a.m. in the J. Martin Griesel Room of Two Centennial Plaza with the following members present: Vice-Chair Byron Stallworth, Mr. John Eby, Vice-Mayor Christopher Smitherman, Mr. Jacob Samad, Ms. Anne Sesler, and Assistant City Manager John Juech.

Also in attendance were: Mr. Marion Haynes, legal counsel, and Department of City Planning staff: Ms. Katherine Keough-Jurs, Mr. Alex Peppers, Mr. James Weaver, Mr. Felix Bere, Mr. Jared Ellis, Mr. Andy Juengling, Ms. Samantha McLean, Ms. Stacey Hoffman, Ms. Kira Palmer, Ms. Caroline Kellam, and Ms. Jeanetta Anderson.

Mr. Stallworth called the meeting to order and asked everyone to join in the Pledge of Allegiance.

Consent Item – Quasi-Judicial

Item 1 was a report and recommendation on a proposed subdivision of land at 2565 St. Leo Place in North Fairmount. The Department of City Planning staff recommended approval.

The Commission adopted staff’s recommendation for Item 1 on the Quasi-Judicial Consent Agenda
Mr. Smitherman made the motion, which Mr. Juech seconded.
Ayes: Mr. Smitherman, Mr. Juech, Mr. Samad, Mr. Eby, and Mr. Stallworth.

Consent Items – Legislative

Item 2 was a report and recommendation on a proposed access easement and external stair and ramp encroachment easement to facilitate rear access to 2616 Short Vine Street in Corryville. The Department of City Planning staff recommended approval.

Item 3 was report and recommendation on a proposed aerial easement at 419 East 13th Street in Pendleton. The Department of City Planning staff recommended approval.

Item 4 was a report and recommendation on a proposed sale of City-owned property adjacent to the Wasson Way between Montgomery Road and Regent Avenue in Evanston. The Department of City Planning staff recommended approval.
The Commission adopted the staff's recommendation for Items 2, 3, and 4 on the Legislative Consent Agenda.

Mr. Eby made the motion, which Mr. Juech seconded.

Ayes: Mr. Smitherman, Mr. Juech, Mr. Samad, Mr. Eby, and Mr. Stallworth.

**Discussion Items – Legislative**


Ms. McLean added that the Hyde Park Neighborhood Council sent a letter of opposition.

Ms. Sesler arrived at 9:21 a.m.

Melissa McVay of the City’s Department of Transportation & Engineering (DOT&E) stated she was available for questions. Mr. Eby asked her who would administer the program, noting that other neighborhood organizations may be interested in this program. Ms. McVay stated that each organization should attempt to work through the Community Council, but requests would be evaluated on a case-by-case basis, such as everyone living on the impacted street being in favor. Mr. Eby clarified his question by asking if another organization, such as Westwood Works applied for a street mural, it could be approved without Community Council support. Ms. McVay stated that was correct.

Mr. Juech stated the reason this was brought forward was that there was an increase in the number of groups who want to have festivals, etc. that require street closures. These groups often want to paint a design on the street, and the City currently had no formal process or guidelines, using a Notwithstanding Ordinance every time. Mr. Juech also stated that pedestrian safety was an issue in all neighborhoods, and that street murals could help calm traffic. Mr. Juech also stated that as the program moved forward, additional details would be worked out.

Mr. Eby stated that he supported this but wanted to make sure it wasn’t unnecessarily blocked by the neighborhood organization when residents on the street want it.

Ms. Sesler stated that it was very exciting and thanked Ms. McVay.

The Commission adopted the staff's recommendation for Item 5 on the Legislative Discussion Agenda.

Mr. Eby made the motion, which Mr. Smitherman seconded.

Ayes: Mr. Smitherman, Ms. Sesler, Mr. Juech, Mr. Samad, Mr. Eby, and Mr. Stallworth.

Mr. Bere presented Item 6, a report and recommendation on a proposed zone change from Manufacturing General (MG) to Residential Multi-family (RM-0.7) at 1101 York Street in the West End. The Department of City Planning staff recommended approval.
Rory Benson, the applicant, stated that he purchased the property in November of 2015 from the Wegman Company when they moved to a new facility.

Mr. Stallworth asked Mr. Benson if he has worked on a project of this scale. Mr. Benson replied that he hadn’t, only small houses, but would hire the appropriate staff to ensure a good end-product and that he’s hired an architect and will use a general contractor.

Mr. Stallworth asked what percentage of residents would be on public assistance. Mr. Benson stated that it would be approximately 15% to help the neighborhood survive and flourish.

Mr. Eby asked if the two pieces of property were connected. Mr. Benson stated that the buildings were connected by a firewall and that he owned the connector as well.

Mr. Stallworth asked where the tenants would park. Mr. Benson stated they would park behind the building and on the first floor to provide 24 or 25 spaces. Mr. Benson noted that he was approximately four spaces short of the Zoning Code requirements and would need a variance.

The Commission adopted the staff’s recommendation for Item 6 on the Legislative Discussion Agenda.
Mr. Juech made the motion, which Mr. Smitherman seconded.
Ayes: Mr. Smitherman, Ms. Sesler, Mr. Juech, Mr. Samad, Mr. Eby, and Mr. Stallworth.

Ms. Sesler recused herself from Item 7 and Item 8 due to a conflict of interest.

Ms. Kellam presented Item 7, a report and recommendation on a proposed Major Amendment to the Concept Plan for Planned Development 43 (PD-43) The Banks, for a Music Venue and Smale Riverfront Park and to allow for additional uses on Lots 1,13,18, 23, 24, 25, 27, 28 in the Central Business District. The Department of City Planning staff recommended that the City Planning Commission take the following actions:

1. ADOPT the Department of City Planning findings as detailed in the staff report; and

2. APPROVE a Major Amendment to the Concept Plan for Planned Development 43, The Banks, to modify the uses permitted on certain lots within the planned development, including the authorization of:
   
   a. A Music Venue on Lot 27 and the extension of Smale Riverfront Park on Lots 23 and 28;
   b. Additional permitted uses on Lots 1, 13, 18, 23, 24, 25, and 28 to PD-43; and
   c. Removal of residential uses on Lot 28 to PD-43.

Mr. Stallworth asked how many people attended the staff conference. Ms. Kellam stated that approximately 25 people attended.
Mr. Tom Gabelman, the attorney representing Hamilton County on The Banks, along with Zach Zettler of GBBN Architects, presented additional slides related to the Major Amendment to PD-43. Mr. Gabelman stated that development on the riverfront was scarce until 1997, when the City and the County worked together with private investors for a $2.3 billion development. Mr. Gabelman stated there has been over 1,000,000 square feet of development, with 500,000 square feet of residential, and 300,000 square feet of office. Mr. Gabelman stated that Lincoln Properties out of Dallas, TX is proposing to build a 17 story, 370,000 square foot office tower east of the Freedom Center that will provide 1,500-1,600 jobs. Mr. Gabelman stated that they plan to start construction in June of 2020 with an opening in the fall of 2021. Mr. Gabelman also highlighted the recently acquired Hilltop Concrete site, which is slated to become a green parking lot that will have the look and feel of greenspace. Mr. Gabelman highlighted deals between Hamilton County, the Bengals, and Hilltop as the reason an additional $400 million in development is slated to happen. He also stated that these deals helped to forward the development of Smale Riverfront Park north of Mehring Way. He also cited a plan that was recommended 20 years ago to have a major activator on the western portion of The Banks, which will bring in an additional 350,000 people a year. He also stated that The Banks project has a joint economic inclusion agreement between the City and County, and that they have exceeded the goals. There is also a responsible bidder program for all new development.

Mr. Philip Denning, Director of the City’s Department of Community and Economic Development, stated that the City Administration wanted to get the music venue done and allow a wider range of land uses with the hope of providing more certainty to the private development market and speed up the process to get the remaining lots developed.

Mr. Stallworth asked if any Tax Increment Financing (TIF) funds were to be used in the project. Mr. Denning stated that any future development proposals and incentives would be considered once there is a project to be considered, but this request is just the land use.

**The Commission adopted the staff’s recommendation for Item 7 on the Legislative Discussion Agenda.**

Mr. Juech made the motion, which Mr. Samad seconded.

Ayes: Mr. Smitherman, Mr. Juech, Mr. Samad, Mr. Eby and Mr. Stallworth.

**Discussion Items – Quasi-Judicial**

Ms. Kellam presented **Item 8**, a report and recommendation on a proposed Final Development Plan for Planned Development 43 (PD-43) The Banks for Phase III (Lots 23/27/28: Music Venue and Smale Riverfront Park), in the Central Business District. The Department of City Planning staff recommended that the City Planning Commission take the following actions:

1. APPROVE the Final Development Plan for Planned Development 43, The Banks, for a Music Venue and Smale Riverfront Park, as specified on pages 2-5 of the report with the condition that the Major Amendment to the Concept Plan is approved by City Council and;
2. ADOPT the Department of City Planning Findings as detailed on page 6 of the report.

Mr. Stallworth stated that since this item was quasi-judicial, anyone who signed up to speak must be sworn in.

Mr. Gabelman stated that this project was a joint effort between Music & Event Management, Inc. (MEMI) and Cincinnati Parks to develop the music venue and the extension of Smale Riverfront Park together. He stated that the parking garage allowed direct access to the park and music venue.

Mr. Zettler described the functions of each part of the Final Development Plan. He stated that most of the space was the front of house public areas, which are both seated and general admission and two balconies which pulls everyone closer to the stage. He then described the back of house area, which is loading docks, dressing rooms, and mechanicals. He stated the turf area on Lot 23 will hold 6,000 people with an overflow area that can hold 2,000 people. He stated that the stage area was one story drop-off and will allow access to the loading area under Race Street. There will also be an entrance at the Race Street turnaround. He stated that the music venue was designed to be integrated into the park and described its design and connections to the park. He stated that the design was meant to fit in with the architecture of the stadiums and other existing buildings in The Banks and showed an animation of the renderings.

Mr. Stallworth asked if the ground flashing on the rendering was intentional. Mr. Zettler stated that that was just the rendering. He stated that the lights are LED and could change colors or flash.

Mr. Stallworth asked if any solar was integrated into the design. Mr. Zettler stated that there was no plan for solar and that the budget had needed to increase several times to incorporate sustainable principles into the design without going over budget.

Mr. Gabelman stated that this property was owned by Hamilton County, but that the County has conveyed approximately $100 million in land at $4 million an acre to develop the parks. He stated that the County would convey an additional 2.5 acres of land to the City. He stated that a state grant of $12 million to develop the infrastructure.

Mr. Juech thanked Mr. Gabelman and everyone from Hamilton County, MEMI, and everyone else who brought this item forward and also thanked the City Administration for their hard work on the project.

Mr. Eby stated that he loved the design but had a few questions. He asked if Lot 23 would be festival seating and how people would get into the space to avoid crowds running to the front of the stage and the potential for someone being trampled. Mr. Zettler stated that there were four access points into the venue, so this should not be an issue.

Mr. Stallworth asked if Police were consulted about designing the open space. Mr. Zettler stated that Sasaki (a design firm) worked with the Park Board to design the open space, not GBBN, as
GBBN only designed the music venue. Mr. Gabelman stated that the process did go through the City’s Coordinated Site Review (CSR) process.

Mr. Eby asked how patrons could get out of the outdoor music venue space in the event of an emergency. Mr. Gabelman stated that there was multiple access points designed with that in mind. He also stated there is easy access to the underground garage.

Mr. Eby also asked about people driving cars on the pedestrian plaza. Mr. Zettler stated there were three-foot bollards and planters around the entire area to prevent cars from driving into the pedestrian plaza. Mr. Eby asked Mr. Zettler to not value engineer the building because he liked the design.

Mr. Gabelman stated that the venue will cost $27 million, compared to $8 million for a competitor. He stated this building is meant to be an iconic structure for years to come. He also stated that MEMI was providing $1.5 million for the adjacent park, and that the ticket tax would help pay for operations and maintenance of the park.

Mr. Stallworth asked if the developer was local. Mr. Gabelman stated that MEMI was the Cincinnati Symphony Orchestra, who also owned Riverbend Music Center, PNC Pavilion, the Taft Theatre, and Rose Music Center at the Heights.

Mr. Stallworth clarified his question to make sure the developer was Cincinnati-based. Mr. Gabelman stated that was correct.

**The Commission adopted the staff’s recommendation for Item 8 on the Legislative Discussion Agenda.**

Mr. Eby made the motion, which Mr. Juech seconded.

Ayes: Mr. Smitherman, Mr. Juech, Mr. Samad, Mr. Eby, and Mr. Stallworth.

Mr. Smitherman stated that his understanding was that City Council would hear the Major Amendment item at a special meeting of City Council’s Economic Growth and Zoning Committee on Wednesday, November 20, 2019.

Mr. Stallworth stated that Monday was Veteran’s Day and thanked City Manager Duhaney, Mr. Eby, and himself for their service.

**Other Business**

Ms. Keough-Jurs stated that the next item on the agenda was the 2020 Ohio-Kentucky-Indiana (OKI) Regional Council of Governments Board of Directors appointment. She stated that the Director of City Planning was typically the appointee in the past, but if anyone on the City Planning Commission was interested, she was happy to cede the role.

Mr. Juech nominated Ms. Keough-Jurs, which Mr. Stallworth seconded.

Ayes: Mr. Smitherman, Mr. Juech, Mr. Samad, Mr. Eby, and Mr. Stallworth.
Ms. Keough-Jurs stated that a City Planning Commission member sits on the Zoning Board of Appeals, so there will be an opportunity to sign up for the monthly meetings in 2020 at their next meeting. She added that Vice-Mayor Smitherman and City Manager Duhaney were not eligible to serve on this board.

**Director's Report**

Ms. Keough-Jurs stated that there will be two regularly scheduled City Planning Commission meetings on December 6th and December 20th of 2019 but that there would be no meeting on January 5th, 2020. She stated that there will also be a 2020 City Planning Commission schedule to vote on at one of the December meetings.

Ms. Keough-Jurs concluded the meeting by stating that Jeanetta Anderson, Administrative Specialist, was leaving the City on November 22, 2019 and presented her with a certificate.

The meeting adjourned at 10:37 a.m.

Katherine Keough-Jurs, AICP, Director  
Department of City Planning  
Date: 12/20/19

Byron Stallworth, Vice-Chair  
City Planning Commission  
Date: 12/5/2019