

Wednesday, March 2, 2005

# HOLDING OUT

## Longtime locations resisting 'renewal'

It's raining when Joe Kennedy and his wife drive up to their restaurant. He steps out of the car and walks to the building's side door, the one with the cracked glass, and pulls it open. Water runs from the roof and drips inside. Kennedy, a thin man with curly hair, passes beneath the stream and grunts.

"Another thing I'm not going to fix," he says, "'cuz they're going to tear this place down."

Although Kennedy's fighting it, that's exactly what might happen.

All around Acropolis Chili, the Calhoun Street restaurant that Kennedy and his wife, Kathy, have run since 1987, the buildings have been coming down.

The coffee shop. The rental housing. The fast-food restaurants. Construction crews have been demolishing almost everything, preparing the two-block area just south of the University of Cincinnati for new businesses, condos and green space.

It's a \$270 million urban-renewal project seven years in the making.

Some see this as great progress, a way to clean up blight and breathe life into this aging area - a way to transform it from eyesore to jewel.

But the way Kennedy sees it, progress is steamrolling his livelihood. It could mean the end of the business where his children got their first jobs, where Kathy has worked more than 30 years, where the couple invested everything they have.

Owners and operators of four restaurants on Calhoun Street - Acropolis, Inn the Wood, Arby's and the boarded-up Hardee's - have tried to stop the city from seizing their properties and turning them over to the Clifton Heights Community Urban Redevelopment Corp., the nonprofit group formed to carry out the renewal plan. But in January, Hamilton County Common Pleas Judge Thomas Crush ruled in favor of the city's use of eminent domain, writing: "There can be no doubt that a public purpose is served by this urban-renewal plan designed to revitalize a declining, deteriorating neighborhood."

What's left is a federal lawsuit between the businesses and the city, filed almost two years ago and still unresolved. A New London, Conn., eminent-domain case pending before the U.S. Supreme Court could also affect what happens on Calhoun Street. Residents in

Connecticut are fighting New London's plan to pave the way for a riverfront hotel and convention center and upscale condominiums.

The Kennedys say they're pressing ahead with the federal suit because they can't afford to give up and start over. They say they have too much money sunk into Acropolis, which operates out of a building owned by Kathy's parents, who started the restaurant in 1974 and are also part of the suit. Joe says the money the city has offered them to relocate wouldn't be enough to start up a hot-dog cart.

Meanwhile, they look out the windows at Acropolis and see what could soon be the future of their restaurant: vacant lots, buildings reduced to rubble and a steady stream of construction workers, some of whom stop at Acropolis for lunch, chewing sandwiches while still wearing their hard hats.

### **A fresher look**

Of course, there are the officials at the University of Cincinnati who want prospective students to see an attractive neighborhood, not streets choked with traffic for fast-food drive-throughs or boarded-up buildings that sit and gather graffiti. There are the Clifton Heights residents and business owners who will welcome more housing and parking and a new, fresher look for the area. There are the UC students who don't think much of their neighbors to the south.

"For those of you who have ever eaten at Acropolis Chili, I don't mean to offend you, but I would never eat there," 20-year-old Thomas Demeropolis wrote in a column in UC's student newspaper, the News Record. "The place just doesn't look like a restaurant that I would want to go into to have a meal."

There is a reason this is all happening: Seven years ago, the city, UC, the Clifton Heights Business Association and the CUF Neighborhood Association studied the Clifton Heights Business District and decided that if they didn't do something, the area would never improve.

The resulting Clifton Heights/UC Joint Renewal Plan encompassed a 20-block area but focused on a six-block section framed by Calhoun and McMillan streets on the north and south and Clifton Avenue and Vine Street on the west and east. At the time, that area was dominated by fast-food restaurants and rental housing and had, according to the renewal plan, "deteriorated both physically and functionally. The change in the district character and function has created a strain in the relationship between the local community and the university."

The plan calls for a major overhaul that includes attracting retail businesses to the area, improving its residential options and increasing off-street parking. North of Calhoun, on UC's campus, there will be a parking garage with shops and housing for 758 students above.

The area south of Calhoun, from west to east, was split into the Old Town District, where existing businesses were asked to improve their facades; McMillan Park, a two-block area that will include green space, 360 condos, ground-level retail shops and underground parking; and an entertainment district, in which developers hope to build restaurants and a first-run movie theater.

### **Acquiring land since 2000**

The Clifton Heights Community Urban Redevelopment Corp., CHCURC, was formed to oversee the plan. Soon, with help from the city and a long line of credit from the university, the group began amassing property and demolishing buildings to clear the way for McMillan Park.

It acquired its first parcel of land May 9, 2000. Eventually, it got the United Dairy Farmers lot, the KFC lot, the Wendy's lot and, most recently, the lot occupied by a McDonald's restaurant, which it will close on in a few months. Today, it owns more than 50 properties on Calhoun and McMillan streets.

But it doesn't have everything.

When the city - after concluding that the neighborhood was blighted - tried to take some property through eminent domain, owners such as Kennedy put up a fight. The redevelopment group's director, Dan Deering, doesn't understand why. Deering, speaking from the corporation's office in the old Third Protestant Memorial Church at Calhoun and Ohio Avenue, said the group has made the owners some "very generous offers" to relocate. They haven't responded.

"It doesn't appear to me as if they really want to stay in business," Deering said, adding that he thinks the holdouts are seeking a "golden parachute" that will set them up for life.

So it's a stalemate on Calhoun Street.

Kennedy's not fixing his leaks or changing burned-out light bulbs inside, because he's not sure where he'll come out on this one.

Deering has leveled what buildings he can, and if the federal suit drags on, he'll shift his attention to other parts of the renewal plan.

No one's giving in.