

**Sunday, March 6, 2022**

**Emergency Community Council Meeting**

**Via GoogleMeet**

**Board Members Present: Kate Elliott, Samara Ramudit, Caitlin Siegel-Hartzler, Mary Ray, Amber Ziegler (Sharifah Tafari, Peggy Brown, Brandon Nixon joined a little late)**

**6:38 Kate Elliott calls meeting called to order**

**6:39 Keating speaks**

This ordinance is a crucial part of addressing housing crisis

Zoning changes and density were identified as crucial parts of addressing housing crisis. Particularly in increasing density where these can already be built.

City has grown by over 12000 residents but lost noticeable housing.

Need to be able to increase population.

We need more housing at every level: market rate and subsidized. If we increase supply for market rate, we would be able to drive down rate naturally.

Certain people have salaries that don't qualify for subsidized housing, but still need housing.

Government only has so many dollars, there are only so many housing credits. Government alone cannot solve the housing crisis.

The idea is to streamline the development process to get the units online faster.

70% of density variances applied for recently (ed: five years?) have been approved anyway, but this delays the process. These delays decrease the 3BR-5BR units because those are more expensive to build.

This does not change the envelope, height restrictions, or setbacks. All it says is that a unit with four unit could be eight units. More smaller units inside to drive down the cost of what's inside, which makes the development more affordable and brings

Councilmember Harris adds: Our current zoning is blanket zoning. We don't have zoning for 52 neighbors. Affordable housing is a citywide problem, so it requires a citywide solution. This is not an affordable housing proposal; it is a key component to bring more units online. It is not the same as trickle down, it will increase supply.

**6:44 Laura Hamilton, Price Hill resident and Invest In Neighborhoods participant**

Other places define this kind of legislation as upzoning, changing zoning code to allow taller and/denser buildings. This ordinance will increase density.

Initially offered by Pastor, then picked up by last mayoral administration, then backed by Cincinnati Chamber of Commerce.

Presentation from City shows how it does not increase size, only increases the number of units. What they do not mention is that in Commercial and Manufacturing zones, it becomes unlimited.

[Shows a map that indicated the areas impacted by the proposal]: North Zone at end of Kennedy, Montgomery Road, Woodford Road, Kennedy Ave from Lumford north to Montgomery, portions of Red Bank and all of Northdale.

Concerns that other communities have had include:

- that this is a top-down proposal, it did not come from the community.
- There have been presentations, with lots of concerns presented, but many unaddressed.
- This solution seems oversimplified, that housing is not a simple supply and demand issue, that the housing market functions in levels.

Laura wants people to ask who benefits most, which she believes to be real estate developers, and from her perspective that is communities of the working class, and those who are already finding things unaffordable, especially if this does not perform as promised.

Presents a heat map that was created by the Planning Commission. Shows that Kennedy Heights and her neighborhood of PH are some of those least affected, but that those that will be most affected are the black and brown communities.

She emphasizes the importance of maintaining autonomy—PH is also going through a similar plan.

### **6:51 Councilmember Harris**

MSD is in support of it because they find opportunities like this help to review

The current zoning is citywide.

For communities that already have density, this proposal allows projects to be proposed in areas that it wouldn't normally be proposed.

Harris emphasizes that he has the knowledge of ten years of work in social work and affordable housing, and that this is an important step.

Density laws were an extension of redlining, this has a component of integration and undoing that work.

**Councilmember Keating:** The previous versions of this proposal were targeted at urban core. Cites data that shows upzoning throughout cities help desegregate at a higher rate than those without.

### **6:54 Laura Hamilton, Price Hill**

Regarding the idea of a site review by MSD prior to specific developments moving forward—what are the goals? How many units and where? Laura describes living in a community where human waste is brought to an incinerator because other facilities aren't built to handle it. A site review is different than looking at the system as a whole.

When we look at Hyde Park vs. other communities, 28 communities expressed concern and opposition. Since then, seven communities have taken a vote to oppose and send it back to the drawing board. Those communities run the gamut.

Regarding Harris's expertise, Laura thinks his perspective is wonderful, but there is a difference between professional knowledge and the experience of those who are on the ground and living this. Who benefits? Who stands to lose? And even though the existing zoning code is citywide, usually changes like this are done through comprehensive planning, not done top-down with a 13-page change to the zoning code.

#### **6:57 Caitlin Siegel Hartzler, KH resident and VP of Planning of Kennedy Heights Board**

Thanks for the in-your-words presentations. One comment and one question: Housing is a complex problem, and I know for sure it will require complex solutions.

I don't like the part of this that takes away control away from the neighborhoods. That's the piece that was put in place with the development of neighborhood councils. I'm curious, we're in Kennedy Heights, we're really trying to hold on to affordability, we can see in neighboring communities, the prices are rising so fast, people can't even pay their taxes. In communities where developments like what you're talking about, what have you seen: Does it increase affordability, or does it increase the process of prices increasing?

**Keating responds:** We must increase housing at a much higher rate, and across the city. This is a multifaceted approach; we are addressing that through the Property Tax working group. We are looking at new parameters around tax abatement. What we're seeing is people being priced out because of all the investment, which we need, but we don't want to lose legacy residents. The proposal is creating, not an escrow account, but similar, where you have a said property value, but as the property value increases the difference goes into an "escrow" so that your taxes don't increase but the value is held so that when that person sells or moves on, that amount that was held, the property that is then sold and it would be sold at the higher price and the net proceeds would pay for the gap that was created throughout the years.

There are so many aspects we have to do. These things take years at a time to happen, so we have to be moving forward on all these approaches simultaneously.

#### **7:01 Jeffrey Weidner, KH Resident**

Acknowledge this is such a complex problem. I am having trouble following this language, it's too new a concept. We are talking about density of units within a building, correct? (Keating nods). Does this include, is having a smaller...

**Harris volunteers to help clarify:** by increasing the number of units inside a building. The reality is that a developer may or may not pass on the cost savings to renters based on their savings.

By putting more money into the affordable trust, we will be able to incentivize the affordability and create subsidy caps.

There are very few large-scale projects

Jeffrey Weidner admits this is a lot to learn about tonight and asks if voting will be tonight.

Kate Elliott confirms that tonight the intention is to vote as a neighborhood to support or oppose the Ordinance, but that it will only serve as a community vote. That vote will then be presented to the Housing Committee on March 15th, and then to City Council on March 16<sup>th</sup>. Confirms that residents have the option to abstain from voting this evening, that the vote result will be shared publicly, and that if a person abstained or voted differently from the community, they are encouraged to reach out to City Council to voice their position as individuals.

Apologizes for the difficulty in gathering information. Communications began over the last month, with content in the newsletter, in two emails, a page on the website, and in a few social media posts, but acknowledges the fact that even with all that, information can be missed and that abstaining from voting until one feels more informed is a completely valid choice to make. That if someone develops a strong opinion between now and the 15<sup>th</sup>, they can always email City Council and share it.

#### **7:08 p.m. - Brian Spittler, Chair of Mount Lookout Community Council and Chair of Housing Subcommittee with Invest in Neighborhoods**

All due respect to Councilmember Harris, Chair of Mount Lookout and Chair of IIN Housing Subcommittee. It is not as simple to say that it is a double...we have a current unit that as RM 2.0, it became 19 units. For those who know how zoning works, there are many units that could be bought and combined, you can much more than doubling of density in the MF density areas; it can be unlimited in Commercial. It's not just one unit being double, which is what Harris said.

Keating chimes in that the combining of units can happen today whether the density proposal passes or not. There are restrictions in different overlays that create extra hurdles, but it does not

Brian acknowledges that he knows that it can be combined today, but it can be combined with current restrictions. In the future, it could be combined...I find it disingenuous to say it cannot be more than double.

#### **7:11 p.m. - Samara Ramudit**

From what I've read, there isn't really accounting for infrastructure, you have increased road traffic, you have an increased need for public transportation. On the flip side, City of Cincinnati uses combined

sewer overflows, we end up dumping our raw sewage into our waterways. Increasing density you're increasing our sewage. I don't see anything in here to deal with that. When you increase permeable surfaces, even here where we are we have increased flooding issues. I don't see any planning for that in this plan. Duke has said the grid needs upgrades, I don't see anything in here to deal with that.

Second, there isn't any language I've seen to prevent landlords from increasing rent in a few years. And there is no language in here about the funding.

**7:13 p.m. – Harris responds**

There is a guaranteed frame of time, I think it is 30 years, where if the development receives funds, there is a guaranteed frame of affordability, 30-50 years. If someone develops a project without city dollars, then you're exactly right, they can charge whatever they want to charge. But if there is ample supply...I encourage you to reach out to property managers and see how they choose their pricing. Increasing supply helps manage pricing.

**7:16 p.m. – Laura Hamilton**

There are a lot of proposals being mentioned as if they are in place, but those are not in place. Right now, the only thing that is being proposed is a deregulation of development is being put forward first. I want to make that clear. Rent control and subsidies should be on the table first.

**7:17 p.m. – Kamara Douglas**

I am speaking as a resident and not in my role for City Council or a City Councilmember. As much as I love Councilmember Keating and Harris I have concerns pertaining to how the Ordinance is written. There is no guarantee for affordable housing. We have to be mindful of that. We see this, we hear the same song, we hear promises, and often times that is not the case. We can look at the Liberty and Elm project as a great example. They came to City hall and said they would do their best to have some affordable units, then said, "oh, we couldn't do it," so this is very concerning. This is going to help the black and brown communities. The apartments off of Montgomery road are predominantly black residents, and I am concerned that this is going to displace them. I have concerns with how the bill is written, and that we should work with the planning department.

**7:19 p.m. Brian Spitler**

I think it's important to give context to the larger conversations that people have been made aware of this. We have tried to get 52 neighborhoods to come together and talk about this, 27 community councils said they don't like it, in that letter it also said we applaud the ideas. I think our hearts are in the right place, but the problem is that the communities have been consulted to understand what might be the unintended consequences of this legislations. Yes, let's work at this, yes, but not a blanket wholesale approach. We've seen a lot of examples where this doesn't work. When we talk about MSDs and CSRs, I

deal with them almost on a weekly basis, and those check and balances are just a rubber stamp. I do not have experience where they stop it and say it isn't right. I think in general the larger communities are saying we agree, we want to use some of these tools but we don't agree with the implementation. In our community we know it won't result in affordable housing, and we want it done in The statement that the city is blanket zones everywhere is not true, if it were true we would not have a variance process.

**7:23 p.m. – Mary Ray, KH resident and Treasurer for KHCC**

We understand what the city is trying to do. We understand that you are trying to make housing affordable, you're trying to swing the clock back, we've been building big expensive units, we need to do more units for single, individuals. In KH we have widows, people coming out of rehab, we know that they need housing, we're on board with this. We feel like zoning is this moral code and it's a tool for us to protect ourselves, so we are nervous when you want to change our zoning. We get that if you don't tell the whole city to change their zoning, that other parts will say, "No." We just wish you could suggest to change the zoning. Or let neighbors decide to allow this.

**Kate Elliott**

I do know that there are concerns that the idea of an "opt in" approach would only exacerbate the concentration of income pockets, that only neighborhoods that would benefit would opt in and you'd see further segregation of wealth and development. Not to mention the reality that not every neighborhood would even know that there was something they could opt into. We've seen just here the challenge of communicating big issues like this, and some neighborhoods don't even have a community council to help communicate news like this, so an opt-in approach could end up widely inequal. But

**7:26 p.m. – Caitlin Siegel Hartzler**

Our population is rebounding after a downturn; we still have a lot of vacant and underutilized properties. It doesn't seem like this would create affordability or improve the quality of the neighborhood through properties that already exist. I would piggy-back on what Mary was saying that I don't like the tying the hands of the community because a lot of just putting it out for the profit motives, we've seen that here, we've seen that in other areas. High-rises that don't relate to the community; that's the reason that community councils have that ability to affect zoning because they are the ones most attuned to what's needed. Maybe it's to say here's the density that's needed. Places that have vacant properties or properties that are in disrepair.

**7:28 p.m. – Mary Ray, KH resident and Treasurer for KHCC**

Liz, do you know, this is a tool in Kennedy Heights, we understand zoning, we know the lines, and we use it to protect ourselves and get things done. So we're nervous about changing it.

**7:29 p.m. – Vice Mayor and Councilmember Jan Michelle Lemon Kearney**

This ordinance is a pro-development tool that is a relic from the previous administration, this would allow developers to increase density where there already was density. It can mean and often does mean higher rent and higher property taxes. This ordinance does not touch the 77% of the city that is single-family zone, it is not a mechanism for touching the single-family zone, it does not incentivize affordable housing. Second issue is that this ordinance takes power from you the community, there is no reason for developers to seek input from you the community have some say in what goes into the community. Wants to go back to the drawing board.

Harris rebuts that Vice Mayor Kearney passed a community engagement ordinance to address this. This will outline and will draw a consistent and comprehensive engagement strategy around changes.

Kearney agrees that engagement ordinance is out there, can't wait to see it get some legs, but this ordinance doesn't have anything in it. In terms of community engagement, this is going in the wrong direction.

Kate Elliott reminds Councilmembers to keep conversation informative, and summarizes the concepts that both Councilmembers were putting forward: that this Ordinance isn't meant to be affordable or about integration, that it is one piece of the greater strategy to improve things for the city. But to Kearney's point, without any means of engagement built in, is it the right move right now, and we can go back and forth about this wondering if it's the cart before the horse, chicken before the egg kind of thing.

Need to open to the vote, reminder that voting is restricted to KH residents so please provide your address to confirm eligibility.

**VOTE:**

26 votes.

1 thrown out due to lack of address provided.

1 Abstain

2 Support

22 Oppose

**CHAT WINDOW:**

You  
6:24 PM

For those who recently joined, especially Kennedy Heights residents, please sign-in at the following link:  
[https://docs.google.com/forms/d/e/1FAIpQLSeFJI8dBK95PDA00Q3hidBc3lc3d6ButHuKvUeGKXc8ruEvwg/viewform?usp=sf\\_link](https://docs.google.com/forms/d/e/1FAIpQLSeFJI8dBK95PDA00Q3hidBc3lc3d6ButHuKvUeGKXc8ruEvwg/viewform?usp=sf_link)

You

6:28 PM

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[https://docs.google.com/forms/d/e/1FAIpQLSeFJI8dBK95PDA00Q3hidBc3lc3d6ButHuKvUeGKXc8ruEvwg/viewform?usp=sf\\_link](https://docs.google.com/forms/d/e/1FAIpQLSeFJI8dBK95PDA00Q3hidBc3lc3d6ButHuKvUeGKXc8ruEvwg/viewform?usp=sf_link)

You

6:30 PM

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Couper Gardiner

6:31 PM

Couper Gardiner, Hyde Park, appreciative and listening only.

You

6:32 PM

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[https://docs.google.com/forms/d/e/1FAIpQLSeFJI8dBK95PDA00Q3hidBc3lc3d6ButHuKvUeGKXc8ruEvwg/viewform?usp=sf\\_link](https://docs.google.com/forms/d/e/1FAIpQLSeFJI8dBK95PDA00Q3hidBc3lc3d6ButHuKvUeGKXc8ruEvwg/viewform?usp=sf_link)

You

6:34 PM

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You

6:40 PM

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Councilmember Reggie Harris

6:47 PM

Increased density is also championed by LISC in the housing our strategies document and it is in the Mayor's affordable housing plan.

Councilmember Reggie Harris

6:49 PM

Great resource on density: [https://youtu.be/0Flsg\\_mzG-M](https://youtu.be/0Flsg_mzG-M)

You

6:50 PM

For those who recently joined, especially Kennedy Heights residents, please sign-in at the following link:  
[https://docs.google.com/forms/d/e/1FAIpQLSeFJI8dBK95PDA00Q3hidBc3lc3d6ButHuKvUeGKXc8ruEvwg/viewform?usp=sf\\_link](https://docs.google.com/forms/d/e/1FAIpQLSeFJI8dBK95PDA00Q3hidBc3lc3d6ButHuKvUeGKXc8ruEvwg/viewform?usp=sf_link) Call the meeting to order.

Councilmember Reggie Harris

6:55 PM



Denied on a technicality. The committee was split 3-3.

Mary Kidd Ray

7:03 PM

There is currently a lack of housing for single people of all situations, it is a natural ebb and flow in real estate. We spent a decade building bigger housing, and we are swinging back to needing smaller housing.

Brian Spitler

7:04 PM

Can I please respond to council Harris

Liz Keating

7:05 PM

Here is a link to the city page: <https://www.cincinnati-oh.gov/planning/planning-projects-and-studies/active-ongoing/proposed-removal-of-density-restrictions/>

Jeffry Weidner

7:09 PM

Good point, Mary. So, you favor lifting limits on density?

Councilmember Reggie Harris

7:10 PM

Brian you are correct, multiple lots can be bought and combined and that would still need a variance and city review just as it does now.

Councilmember Reggie Harris

7:13 PM

Kate, Gus is able to speak to MSD concerns based on his conversation with the Director.

Mary Kidd Ray

7:13 PM

We don't have a big exposure from this change, and we can adopt zoning changes to overcome any concerns.

Mary Kidd Ray

7:16 PM

To All, Kennedy Heights tends to consider budgets, zoning, etc as moral obligations, our residents will respond to how this helps our residents and does no harm.

Councilmember Reggie Harris

7:19 PM

The trust is funded at \$57 million. The Housing Advisory Board meets this month as well to finalize the use of trust dollars. We are actively working on residential abatement reform. The report from the administration will be back in the next two weeks.

Jeffry Weidner

7:20 PM

Good again, Mary. I guess our vote as a Council on this issue will affect other city neighborhoods more. I will abstain in voting this evening, and rely on those of us in K.H. who understand all this to vote for the highest good for all concerned.

You

7:22 PM

For those who recently joined, especially Kennedy Heights residents, please sign-in at the following link: [https://docs.google.com/forms/d/e/1FAIpQLSeFJI8dBK95PDA0Q3hidBc3lc3d6ButHuKvUeGKXc8ruEvwg/viewform?usp=sf\\_link](https://docs.google.com/forms/d/e/1FAIpQLSeFJI8dBK95PDA0Q3hidBc3lc3d6ButHuKvUeGKXc8ruEvwg/viewform?usp=sf_link)

Liz Keating

7:27 PM

We did make two amendments to the original proposal based on feedback we heard early on. Those included height limitations and doubling (rather than no max) in RMs. You can see more on the city site: <https://www.cincinnati-oh.gov/planning/planning-projects-and-studies/active-ongoing/proposed-removal-of-density-restrictions/>

Brian Spitler

7:27 PM

Yes, but even Mt. Auburn who want the density doesn't support the blanket proposal

They don't like the height limitation in their neighborhood

Jeffrey Weidner

7:29 PM

What does RM stand for? Please use full terms.

Councilmember Reggie Harris

7:29 PM

Residential Mixed-use

Jeffrey Weidner

7:29 PM



Laura Hamilton

7:30 PM

RM = "Residential Multifamily"

Brian Spitler

7:32 PM

Yes Reggie. But the ordinance will not make the developer change the development

Jan hasn

t had the chance to speak

Laura Hamilton

7:34 PM

Here is the Residential Multifamily code:

[https://library.municode.com/oh/cincinnati/codes/code\\_of\\_ordinances?nodeId=TIXIZOCOCI\\_CH1405REMUIMI](https://library.municode.com/oh/cincinnati/codes/code_of_ordinances?nodeId=TIXIZOCOCI_CH1405REMUIMI)

Councilmember Reggie Harris

7:34 PM

Laura is right. Residential Multifamily

My mistake. Typing too fast.

Mary Kidd Ray

7:35 PM

To summarize, one of the most popular zoning variance requests is increased density so why not just change the code.

Jan-Michele Lemon Kearney

7:36 PM

Automatic waiver of density means developers don't need your support because they're not asking for a variance.

Councilmember Reggie Harris

7:37 PM

That's a great point, Mary. In fact, between 2016-present 64 zoning variances were requested and granted by the city. 42% were affordable projects. 53% were historic preservation.

Liz Keating

7:37 PM

70% of these density variances are waived anyway. This adds time and cost to housing developments.

Laura Hamilton

7:37 PM

"DO NO HARM", my friends. That's the point. There should be no rush to deregulate developers

Jan-Michele Lemon Kearney

7:37 PM

Increased density where there already is density does nothing for desegregation.

Brian Spitler

7:38 PM

That doesn't mean they should have been waived though.

Just because it is doesn't make it right

Laura Hamilton

7:38 PM

If you're not all-in sure this is good, your vote should be no for now. This could be brought back later

Councilmember Reggie Harris

7:38 PM

That report will be available this week!

Jeffry Weidner

7:38 PM

Kate, I don't see on my phone where to Save Chat (with links). Can you send them to participants later by email? Thank you for running an excellent meeting!

You

7:39 PM

Kennedy Heights Residents, please share your stance regarding the Proposed Removal of Density Restrictions from the Cincinnati Zoning Code:

[https://docs.google.com/forms/d/e/1FAIpQLScWhIWWP9FR1mIaLurfbbfWUwwNsf6Mr22W0mQ1o62-527IEQ/viewform?usp=sf\\_link](https://docs.google.com/forms/d/e/1FAIpQLScWhIWWP9FR1mIaLurfbbfWUwwNsf6Mr22W0mQ1o62-527IEQ/viewform?usp=sf_link)

Councilmember Reggie Harris

7:39 PM

We're also bringing in more outside experts to engage on this topic. More to come!

Liz Keating

7:39 PM

Kate you've done a wonderful job moderating this. Not an easy task. Thanks for allowing us to join.

Gus Ricksecker

7:39 PM

Yes, thank you Kate

This is no easy task

Councilmember Reggie Harris

7:39 PM

I agree! Kate, you are rocking this!

Amber Ziegler

7:39 PM

Yes, thank you, Kate!

Brian Spitler

7:39 PM

Great Council member Harris but how many residents and councils will be involved.

Samara Ramudit

7:40 PM

Thank you Kate for getting us the chance to hear both sides.

Laura Hamilton

7:40 PM

Agree, thank you Kate! This is a thoughtful group with a measured leader. I appreciate the time tonight.

Kate Kern

7:40 PM

Thank you Kate- for your moderation- great job!

Councilmember Reggie Harris

7:40 PM

@Brian, the sessions will be open to the public.

Brandon Nixon

7:41 PM

Thank you kate

Councilmember Reggie Harris

7:41 PM

My goal is to win YOU ALL OVER. :)

You

7:41 PM

Kennedy Heights Residents, please share your stance regarding the Proposed Removal of Density Restrictions from the Cincinnati Zoning Code:

[https://docs.google.com/forms/d/e/1FAIpQLScWhIWWP9FR1mIaLurfbfWUwwNsf6Mr22W0mQ1o62-527iEQ/viewform?usp=sf\\_link](https://docs.google.com/forms/d/e/1FAIpQLScWhIWWP9FR1mIaLurfbfWUwwNsf6Mr22W0mQ1o62-527iEQ/viewform?usp=sf_link)

Liz Keating

7:41 PM

I need to run to help kids. My email is liz.keating@cincinnati-oh.gov if you still have questions. Thank you.

Sharifah Tafari

7:41 PM

Excellent job moderating Kate!!

Melissa McNally

7:42 PM

Thank you Kate! Thanks to the council members for attending as well.

Brian Spitler

7:42 PM

Sorry. My comment wasn't very explicit. If you are referring to the sessions with the outside experts and resident involvement that would be great and a new change. I applaud your efforts.

Stacey Naylor

7:42 PM

thank you

Brandon Nixon

7:42 PM

Thank you

Councilmember Reggie Harris

7:43 PM

Yes, Brian! For sure.