

BLUE ASH CITY COUNCIL

January 11, 2018

Page 1

**1. MEETING CALLED TO ORDER**

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on January 11, 2018. Mayor Thomas C. Adamec called the meeting to order in Council Chambers at 7:00 PM.

**2. OPENING CEREMONIES**

Mayor Adamec led those assembled in the Pledge of Allegiance.

**3. ROLL CALL**

MEMBERS PRESENT: Vice Mayor Marc Sirkin, Councilwoman Linda Bauer, Councilman Joe Leet, Councilman Pramod Jhaveri, Councilman Jeff Capell, Councilman Lee Czerwonka, and Mayor Tom Adamec

ALSO PRESENT: City Manager David Waltz, Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Assistant City Manager Kelly Harrington, Treasurer Sherry Poppe, Parks & Recreation Director Chuck Funk, Public Works Director Gordon Perry, Fire Chief Rick Brown, Police Chief Scott Noel, Administrative Assistant Karla Plank, and interested citizens

**4. ACCEPTANCE OF AGENDA**

Mayor Adamec moved, Councilman Jhaveri seconded to accept the agenda. A voice vote was taken. All members present voted yes. Motion carried.

1. MEETING CALLED TO ORDER
2. OPENING CEREMONIES
3. ROLL CALL – Deputy Clerk of Council Karla Plank
4. ACCEPTANCE OF AGENDA
5. PUBLIC HEARING – 7:05PM to consider a zoning text amendment regarding residential group homes (Ordinance No. 2018-1)
6. APPROVAL OF MINUTES
  - a. Regular Meeting of December 14, 2017
7. COMMUNICATIONS
  - a. Communications to Council – Deputy Clerk of Council Karla Plank
  - b. Reports From Outside Agencies
  - c. Mayor’s Report – December 2017
  - d. Financial Report – Motion to accept the report for December 2017
8. HEARINGS FROM CITIZENS
9. COMMITTEE REPORTS
  - a. Planning & Zoning Committee, Marc Sirkin, Chairperson
    1. Ordinance No. 2018-1, approving a zoning text amendment regarding residential group homes
    2. Resolution No. 2017-81, approving a preliminary subdivision plan for Neighborhoods at Summit Park
    3. Resolution No. 2017-82, approving a final development plan for a new mixed-use commercial and multi-family residential building and site development for the District at Summit Park
    4. Resolution No. 2017-83, approving a final development plan for a new senior living building and site development for the Life Plan Community
10. MISCELLANEOUS BUSINESS
11. ADJOURNMENT

BLUE ASH CITY COUNCIL

January 11, 2018

Page 2

**5. PUBLIC HEARING** – 7:05 PM to consider a zoning text amendment regarding residential group homes (*Ordinance No. 2018-1*)

Mayor Adamec asked the Clerk to read Ordinance No. 2018-1 by title only.

ORDINANCE NO. 2018-1  
ZONING TEXT AMENDMENT TO CHAPTER 1121  
DEFINITIONS TO AMEND THE REGULATION OF  
RESIDENTIAL GROUP HOMES; AND DECLARING AN  
EMERGENCY

Assistant City Manager Kelly Harrington addressed Council and stated that the City recently updated its Zoning Code. Since the update, Administration learned that one of the code provisions was not in compliance with state law. State law says that the facilities at Residential Group Homes are allowed with five or fewer residents by right and should not have to go through any process through the City. The revision to the Zoning Text Amendment is a minor adjustment to the Code to ensure that there are no legal issues going forward in implementing the state law.

Mayor Adamec opened the meeting up for public comment.

There being no questions or comments, the public hearing was declared closed at 7:03 PM.

**6. APPROVAL OF MINUTES**

Vice Mayor Sirkin moved, Councilman Jhaveri seconded to approve the minutes of the regular meeting of December 14, 2017. A voice vote was taken. All members present voted yes. Motion carried.

**7. COMMUNICATIONS**

**a. Communications to Council**

There were no communications presented to Council.

**b. Reports From Outside Agencies**

There were no representatives from outside agencies present at the meeting.

**c. Mayor's Report – December 2017**

TOTAL RECEIPTS:..... \$10,855.00

DISBURSEMENTS:

To Blue Ash

Fines/costs/Expungements/forfeitures/NSF check charges, vendor permits)..... \$7,737.00

To the State of OH:..... \$2,905.00

Victims of Crime ..... \$693.00

General Rev Fund.....now included in 2a below

Expungements..... \$30.00

Indigent Defense Support Fund 2a (Includes STG and bond surcharge) ..... \$1,900.00

Drug Law Enforcement Fund 2b..... \$252.00

Justice Program Service Fund

Seat Belts ..... \$30.00

Indigent Driver's Alcohol Trtm't Fund..... \$108.00

Refund of Appealed Fines and Costs ..... \$0.00

Refund of overpaid fines..... \$45.00

Bond Money applied..... \$0.00

Bond Money returned ..... \$0.00

Restitution payment ..... \$60.00

TOTAL DISBURSEMENTS..... \$10,855.00

BALANCE IN BONDS: 12/31/2017 ..... \$200.00

Mayor's Court traffic citations .....60

Mayor's Court criminal citations .....9

Total Mayor's Court cases .....69

Blue Ash rev. from Mayor's Ct. Cases:.....\$7,737.00

BLUE ASH CITY COUNCIL

January 11, 2018

Page 3

**d. Financial Report – December 2017**

Councilman Czerwonka moved Councilman Capell seconded to accept the Financial Report for December 2017 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

**CITY OF BLUE ASH FINANCIAL POSITION STATEMENT- MONTH ENDING December 31, 2017**

MONTH TO DATE	2016	2017
<b>START OF MONTH FUND BALANCE:</b>	\$59,740,396.27	\$48,964,094.95
<b>Revenues:</b>		
Earnings Tax Collections:	\$2,799,373.67	\$3,060,217.68
Debt Financing (long term)	-	-
Debt Financing (short term)	-	-
		-
Other Revenue Received:	675,707.88	840,446.72
= Total Monthly Receipts	\$3,475,081.55	\$3,900,664.40
<b>Expenditures:</b>		
Long term Debt Payments	-	-
Short term Debt Payments	-	-
Other Expenditures:	\$5,002,677.82	\$3,455,273.89
= Total Monthly Expenditures:	<b>\$(5,002,677.82)</b>	<b>\$(3,455,273.89)</b>
<b>END OF MONTH FUND BALANCE:</b>	\$58,212,800.00	\$49,409,485.46
YEAR TO DATE	2016	2017
<b>START OF YEAR FUND BALANCE:</b>	52,646,983.26	58,212,800.00
<b>Revenues:</b>		
Earnings Tax Collections:	\$35,864,610.28	\$36,066,950.33
Debt Financing (long term)	9,996,586.80	-
Debt Financing (short term)	-	-
Other Revenue Received:	\$16,714,319.05	\$15,483,153.56
= Total YTD Receipts	\$62,575,516.13	\$51,550,103.89
<b>Expenditures:</b>		
Long term Debt Payments	\$6,979,951.29	\$7,634,870.46
Short term Debt Payments	63,939.74	63,939.74
Other Expenditures:	\$49,965,808.36	\$52,654,608.23
= Total YTD Expenditures:	<b>\$(57,009,699.39)</b>	<b>\$(60,353,418.43)</b>
<b>YEAR TO DATE FUND BALANCE:</b>	\$58,212,800.00	\$49,409,485.46

100% of the fund balance was invested as of 12/31/2017 Interest paid to date on matured investments: \$395,098.91 receipt and expenditure figures do not include interfund transfers or advances. All debt includes principal and interest.

**BLUE ASH INCOME TAX DIV. INCOME TAX RECEIPT SUMMARY - MONTH ENDING December 31, 2017**

MONTH TO DATE STATUS:	2016	2017
Business Net Profit	\$501,316.14	\$627,341.74
Resident Net Profit	90,136.27	165,034.45
Non-Resident Net Profit	51,970.92	47,269.44
Subcontractor Net Profit	98,990.05	8,608.14
Net Profit Total	\$742,413.38	\$848,253.77
Withholding	\$2,020,025.03	\$2,172,984.08
Subcontractor Withholding	36,935.26	38,979.83
Withholding Total	\$2,056,960.29	\$2,211,963.91
Monthly Collection Totals	\$2,799,373.67	\$3,060,217.68
		9.32%
YEAR TO DATE STATUS:	2016	2017
Business Net Profit	\$5,637,953.61	\$5,357,279.13
Resident Net Profit	1,152,825.27	1,453,478.67
Non-Resident Net Profit	472,214.25	480,432.64
Subcontractor Net Profit	244,323.44	180,498.20
Net Profit Total	\$7,507,316.57	\$7,471,688.64
Withholding	\$27,718,911.74	\$28,001,509.55
Subcontractor Withholding	638,381.97	593,752.14
Withholding Total	\$28,357,293.71	\$28,595,261.69
YTD Collection Totals	\$35,864,610.28	\$36,066,950.33
		0.56%
YTD Refund Totals	\$1,377,241.86	\$1,899,818.00

January 11, 2018

Page 4

## **8. HEARINGS FROM CITIZENS**

Michael Duncan, 9204 Bluewing Terrace, informed Council of the AARP Tax Counseling Program that is a free tax service to the City's elderly and low to moderate residents. Their services are available at the Sharonville Community Center on Wednesdays and Fridays beginning February 7th. These services are also available at Mayerson JCC in Amberly Village on Thursdays. Mr. Duncan encouraged constituents to call to make an appointment. Upon making the appointment, directions will be given as to what documents are required.

Residents Robert Shelton, 4524 Victor Avenue; Beverly Brownfield, 9258 Swallow Court; Charles Wallner, 9395 Canary Court; Christine Weber, 9475 Bluewing Terrace; Sharon Peterson, 9371 Raven Lane; Theresa and Don Buhrlag, 4547 Victor Avenue; Molly Robertshaw, 4530 Victor Avenue; Jim Koegel, 4376 Victor Avenue; Robert Ryan, 9514 Conklin Avenue; Mikala Bath, 9346 Raven Lane; Renee Byrd-Shaw, 4524 Victor Avenue; Dale Peterson, 9371 Raven Lane; Stephen Koegel, 4491 Victor Avenue; Kimberly Edelstein, 9384 Cardinal Court; Stephanie Schlagel, 9384 Canary Court; and Theresa Srinivason, 4515 Victor Avenue; expressed their concerns to Council regarding a letter received from the City of Blue Ash and the plan to connect Victor Avenue and Floral Avenue. The residents felt the safety of their quiet neighborhood would be in jeopardy as it is a neighborhood where the elderly walk, children play, ride their bikes, and walk their dogs to the park. They believe the through street will decrease property values, create additional traffic, increase traffic speeds, and drug activity. Residents indicated they were not opposed to the development of the new homes and requested the street only be extended by 186 feet to adjoin the new parcels.

Christine Weber, 9475 Bluewing Terrace, spoke in opposition of the 98-acre development and the number of apartments. She feels the apartments would financially affect the schools.

Sharon Peterson 9371 Raven Lane, stated she was opposed to the apartments on the 98-acre development.

Steve Arnsey, 9791 Troon Court, stated that the 98-acre development positions the City well to compete for new and expanding businesses and residents for the community. It allows the City to maintain a balanced community with a stable and increasing tax base. The issue before Council is not whether stakeholders like apartments or senior living units, or an office development which should come first, but rather the Concept Plan that was approved by Council in September 2016 as being in conformity with the Land Use Plan. Mr. Arnsey supports and recommends Council to approve the Final Development Plan for the mixed-use commercial and multi-family residential building and for the Senior Living. He believes the project must be seeded with residential and mixed-use to attract office users.

Nan Shores, 35 Carpenters Ridge, believes that green space is important and is what attracts people to Blue Ash. She is opposed to the apartment buildings at Summit Park.

Joe Raterman, 45 Carpenters Run, feels the development plan of high density apartments is not complimentary to Summit Park. He requested Council to take a step back and make sure the project is done right.

Roxanne Brett, 17 Carpenters Run, stated that the mixed-use development should include home ownership as part of the plan. She believes apartments drive down property values and takes a toll on the school district due to overcrowding. She has no interest in the Senior Living development portion of the proposed development

Dick Sternberg, 43 Carpenters Run, requested Council to make sure that the development is done right with condominiums and single family homes.

Alan Lazarus, 31 Carpenters Run, stated his concerns with the additional traffic due to the development along Summit Park and would like the City to preserve green space.

Ralph Holtman, 9370 Opal Court, expressed his concerns to the sidewalks and the replacement of the stonewalls in the Downtown District. He feels it is not inviting to the Downtown District.

Mikala Bath, 9346 Raven Lane, expressed her concern about the 98-acre development and its effect on the millennials. She feels the development will bring problems for the City.

BLUE ASH CITY COUNCIL

January 11, 2018

Page 5

Kerrie Hollihan, 5075 Muirwoods Court, stated her concerns about the concept of millennials moving to Blue Ash and feels millennials are moving out of urban living and into the suburbs to purchase a single family home and begin a family. She urges Council to take their time in the development of the 98 acres.

Renea Berkshaw, 4524 Victor Avenue, oppose the Summit Park development. She is concerned with the businesses coming into the City who will have to pay a fee to the City of Cincinnati. The apartments in the development are not affordable.

Scott Schmidt, owner of Tahona Kitchen + Bar at Summit Park, stated that from a tenants perspective, the vision of Summit Park and the surrounding area is very important. The development will include all walks of the community from millennials to senior to single family homes and the multi-use facet of the development. He feels it is a unique opportunity for the community that no one else in the Cincinnati area is doing.

Mayor Adamec moved, Vice Mayor Sirkin seconded to take a five minute break from the Council meeting. A voice vote was taken. All members present voted yes. Motion carried.

The Council meeting resumed at 8:35 pm.

Tammy Riddle, Director of Investor Relations for REDI Cincinnati, stated REDI Cincinnati has received direct requests from companies who are looking for softer factors and amenities – like walkability, diversity of housing, retail, restaurants, and recreational programming to ensure that they can be successful. The projects requesting mixed-use amenities are companies that would be considered the industries of tomorrow such as technology, research, data analytics, digital companies, many of which are already in Blue Ash. Best practices show that sites that offer a proximity to entertainment and housing options, specifically higher-end, and provide a walkable and livable sense of place, help them in making location decisions. Employers are locating in these types of communities to offer a unique offering for their talent. They want to see knowledge workers living closely to their potential location. Employers want to be in areas that can be found in mixed-use environments. Because of this market demand, REDI sees communities continuing to develop mixed-use developments across the region.

Kevin Schutte, Managing Director of CBRE, stated that companies are searching areas that have mixed-use housing opportunities because they are trying to attract the right employees which is a critical part of their decision making process. He believes that the development plan for Blue Ash would be great for the community.

Kathleen Norris, Managing Principal at Urban Fast Forward, stated that the City of Blue Ash intends to claim the 21<sup>st</sup> Century in developing a new vision. The Comprehensive Land Use Plan in 2015, the Park, two years of negotiating for this development – open houses, public and private meetings, revisions, negotiations, Planning Commission reviews and approvals were done to ensure the development and stay ahead of the competition. Five years ago, the office vacancy rate in the Blue Ash was about one quarter of what it is today. Gains are fragile and trends change – mostly because people change. Blue Ash wants to remain a corporate powerhouse. The millennials are the Holy Grail for every city seeking to retain a corporate base. Millennials love apartments because they value the ease. Millennials are highly educated and tech savvy who want to walk or bike to work. Our future employers want that same millennial. *“To improve is to change”*, said Winston Churchill. *To be perfect is to change often*. Blue Ash leadership has the vision and courage to debate, negotiate, explore, and ultimately, embrace change. Let's continue to be perfect.

Joe Trauth, Counsel for the Development Team of Al. Neyer and others for the mixed-use plan and land for the Neighborhoods at Summit Park. The Team is dedicated to advancing the visions that have been expressed by the City and its advocates. The Developer, the City, and the stakeholders of Blue Ash have been collectively working on this development for the past 22 months to create a walkable, vibrant, mixed-use community that benefits all of the citizens of Blue Ash. The Developers are grateful for all the input from the citizens of Blue Ash, its leadership, and Administration. The development plan before Council is in strict adherence with the 2015 Blue Ash Land Use Plan for Summit Park. The Developers are in conformity with the Land Use Plan and the Zoning Code. At the Public Hearing last month, the Developer heard Council's concerns and is willing to impose two additional conditions. The first condition, the Developer agrees to permanently restrict the remainder

January 11, 2018

Page 6

of the site from being developed for residential rental product. Two, upon receipt of a building permit for the mixed-use building, the Developer will provide the City of Blue Ash a \$1 million performance bond to be held for a period of twenty-four months. In the event the Developer has not submitted an application for a building permit for the construction of an office building before the end of the twenty-four month period from the issuance of the mixed-use building permit, the Developer shall forfeit the \$1 million to the City of Blue Ash. This shows the Developer's staunch commitment to office development. The Developer is committed to work vigorously on the office component. The Developer looks forward to the first steps in creating a one-of-a-kind walkable, mixed-use neighborhood that will transform and guarantee Blue Ash's future and relevancy for generations to come. This Development Team appreciates the complexities of the project and its importance to the community. He respectfully requested Council to avoid further delay imposed on the three resolutions with the proposed conditions.

Linda Raterman, 45 Carpenters Run, stated that when the Developers first presented the Concept Plan, the residents embraced it and were excited about it. One of the key elements was the tax base and the importance of tax revenues. She believes Council should consider the nature and mix of existing land uses that have been developed to-date to ensure that continued development maintains the appropriate and balanced mix of land uses. Blue Ash City Council vote is not to approve or disapprove of apartments or the number of apartments, but rather whether Council agrees that the Final Development Plan is consistent with the approved Concept Development Plan. As it relates to the new information brought forth by the developers on their concessions, she feels Council has an obligation to not vote on the information and provide the residents time to respond.

Jerry Mussari, Trailridge Drive, feels the mixed-use development has not been carefully thought out, evaluated, and taken into consideration the opinions of the people. Citizens are looking for mixed-use that is balanced and even. He feels the Final Development Plan is not balanced. He requested Council to not vote on the resolutions and allow citizens to weigh in.

Gary Glass, 9471 Tramwood Court, expressed his concerns of there being 290 apartments and 201 senior living units. Citizens want a thriving mixed-used development consisting of office, retail, owner occupied residential and maybe some apartments. In accordance with the September 2016 Concept Plan, he does not believe the developers are providing a suitable mixed-use development. He requested Council to vote no on the Developers plan for the ten acre development and on the recently proposed concessions as laid out by the Developers' Counsel. He requested Council to brief the residents and allow them time to consider the proposed concessions.

Hearings from Citizens was declared closed at 9:08 PM.

## **9. COMMITTEE REPORTS**

Prior to the Council meeting, Council members received the following report describing agenda items:

*This memo offers a brief description of the topics included on the January 11<sup>th</sup> Council agenda.*

### **5. PUBLIC HEARING 7:05 PM to consider a zoning text amendment regarding residential group homes (Ordinance No. 2018-1)**

*The City Solicitor advised City Staff that the current Zoning Code regulation of residential group homes is in conflict with Ohio law for facilities with five or fewer residents and should be amended to be consistent. State law exempts such facilities from local regulation. Planning Commission considered the proposed Zoning Text Amendment at its January 4, 2018 meeting and recommended approval. If Council approves the ordinance as proposed, it will become effective immediately.*

*Please direct questions to the Assistant City Manager.*

#### **9.a.1. Ordinance No. 2018-1 approving a zoning text amendment regarding residential group homes**

*See #5 above.*

#### **9.a.2. Resolution No. 2017-81 approving a preliminary subdivision plan for Neighborhoods at Summit Park**

*This Preliminary Subdivision Plan covers approximately 78 acres and proposes multiple new public rights of way that divide the land into multiple parcels; many of which will later be further subdivided. The plan is substantively identical to the Concept Planned Development Plans for the former airport property that were previously approved by Planning Commission and City Council for this property and the Daventry single family subdivision. The new streets of this portion of the development will connect Glendale-Milford Road, Carver Woods Drive and Plainfield Road.*

BLUE ASH CITY COUNCIL

January 11, 2018

Page 7

*Planning Commission considered the plan at its September 7 meeting and recommended approval with conditions. If Council approves the plan, the developer may proceed with development of the improvements contained in the plan. Development of land uses within the area of this subdivision will require separate approvals. A future final subdivision plat will also be required to legally create the rights of way and individual lots included in this preliminary plan.*

*A Public Hearing was held during the December 14, 2017 Council meeting. Resolution No. 2017-81 was tabled until the January 11, 2018 Council meeting.*

*Please direct any questions to the Community Development Director.*

**9.a.3. Resolution No. 2017-82 approving a final development plan for a new mixed-use commercial and multi-family residential building and site development for the District at Summit Park**

*The proposed plan is a Final Development Plan for a four and five story mixed use commercial and multi-family residential development within the Neighborhoods at Summit Park subdivision.*

*The proposed development includes three buildings that wrap around a central parking garage and a looped drive with surface parking. The buildings would include 290 apartments and approximately 39,000 square feet of first floor commercial space. The proposed development is adjacent to the Brown Dog restaurant in Summit Park and extends along the Park's edge adjacent to the playground.*

*While staff has been working with the developer on parking provisions, such details have not been finalized and, as such, staff recommends adding a condition to the resolution for a "public parking easement" to be approved by City staff. (See highlighted text on the resolution.) Council should motion to revise the resolution to add this language before voting on the legislation.*

*Planning Commission considered the plan at its September 7 meeting and recommended approval with conditions. If Council approves the plan, then the developer will be permitted to apply for permits and begin construction.*

*A Public Hearing was held during the December 14, 2017 Council meeting. Resolution No. 2017-82 was tabled until the January 11, 2018 Council meeting.*

*Please direct any questions to the Community Development Director.*

**9.a.4. Resolution No. 2017-83 approving a final development plan for a new senior living building and site development for the Life Plan Community**

*The proposed plan is a Final Development Plan for a 201 unit senior housing development "Parkside at Summit Park" within the Neighborhoods at Summit Park subdivision. The proposed development includes one building with three wings and surface parking on the south side of the site. The building height varies from three to five stories and includes varying levels of care for residents.*

*Planning Commission considered the plan at its September 7 meeting and recommended approval with conditions. If Council approves the plan, then the developer will be permitted to apply for permits and begin construction.*

*A Public Hearing was held during the December 14, 2017 Council meeting. Resolution No. 2017-83 was tabled until the January 11, 2018 Council meeting.*

*Please direct any questions to the Community Development Director.*

**a. Planning & Zoning Committee, Marc Sirkin, Chairperson**

Vice Mayor Sirkin asked the Clerk to read Ordinance No. 2018-1 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2018-1

ZONING TEXT AMENDMENT TO CHAPTER 1121 DEFINITIONS  
TO AMEND THE REGULATION OF RESIDENTIAL GROUP  
HOMES; AND DECLARING AN EMERGENCY

Vice Mayor Sirkin moved, Councilman Leet seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Bauer, Leet, Jhaveri, Capell, Czerwonka, Sirkin, and Mayor Adamec voted yes. Seven yeses. Motion carried.

Vice Mayor Sirkin moved, Councilman Leet seconded to adopt Ordinance No. 2018-1. There being no discussion, the Clerk called the roll. Councilpersons Leet, Jhaveri, Capell, Czerwonka, Sirkin, Bauer, and Mayor Adamec voted yes. Seven yeses. Ordinance No. 2018-1 passed.

Vice Mayor moved, Council Councilman Czerwonka seconded to remove from the table Resolutions No. 2017-81, 2017-82, and 2017-83 and discuss amongst Council. A voice vote was taken. All members present voted yes. Motion carried.

Councilman Capell stated that the idea behind mixed-used is to have office commercial and various types of residential living all in one walkable community. It is important to realize that

BLUE ASH CITY COUNCIL

January 11, 2018

Page 8

the City has grown weary of the increasing percentage of apartments and stand-alone apartments. Legislation presented consists of two apartment projects plus a little commercial with verbal promises that the rest will come later which he feels is not good enough. The Concept Plan passed in 2016 states that it is intended to be a vibrant appointed district and that the residential land uses can be withheld or delayed if necessary.

He is concerned with the \$1.35 assessment per sq. ft. that has to be paid to the City of Cincinnati for office space over the next twenty years in an effort for the City of Blue Ash to compete with them for businesses. He believes that could create additional obstacles towards landing companies. Mr. Capell supports the concept of adding mixed-use development to Blue Ash. The City needs to have mixed-use for diversity so it can stay in a position to attract a wide range of employers. Legislation has to implement the City needs and believes the resolutions before Council do not. He indicated that he appreciates the concessions that the developers have offered and requested those items get professionally vetted by Administration and allow Council time to review them and obtain citizen feedback.

Vice Mayor Sirkin indicated that housing options were one of the top requests heard during the Comprehensive Plan update. The proposed Daventry single family homes are well received but price points are too high. He would like to see more housing options for residents to stay in Blue Ash. Mobility is important and would like to see energy and light at Summit Park 365 days a year. The concessions proposed by the developers' Counsel are significant and would like to have them reviewed by the City's legal team and have documents prepared outlining them. Vice Mayor Sirkin recommended that, once the Council Retreat on January 25<sup>th</sup> concludes, Council deliberate in Council Chambers and vote on the resolutions. A question raised by residents was the increased number of apartments from 240 to 290. He explained that the Sycamore School District requested more single bedrooms which increased the number of apartments but decreased the number of beds. The Sycamore School District is not concerned with extra students. The Schools were very much involved in the process and have agreed to the TIF Agreement. Another misconception was that the City owns the 98-acres which it does not but the City does own the 130-acre Summit Park.

Mayor Adamec stated the three principles residents want in the development is 1/3 corporate, 1/3 mixed-use, and 1/3 residential. The Comprehensive Plan incorporated those components and principles. Mayor Adamec indicated that corporate clients are difficult to obtain. The City of Blue Ash is only at .5% increase in the City's earnings and business tax collections which is indicative that the City is losing more than it is gaining. Corporate companies are requesting walkable areas, apartments for their workforce, in a mixed-use development. He requested the developer to consider converting some of the apartments into condominiums.

Councilman Leet stated that he visited other local mixed-use developments and expressed that he does not want that type of development in Blue Ash.

Councilman Jhaveri indicated that the citizens of Blue Ash are enjoying the many amenities it offers due to the City's aggressive economic development efforts. He requested Council to table the resolutions to allow Council and constituents to review the proposed concessions.

Mayor Adamec moved, Councilwoman Bauer second to take a five minute break from the Council meeting. A voice vote was taken. All members present voted yes. Motion carried.

The Council meeting resumed at 9:40 pm.

Mayor Adamec stated that the Concept Plan indicated having 250 apartments; however, the development plan offered 290 apartments. He suggested that the 250 apartments remain in accordance with the Concept Plan but convert the 40 remaining units into condominiums or flats.

Molly North, CEO of Al. Neyer, stated that the developer begins with a concept plan which is presented to Council for approval. The developer works through the concepts of the plan and refines it towards a Final Development Plan. This District is an area of the development plan that is intended to be an 18-hour area that is very alive. It will have a hotel component, mixed-use facility with retail in a walkable community to support their businesses. Condominium opportunities can be conceptualized in the Parkside area. Daventry has the



## BLUE ASH CITY COUNCIL

January 11, 2018

Page 9

diversity of housing experience which she believes is the right product for the development. The practicality of placing 40 condominium units inside a 290 unit residential development would be nearly impractical. She explained that condominiums need to have pre-sales which is time prohibited in the financial markets. Corporate users are looking for delivery of amenities that are going to support their business. Al. Neyer is the office developer and is creating an environment that supports corporate users. Ms. North requested Council to seriously consider the two concessions being offered which are in direct response to what was being requested. The concessions offered show the developers commit to the project and its strong commitment to bringing the commercial component in.

Councilwoman Bauer stated that the City has been hearing about the development for over two years. She hears the compassion and concerns of the residents and she shares in that passion. The community of Blue Ash has and continues to progress due to the forethought vision of past Council members. She represents the citizens to ensure the City thrives on a progressive path. She will work hard for the City to ensure that it does not get stuck, moves forward and not backwards.

Councilman Czerwonka stated that the demographics of the City is changing. Large corporations are moving to communities where they offer their workforce a variety of amenities and housing opportunities. In order for Blue Ash to continue to be successful, they have to move forward with the times. He understands resident's concerns. This should not be about apartments. This should be about the survival of the City going into the future. Councilman Czerwonka reminded that P&G will be leaving the City of Blue Ash by the end of 2018 and the City will be losing 1,200 jobs.

Discussion occurred amongst Council regarding the \$1 million concession and the City's risks if corporate does not materialize within the 24 month time frame. Council requested more time to consider the proposed concessions and have Administration provide them with more details.

Councilman Capell moved, Councilman Jhaveri seconded, that Resolution No. 2017-81, 2017-82, and 2017-83 be tabled until the February 8, 2018 Council Meeting. A voice vote was taken. Councilman Capell and Mayor Adamec voted yes. Council members Sirkin, Czerwonka, Bauer, Jhaveri and Leet voted no. Motion failed.

Vice Mayor Sirkin moved, Mayor Adamec seconded, that Resolution Nos. 2017-81, 2017-82, and 2017-83 be tabled until after the January 25, 2018 Council Retreat and Council reconvene in Council Chambers at 7:00 pm. A voice vote was taken. All members voted yes. Motion carried.

Mr. Waltz recommended that Council direct the City Manager to work out the details of the conditions offered by the developer. Administration will provide Council with a memo explaining the details.

Vice Mayor Sirkin moved, Councilwoman Bauer, seconded, that the City Manager work with the Developer on the details and conditions of the performance bond and the apartment rental limit and any other details as requested by Council Members. A voice vote was taken. All members voted yes. Motion carried.

### **10. MISCELLANEOUS BUSINESS**

Councilman Capell requested Administration to look at how the City can mitigate the concerns of the Victor Avenue residents and work through giving the developer the access to the properties while still keeping the area from being a through street and protecting the neighborhood.

Mr. Waltz indicated that Administration will look into a various options and double check some of the standards, etc. He conveyed that Council, Administration and Staff are not anti-park. Administration will review the legal alternatives and work with the developer to accept them. He reminded that the City has an obligation to provide the developer access to the property.

Mr. Waltz received a verbal consensus from Council to move forward in providing other mitigated solutions to the Victor Avenue matter.

BLUE ASH CITY COUNCIL

January 11, 2018

Page 10

Mr. Waltz reminded Council of the Council Retreat on January 25<sup>th</sup> and 26<sup>th</sup> at Cooper Creek Event Center. On Thursday, there will be a speaker who will discuss best practices on Council, Council action, working as a team, working as a group. Friday will be more substantive and work plan oriented.

Mr. Waltz asked everyone to keep Jamie Eifert in thought and pray due to the passing of her mother.

Council expressed their appreciation to the residents who attended the Council meeting and expressed their views.

**11. ADJOURNMENT**

All items on the agenda having been acted upon, Vice Mayor Sirkin moved, Councilman Jhaveri seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 10:30 PM.

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Thomas C. Adamec, Mayor

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Karla Plank, Deputy Clerk of Council

MINUTES RECORDED AND WRITTEN BY:

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Karla Plank, Administrative Assistant