

## **PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD**

**MONDAY, JUNE 9, 2008**

**3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II**

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Senhauser, Spraul-Schmidt, Fisher, Wallace, Chatterjee, Kreider, Raser and Jones present. Young absent.

### **APPOINTMENTS & REAPPOINTMENTS**

Julia Carney from the Law Department swore in new Board member Ken Jones for a two-year term and current Board members Carolyn Wallace, Jay Chatterjee and Jeff Raser for three-year terms.

### **MINUTES**

The Board unanimously approved the minutes of May 5, 2008, as corrected (motion by Spraul-Schmidt, second by Raser).

The Board unanimously approved the minutes of May 19, 2008, as corrected and revised to include the proclamation for William "Skip" Forwood (motion by Kreider, second by Wallace). Mr. Senhauser announced that Vice Mayor Crowley had agreed to sponsor the proclamation and introduce it to City Council.

### **CERTIFICATE OF APPROPRIATENESS AND CONDITIONAL USE, 130 EAST LIBERTY STREET, OVER-THE-RHINE HISTORIC DISTRICT**

Staff member Caroline Kellam presented a report on a proposal to construct a surface parking lot at 130 E. Liberty. She reminded the Board that it had reviewed the parking lot as part of a larger proposal on September 24, 2007. At that time Allen Messer, project engineer, presented an alternative plan for 130 E. Liberty that provided an additional four parking spaces and incorporated a landscape buffer along the adjacent property at 122 E. Liberty. Other options for the style of fencing were also discussed. The Board tabled the proposal to allow the applicant to finalize the parking lot plan and to clarify zoning issues raised by the alternate design.

Ms. Kellam indicated various fencing options, including a simple metal picket fence installed on top of a brick base or one that included brick columns, were considered. Although staff would have preferred these options, the metal picket fence and sliding gate ultimately selected by the applicant do meet the guidelines. Ms. Kellam said staff still had reservations regarding the lack of landscaping and recommended that shrubs or small trees be incorporated into the proposed planting beds on the east and west edges of the lot. She pointed out that a covenant tying the lots to the residential/retail projects at 1600-1606 and 1601-1605 Main is required under the historic district guidelines. Ms. Kellam indicated that Julie Fay, Merchants on Main Street, had attended the pre-hearing and had raised no objections to the proposal.

Ms. Kellam confirmed for Mr. Senhauser that the Zoning Plans Examiner had reviewed the parking plan and not identified any issues with the size and area of the proposed parking spaces.

In response to Mr. Raser, the applicant Mark Brunner indicated that the parking lot was located on two full lots and approximately 9' of a third.

### **BOARD ACTION**

The Board voted unanimously (motion by Spraul-Schmidt, second by Chatterjee) to take the following actions:

1. As per Section 1409-07 Land Use approve a Conditional Use to permit a parking facility at 130 E. Liberty Street in the CC-P Zoning District finding that such relief from the literal interpretation of the Cincinnati Zoning Code:
  - a. Is necessary and appropriate in the interest historic conservation as not to adversely affect the historic architectural or aesthetic integrity of the district.
  - b. Will not be materially detrimental to the public health, safety and welfare or injurious to property in the district or vicinity where the property is located.
2. Approve a Certificate of Appropriateness for the construction of a parking lot at 130 E. Liberty Street with the following conditions:
  - a. A covenant restricting the use of the parking lot at 130 E. Liberty Street to the owners, occupants and customers of 1600-1606 and 1601-1605 Main Street be prepared and filed with the building permit application.
  - b. That landscaping (shrubs or trees) be incorporated in the three-foot grass strip on the east and west sides of the parking lot with final plans to be reviewed and approved by the Historic Conservation office prior to issuing building permits.

**CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 117 EAST 12<sup>TH</sup> STREET, OVER-THE-RHINE HISTORIC DISTRICT**

Staff member Adrienne Cowden presented a report on a request for a Certificate of Appropriateness and Zoning Variance for a 19-panel mural on the storefront on 117 E. 12<sup>th</sup> Street. Ms. Cowden summarized the mural design and installation process. She stated that the mural was already installed with the exception of one panel, which was not yet complete. Since the storefront had already been modified and been paneled over, the mural does not reduce the transparency of the first floor nor will it damage the original cast iron framework. Ms. Cowden also commented that the applicant indicated the mural was intended to be temporary.

A pre-hearing was held on Wednesday, May 28<sup>th</sup>; no one attended this meeting. Tom Patton, property manager of the Germania Building, contacted staff to express his strong objections to the mural.

In response to Mr. Kreider, Ms. Cowden indicated that the storefront has been covered for quite some time.

Ms. Cowden confirmed for Ms. Spraul-Schmidt that the Seton High School mural would be installed in the open panel directly east of the recessed entryway.

**BOARD ACTION**

The Board voted unanimously (motion by Chatterjee, second by Raser) to take the following actions:

1. Approve the requested Certificate of Appropriateness for the mural as installed finding that the project meets the intent of the Over-the-Rhine Historic District Conservation Guidelines with the following conditions:
  - a. The mural is approved for a three-year period only beginning on June 9, 2008.
  - b. The mural is a piece of artwork not a sign. It shall not be utilized to advertise a business at this or any other location or be modified to include any type of signage. The only approved text is that shown in the attached drawings.

- c. The mural shall be maintained and retouched as necessary to keep it free from graffiti and in good condition.
2. Approve the requested Zoning Variance to permit the 19-panel mural finding that relief from the literal interpretation of the Cincinnati Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property in the district or vicinity where the property is located and is necessary and appropriate in the interest historic conservation as not to adversely affect the historic architectural or aesthetic integrity of the district.

**CERTIFICATE OF APPROPRIATENESS, ZONING VARIANCES & SPECIAL EXCEPTIONS, 1326-1342 VINE STREET, OVER-THE-RHINE HISTORIC DISTRICT**

*[Mr. Raser recused himself from this item.]*

Ms. Cowden presented a staff report on the demolition of buildings and/or additions at 1332, 1338 and 1342 Vine, the rehabilitation of 1332, 1336, 1338 and 1342 Vine and the construction of a new mixed-use building at 1326-1330 Vine. She reminded the Board it had conducted a preliminary design review on this project on August 20, 2007 as part of a larger proposal to develop properties on either side of the intersection of Vine, W. 14<sup>th</sup> and Mercer Streets.

Ms. Cowden recommended that the Board approve a Certificate of Appropriateness for the demolitions at 1332, 1338, and 1342 Vine. The addition at 1332 Vine was a non-significant and altered section of the building. Staff commented that its demolition would not negatively impact the building's primary elevation and would aid in the adaptive reuse of four contributing buildings. Ms. Cowden also recommended the other requested demolitions. Complying with the Board's instructions, the applicant submitted conditions reports from Advantage Group Engineers, Inc., pro formas and a letter from Model Group outlining the need for the demolitions in the larger project context. The submitted documentation verified the deteriorated condition of the additions at 1338 and 1342 Vine and the rear building at 1332 Vine as well as the substantial cost to renovate the buildings for uses that were consistent with the overall project. Ms. Cowden informed the Board that Buildings & Inspections had ordered the rear building at 1332 Vine down as a danger to public health, safety and welfare the week of June 2<sup>nd</sup>.

Ms. Cowden said that the present design for the new mixed-use building was simplified from the earlier version presented for preliminary review. The design was modified to break up the massing on Vine and Mercer Streets. Staff found the mid-block tower at the corner of Mercer Street and Boots Alley a bit awkward visually, but noted it was balanced by the tower at the opposite corner of the new building. She indicated the building met the guidelines and recommended that the Board approve a Certificate of Appropriateness for its construction.

Ms. Cowden summarized the Zoning Variances and Special Exceptions necessary for the lot size, street level transparency, number of parking spaces, landscaping in the parking area and the three awning signs proposed for the first floor commercial space of the new mixed-use building. She recommended relief from the Zoning Code for all but the proposed awning signs. Ms. Cowden stated that the signs do not represent final designs and a future tenant may not need or desire the amount of signage being proposed.

In response to Ms. Wallace and Mr. Kreider, Ms. Cowden identified the location of the rear building at 1332 Vine and the documentation included in the staff report for this specific building.

Mr. Senhauser requested staff to outline the reasons for tabling the proposed awning signs. Ms. Cowden indicated that the signs do not represent a final design for a specific tenant, and the

requested variances may not be needed. She stated that the Board had also not acted on a similar request for the new construction at W. 14<sup>th</sup> and Vine Streets. Tabling the item would allow the applicant to return at a later date with a final sign proposal without delays.

Ms. Cowden confirmed for Mr. Jones that a revocable street privilege was required for the balconies, which extend over the public right-of-way.

Project architect Angela Sansalone of Glaserworks and Rob Bennett and Bobby Maly of Model Property Development were in attendance to present additional details and to answer questions from the Board. Ms. Sansalone summarized the previous design and compared it to the revised proposal. She asked that the Board approve at least the building identification sign shown on the plans and the awnings and consider approving the variance for all the signage. Ms. Cowden clarified that staff's recommendation for a Certificate of Appropriateness included approval of the building identification sign and the awnings. Staff's objection was to the three awning signs for the commercial space only.

In response to Ms. Wallace and Mr. Kreider, Ms. Sansalone indicated that the intent was for the awning signs to be of a type, with a consistent design and appearance.

Mr. Senhauser pointed out that the majority of historic buildings near the development site have heavy, prominent hoods over the windows and simple sills. He asked why the decision was made to emphasize the sill versus the lintel in the revised design. Ms. Sansalone indicated that the original design did include decorative lintels. During the redesign they were removed and she said the building took on a more refined look without them.

In response to Mr. Kreider, Mr. Bennett said that that Model Group owns the adjacent property to the north at 1344-1348 Vine. The existing surface parking lot at the rear of this property will connect to the new development's lot. Ms. Sansalone indicated that the wall on Boots Alley will be the same height as the existing wall at 1344-1348 Vine and will be constructed of red brick to match.

Mr. Senhauser and Mr. Jones inquired about the detailing of the cornice and tower element at the corner of Mercer Street and Boots Alley. Ms. Sansalone said that the brick will turn the corner around the east elevation; the remainder of the east wall will be constructed of cast stone. She clarified for the Board that the tower did not function as such; rather it served as an anchor for the southeast corner of the building. The Board agreed that this element was unresolved and that it should express itself as a tower materially if not functionally. The Board agreed that the cornice, which did not extend across the full width of the Vine Street façade, appeared similarly unresolved.

The Board inquired about the status of the Mercer Commons site and expressed concern regarding the size of the new mixed-use building relative to Mercer Street and Mercer Commons. Mr. Maly indicated that 3CDC will be closing in the near future on the Mercer Commons site. 3CDC will be taking on a master planning role and so will work to assure the development at Mercer Commons is consistent with the surrounding area.

### **BOARD ACTION**

The majority of the Board voted (motion by Spraul-Schmidt, second by Chatterjee; Jones abstaining) to take the following actions:

1. Approve a Certificate of Appropriateness for the demolition of rear one-story additions at 1338 and 1342 Vine Street and the rear building at 1332 Vine Street finding that these buildings are in an advanced state of deterioration and that the applicant has submitted has submitted the

necessary documentation to demonstrate that a reasonable economic return cannot be realized from the use of all or part of the buildings at these addresses with the following conditions:

- a. No demolition shall take place until final designs and material selections for the new multi-family building and the association rehabilitation are submitted to and approved by the Urban Conservator.
  - b. The Certificate of Appropriateness shall be valid for a two-year period only starting from June 9, 2008.
2. Approve a Certificate of Appropriateness for the proposed mixed-use building at 1326-1330 Vine Street and the associated rehabilitation of 1332, 1336, 1338, and 1342 Vine Street finding that the work meets the Over-the-Rhine Historic District Conservation Guidelines with the following conditions:
- a. The cornice and the material finish of the taller element at the southeast corner of the new mixed-used building shall be resolved.
  - b. Final plans and specifications shall be submitted to the Urban Conservator for review and approval prior to construction.
3. Approve the necessary Zoning Variances and special exceptions to permit:
- a. The proposed mixed-use building to have less than the minimum 700 square feet of land for each new residential unit and the minimum of 500 square feet of land for residential units in the existing buildings.
  - b. A 56% transparency on the Vine Street façade and 35% transparency on the Mercer Street façade.
  - c. A reduction of the required number of on-site parking spaces from 25 to 23.
  - d. Relief from the required 3'-0" wide landscape area around the parking spaces in the surface lot.
  - e. The proposed mixed-use building to have three awning signs, in the location and size shown on the submitted plans, for a single-first floor commercial space.

Finding that such relief from the literal interpretation of the Cincinnati Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property in the district or vicinity where the property is located and is necessary and appropriate in the interest historic conservation as not to adversely affect the historic architectural or aesthetic integrity of the district.

### **OTHER BUSINESS**

Staff member Adrienne Cowden distributed a City Planning Commission staff report dated June 6, 2008 regarding the acceptance of property at 115 W. 14<sup>th</sup> Street (at the northern edge of Washington Park) by the City of Cincinnati from Cincinnati Public Schools. She pointed out that Washington Park will be extended north across the subject property to W. 14<sup>th</sup> Street. A 600- to 800-car parking garage will be constructed beneath this section of the expanded park. This underground parking structure will take the place of the proposed Music Hall Parking Garage presented to the Board in January 2007.

Ms. Cowden also distributed correspondence received from Michael D. Morgan, Executive Director of the Over-the-Rhine Foundation, regarding the Meiners Building at 1500-1502 Vine Street in Over-the-Rhine.

**ADJOURN**

As there were no other items to be considered by the Board, the meeting was adjourned.

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Adrienne Cowden  
Interim Urban Conservator

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John C. Senhauser, Chairman

Date: \_\_\_\_\_