CPC ITEM # 5
April 16, 2021

Honorable City Planning Commission
Cincinnati, Ohio

SUBJECT: A report and recommendation on a proposed zone change from Manufacturing Limited (ML) to Planned Development (PD) including a Concept Plan and Development Program Statement at 3754 – 4759 Beechmont Court and 4761-4773 Bloor Avenue in Linwood.

GENERAL INFORMATION:

Location: 3754 – 4759 Beechmont Court; 4761 – 4773 Bloor Avenue, Cincinnati, OH 45226

Petitioner: Paul Schirmer (Agent for Owner)
1009 Delta Avenue
Cincinnati, OH 45208

Owner: BMC Vision, LLC
1009 Delta Avenue
Cincinnati, OH 45208

Request: To change the zoning of the property from Manufacturing Limited (ML) to Planned Development (PD) to allow for the construction of a multi-family residential development that includes two, three-story multi-family residential buildings and an amenity building for the development.

EXHIBITS:

Provided in addition to this report are the following exhibits:

- Exhibit A Location Map
- Exhibit B Petition for Zone Change
- Exhibit C Zone Change Plat
- Exhibit D Legal Description
- Exhibit E Development Program Statement
- Exhibit F Concept Plan
- Exhibit G Preliminary Landscape Plan
- Exhibit H Coordinated Site Review Letter (CPRE210014)
- Exhibit I Letters and Correspondences

BACKGROUND:

The subject site, comprised of 12 parcels, is approximately 2.15 aces in size, and is bound by Beechmont Circle (to the north), Bloor Avenue (to the west), Beechmont Court (to the south), and Wooster Road (to the east) within the Linwood neighborhood. The site is currently zoned Manufacturing Limited (ML), and contains vacant land, single-family residential, office, and light-industrial uses. Additionally, there are three legal non-conforming billboard structures on the subject site oriented towards Beechmont Avenue and Wooster Road. These billboards are owned by the sign companies and are established on the site by way of access and view easements. The subject site is also located within Special Flood Hazard Area (SFHA) Zone AE per the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) Panel 39061C0356F. Zone AE is identified as having a 1% annual chance of flooding, and is therefore considered the 100-year flood zone. The area proposed to be rezoned, including the subject property and right-of-way, is 2.72 acres. BMC Vision, LLC has acquired all properties within the proposed zone change area with the intent

to construct two, three-story market rate multi-family residential buildings, with a separate amenity building that will serve the development. Under the existing ML zoning, multi-family uses are only permitted with the limitation that new residential is only permitted when abutting an existing residential use or structure. Because the subject site is bound by street rights-of-way on all sides, the property does not directly abut residential uses, therefore multi-family use of the property under the existing ML district is not permitted. Therefore, BMC Vision, LLC requests a zone change from ML to Planned Development (PD) for the subject properties including a Concept Plan and Development Program Statement to permit the construction of the multi-family residential development.

ADJACENT LAND USE AND ZONING:

The property requested to be rezoned is currently zoned Manufacturing Limited (ML). The existing zoning and land use surrounding the subject site is as follows:

North:

Zoning:	Single-family (SF-4)
Existing Use:	Single-family residential

East:

Zoning:	Manufacturing Limited (ML)
Existing Use:	Vacant

South:

Zoning:	Manufacturing Limited (ML); Single-family Residential (SF-2)
Existing Use:	Light Industrial

West:

Zoning:	Manufacturing Limited (ML)
Existing Use:	Single-family residential, Commercial garage

PROPOSED DEVELOPMENT:

BMC Vision, LLC currently owns all 12 parcels that make up the site. The petitioner proposes to demolish the existing single-family residential, office, and light industrial structures on the site and construct a multi-family residential development.

Buildings

The proposed Concept Plan includes the construction of two, three-story multi-family residential buildings. 'Building 1' is proposed to run parallel with, and front along Bloor Avenue (to the west of the site), and 'Building 2' is proposed to run parallel with, and front along Beechmont Circle (to the north of the site). The Concept Plan identifies approximately 80 – 90, one-bedroom units for the site split between the two proposed structures. A limited amount of the units will include a second-story mezzanine/loft space with a private, roof-top patio.

In addition to the residential structures, the Concept Plan proposes an amenity building on the eastern portion of the site with a proposed size of 2,000 – 4,000 square feet. The amenity building is anticipated to contain a leasing office, fitness room, and a small café. The Development Program Statement contemplates the café as a small gathering place offering a limited food and drink menu, primarily oriented as a service for the residents of the development, but open to the public. The Concept Plan also identifies a pool for the residents, along with bicycle and kayak racks.

The following building development standards are identified for the multi-family residential buildings:

Minimum Building Setbacks

	From Bloor Avenue	From Beechmont Circle	From Beechmont Court	From East Property Line
Building 1	12' (from existing right-of-way)*	0.5'	22'	-
Building 2	-	0'	-	4'
Amenity Building	-	-	-	0'
Accessory Buildings (including Pool Equipment Building)	5'	5'	5'	5'

*Balcony Protrusions shall be setback a minimum 8' – 6" from existing right-of-way

Maximum Building Heights

	Height	Measured From
Building 1	42'*	Bloor Avenue to top of parapet
Building 2	42'**	Beechmont Avenue to top of parapet
Amenity Building	24'	Grade of parking lot

*45' from Bloor Avenue to top of parapet at central entry; 49' from Bloor Avenue to top of roof deck projections (as illustrated in Exhibit F)
**49' from Beechmont Circle to top of roof deck projections (as illustrated in Exhibit F)

Parking and Circulation
The proposed Concept Plan includes 96 on-site surface parking spaces positioned central to the site between Building 1, Building 2, and the amenity building. Based on the anticipated number of units and on-site parking spaces, the Concept Plan contemplates a parking ratio of 1.14 spaces/unit. In addition to the on-site parking spaces, the Concept Plan anticipates the allocation/dedication of land in order to expand Bloor Avenue, which allows for improvements including the installation of 13 on-street parking spaces on the east side of the street, immediately adjacent to proposed Building 1. This allocation/dedication is a result of the Coordinated Site Review comments (Exhibit H) from the Department of Transportation and Engineering (DOTE) in order for Bloor Avenue to meet DOTE standards.

The site is accessed by vehicle via a single point of ingress/egress from Beechmont Court (to the south of the site). There are no new proposed curb cuts or access points on Bloor Avenue or Beechmont Circle. Pedestrian circulation is provided on-site through the installation of several sidewalks connecting all proposed buildings and amenities with the surrounding sidewalks to the north and south of the site.

Open Space, Landscaping, and Buffering
Final landscaping and buffering will be submitted with the Final Development Plan. The Development Program Statement outlines the Final Development Plan will provide no less than 20% open space, including landscape enhancements and common spaces for residents. As part of the Concept Plan and Development Program Statement, the petitioner submitted a Preliminary Landscape Plan (Exhibit G) outlining landscape areas, streetscape, and adjacent right-of-way landscape areas.

Schedule
The petitioner has outlined an anticipated schedule in the Development Program Statement (Exhibit E), indicating a targeted construction start in late 2021, with construction completion in spring 2022. This anticipated schedule is pending Final Development Plan review and approval by the City Planning Commission at a later date.

BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:
Per §1429-05 of the Cincinnati Zoning Code, *Basic Requirements*, PD Districts and development within PD Districts must comply with the following:

a. ***Minimum Area*** *– The minimum area of a PD must be two contiguous acres.*

The proposed zone change area is 2.72 contiguous acres (Exhibit A and C).

b. ***Ownership*** *– Evidence that the applicant has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development are required.*

All of the properties within the proposed zone change are owned by BMC Vision, LLC. The billboards on the property are not owned by BMC Vision, LLC, but exist due to perpetual easement agreements that are tied to the parcels of land that the billboards are construction upon. This does not have any impact on the ownership of the tract of land that is affected by the proposed plan.

c. ***Multiple buildings on a lot*** *– More than one building is permitted on a lot.*

The existing 12 lots are to be consolidated to create a single developable parcel. The submitted Concept Plan and Development Program Statement includes the construction of three principal structures on this single lot.

d. ***Historic Landmarks and Districts*** *– Whenever a Planned Development application is filed for a property wholly or partially located within a historic landmark, historic district, or involving a historic structure, the Historic Conversation Board shall advise the City Planning Commission relating to approval of the Final Development Plan.*

The property does not contain any historic landmarks, nor is it located within a historic district.

e. ***Hillside Overlay Districts*** *– Whenever a Planned Development application is filed for a property wholly or partially located within a Hillside Overlay District, the City Planning Commission shall approve the Final Development Plan.*

The subject property is not located within a Hillside Overlay District.

f. ***Urban Design Overlay District*** *– Whenever a Planned Development application is filed for a property wholly or partially located within an Urban Design Overlay District, the City Planning Commission shall approve the Final Development Plan.*

The subject property is not located within an Urban Design Overlay District.

CONCEPT PLAN AND DEVELOPMENT PROGRAM STATEMENT:
According to §1429-09 of the Cincinnati Zoning Code, *Concept Plan and Development Program Statement*, a petition to rezone a property to PD must include a Concept Plan and Development Program Statement (Exhibits E and F). The purpose is to describe the proposed use or uses to be conducted in the PD District. The Concept Plan and Development Program Statement must include

text or diagrams that specify:

a. ***Plan Elements*** *– A survey of the tract to be developed, providing a metes and bounds description of the property and the survey of property lines and total acreage. Additionally, the plan should include the location in general terms, of land areas to be developed, including: type and description of proposed land uses, buildings and structures; street rights-of-way and driveways; parcel boundaries and proposed lots, including set back lines; building heights; pedestrian circulation systems and open space or other facilities; and proposed topography, drainage, landscaping and buffer plantings.*

The petitioner has submitted a Development Program Statement (Exhibit E) and Concept Plan (Exhibit F) that includes sufficient information regarding proposed uses, building location, street access, pedestrian circulation systems, and open space and landscaping. See *Proposed Development* for more information.

b. ***Ownership*** *– Evidence that the applicant has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development.*

BMC Vision, LLC currently owns all 12 parcels that make up the proposed zone change site.

c. ***Schedule*** *– Time schedule of projected development, if the total site is to be developed in phases or if construction is to extend beyond a two-year time period.*

The petitioner has provided a schedule for the proposed development. The estimated timeline provided as part of the Concept Plan and Development Program Statement is outlined in the *Proposed Development* section of this report. An approval of the Concept Plan and Development Program Statement would lapse two years from its effective date unless a Final Development Plan is approved, or the City Planning Commission approves an extension per Sec. 1429-11.

d. ***Preliminary Reviews*** *– A preliminary review of geo-technical, sewage, water, drainage and refuse collection.*

The proposed development was reviewed by departments during the Coordinated Site Review process, including the Department of Buildings and Inspections (B&I), Metropolitan Sewer District (MSD), Stormwater Management Utility (SMU), Fire Department, Department of Transportation and Engineering (DOTE), and Greater Cincinnati Water Works (GCWW). MSD and SMU noted that an Erosion Control Plan, a Utility Plan, and a Grading Plan will be required prior to permitting. Final detention calculations and details will also be required. Additionally, B&I indicated that the project must comply with Chapter 1109 of the Cincinnati Building Code (CBC) as the property is located within a Special Flood Hazard Area (SFHA). These plans will be submitted as part of the Final Development Plan.

e. ***Density and Open Space*** *– Calculations of density and open space area.*

The Development Program Statement indicates a total unit count between 80 and 90 dwelling units on the 2.15 acre-site (this area does not include the portion of the zone change within the right-of-way) which results in a density range of 38 – 42 units/acre. The exact density will be calculated once the final number of dwelling units is determined as part of the Final Development Plan submittal. However, the petitioner

has indicated the unit count is anticipated to be 84, therefore calculating a density of 39 units/acre. Additionally, the Development Program Statement (Exhibit E) and Preliminary Landscape Plan (Exhibit G) establish 20% of the site to be preserved as open space, which includes plantings, enhanced landscaping around existing billboard structures, and greenspace interior to the site boundary. A final landscape plan will be required as part of the Final Development Plan submittal.

FINAL DEVELOPMENT PLAN:

Pursuant to §1429-13 of the Cincinnati Zoning Code, a Final Development Plan shall be submitted to the City Planning Commission after approval of the Concept Plan and Planned Development designation by City Council.

A Final Development Plan must be filed for any portion of an approved Concept Plan that the petitioner wishes to develop; this plan must conform substantially to the approved Concept Plan and Development Program Statement. The Final Development Plan requirements anticipate changes from the Concept Plan by requiring significantly more detail. Approval of the Final Development Plan would allow the petitioner to obtain the necessary permits to proceed with development. The process allows the City Planning Commission to authorize staff to approve Minor Amendments that might be necessary and establishes the process for Major Amendments that must be reviewed and approved.

COORDINATED SITE REVIEW:

The proposed zone change and Concept Plan went through Coordinated Site Review as a Development Design Review. A Coordinated Site Review Advisory Team meeting was held on February 9, 2021. A meeting with the petitioner and project partners was held on February 16, 2021, to allow the petitioner the opportunity discuss the comments outlined by each of the departments. No objections were voiced regarding the zone change or Concept Plan, however, additional requirements need to be met before permits are obtained. The full letter is attached as Exhibit H. Below is an outline of the major additional requirements that will be addressed in the Final Development Plan and verified through the Coordinated Site Review (Technical Design Review) process prior to City Planning Commission's consideration:

- The Metropolitan Sewer District (MSD) outlined that site detention will need to be reviewed and approved in accordance with Section 303 of the MSD Rules and Regulations prior to permitting.
- Stormwater Management Utility (SMU) requires an Erosion Control Plan, Utility Plan, Grading Plan, and detention calculations prior to permitting. Additionally, a National Pollutant Discharge Elimination System (NPDES) permit will be required.
- Greater Cincinnati Water Works indicated that private water service lines will need to be replaced with copper services lines in accordance with Cincinnati Municipal Code 401 Division M.
- The Office of Environment and Sustainability (OES) recommended site development precautions should be taken for riparian and flash flooding concerns. Additionally, OES identified that the proposed new apartment building is adjacent to a high traffic road (Beechmont Avenue), therefore the new apartment buildings should include a pre-development assessment of the air quality and include design elements that assure healthy indoor air quality is maintained.

- The Department of Transportation and Engineering outlined requirements to obtain permits including widening Bloor Avenue to meet DOTE standards including a curb, utility poles located outside the roadway, and a detailed plan be submitted to DOTE for review. Additionally, DOTE recommended consideration of vacating Beechmont Court, east of Bloor. All work in the right-of-way will require a DOTE permit.

The petitioner received a copy of the comments from each of the departments and will be working with the departments to address these requirements prior to submitting a Final Development Plan.

PUBLIC COMMENT:

The Department of City Planning held a virtual Public Staff Conference on the proposed zone change on March 25, 2021. Notices were sent to property owners within a 400-foot radius of the subject property and the Linwood Community Council. There were 10 community members in attendance along with the petitioner and development team. During the staff conference, the development team provided an overview of existing site conditions, context of the site's surrounding and integration into the neighborhood, and a summary of the proposed project.

During the discussion portion of the Public Staff Conference, members of the community voiced concerns regarding the site's location in a floodplain and any additional stormwater runoff from the site in addition to the area being prone to flooding. The petitioner indicated that the Department of Buildings and Inspections, MSD, and SMU have reviewed the proposal through the Coordinated Site Review process, and all requirements would need to be met in order to obtain permits.

Some in attendance indicated the desire for the property to remain zoned as manufacturing. It was voiced that there is a desire in the *Linwood Neighborhood Strategy* (2002) for single-family residential and manufacturing uses to co-exist. In addition, it was voiced that if the site is rezoned to residential, single-family owner-occupied residential uses would be preferred. It was stated that the proposal introduces a density not cohesive or present in the surrounding area.

Traffic increase and parking availability concerns were also raised during the discussion. The petitioner indicated that a traffic study was conducted, and it was determined that a Traffic Impact Study (TIS) would not be required by DOTE based on the number of trips anticipated to be generated by the proposal, and that this has been through the City's Coordinated Site Review, which DOTE participates in. The petitioner added that the units are one-bedroom units, which would limit the number of trips and number of cars that would be typical of residential developments with more bedrooms per unit. Related to traffic and circulation, those in attendance asked if the proposal would impact the future planned Eastern Corridor project that includes realignment and configuration of Wooster Road and Beechmont Avenue. The petitioner outlined the proposal based on the latest known concept for the Eastern Corridor project and indicated the proposal would not impact these plans. The petitioner also outlined the pedestrian connectivity of the site to surrounding amenities including Otto Armleder Memorial Park, Lunken Playfields, and the commercial area of Eastern Avenue to the northwest. Those in attendance indicated that walkability in the area is a challenge and welcomed the opportunity to coordinate with the petitioner to identify ways to improve connectivity and pedestrian safety.

There were questions raised regarding the income level needed to live in the proposed uses and whether it is compatible with the surrounding neighborhood. Conversely, there were also concerns that multi-family residential would introduce high turnover and low-income rental into the

neighborhood. The petitioner indicated that the units would be market rate and that the rates per unit have not yet been finalized. Discussion took place around building design and considerations of converting the building to condominiums. The petitioner indicated the conceptual design is intended to complement the residential and manufacturing nature of the neighborhood, and that it was not a goal to develop the project as condominiums. Some in attendance asked questions regarding the operation and safety of the proposed development. The petitioner indicated that a property management company would be selected and be responsible for the operation and ongoing maintenance of the development.

In addition to the Public Staff Conference, the following Linwood Community Council meetings were held regarding the proposed zone change, Concept Plan, and Development Program Statement:

- May 28, 2019 – Petitioner presented original design with approximately 100 units and 10,000 sq. ft. of restaurant and retail
- September 22, 2020 – Petitioner presented a revised plan based on community feedback with approximately 90 units and no retail space
- November 24, 2020 – Petitioner presented a refined plan with 84 units and amenity building
- January 26, 2021 – Linwood Community Council voted 8-1 to not endorse the proposed development based on the "thought that rental use of the new spaces would not help to bring stability and presence to the culture of the community," and based on the "location and size of the units, the turnover would be fast and people wouldn't offer much to the community." (Included in Exhibit I)
- February 23, 2021 – Petitioner presented the submitted application and Concept Plan to gather feedback and concerns that residents and the Community Council had regarding the proposal.

The Department of City Planning has received letters reiterating the concerns, comments, and questions discussed during the Public Staff Conference (Exhibit I). A letter of support was submitted to the Department of City Planning from 3 East Community Development Corporation, a three-neighborhood community development corporation consisting of Columbia Tusculum, the East End, and Linwood (including in Exhibit I).

All property owners within a 400-foot radius of the subject property, the Linwood Community Council, and all attendees of the Public Staff Conference were notified of the April 16, 2021 City Planning Commission meeting.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The zone change is consistent with the Live Initiative Area of *Plan Cincinnati* (2012), within the Goal to "Provide a full spectrum of housing options, and improve housing quality and affordability" (page 164), the Strategy to "Provide quality healthy housing for all income levels" (page 165), and the Action Step to "Improve the quality and number of moderate to high-income rental and homeowner units" (page 165). The petitioner is requesting the zone change to allow for the development of the property as an 80 – 90-unit multi-family residential development, that will increase the number of residents in close proximity to the commercial district on Eastern Avenue to the northwest and the nearby park amenities of Otto Armleder Memorial Park and Lunken Playfields.

Linwood Neighborhood Strategy (2002)
The proposed zone change, Concept Plan and Development Program Statement is consistent with the "Housing and Increased Homeownership Opportunities" section of the "Community Issues" portion of the *Linwood Neighborhood Strategy* (2002), specifically, "the Oversight Committee, after deliberating the continued long-term viability of several existing residential areas, determined that one of the highest priorities is to protect the housing stock around the Beechmont Viaduct by rezoning from manufacturing to residential use" (page 5). While the proposed development would not increase homeownership, the zone change would be a change from a manufacturing zoning designation to a Planned Development that is specifically established for residential use.

The proposed zone change, Concept Plan, and Development Program Statement are also consistent with Goal 1 in the *Linwood Neighborhood Strategy* to "Enhance and preserve community assets," particularly the Strategy to "initiate a land use analysis to determine appropriate zoning in Beechmont Circle and Wilmer Circle area" (page 12). The proposed zone change to Planned Development for the Concept Plan of a multi-family residential development has been analyzed by the Department of City Planning and it has been determined to be an appropriate buffer between adjacent single-family zoning districts and adjacent Manufacturing Limited districts. Additionally, the negative externalities that could be introduced by uses currently permissible under the existing manufacturing zoning could serve be in conflict with the objective in Goal 1 to "protect residential districts" (page 12).

CITY PLANNING COMMISSION ACTION:
According to §1429-11(a) of the Cincinnati Zoning Code, the City Planning Commission may recommend approval or conditional approval, with restrictions on the establishment of a PD District on finding that all of the following circumstances apply:

1. *The PD Concept Plan and Development Program Statement are consistent with applicable plans and policies and is compatible with surrounding development;*

   The proposed multi-family use is compatible with the surrounding land uses and will serve as a transition from Beechmont Avenue and adjacent ML districts to the single-family residential uses in the immediate vicinity. The proposed zone change from Manufacturing Limited to a Planned Development for the purpose of constructing a residential development is consistent with portions of the *Linwood Neighborhood Strategy* (2002), and the proposed development is consistent with the Live Initiative Area of *Plan Cincinnati* (2012). Additionally, the Planned Development will allow for additional residents to support the nearby commercial area on Eastern Avenue to the northwest of the site, Lunken Playfield, and Otto Armleder Memorial Park in the immediate vicinity.

2. *The PD Concept Plan and Development Program Statement enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved;*

   The proposed Planned Development would permit the construction of a multi-family residential use on a property that serves as a transition from Beechmont Avenue, adjacent limited manufacturing zoning, and adjacent single-family residential zoning districts. Under the existing ML zoning, the property has the ability to be used in a manner to "create, preserve and enhance areas that are appropriate for a range of low-impact manufacturing activities and supporting commercial uses. High-impact manufacturing uses may be permitted, provided they meet specific performance

standards are buffered from residential areas." The proposed zone change to a PD allows for additional engagement between the petitioner and the community, including review and approval of a Final Development Plan by the City Planning Commission, which provides the assurance of the intended design of the development. Under the existing ML zoning, a development proposal can be permitted by right by conforming to the Land Use Regulations of Section 1413-05 and the Development Regulations of Section 1413-07 of the Cincinnati Zoning Code.

3. *Deviations from the base district regulations applicable to the property at the time of the PD application are justified by compensating benefits of the PD Concept Plan and Development Program Statement;*

   The proposed land use for this property provides a productive use on a site that is primarily vacant land with a mix of single-family, office, and light manufacturing uses. The PD zoning district allows the developer to be innovative in site development, combining quality site and building design, open space integration, and increased community involvement through the Planned Development process that is otherwise not a requirement under base district regulations.

4. *The PD Concept Plan and Development Program Statement includes adequate provisions for utility services, refuse collection, open space, landscaping, pedestrian circulation and traffic circulation, building design and building location.*

   All aspects are outlined in the Concept Plan and Development Program Statement as submitted or will be detailed in the Final Development Plan. See *Proposed Development* section for more detail.

ANALYSIS:

The proposed zone change from ML to PD with the Concept Plan to construct a multi-family residential development consisting of two three-story residential buildings with a total of 80 – 90 one-bedroom dwelling units is appropriate for the subject site.

The Department of City Planning believes that a Planned Development is an appropriate zoning designation for this site as it allows for continued public engagement through all phases of the development. Staff also believes that special site characteristics exist (location in the AE Special Flood Hazard Area and the existing circulation patterns of Beechmont Circle and Wooster Road) and the proposed multi-family residential land use justify development of the property as a PD.

The proposed use of multi-family residential, while not single-family residential as requested by some in attendance at the Public Staff Conference, will add to the residential base of the Linwood neighborhood, which will help to support businesses that are located on Eastern Avenue to the northwest, and nearby park amenities. Additionally, the existing ML zoning district could allow for uses that may conflict with existing single-family residential uses and zoning districts immediately adjacent to the site. The *Linwood Neighborhood Strategy* (2002) outlines the need for a land-use analysis for this site because of its unique location and site conditions. Based on the Department of City Planning's analysis of the proposed zone change, it has been determined the Concept Plan for multi-family residential is an appropriate buffer between all adjoining uses and districts.

The maximum height of the residential buildings at the tallest point of 49' as outlined in the proposed Concept Plan does not drastically deviate from the maximum building height of 45' that is permitted

under the existing ML zoning district. The proposed parking ratio of 1.14 parking spaces/unit is generally consistent with the parking ratio of 1 space/unit required for multi-family zoning districts that allow for similar densities per Section 1425-19 of the Zoning Code. The final building design and landscaping for the site will require review through the Final Development Plan process at a later date to ensure consistency with the Concept Plan and all applicable City requirements and regulations.

Throughout the Coordinated Site Review process, the Department of City Planning's review of the zone change, Concept Plan, and Development Program Statement, and the Public Staff Conference discussion, stormwater management and the existing AE Special Flood Hazard Area were considered. The Department of Buildings and Inspections, MSD, and SMU have reviewed the concept plan and provided comments regarding the necessary requirements in order to meet all applicable code requirements related to these items. As part of the Planned Development process, a Final Development Plan will need to be reviewed through the Coordinated Site Review process at the Technical Design Review level to ensure the requirements outlined by each reviewing agency in Exhibit H have been met prior to any review by the City Planning Commission.

Additionally, a Planned Development provides assurance to the City and the community of the intended uses and scale of the development. The Planned Development process ensures that any significant modification to this would constitute as a Major Amendment to the Concept Plan and require public engagement and a public hearing process.

FINDINGS:

It is the opinion of staff of the Department of City Planning that the Concept Plan and Development Program Statement are in compliance with §1429-05 and §1429-11 (a) *City Planning Commission Action*. The proposal is consistent with the purpose of the Planned Development District Regulations.

CONCLUSIONS:

The staff of the Department of City Planning supports the proposed zone change from Manufacturing Limited (ML) to Planned Development (PD) including the Concept Plan and Development Program Statement for the following reasons:

1. The zone change and Concept Plan is consistent with the Live Initiative Area of *Plan Cincinnati* (2012), and specific sections of the *Linwood Neighborhood Strategy* (2002).

2. The PD zoning is appropriate in this area as the proposed development does not conform with existing zoning. The existing ML district current allows for uses that are not compatible with the adjacent residential districts and uses in the vicinity.

3. The proposed multi-family residential use will serve as a transition and buffer from the single-family residential districts to the north of the site to the Beechmont Avenue levee (to the south of the site) and the existing ML district to the east of the site.

4. The PD zoning district requires a more extensive public process than a regular zone change, which will allow community members to have additional opportunities to be heard during the Final Development Plan for the proposal.

RECOMMENDATION:

The staff of the Department of City Planning recommends the City Planning Commission take the following actions:

1) **ACCEPT** the Concept Plan and Development Program Statement as submitted;

2) **ADOPT** the Department of City Planning Findings as detailed on page 11 of this report; and

3) **APPROVE** the proposed zone change from Manufacturing Limited (ML) to Planned Development (PD) at 3754 – 4759 Beechmont Court and 4761-4773 Bloor Avenue in Linwood.

Respectfully submitted:

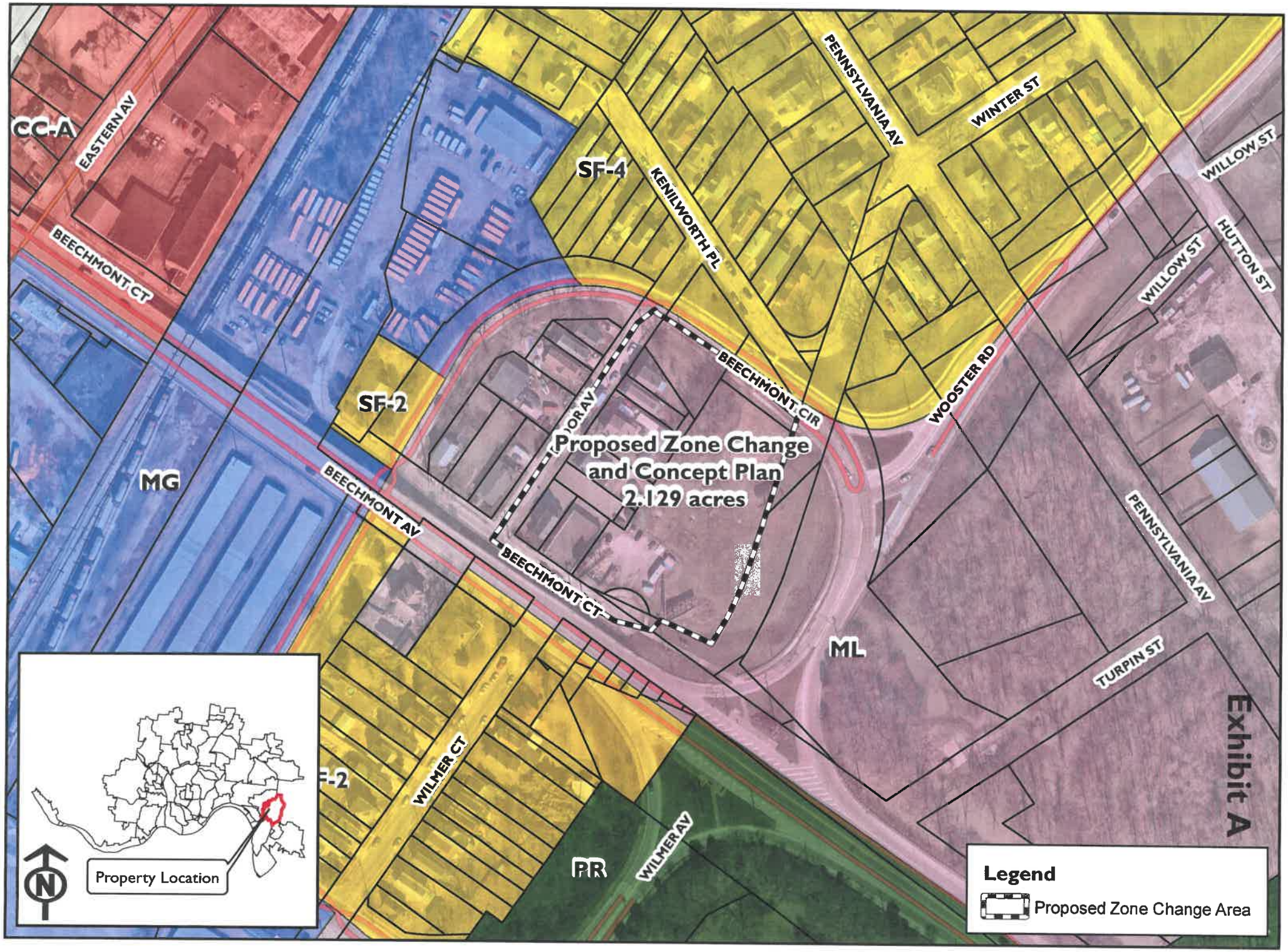
Andy Juengling, AICP, Senior City Planner
Department of City Planning

Approved:

Katherine Keough-Jurs

Katherine Keough-Jurs, AICP, Director
Department of City Planning

Proposed Zone Change from Manufacturing Limited, ML to Planned Development, PD at Beechmont Court and Bloor Avenue in Linwood



PETITION FOR CHANGE OF ZONING OF PROPERTY LOCATED IN THE CITY OF CINCINNATI, OHIO

Exhibit B

To: The Honorable Council of the City of Cincinnati

Date: *January 18, 2021*

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 *"ML" MANUFACTURING LIMITED* Zone District to the *"PD" PLANNED DEVELOPMENT* Zone District.

Location of Property (Street Address): *3754 to 4759 Beechmont Ct. & 4761 to 4773 Bloor Ave., per attached exhibits*

Area Contained in Property (Excluding Streets): *2.129 acres*

Present Use of Property: *multiple parcels consisting of Vacant Land, Residential, Office, and Light Industrial uses.*

Proposed Use of Property & Reason for Change: *Mixed-Use: Multi-Family Residential & Resturant /Cafe. Use is primarily a residential development, not light industrial /manufacturing.*

Property Owner's Signature:

Name Typed: *Barry Rosenberg, manager BMC Vision, LLC*

Address: *1009 Delta Avenue, Cincinnati, OH 45208* Phone:

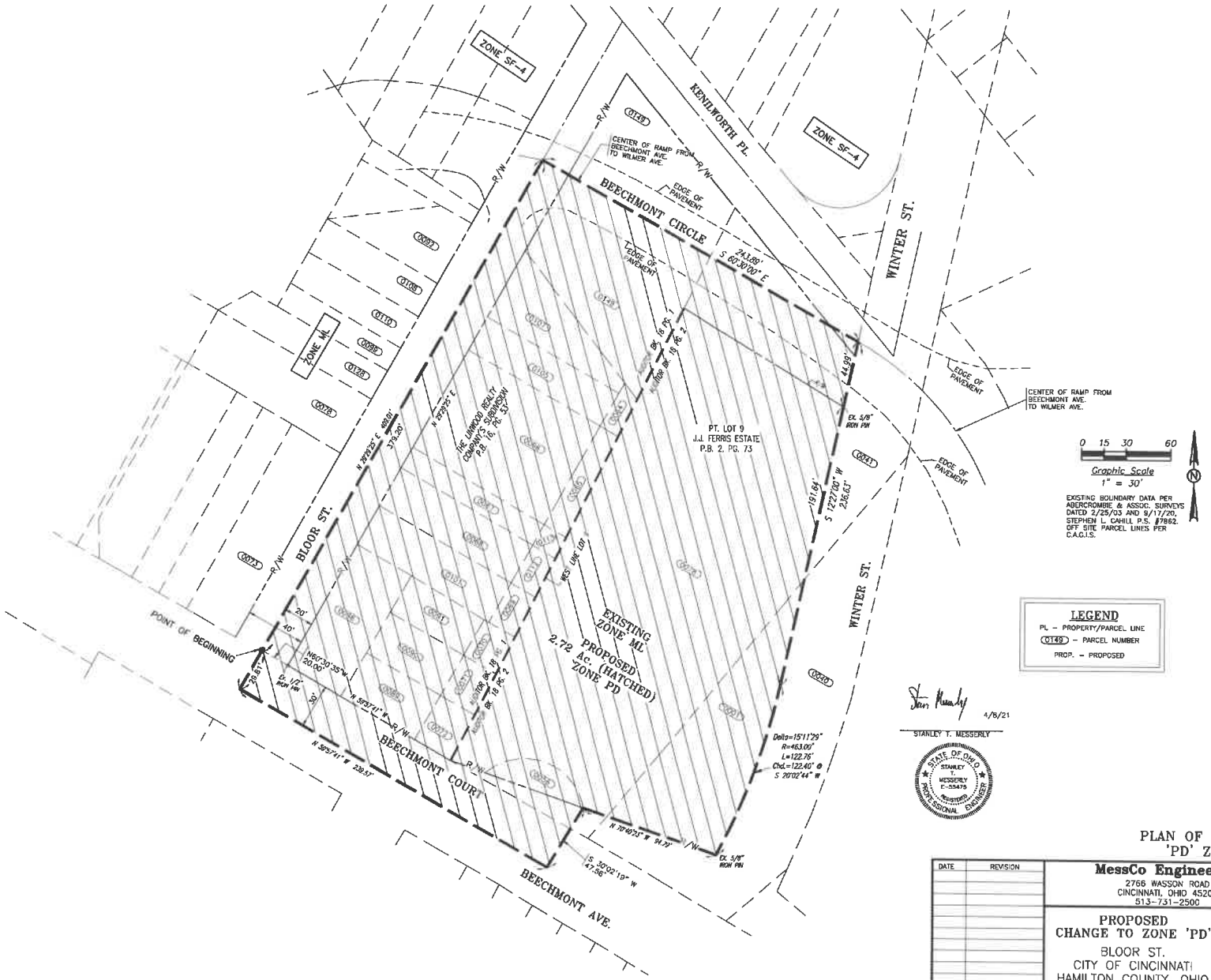
Agent Signature:

Name Typed: *Paul Schirmer, Agent for Owner*

Address: *1009 Delta Avenue, Cincinnati, OH 45208* Phone: *513-479-4396*

Please Check if the Following Items are Attached

Application Fee *x* Copies of Plat *x* Copies of Metes and Bounds *x*



0 15 30 60

Graphic Scale
1" = 30'

EXISTING BOUNDARY DATA PER ABERCROMBIE & ASSOC. SURVEYS DATED 2/25/03 AND 9/17/20, STEPHEN L. CAHILL P.S. #7862. OFF SITE PARCEL LINES PER C.A.G.I.S.

LEGEND

PL – PROPERTY/PARCEL LINE

0149 – PARCEL NUMBER

PROP. – PROPOSED

4/8/21

STANLEY T. MESSERLY

STATE OF OHIO
STANLEY T. MESSERLY
E-35475
REGISTERED
PROFESSIONAL ENGINEER

Exhibit C

PLAN OF PROPOSED
'PD' ZONE AREA

DATE	REVISION

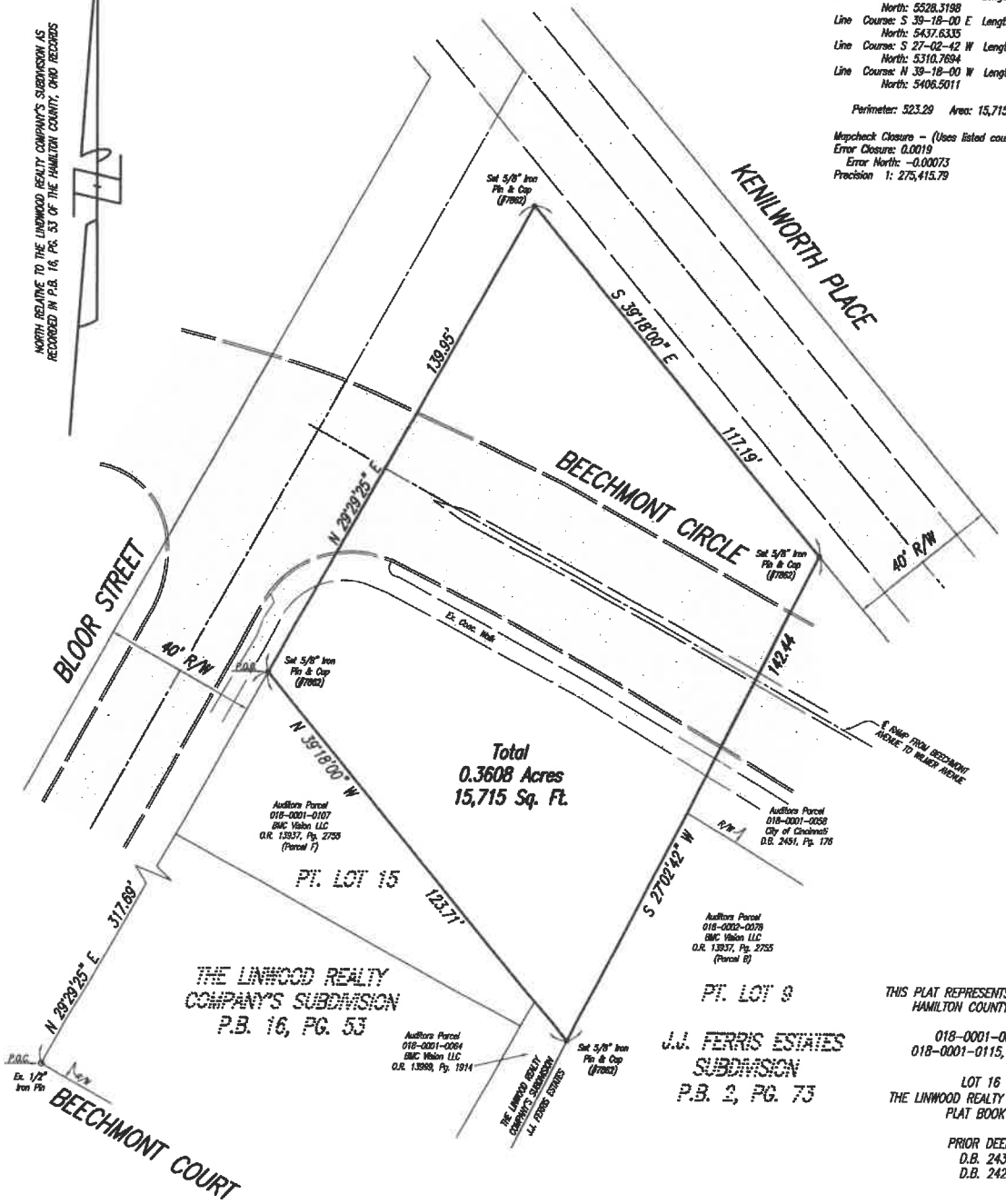
MessCo Engineering
2766 WASSON ROAD
CINCINNATI, OHIO 45209
513-731-2500

PROPOSED
CHANGE TO ZONE 'PD'

BLOOR ST.
CITY OF CINCINNATI
HAMILTON COUNTY, OHIO

DATE: 4/7/21
SCALE: AS SHOWN
DRAWN BY: STM
PAGE: 1 OF 1
JOB #: 0718

NORTH RELATIVE TO THE LINWOOD REALTY COMPANY'S SUBDIVISION AS RECORDED IN P.B. 16, PG. 53 OF THE HAMILTON COUNTY, OHIO RECORDS



CLOSURE – 0.3608 ACRES

North: 5406.5019 East : 4800.5477
Line Course: N 29-29-25 E Length: 139.95
North: 5528.3198 East : 4869.4418
Line Course: S 39-18-00 E Length: 117.19
North: 5437.6335 East : 4943.6677
Line Course: S 27-02-42 W Length: 142.44
North: 5310.7694 East : 4878.9016
Line Course: N 39-18-00 W Length: 123.71
North: 5406.5011 East : 4800.5460

Perimeter: 523.29 Area: 15,715 sq. ft. 0.3608 acres

Mapcheck Closure – (Uses listed courses, radii, and deltas)
Error Closure: 0.0019 Course: S 66-44-08 W
Error North: -0.00073 East : -0.00170
Precision 1: 275,415.79

THE CITY OF CINCINNATI (THE "CITY"), AN OHIO MUNICIPAL CORPORATION, THE OWNER OF THE TRACTS OF LAND SHOWN ON THIS PLAT OF SURVEY, DEPOSE THAT THESE TRACTS ARE EACH ENTERED AS TWO OR MORE ITEMS OR PARCELS ON THE HAMILTON COUNTY AUDITOR'S TAX LIST AND THE HAMILTON COUNTY AUDITOR'S TAX MAPS. THE CITY HEREBY REQUESTS THE HAMILTON COUNTY AUDITOR TO COMBINE SAID ITEMS OR PARCELS INTO ONE ENTRY FOR EACH TRACT ON THE HAMILTON COUNTY AUDITOR'S TAX LIST AND REMOVE FROM THE TAX MAPS THE LINES WHICH DIVIDE SAID PARCELS ON SAID TAX MAPS AND SHOW THE COURSES AND DISTANCES OF THIS SURVEY AS THE BOUNDARY OF THE COMBINED TRACTS OF LAND. IF THIS REQUEST IS GRANTED, THE CITY AGREES TO DESCRIBE ANY PART OR ALL OF THE TRACTS OF LAND SHOWN HEREON FOR FUTURE CONVEYANCING PURPOSES BY METES AND BOUNDS SO THAT SUCH DESCRIPTION SHALL BE AGREEABLE WITH THE SURVEY SHOWN HEREIN. THE CITY ALSO AGREES TO RECORD THIS SURVEY IN THE HAMILTON COUNTY RECORDER'S OFFICE.

THE CITY ALSO CERTIFIES THAT THERE ARE NO DELINQUENT TAXES AGAINST THE ABOVE DESCRIBED PROPERTIES, AND THEY ARE ALL IN ONE TAXING DISTRICT.

CITY OF CINCINNATI,
AN OHIO MUNICIPAL CORPORATION

_____
PAULA BOGGS MUETHING, INTERIM CITY MANAGER

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2020 BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF OHIO, PERSONALLY APPEARED PAULA BOGGS MUETHING, THE INTERIM CITY MANAGER OF THE CITY OF CINCINNATI, AN OHIO MUNICIPAL CORPORATION, WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE ITS VOLUNTARY ACT AND DEED. IN TESTIMONY WHEREOF, I HERELUNTO SUBSCRIBE MY NAME AND AFFIX MY NOTARY SEAL.

APPROVED AS TO FORM

_____
ASSISTANT CITY SOLICITOR

Note: All Set 5/8" Iron Pin & Cap Shall Have A Yellow Cap Stamped With "ABERCROMBIE & ASSOC INC SLC-7862"

I Hereby Certify That This Is A True And Accurate Survey Done By Me And Under My Direction And That All Monuments Have Been Found Or Set As Shown.

Stephen L. Cahill, PLS
Ohio Registered Surveyor #7862
9-17-2020

STATE OF OHIO
STEPHEN L. CAHILL
7862
REGISTERED
SURVEYOR

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

THIS PLAT REPRESENTS THE CONSOLIDATION OF HAMILTON COUNTY AUDITORS PARCELS

018-0001-0060 THRU 0063,
018-0001-0115, & 018-0001-0116

LOT 16 THRU 19 OF
THE LINWOOD REALTY COMPANY'S SUBDIVISION
PLAT BOOK 16, PAGE 53

PRIOR DEED REFERENCE
D.B. 2436, PG. 585
D.B. 2428, PG. 530

CONSOLIDATION PLAT

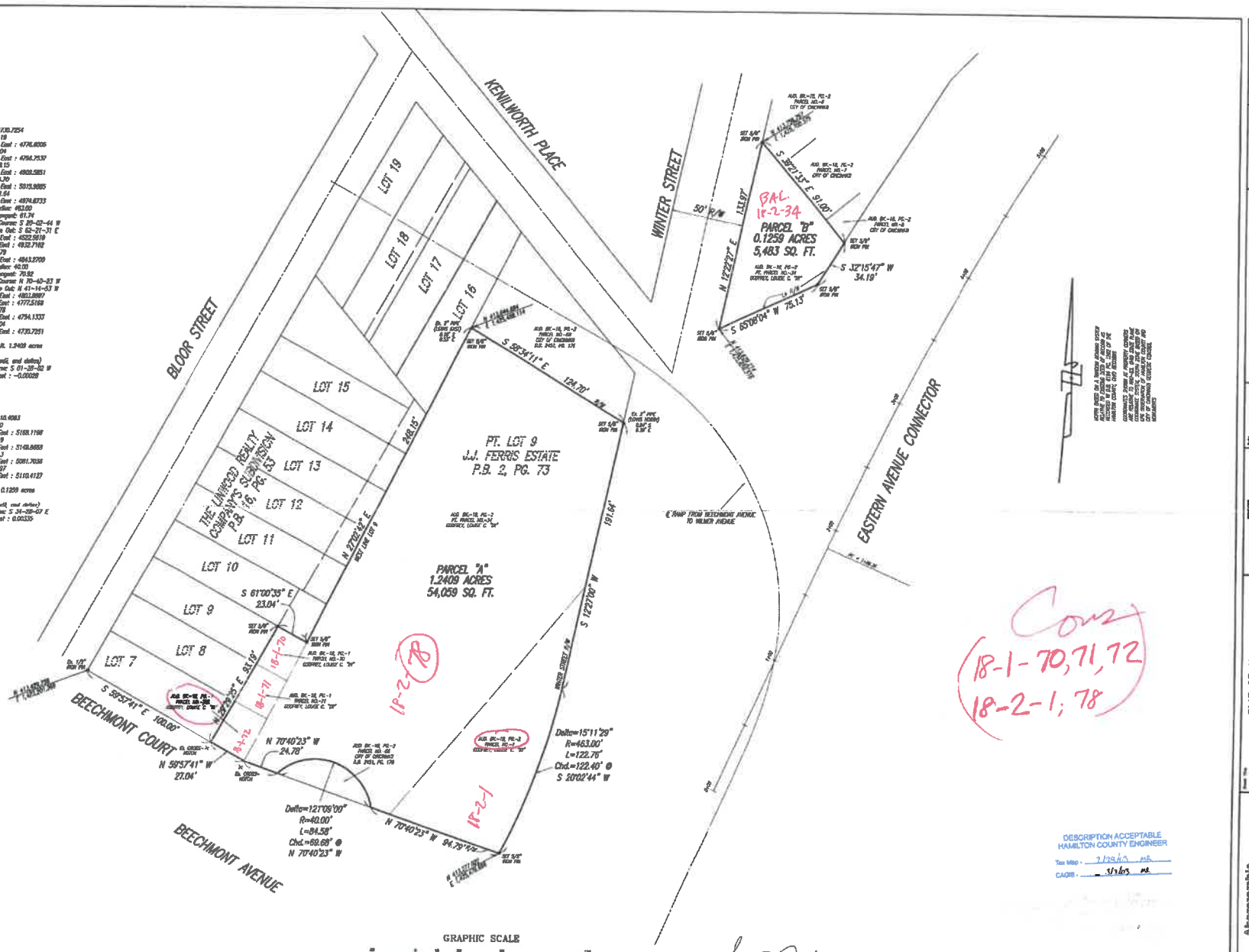
THE LINWOOD REALTY COMPANY'S SUBDIVISION
SECTION-19, TOWN-4, F.RANGE-2
CITY OF CINCINNATI, HAMILTON COUNTY, OHIO

REVISIONS
8-27-20

Abercrombie & Associates, Inc.
Civil Engineering + Surveying
8111 Cheviot Road, Suite 200 •Cincinnati, Ohio 45247
513-385-5757 • www.abercrombie-associates.com

SCALE	DATE	JOB.NO.	DRAWN	
1"=20'	8-4-20	19-0232	R.B.	1 / 1

DWG.: RB-SWPT



CLOSURE – 1.2409 ACRES

North: 5078.8125 East : 4730.7254
Line Course: N 29-19-25 E Length: 83.19
North: 5161.6287 East : 4776.8006
Line Course: S 61-00-35 E Length: 23.04
North: 5148.8831 East : 4794.7537
Line Course: N 27-02-43 E Length: 248.15
North: 5370.8769 East : 4903.5851
Line Course: S 59-34-11 E Length: 124.70
North: 5305.6557 East : 5013.9605
Line Course: S 12-27-00 W Length: 191.64
North: 5118.7172 East : 4974.6733
Curve Length: 122.76 Radius: 463.00
Delta: 15-11-29 Tangent: 61.74
Chord: 122.40 Course: S 20-02-44 W
Course In: N 27-33-09 W Course Out: S 63-21-31 E
BP North: 5218.5342 East : 4952.9619
End North: 5093.7318 East : 4932.7162
Line Course: N 70-40-23 W Length: 94.79
North: 5093.1036 East : 4863.2709
Curve Length: 84.58 Radius: 40.00
Delta: 121-09-00 Tangent: 70.92
Chord: 69.68 Course: N 70-40-23 W
Course In: S 79-54-07 W Course Out: N 41-14-53 W
BP North: 5028.0900 East : 4803.8897
End North: 5078.1045 East : 4777.5168
Line Course: N 70-40-23 W Length: 24.78
North: 5086.3857 East : 4754.1333
Line Course: N 59-57-41 W Length: 27.04
North: 5078.9014 East : 4730.7251

Perimeter: 1034.67 Area: 54,053 sq. ft. 1.2409 acres

Mapcheck Closure – (Uses listed courses, radii, and delta)
Error Closure: 0.0110 Course: S 01-32-52 W
Error North: -0.01104 East : -0.00029
Precision 1: 94,060.91

CLOSURE – 0.1259 ACRES

North: 5302.4223 East : 5110.4083
Line Course: S 39-21-33 E Length: 91.00
North: 5432.0634 East : 5169.1198
Line Course: S 32-15-47 W Length: 34.19
North: 5403.1511 East : 5149.8669
Line Course: S 65-08-04 W Length: 75.13
North: 5371.5584 East : 5081.7036
Line Course: N 12-22-27 E Length: 113.97
North: 5302.4174 East : 5110.4127

Perimeter: 334.30 Area: 5,483 sq. ft. 0.1259 acres

Mapcheck Closure – (Uses listed courses, radii, and delta)
Error Closure: 0.0036 Course: S 34-09-07 E
Error North: -0.00488 East : 0.00335
Precision 1: 93,938.32

DESCRIPTION ACCEPTABLE
HAMILTON COUNTY ENGINEER
Tax Map: 7/28/03 MB
CAGIS: 7/28/03 MB

STEPHEN L. DAHLL
OHIO REGISTERED SURVEYOR #7862
2-25-03

2 WORKING DAYS BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

This drawing and the design concepts represented, are instruments of service are the sole property of Abercrombie & Associates, Inc. and may not be used, reproduced, or copied for any purpose without prior written authorization of Abercrombie & Associates, Inc.

STATE OF OHIO
STEPHEN L. DAHLL
7862
REGISTERED
SURVEYOR

Date 11-25-02
Drawn by HKS
Checked by S.L.C.
Scale 1" = 30'

REVISIONS
02-0179SURVEY(18-1-70-71-72)

PLAT OF SURVEY
Project Title: Pt. LOT 9 J.J. FERGUS ESTATE & Pt. LOTS 7,8 & 9 THE LINWOOD REALTY CO. SUBD.
CITY OF CINCINNATI
HAMILTON COUNTY, OHIO

Abercrombie & Associates, Inc.
Civil Engineers/Surveyors
Chiarella Professional Center • Suite 123
3777 Eastern Ave. • Cincinnati, Ohio 45226-2807
513-321-5732
www.abercrombie-associates.com

Job No. 02-0179

Exhibit D

Legal Description
Proposed 'PD' Zone Area
2.72 Ac. Tract
April 8, 2021

Situated in the City of Cincinnati, Hamilton County, Ohio and being part of Lots 7 thru 19 of the Linwood Realty Company's Subdivision as recorded in Plat Bk. 16 Pg. 53 of the Hamilton County Records, and being part of Lot 9 of the J.J. Ferris Estate as recorded in Plat Bk. 2 Pg. 73 of the Hamilton County Records, and being more particularly described as follows:

COMMENCING at an existing 1/2-inch iron pin located at the intersection of the easterly right of way of Bloor Street and the northerly right of way of Beechmont Court;

THENCE, leaving said intersection of rights of way, N 60°30'35" W, a distance of 20.00 feet to a point in the center of the fourty (40) foot Bloor Street right of way, and the POINT OF BEGINNING for this Tract;

THENCE, along the center of the Bloor Street right of way, N 29°29'25" E, a distance of 379.20 feet, to the intersection with the center of the ramp from Beechmont Ave. to Wilmer Ave.;

THENCE, leaving said center of Bloor Street right of way and along the center of the ramp from Beechmont Ave. to Wilmer Ave., S 60°30'00" E, a distance of 243.89 feet, to a point located within the right of way of the Kenilworth Place right of way;

THENCE, leaving said center of the ramp from Beechmont Ave. to Wilmer Ave., S 12°27'00" W, a distance of 44.99, to the north east corner of Auditor Parcel 018-0002-0078 and an existing 5/8-inch iron pin;

THENCE, along the east line of Auditor Parcel 018-0002-0078 and Auditor Parcel 018-0002-0001, S 12°27'00" W, a distance of 191.64 feet to a point;

THENCE, at a chord bearing S 20°02'44" W, along the east line of Auditor Parcel 018-0002-0001, with of curve to the right, said curve having a length of 122.76 feet and a radius of 463.00 feet, a chord length distance of 122.40 feet to an existing 5/8-inch iron pin located at the north right of way of Beechmont Court;

Legal Description
Proposed 'PD' Zone Area
2.72 Ac. Tract
April 8, 2021

THENCE, along the north right of way of Beechmont Court, N 70°40'23" W, a distance of 94.79 feet to a point;

THENCE, leaving said north right of way of Beechmont Court, S 30°02'19" W, a distance of 47.56 feet to a point located in the center of the sixty (60) foot Beechmont Court right of way;

THENCE, along said center of Beechmont Court, N 59°57'41" W, a distance of 239.57 feet to the intersection with the center of the Bloor Street right of way;

THENCE, leaving said center of Beechmont Court and along the center of the Bloor Street right of way, N 29°29'25" E, a distance of 29.81 feet to the POINT OF BEGINNING for this Tract.

Containing 2.72 acres of land, more or less. Subject, however, to all legal rights-of-way of previous record.

The foregoing description was prepared by Stanley T. Messerly, Ohio PE #E-55475.

0718 Zoning Limits Legal 4-8-21

Exhibit E

BMC VISION, LLC
1009 DELTA AVENUE ◦ CINCINNATI, OHIO 45208

January 18, 2021

Katherine Keough-Jurs
City Planning Director
City of Cincinnati
805 Central Avenue, Suite 720
Cincinnati, OH 45202

RE: Zone Change Application "ML" to "PD"
3754 to 4759 Beechmont Ct & 4761 to 4773 Bloor Ave

Dear Katherine:

The Applicant, BMC Vision, LLC, (the "Applicant") is requesting a Zone Change from Manufacturing Limited (ML) to Planned Development (PD) to construct 84 new residential apartments (the "Project") at 3754 to 4759 Beechmont Ct & 4761 to 4773 Bloor Ave ("Subject Property").

The proposed project is a uniquely positioned within the City of Cincinnati and achieves the purposes of the PD Planned Development District per Section 1429-01, as the proposed development:

a) *Seeks a more efficient and economic development of property than ordinarily permitted by conventional zoning.*

b) *Provides the opportunity to greatly enhance this highly-visible project site through quality design and development.*

c) *Provides on-site common amenities & allows pedestrian access to nearby recreation/open space.*

d) *Combines 11 parcels from 6 individual owners to create one cohesive development that otherwise might be a fragmented re-development that may not address non-conforming (ML) uses.*

Figure 1: Project Location

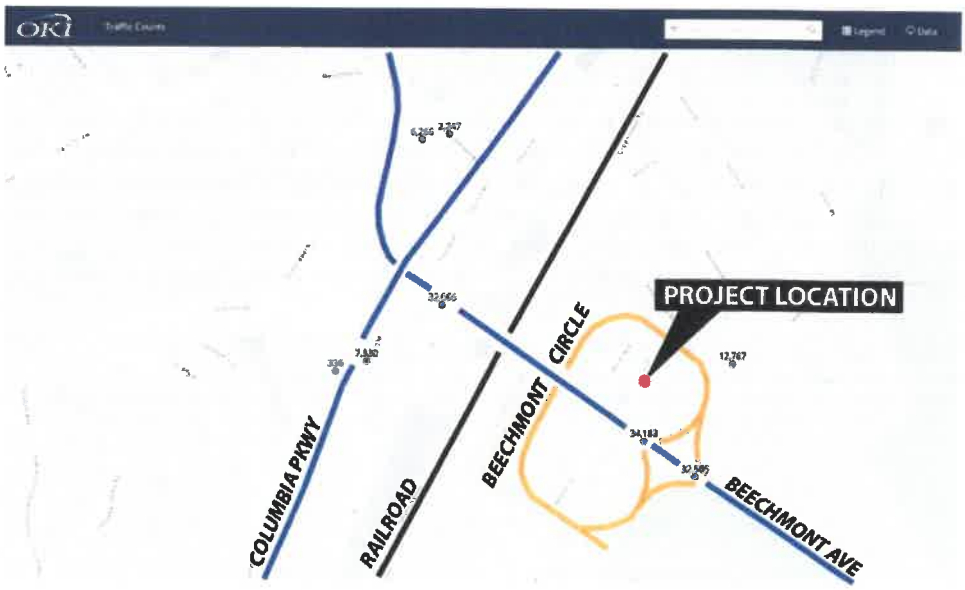


Figure 2: Road Network

PROJECT LOCATION:

The Project is located on the east side of Cincinnati in the Linwood Neighborhood, easily accessible from Columbia Parkway; generally located at the northwest intersection of Beechmont Avenue and Wooster Road.

As stated in the 2002 Linwood Neighborhood Strategy plan, the development pattern over the years has been significantly shaped by transportation (barge, rail, and vehicular) and the flood plain. Generally, the built environment has clustered around the higher-ground along Eastern Avenue and the Railroad, and recreation /open space and the airport in the flood plain. Today,

the railroad along with (2) major limited-access collector roads, Columbia Parkway (22,205 AADT) and Beechmont Avenue (34,183 AADT), create physical boundaries that significantly divide the neighborhood. The project site is further isolated from the rest of the neighborhood by Beechmont Circle.

TRANSPORTATION:

A. Vehicular.
The intersection of Beechmont & Wooster/Wilmer Roads ("Beechmont Circle") is a key intersection studied in the Eastern Corridor Program, which seeks to, "integrate roadway network improvements, new rail transit options, expanded bus service, bikeways and walking paths to improve travel and access between Greater Cincinnati's eastern communities and its central employment, economic, and social centers." A series of recommendations were provided by the plan including options to connect Wilmer & Wooster ranging from 'at grade' 4-way intersections with Beechmont Avenue to the construction of a new bridge, over Beechmont Avenue, connecting Wilmer & Wooster.

It's our understanding that the concept outlined in the graphic below represents the most probable design, which includes the construction of (2) new on/off ramps from Beechmont Avenue along with a bridge connecting Wilmer and Wooster Roads. No portion of the Subject Property is required for the execution of this scheme. At this time, it's our understanding that there is no funding to implement said improvements.

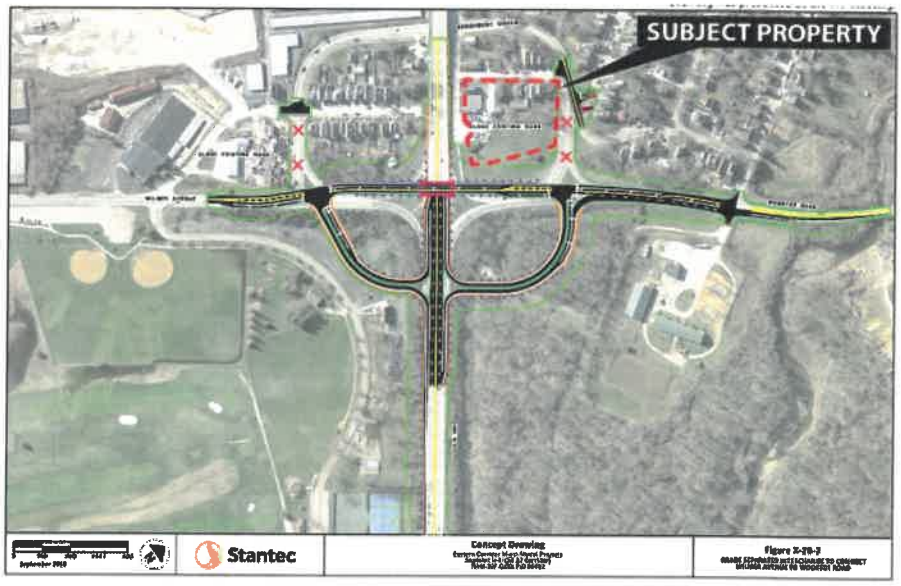


Figure 3: Road Network /Barriers

A. Pedestrian.

One of the attractive features of the Project Site is the pedestrian connections it has with nearby golf, tennis, bike/walking trails, dog park, soccer fields and kayak/canoe launch at Lunken Airport (1,800 ft away) and Otto Armleder Park (3,000 ft away). Also within easy access are several bus stops along Beechmont Avenue. The graphic, below, highlights these connections and destinations.

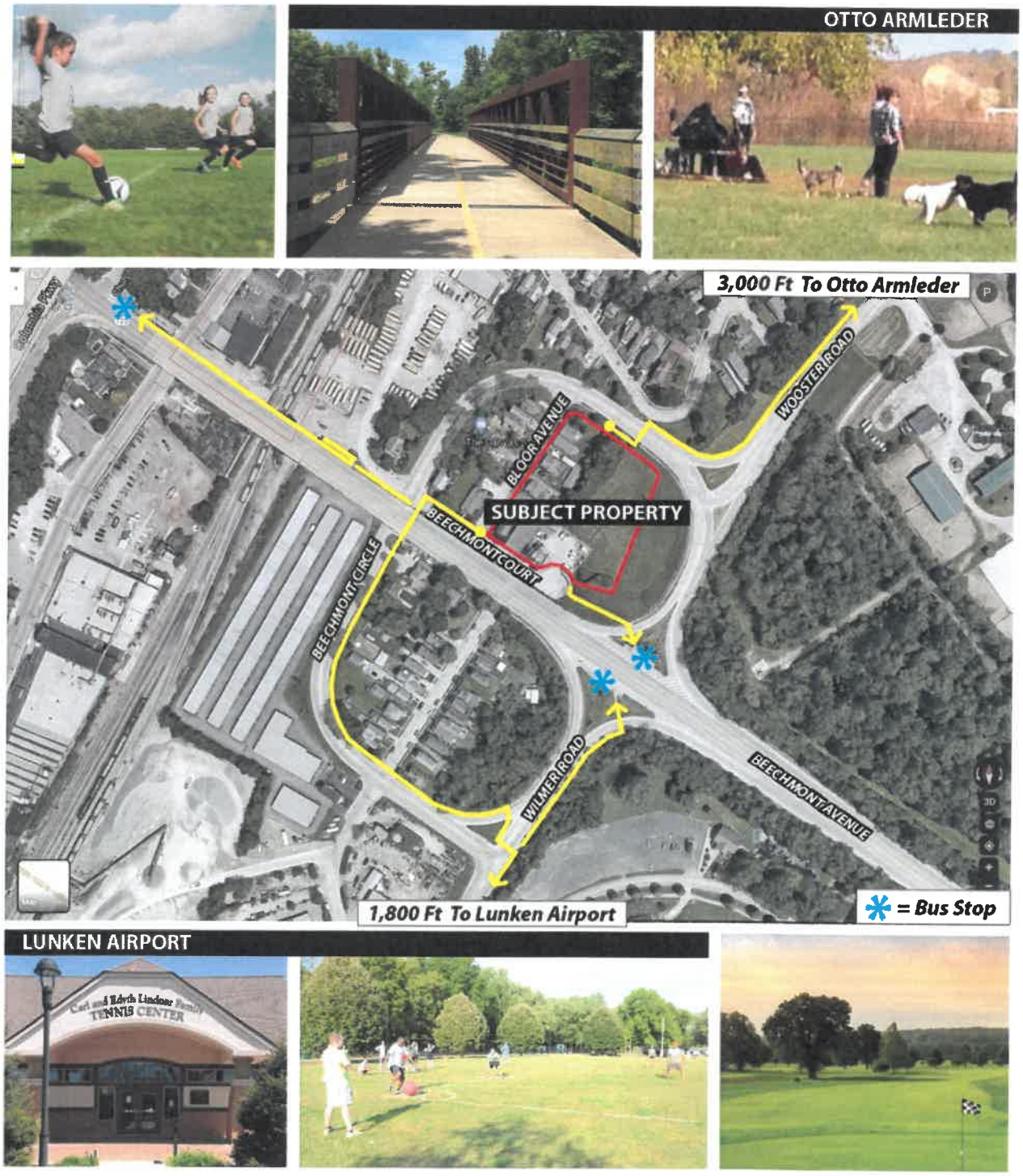


Figure 4: Pedestrian Access

SUBJECT PROPERTY:

The Subject Property is comprised of multiple parcels fronting on Bloor Avenue and Beechmont Court, that combined create a 2.0 acre development site that is generally bound by Beechmont Circle to the north, Bloor Avenue to the west, Beechmont Court to the south, and Wooster Road to the east. As noted above, the road improvements over the years have essentially isolated the Subject Property from the rest of the neighborhood.

In addition, historic maps of the area illustrate that (a) the Subject Property was never fully integrated with the streets to the north (Pennsylvania, etc.) and (b) how road improvements (Beechmont Circle) have isolated the Subject Property from the rest of the neighborhood.

Figure 5: Subject Property

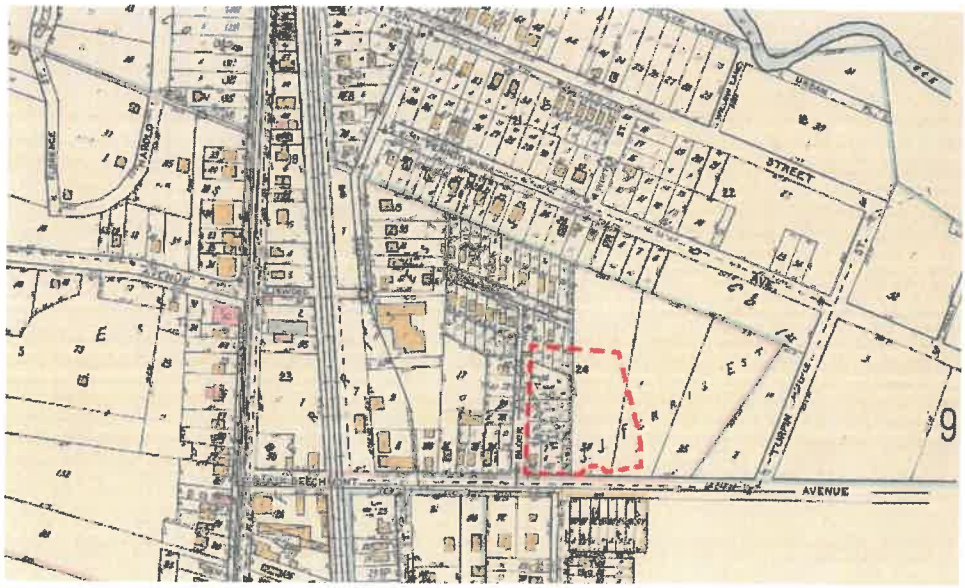


Figure 6: 1922 Sanborn Insurance Map

EXISTING CONDITIONS:

The Subject Property contains vacant land, single-family residential, office, and light-industrial uses (workshop and exterior fenced-in gravel storage yard).

To offset holding cost, the original intent was to acquire and rent 4767, 4769, and 4773 Bloor until the Applicant commenced the redevelopment of the Subject Property; however, these structures were in such poor condition, the cost of repairs required due to decades of neglect and lack of maintenance, combined with the cost of flood insurance made the structures not economically feasible to repair. 4767, 4769, and 4773 Bloor have been demolished.

Figure 7: Site Photos (via Google)

A. Signage.

There are (3) clusters of billboard signage on the Subject Property facing Beechmont Avenue and Wooster Road. The sign companies, Lamar and Norton, own not only the signage structures, but also own (not lease) access and view easements on the Subject Property for the benefit of said signage companies. The applicant attempted, however, was not successful purchasing the billboard signage.

The applicant also contacted the State of Ohio inquiring about the modification of the existing billboard signage, regarding the potential to construct a similar sized sign at same location utilizing a modern 'monopole', allowing a more attractive & efficient use of the site. Unfortunately, these signs are listed as 'non-conforming' and violate multiple rules /regulations; however, because their location and construction pre-dates regulations, they are permitted to stay. Modification to the existing signs is limited to maintenance only with like-kind materials and they cannot be altered or moved.

So, due to the high-visibility (profitable) and non-conforming (irreplaceable) status of these signs, they will likely never go away. The proposed plan seeks to work around this encumbrance and proposes to enhance landscaping around their base to, at a minimum, make them more attractive.

Figure 8: Billboard Signage

B. Flood Plain.

Currently, the entire area is identified as Zone AE, per the FEMA map below, and within the 100-year flood plain, which means that the Base Flood elevation is 501 ft +/- ASL and per the city CSR report, no plumbing fixtures are permitted below 502'. Most of the site is currently only within a couple feet from meeting the 502ft requirement, thus requiring minimal fill material to bring the structures out of the 100-year flood plain, per CAGIS map below.

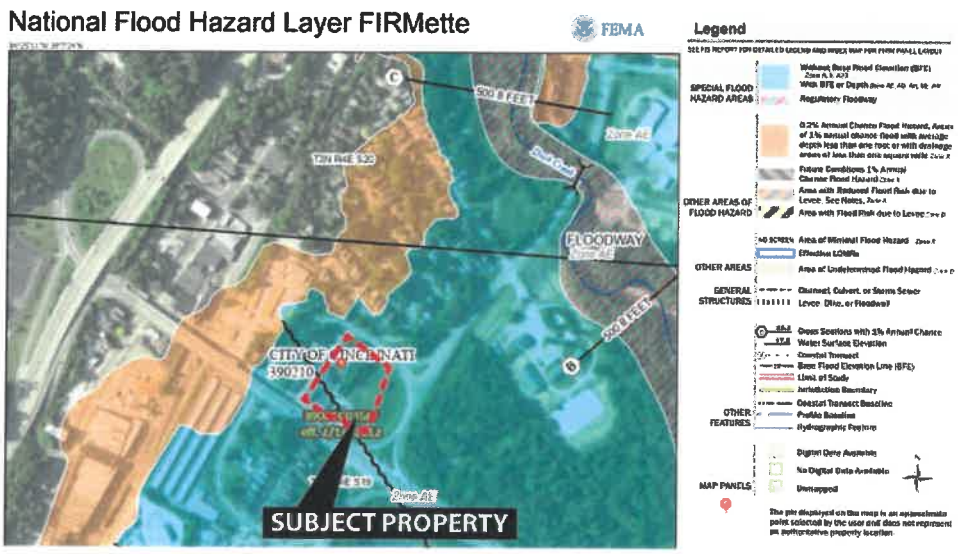


Figure 9: FEMA FIRMette

Figure 10: CAGIS Topography

EXISTING ZONING:

The Subject Property is currently zoned Manufacturing Limited (ML). Per Section 1413-03(b), the purpose of the ML zone is: "To create, preserve, and enhance areas that are appropriate for a range of low-impact manufacturing activities and supporting commercial uses."

At the time of acquisition, 22.5% of the 2.0 acre Subject Property was non-conforming to the ML Zone as they were used for Single Family and Multi-Family Residential. As noted above, 3 of the 4 houses have been demolished since the cost of repairs required due to decades of neglect and lack of maintenance, combined with the cost of flood insurance made keeping and repairing the structures not economically feasible.

Surrounding the Subject Property are Single Family residential zones (SF-4, north of Beechmont Circle & SF-2, south of Beechmont Avenue) and the ML Zone to the east and west. Several parcels within the ML zone immediately to the west of the Subject Property (on Bloor) are non-conforming (residential). Although the uses to the east (vacant & equestrian center) comply with the list of permitted uses within the ML zone, they can be more associated with agriculture & recreation use rather than manufacturing, per the ML definition, above.

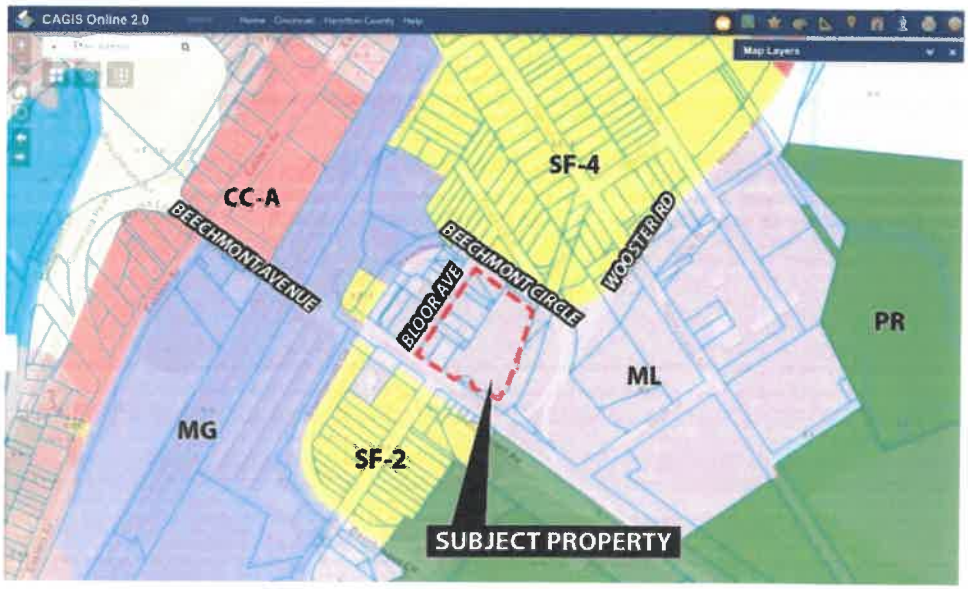


Figure 11: Existing Zoning

PROPOSED USE:

The Applicant is seeking to develop a residential apartment building along with a common /amenity area on the Subject Property. Below is a brief description of the project, pursuant to Chapter 1429-09:

1. Plan Elements:
    a. Survey: the total site area is 2.13 acres, of which, approximately 0.6 acres is being dedicated to expand the Bloor Avenue right-of-way leaving a Net Project Acreage of 2.07 acres +/-. The Applicant intends to consolidate all parcels prior to construction. Drawing C-1 shows metes and bounds survey, Drawing C-3 provides approximate net acre calculation.

    b. Location: as stated above, the project is located on the east side of Cincinnati in the Linwood Neighborhood, generally located at the northwest intersection of Beechmont Avenue and Wooster Road, and the Subject Property is generally bound by Beechmont Circle to the north, Bloor Avenue to the west, Beechmont Court to the south, and Wooster Road to the east.

    c. Land Use: The Project is proposed to be a mixed-use development, consisting primarily of rental apartments and an amenity space, which is proposed to contain a small restaurant /cafe:

        1. Apartments: approximately 80-90 (1) bedroom units are planned for the site; for reference, the current plan shows 84 units.

        2. Amenity: pending final programming, the amenity is anticipated to be a 2,000-4,000sf building and contain a leasing office, fitness room and small café; for reference, the current plan shows the amenity building at approximately 3,000sf. In addition to the building, we anticipate including a pool along with bike & kayak racks that help promote an active lifestyle.

        3. Café: to promote a healthy social environment, we are seeking to integrate a small café into the amenity space. The café is envisioned as a small gathering place offering a limited food and drink menu. This use will be primarily oriented as a service for residents, but open to the public. An example of this integration can be found with 'The Pub' at Indian Creek Apartments in Kenwood; an example of target menu /experience might be like: www.launchcolorado.com.

    d. Driveways /Entrance: a single vehicular ingress/egress point is proposed on Beechmont Court. From there, guests can access Beechmont Circle from either Beechmont Court or Bloor Avenue.

e. Parking:

1. Off-Street Parking: similar to the existing ML Zone, no less than 1-space per unit will be provided for the residential apartments and per ML Zone, no parking would be required for commercial use (café) up to 2,000sf. For reference, the proposed plan shows 90 off-street parking spaces, which exceed the ratios, above.

2. On-Street Parking: the plan contemplates allocation /dedication of land to expand the Bloor Avenue right-of-way for the creation of on-street parking; for reference, the proposed plan shows 13 on-street parking spaces to be created.

f. Streetscape /Right-of-Way Improvements: Bloor Avenue today is only a strip of pavement with no curb/gutter, sidewalk, or street trees on either side of the street. Per the City's Coordinated Site Review, the Applicant is planning to dedicate an approximately 7 ft of land along Bloor Avenue for the purpose of expanding the existing right-of-way to allow for the construction of new curb & gutter and on-street parking along with the city standard: 5ft sidewalk & 5ft landscape area. The addition of street trees and landscaping within the right of way to be provided, per city standard.

g. Structures:

1. Apartments are proposed as 3-story, wood-frame construction, with all living space above the flood plain (502ft ASL min.); a limited number of 3rd floor apartments are proposed to include a second story mezzanine/loft space along with private, roof-top patios, overlooking Lunken Airport.

2. The amenity building is currently proposed as a single-story structure for uses described above, built per code requirements; however, pending market conditions, may be expanded to include a mezzanine level for a limited amount of 'wework /cohatch' style, shared office space.

3. Additional accessory structures may be added for utility purposes, including: trash enclosure, pool equipment, pool-side restrooms, dog wash station, bike storage/repair, kayak/canoe storage, etc.

h. Setbacks: as mentioned above, multiple structures are proposed to be built onsite. Approximate minimum setbacks for the apartments and amenity buildings from surrounding right-of-ways include:

1. *Beechmont Circle*: 0.5ft (to Building #1)

2. *Bloor Avenue*: 12ft from existing r-o-w (to Building #1).

3. *Beechmont Court*: 22t (to Building #1).

4. *Wooster Rd*: 0 ft (to Amenity).

i. Height: generally, the proposed 3-story, flat-roof buildings are anticipated to be an average of 40 ft +/- high from ground to parapet (42ft +/- at Bloor Ave. & 37ft +/- at the parking lot); exceptions to this 40ft average include (a) the central apartment entry in Building #1 and (b) the loft/mezzanine spaces provided for a limited number of top-floor apartments with a view of Lunken Airport.

j. Pedestrian Circulation:

1. Onsite circulation is provided access via a several sidewalks connecting all on-site buildings and amenities with the surrounding public sidewalks to the north and south of the project.

2. Offsite circulation is enhanced through the construction of a new sidewalk on the east side of Bloor Avenue. Additionally, the Subject Property is easily accessible to nearby bus stops and surrounding amenities (Lunken Airport & Otto Armleder).

k. Topography: the existing site is generally flat with little to no slope. Since the site is in the floodplain, the overall site will be raised, with building occupant areas at an elevation of no less than 502ft ASL (min) & footer/foundations to conform with additional code requirements, as needed.

l. Landscape: is to be provided throughout the development. Specific enhanced landscape areas to be included at the Beechmont Court entrance and at the base /sides of the billboard signage.

2. Ownership: all parcels are either owned or under contract by the Applicant; additional items to note:

a. Right-of-way: Cincinnati City Council per Ordinance 315-2020 approved the purchase of residual right-of-way at the southwest intersection of Bloor and Beechmont Circle; see Exhibit B, Purchase Agreement.

b. Signage Easements: as previously noted, the future development will need to work around the onsite signage easements, owned (not leased) by the signage companies.

3. Schedule: pending final PD / Zoning approvals; the applicant is targeting a Construction Start in late 2021 +/- , with a Grand Opening early Spring 2022 +/-.

4. Preliminary Reviews: the Applicant has completed the Initial Coordinated Site Review and recently submitted for the Design Review. In addition, MSD has already provided a sewer availability letter, see Exhibit C.

5. Density and Open Space:

a. Unit Type /Density: as mentioned above, there will be approximately 80-90 units onsite, which translates to a net density of 40 - 45 du/acre.

b. Open Space: the final plan will provide no less than 20% open space.

Thank you for your review of our proposed project; a list of additional drawings is provided in Exhibit 'A'. We feel that this unique site meets the goals and objectives of the Planned Development Zone and will be a benefit to the City of Cincinnati.

Thank you,

Paul Schirmer
Agent for Owner
BMC Vision, LLC

EXHIBIT 'A'
List of Drawings Submitted:

Architectural Drawings - M+A Architects:

01: Cover
02: Site Context
03: Site Context
04: Site Plan /Typical Floor Plan
05: Site Plan /Roof Plan
06: Site Section
07: Exterior Elevations

Engineering Drawings – Messco Engineering:

C-1: Site Survey
C-2: Existing Site Topography & Proposed Demolition Plan
C-3: Proposed Building & Parking Layout Plan
C-4: Proposed Utility & Layout Plan
C-5: Proposed Grading & Storm Layout Plan

Other:

LA-1: Landscape Areas

EXHIBIT 'B'

Right of Way – Purchase Agreement:

Contract No. 233 15x7839

Property: sale of property:
Bloor Ave. at Beechmont Cir.

PROPERTY SALE AGREEMENT

This Property Sale Agreement ("**Agreement**") is made and entered into on the Effective Date (as defined on the signature page hereof) by and between the **CITY OF CINCINNATI**, an Ohio municipal corporation, the address of which for purposes of this Agreement is 801 Plum Street, Cincinnati, OH 45202; Attention: Real Estate (the "**City**"), and **BMC VISION, LLC**, an Ohio limited liability company, the address of which is 1009 Delta Avenue, Cincinnati, OH 45226 ("**Purchaser**").

Recitals:

A. The City owns a vacant tract of land located at the southeast corner of the intersection of Bloor Avenue and Beechmont Circle, as more particularly described on Exhibit A – (*Legal Description*) (the "**Sale Property**"), which is under the management and control of the City's Department of Transportation and Engineering ("**DOTE**").

B. Purchaser owns land adjoining the Sale Property, as depicted on Exhibit B (*Site Survey*) hereto ("**Purchaser's Property**"), which Purchaser desires to develop for commercial use.

C. To facilitate and enhance the development of Purchaser's Property, Purchaser desires to purchase the Sale Property from the City, containing approximately 0.1214 acres, as depicted on Exhibit B hereto.

D. The City has determined that the Sale Property is not needed for transportation or any other municipal purpose.

E. The City's Real Estate Services Division has determined, by a professional appraisal, that the fair market value of the Sale Property is $29,000, which Purchaser has agreed to pay.

F. The City has determined that eliminating competitive bidding in connection with the City's sale of the Sale Property is justified because Purchaser owns the abutting property and intends to utilize the Sale Property to enhance the development of its adjacent property, which, when redeveloped, will provide economic benefits to the City.

G. Section 13 of Article VIII of the Ohio Constitution provides that, to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the State, it is a public interest and proper public purpose for the State or its political subdivisions to sell, lease, exchange, or otherwise dispose of property within the State of Ohio for industry, commerce, distribution and research.

H. City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the sale of the Sale Property to Purchaser at its meeting on July 17, 2020.

I. Execution of this Agreement was authorized by Cincinnati City Council by Ordinance No. 315-2020, passed on September 16, 2020.

NOW, THEREFORE, the parties agree as follows:

1. **Purchase Price**. Subject to the terms and conditions set forth herein, the City hereby agrees to sell the Sale Property to Purchaser, and Purchaser hereby agrees to purchase the Sale Property from the City, for a purchase price of $29,000 (the "**Purchase Price**"). Purchaser acknowledges that it is familiar with the condition of the Sale Property and, at Closing (as defined below), the City shall

convey the Sale Property to Purchaser in "as is" condition. The City makes no representations or warranties to Purchaser with respect to the condition of the Sale Property and, from and after the Closing, the City shall have no liability of any kind to Purchaser for any defects, adverse environmental condition, or any other matters affecting the Sale Property.

2. Real Estate Closing.

(A) Closing Conditions. The closing on the City's sale of the Sale Property to Purchaser (the "**Closing**") shall not occur unless and until the following conditions have been satisfied (the "**Closing Conditions**"); *provided, however*, that if the City, in its sole discretion, determines that one or more of the Conditions would be more appropriately handled at Closing or post-Closing, the City may, if appropriate, include such Conditions in the City's Quitclaim Deed to Purchaser or handle such Conditions post-Closing. Purchaser shall perform all work and investigations and shall obtain and prepare all necessary documents pertaining to the satisfaction of the Conditions, at no cost to the City.

(i) Title & Survey: Purchaser's approval of title to the Sale Property and, if obtained by Purchaser, an ALTA property survey of the Sale Property;

(ii) Inspections, Utilities & Zoning/Building Code Requirements: Purchaser's approval (or waiver) of [x] inspections of the Sale Property, including without limitation environmental assessments and soil assessments, to the extent Purchaser, at its option, elects to obtain such inspections, [y] all matters pertaining to utility service for the Sale Property, and [z] all zoning and building code requirements that are applicable to the Sale Property;

(iii) Plats, Legal Descriptions, and Deeds: Purchaser shall have provided the City with all plats and legal descriptions as required by DOTE, the Department of City Planning, and the Hamilton County Auditor and Recorder in connection with the City's sale of the Sale Property, including a new legal description of the Sale Property, and the parties shall work cooperatively to accomplish, at no expense to the City, the following: [x] the filing with the Hamilton County Auditor and Recorder a City-to-City *Quitclaim Deed*, in substantially the form attached as Exhibit C - (*Form of Quitclaim Deed – Split of Consolidated Parcels*) hereto, for the purpose of isolating existing City property located east of Bloor Avenue from City property located west of Bloor Avenue, [y] the filing with the Hamilton County Auditor and Recorder a consolidation plat to reconsolidate the City property east of Bloor Avenue, and [z] a survey and legal description of the Sale Property to facilitate the transfer of the Sale Property to Purchaser as an "adjoining lot owner" pursuant to Ohio Revised Code Section 711.001(B)(1) and City of Cincinnati Subdivision Regulation 100-07(d);

(iv) Coordinated Report Conditions (CR #47-2019):

(a) DOTE:

(1) DOTE does not object to a contract for the purchase of the excess right-of-way from the City, with a contingency that the City can terminate the contract if the plans for the Eastern Corridor require use of the property. Closing would only occur after the final location is set. Final ODOT report expected in Spring of 2020.

(2) The existing utilities must be granted easements or relocated at petitioner's expense.

(3) No Auditor's parcels shall be landlocked by this vacation/sale. If possible, potential landlocked parcels should be consolidated with parcels having legal street frontage.

(4) A DOTE street opening permit, obtained by a DOTE licensed street contractor, is required for all private improvements in the public right-of-way. All improvements in the public right-of-way must be built to City standards, policies and guidelines. Application for permits may be made at Room 425, City Hall, 801 Plum Street. Please note that plan drawings (2 sets), to be reviewed by DOTE, must be attached to the permit application.

(b) Duke Energy: Duke Energy has a gas main along Bloor and requires free access to those facilities at all times.

(c) Buildings and Inspections: Application for proposed future development shall be submitted for Coordinated Site Review at a Development Review level.

(B) Right to Terminate. If either party determines, after exercising reasonable good faith efforts, that any of the Conditions are not or cannot be satisfied within a reasonable period of time, such party shall have the right to terminate this Agreement by giving written notice thereof to the other party, whereupon this Agreement and all rights and obligations of the parties hereunder shall terminate. If all of the Conditions have not been satisfied to the satisfaction of both parties or waived in writing and for that reason the Closing has not occurred within 120 days after the Effective Date, this Agreement and all rights and obligations of the parties hereunder shall automatically terminate.

(C) Real Estate Closing Date. Provided the Closing Conditions have been satisfied, the Closing shall take place approximately 150 days after the Effective Date, or on such earlier or later date as the parties may agree upon.

(D) Closing Costs and Closing Documents. At the Closing, (i) Purchaser shall pay the Purchase Price in full, and (ii) the City shall convey all of its right, title and interest in and to the Sale Property to Purchaser by *Quitclaim Deed* in the form of Exhibit D – (*Form of Quitclaim Deed*). Purchaser shall pay all Hamilton County, Ohio recording fees, transfer tax, and any and all other customary closing costs associated with the Closing. There shall be no proration of real estate taxes and assessments at Closing, and from and after the Closing, Purchaser shall pay all real estate taxes and assessments thereafter becoming due. At Closing, the parties shall execute a settlement statement and any and all other customary closing documents that are necessary for the Closing, in such forms as are approved by the City. The City shall not however be required to execute a title affidavit at Closing. The provisions of this Agreement shall survive the City's execution and delivery of the *Quitclaim Deed* and shall not be deemed to have been merged therein.

3. Notices. All notices given by the parties hereunder shall be deemed given if personally delivered, delivered by Federal Express, UPS or other recognized overnight courier, or mailed by U.S. regular or certified mail, addressed to the parties at their respective addresses set forth in the introductory paragraph of this Agreement. If Purchaser sends a notice to the City alleging that the City is in default under this Agreement, Purchaser shall simultaneously send a copy of such notice by U.S. certified mail to: City Solicitor, 801 Plum Street, Suite 214, Cincinnati, OH 45202. Notices shall be deemed given on the date of receipt.

4. Representations, Warranties, and Covenants of Purchaser. Purchaser makes the following representations, warranties and covenants to induce the City to enter into this Agreement:

(i) Purchaser is an Ohio limited liability company duly organized and validly existing under the laws of the State of Ohio, is authorized to transact business in the State of Ohio, has properly filed all certificates and reports required to be filed by it under the laws of the State of Ohio, and is not in violation of any laws relevant to the transactions contemplated by this Agreement.

(ii) Purchaser has full power and authority to execute and deliver this Agreement and to carry out the transactions provided for herein.

(H) Brokers. Purchaser represents to the City that Purchaser has not dealt with any real estate brokers and agents in connection with its purchase of the Sale Property.

(I) Official Capacity. All representations, warranties, covenants, agreements and obligations of the City under this Agreement shall be effective to the extent authorized and permitted by applicable law. None of those representations, warranties, covenants, agreements or obligations shall be deemed to be a representation, warranty, covenant, agreement or obligation of any present or future officer, agent, employee or attorney of the City in other than his or her official capacity.

(J) Conflict of Interest. No officer, employee, or agent of the City who exercises any functions or responsibilities in connection with the planning or carrying out of the property sale shall have any personal financial interest, direct or indirect, in Purchaser or in the property sale, and Purchaser shall take appropriate steps to assure compliance.

(K) Administrative Actions. To the extent permitted by applicable laws, and unless otherwise expressly provided in this Agreement, all actions taken or to be taken by the City under this Agreement may be taken by administrative action and shall not require legislative action of the City beyond the legislative action authorizing the execution of this Agreement.

6. Exhibits. The following exhibits are attached hereto and made a part hereof:
Exhibit A – *Legal Description*
Exhibit B – *Site Survey*
Exhibit C – Form of *Quitclaim Deed – Split of Consolidated Parcels*
Exhibit D – Form of *Quitclaim Deed*

SIGNATURE PAGE FOLLOWS

Executed by the parties on the dates indicated below their respective signatures, effective as of the later of such dates (the "**Effective Date**").

BMC VISION, LLC,
an Ohio limited liability company

By: _____

Printed name: Barry Rosenberg

Title: Manager

Date: 11-17, 2020

CITY OF CINCINNATI

By: _____
Paula Boggs Muething, City Manager

Date. 12/2, 2020

Recommended by:

_____
John Brazina
Director, Department of Transportation and Engineering

Approved as to Form:

_____
Assistant City Solicitor

Certified Date: 11/30/2020

Fund/Code: No Certification Necessary

Amount: _____

By: ANS
Karen Alder, City Finance Director

EXHIBIT 'C'

MSD Sewer Availability:

August 26, 2020

METROPOLITAN SEWER DISTRICT of greater CINCINNATI

Stan Messerly
Messco Engineering
PO Box 9156
Cincinnati, OH 45209

Subject: Conditional Availability of Sewers
Mixed Use – Apartments (70) 1-BR & (19) 2-BR & Restaurant (70 Seats)
Auditor's Parcel Numbers 18-1-60 to -72, -89 to -91, -96, -101, -105, -107, -112, -113, -115, -116, 18-2-1, & -78
3756 Beechmont Court
Cincinnati
APD Number CMD2000175

Dear Mr. Messerly,

Your sewer availability request for the property referenced above has been processed and approved. Sanitary sewer service is available via connection to the existing public sewer in Bloor Avenue or Beechmont Court, subject to the following requirements and conditions:

1. All plans and construction shall comply with the latest edition of the MSD Rules and Regulations which governs the design, construction, maintenance, operation, and use of sanitary and combined sewers. This document can be downloaded from the MSD website at http://www.msdgc.org/about_msd/legal_and_organizational_documents/msd-rules-regulations/.
2. In instances where the overflow rim of the lowest plumbing fixture in any proposed structure is below the elevation of the rim of the next upstream manhole in the sewer system to which the proposed structure is connected, a backwater valve shall be installed in accordance with Section 614 of the MSD Rules and Regulations.
3. This development shall be subject to the requirements of Article XV of the MSD Rules and Regulations, which requires filing the appropriate Waste Discharge Permit Application as a condition of obtaining sewer service. These forms can be downloaded from the MSD website at http://www.msdgc.org/customer_care/industrial_user_resources/index.html. Additional information can be obtained by contacting the MSD Division of Industrial waste at 513.557.7000.
4. A tap permit must be obtained in accordance with Section 1201 of the MSD Rules and Regulations. The sewer contractor must contact the MSD Field Office at 513.244.1369 for sewer inspection after tap permit is issued.
5. All sewer tappers making building sewer connections to the MSD sewer system shall be licensed and bonded by MSD in accordance with Section 1212 of the MSD Rules and Regulations.
6. The person to whom a tap permit or special permit is issued shall be responsible for obtaining any additional permits required to open cut any public street, road or highway from the appropriate public authority that has jurisdiction in accordance with Section 1210 of the MSD Rules and Regulations.
7. Each structure or each dwelling is to be provided with a separate water service and meter shall also be serviced by a separate and completely independent building sewer tapping into the sanitary or combined sewer system in accordance with Section 1202 of the MSD Rules and Regulations.
8. All storm and sanitary sewer flows shall be separated within the development site prior to discharging to the combined sewer system in accordance with Section 302 of the MSD Rules and regulations.
9. Storm detention shall be provided in accordance with Section 303 of the MSD Rules and Regulations.
10. For additional site storm water requirements within the City of Cincinnati, contact the City of Cincinnati's Stormwater Management Utility (SMU) at 513.591.5050.

(Continued on Reverse Side of Page)

The conditional availability of sewer service as described in this letter is effective until August 26, 2021 and may be extended for one additional year in accordance with Article V, Section 510 of the MSD Rules and Regulations. Extension requests may be made within thirty (30) days of the expiration date of this application. Subsequent extension requests may or may not be granted depending on the availability of sewer credits, hydraulic capacity of the sewer system, and/or other factors that may affect MSD's ability to accept additional sanitary flows into our sewer system.

This determination of sewer availability is based on the best information available at this time to the Metropolitan Sewer District of Greater Cincinnati and is subject to modification or revocation resulting from regulatory action taken by the United States Environmental Protection Agency, the State of Ohio Environmental Protection Agency, from federal consent decrees, or other judicial action ordered by federal courts of the United States Government or the courts of the State of Ohio.

If you have any questions, please call Robert Franklin at 513.557.7188 or me at 513.244.1351.

Sincerely,

Steven Parker, P.E.
Supervising Engineer
Development Services

SP:rjf

cc: Availability File, Cincinnati, Katherine Keough-Jurs

m-a architects

BEECHMONT CIRCLE APARTMENTS

CONCEPT DESIGN - FOR ZONING

01/08/2021

Exhibit F

© 2021 M+A Architects

BEECHMONT CIRCLE APARTMENTS

SITE CONTEXT

ma architects

BEECHMONT CIRCLE APARTMENTS

SITE CONTEXT

m+a architects

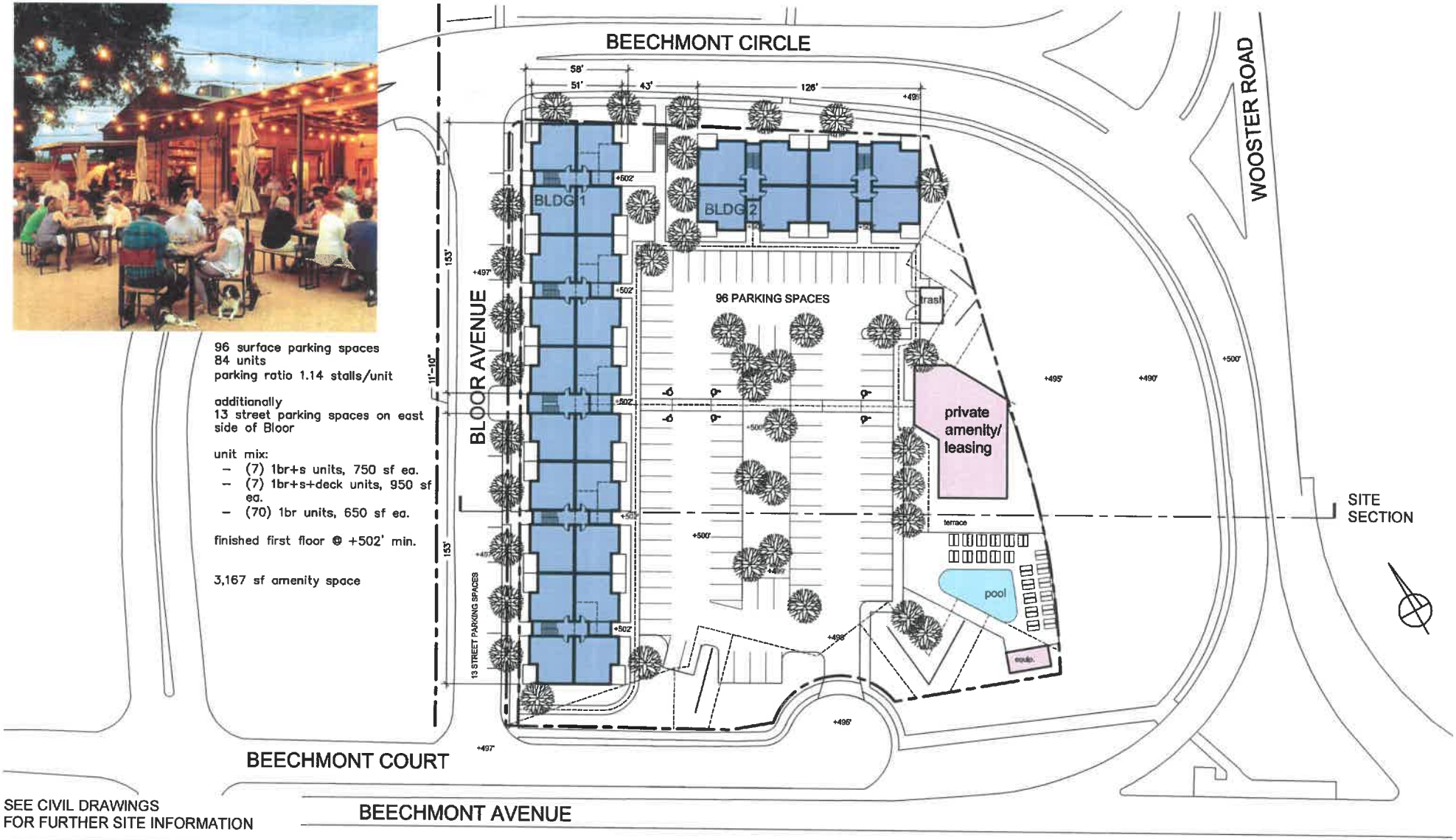
96 surface parking spaces
84 units
parking ratio 1.14 stalls/unit

additionally
13 street parking spaces on east side of Bloor

unit mix:
- (7) 1br+s units, 750 sf ea.
- (7) 1br+s+deck units, 950 sf ea.
- (70) 1br units, 650 sf ea.

finished first floor @ +502' min.

3,167 sf amenity space



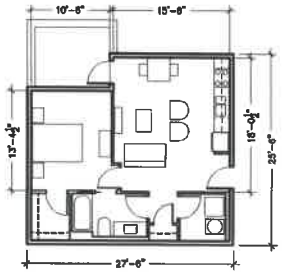
SEE CIVIL DRAWINGS
FOR FURTHER SITE INFORMATION

BEECHMONT CIRCLE APARTMENTS

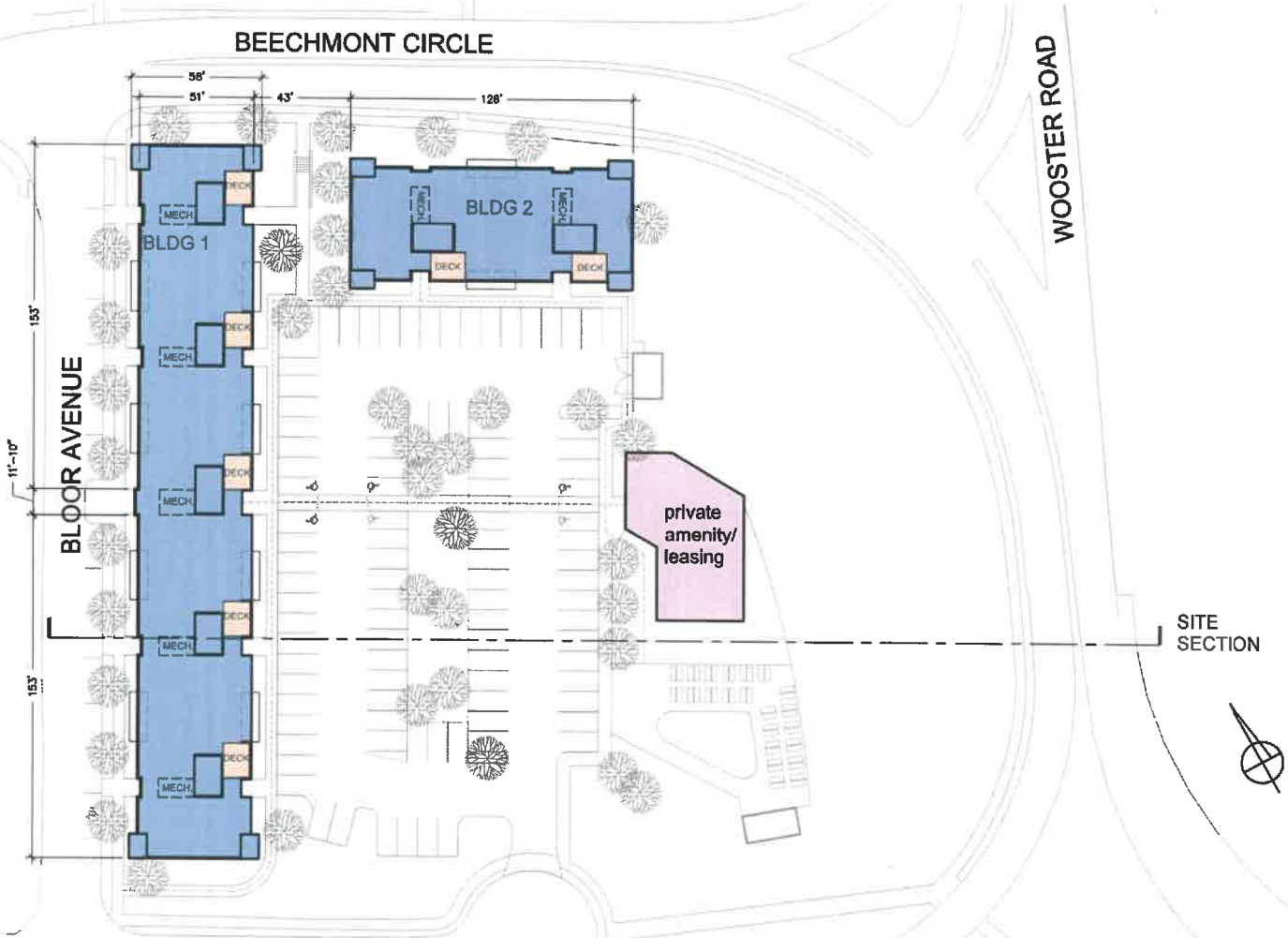
SITE PLAN / TYPICAL FLOOR PLAN 1" = 50'-0"

0' 12.5' 25' 50' 100'

m+a architects



TYPICAL 1BR UNIT PLAN 650 SF
1/16" = 1'-0"



SEE CIVIL DRAWINGS
FOR FURTHER SITE INFORMATION

BEECHMONT CIRCLE APARTMENTS

SITE PLAN / ROOF PLAN 1" = 50'-0"

0' 12.5' 25' 50' 100'

m-a architects

0' 8' 16' 32' 64'

SEE CIVIL DRAWINGS FOR GRADING

BEECHMONT CIRCLE APARTMENTS

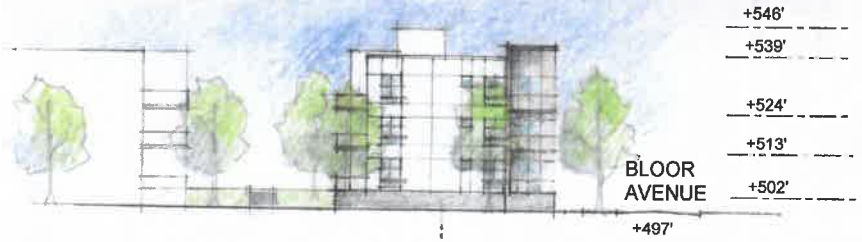
SITE SECTION

m+a architects

BUILDING 1 - BLOOR AVENUE ELEVATION

EXTERIOR MATERIALS:

- CAST IN PLACE CONCRETE BASE
- FIBER CEMENT PANELS WITH METAL TRIM
- RESIDENTIAL WINDOWS; CLEAR AND OPAQUE GLAZING
- METAL GUARD RAILS
- TRANSLUCENT STAIR WELL WINDOWS - POLYCARBONATE OR OTHER
- METAL PANELS AT CORNER BALCONIES OF BUILDING 1 ALONG BLOOR AVENUE
- METAL CANOPIES AT ENTRANCES



BUILDING 1 - BEECHMONT CIRCLE ELEVATION

0' 8' 16' 32' 64'

m+a

BEECHMONT CIRCLE APARTMENTS

EXTERIOR ELEVATIONS

m+a architects

2 WORKING DAYS
BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
0 15 30 60
Graphic Scale
1" = 30'
EXISTING BOUNDARY AND TOPOGRAPHY PER JIM FAGO, PS AND C.A.G.I.S.
PROPOSED SITE KEYNOTES
PROPOSED PARKING LOT LANDSCAPE AREAS
PROPOSED ACCESS DRIVE (1) LOCATION
PROPOSED GROUND MOUNTED SIGN FOR DEVELOPMENT, (1) LOCATION
PROPOSED WALL MOUNTED SIGN FOR DEVELOPMENT, (1) LOCATION
EXISTING ROADWAY MEDIAN TO REMAIN
PROPOSED A.D.A. ACCESS ROUTE TO PUBLIC RIGHT OF WAY
PROPOSED PEDESTRIAN ISLAND (1) LOCATION
1) TOTAL PROPOSED PARKING: MINIMUM NUMBER OF PROVIDED TO BE ONE (1) PER UNIT
2) WHEEL STOPS SHALL NOT TO BE PROVIDED IN PARKING LOTS.
3) IMPERVIOUS SURFACE AREA:
TOTAL SITE = 92,726~ SF (2.129 Ac.)
BLOOR ST. R/W TO BE DEDICATED = 2,475~ SF
NET SITE AREA = 90,253~ SF
PROPOSED IMPERVIOUS SURFACE RATIO 75%-80%~
4) ALL EXISTING PARCELS ARE TO BE CONSOLIDATED
PROPOSED TRAFFIC PATTERNS (TYP.)
BEECHMONT CIR.
BEECHMONT CT.
BLOOR ST. (40' R/W)
BEECHMONT AVE.
BEECHMONT AVE. RAMPS
WOOSTER RD.
WINTER ST.
WILMER ST.
KENILWORTH PL.
EXISTING FHYD.
BUILDING TO SET BACK THREE (3) FT. FROM PROP. BLOOR AVE. R/W
BLDG 1
BLDG 2
AMENITY
POOL
Enhanced Landscape Area
Project Signage
Enhanced Landscape Area
Landscape Areas
NEW Bloor Avenue Streetscape
Adjacent Right-Of-Way Landscape Area
Exhibit G
LANDSCAPE AREAS
MessCo Engineering
2766 WASSON ROAD
CINCINNATI, OHIO 45209
513-731-2500
PROPOSED
CHANGE TO ZONE 'PD'
BLOOR AVE.
CITY OF CINCINNATI
HAMILTON COUNTY, OHIO
12/16/20
SHOWN
STM
LA-1
0618

Exhibit H

city of CINCINNATI

February 12, 2021

Mr. Paul Schirmer
PO Box 9833
Cincinnati, Ohio 45209

Re: 4761 to 4773 Bloor Avenue and 3754 to 4759 Beechmont Ct. (D) – **(CPRE210014)** Final Recommendations

Dear Mr. Schirmer,

This letter is to inform you that our CSR Advisory-TEAM and CSPRO Committee has reviewed your proposed project at **4761 to 4773 Bloor Avenue and 3754 to 4759 Beechmont Ct**. in the Community of Linwood. 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 will have a **WebEx conference call meeting** with you on **February 16, 2021 @ 10 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. **A Zone Change from the existing Manufacturing Limited (ML) zoning district to Planned Development (as requested) will be required to move the project forward.**
2. A Zone Change to Planned Development (PD) should be applied for through the Department of City Planning. Application will require a Concept Plan and Development Program Statement. All items outlined in Chapter 1429-09 must be submitted in conjunction with the application.

Requirements to obtain permits:

1. Zone Change, Concept Plan, Development Program Statement, and Final Development Plan must all be approved prior to applying for permits.
2. A lot consolidation for each of the building sites shall be recorded through the Hamilton County Recorder's office. It is recommended that this take place after any zone change request approval.

Recommendations:

1. The Department of City Planning strongly recommends that the applicant engage with nearby property owners and the Linwood Community Council regarding the proposal prior to submittal of an application for zone change.

Contact:

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

Buildings & Inspections – Zoning

Immediate Requirements to move the project forward:

1. The subject property is located in a Manufacturing Limited (ML) zoning district. Per §1413-05, new multi-family residential uses in ML are permitted only when abutting an

existing residential use or structure, so a zone change or Planned Development (PD) will be required.

2. If Applicant elects to pursue a zone change, work with Zoning Staff to select an appropriate zoning designation that will allow the proposed density and development of the café aspect of the project.
3. A numeric variance to allow more than one principal structure on the same parcel would be required if the project does not proceed as a PD.
4. Recorded Consolidation Plat(s).

Requirements to obtain permits:

- None

Recommendations:

1. There are Single-Family zoning districts to the northeast, west and southwest and a Parks and Recreation district to the southeast. Ordinarily, a residential multi-family use would require a 10-foot buffer yard and a 6-foot screen wall or fence. Also, parking lot landscaping and screening would be required. Zoning Staff recommends working with Planning or Zoning Staff to ensure that the surrounding districts are adequately screened.
2. Consult with the Linwood Community Council and surrounding property owners.

Contact:

- **Tre Sheldon** | ZPE | 513-352-2422 | henry.sheldon@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. For additional site storm water requirements within the City of Cincinnati, contact the Stormwater Management Utility (SMU) at 513.591.5050.
2. Add invert elevation at tap connection point at the main line sewer for Amenity Building.

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. Submit an Erosion Control Plan
2. Utility Plan
    - Label all proposed storm lines' size and material.
    - provide profile drawings for storm sewer.
    - Amenity Building storm bypasses detention. This should tie into detention.

3. Grading Plan
    - Detail grading around entrance. Show how the surface flow gets to the inlet.
    - Detail grading around NE of parking lot. Show that surface flow is not ponding in corners of trash area etc.
    - Possibly provide a few more inlets to allow the intermediate capture of surface flow.
4. Include SMU Standard Plan Notes
5. Submit Detention calculations and details per SMU

Recommendation:

1. This will require an NPDES permit
2. As-builts will be required for all of the storm and impervious surfaces.

Contact:

- **Josh Snow** | SMU | 513-591-5050 | joshua.snow@cincinnati-oh.gov

Water Works

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. According to the Proposed Utility Layout Plan it shows a proposed Domestic and Fire branch connected to the 6" water main in Bloor Avenue. The way this is shown will not be approved by the Greater Cincinnati Water Works.(GCWW) There are not to be any bends before the meter/backflow preventer setting and the meter/backflow preventer setting needs to be close the right-of-way or first thing inside the building if there is no room between right-of-way and proposed building. Please refer to GCWW Standard drawings section 108-13 & 14 for 4" or Larger Fire Dual Service https://www.cincinnati-oh.gov/sites/water/assets/File/Engineering/StandardDrawingsRevised7-12-19_Signed.pdf for meter setting options.
2. The development parcels must be consolidated.
3. The development is receiving water service from the 8" & 12" public water main in Beechmont Court and the 6" public water main in Bloor Avenue with the following addresses and branches:

Address	Branch No.	Branch Size		Meter No.	Meter Size
3748 Beechmont Av	Lead Private	H-60045	3/4"	7764	5/8"
3750 Beechmont Av	Lead Private - FOD	H-65069	3/4"	95892	5/8"
3752 Beechmont Ct	Lead Line	H-88241	5/8"	75638	5/8"
3754 Beechmont Av	Lead Line	H-67026	5/8	119987 5/8"	
3754 Beechmont Av	Lead Line	H-67026	5/8"	97040437	5/8"
3756 Beechmont Ct	Lead Private	H-96169	1"	112086 5/8"	
4761 Bloor Av	Copper - FOD	H-111293	3/4"		
4763 Bloor Av	Lead Private	H-87250	3/4"	74523	5/8"
4764 Bloor Av	Copper	H-253342	3/4"	253342 5/8"	
4767 Bloor Av	Lead	H-90664	58"	78323	5/8"
4769 Bloor Av	Copper	H-103898	3/4"	93732	5/8"
4773 Bloor Av	Copper	H-103899	3/4"	93733	5/8"

4774 Bloor Av	Copper	H-111040	3/4"	99903	5/8"
4776 Bloor Av	Copper	H-111041	3/4"	99904	5/8"
4778 Bloor Av	Lead Line	H-66801	5/8"	20679	5/8"

4. Please note that there are known health risk with lead service lines. Greater Cincinnati Water Works records indicate the existing private side of the water service lines (H-60045, H-88241, H-67026, H-96169, H-87250, H-90664, H-66801)at this site are a Lead Service line. In accordance with CMC Chapter 401 Division M, should be replaced with copper service line if these are to remain. Please contact the GCWW Lead Service Line Replacement Coordinator Kathleen Frey at (513) 591-5068. Please call 513-651-5323 and/or refer to http://www.cincinnati-oh.gov/water/lead-information/.
5. Owner(s)/Developer(s) must abandon all unused water service branches. The existing water service branches on this property that are not to be used for this development, must be properly disconnected at the owner's / developer's expense. Owner 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 any existing water service branches before any new water service can be sold. Any questions contact 513-591-7837.
6. Abandoned branches will require a drawing showing which branches are to be physically removed from the main. Each branch will need to show the branch number. Submit to Shawn Wagner at Shawn.Wagner@gcww.cincinnati-oh.gov

Recommendations:

1. There is 6" public water main on the east side of Beechmont Circle and a 6" public water main in Bloor Avenue.
2. The Owner(s)/Developer(s) will need to hire a Greater Cincinnati Water Works certified licensed and bonded fire protection company and plumber to perform the private water service branch design work and installation.
3. The Owner(s)/Developer(s) must have a licensed fire protection company and plumber that is bonded and certified with GCWW and fill out the Online Branch application https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/ for water service.

Contact:

- **Rick Roell** | WaterWorks | 513-591-7858 | richard.roellr@gcww.cincinnati-oh.gov

Fire Department

Immediate Requirements to move the project forward:

1. For this structure confirm that there are at least two fire hydrants that are within 400' from all parts of each structure.

Requirements to obtain Permits:

1. The minimum **Fire Flow** requirements for Commercial structures is a minimum of **1800 gallons/per/minutes (GPM) @ 20 pressure/per/square inch (psi) (138Kpa).**
2. **Fire-Flow:** The flow rate of water supply, measures @ 20 pressure/per/square inch (psi) (138Kpa) residual pressure that is available for firefighting which equal the sum of 2 fire hydrants.
3. The two closest Fire Hydrants to this project are 3754 Beechmont Court and 4785 Bloor Street.
4. Hydrants and FDC placement are not to block fire apparatus access to the structures.
5. Confirm that the Fire Department Connection is within 50'of a fire hydrant.

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

CFPC 1229-13 Access Streets, Roadways or Driveways

7. Access streets, roadways or driveways where required by Section 1229-11, shall conform to the following:
   a. The surface shall be of sufficient strength and type to adequately support any fire division apparatus under any weather conditions:
   b. The curve radii and grade elevations shall be such as to permit any fire department apparatus to negotiate curves and grades under any weather conditions.
8. **OFC 503.2.1** Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with paragraph (C)(6)(503.6) of this rule, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).
9. **OFC 503.2.5 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

The weight of our apparatus as well as the turning radius for each is as follow:

Apparatus	Width	Length	Height	Weight	Front axle	Rear axle	Turn radius inside/outside
Ladder	10'	41'10"	11' 9"	70,000	21,600	48,000	35.45/39.25
Engine	10'	31'6"	9'5"	44,000	20,000	24,000	34'6"/41'6"
Ambulance	9' 4"	22'2"	9' 2"	18,500			34'/41'

Recommendations:

1. A Fire Hydrant may need to be located closer to the project to achieve accessibility to Fire Hydrants for the Fire Department.

Contact:

- **Robert Hart** | Fire Dept. | 513-357-7597 | robert.hart@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 receive City qualified incentives, then it must receive OES environmental approval as per Administrative Regulation 30.

2. If this project will need to include a new City public right-of-way and/or new permanent public easement (i.e., water and/or sewer), then these must receive OES environmental approval as per Administrative Regulation 30.
3. If offsite sourced fill is to be placed onsite, then it must receive OES environmental approval when it exceeds 500 cubic yards for residential land use as per City Municipal Code Chapter 1031.
4. Commercial waste, including construction and demolition debris, generated during the demolition of existing site structures and/or the construction of new site structures as part of this development project must utilize a City franchised commercial waste collection service per Cincinnati Municipal Code Chapter 730. Current franchise holders include Rumpke of Ohio, Republic Services of Ohio, Best Way of Indiana, and Bavarian Trucking Company.

Recommendations:

1. The project site appears to be within mapped Flood Zone AE, which is an area inundated by 1 percent annual chance of flooding. Site development precautions should be taken for riparian and flash flooding concerns.
2. Due to the age of the existing site buildings, asbestos, lead based paint, and other hazardous building materials should be surveyed and, if needed, abatement should be conducted following all applicable regulations prior to their demolition.
3. The proposed new apartment buildings appear to be adjacent to a high traffic road (Beechmont Avenue). The new apartment buildings should include a pre-development assessment of the air quality and include design elements that assure healthy indoor air quality is maintained.
4. The development goal should be to earn at a minimum the LEED Certified rating level.
5. The parking design should include electric vehicle parking stations.
6. The parking design should include bike racks.
7. Solar should be considered in the design as a renewable energy source.
8. Site areas designed for trash dumpsters should have equal space included for recycling dumpsters.
9. The use of trees in the landscape design should be included to enhance urban forestry.
10. 1The use of pervious 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 currently.

Requirements to obtain permits:

- No comments.

Recommendations:

- None

Contact:

- **Katalin Howard** | Police Dept. | 513-352-3298 | katalin.howard@cincinnati-oh.gov
- **Brandon Kyle** | Police Dept. | 513-564-1870 | brandon.kyle@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 Department (Urban Forestry)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

- None

Recommendations:

- None

Contact:

- **Robin Hunt** | Urban Forestry. | 513-861-9070 | robin.hunt@cincinnati-oh.gov

Department of Transportation & Engineering (DOTE)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. Should remove the concrete curb on Beechmont Cir to create a left turn onto Bloor.
2. Need minimum 10' sidewalk space (5'walk-5' tree lawn preferred) within the right of way around the entire site.
3. Proposing widening of Bloor must meet DOTE standards.
    a. Curb will be required.
    b. Utility poles will need to be relocated outside the roadway.
    c. Submit more detailed plan to DOTE for review.
4. Parking on Bloor is public.
5. Consider vacating Beechmont Court east of Bloor. The narrow right of way provides access only to proposed development.
6. Use City standard drive apron. Remove any unused drive aprons and restore to City standards.
7. All work in the right of way requires a DOTE permit.
8. Contact DTEaddress@cincinnati-oh.gov for address assignments prior to submitting for building permits.

Recommendations:

- None

Contact:

- **Morgan Kolks** | DOTE | 513-335-7322 | morgan.kolks@cincinnati-oh.gov

Buildings & Inspections – Buildings

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. Separate permit applications are required for each building and retaining walls.
2. The project is in an area of special flood hazard and must comply with Chapter 1109 CBC for development in the floodplain.

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:

- **Roy Hackworth** | DCED | 513-352-6119 | roy.hackworth@cincinnati-oh.gov

Law Department

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

- No comments at this time

Recommendations:

- None

Contact:

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

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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:

Exhibit I

Juengling, Andy

From: Ahouse, Emily
Sent: Monday, November 30, 2020 8:54 AM
To: Juengling, Andy; Peppers, Alex
Subject: FW: [External Email] Linwood development feedback

Andy and Alex,

This was CPRE200062 which requested a zone change to PD. I will go ahead and refer them to you.

Thanks,
Emily

-----Original Message-----
From: Elizabeth H <edehne@gmail.com>
Sent: Tuesday, November 24, 2020 8:55 PM
To: Martin, Robert <Robert.Martin@cincinnati-oh.gov>; Ahouse, Emily <Emily.Ahouse@cincinnati-oh.gov>
Cc: Boards <Boards@cincinnati-oh.gov>
Subject: [External Email] Linwood development feedback

External Email Communication

Dear Mr. Martin and Ms. Ahouse,

I am a resident of Linwood, and am aware of a large apartment building development proposal by R2 Partners, M&A Architects, and Mess Co focused around Bloor Ave and Beechmont circle. I am not sure if you are the correct contact for feedback from citizens regarding building development in the city, so please forward this email as needed.

The representatives from the companies working on this development project have been attending the Linwood City council meetings over the last few months, and have presented their plans to the council and citizens in attendance. We have expressed our concerns regarding this development to the Linwood council so they are aware, but I feel that I need to express concerns at the City level as well.

This is a very busy area of traffic. The part of Residential Linwood this impacts is already surrounded by heavily trafficked roads-Beechmont levy, Eastern Ave, and Wooster Pk.

Adding 80+ one bedroom apartments to this area will not only add to the traffic congestion, but also create 80+ renters in the community who have no investment in our community as they are not property owners. I was listening to the most recent Linwood community council meeting as I wrote this, and it was stated that there are over 400+ property owners in the community. This is a proposed population increase of 20%. While the developer is a property owner as well, their prospective tenants are not owners. The property owner mentioned that they know nothing about Linwood as a community, and do not live here. This is very concerning.

There are two parks in the area that could draw extra pedestrian activity in this busy traffic area. As a resident, I know as a resident that there are no safe walking paths to these parks at this time. The developers voiced they are looking for the city to fix this issue to allow for their 80+ residents potential safe access to the parks. As stated above, there are already 400+ residents in Linwood, so why would the city make pedestrian accommodations to for an extra 80+ renters in the area, when it hasn't been addressed in the past or present?

Please make this known for the record that at least two home owners and residents of Linwood do not approve of this development and will attend hearings, if needed, to express our concerns in a more official capacity. We will be contacting the acting City Council members as well to make sure they have citizen feedback in mind before voting for this proposal.

Thank you for your time and consideration.

Sincerely,
Elizabeth Hartlaub and Pat Goodman

Sent from my iPhone

BLOOR AVENUE / BEECHMONT CIRCLE DEVELOPMENT

Resident Concerns

As the owners of 4764 and 4774 Bloor Avenue we have strong objections to changing the zoning from Manufacturing Limited (ML) to Planned Development (PD). We have the following concerns regarding the change and the proposed apartment complex development:

1. Each year when the Ohio and Little Miami Rivers flood, our area is impacted some way. Either with limited or no access to Beechmont Levy, or in the worst case scenario as we had in 1997, flood walls being installed severely limiting access in and out.

   The addition of the proposed development will require significant changes to the landscape and topography directly affecting Bloor Avenue. The proposal states the property will only need to be built-up approximately two feet. Two feet of height is significant in terms of drainage, stormwater, and changing the aesthetics of the street. Basically, the view from across the street will be of an apartment building.

   We have seen how flood waters flow in our area over the years. The impact this new development will have greatly concerns us. Flood insurance since 2006 has gone from $500 a year to nearly $9,000 a year; and that is without any flood claims ever being filed. We need to know how this development will affect drainage, the flow of storm sewers, and flood waters. An apartment complex of this size will require too many changes to the natural barriers currently existing on the undeveloped property at Beechmont Circle and Old Wooster. That undeveloped land has acted as a natural barrier.

2. The apartment complex does not fit the residential neighborhood and surrounding area. Adding the proposed 84 apartments to Bloor, which already has limited access and parking will significantly change the character of the street. It is a quiet residential street. Adding 84 apartments, at full capacity, will add a minimum 84-people and 84-cars. Bloor cannot handle the increased foot and vehicle traffic. Bloor was not designed for that type of structure. Two cars driving on Bloor at the same time currently constitutes a traffic jam. The addition of this size of a building will be detriment to the current residents and property owners.

3. The contemporary design of the proposed development is significant different from the existing older homes and residential feel of Bloor. Quite frankly, if the development is approved as proposed, you will have two completely different sides of the street on Bloor – one side consisting of older row-style homes with a garage in the middle – versus a glass-fronted contemporary complex with outdoor amenities.

We have been on Bloor since 1994. People have come and gone over the years, but the street has stayed the same, and the quality of life has stayed the same. The addition of such a large complex in a limited area will significantly impact our lives.

We are not opposed to the zoning change in the future. However, we are strongly opposed to this development and ask the proposed zoning change not be permitted.

3EAST BUSINESS

LETTER OF SUPPORT FOR THE PROPOSED BEECHMONT CIRCLE APARTMENTS DEVELOPMENT

April 6, 2021

City of Cincinnati
To Whom It May Concern:

The 3 East Community Development Corporation (CDC), a 3 neighborhood CDC comprised of Columbia Tusculum, East End, and Linwood, is in support of the proposed Beechmont Circle Apartments development located at the northwest intersection of Wooster & Beechmont Avenue in Linwood.

We understand it will be an 84-unit market-rate apartment complex. This is an excellent use for this space with close proximity to Otto Armleder Park, the Lunken and Ohio River Trail, and Reeves Golf Course. It is also within walking distance to restaurants in Linwood, like The Turf Club and Brew River.

We understand and support the request to the City of Cincinnati for a zone change to convert the property's existing 'ML' zone to a 'PD' to zone.

Thank you for your consideration.

Sincerely,

Allyn Raifstanger
Secretary
3 East Community Development Corporation

Email: info@3eastbusinessassociation.com | 405 McDowell Street Cincinnati, OH 45226

Juengling, Andy

From: Paul Schirmer <paul.schirmer@CDSG-US.COM>
Sent: Wednesday, February 10, 2021 11:24 AM
To: Juengling, Andy
Subject: [External Email] FW: CSR Letter for Beechmont Circle Apts. - CPRE200062 = DESIGN REVIEW

External Email Communication

Andy,

Please see correspondence with Linwood Community Council, below, regarding the proposed Beechmont Circle – apartment project. Let me know if you have a couple minutes to discuss.

Thank you,

Paul Schirmer
513-479-4396

From: TJ Russo <arusso@gbbn.com>
Sent: Wednesday, February 10, 2021 11:13 AM
To: Paul Schirmer <paul.schirmer@CDSG-US.COM>
Subject: RE: CSR Letter for Beechmont Circle Apts. - CPRE200062 = DESIGN REVIEW

Yes.
We had voted and unfortunately the vote to support the project was 1-8. The council doesn't support the project based on the thought that the rental use of the new spaces would not help to bring stability and presence to the culture of the community. Their thought is that because of the location and size of the units, the turnover would be fast and people wouldn't offer much to the community.

TJ Russo
O: 513.241.8700
D: 513.419.8158
gbbn.com

From: Paul Schirmer <paul.schirmer@CDSG-US.COM>
Sent: Wednesday, February 10, 2021 11:05 AM
To: TJ Russo <arusso@gbbn.com>
Subject: RE: CSR Letter for Beechmont Circle Apts. - CPRE200062 = DESIGN REVIEW

Hi TJ – just following up to see if the neighborhood had a chance to get a letter together regarding the proposed Bloor /Beechmont Circle development.

Please let me know if you need me to attend another zoom call /meeting.

Thanks,

Paul Schirmer
513-479-4396

From: TJ Russo <arusso@gbbn.com>
Sent: Friday, January 15, 2021 10:50 AM
To: Paul Schirmer <paul.schirmer@CDSG-US.COM>
Subject: RE: CSR Letter for Beechmont Circle Apts. - CPRE200062 = DESIGN REVIEW

Thanks.
We will look over the documents and get back to you.
As a letter is concerned, there is no hard opposition at our last 2 meetings so it is likely we can get you a letter of endorcement.

TJ Russo
O: 513.241.8700
D: 513.419.8158
gbbn.com

From: Paul Schirmer <paul.schirmer@CDSG-US.COM>
Sent: Friday, January 15, 2021 10:47 AM
To: TJ Russo <arusso@gbbn.com>
Subject: FW: CSR Letter for Beechmont Circle Apts. - CPRE200062 = DESIGN REVIEW

TJ,

Consistent with plans presented at the last online Linwood Community Council Meeting, below /attached is the request for CSR - Design Review for the proposed 3756 Beechmont Ct. (Beechmont Circle Apartments). Please let me know if the neighborhood has any specific items they would like to discuss.

Also, is it possible to get a letter from the neighborhood acknowledging the project with an indication of their position ?

Thank you,

Paul Schirmer

513-479-4396

From: Paul Schirmer
Sent: Wednesday, January 13, 2021 2:44 PM
To: Ringer, Rodney <Rodney.Ringer@cincinnati-oh.gov>
Cc: stan Messerly <stanmesserly@msn.com>; Juengling, Andy <Andy.Juengling@cincinnati-oh.gov>
Subject: RE: CSR Letter for Beechmont Circle Apts. - CPRE200062 = DESIGN REVIEW

Rodney,

Attached is the request for Design Review - CSR for our project at 3756 Beechmont Court (formerly listed as "Beechmont Circle Apartments"). As previously mentioned, we are submitting an application for zone change (PD). Please let me know if you have any questions related to this submission.

Thank you,

Paul Schirmer
513-479-4396

Juengling, Andy

From: Elizabeth Hartlaub <edehne@gmail.com>
Sent: Friday, March 26, 2021 12:48 PM
To: Juengling, Andy
Subject: Re: [External Email] Follow-Up Questions about the Bloor project-Linwood

Dear Andy,

Thank you for your quick and thorough response.

I will be in touch if more questions arise.

Have a great day!

Sincerely,
Elizabeth

On Fri, Mar 26, 2021 at 12:18 PM Juengling, Andy <Andy.Juengling@cincinnati-oh.gov> wrote:

Elizabeth,

I have responded to each of your questions below in red. If you have any follow-ups, please let me know.

- Has this project applied for any other zoning variances? Or will they need to apply for any other zoning variances?
    - There are no variances requested as this is a zone change application. Zoning variances are dimensional deviations from existing zoning requirements. With a Planned Development district, if approved, the standards established by the Concept Plan and Development Program statement will govern the development. The applicant would then apply for a Final Development Plan and it would be reviewed by City Planning Commission based on its consistency with the Concept Plan and Development Program Statement. If there are any deviations during that time, this would be considered either a Minor or a Major Amendment to the Planned Development.

- Does the developer need to own all of the properties in order to ask for a zoning change? For example, they mention that the billboard companies own the right to the land around the billboards that sit on the property. Who verifies ownership of all the parcels involved in the development/zoning change request?
    - Section 1429-05 of the Zoning Code establishes that the applicant should provide "evidence that the applicant has sufficient control over the tract of land to effect the proposed plan, including a list of all ownership and beneficial interests in the tracts of land and the proposed development." In this case, BMC Vision, LLC (the applicant) owns all parcels of land within the zone change area. This is verified by our Department by looking at the Hamilton County Auditor and CAGIS records. The billboards are owned by the billboard company and are handled through a perpetual easement that runs with the land and any property owner that takes control of the land. This is very standard with billboard locations, not only on this site, but in nearly all cases. Basically, the easement agreement for the billboards would now be between the billboard company and BMC Visions, LLC. Those easement agreements have protections that prevent the removal of the billboard, unless there is typically a buy-out that is usually quite steep. This is not something that the City gets involved with as these

easements and agreements are between third parties and are not part of the actual ownership of the parcel of land.

- Has the developer/owner applied for tax incentives with the City? What is the process for that?
  - I am not aware of any tax incentive applications at this time. These would be applied for through the City's Department of Community & Economic Development.

- Can you clarify whether the developers are trying to sell the sidewalk portion of their property to the City in order to make the City liable for any water/sewage/run-off construction?
  - The portion of Bloor Avenue that the applicant indicated yesterday would need to go through the Dedication Plat process and ultimately need to be accepted by the City. This is somewhat typical with developments where there is additional right-of-way that is dedicated to the City. Any water/sewage/run-off construction that is required as part of the development would still be the developers responsibility. The dedication mentioned in the presentation last night is not part of this application, as the applicant would want the assurance that the zone change and project have been approved before dedicating any portion of their property. The dedication is reviewed by the Real Estate Division of the Law Department, the Department of Transportation and Engineering, and all applicable city utility departments prior to any approval process.

- In the event of flooding, who will be responsible for clean-up/damage?
  - I would defer that question to Stormwater Management Utility (SMU). Josh Snow was the staff member that reviewed this during the Coordinated Site Review process (joshua.snow@cincinnati-oh.gov)

- What is the City's reply to creating walking paths on Wooster towards Otto Armleder? Is that something the city is prepared to do for this development?
  - This would be a question best suited for the Department of Transportation and Engineering. It is my understanding that these are not improvements that the City would do specifically for this development as these are off-site improvements. Any improvements directly related to, or required as part of this development would be the responsibility of the applicant/developer. I would recommend reaching out to Morgan Kolks (morgan.kolks@cincinnati-oh.gov), who reviewed this proposal during the Coordinated Site Review process.

- Could you recommend a contact at ODOT to ask more specific questions about the potential road changes around Beechmont Levy?
  - I do not, but Morgan Kolks with DOTE (contact info above) should be able to point you in the right direction.

- Is there a way to hold the developer to their statement about security cameras and gates?
  - Paul Schirmer | paul.schirmer@cdsg-us.com

Thanks,

Andy Juengling, AICP | Senior City Planner

City of Cincinnati | Department of City Planning

Two Centennial Plaza | 805 Central Avenue, Suite 720 | Cincinnati, OH 45202

(p): 513.352.4840 | (f): 513.352.4853 | Website | Twitter | Plan Cincinnati

city of CINCINNATI
CITY PLANNING

From: Elizabeth Hartlaub <edehne@gmail.com>
Sent: Friday, March 26, 2021 11:04 AM
To: Juengling, Andy <Andy.Juengling@cincinnati-oh.gov>
Subject: [External Email] Follow-Up Questions about the Bloor project-Linwood

External Email Communication

Dear Andy,

Good morning! This is Elizabeth Hartlaub, I was at the Planning Conference yesterday for the Bloor project in Linwood. Thanks for facilitating an informative conference.

I have gathered a few questions that I am hoping you will be able to answer, or direct me to the correct department.

- Has this project applied for any other zoning variances? Or will they need to apply for any other zoning variances?
- Does the developer need to own all of the properties in order to ask for a zoning change? For example, they mention that the billboard companies own the right to the land around the billboards that sit on the property. Who verifies ownership of all the parcels involved in the development/zoning change request?
- Has the developer/owner applied for tax incentives with the City? What is the process for that?
- Can you clarify whether the developers are trying to sell the sidewalk portion of their property to the City in order to make the City liable for any water/sewage/run-off construction?
- In the event of flooding, who will be responsible for clean-up/damage?
- What is the City's reply to creating walking paths on Wooster towards Otto Armleder? Is that something the city is prepared to do for this development?
- Could you recommend a contact at ODOT to ask more specific questions about the potential road changes around Beechmont Levy?
- Is there a way to hold the developer to their statement about security cameras and gates?

Thanks in advance for your help! Please let me know what else we can do to prepare for the meeting on April 16th.

Sincerely,

Elizabeth

Juengling, Andy

From: Deb Caley <dcaley@richwoodia.com>
Sent: Friday, April 2, 2021 10:26 AM
To: Juengling, Andy
Cc: Sam Scoggins(sam@smslawllc.com)
Subject: [External Email] FW: Linwood Apartment Proposal
Attachments: Sam's Drawing.pdf

External Email Communication

Hello Mr. Juengling,

Bo Schuerman, my former neighbor, reached to me about the Linwood Apartment Project and expressed concern. Below is my response to Bo. See attached also.

My office is at 5082 Wooster Road so this project would be just down the street from my office. Personally, I really support this apartment project. I would love to see this area of Linwood be developed more and have nice apartments available to attract more residents. The apartments would be walking distance to both Armleder Park and Lunken – lots of nearby trails and activities.

I think the 4' variance request is very reasonable and the project is nicely designed. Adding a restaurant to the project would make it perfect. We need more dining options in and around Mt. Lookout to aide in attracting residents.

Is there a way to follow the progress of this project and any city meetings?

Hope you have a wonderful Easter weekend,

Deb

Richwood
Investment Advisors, LLC

Debora Caley, CPWA®
Certified Private Wealth Advisor®
President/CIO

Richwood Investment Advisors, LLC
5082 Wooster Road, Unit 100
Cincinnati OH 45226
Phone: 513-871-0123
Mobile: 513-604-3888
Toll Free: 855-239-0672
Fax: 513-871-0124

Email: dcaley@richwoodia.com