CALL TO ORDER AND PLEDGE OF ALLEGIANCE

MINUTES  Consider the minutes of September 6, 2019. (page 2)

DISCUSSION ITEMS – LEGISLATIVE

ITEM 1  A report and recommendation on a proposed zone change from Park and Recreation (PR) to Office General (OG) at 1801 Gilbert Avenue in Walnut Hills. (Juengling) (page 14)

ITEM 2  A report and recommendation on a proposed zone change from Single-family (SF-4) to T4 Neighborhood Small Footprint – Open (T4N.SF-O) for the properties at the northwest corner of the intersection of Madison Road and Stewart Avenue in Madisonville. (Juengling) (page 30)

OTHER BUSINESS

DIRECTOR’S REPORT

ADJOURN
A regular meeting of the Cincinnati 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, Vice Mayor Christopher Smitherman, Assistant City Manager John Juech, Assistant City Manager Sheryl Long, Ms. Melissa Wideman, Ms. Anne Sesler, and Mr. John Eby.

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

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

Mr. Stallworth asked that the June 21, 2019 and the July 19, 2019 minutes be approved.

The Commission approved two prior meeting minutes (June 21, 2019 and July 19, 2019).
Mr. Eby made the motion, which Mr. Smitherman seconded.
Aye: Mr. Smitherman, Ms. Wideman, Ms. Sesler, Mr. Juech, Mr. Eby, and Mr. Stallworth.

Consent Agenda – Legislative

Item 1, a report and recommendation on a proposed sale of City-owned property located at 3096, 3104, and 3108 Walworth Avenue in the East End. The Department of City Planning staff recommended approval.

Item 2, a report and recommendation on a proposed door swing easement at 1905 Elm Street in Over-the-Rhine. The Department of City Planning staff recommended approval.

Item 3, a report and recommendation on proposed easements at 1810, 1936, 1939, and 1941 Race Street; 127 Findlay Street; 1830 Elm Street; and 41 W. McMicken Street in Over-the-Rhine. The Department of City Planning staff recommended approval.
The Commission adopted the staff’s recommendations for Items 1, 2, and 3 on the Legislative Consent Agenda.
Ms. Wideman made the motion, which Mr. Juech seconded.
Aye: Mr. Smitherman, Ms. Wideman, Ms. Sesler, Mr. Juech, Mr. Eby, and Mr. Stallworth.

Consent Agenda – Quasi-Judicial

Item 4, a report and recommendation on the proposed subdivision of land and creation of air lots at 3044 Reading Road in Avondale. The Department of City Planning staff recommended that the City Planning Commission take the following action:

APPROVE the proposed subdivision of land and creation of air lots at 3044 Reading Road in Avondale for the following reasons:

1. The proposed subdivision conforms with all applicable requirements of the Subdivision Regulations.
2. The subdivision, including the air lots, will allow for the applicant to maintain separation from a publicly owned parking structure with privately owned buildings (hotel, office, etc.) built on the podium of the parking structure.

The Commission adopted the staff’s recommendation for Item 4 on the Quasi-Judicial Consent Agenda.
Ms. Wideman made the motion, which Mr. Smitherman seconded.
Aye: Mr. Smitherman, Ms. Wideman, Ms. Sesler, Mr. Juech, Mr. Eby, and Mr. Stallworth.

Discussion Agenda – Legislative

Samantha McLean presented Item 5, a report and recommendation on a proposed Notwithstanding Ordinance authorizing the Director of Buildings and Inspections and the Zoning Administrator to issue the approvals necessary for the installation and display of outdoor image projections onto buildings or other structures, including those utilizing moving, flashing, and animated images in the Central Business District and Over-the-Rhine during the period from October 7, 2019 to October 13, 2019, as requested by the Cincinnati USA Regional Chamber for the purpose of the BLINK event. The Department of City Planning staff recommended that the City Planning Commission take the following action:

DENY the Notwithstanding Ordinance authorizing the Director of Buildings and Inspections and the Zoning Administrator to issue the approvals necessary for the installation and display of outdoor image projections onto buildings or other structures, including those utilizing moving, flashing, and animated images, in the Central Business District and Over-the-Rhine during the period from October 7, 2019 to October 13, 2019, as requested by the Cincinnati USA Regional Chamber for the purpose of the BLINK event.
1) The Department of City Planning cannot support any Notwithstanding Ordinances for land-use decisions if the ordinances do not comply with the zoning not charged by the Department of City Planning with developing and enforcing.

If the City Planning Commission decide to recommend approval of the Notwithstanding Ordinance, the City Planning Commission should consider the following reasons for doing so:

1) That the projection of large-scale images, including moving, flashing, and animated images onto buildings and other structures are temporary and will only occur during the period from October 7, 2019, to October 13, 2019;
2) That the Director of Buildings and Inspections and the Zoning Administrator only approve official BLINK projections assuming the proposed criteria listed in the Analysis section of the staff report is met;
3) That the allowance of those projections for the BLINK event would lead to positive promotion and economic benefits in the City of Cincinnati, particularly in the Central Business District and Over-the-Rhine; and
4) That the Notwithstanding Ordinance is consistent with Plan Cincinnati.

Spencer Napes, a Cincinnati USA Regional Chamber of Commerce representative, said that he was available for questions and concerns. Mr. Eby asked what the plans were for traffic control during the proposed event. Mr. Napes responded that the Chamber was working together with the City of Cincinnati to provide designated street closures and parking areas as well as Lyft and Uber passenger drop-offs and pick-ups. Mr. Juech said that the City was committed to delivering additional overtime police coverage for pedestrian safety.

The Commission adopted the Item 5 Notwithstanding Ordinance on the Legislative Discussion Agenda.
Ms. Sesler made the motion, which Mr. Smitherman seconded.
Aye: Mr. Smitherman, Ms. Wideman, Ms. Sesler, Mr. Juech, Mr. Eby, and Mr. Stallworth.

Andy Juengling presented Item 6, a report and recommendation on the Evanston Work Plan: A plan of action created by the Evanston community for the Evanston community 2019 – 2029. The Department of City Planning staff recommended approval.

Dr. Gregory Stewart, Evanston Community Council President, gave a presentation outlining an overview of the process, goals, and objectives of the Evanston Work Plan.

Drew Asimus, Chairman of the Evanston Community Council Business Committee, listed the business goals of the Plan. He said that one goal of the Plan was to support diverse local and corporately-owned businesses. Another goal was to revive the Evanston business district and preserve its rich culture and history. Lastly, he said another goal was to transform the Montgomery and Woodburn Avenue corridors into a safe and beautiful area to live and work.
Dr. Stewart addressed the topic of the communication; he said that there was a 300 percent membership increase over the past year, and that the neighborhood newsletter, containing information about upcoming events, circulated to over 1,000 individuals.

Beverly Lamb, Chairperson of the Evanston Community Council Preservation and Celebration Group, said that revitalizing King Records was the group's primary goal. She explained that the plan was to reconstruct the King Records studio into a living history museum and tourist attraction. She also stated that they were looking to work within the business district to create an Arts District that supported the anticipated population growth and economics in Evanston.

Ms. Keough-Jurs congratulated the Evanston community leaders, members, and all its partners for their attendance and work in completing the Plan.

Ms. Wideman referred to page 115 of the Plan to the boundary map. She asked the reason for the difference between the Statistical Neighborhood Approximator (SNA) boundary and the Community Council boundary and if there was an impact between the two that needed to be fixed. Ms. Keough-Jurs said that the City recognized multiple boundaries and that the Community Council boundary was written into their by-laws as an area representing the community. The SNA boundary was created based upon Census Tracts to accurately record census data.

Mr. Juech recognized the leaders and staff of the Evanston Work Plan and the work of Ms. Anzora Adkins. He gave recognition for the effort to resurrect and stabilize King Records. He then stated that the City invested a million dollars, with the intent to provide more funding toward that project with support from both the Mayor and the Vice Mayor as well as the City Council. Mr. Stallworth gave his personal background with Evanston and he praised the work of the leaders and community members in developing the area.

William Fisher, Vice President of Community Development for the Port Authority, spoke about the organizations support for the Plan and their partnered cooperation in bringing it to completion.

Veta Uddin, Chairperson of the Evanston Community Council Beautification committee, thanked the partners of Evanston for their help in maintaining the green spaces and artwork in the community.

Mr. Smitherman gave positive remarks about the community, its members, and businesses. He referred to a meeting with Mayor John Cranley, whom he said supported the input of capital funds into the Evanston community to unite it together with Xavier University. Mr. Smitherman recognized the Mayor for his support of the King Records project. He thanked Laura Brunner, of the Port Authority, for her part in the development of the Evanston Land Bank. Mr. Smitherman also talked about home values in Evanston, crime turnaround, and the work of Ms. Adkins.

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

Vice Mayor Smitherman and Ms. Sesler left the meeting at 10:33 a.m.

Caroline Kellam presented **Item 7**, a report and recommendations on a proposed Local Historic District designation of the Bella Vista Local Historic District in Bond Hill. The Department of City Planning staff recommended that the City Planning Commission take the following actions:

1. **APPROVE** the proposed Local Historic District designation of the Bella Vista Local Historic District in Bond Hill, as described in the “Bond Hill Bella Vista Historic Designation Report dated May 2019”.

2. **APPROVE** the attached map amendment designating the historic district; and

3. **APPROVE** the “Conservation Guidelines Bond Hill Bella Vista Historic District dated May 2019”.

Alexis Liu, 1718 Bella Vista Street property owner and applicant, said that both she and her husband, Wei Liu, had worked over the previous year to preserve the historic fabric of their community by engaging with their neighbors to gain their support of the proposal. She said that outreach letters were mailed asking for interest in obtaining a certificate of appropriateness for all exterior changes to any home on Bella Vista Street. She noted that ten neighbors replied to their letter in support of their proposal, one opposed, and seven gave no response. Ms. Sesler asked if the property at 1734 Bella Vista was historic. Ms. Liu replied that the house was built in the 1920s as an example of the modern architecture of that period and that the house was historic and was at the entrance to the street.

Mr. Eby asked why it was important to designate the homes on Bella Vista Street as a Local Historic District. Ms. Liu answered that because few exterior alterations were done to the houses since the time of their construction and she wanted to see the tradition continue. She referred to the goal of real estate developer Arthur Green and his vision for the street. Mr. Eby asked Ms. Liu to respond to her neighbor’s concerns of repair restriction as a result of the potential passage of her proposal. She said that she had not spoken to the owner who expressed the concern, but she wanted the property included, even though it was not on Bella Vista Street because the home had the same style as the others. Ms. Liu said she felt that any changes to that owner’s property would impact the character of Bella Vista Street.

Mr. Smitherman stated that he was not aware of a designated local Historic District in Bond Hill. Ms. Liu explained the Old Bond Hill Historic District, the buildings it covered, and the difference.
those buildings had with the houses of Bella Vista Street. Mr. Smitherman commented about the unique quality of the homes in Bond Hill and his support for the proposal. Mr. Stallworth informed the Commissioners of the receipt of a letter of support from Mr. Carl Westmoreland.

Michelle Green, the owner of 5026 Reading Road, said she did not believe a historic designation was necessary to complete exterior repairs to her home. She noted that the requirement would create a hardship.

Margo Warminski, Cincinnati Preservation Association representative, said the organization was pleased to support the designation proposal. She noted that the Historic Conservation Board previously approved the idea and said that there was a letter of support from the neighborhood's Community Council. Ms. Warminski asked that the Commissioners approve the proposal.

Ron Singleton, representing Mamie Hill who owned 1714 Bella Vista, said that because Ms. Hill had health issues, he was there to submit and to read a letter on her behalf. The letter expressed the concerns of Ms. Hill, along with a list of questions she had for the Commissioners. Ms. Kellam deferred the questions to Ms. Beth Johnson, City of Cincinnati Urban Conservator, who provided answers within her purview to the questions read from the letter.

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

Mr. Juech made the motion, which Ms. Wideman seconded.
Aye: Ms. Wideman, Mr. Juech, and Mr. Stallworth.
Nay: Mr. Eby.

Stacey Hoffman presented Item 8, a report and recommendation on a proposed zone change for properties in the area generally bounded by Elm Street to the west, Green Street to the north, Race Street to the east, and W. Liberty Street to the south from Residential Multi-family (RM-1.2) to Commercial Community-Pedestrian (CC-P) in Over-the-Rhine. The Department of City Planning staff recommended approval.

Mr. Stallworth asked Ms. Hoffman to confirm that there was only one person who attended the public staff conference and asked for the number of people who participated at the Over-the-Rhine Community Council meeting. Ms. Hoffman replied that there was one person at the public staff conference and that there were 25-30 people who attended the Community Council meeting.

Lann Field, a representative of Cincinnati Center City Development Corporation (3CDC), said they were co-developers with The Model Group for the proposed project. Ms. Wideman asked if their organization had received any opposition to the proposal. Ms. Field responded that 3CDC representatives engaged with the Over-the-Rhine Community Council and heard questions
regarding the usage of allowed commercial spaces. She addressed the inclusion of 60 percent market-rate and the 40 percent affordable housing units made available through the projected development, and the goal of 3CDC to shift their focus to providing more mixed-income housing.

Mr. Juech said that City Council challenged 3CDC and other partners to provide more affordable housing in the Over-the-Rhine area. He said that the proposed zone change was in response to that challenge. He also said that the City Manager’s office collaborated closely with the partners and developers to construct housing for greater density and supply. Mr. Juech said that he was firmly in support of the proposal. Mr. Eby asked for the number of total units, a description of the maximum height requirement, and if the building construction and renovations would be Americans with Disabilities Act (ADA) compliant. Ms. Field responded that 3CDC’s plan was to construct 190 total housing units across four building clusters. She said that two out of three infill buildings received 4-story height certificates of appropriateness and that the remaining building was pending approval by the Historic Conservation Board. She also explained that the new residential constructions were ADA compliant as well as the ground floor residential and commercial entrance renovations were also ADA compliant. Lastly, she said that the company met the ADA low income-housing tax credits and building code requirements for the project.

Mr. Stallworth asked how 3CDC was performing against the economic inclusion goals of the City and if any historical building was planned for demolition because of the new development. Ms. Field said that the focus of the company was on meaningful inclusion. She said that the company routinely offered smaller scopes of work to accommodate all contractors.

Jennifer Walke, a Model Group representative, stated that the company was in support of the project. She gave a brief statistical history of the company’s work in the City to show the increased demand for more residential and commercial development. Ms. Walke referred to a letter of support from Executive Director Steve Hampton that she submitted to the Commissioners. She summarized the letter, which stated that the Brewery District Master Plan supported the proposed zone change and thanked the staff of City Planning for their work.

Kelli Adamson, Executive Director of the Over-the-Rhine Chamber of Commerce, cited the vision of the organization and said that the board of directors supported the proposed zone change. Mr. Stallworth asked her to define her meaning of inclusion. Ms. Adamson responded that the Over-the-Rhine Chamber of Commerce worked collaboratively with the City of Cincinnati, 3CDC, and Findlay Market to assure that programs were in place that attract, retain, and support minority-owned businesses.

Roy Hackworth, Department of Community and Economic Development (DCED) Housing Division Manager, explained that the City of Cincinnati was selected to become the recipient of noncompetitive low-income housing tax credits from the Ohio Housing Finance Agency (OHFA). The neighborhood of Over-the-Rhine was chosen by DCED to receive those credits over three
years. Mr. Hackworth confirmed that the proposed zone change, with its projected development, was supported by the DCED to utilize the resources awarded to the City.

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

Mr. Juech made the motion, which Mr. Eby seconded.
Aye: Ms. Wideman, Mr. Juech, Mr. Eby, and Mr. Stallworth.

Mr. Juech excused himself, and Ms. Long joined the meeting in his place at 11:04 a.m.

Andy Juengling presented **Item 9**, a report and recommendation on a proposed zone change from Single-Family (SF-6) to Single-Family (SF-2) and Commercial Community–Pedestrian (CC-P) for the property located at 3001 Wasson Road in Hyde Park. The Department of City Planning staff recommended approval.

Sean Suder, attorney for the applicant, recapped the concerns raised at the public staff conference. He reminded the Commissioners of the purpose of the proposal; and he explained the difference between lot size and which zone would be appropriate for the proposed single-family development.

Ken French, the applicant, explained the process from the beginning. He addressed density, loss of green space, beautification, traffic and safety, rear setbacks, buffer space between houses, and mixed-use zoning. He said his goals were to make the area like a park and to solve the concerns of the Council members and the community where possible. He said that the reason for the proposal was to make good use of the 40-foot-wide land.

Younwon French, said that for the safety of her child, she supported the use of the property for cleaner living. She also noted that the creation of the crosswalk promoted a healthy lifestyle and easy access to the business plaza. Ms. French said that her in-home business connected her to the Hyde Park community.

Aubrey Backscheider, a resident of Hyde Park, said she strongly supported green initiatives. She said that the proposed development fell in line with Plan Cincinnati for dense urban development. She also said that the Wasson Way Trail would provide a secure area for running and help enhance the investment of the trail. Ms. Backscheider noted that the development would allow for the effective use of needed green space.

Adam Clark, a resident of Hyde Park, said that the vision of Mr. French was more in line with the future of the City of Cincinnati than those of detractors. He said he was in favor of more
sustainable green space development in Cincinnati. He also said that the vision of Mr. French expanded the environmental priorities of the City.

Dan Schimberg, President of Uptown Rental Properties and a Hyde Park resident, said that he strongly supported the project. He said that he relied on the City Planning Commission to make decisions that helped the Hyde Park community to flourish and grow despite objections from the members of the Hyde Park Neighborhood Council.

Lynn Schnirring, Portsmouth Avenue resident, said she hoped that the City’s Wasson Way trail investment would supersede the proposed development. She said that there was no need for a change to the current zone because there had not been a change over the past several years. She also explained that the project would prevent a high-quality trail from being developed properly.

Patty Stefanik, Portsmouth Avenue resident, said that she was concerned about how the proposal would adversely affect the Hyde Park community. She said that she believed the development would bring the loss of value to homes, loss of privacy, loss of safety, and loss of beauty in Hyde Park. She then urged the Commissioners not to approve the proposed zone change based upon the negative impact.

Couper Gardner, a Hyde Park Neighborhood Council Zoning Committee member, said he did not agree with the previous comments. He also said the he was not in favor of the conflict created in the community by the proposal. He contrasted the vision of Plan Cincinnati with the activities surrounding the project.

Susan Storer, Portsmouth Avenue resident, read a letter from her neighbor Denise Bartick. In the letter, Ms. Bartick urged Mr. French to develop a creative solution so that his project may remain in the current zone SF-6. As an alternative, she asked that the City consider purchasing the land in question for uses that would be in conjunction with the Wasson Way trail.

Ms. Storer said that the proposed Plan did not meet the requirements of an SF-2 zone because the land was not large enough. Mr. Stallworth asked the Department of City Planning staff to explain the comment of Ms. Storer regarding zone requirements. Mr. Juengling answered that the preliminary drawings of the proposal showed a required minimum lot width size, and side yard setbacks, and height in keeping with the current SF-2 zone. The rear yard setback was proposed for 20 feet and a 13-foot variance would be needed if the site plan was altered.

Kate Broering, Portsmouth Avenue resident, said that the Hyde Park community was not an elitist group of residents opposed to new development. She said that she and her neighbors were adamantly opposed to the development simply because they did not believe the project would help move the community forward.
Tilly Pfeiffer, a Portsmouth Avenue resident, said that she was disturbed by what she called a development overreach in her area. She explained her family’s ties to the Hyde Park community and that she wanted to see the area remain a stable and walkable neighborhood.

Norman Lewis, a Hyde Park Neighborhood Council member, asked the City Planning Commission to support their decision, and those of the members of the community, to oppose the proposed zone change.

Ann Gimbert, a Victoria Lane resident, said that she and her husband were disappointed with the zone change proposal. She read from a list of the concerns of her neighbors and asked the Commissioners to consider those concerns and those of the Neighborhood Council.

Jay Andress, a Wasson Way board member, said the board was in favor of general economic development and recognized it as an essential part of the development of the Wasson Way trail. He also said that the board did not advocate for or oppose any proposed development. Mr. Andress explained that the board was committed to working with both the developers and the residents of the Hyde Park community.

Janet Buening, a Hyde Park Neighborhood Council member, said the residents were not concerned about the status quo stigma of their neighborhood. She explained that the Zoning Committee met with Mr. French and they agreed that an SF-2 would be a severe downgrade from the present SF-6 zone. She said that the project was too large for the parcel of land in the proposal and that zone SF-6 should be maintained.

Ann Fallon, a Hyde Park resident, said that her neighborhood was not stagnated as stated by previous comments. She said that the proposed development encroached upon the bike path, which was not large enough to place six houses. She talked about her concerns for traffic safety and that the need for green space was higher than the demand for new housing.

Tim Morgan, a resident of Oakley, said that the intersection at Paxton, Isabella, and Wasson was dangerous. He said that before the construction of any new development began, those dangers should be addressed. He talked about how the buildings of the proposed project would not fit onto the property, tax abatement would not bring new jobs, and the development would not allow green space. He then advised the Commissioners to first fix the issues with traffic before approving a request for a zone change.

Amanda Schwendeman, a Portsmouth Avenue resident, said that the proposed zone change would directly impact her family and community and was therefore opposed to the request. She also stated that requested variances, traffic concerns, and lot splits were all issues that should be looked
at in combination with a zone change. She explained that she was concerned that the development could be later sold to new owners who may not be willing to honor an established neighborhood agreement. Lastly, she thanked the Commissioners for taking the time to encourage thoughtful development in the Hyde Park community.

Joe Schnirring, a Portsmouth Avenue resident, presented a video of a drone flying over the land in the proposal. The footage showed intersection traffic and Mr. Schnirring discussed retaining walls, water run-off, tree excavation, trail space, and blacktop management.

Ms. Wideman thanked Mr. Juengling for facilitating good involvement with the community. Mr. Stallworth stated that neither party had resolved the proposal.

Mr. Eby said that the City Planning Commission was not involved in tax abatement issues. He advised concerned citizens to bring those issues before City Council members to be heard. He also encouraged individuals to research the launch of the Vision Zero program in Cincinnati for intersection safety.

Mr. Eby then asked what the next steps were if the zone change was approved. Ms. Keough-Jurs answered that the Item would move on to City Council for a determining vote no matter the day's decision after first being heard by the Economic Growth and Zoning Committee. She stated that all interested parties would be notified before those hearings.

The Commission adopted the staff’s recommendation for Item 9 on the Legislative Discussion Agenda.

Ms. Wideman made the motion, which Mr. Eby seconded.
Aye: Ms. Wideman, Ms. Long, and Mr. Eby.
Nay: Mr. Stallworth.

Director’s Report

Ms. Keough-Jurs introduced Michael Allen, a student at Cincinnati State and intern in the Department of City Planning, who was interested in the work of data analysis and mapping as well as of housing and neighborhood issues. She reminded the Commissioners of the Special Meeting scheduled for September 13, 2019 to discuss FC Cincinnati proposals that would include the sale of additional land, a major amendment, and a final development plan for the stadium as part of the agenda. Ms. Keough-Jurs then announced the untimely passing of Patty Herlinger, Occupational Safety and Health Administrator in the City Risk Management Department.

The meeting adjourned at 12:26 P.M.
Katherine Keough-Jurs, AICP, Director
Department of City Planning

Byron Stallworth, Vice-Chair
City Planning Commission

Date: ____________________________

Date: ____________________________
Honorable City Planning Commission
Cincinnati, Ohio

SUBJECT: A report and recommendation on a proposed zone change from Park and Recreation (PR) to Office General (OG) at 1801 Gilbert Avenue in Walnut Hills.

GENERAL INFORMATION:
Location: 1801 Gilbert Avenue, Cincinnati, OH 45202
Owner: 625 Eden Park Drive, LLC (Neyer Properties)
       2135 Dana Avenue, Suite 200, Cincinnati, OH 45207
Petitioner: DSD Advisors
           255 E. Fifth Street, Suite 1900, Cincinnati, OH 45202
Request: A proposed zone change from Park and Recreation (PR) to Office General (OG) to allow for the construction of a facility for the Cincinnati Ballet which includes dance studios, administrative offices, and a physical therapy suite at 1801 Gilbert Avenue.

ATTACHMENTS:
Provided in addition to this report are the following attachments:

- Exhibit A – Proposed Zone Change Map
- Exhibit B – Zone Change Application
- Exhibit C – Zone Change Plat
- Exhibit D – Coordinated Site Review Letter (CPRE190065)
- Exhibit E – Walnut Hills Redevelopment Foundation Letter
- Exhibit F – Walnut Hills Area Council Letter (To Be Submitted by Petitioner)

BACKGROUND:
The subject property is a 1.737-acre vacant lot located on the west side of Gilbert Avenue, approximately 440' south of the intersection of Gilbert Avenue and Eden Park Drive. The property is currently owned by 625 Eden Park Drive, LLC (Neyer Properties), who also owns the historic Baldwin Piano Company building (multi-family residential) immediately adjacent to the north of the subject property. The western portion of the subject property is zoned Office General (OG) and the eastern portion (along Gilbert Avenue) is zoned Park and Recreation (PR). The total area proposed to be rezoned from PR to OG is 0.957 acres, which includes 0.397 acres of the right-of-way of Gilbert Avenue (as zoning districts extend to the street centerline).

The subject property ownership and proposed zone change is a result of a land swap between the Cincinnati Park Board and Neyer Properties in 2015. The Cincinnati Park Board originally owned the area of the subject property that is currently zoned PR, and Neyer Properties owned the property adjacent to the south of the subject property. A Property Swap and Development Agreement between 625 Eden Park Drive, LLC and the City of Cincinnati was proposed in order to facilitate development of the subject site and to maintain the amount of public greenspace in the vicinity. The land swap was approved in order to allow Neyer Properties to develop the subject property and allow the Cincinnati Park Board to construct a new park on the property immediately adjacent to the south. City Council approved this land swap on December 9, 2015 (Ordinance 379-2015). The approval of the land swap resulted in the existing 0.9573-acre subject property, owned by 625 Eden Park Drive, LLC, which is split-zoned between the OG and PR zoning districts.
PROPOSED DEVELOPMENT:
The petitioner is requesting the zone change in order to allow for the construction of a 3-story facility for the Cincinnati Ballet that includes dance studios, administrative offices, storage and loading docks, locker rooms and restrooms, and a physical therapy suite. If the zone change is approved, the proposed facility would be required to conform to the requirements established in all applicable sections of the Cincinnati Municipal Zoning Code for the Office General (OG) zoning district. Any deviation from these guidelines will require associated variances to be obtained through the Zoning Hearing Examiner. Additionally, notes outlined by City Departments in Coordinated Site Review CPRE190065 (Exhibit D) will need to be addressed prior to, or in conjunction with, issuance of permits for the proposed development.

ADJACENT LAND USE AND ZONING:
The proposed zone change area contains one parcel (currently owned by 625 Eden Park Drive, LLC) which is under contract for purchase. The property is currently zoned both Office General (OG) and Park and Recreation (PR). The existing zoning and land use surrounding the subject site is as follows:

**North:**
- Zoning: Commercial General - Auto (CG-A)
- Existing Use: Multi-Family Residential (Baldwin Apartments)

**East:**
- Zoning: Parks and Recreation (PR)
- Existing Use: Eden Park

**South:**
- Zoning: Office General (OG); Park and Recreation (PR)
- Existing Use: Vacant

**West:**
- Zoning: Office General (OG)
- Existing Use: Interstate I-71

ANALYSIS:
The subject property, as result of the land swap approved by City Council Ordinance 379-2015, is split zoned between the Office General (OG) and Park and Recreation (PR) zoning districts. The proposed Cincinnati Ballet facility therefore falls between both zoning designations. The facility is proposed to include dance studios, administrative offices, storage and loading docks, locker rooms and restrooms, and a physical therapy suite. The Cincinnati Zoning Code establishes uses permitted within the OG zoning district (Schedule 1407-05) and the PR zoning district (Schedule 1416-05). As proposed, the uses within the facility are defined as a “Cultural Institution” per Section 1401-01-C26. However, the proposed physical therapy use is open to the public and not exclusively an accessory to the Cincinnati Ballet facility. Therefore, the proposed physical therapy suite is defined as a “Medical Service and Clinic” per Section 1401-01-M4.

**1401-01-C26 – Cultural Institutions**
A nonprofit institution engaged primarily in the performing arts or in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. This classification includes performing arts centers for theater, dance and events, museums, historical sites, art galleries, libraries, aquariums and observatories.
1401-01-M4 – Medical Service and Clinic

Offices organized as a unified facility for more than two licensed physicians, dentists, chiropractors, or other health care professionals providing diagnosis or care of sick or injured persons but are not provided with room and board and are not kept overnight on the premises. Medical Services and medical clinics include medical and dental laboratories incidental to the medical office use.

The location of the physical therapy suite in the proposed facility is located within the portion of the subject property zoned PR. Per Schedule 1416-05 of the Cincinnati Zoning Code, “Medical Service and Clinic” uses are prohibited within the PR zoning district but are permitted within the Office General (OG) zoning district. Therefore, in order for the proposed physical therapy use to be permitted within this portion of the subject property, a zone change to a district that permits “Medical Service and Clinic” uses is necessary. Because the OG zoning district encompasses a majority of the subject property and is the adjacent district for the properties to the north and west of the subject property, this zoning district is requested by the petitioner. The uses permitted within the OG zoning district as established by Section 1407-05 of the Cincinnati Zoning Code, and the development regulations established by Section 1407-07 are appropriate for the site, and consistent with the surrounding area.

COORDINATED SITE REVIEW:
The zone change and development design plan for the Cincinnati Ballet facility were reviewed by the Coordinated Site Review Advisory Team on September 3, 2019 (CPRE190065). A Coordinated Site Review meeting with the petitioner was held on September 10, 2019. The petitioner has received a copy of the comments from each department (Exhibit D). The Department of City Planning and the Department of Buildings and Inspection’s Zoning Division indicated that based on the preliminary drawings, a zone change would be necessary. Therefore, the petitioner has submitted the subject zone change request. Several departments had comments regarding the preliminary site plan, however these comments will be reviewed by each department individually subsequent to any zone change approval of the site and prior to issuances of permits.

PUBLIC COMMENT:
The Department of City Planning held a Public Staff Conference regarding the proposed zone change on October 10, 2019. Notices were sent to property owners within a 400-foot radius of the subject properties, along with the Walnut Hills Area Council, the Walnut Hills Redevelopment Foundation, and the Mt. Auburn Community Council. A total of 10 people attended the Public Staff Conference (five representatives from the petitioner’s team and five students from the University of Cincinnati’s College of Design, Art, Architecture, and Planning). No concerns were raised regarding the proposed zone change or associated development proposal for the site. A letter of support from the Walnut Hills Redevelopment Foundation (Exhibit E) is attached. A letter from the Walnut Hills Area Council will be provided by the petitioner prior to the City Planning Commission meeting (Exhibit F).

CONSISTENCY WITH PLAN CINCINNATI:
The proposed zone change is consistent with the Live Initiative Area of Plan Cincinnati (2012), within the Goal to “Build a robust public life” (page 149), the Strategy to “Develop and maintain inviting and engaging public spaces to encourage social interaction between different types of people” (page 150), and the Action Step to “Make art an essential element of our public spaces and buildings” (page 151). The proposed zone change will allow for the construction of the Cincinnati Ballet facility, adjacent to Eden Park. This allows for a performing arts facility to be in close proximity to Eden Park and the Cincinnati Art Museum, further integrating art into a public park.
CONCLUSIONS:
The staff of the Department of City Planning supports the proposed change in zoning for the following reasons:

1. The proposed zone change is consistent with the adjacent zoning to the north and west of the subject property and allows for consistency with the environment west of Gilbert Avenue regarding allowable uses, building scale, and massing.

2. The proposed zone change is consistent with goals of Plan Cincinnati (2012).

RECOMMENDATION:
The staff of the Department of City Planning recommends that the City Planning Commission take the following action:

APPROVE the proposed zone change from Park and Recreation (PR) to Office General (OG) for the property located at 1801 Gilbert Avenue in Walnut Hills.

Respectfully submitted:

Andy Juengling, AICP, Senior City Planner
Department of City Planning

Approved:

Katherine Keough-Jurs, AICP, Director
Department of City Planning
Proposed Zone Change from PR to OG at 1801 Gilbert Avenue in Walnut Hills
PETITION FOR CHANGE OF ZONING OF PROPERTY
LOCATED IN THE CITY OF CINCINNATI, OHIO

To: The Honorable Council of the City of Cincinnati  Date: 9/5/2019

I hereby request your Honorable Body to amend the Zoning Map of the City of Cincinnati by changing the area described in the attached legal documentation and depicted on the attached plat from the PR Zone District to the OG Zone District.

Location of Property (Street Address): 1801 Gilbert Avenue, Cincinnati, OH 45202

Area Contained in Property (Excluding Streets): Area to rezone is 0.957 acres of overall 1.737 acre parcel, portion outside of R/W is 0.56 acres

Present Use of Property: Undeveloped

Proposed Use of Property & Reason for Change: Cincinnati Ballet Center for Dance which includes area for physical therapy practice

Property Owner’s Signature: [Signature]

Name Typed: Jeff Chamot - Neyer Properties 625 Eden Park Drive, LLC

Address: 2135 Dana Ave Suite 200 Phone: 513-699-8827

Agent Signature: [Signature]

Name Typed: Colleen Reynolds - DSD Advisors

Address: 255 East Fifth Street Suite 1900 Phone: 513-832-5449

Please Check if the Following Items are Attached

Application Fee X  Copies of Plat X  Copies of Metes and Bounds X
0.9573 Acres – Area to be Reclassified

Situated in Section 7, Town 3, Fractional Range 2, City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

BEGINNING at a point in the west line of Gilbert Avenue, South 36°14'40" West 441.79 feet from its intersection with the south line of Eden Park Drive;

Thence South 53°45'18" East, 50.00 feet to a point in the centerline of said Gilbert Avenue;

Thence with the centerline of Gilbert Avenue, South 36°14'40" West, 68.65 feet AND South 24°09'20" West, 270.07 feet;

Thence North 65°50'40" West, 91.18 feet;

Thence North 10°40'44" East, 102.62 feet;

Thence North 19°53'04" East, 171.92 feet;

Thence along a curve to the right, having a radius of 1539.00 feet, and arc length of 94.68 feet, a delta angle of 3°31'30" and being subtended by a chord bearing North 31°10'19" East, 94.67 feet;

Thence South 53°45'18" East, 83.68 feet to the POINT OF BEGINNING.

CONTAINING 0.9573 Acres to be reclassified.

Bearings are based on Plat Book 470, Page 23.

Gerard J. Berding, P.S. - 6880

8-22-19

Date

G.J. Berding Surveying, Inc.

741 Main Street • Milford, OH 45150 • 513 831 5505 tel • 513 831 6761 fax • www.berdingsurveying.com
September 5, 2019

Ms. Colleen Reynolds  
DSD Advisors  
255 East Fifth Street, Suite 1900  
Cincinnati, OH 45202  

Re: Cincinnati Ballet (D) – (CPRE190065) Final Recommendations  

Dear Ms. Reynolds,  

This letter is to inform you that our CSR Advisory-TEAM and CSPRO Committee reviewed your proposed project at 1801 Gilbert Avenue in the Community of Walnut Hills. The information provided is the recommendations of the City of Cincinnati and must be followed as you move forward with your project. As a reminder, we are also meeting with you on September 10, 2019 @ 10:00 am to discuss this information. Please see the feedback listed below. Thank you for developing within the City of Cincinnati.  

City Planning Department  
Immediate Requirements to move the project forward:  
1. Due to the proposed uses within the structure, and the existing Parks & Recreation (PR) zone on the eastern portion of the site, a zone change will be necessary to rezone the entire site to Office General (OG). A zone change application should be submitted to the Department of City Planning.  

Requirements to obtain permits:  
1. The zone change to Office General (OG) should be in place prior to any permits being issued  

Recommendations:  
1. It is strongly advised that the applicant reach out to and present the proposal to the Walnut Hills Community Council and the Walnut Hills Redevelopment Foundation.  

Contact:  
- Andy Juengling | City Planning | 513-352-4840 | andy.juengling@cincinnati-oh.gov  

Buildings & Inspections – Zoning  
Immediate Requirements to move the project forward:  
1. If the proposed zone change from PR / OG to OG is approved the only variance will be for the front setback of 15 feet. A 5-foot Variance will be required.  

Requirements to obtain permits:  
- None  

Recommendations:  
- None  

Contact:  
- Walter Moeller | ZPE | 513-352-3964 | walter.moeller@cincinnati-oh.gov
Metropolitan Sewer District (MSD)
Immediate Requirements to move the project forward:
  • None
Requirements to obtain permits:
  1. Detention will be reviewed by Jeff Chen at jeff.chen@cincinnati-oh.gov or 513-244-1357 per Section 303 of the MSD Rules and Regulations.
  2. An approved site utility plan will be required for each residence to receive approved permit.
Recommendations:
  • None
Contact:
  • Jim Wood | MSD | 513-352-4311 | jim.wood@cincinnati-oh.gov

Stormwater Management Utility (SMU)
Immediate Requirements to move the project forward:
  • None
Requirements to obtain permits:
  1. SMU agrees with detention assessment. We would like to see the calculations and profile.
  2. Need parking lot elevation details
Recommendation:
  • None
Contact:
  • Robert Goodpaster | SMU | 513-581-0893 | robert.goodpaster@cincinnati-oh.gov
  • Saidou Wane | SMU | 513-591-7746 | saidou.wane@cincinnati-oh.gov

Water Works
Immediate Requirements to move the project forward:
  • None
Requirements to obtain permits:
  • None
Recommendations:
  1. Owner(s)/Developer(s) will need to hire a Greater Cincinnati Water Works certified licensed, bonded fire protection company and plumber to perform the private water service branch design work and installation.
Contact:
  • Jim O'Shea | WaterWorks | 513-591-7860 | jim.O'Shea@gcww.cincinnati-oh.gov

Fire Department
Immediate Requirements to move the project forward:
  1. Confirm that the closest two hydrants have fire flows of at least 1000 GPM at 20 PSI.
Requirements to obtain permits:
  1. Show any parking related to site along with fire department access hydrants that are within 400 feet from all parts of the structure.
2. For this structure confirm that there are at least two fire hydrants that are within 400' from all parts of each structure.
3. Closest hydrants are located at 1781 Gilbert Ave, 1755 Gilbert Ave, and 1730 Gilbert Ave.
4. Confirm that the Fire Department Connection is within 50' of a fire hydrant, two Fire Department Connections will be required for High-rise structures.
5. The Fire Department needs to have access to three sides of each structure for firefighting operations.
6. Access Streets, Roadways or Driveways. (b) The surface shall be of sufficient strength and type to adequately support any fire division apparatus under any weather conditions. The weight of our apparatus is as follows:

<table>
<thead>
<tr>
<th>Apparatus</th>
<th>Width</th>
<th>Length</th>
<th>Height</th>
<th>Weight</th>
<th>Front axle</th>
<th>Rear axle</th>
<th>Turn radius inside/outside</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ladder</td>
<td>10'</td>
<td>41'10&quot;</td>
<td>11' 9&quot;</td>
<td>70,000</td>
<td>21,600</td>
<td>48,000</td>
<td>35.45/39.25</td>
</tr>
<tr>
<td>Engine</td>
<td>10'</td>
<td>31'6&quot;</td>
<td>9'5&quot;</td>
<td>44,000</td>
<td>20,000</td>
<td>24,000</td>
<td>34'6&quot;/41'6&quot;</td>
</tr>
<tr>
<td>Ambulance</td>
<td>9'4&quot;</td>
<td>22'2&quot;</td>
<td>9'2&quot;</td>
<td>18,500</td>
<td></td>
<td></td>
<td>34'/41'</td>
</tr>
</tbody>
</table>

7. The structure is over four stories in height, the owner is to use Siamese connections.
8. Show any parking related to site and fire department access to three sides of each structure.
9. If the fire access road is more than 150 you must provide an approved turn around.
10. Bidirectional antenna for fire department communication maybe required for the structure.
11. Security gates are subject to approval by fire, gates for access roads are to be 20 feet in width.
12. Post indicator valves cannot be more than 40 feet from the building it services.

**Recommendations:**
1. It is recommended that the owner installed a second Fire Department Connection on the structure. Also consider installing a private hydrant in the rear of the structure.

**Contact:**
- Fred Prather | Fire Dept. | 513-357-7595 | fred.prather@cincinnati-oh.gov
Office of Environment and Sustainability (OES)
Immediate Requirements to move forward with project:
- None

Requirements to obtain permits:
1. If this project will include a new City permanent utility easement (i.e., water and/or sewer), then it must receive environmental approval.

Recommendations:
1. The development goal should be to earn at a minimum the LEED Certified rating level.
2. Rooftop solar should be considered in the design as a renewable energy source, which could also go towards LEED Certification.
3. Site parking areas should include electric vehicle charging stations.
4. Bike rack areas should be included in site parking areas.
5. Site areas designated for solid waste collection, such as for dumpsters and trash carts, should also have at least equal space designated for recycling dumpsters or carts in the design.
6. The use of trees in the landscape design should be included to enhance urban forestry.
7. The use of non-impervious surfaces should be maximized to the extent practical in the design.

Contact:
- Howard Miller | OES | 513-352-6999 | howard.miller@cincinnati-oh.gov

Police Department
Immediate Requirements to move the project forward:
- None at this time.

Requirements to obtain permits:
- No comments.

Recommendations:
- None

Contact:
- Matt Hammer | Police Dept. | 513-478-2257 | matt.hammer@cincinnati-oh.gov
- Brandon Kyle | Police Dept. | 513-584-1870 | brandon.kyle@cincinnati-oh.gov
- Shannon Heine | Police Dept. | 513-352-2556 | shannon.heine@cincinnati-oh.gov

Health Department
Immediate Requirements to move the project forward:
- None

Requirements to obtain permits:
1. No need for Health to review project as proposed.

Recommendations:
- None

Contact:
- Trisha Blake | Health Dept. | 513-352-2447 | trisha.blake@cincinnati-oh.gov
Parks & Recreation
Immediate Requirements to move the project forward:
• None

Additional Requirements to obtain permits:
1. Due to the proximity to park property and the City and the Park Board’s prior agreements with the developer (Neyer), the Park Board needs to review the design plans including site plans and landscape plans. Additionally, if any street trees are to be impacted by the project, the developer needs to confer with Park’s Urban Forestry section and obtain tree permits as required. The Park Board would also want to see a schedule for the project.

Recommendations:
1. As the project proceeds, the Park Board would like to work and collaborate with the Ballet and the developer on potential physical and programmatic enhancements to the adjacent park property.

Contact:
• Steve Schuckman | Parks | 513-475-9600 | steve.schuckman@cincinnati-oh.gov
• Cynthia Witte | Parks | 513-475-9600 | cynthia.witte@cincinnati-oh.gov

Department of Transportation & Engineering (DOTE)
Immediate Requirements to move the project forward:
• None

Requirements to obtain permits:
1. The drive aisle cannot be in the right of way. If it is to abut the property line, some delineation is needed at the property line.
2. Sidewalk is to match in front of the Baldwin building, 10’ walk with tree wells, or be 5’ walk with 5’ tree lawn.
3. The north driveway width needs to 20’ max, the middle drive needs to be 14’ max, and the south driveway needs to remain the existing width of about 30’.
4. The island can be cut back. Work with DOTE on the design details of what will be permitted.
5. Driveway aprons need to be City Standard.
6. The sign monument needs to be on private property. If it needs to be in the right of way, a Revocable Street Privilege is needed and must meet all the requirements.
7. A DOTE permit is needed for all work in the right of way.

Recommendations:
• None

Contact:
• Morgan Kolks | DOTE | 513-352-5285 | morgan.kolks@cincinnati-oh.gov

Buildings & Inspections – Buildings
Immediate Requirements to move the project forward:
• No issues.

Requirements to obtain permits:
• None

Recommendations:
None

Contact:
- Robert Martin | B&I Plans Exam | 513-352-2456 | robert.martin@cincinnati-oh.gov

Department of Community & Economic Development (DCED)
Immediate Requirements to move the project forward:
- None

Requirements to obtain permits:
- None

Recommendations:
- None

Contact:
- Marc Von Allmen | DCED | 513-352-4549 | marc.vonallmen@cincinnati-oh.gov

Law Department
Immediate Requirements to move the project forward:
- None

Requirements to obtain permits:
1. Proposed monument sign appears to be in ROW.
2. Major encroachments in ROW require an easement; minor encroachments require RSP.

Recommendations:
- None

Contact:
- Charles Martinez | Law | 513-352-3359 | charles.martinez@cincinnati-oh.gov

FINAL ACTION: The CSR Advisory-TEAM and CSPRO Committee believes that the proposed project plans are moving in the appropriate direction and recommends that the project move forward to City Planning Commission subject to the following condition.

- The subject development must follow the requirements listed above to ensure that the development meets the requirements of all agencies as they apply for all permits.

Sincerely,

Art Dahlberg,
Director of Buildings and Inspections Department & CSPRO Committee Chair

Rodney D. Ringer,
Development Manager

AD:RDR:hs
Scott Altman, President & CEO
Cincinnati Ballet
1555 Central Parkway
Cincinnati, OH 45214

September 24, 2019

Dear Mr. Altman:

On behalf of the Walnut Hills Redevelopment Foundation, I am writing to state my support of the Cincinnati Ballet’s (the “Ballet”) construction of a new, state-of-the-art Dance Center in the Cincinnati neighborhood of Walnut Hills, which will house the Ballet’s training, rehearsal, academy, and community outreach activities.

Since 1963, the Ballet has been the cornerstone professional ballet company of the region, presenting world-class performances, elite-level dance education, and extensive outreach programs. The Ballet is a thriving non-profit organization with a clear mission centered on expanding the love of dance in our community. For the last several years, the Ballet has experienced unprecedented growth. Last year alone, a record 70,000 people attended 59 performances. In addition to providing world-class professional productions at Music Hall and the Aronoff Center, the Ballet is deeply proud of its education-centric mission. For the last 21 years, The Ballet’s Otto M. Budig Academy has continued to educate dance lovers age two through adult who come from all over the region and the world to participate. This year, the Academy boasts record-breaking enrollment of nearly 600 students, an increase of roughly 100 students from last year. The Ballet enjoys deep partnerships with both Cincinnati Children’s Hospital and Cincinnati Public Schools, and it is core to their mission that they reach beyond the stage to increase diversity and inclusion in the artform and access to every person in the region to be part of the continued evolution of dance. The success of programs with Cincinnati Children’s and Cincinnati Public Schools has created enormous demand for the expansion of the Ballet’s community outreach partnerships, but the lack of capacity at the existing facility has prohibited new partnerships.

As the Cincinnati Ballet looks to build a new home in Walnut Hills, the vision would include 60,000 square feet, doubling studio space from four to eight. The new space will provide ample room for the Ballet’s professional classes and rehearsals, satisfy the growing needs of the Otto M. Budig Academy, and increase the impact of outreach programming in the community. The facility will include a studio dedicated to community outreach, enabling the significant expansion of programs offered to low-income and disadvantaged individuals. This growth in physical space will elevate the Company’s rehearsal halls and bring all of the Ballet’s performance

walnuthillsrf.org
Walnut Hills Redevelopment Foundation

688 E McMillan St
Cincinnati, OH 45206

Office: (513) 593-9473

preparation under one roof. It will also serve as an additive to the fabric of the Walnut Hills community, and with a dedicated on-site community event space, the facility will provide expanded access to members of the neighborhood to participate in all the Cincinnati Ballet has to offer.

Again, on behalf of the Walnut Hills Redevelopment Foundation, I support the Cincinnati Ballet’s new Dance Center and application for a Zone change from Parks and Recreation (PR) to Office General (OG) to ensure the construction of their facility in Walnut Hills.

Very truly yours,

[Signature]

Emily J.S. Ahouse
Executive Director, Walnut Hills Redevelopment Foundation

walnuthillsrf.org
Honorable City Planning Commission
Cincinnati, Ohio

November 1, 2019

CPC ITEM # 2

SUBJECT: A report and recommendation on a proposed zone change from Single-family (SF-4) to T4 Neighborhood Small Footprint – Open (T4N.SF-O) for the properties at the northwest corner of the intersection of Madison Road and Stewart Avenue in Madisonville.

GENERAL INFORMATION:
Location: Approximately 4.477 acres located on the northwest corner of the intersection of Madison Road and Stewart Avenue (Attachment A)

Owner: Madison and Stewart, LLC
5905 E. Galbraith Road, Suite 4100, Cincinnati, OH 45236

Petitioner: Nicholas P. Lingenfelter (PLK Communities, LLC)
5905 E. Galbraith Road, Suite 4100, Cincinnati, OH 45236

Request: A proposed zone change from Single-family (SF-4) to T4 Neighborhood Small Footprint – Open (T4N.SF-O) to allow for an approximate 4.477-acre multi-family residential development.

ATTACHMENTS:
Provided in addition to this report are the following attachments:

- Exhibit A – Proposed Zone Change Map
- Exhibit B – Zone Change Application
- Exhibit C – Zone Change Plat
- Exhibit D – Coordinated Site Review Letter (CPRE190056)
- Exhibit E – List of Community Engagement Meetings
- Exhibit F – September 25, 2019 Community Committee Discussion
- Exhibit G – Draft Memorandum of Understanding Between MCC and PLK Communities
- Exhibit H – Correspondences Received

BACKGROUND:
The subject site is the northwest corner of the intersection of Madison Road and Stewart Avenue and is a total of 4.477 acres. The area along the Madison Road frontage (1.654 acres) is currently zoned T4 Neighborhood Small Footprint – Open (T4N.SF-O). The site also includes 11 parcels (2.823 acres) to the north which are currently zoned Single-family (SF-4). The site was acquired by Madison and Stewart, LLC in July 2019 with the intent to develop the site as residential. All structures on the site have been demolished, with the exception of a historic two-story home situated on the southeast corner of the site which is proposed to be preserved by the petitioner. The petitioner is requesting a zone change for the 2.823 acres from SF-4 to T4N.SF-O, so that the entire 4.477-acre site will allow for a proposed multi-family residential development consistent with the principles of the Form-Based Code.

In 2013, the existing T4N.SF-O Form-Based Code (FBC) zoning district along the Madison Road frontage of the subject site was adopted by City Council after engagement between the City, the Madisonville Community Council, Madisonville Community Urban Redevelopment Corporation (MCURC), and the Madisonville community (Ordinance 307-2013). Madisonville was one of the first neighborhoods to step forward and volunteer to implement FBC zoning. The existing T4N.SF-O district along the Madison Road frontage of the subject site serves as a transition from the density and form of
the Madison Road and Whetsel Avenue intersection area (to the east) and into the less dense areas surrounding the Neighborhood Business District. The FBC zoning district boundaries were established to assist Madisonville in meeting the envisioned geographic principles for the neighborhood.

**PROPOSED DEVELOPMENT:**
The petitioner, PLK Communities, is requesting the proposed zone change to allow for a 4.477-acre multi-family residential development on the northwest corner of the intersection of Madison Road and Stewart Avenue. The preliminary site plan provided by the petitioner as part of the zone change application indicates 36 total buildings with 151 market-rate dwelling units as detailed in the table below:

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Number of Building Type</th>
<th>1-Bedroom Units (Per Building)</th>
<th>2-Bedroom Units (Per Building)</th>
<th>Unit Total for Building Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type A</td>
<td>11</td>
<td>6</td>
<td>-</td>
<td>66</td>
</tr>
<tr>
<td>Type B</td>
<td>9</td>
<td>6</td>
<td>-</td>
<td>54</td>
</tr>
<tr>
<td>Type C</td>
<td>5</td>
<td>2</td>
<td>2</td>
<td>20</td>
</tr>
<tr>
<td>Carriage House</td>
<td>11</td>
<td>1</td>
<td>-</td>
<td>11</td>
</tr>
<tr>
<td>Total</td>
<td>36</td>
<td></td>
<td></td>
<td>151</td>
</tr>
</tbody>
</table>

The preliminary site plan also indicates approximately 211 parking spaces and the restoration of the Stewart Home (existing historic home located at the southeast corner of the site) as a clubhouse for the proposal. Under the existing SF-4 zoning district, multi-family residential is not a permitted use, therefore a zone change would be necessary in order for the site to be developed as intended by the developer. The preliminary site plan has been drafted by the petitioner under the T4N.SF-O zoning district standards established by the City of Cincinnati Form-Based Code Section 1703-2.70.

If the zone change is approved, any new development will have to conform to the requirements set forth in the Cincinnati Municipal Code for development in a T4N.SF-O zoning district. Any deviation from these requirements will require associated variances to be obtained through either the Zoning Hearing Examiner, or concurrently with any division of land application before the City Planning Commission.

**ADJACENT LAND USE AND ZONING:**
The proposed zone change area is 2.823 acres and contains 11 parcels, all of which are owned by Madison & Stewart, LLC. The total proposed development site, including the area along Madison Road that is currently zoned T4N.SF-O, is 4.477 acres in its entirety. The existing zoning and land use surrounding the subject site is as follows:

**North:**
- **Zoning:** Single-Family Residential (SF-4)
- **Existing Use:** Single-Family Residential

**East:**
- **Zoning:** Single-Family Residential (SF-4); T4 Neighborhood Small Footprint (T4N.SF)
- **Existing Use:** Single-Family Residential; Multi-Family Residential

**South:**
- **Zoning:** T4 Neighborhood Small Footprint (T4N.SF-O); Residential Multi-Family (RM-1.2)
- **Existing Use:** Professional Office; Single-Family Residential; Senior Living Facility

**West:**
- **Zoning:** Single-Family Residential (SF-10); T4 Neighborhood Small Footprint (T4N.SF-O)
- **Existing Use:** Single-Family Residential; Multi-Family Residential
EXPLANATION OF EXISTING AND PROPOSED FORM-BASED CODE DISTRICTS:
Section 1703-2 of the Cincinnati Municipal Code establishes the purposes and standards for each of the Form-Based Code transects zones. Below is an outline of the proposed differences between the existing SF-4 district and the proposed T4N.SF-district.

<table>
<thead>
<tr>
<th>District</th>
<th>Existing Zoning</th>
<th>Proposed Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Use</td>
<td>This subdistrict allows moderately high-density single-family housing. The minimum lot size is 4,000 square feet.</td>
<td>Primarily residential with smaller neighborhood-supporting uses in ancillary buildings, existing corner store buildings, and in the open sub-zone</td>
</tr>
<tr>
<td>Form Elements</td>
<td>• Uses Regulations of Schedule 1403-05</td>
<td>• Detached or Attached;</td>
</tr>
<tr>
<td></td>
<td>• Development Regulations of Schedule 1403-07</td>
<td>• Narrow-to-Medium Lot Width</td>
</tr>
<tr>
<td>Purpose Behind Zone</td>
<td>• District does not allow for multi-family residential</td>
<td>• Building at or Close to Right-of-Way</td>
</tr>
<tr>
<td>Change Request</td>
<td>• Preserve and expand Form-Based district in the Madisonville neighborhood</td>
<td>• Up to 2½ Stories</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

ANALYSIS:
Existing Zoning and Surrounding Land Uses
The zone change from SF-4 to T4N.SF – O is requested to allow for the development of the property as a multi-family residential development. The subject site is located on the corner of the intersection of Madison Road (a major arterial roadway) and Stewart Avenue (a collector roadway). Madison Road connects the site to Red Bank Expressway (to the west), and Stewart Avenue connects the site to Interstate 71 (to the north). Located to the west of the site, between Red Bank Expressway and the subject site, is John P. Parker School (elementary school), St. Paul Village (senior living facility), and the Medpace, Inc. development (mixed-use development including office, retail, multi-family residential, and hotel uses). East of the site is the Madisonville Neighborhood Business District. The site effectively serves as a transition from the commercial area of Red Bank Expressway to the Madisonville Neighborhood Business District. The area adjacent to the north of the site, and adjacent to the west (between the site and John P. Parker School) are single-family detached residences. The development standards of a “Multi-Plex: Small” (multi-family residential) use in the T4N.SF-O district are such that will allow for the structures to serve as a transition from Madison Road to the single-family residential environment north of the subject site.

Proposed Zoning
The proposed zone change for the northern 2.283 acres of the subject site from SF-4 to T4N.SF-O will allow for the site to be developed in a cohesive manner. The existing SF-4 zoning district allows for single-family residential uses with a minimum lot size of 4,000 sq. ft. The development standards of the SF-4 district are established in Section 1403-07, as outlined in the table on the following page. The applicant is requesting a zone change for this area to be consistent with the existing T4N.SF-O zoning district that is present along the southern 1.654 acres of the site along the Madison Road frontage and the approximate 150’ of Stewart Avenue frontage. Under the existing two zoning districts, the petitioner is able to develop the property, however the site would need to conform with the existing zoning designations, which would not allow for a cohesive development.

The requested T4N.SF-O zoning district establishes specific requirements for setbacks, lot area, building height, architectural elements, landscaping, and location of parking that encourage interaction between the public realm (street and sidewalk) and the private realm (yard or building). The proposed zone
change would allow for this interaction to take place along the Madison Road frontage and along the entire Stewart Avenue frontage of the site.

| Lot Size | 4,000 sq. ft. | n/a |
| Lot Width | 40' min. | 100' max. |
| Lot Depth | n/a | 100' min. |
| Front Yard Setback | 20' min. | Interior Lot: 5' min./15' max |
| Side Yard Setback | 3' min./12' total | Corner Lot: 0' min./15' max |
| Rear Yard Setback | 25' min. | Side Street: 0' min./ 15' max |
| Height | 35' max. | Main Building: 3' min./9' max |

While the areas immediately adjacent to the north, east, and west of the site are single-family residential uses, and the proposed use of the site is multi-family residential, the T4N.SF-O district establishes that multi-family uses shall be “Multi-Plex: Small” uses (as defined in Section 1703-3.100 A below).

1703-3.100 A. Multi-Plex: Small Description
The Multi-Plex: Small building type is a medium structure that consists of 3 – 6 side-by-side and/or stacked dwelling units, typically with one shared entry or individual entries along the front. This type has the appearance of a medium-size family home and is appropriately scaled to fit sparsely within primarily single-family neighborhoods or into medium-density neighborhoods. This type enables appropriately scaled, well-designed higher densities and is import for providing a broad choice of housing types and promoting walkability.

Under this description, the proposed zone change and intended use of the property is consistent with the purpose behind the Multi-Plex: Small use, and the integration into the surrounding single-family, medium-density neighborhood. Additionally, the Multi-Plex: Small use is consistent with the three adjacent multi-family buildings that front Madison Road, opposite of Stewart Avenue from the subject site. However, under the T4N.SF-O zoning district, there are more extensive design and form requirements to better integrate the uses into the public realm and streetscape. Whereas under traditional zoning, a use is permitted regardless of building and form design, as long as the development standards for the district are satisfied.

COORDINATED SITE REVIEW:
The proposed development was reviewed as a “Development Design Review” by the Coordinated Site Review Advisory Team on July 23, 2019 (CPRE190056). A Coordinated Site Review meeting with the petitioner was held on July 30, 2019. Several Departments had comments regarding requirements that would need to be satisfied for the proposed multi-family residential development prior to permitting, including the need for additional right-of-way dedication on Madison Road, the need for a private sanitary sewer extension if the proposed internal road network is to be private, verification of water service lines, and verification of fire apparatus turn radii. However, there were no objections to the proposed zone change or property use.

The petitioner has been in communication with the Department of City Planning, the Department of Transportation and Engineering (DOTE), the Fire Department, and the Department of Community and
Economic Development (DCED) throughout the application and zone change process regarding the comments outlined in CPRE190056. Notes outlined by City Departments in Coordinated Site Review CPRE190056 (Exhibit D) will need to be addressed prior to, or in conjunction with, issuance of permits for the proposed development.

PUBLIC COMMENT:
The Department of City Planning held a Public Staff Conference regarding the proposed zone change on September 3, 2019. Notices were sent to property owners within a 400-foot radius of the subject properties, along with the Madisonville Community Council and the Madisonville Community Urban Redevelopment Corporation (MCURC). A total of 18 people attended the Public Staff Conference (six representatives from the petitioner’s team and 12 community members). Discussion during the meeting included concerns related to the impact of the development on traffic and pedestrian safety along Madison Road, Stewart Avenue, Chandler Avenue, Anderson Place, and the associated intersections. There was talk about what types of infrastructure can be installed to help minimize the impact the development will have on the roadway and pedestrian network (traffic signals, crosswalks, wider sidewalks, etc.). There was discussion regarding the proposed multi-family residential development, specifically relating to the quality, affordability, and impact on safety. There were concerns raised by attendees of the loss of privacy with the proximity of units to Stewart Avenue, the loss of trees due to site clearing, and noise and light that will be caused by development of the site. In addition to the Public Staff Conference held by the Department of City Planning, there have been several meetings between the petitioner, Madisonville community members, and various City Departments to discuss the proposed zone change and intended development (as outlined in Exhibit E).

On September 19, 2019, the petitioner presented the request to the Madisonville Community Council. The Madisonville Community Council voted to table any action for one month to allow for additional time for engagement between the Community Council, community members, the petitioner, and City Departments to discuss and work to address concerns of the neighborhood.

On September 25, 2019, Madisonville Community Council met with residents and business owners directly impacted by the proposed development to gather concerns by the neighborhood to outline to the petitioner and the City (Exhibit F). On October 1, 2019, the Madisonville Community Council President, the petitioner, the Department of City Planning, Zoning Administration, DOTE, and DCED met to discuss the concerns outlined in Exhibit G and work to address the items into the development plan, or into any possible public improvements. The petitioner agreed to draft a Memorandum of Understanding (MOU) to pledge to make improvements, where possible, to address concerns of the neighborhood.

On October 17, 2019, the petitioner returned to the Madisonville Community Council to present updates and discussions that took place since the September 25th meeting. No vote by the Community Council was taken at this meeting regarding the community’s position on the request. On October 23, 2019, a follow-up discussion meeting was held by the Madisonville Community Council that included residents, community members, the petitioner, and City Departments to continue to discuss any outstanding concerns regarding the requested zone change and intended multi-family residential development. Much of the discussion in this meeting was regarding existing traffic and pedestrian safety issues in the vicinity of the site, the differences between the SF-4 zoning district development standards and those of the T4N.SF-O, and the history of the adoption of the Form-Based Code in Madisonville. The concern of no guarantee that the T4N.SF-O zone would not continue to extend north in the future to Chandler Avenue to the north was also raised. There were concerns shared that traffic conditions will only worsen with the additional density that a multi-family residential development will bring. While some of the traffic and pedestrian safety concerns raised during this meeting are outside the scope of the requested
zone change application, the petitioner agreed to enter into an MOU (Exhibit G) to work with the community and the City to implement public improvements, where possible, to help alleviate and address concerns of the community. Additionally, DOTE has reviewed the intended development and worked with the petitioner’s traffic engineer to ensure that all ingress/egress to the site meets all minimum requirements, and that all sidewalk and roadway improvements that are necessary due to the impact of the development are implemented in conjunction with the project.

Discussions are ongoing between the petitioner, the community, DOTE, DCED, and the Department of City Planning as to the scope of the MOU and its integration into any application for project financing through DCED. While the requested zone change can not be conditioned upon the execution of an MOU, staff of the Department of City Planning strongly encourage the ongoing engagement between the petitioner and the Madisonville community regarding the traffic and pedestrian safety concerns as they relate to the development of the subject site.

**CONSISTENCY WITH PLAN CINCINNATI:**
The proposed zone change is consistent with the Live Initiative Area of *Plan Cincinnati* (2012), particularly within Goal 2 to “Create a more livable community” and the Strategy to “Support and stabilize our neighborhoods” (page 160). It is also consistent with the Live Initiative Area’s Goal 3 to, “Provide a full spectrum of housing options, and improve housing quality and affordability” (page 164) and the Strategy to “Offer housing options of varied sizes and types for residents at all stages of life” (page 169). This zone change would permit a development that would introduce additional multi-family units and options into the neighborhood.

Additionally, the site is within a Neighborhood Center identified in the Guiding Geographic Principle #1 “Focus revitalization on existing centers of activity” (page 94). The Neighborhood Centers are identified to strategically guide the location of future investment and growth, including the degree of change in order to create a walkable neighborhood center. The subject site is identified as a “Transform” (page 91) classification of a neighborhood center. The proposed zone change would allow for a multi-family residential development, designed under the T4N.SF-O district requirements, which is consistent with the primary objective of the “Transform” classification to “target major opportunities for large-scale changes, such as infill, redevelopment, and public improvements” (page 90).

**CONCLUSIONS:**
The staff of the Department of City Planning supports the proposed change in zoning for the following reasons:

1. The proposed zone change is consistent with the existing surrounding built environment with regards to allowable uses, building scale, massing, and adjacent zoning districts.

2. The proposed zone would allow a multi-family development that will introduce additional dwelling units into the neighborhood, which is consistent with the Live Initiative Area’s goal to, “Provide a full spectrum of housing options, and improve housing quality and affordability” in *Plan Cincinnati* (2012).

3. The proposed zone change would allow for a multi-family residential development in the Madisonville community that was identified in *Plan Cincinnati* (2012) as a “Transform” neighborhood center which is intended to target major opportunities for large-scale changes including redevelopment.
RECOMMENDATION:
The staff of the Department of City Planning recommends that the City Planning Commission take the following action:

APPROVE the proposed zone change from Single-family (SF-4) to T4 Neighborhood Small Footprint – Open (T4N.SF-O) for the properties at the northwest corner of the intersection of Madison Road and Stewart Avenue in Madisonville.

Respectfully submitted:

Andy Juengling, AICP, Senior City Planner
Department of City Planning

Approved:

Katherine Keough-Jurs, AICP, Director
Department of City Planning
Proposed Zone Change from SF-4 to T4N.SF-O in Madisonville

SF-4 to T4N SF-O
2.823 acres

To Remain T4N SF-O
1.654 acres
PETITION FOR CHANGE OF ZONING OF PROPERTY
LOCATED IN THE CITY OF CINCINNATI, OHIO

To: The Honorable Council of the City of Cincinnati

I hereby request your Honorable Body to amend the Zoning Map of the City of Cincinnati by changing the area described in the attached legal documentation and depicted on the attached plat from the __________ Zone District to the __________ Zone District.

Location of Property (Street Address):

Area Contained in Property (Excluding Streets): ________ 4.77 Acres

Present Use of Property: _____________________________ Vacant _____________________________

Proposed Use of Property & Reason for Change: _____________________________ Residential proposed use. In an effort to respect the community approved form based code

and create one consistent development across the site, we are requesting the entire site be rezoned to the form based code (T4N.SFO)

Property Owner’s Signature: _____________________________

Name Typed: _____________________________ Nicholas P. Lingenfelter - VP and Authorized Member _____________________________

Address: _____________________________ 5905 E. Galbraith Rd (Site 4100) Cincinnati, OH, 45236 _____________________________ Phone: _____________________________ 513-561-5680 _____________________________

Agent Signature: _____________________________

Name Typed: _____________________________

Address: _____________________________ Phone: _____________________________

Please Check if the Following Items are Attached

Application Fee ________ Copies of Plat ________ Copies of Metes and Bounds ________
The Owner of the Tract of Land Shown on This Plat of Survey, Deems That This Tract is Entered as Two or More Items or Parcels on the Hamilton County Auditor’s Tax Maps and Tax Lists. We hereby request the Hamilton County Auditor to Combine Such Items or Parcels Into One Entry on the Hamilton County Auditor’s Tax List and Remove From the Tax Map’s the Lies Which Divide Said Parcels and Show the Courses and Distances of this Survey as the Boundary of the Combined Tracts of Land. If this Request is Granted We Agree to Describe Any Part or All of the Tract of Land Shown Herein for Any Future Purposes of Conveyance by Metes and Bounds so That Such Description Shall be Agreeable With the Survey Shown Herein. We Also Agree to Record This Survey in the Hamilton County Recorder’s Office.

The Owner Also Certifies That There are No Delinquent Taxes Against the Above Described Property and It is All in One Taxing District.

By: ___________________________ Date: ___________________________
By: ___________________________ Date: ___________________________

Witnesses:
printed name: ___________________________
printed name: ___________________________

STATE OF OHIO
COUNTY OF HAMILTON

The foregoing instrument was acknowledged before me this day of __________, 2019

Notary Public State of Ohio

Consolidation Plat
Parcels 35-1 thru 37, 47 thru 56, 92 and 100
Lots 30 thru 43, Stewart Place Sub, P.B. 21, Pg. 75
Sec. 16, T. 4, P.R. 2, Columbia Township
City of Cincinnati, Hamilton County, Ohio
July 15, 2019
The Owner of the Tract of Land Shown on this Plat of Survey Depose That This Tract is Entered as Two or More Items or Parcels on the Hamilton County Auditor’s Tax Maps and Tax Lists. We Herewith Request the Hamilton County Auditor to Combine Said Items or Parcels into One Entry on the Hamilton County Auditor’s Tax List and Remove From the Tax Map’s the Line Which Divides Said Parcels and Show the Courses and Distances of this Survey on the Boundary of the Combined Tracts of Land. If this Request is Granted We Agree to Describe Any Part or All of the Tract of Land Shown Herein for Any Future Purposes of Conveyance by Metes and Bounds so That Such Description Shall be Agreeable with the Survey Shown Herein. We Also Agree to Record This Survey in the Hamilton County Recorder’s Office.

The Owner Also Certifies That There are No Delinquent Taxes Against the Above Described Property and it is All in One Taxing District.

By: ___________________________ Date: ___________________________

By: ___________________________ Date: ___________________________

Witnesses:

printed name: ___________________________

printed name: ___________________________

STATE OF OHIO
COUNTY OF HAMILTON

The foregoing instrument was acknowledged before me this ____ day of _______, 2019

Notary Public State of Ohio

Consolidation Plat
Parcels 35-1-31 thru 37, 47 thru 58, 92 and 100
Lots 30 thru 43, Stewart Place Sub, P.B. 21, Pg. 75
Sec. 18, T. 4, R. 2, Columbia Township
City of Cincinnati, Hamilton County, Ohio
July 13, 2019

James D. Fogo
Ohio Reg. No. 7902
3825 Wilma Dr.
Cincinnati, Ohio 43251
513.128.9524
jim.fogo@gmail.com
October 23, 2019

Mr. Joseph Dillon
Brandstetter Carroll, Inc.
308 E. 8th Street
Cincinnati, OH 45202

Re: Madison & Stewart, LLC (D) – (CPRE190056) Revised Final Recommendations

Dear Mr. Dillon,

This letter is to inform you that our CSR Advisory-TEAM has reviewed your REVISED proposal for 5522 Madison Road in the Community of Madisonville. The information provided is the recommendations of the TEAM and must be followed as you move forward with your project. Please see the feedback listed below. Thank you for developing within the City of Cincinnati.

City Planning Department
Immediate Requirements to move the project forward:

1. As proposed, the current zoning does not allow for the density or multi-unit buildings, therefore a zone change will be required in order for the project to move forward. The T4N.SF-O was put in place as part of the implementation of the Form Based Code in the Madisonville neighborhood, therefore this district should be preserved.

2. Per the Form Based Code, individual lots for buildings are a requirement, therefore if the site plan intends to have all buildings on a single parcel, the applicant should demonstrate that the FBC lots for the T4N.SF-O would be met by showing "imaginary lot lines" to demonstrate the intent of the district is being met.

3. Per DOTE comment, if additional right-of-way is to be allocated, a Dedication Plat will be required to be reviewed by the City Planning Commission.

4. The drive lane and trash bin on the west of the proposal, outside of the property boundary, which would be outside of the zoning boundary. This area should be within the zoning district and on the subject property.

5. A Consolidation Plat should be recorded after any zone change occurs, but prior to a Major Subdivision for the development.

6. A Major Subdivision will be required for the proposal after the zone change occurs if any of the criteria of Section 200-02-S6 of the Subdivision Regulations occurs based on the site plan.

Requirements to obtain permits:

1. All items listed above shall be completed prior to submitting for permits.

Recommendations:

1. It is strongly advised that the applicant work with and present the proposal to the Madisonville Community Council and MCURC.

Contact:

- Andy Juengling | City Planning | 513-352-4840 | andy.juengling@cincinnati-oh.gov
Buildings & Inspections – Zoning
Immediate Requirements
1. None for the rezoning request.
Requirements to obtain permits:
Overarching:
1. Property proposes to have multiple buildings on one parcel. A variance is required to allow such. For variance consideration, which staff assumes is to achieve singular management and reduce significant easement requirements on the property, the property should be designed to achieve a layout compliant with the requirements of the Form Based Codes, based on a configuration of lots on streets. Applicant should show with imaginary parcel lines that the project would be compliant if lots were to be established. To achieve this requirement, the following considerations must be incorporated. (MORE COMPLIANT)
   a. Private Streets should be incorporated into the development layout. Street types are articulated in the FBC, Section 1703-7. (MORE DETAIL REQUIRED)
   b. Each structure shall front on a designated "private street". Private streets would have parallel but not perpendicular parking. (STILL NEEDS REFINEMENT, PARTICULARLY THE NORTHERN ROW OF BUILDINGS)
   c. Street Standards to consider include ST-44-24, and all the tree and frontage requirements with 1700.
2. The project likely requires a site plan revision, which likely will orient most of the site's buildings in a north-south direction and a looping private street. (CONSIDER RECONFIGURATION OF THE NORTHERN ROW TO HAVE FRONTAGE TO THE NORTH.)
Transect Requirements (NEED ELEVATION DETAILS TO DETERMINE COMPLIANCE TO FORM, HEIGHT, ETC.)
1. Carriage House and Multi-Plex: Small are proposed, Building Types are permitted
2. Building Form: confirm height of buildings are 2 ½ stories, 24 ft to eave, 35 ft. max height.
3. Building Placement: Illustrate that compliance with the rear yard setbacks have been established. Care should be taken with front yard setbacks along Madison and Stewart and expanded as room allows.
4. Parking: Parking exceeds minimum compliance. Certain areas may need to eliminate parking to achieve a street configuration.
   a. Sec. 1703-2.70.F. Some portions of the development do not meet the 40 ft. minimum parking setback. Some reductions should be investigated and eliminated before requesting variance, particularly near site entrances. (STEWART ENTRANCE NEAR POOL)
5. Encroachments: More precise measurement at a greater scale is necessary to confirm if any encroachments are proposed and are compliant.

Building Type
1. Multi-Plex: Small; Projecting Porch. All appear compliant subject to more precise measurement at a greater scale;
   a. 1703-3.100.F. Private Open Space requirements not satisfied.
2. Carriage House: Confirm if planned to be utilized.
   a. 1703-3.40.D. Currently doesn’t meet 10 ft. min distance from Principal Structure (NOW APPEARS COMPLIANT)

Other items
1. 1703-5.50(2) Show Bicycle Parking
2. 1703-5.50(8)(a)(1) 5’ minimum separation required between building and parking
3. 1703-5.50(7)(b) Screening required adjacent to parking lots
4. 1703-3.100(F) Open Space requirement not met for all buildings (primarily buildings with porches along Stewart)
5. Doug Owen | 513.352.2441 | douglas.owen@cincinnati-oh.gov
6. Matthew Shad | 513.352.3418 | matthew.shad@cincinnati-oh.gov

Recommendations:
- None

Contact:
- Doug Owen | ZPE | 513-352-2441 | douglas.owen@cincinnati-oh.gov
- Matthew Shad | Zoning Adm | 513-352-2418 | matthew.shad@cincinnati-oh.gov

Metropolitan Sewer District (MSD)
Immediate Requirements to move the project forward:
- None

Requirements to obtain permits:
1. A PTI from the OEP A will be required for sewer extension. Please contact Steve Parker at 513-244-1351 or steven.parker@cincinnati-oh.gov for assistance.
2. Detention will be reviewed by Jeff Chen at jeff.chen@cincinnati-oh.gov or 513-244-1357 per Section 303 of the MSD Rules and Regulations.
3. An approved site utility plan will be required for each residence to receive approved permit.

Recommendations:
- None

Contact:
- Jim Wood | MSD | 513-352-4311 | jim.wood@cincinnati-oh.gov

Stormwater Management Utility (SMU)
Immediate Requirements to move the project forward:
- None

Requirements to obtain permits:
1. Existing Conditions. Sheet C-101 is incomplete:
2. Add existing public storm inlets in front of 5115 Stewart Av. Update in sheet C-103.
3. Sheet C-103:
   o Show complete information on proposed sewers (Invert & Top elevations, material, slope, distances)
- Update storm inlets at northernmost driveway entrance on Stewart Ave. Driveway aprons may not be located within 5’ of public storm inlets.
- Outlet pipes located inside the public R/W must adhere to SMU pipe material policies https://cincinnati-oh.gov/stormwater/construction-and-design/adjusted-policies/smu-adjusted-policy-for-acceptable-pipe-materials/

4. Submit a proposed grading plan and a map of drainage sub-areas tributary to all proposed structures.
5. Runoff to be contained on site. SMU will only permit up 800 sf of pavement to sheet flow onto the public R/W.
6. Submit detention calculations and shop drawings of detention tanks. Detention may be designed per MSD 303 Rules. Contact MSD for question on rules.
7. Submit an approved erosion control plan.
9. SMU will require As-Built surveys for all new Stormwater structures (to be submitted by final inspection).

Recommendation:
- None

Contact:
- Saidou Wane | SMU | 513-591-7746 | Saidou.wane@cincinnati-oh.gov

Water Works
Immediate Requirements to move the project forward:
- None

Requirements to obtain permits:
1. Owner(s)/Developer(s) must complete all conditions per the August 8, 2019, Greater Cincinnati Water Works Water Availability Letter to Mr. Joseph P. Dillon, Brandstetter Carroll Inc.
2. The proposed development property is receiving water service from (5) 3/4-inch water service branches (H-950434, H-83974, H-103776, H-94142, H-86919) and (1) 1-1/2-inch water service branch (H-139796).
3. Owner(s)/Developer(s) must abandon all unused water service branches.
4. All new water service branches can be connected to the existing 16-inch public water main in Madison Road.

Recommendations:
1. Owner(s)/Developer(s) will need to hire a Greater Cincinnati Water Works certified licensed, bonded fire protection company and plumber to perform the private water service branch design work and installation.
2. Owner(s)/Developer(s) would be required to fill out the online FOD form at https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/fod/authorizing removal of the existing water service branch before any new water service can be sold.

Contact:
- Bill Morris | WaterWorks | 513-591-7858 | bill.morris@gcww.cincinnati-oh.gov
Fire Department
Immediate Requirements to move the project forward:
1. Confirm that the closest two hydrants have fire flows of at least 1000 GPM at 20 PSI.

Requirements to obtain permits:
1. For these structures confirm that there are at least two fire hydrants that are within 400' from all parts of each structure.
2. Closest hydrants are located at 5025 Madison Road, 5004 Stewart Avenue, 5114 Stewart Ave, 5004 Stewart Ave and 5443 Madison Road.
3. Hydrants and FDC placement cannot block fire apparatus access to the structures.

Sec. 1229-5. - Location of Buildings and Structures.
1. Confirm that the Fire Department Connection is within 50' of a fire hydrant.
2. The Fire Department needs to have access to three sides of each structure for firefighting operations.
3. The structures are less than five stories the owner is to use Storz connections for his FDC's.
4. Access Streets, Roadways or Driveways. (b) The surface shall be of sufficient strength and type to adequately support any fire division apparatus under any weather conditions.

The weight of our apparatus is as follow:

<table>
<thead>
<tr>
<th>Apparatus</th>
<th>Width</th>
<th>Length</th>
<th>Height</th>
<th>Weight</th>
<th>Front axle</th>
<th>Rear axle</th>
<th>Turn radius inside/outside</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ladder</td>
<td>10'</td>
<td>41'10&quot;</td>
<td>11' 9&quot;</td>
<td>70,000</td>
<td>21,600</td>
<td>48,000</td>
<td>35.45/39.25</td>
</tr>
<tr>
<td>Engine</td>
<td>10'</td>
<td>31'6&quot;</td>
<td>9'5&quot;</td>
<td>44,000</td>
<td>20,000</td>
<td>24,000</td>
<td>34'6&quot;/41'6&quot;</td>
</tr>
<tr>
<td>Ambulance</td>
<td>9' 4&quot;</td>
<td>22'2&quot;</td>
<td>9' 2&quot;</td>
<td>18,500</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. Post indicator valves cannot be more than 40 feet from the building it services.

Recommendations:
- None

Contact:
- Fred Prather | Fire Dept. | 513-357-7595 | fred.prather@cincinnati-oh.gov
Office of Environment and Sustainability (OES)
Immediate Requirements to move forward with project:
  • None

Requirements to obtain permits:
  1. If this project will include City qualified incentives, a new City right-of-way, and/or City permanent utility easement (i.e., water and/or sewer), then these must receive environmental approval. A current Phase I Environmental Site Assessment (ESA) will typically need to be conducted. Additional environmental work may be required.
  2. If more than 500 cubic yards of offsite sourced fill is to be placed onsite in a residential zoning district or more than 1,000 cubic yards in any other zoned district, then it must receive environmental approval. In most cases a current Phase I ESA for the fill source property must be submitted. Additional environmental investigation may be required. Contaminated fill will not be allowed to be placed onsite.

Recommendations:
  1. The development goal should be to earn at a minimum the LEED Certified rating level.
  2. Rooftop solar should be considered in the design as a renewable energy source.
  3. Site parking areas should be wired for electric vehicle charging.
  4. Bike racks should be included in site parking areas.
  5. Site areas designated for solid waste collection, such as for dumpsters and trash carts, should also have at least equal space designated for recycling dumpsters or carts in the design.
  6. The use of trees in the landscape design should be included to enhance urban forestry.
  7. The use of non-impervious surfaces should be maximized to the extent practical in the design.

Contact:
  • Howard Miller | OES | 513-352-6999 | howard.miller@cincinnati-oh.gov

Police Department
Immediate Requirements to move the project forward:
  • None at this time.

Requirements to obtain permits:
  • No Comments.

Recommendations:
  • None

Contact:
  • Matt Hammer | Police Dept. | 513-478-2257 | matt.hammer@cincinnati-oh.gov
  • Brandon Kyle | Police Dept. | brandon.kyle@cincinnati-oh.gov
Health Department
Immediate Requirements to move the project forward:
   1. No need for Health to review project as proposed.
Requirements to obtain permits:
   • None
Recommendations:
   • None
Contact:
   • Trisha Blake | Health Dept. | 513-352-2447 | trisha.blake@cincinnati-oh.gov

Department of Transportation & Engineering (DOTe)
Immediate Requirements to move the project forward:
   • None
Requirements to obtain permits:
   1. Driveways to meet City Standard for drive aprons and meet all proper clearances.
   2. The petitioner has agreed to install 10’ sidewalk along Madison and at the intersection of Stewart & Madison. Right of way line needs to be 10’ minimum from the face of curb if not already. The drawings are not dimensioned so it cannot be verified that this has been addressed.
   3. All internal site pavement will be private.
   4. A Traffic Impact Study is not required
   5. Any work in the right of way requires DOTE permits.
Recommendations:
   • None
Contact:
   • Morgan Kolks | DOTE | 513-352-5285 | morgan.kolks@cincinnati-oh.gov

Buildings & Inspections – Buildings
Immediate Requirements to move the project forward:
   • None
Requirements to obtain permits:
   1. Exterior wall ratings and opening limitations must conform to OBC sections 602 and 705.8.
   2. Multiple buildings on the same lot must conform to OBC section 503.1.2.
   3. The buildings must be suppressed.
   4. Separate building permits are required for each separate structure on each parcel. This will include a permit for the restoration of the existing building, for the pool, for each carriage house structure, for retaining walls and trash enclosures.
Recommendations:
   • None
Contact:
   • Robert Martin | B&I Plans Exam | 513-352-2456 | robert.martin@cincinnati-oh.gov
Department of Community & Economic Development (DCED)
Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

- None

Recommendations:

1. Developer should obtain feedback on the project from the Madisonville community. Community support will be taken into consideration when determining whether or not the City can provide an incentive for the project.
2. If the developer will be requesting any incentives for the project, and agreement must be negotiated, drafted, and signed by both the developer and the City before construction commences.

Contact:

- Marc VonAllmen | DCED | 513-352-4549 | marc.vonallmen@cincinnati-oh.gov

Law Department
Immediate Requirements to move the project forward:

- No comment at this time.

Requirements to obtain permits:

- None

Recommendations:

- None

Contact:

- Charles Martinez | Law | 513-352-3359 | charles.martinez@cincinnati-oh.gov

FINAL ACTION: The CSR Advisory-TEAM believes that the proposed project plans are moving in the appropriate direction and recommends that the project move forward to City Planning Commission subject to the following conditions have been addressed.

1. The subject development must follow the requirements listed above to ensure that the development meets the requirements of all agencies as they apply for all permits.

Sincerely,

Art Dahlberg,
Director of Buildings and Inspections Department & CSPRO Committee Chair

Rodney D. Ringer,
Development Manager

AD:RDR:hs
PLK Madisonville List of Public Engagements

April 23rd – PLK notified MCURC (Madisonville Community Urban Redevelopment Corporation) to communicate that PLK was considering acquiring the majority of the parcels at the subject location from one seller. PLK wanted MCURC’s thoughts on the development and MCURC notified PLK their priority was to save the home at 5540 Madison.

June 4th – PLK notified MCURC that PLK had the properties under contract and began due diligence. PLK requested to present their plans to MCURC and a meeting was scheduled for July 9th.

June 26th – PLK notified MCC (Madisonville Community Council) they were under contract and waiving due diligence with 30 days to close. PLK requested to present to MCC at the next Council meeting to notify the public of their plans.

July 9th – PLK presented their development plans to MCURC. MCURC requested some changes and that PLK come back and present them again. PLK made the requested changes and presented them back to MCURC on September 4.

July 16th – PLK met with the MCC President via phone and discussed the proposed development and upcoming timeline for providing information to the Madisonville Community.

August 15th – Per MCC President’s request, PLK provided their development proposal and MCC shared the proposal via Social media.

August 21st - PLK Communities met with Anderson Place homeowners association (MCC President was in attendance). The meeting centered around buffering and traffic concerns.

August 28th – PLK Communities met with Stewart Road Residents at 5540 Madison. Meeting centered around traffic concerns, density and ownership. It was relayed that proposed density was less than entitled and single-family new construction in Madisonville only had 2 sales in the past 3 years that were not subsidize via grants.

September 3rd – Public Staff Conference with City Departments. There were 10 members of the Madisonville Community in attendance outside of PLK, City Staff, MCC and MCURC members.

September 4th – PLK presented its updated plan to MCURC and addressed any questions. MCURC indicated they would respond within a day or two with their thoughts.

September 6th – PLK spoke with MCURC and they relayed that MCURC would issue a letter of support conditioned upon saving the home at 5540 Madison Road, widening the sidewalks and providing all buffering presented in the plan. MCURC stated PLK would have the letter after their next board meeting, but the letter still has not been received.

September 6th – MCC shared information on proposed development including Q & A and notification of an Open House scheduled for 9/14 via social media and the MCC website.

September 14th – PLK hosted an Open House at Stewart home for the entire community from 9-11. Less than 10 community members attended.
September 19th – September Community Council Meeting with PLK presentation. MCC requested 30 days to allow "key stakeholders" affected by the development a chance to first share their concerns with Cincinnati Zoning and Department of Transportation and Engineering (DOT E) officials.

September 29th – Over 75 invitations were hand delivered to all residents and to key stakeholders on Stewart (Madison Road to Madisonville CRC), Chandler and Anderson Place to consolidate their concerns prior to meeting with the City.

September 25th – A Key Stakeholders Meeting was held to discuss key points taken from MCC Meeting (22 out of 75 invitees attended). PLK was not in attendance.

September 30th – MCC President met with PLK, City of Cincinnati staff from DOTE, Zoning, Economic Development and City Planning to relay concerns of "Key Stakeholders." Concerns were all centered around offsite traffic issues with no project specific concerns, other than changing a northern driveway, relayed to the City.

Since the 9/30 Meeting PLK, MCC and MCURC worked diligently to create a MOU and hold all parties accountable to successfully addressing all traffic safety concerns for the project.

October 10th – An email was circulated with all registered “Key Stakeholders” about the City meeting on 9/30 along with tentative working Memorandum of Understanding and survey shared via email with key stakeholder that had previously attended 9/25 meeting.

October 17th – After the MOU was circulated to the “Key Stakeholders” by MCC it was noted by the MCC President that only 3 responses to the attached survey were ever received.

October 17th – MCC President updated the MCC General Body regarding updates from PLK and City of Cincinnati on public infrastructure concerns in the Madisonville Community. The Council took no action. At the meeting, Key Stakeholders again requested to meet with City Departments to confirm that community wide concerns (not directly relating to this project) were addressed.

October 23 – City of Cincinnati staff met with “Key Stakeholders” in Madisonville to address community wide concerns around pedestrian safety. DOTE was not present, but Zoning, Planning, and Economic Development were. Community also discussed concerns with Staff regarding how they can have more say in large developments that have in-place, entitled, zoning. It was relayed that they would need to do that through legal action; but it would be difficult. The community expressed that they would like more City feedback on the MOU and PLK stated that they would not delay the planning commission vote, but would be willing to wait up to 30 days prior to going to City Council. PLK also stated that if it wasn’t done in 30 days, they would be presenting to City Council either way as the neighborhoods 30-day request has already been delayed 45, and would be almost 75 days by the time PLK presented to City Council.
Kate Botos, Madisonville Community Council (MCC) President, began the meeting at 6:32 p.m. After introducing herself, Kate began the meeting by first briefing/recapping what developer, PLK, is proposing at the Madison and Stewart site. She shared a site rendering for visual reference which was used throughout the meeting. Before moving into discussion Ms. Botos referenced the Ground Rules for the discussion which were handed out in print before the meeting. It was explained that residents and businesses were invited that were directly impacted by the development due to their location on either Madison, Stewart, Anderson Place, or Chandler. Kate also mentioned that she had invited representatives from Madisonville Community Urban Redevelopment Corporation (MCURC), the Madisonville Business Chamber (MBC), the Madisonville Recreation Center, and John P. Parker School to attend these discussions due to the impact they would feel from the development, or the knowledge and insight they could offer to the discussions.

The greatest portion of the evening was spent discussing safety concerns. Below is a list of topics and concerns, regarding safety, that were discussed. If it was stated the concern was being addressed, the summary of what was stated follows the listed concern:

**Pedestrian Safety, Traffic Safety, General Safety**

- Request for Northern entry/exit to become exit only. Kate explained this is being reviewed by appropriate departments.

- Child Crossing at Anderson. Kate stated there is a request for the use of HAWK lights (the first that would be installed in Cincinnati) at this location. These lights would allow a pedestrian to push a button triggering the flashing light to turn red forcing traffic to stop and allow the pedestrian to safely cross Madison Road.

- Sidewalk size. Ms. Botos explained the developer is addressing the sidewalk requests with what she believed was a 10’ sidewalk. It was mentioned the developer had spoken with other residents and stated a 7’ sidewalk. For planning purposes, the rest of the discussion the sidewalk was referred to as being 7’. It was also mentioned there is current planning, and funding earmarks being requested, for expansion of the sidewalk on the south side of Madison Road (opposite side of Madison from the Madison and Stewart development) that would extend from Med Pace Way to Whetsel Ave.

- Residents would like to see a stop light at Stewart and Chandler.

- Single lanes on Madison to slow traffic down and encourage alternate routes for pass through drivers. Kate stated this is already being researched due to Madison and Whetsel development.

- Discussion on having single side our double side street parking on the surrounding streets was discussed. Residents seemed to feel keeping double side parking would be beneficial in slowing traffic down on all streets other than Stewart where line of site and speed of vehicular traffic makes having double side parking difficult to navigate driveway exiting.

- Residential parking was discussed as a potential solution.
• The distance of no parking from intersections was discussed as being problematic with a request for increased distance of no parking from stop sign.
• Discussion of new light on Madison to Stewart.
• Discussion of Madison Road entry and exit being right turn only for both entry and exit. There was some confusion on this and after her providing visual reference everyone had a better understanding of this specific development entry.

Additional Concerns:

• The rendering became a topic for discussion on multiple occasions as residents had difficulty seeing how the planned development would work as the rendering was not to scale. They are requesting a scale site plan for future reference.
• Discussion of potentially using a bump out on Anderson (similar to one at Bramble) to slow traffic and mitigate other issues associated with traffic congestion on Anderson.
• Setbacks were discussed. The issue with the rendering not being to scale made it difficult for attendees to envision. There was a question regarding whether or not the setback of 18' included the sidewalk (7’ or 10’) or not. This is to be clarified.
• Residents were favorable to the most recently revised renderings of the aesthetics. They feel the newest aesthetic changes made the development look more diverse and less institutional.
• Dr. Mack, John P Parker is requesting that District Leaders committed to Vision Zero provide input on how they may lend to solutions with the problems affecting child pedestrian safety.
• There was a discussion regarding where the trash bins are located, the visuals, and pick up times (residents don’t want there to be a pick up during overnight/early morning hours). It was stated they are supposed to be working on a visual buffer for contiguous neighbors, and it should be asked they clarify a timeline and solution before construction begins.

Additional Statements for Council/Departments

1. The City should be told there is no support for this development until Transportation reports to this committee on how and when traffic safety concerns will be resolved.
2. Anderson and Chandler would like double side street parking, while Stewart would like single. Residents would prefer overnight (after and before rush hour) parking on Madison to allow for double side parking. Push back setbacks.
Memorandum of Understanding (MOU)
Between
Madisonville Community Council
and
PLK Communities

This Memorandum of Understanding (MOU) is made and entered into this ____ day of October, 2019, by and between the Madisonville Community Council (hereinafter referred to as “MCC”), and PLK Communities, LLC (hereinafter referred to as “PLK”), and is intended to show a strong commitment by both parties to the development at 5540 Madison Road and help facilitate traffic and safety improvements in the Madisonville Community that they desire.

WHEREAS, on July 26, 2019, PLK Communities acquired the majority of the parcels for the development at the corners of Madison Road and Stewart Road in Cincinnati, OH. At the time of acquisition PLK was aware that the entitled density for the site was 155 units, but the development straddled 2 different zoning designations and would also require tearing down a home built in 1838. In an effort to build one consistent site, and keep the 1838 home as a fixture in the community, PLK voluntarily elected apply for a rezone of the property as they felt this was the best course for a consistent development.

WHEREAS, on September 19, 2019, PLK Communities presented its proposal to the MCC after 6 public engagement sessions dating back to July 9, 2019. At this meeting it was expressed by the MCC that they desired PLK wait 30 days to allow “key stakeholders” affected by the development a chance to first share their concerns with Cincinnati Zoning and Department of Transportation and Engineering (DOTE) officials.

WHEREAS, on September 25, 2019, the “key stakeholders” all met to discuss the development and prepare a list of their concerns for presentation to the City of Cincinnati. PLK was not present at this meeting.

WHEREAS, on September 30, 2019, PLK, City of Cincinnati staff from DOTE, Zoning, Economic Development and City Planning met with a representative of the “key stakeholders.” At this meeting a list of concerns was brought before the MCC requested City of Cincinnati departments.

NOW, THEREFORE, the parties hereto mutually agree as follows:

The MCC desires that PLK help them to work toward obtaining certain traffic and pedestrian safety improvements for their community. Since MCC does not have the funds to undertake these improvements, they have requested that PLK use a portion of the Voluntary Tax Incentive Contribution Agreement (VTICA) proposed by PLK to pay for any improvements. These improvements are detailed herein, and all proposed improvements will be approved at the City of Cincinnati’s discretion. Repayment of these improvements is currently proposed via: 1) Reduce the VTICA percentage paid every year by the applicable cost + 10%, or 2) PLK will lend the money to the MCC with the loan repayment coming from an assignment of the Annual VTICA payments PLK will make. In either scenario, the structure must be approved by City of Cincinnati Economic Development, and must be elected without delay to the development or PLK.

The list of these desired improvements, some still subject to City of Cincinnati approval, is below:

1. **Actuated Traffic Signal at Anderson Place and Madison (Estimated Cost $ 180,000 per Brandstetter Carroll)**
   Pending the results of the Cincinnati DOTE analysis of the signal warrants, MCC desires PLK’s help in installing an actuated traffic signal at the intersection of Anderson Place and Madison Road.

   The cost of this signal, which will be competitively bid in the event that DOTE elects not to handle the installation, will be assumed by the Madisonville Community with repayment via one of the two previously stated repayment options.
2. **Protected Left Turn Arrow along Madison (Paid for by PLK)**
   PLK will cause the installation of a protected and permitted traffic signal for eastbound Madison Road to northbound Stewart Avenue and modify the signal timing accordingly.

3. **Chandler at Stewart Crosswalk Improvements (Estimated Cost $ 30,000 per Brandstetter Carroll)**
   MCC desires PLK’s help in installing a crosswalk across Stewart Avenue on the northern side of Chandler Street. This will include curb ramps, striping, and Rectangular Rapid Flashing Beacons (RRFB). RRFB’s are the flashing lights that trigger upon pressing the button.

   The cost of these improvements, which will be competitively bid in the event that DOTE elects not to handle the installation, will be assumed by the Madisonville Community with repayment via one of the two previously stated repayment options.

4. **Traffic Speed Along Stewart (Estimated Cost $20,000 per Brandstetter Carroll)**
   MCC desires PLK’s help to install chokers along Stewart Ave, approximately midway between Madison Road and Chandler Street at the crest of the roadway. These will allow two-way traffic but within a narrower section with the goal to moderate speed along Stewart Avenue.

   The cost of these improvements, which will be competitively bid in the event that DOTE elects not to handle the installation, will be assumed by the Madisonville Community with repayment via one of the two previously stated repayment options.

5. **On-Site improvements (Paid for by PLK)**
   - PLK will preserve and restore the Stewart Home at a cost currently estimated in excess of $500,000.
   - PLK will install a minimum of 48 new trees at the development.
   - PLK will install a 6-foot-tall, solid, buffer fence along all abutting properties prior to final Certificate of Occupancy.
   - PLK will provide necessary landscape buffering in the yards of the 2 properties (5038 and 5042 Anderson Place) effected by the northern trash location.
   - PLK will make all interior streets private to allow for reduced lighting heights in the rear of the property compared to the form-based code standard.
   - PLK will keep a minimum 10 foot Right of Way along the property lines on Madison Road and Stewart Avenue. In the Right of Way PLK will install a 5-foot-wide grass strip along the street and then install a 5-foot-wide sidewalk allowing pedestrians a safer distance from traffic.
   - PLK will make the northern driveway on Stewart Avenue an entry only.
   - Along Madison Road where a Right-in / Right-out driveway will be placed, PLK will install a stop sign prior to the sidewalk.

In return for PLK’s support in helping the Madisonville Community to facilitate these improvements, MCC agrees to provide PLK with a letter of Support or No Objection to their desired zoning change of T4N.SF-0. MCC will also provide any public support necessary to PLK at the City Planning Commission or City Council.

Both parties look forward to building a development that Madisonville and PLK can be proud to boast about.

**SIGNATORIES**

By: _______________________________ Date: _______________
Madisonville Community Council

By: _______________________________ Date: _______________
PLK Communities, LLC
Andy Juengling, AICP, Senior City Planner  
Department of City Planning  
Two Centennial Plaza  
805 Central Avenue, Suite 720  
Cincinnati, Ohio 45202  

RE: Madison and Stewart Development  

Andy,  

I am writing you in response to the new PLK Communities development at the corners of Madison Road and Stewart. I am the owner of 5016 Anderson Place which abuts this development on the Southwest side.  

I am supportive of the development and began working with PLK as soon as they started looking at the project. I have reached an agreement with PLK to allow a small easement on my property in the rear for fire access as well.  

This development will only help to improve property values in the community and bring new residents to the neighborhood. I truly believe this is in the best interest of Madisonville for this development to move forward.  

Thank you for taking your time to listen to residents regarding projects that are surely an improvement to the Madisonville Community.  

Please feel free to contact me with any questions.  

Respectfully,  

Ryan Taggart  
Development Manager  
Sunesis Properties, LLC  
rtaggart@sunesisprop.com  
513-782-5376  

2610 Crescentville Road - West Chester, Ohio 45069  
513-326-6000