



Ben Kessler <bkessler@bexley.org>

2300 Livingston Ave _ Associated Rezoning

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Mon, Feb 19, 2024 at 7:08 PM

To: lfeibel@bexley.org, dhurley@bexley.org, mlampke@bexley.org, tmarkham@bexley.org, smarcellino@bexley.org, jsaad@bexley.org, asilverman@bexley.org

Cc: mayor@bexley.org

Hello,

Please find comments and information attached.

Feel free to contact me.

Thank you for your time,

Mike McKinney

Email: trinitydevelopment@columbus.rr.com

Mobile: 614-245-5333

2 attachments

 **2300 Livingston _ Associated Rezoning.pdf**
522K

 **Sale Data.pdf**
96K

Hello, City of Bexley elected officials,

Based on my obvious inability to complete a prepared statement to all of you in the allotted amount of time, I thought I would just send this message to all of you collectively. I hope that you'll take time to read it.

Shakespeare said, "brevity is the sole of wit." Based on my inability to complete prior statements and this lengthy message, maybe that says it all. For those of you that understand the context of the quote from the play, maybe there is irony.

First, I want to acknowledge that public service can come with slings and arrows so to speak, and I'm a fan of those who dare to enter the arena and appreciate the willingness of most people to serve.

My comments on this matter are not intended to harden any position or to somehow assail any of you personally. That serves no purpose. However, my comments will be necessarily candid and direct. I try not to operate in a political way, and I try to avoid pretentious and manipulative behaviors and responses. Objective facts are more often proven as the correct basis for such decisions.

I commented publicly that this zoning is a ruse, and indeed it is. This zoning is nothing more than a political ruse by an ideologue mayor and his staff. To somehow attempt to pretend that moving forward this rezoning is part of a larger economic or other comprehensive plan is obvious pretense. This is true even in the context of some far-off implementation of Livingston Avenue improvements. This current attempt is wholly and inexorably tied to and intended to advance what is and will effectively be a spot, ad-hoc zoning intended to achieve this mayor's predetermined and targeted outcome, which is a pathway for a high-density multi-family development proposal where it has never been intended. He and his staff know it. They essentially said and admitted as much in public forums, which I can accurately testify to, and you all witnessed as well. Furthermore, I personally think it speaks volumes about character. It's disingenuous at best, and dishonest and deceitful at worst. Perhaps that is the new normal in political behaviors, but it won't serve our long-term interest as a community. If you are so led, or even want to willingly play along and be part of it, then I suppose you can, but there will almost certainly be undesired consequences and damage.

You will recall in my comments at the third reading, I said directly to the mayor following his lengthy comments; I would have to argue with much of what you said, but it was nonetheless artful. Based on what I have seen and learned in my review of this matter, the mayor has indeed been very artful and savvy in what I would describe as his manipulative political efforts to advance his ideological baseline on this entire small community.

During the mayor's most recent evolved comments he said, these zoning changes are explicitly contemplated within the strategic documents referenced, and that this has nothing to do with the proposed high density multi-family development. He then went on to call on his development director, Megan Meyer, to clarify a few development elements surrounding density and parking, and the new "trends" in such development where she spoke of parking in the context of units and square footage. I must sarcastically offer, I always chuckle at the "new trends", and "Upper Arlington's doing it" lines. One

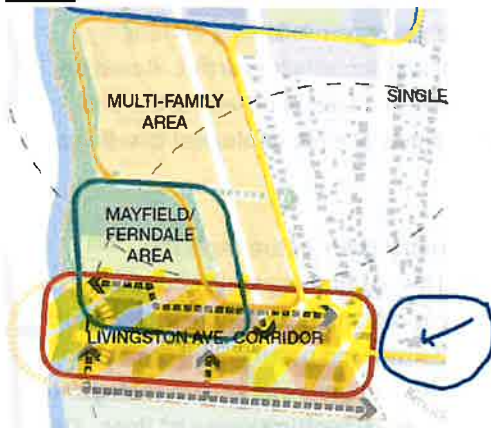
need not be too adept in debate or rhetoric to see the obvious and apparent linkage despite the attestation by the advocates that they have nothing to do with one another. I suspect this will prove important in the future.

Interestingly, in advance of the mayor's comments I had just spoken to Megan on 2/7/24 on these very same topics. Topics the mayor and his staff apparently immediately set out to create a narrative around to preemptively refute. I'll just tell you how the cordial conversation ended. It ended with Megan telling me, and I nearly quote, "I'm a liberal and we're going to agree to disagree." Mind you, I never even remotely hinted about politics in any way. I found that comment more than telling, and interesting. Particularly in the context of this matter and the associated published documents.

I have personally reviewed the published documents which the mayor and his staff have tried to reframe for all of you and the public. Within these documents and more particularly the "S.W. Bexley Strategic Framework", and it does **explicitly** define focus areas of any mixed-use overlay to not exist east of College and Pleasant Ridge to maintain and support the existing single-family fabric and uses. The passing reference(s) to any mixed residential uses in the published documents explicitly expect to maintain ground level income producing commercial uses, and furthermore, are indeed **explicitly** contemplated **only** west of College. Furthermore, references to any multi-family uses are in the context of replacements for the long-expected future mitigation of the long-time adverse externalities associated with the high density and multi-family uses on Ferndale, or any other areas within the defined **multi-family areas** of the plan that over time may experience the opportunity for replacement. There is and can be no question or honest debate that the preponderance conclusions and strategies brought forth by these published documents does not direct or even suggest any such multi-family use in this location, and for that matter, the 2300 Livingston Avenue property is not even significantly contemplated for any form of rezoning. In fact, almost every reference in the documents and such intended uses are reserved for the Main Street corridor, or again west of College Avenue. So, this is indeed an ad hoc, make it up as you go attempt to spot zone 2300 Livingston.

Here are just some of the numerous published quotes and exhibits directly from the document:

(Pg 4)



(Pg 12)



(Pg's 23 & 24)

Framework Draft Option B: Key Ideas

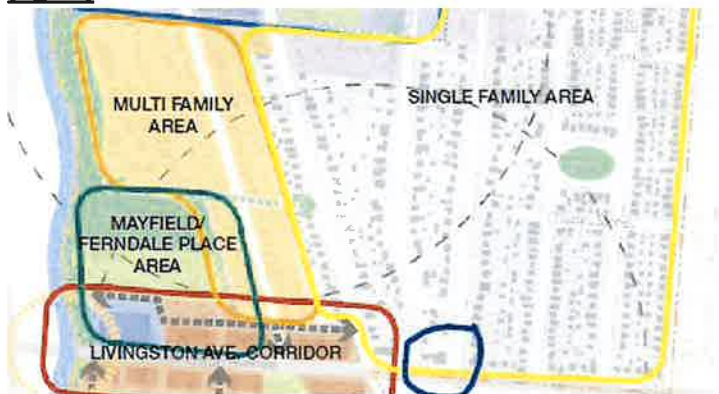
"Reinforce Main Street as a mixed-use commercial corridor."

"Preserve existing single family residential fabric."

Livingston Avenue mixed use buildings to include affordable housing above. *(This, per the document contemplate areas west of College Avenue).*

"Limit housing east of Pleasant Ridge Avenue to single family housing." *(This is explicitly expressed in the document).*

(Pg 26)



(Pg 27)

"Single family housing is a critical land use within Southwest Bexley. The character of the single family residential areas should be reinforced and preserved".

"Over-crowded housing poses a threat to the character of the single-family neighborhood".

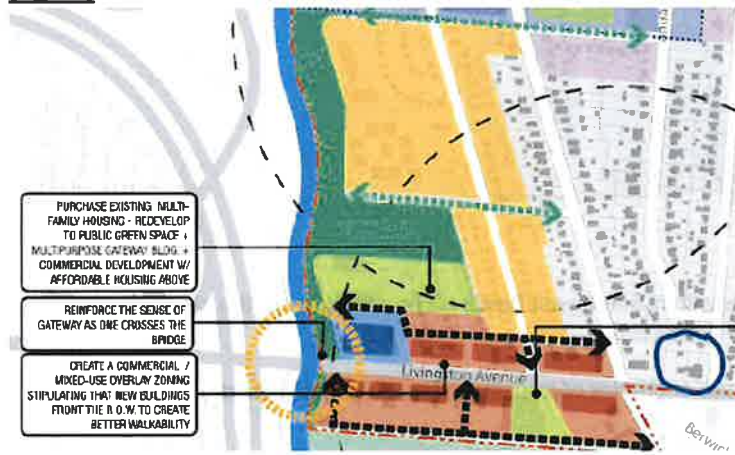
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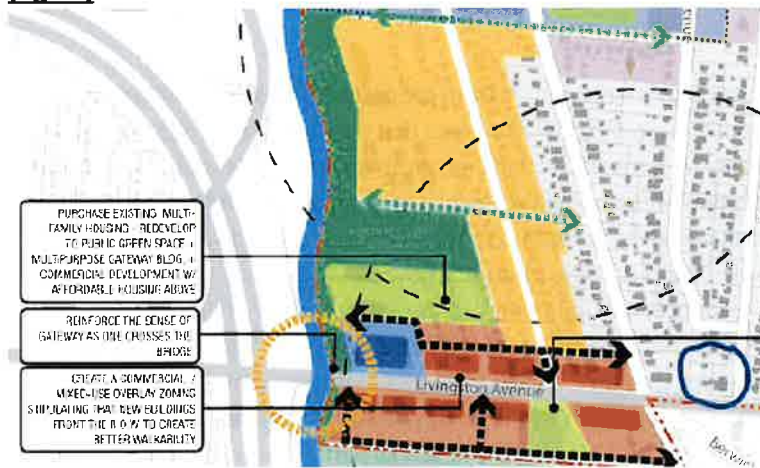
(Pg 30)



(Pg 31)



(Pg 32)



“new buildings should be multi story and mixed-use with street activating commercial uses at the street level and affordable and market rate housing as part of the floors above”. (This and every such similar reference relate explicitly to the areas west of College Avenue).

I think the references and detail provided and what they are honestly intended to communicate are obvious and clear. I hope the information provided are useful in your objective review and in reaching an honest decision that is the long-term interest to this community and its residents, particularly those neighbors and constituents that are in the immediate and nearby proximity of what is being proposed.

Respectfully, and I mean that (**emphasis added**), this is socio-political collectivism, that demonstrates no evidence of tangible enduring economic or any other benefit to this community in this location. We have demonstrable evidence of what this looks like in practice.

I heard the person who spoke after me at the third reading making a broad generalized statement with absolutely no support or evidence of any kind about “peer reviewed studies”. While I’m sure her university professor would be proud, real estate markets, something I know a great deal about, are local! This is particularly true in a market segment such as Bexley based on the socio-economic indices within the community and surrounding areas, and which are already the most diverse of central Ohio suburbs.

In my first visit to chambers I indicated that there appears to be a likely or almost certain objectively quantifiable market-based reaction to such a proposed use in the location. This is not a difficult calculus or particularly complicated valuation theory. A study of housing immediately adjacent to such high density, or almost any multi-family type uses, in comparison to housing that does not experience the same adverse externality. You will note the term, “adverse externality”. I can assure you that the GSE’s, FNMA, and FHLMC that provide liquidity to residential and other real estate markets do indeed understand these very objectively quantifiable reactions and they have an extremely careful focus surrounding the valuation of any such properties. Why? Because “peer reviewed studies” aside, they have enormous quantities of data and experiences that demonstrate the significance of the

consideration and the possible impacts. Despite what your consultant made up on spontaneous redirect at my first visit, the data is important.

For your understanding the attached publicly available data is from properties that are adjoining, or nearby multi-family uses, Livingston Avenue, or in proximity to areas that may likely and reasonably be perceived to have an associated externality in comparison to other south Bexley residential uses. There appears to be an objectively quantifiable diminution of value associated with such a land use change. To say that differently, any diminution of value is asset value loss to those impacted as I discussed or tried to discuss in my first comments to you all. The range and amount of the likely loss may be very significant. As objective demonstrable evidence, I would point out the sale property at 861 Sheridan in the attached data. Notice that this property sold for \$151/above grade living area. This is in comparison to the south Bexley median or mean value for the same cost/GLA unit of measurement, which is approximately 2X that. You will also note that this sale has the most precisely similar and nearly identical external influence as the development that is being proposed as part of this spot zoning would have on the adjoining property owners. I think and hope that this should be profoundly important to you.

Those last few sentences are, as I said, what brought me to you all and caused me to become involved in this matter. I said to all of you; I don't live near the area. Other than peripheral impacts, which may prove to be many, I like each of you, will likely be unaffected by the externality. The same is likely not the case for those residents and neighbors that live immediately adjoining and nearby. What is being contemplated and what has been advanced to date is just wrong, and again I can see no tangible enduring economic benefit or value. I apologize, but it's the political equivalent of, let them eat cake. How does anyone do that to someone else. This is almost a 40' tall building that is only ~60' from the nearest property line, and less than 100' from the nearest residence. That's the distance to a typical back alley. Who could do something like that to someone. To me, it's unconscionable.

That's not even to discuss the important point that we would essentially be forever foreclosing any opportunity as a city for enhanced income tax base, which we need, and which is the explicit focus of every single strategic document ever published. From a pragmatic management and business sense, which is your role, why would we ever want to do such a thing in a community like Bexley that has such limited and constrained commercial opportunity?

Please feel free to contact me if you have any questions. I hope you will take your role and responsibility seriously, and objectively, and not as an ideologue or a rubber stamp to the mayor so that he likes you. Respectfully, that isn't your role. This is not and should not be considered just some perfunctory matter. I hope that the objective and factual information I have sent is useful and important for your consideration.

Very Truly,
Mike McKinney