

**\*\*\*AGENDA\*\*\***  
**HISTORIC CONSERVATION BOARD**  
**Monday, February 22, 2016 – 3:00 pm**  
**PUBLIC CONFERENCE ROOM**  
**II CENTENNIAL PLAZA – 5TH FLOOR**  
**805 CENTRAL AVENUE**

**CALL TO ORDER**

**DISCUSSION ITEMS:**

**CERTIFICATES OF APPROPRIATENESS AND ZONING RELIEF**

- |                                       |   |
|---------------------------------------|---|
| 1. 222 West 12 <sup>th</sup> Street   | Certificate Of Appropriateness For Rehabilitation and Zoning Variance in the Over the Rhine Historic District     |
| 2. 1131 Broadway                      | Certificate of Appropriateness for Rehabilitation and Zoning Use Variance in the Over the Rhine Historic District |
| 3. 11-25 East 14 <sup>th</sup> Street | Certificate of Appropriateness and Zoning Variance in the Over the Rhine Historic District                        |

**ZONING RELIEF**

- |                                     |  |
|-------------------------------------|--|
| 4. 217 West 12 <sup>th</sup> Street | Request for Zoning Variance the Over the Rhine Historic District |
|-------------------------------------|--|

**OTHER BUSINESS**

**ADJOURN**

**APPLICATION FOR  
CERTIFICATE OF APPROPRIATENESS  
AND ZONING VARIANCE  
HISTORIC CONSERVATION BOARD PUBLIC HEARING  
STAFF REPORT**

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APPLICATION #: N/A  
APPLICANT: Joe Bodkin, Newbar Design Group  
OWNER: Queen City Station, LLC  
ADDRESS: 222 W. 12<sup>th</sup> Street, Cincinnati OH 45202  
PARCELS: 081-0003-0076-00  
ZONING: Commercial Community-Auto Oriented (CC-A)  
OVERLAYS: Over-the-Rhine Historic District  
COMMUNITY: Over the Rhine  
REPORT DATE: February 10, 2016  
HEARING DATE: February 9, 2016 at 2:00 p.m.  
STAFF REVIEW: Angie Strunc, City Interim Urban Conservator

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**Nature of Request:**

The applicant is requesting a Certificate of Appropriateness (COA) for renovation and Zoning Variance for parking relief in order to rehabilitate a vacant single story building into a new drinking establishment with outdoor beer garden.

**Existing Conditions:**

The subject property is situated on the northeast corner of West 12<sup>th</sup> Street and Central Parkway and is known as the "Queen City Radio Building". The one story building is a ca. 1919 commercial garage building previously used as a gas station, service station and car radio installation factory. The building has been vacant for an extended period of time.

The applicant has completed the removal and remediation of previously existing underground storage tanks.

**Proposed Conditions:**

The proposal is to rehabilitate the existing structure and convert the existing parking lot into an outdoor beer garden. The proposed use is an eating/drinking establishment which is an approved use under the zoning code. Outdoor patio area is enclosed with aluminum decorative fencing.

Existing building rehabilitation includes:

- New aluminum storefront windows and entry doors at the W. 12<sup>th</sup> Street corner entry and former office portion of the building. Existing masonry openings remain.

- The first floor windows to be replaced on the south and west façade walls are a roll up type garage doors for proposed open air seating. Existing masonry openings remain.
- Masonry infill of lower level small windows; total of 5 on the west and south walls.
- New aluminum storefront entry at existing concrete block wall on the south exterior wall; set back from the 12<sup>th</sup> Street façade.
- New aluminum garage doors on the west facade below existing fixed wood windows which shall remain. Existing masonry openings remain.
- Tuck point of existing masonry as needed.
- Interior tenant finish.
- Existing curb cuts no longer used on W. 12<sup>th</sup> Street and Central Parkway shall be removed; sidewalk and curb replaced to meet DOTE standards.
- Existing non-conforming sign at the corner of 12<sup>th</sup> and Central Parkway to remain in existing condition; although may be used as permissible by the zoning code.
- Exterior asphalt surface lot to be removed.

New construction includes:

- Exterior beer garden patio area shall be exposed aggregate concrete and pervious pavers as finished surfaces. Concrete paving shall remain to the north as it is a structural slab.
- Perimeter decorative aluminum fencing, 6 feet, black with vertical pickets.
- One vehicular access gate at existing curb cut location on the north of the site. Gate will be two 12'-0" wide swing arm to match the fence appearance.
- Brick masonry piers at two pedestrian entry points through the fence gate. One on W. 12<sup>th</sup> and one on Central Parkway. Pier size is 1'-4" square by 6'-0" high.
- Landscaping planter bed around fence perimeter of 12<sup>th</sup> Street and Central Parkway. Proposal is for boxwood shrubs in a mulched bed.
- Raised planter box along portions of the interior perimeter of the beer garden seating area where there is a grade differential.
- Outdoor furniture and fire pit

**Previous Reviews:**

N/A

**Applicable Zoning Code Sections:**

Zoning District:	1409	CC-A Community Commercial Auto Oriented
Variance Request:	1425-19	Off Street Parking and Loading Requirements
Variance Authority:	<a href="#">Section 1445-07</a>	HCB authority: <a href="#">Section 1435-05-4</a>
Variance Standard:	<a href="#">Section 1445-13</a> <a href="#">Section 1445-15</a>	General Standards: Public Interest Standards for Variances
Historic District/Reg:	<a href="#">Over the Rhine Historic District</a>	
COA Standard:	<a href="#">1435-09-2</a>	Certificate of Appropriateness; Standard of Review

**Details of Zoning Relief Required:**

The applicant and/or owner(s) are requesting a numerical variance to allow a reduction in the required amount of parking spaces for an Eating and Drinking Establishment. The

project is in violation of **Section 1425-19** of the City of Cincinnati Zoning Code and approval is needed from Section **1435-05-4**.

- Per Section 1425-19 – Off-Street Parking and Loading Requirements – Eating and Drinking Establishments: Eating and Drinking Establishments in the CC-A Zoning District require 1 parking space for every 150 square feet of floor area. The proposed project will have a total of 5250 usable square feet requiring 35 parking spaces.
- Per Section 1425-23(a) – Reduced Parking, in the CC-A District, where a use is located within 600 feet of a public parking facility, either publicly or privately owned and operated and the facility could provide 50 percent or more of the parking spaces required for the use, the Zoning Administrator may approve a 50 percent reduction in the parking requirements for the use. Due to the proximity of the Towne Center Garage across Central Parkway, the Zoning Administrator has approved a 50 percent reduction for this project resulting in a total of 17 required spaces. Twelve spaces will be managed on site. **A Numerical Variance for 5 spaces is required.**

### **Zoning Analysis:**

Below is analysis of the consideration factors for all of the requested zoning actions, utilizing Section 1445-13, General Standards; Public Interest.

- Zoning.** The proposed work conforms to the underlying zone district regulations and is in harmony with the general purposes and intent of the Cincinnati Zoning Code.  
*The underlying zoning is CC-A. The proposed development is a permitted use and fits within the nature of the zoning district.*
- Guidelines.** The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.  
*The proposed use conforms to the guidelines for the district.*
- Plans.** The proposed work conforms to a comprehensive plan, any applicable urban design or other plan officially adopted by Council, and any applicable community plan approved by the City Planning Commission.  
*This project conforms to the Over the Rhine Comprehensive Plan.*
- Traffic.** Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not overload the adjacent streets and the internal circulation system is properly designed.  
*Traffic will not be adversely impacted in this area of Over-the-Rhine. 12 spaces will be managed on site, leaving a variance request for the remaining 5 spaces. A large amount of off-street parking is available within 600 feet, including the Towne Center Garage and Washington Park Garage.*
- Buffering.** Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.

*Landscape planting is included in the plan around the outdoor dining area. No amplified entertainment is proposed for the site and light and noise are not expected to be major impacts on adjacent properties. No residential districts abut the property.*

- f **Landscaping.** Landscaping meets the requirements of Chapter 1423, Landscaping and Buffer Yards.

*Appropriate landscaping and buffering is provided.*

- g **Hours of Operation.** Operating hours are compatible with adjacent land uses.

*Operating Hours are compatible with adjacent uses.*

- h **Neighborhood Compatibility.** The proposed work is compatible with the predominant or prevailing land use, building and structure patterns of the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood.

*The proposed use will not have an adverse impact on the neighborhood.*

- i **Proposed Zoning Amendments.** The proposed work is consistent with any proposed amendment to the zoning code then under consideration by the City Planning Commission or Council.

*There are no known proposed amendments under consideration that would impact this proposed project.*

- j **Adverse Effects.** Any adverse effect on the access to the property by fire, police, or other public services; access to light and air from adjoining properties; traffic conditions; or the development, usefulness or value of neighboring land and buildings.

*There are no adverse impacts anticipated for the proposed use.*

- k **Blight.** The elimination or avoidance of blight.

*Rehabbing this building will eliminate blight and return a vacant structure to viable use.*

- l **Economic Benefits.** The promotion of the Cincinnati economy.

*The property will become a tax generating parcel and will add a viable business to the Over-the-Rhine neighborhood.*

- m **Job Creation.** The creation of jobs both permanently and during construction.

*Jobs will be created during construction and when complete.*

- n **Tax Valuation.** Any increase in the real property tax duplicate.

*The rehabilitated structure will increase the taxable value of the property.*

- o **Private Benefits.** The economic and other private benefits to the owner or applicant.

*The owner has an economic benefit by creating a new restaurant.*

- p **Public Benefits.** The public peace, health, safety or general welfare.

*There is no measurable detriment to public peace, health, safety or welfare as a result of this proposed project.*

### **Additional Zoning Analysis**

Two existing non-conforming signs are present on the site. The sign at the corner of W. 12<sup>th</sup> Street and Central Parkway is proposed to stay in place. The owner will change the existing sign faces to feature the new logo for the proposed establishment. No structural changes to the sign, post or cabinet will occur, therefore the sign should be allowed to stay in place. The second non-conforming sign is located at the northwest corner of the property. The sign faces advertise “Napa AutoCare Center” and extend over the Right-of-Way. Since the non-conforming sign at 12<sup>th</sup> and Central Parkway will remain, the second sign at the northwest corner should be removed.

### **Standards for Variances per Section 1435-05-4**

Under Section 1435-05-4 of the Cincinnati Zoning Code, The Historic Conservation Board may grant relief when it finds such relief from the literal implication of the 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 either:

- (a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the Historic District of Historic Asset; or
- (b) Is necessary where the denial thereof would result in a deprivation of all economically viable uses of the property as viewed in its entirety. In making such a determination, the Historic Conservation Board may consider the factors set forth in Section 1435-09-2 (aa) to (ff).

### **Certificate of Appropriateness Review**

Staff feels the proposed rehabilitation is generally appropriate in the Over-the-Rhine Historic District. The rehabilitation retains the existing structure and repairs and replaces the windows and doors within the existing masonry openings.

The building site will be significantly improved from its current physical condition and the new use will bring life and vitality to a long dead corner of the historic district neighborhood fabric.

### **Other Considerations:**

**Prehearing Results:** The architect and owner were in attendance. Discussion was regarding how to best address the parking needs for this business on their own lot.

**Comments Provided to Staff:** Staff has received to date four letters of support for the project citing renewed aesthetics and vibrancy to this corner location.

### **Consistency with *Plan Cincinnati (2012)*:**

“Sustain” Initiative Area “Preserve our built history”

### **Recommendation:**

Staff recommends the Historic Conservation Board take the following actions:

### **ZONING NUMERICAL VARIANCE**

1. **APPROVE** the requested numerical variance to the Parking Requirements of Section 1425-19 to reduce the required amount of parking spaces from **17** parking spaces to **12** (a variance of **5 spaces**).

### **CERTIFICATE OF APPROPRIATENESS**

1. **APPROVE** a Certificate of Appropriateness submitted by Newbar Design Group dated 2/11/2016 including any revisions submitted for permit subject to staff review and approval with the following conditions:
  - a. Removed existing curb cuts no longer used and replace curb and sidewalk to meet DOTE requirements.
  - b) **FINDING:** The Board makes this determination per Section 1435-09-2:
    - (a) That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines.

# APPLICATION



# CERTIFICATE OF APPROPRIATENESS

APPLICATION BUILDING ADDRESS: 222 W 12th

DISTRICT NAME: OTR  
(if applicable)

OWNER NAME: Green City Station LLC

ADDRESS: 1304 Broadway St #2 Cntc OH 45202

EMAIL: urbanexpansion@yahoo.com

CONTRACTOR NAME: CAR. DA URBAN EXPANSION

ADDRESS: 1304 Broadway #2 Cntc OH 45202

EMAIL: urbanexpansion@yahoo.com

ARCHITECT NAME: Newbar Design Group Joe Bodkin

ADDRESS: 127 Mary Lane Cntc OH 45217

EMAIL: jbodkin@newbargroup.com

HCB USE ONLY	
DATE RECEIVED BY HCB:	<u>12-24-2015</u>
PERMIT/APD NO:	<u>15-8097</u>
APP. COMPLETION DATE:	_____

IT IS YOUR RESPONSIBILITY TO NOTIFY THE URBAN CONSERVATOR IF ANY OF THIS INFORMATION CHANGES DURING THE PENDING REVIEW OF YOUR

WORK PROPOSED: (Describe type of work, existing conditions, and methods to be used, materials proposed)

HCB USE ONLY	
<input type="checkbox"/>	MINOR ALTERATION
<input type="checkbox"/>	NEW CONSTRUCTION
<input type="checkbox"/>	ADDITION
<input type="checkbox"/>	DEMOLITION
<input type="checkbox"/>	REHABILITATION
<input type="checkbox"/>	OTHER _____

RENOVATE AUTO SHOP INTO DRINKERY. EXTERIOR WORK INCLUDES: NEW ALUMINUM STOREFRONT WINDOWS IN EXISTING OPENINGS, REPLACE EXISTING Garage Doors with New Aluminum Garage Doors. INSTALL NEW ROLL UP WINDOWS IN EXISTING OPENINGS. REGRADE EXTERIOR SURFACE FOR OUTDOOR SEATING, NEW WOOD TRELLIS, NEW

6'-0" LIGHT METAL DECORATIVE FENCE & GATES

IN ORDER TO EXPEDITE HCB ACTION, PLEASE ATTACH ADDITIONAL INFORMATION, IF AVAILABLE, AS MAY BE APPROPRIATE. LIST ANY INFORMATION ATTACHED: (Elevations, site plans, specifications, photos, material samples, additional drawings or written matter)

ENCL: WINDOW & Garage Door Literature.  
FENCE PLAN.  
PLAN#

ANGIE PLEASE CALL IF YOU HAVE ANY QUESTIONS

THANKS Joe Bodkin

Attach a letter explaining the justification for the issuance of the desired Certificate of Appropriateness. Be advised that the burden of proof is on the applicant.

# Newbar Design Group

ReURBAN ARCHITECTURE: "Don't be afraid to show your scars"<sup>™</sup>

December 24, 2015

Angie Strunc  
Interim Urban Conservator  
Business Development & Permit Center  
805 Central Ave., Suite 500  
Cincinnati, Ohio 45202

BP 2015P08097  
PROJECT LOCATION: 222 W 12<sup>TH</sup> STREET – DRINKING ESTABLISHMENT

Dear Angie:

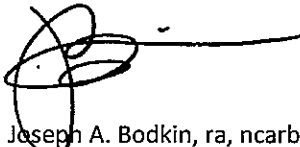
Enclosed is the COA application and information on the windows, garage doors & fence.

The owners feel that the proposed modifications to the exterior is not out of the ordinary for a building that is more industrial in character. The open picket metal fence is in keeping with other projects in the area and the 6-foot height is required for security purposes. The wood trellis and plantings will soften the corner and is needed for shading.

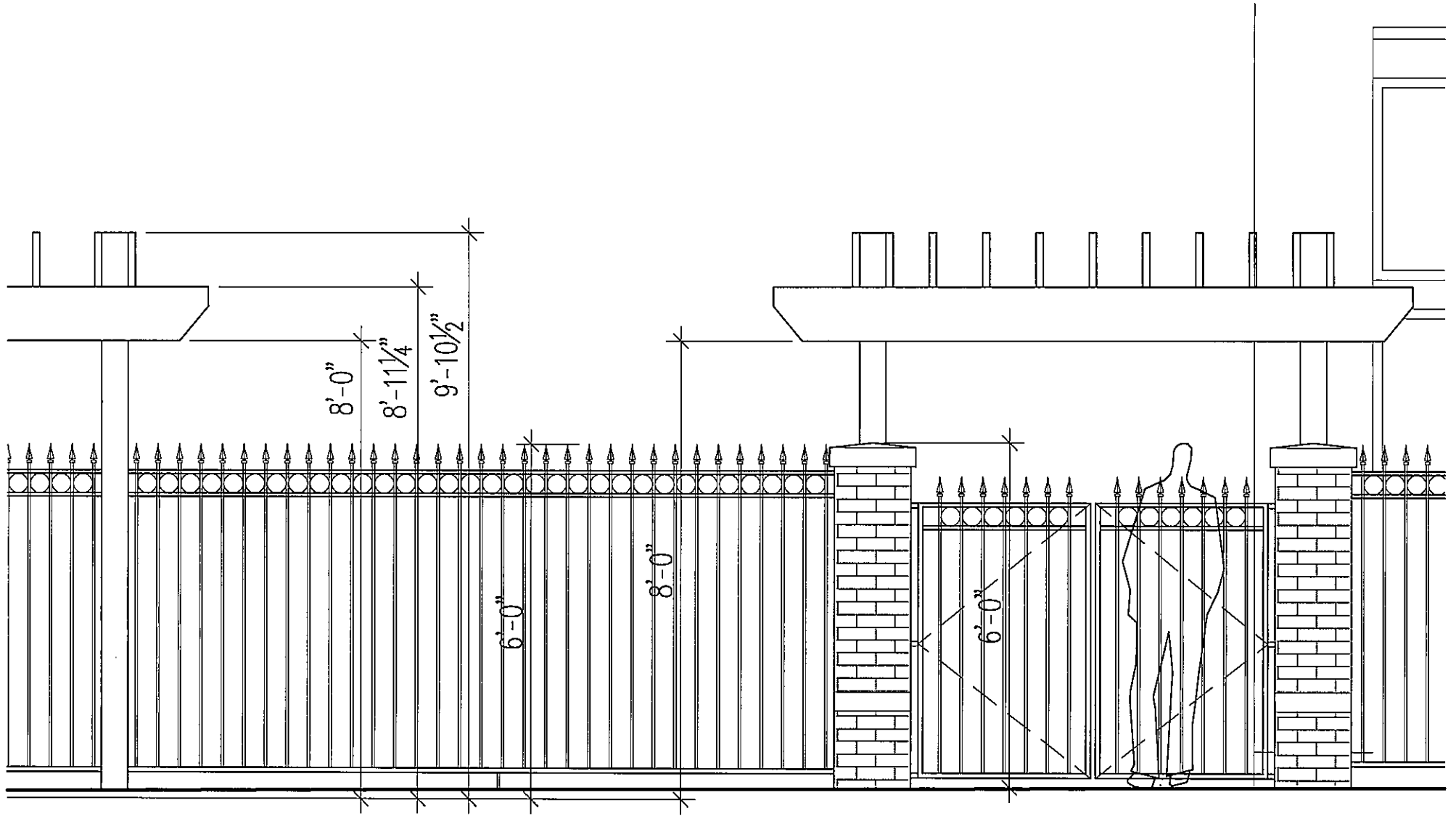
All these improvements will transform a vacant dilapidated building into a gathering place that is consistent with other projects in area that are generating activity and improvements to the Washington park area.

If you have questions regarding these please do not hesitate to contact me at your convenience.

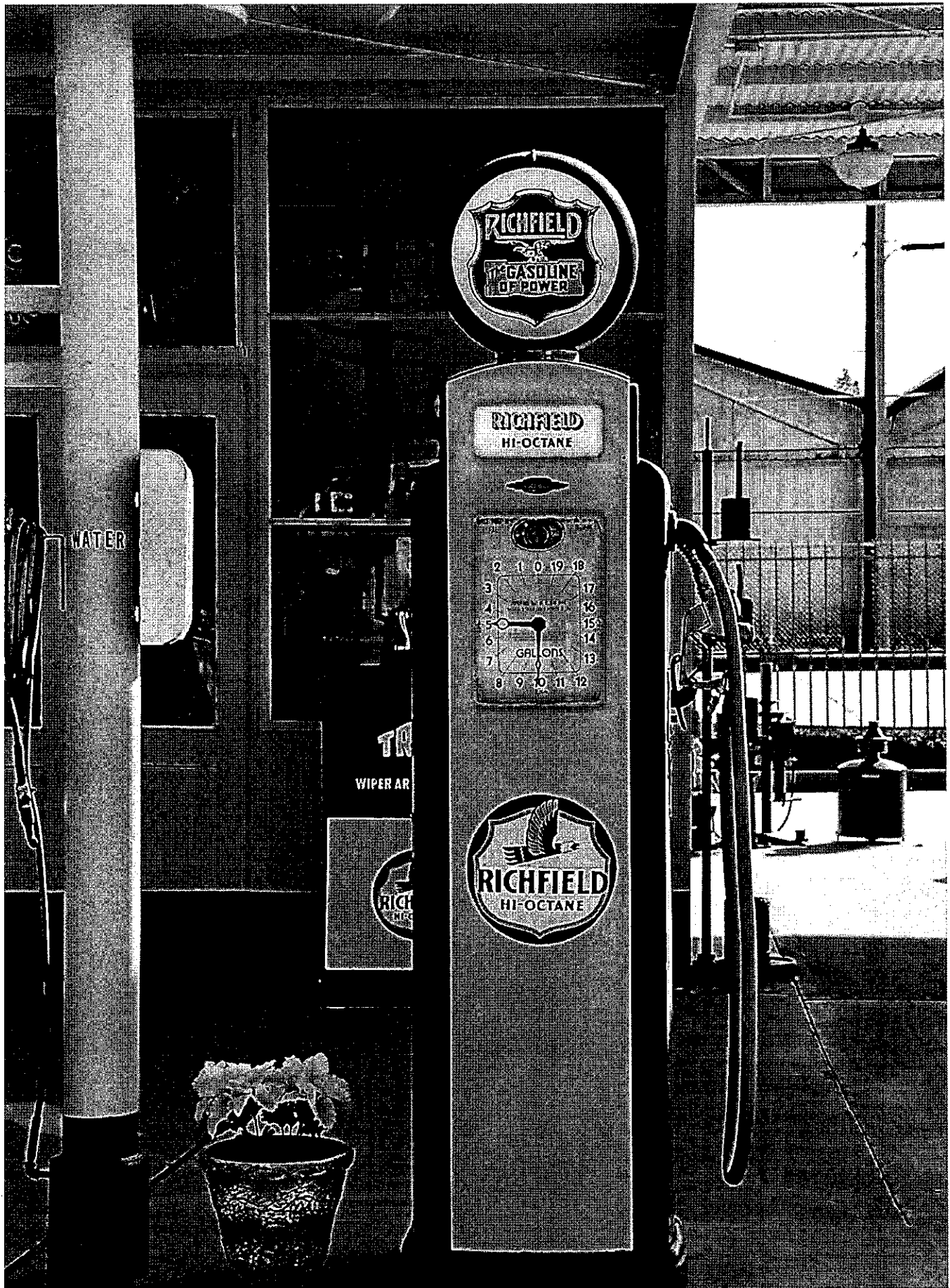
Sincerely,

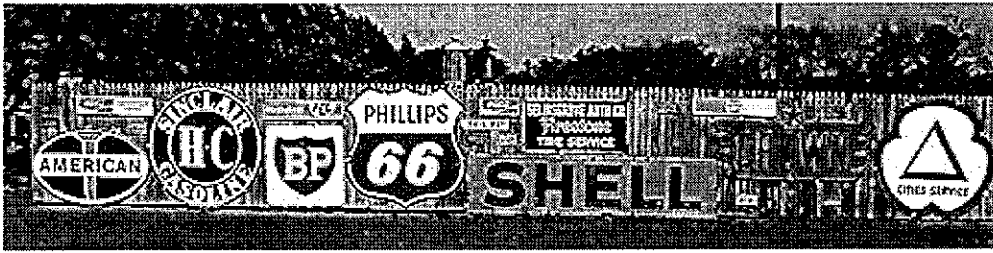


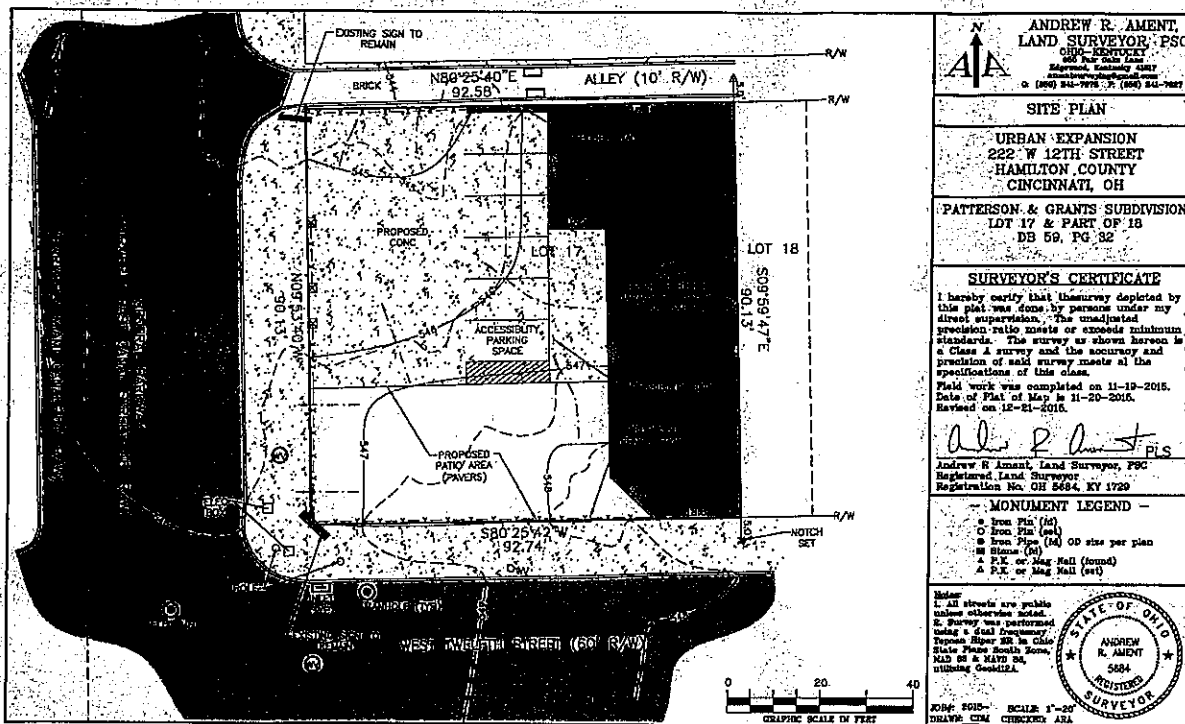
Joseph A. Bodkin, ra, ncarb  
Newbar Design Group, LLC



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**ANDREW R. AMENT,**  
**LAND SURVEYOR, P.S.C.**  
 OHIO - KENTUCKY  
 2421 W. 12TH STREET  
 CINCINNATI, OH 45223  
 (513) 241-7976 F. (502) 242-7827

**SITE PLAN**

**URBAN EXPANSION**  
 222 W 12TH STREET  
 HAMILTON COUNTY  
 CINCINNATI, OH

**PATTERSON & GRANT'S SUBDIVISION**  
 LOT 17 & PART OF 18  
 DB 59, PG 32

**SURVEYOR'S CERTIFICATE**

I hereby certify that the survey depicted by this plat was done by persons under my direct supervision. The computed precision ratio meets or exceeds minimum standards. The survey as shown hereon is a Class A survey and the accuracy and precision of said survey meets all the specifications of this class.  
 Field work was completed on 11-19-2015.  
 Date of Plat of Map is 11-20-2015.  
 Revised on 12-21-2015.

*Andrew R. Ament*  
 Andrew R. Ament, Land Surveyor, P.S.C.  
 Registered Land Surveyor  
 Registration No. OH 5884, KY 1729

**MONUMENT LEGEND**

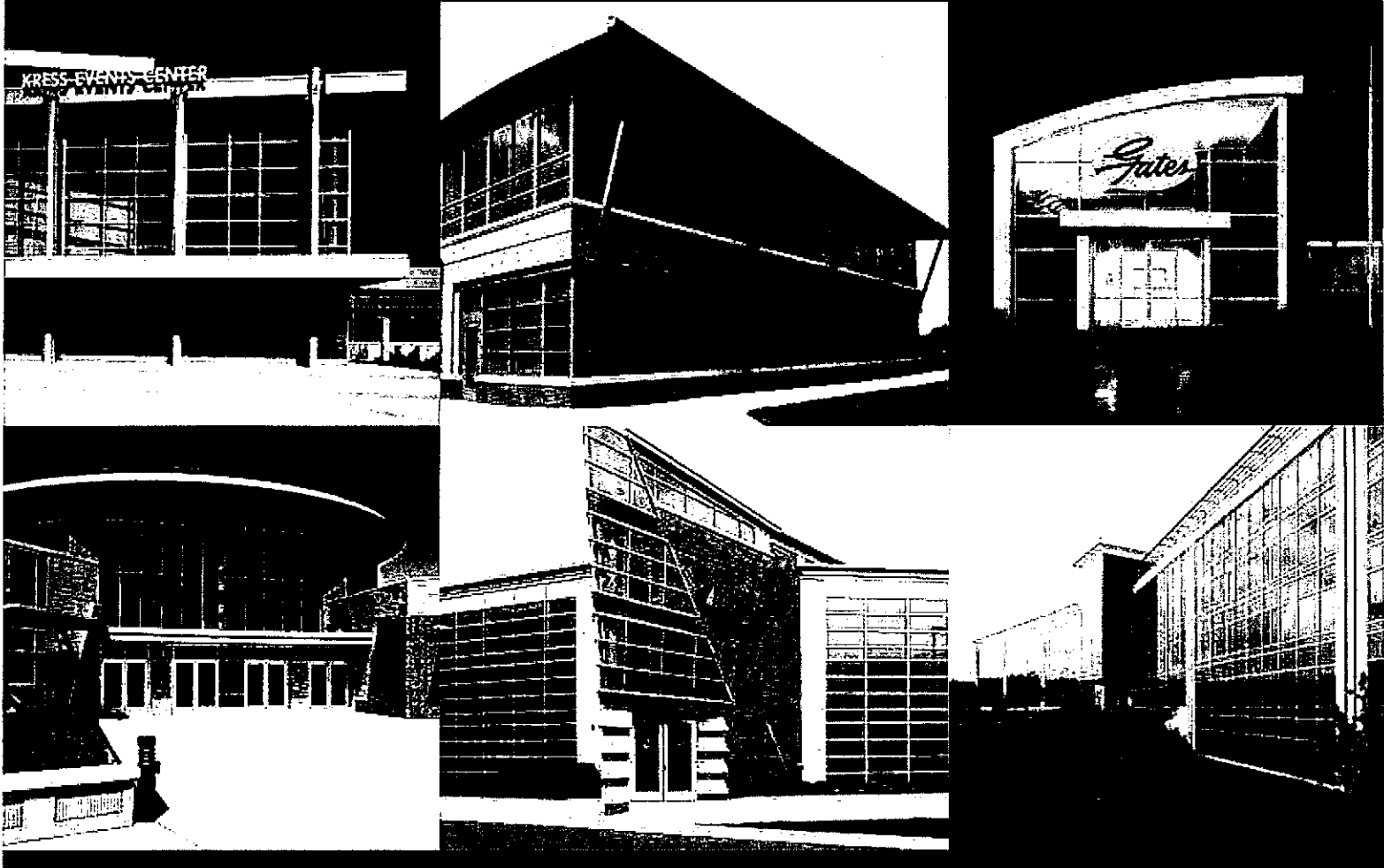
- Iron Pin (in)
- Iron Pin (out)
- Iron Pipe (in) OD size per plan
- Stone (in)
- ▲ P.E. or Mag. Nail (found)
- ▲ P.E. or Mag. Nail (set)

**Note:**  
 1. All streets are public unless otherwise noted.  
 2. Survey was performed using a dual frequency Topcon HiPer II in Chain State Plane South Zone, NAD 83 & NAD 83, utilizing Geoid12A.



DATE: 12-21-2015 SCALE: 1"=20'  
 DRAWN: CDM CHERRY, J.A.

# STOREFRONTS AND ENTRANCES



011015



*More recycled content, eco-efficient finishes*

# TUBELITE®

**DEPENDABLE**

LEADERS IN ECO-EFFICIENT STOREFRONT,  
CURTAINWALL AND ENTRANCE SYSTEMS

800-866-2227 | [www.tubeliteinc.com](http://www.tubeliteinc.com)

Tubelite® has been in the business of fabricating and distributing architectural aluminum products for the glass and glazing industry since 1945. Storefront, entrance and curtainwall systems are available directly from Tubelite® and from a network of independent distributors. Tubelite's corporate office is located in Walker (Grand Rapids), Michigan, and our extrusion plant is in Reed City, Michigan. Fabrication, warehouse, and shipping operations are located in Walker, Michigan and Dallas, Texas. Tubelite's corporate office, fabrication, warehouse, and shipping operations are located in our Walker (Grand Rapids), Michigan facility, and the extrusion plant is in Reed City, Michigan.

Our promise to you is quality in everything we do; fast, reliable and consistent delivery; and responsible, courteous service with a personal touch.

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*More recycled content, eco-efficient finishes*

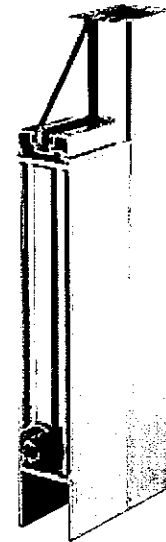
# TUBELITE®

**DEPENDABLE**

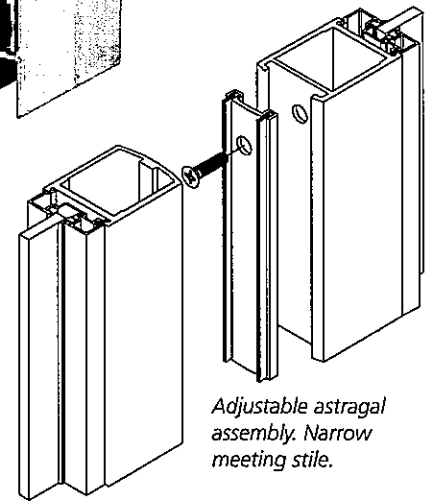
LEADERS IN ECO-EFFICIENT STOREFRONT,  
CURTAINWALL AND ENTRANCE SYSTEMS



14000 Series Center Glazed Storefront,  
OAL Series Anodized; Owner: Nuway  
Construction Headquarters, Elkhart, IN;  
Tubelite Dealer: Quality Glass



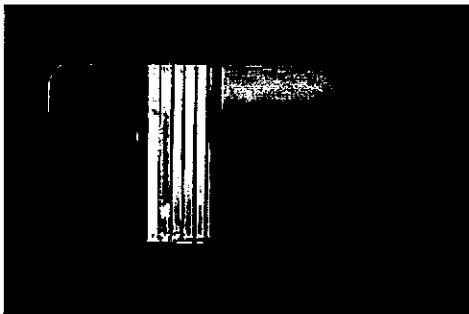
*Standard Narrow Stile  
1-3/4" x 2-1/8" Door with  
10" Bottom Rail; 0A Clear  
Anodized Finish; 1/4" Glass*



*Adjustable astragal  
assembly. Narrow  
meeting stile.*

## STANDARD ENTRANCES

Our Narrow Stile Doors are designed for light to medium use in commercial and retail applications. Standard doors have exterior installation of glass or panels, with 2-1/8" width stiles and top rails, and the option of 4", 7-1/2" or 10" bottom rails for ADA compliance. The smooth design of Tubelite's door hardware features a convenient pull handle and push bar with lock location 36" above the finished floor. Stock doors and frames are anodized with clear or dark bronze finishes, and readily available for quick delivery.



## DURABLE TIE-ROD CONSTRUCTION

The strength and flexibility of steel tie-rod construction is what holds it all together and makes our doors endure. Tie-rod assembly is as durable as welded corner construction, but superior in many ways. Tubelite doors can be modified, disassembled or resized right in the field. No other door offers you this much strength and flexibility.

## WE LISTEN

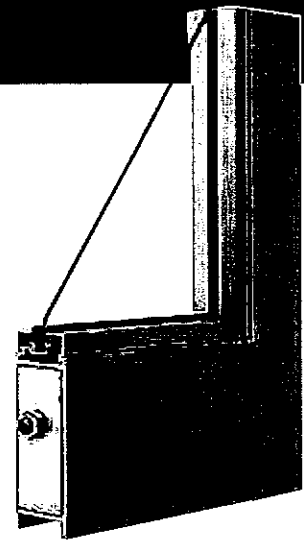
Members of our management staff personally visit our glazing contractor clients regularly. We learn what works and what doesn't — from their perspective, not ours. The result is solutions that work — solutions tailored for the field — so jobs get done right the first time.

STANDARD & MODIFIED DOORS (1/8" WALL)	NARROW STILE	MEDIUM STILE	WIDE STILE
Application	Average traffic, offices, strip centers	Moderate traffic, retail stores	Heavy traffic, public buildings
Vertical Stile 1-3/4" x	2-1/8"	4"	5"
Top Rail 1-3/4" x	2-1/8"	4"	5"
Bottom Rail 1-3/4" x	4", 7-1/2", 10"	6-1/2", 7-1/2", 10"	6-1/2", 7-1/2", 10"
Glass Sizes	3/16", 1/4", 3/8", 1"	3/16", 1/4", 3/8", 1"	3/16", 1/4", 3/8", 1"

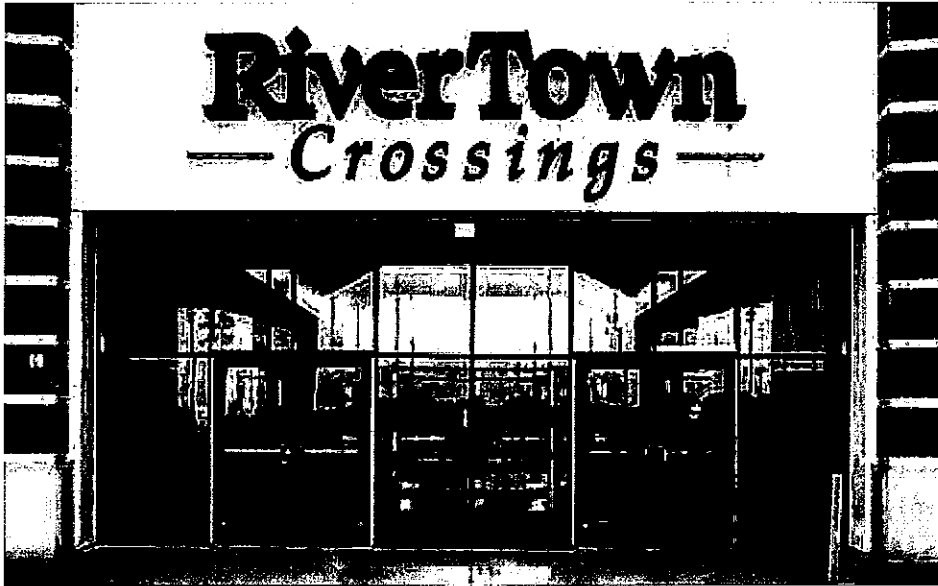
Note: Dimensions do not include 1/2" glass stops.

# MODIFIED ENTRANCES

Narrow, Medium and Wide Stile Doors can be anodized or painted in any of our standard finishes plus an infinite number of blendable standard and custom colors. A wide variety of specialized hardware can be applied, including butt hinges, offset or center pivots, push bars, pull handles, locks and cylinders. The simple addition of a snap-in glazing pocket in the doorframe allows you to easily incorporate sidelights. Horizontal or vertical mid-rails are available in widths from 1/2" to 10".



*Modified Narrow Stile  
1-3/4" x 2-1/8" Door with  
4" Bottom Rail; BP Beige  
Painted Finish, 1/4" Glass*



*Modified Entrance, Military Blue  
Painted Finish; Owner: RiverTown  
Crossings Mall, Grandville, MI;  
Tubelite Dealer: Storefronts Inc.*

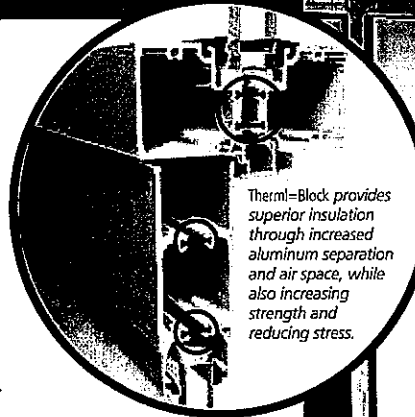
# THERMAL ENTRANCES

## Thermi-Block™

Tubelite Thermal Entrances are designed using the same durable components as our Standard Entrances for outstanding craftsmanship and strength, with the additional benefit of maximum insulating properties. The Medium Stile 4" and Wide Stile 5" face dimensions are designed for typical commercial use with a greater variety of hardware options. Bottom rail height is 10" for accessibility requirements. Snap-in glass stops provide for 1" glazing thicknesses.

Thermal Entrances are furnished with mortised butt hinges, offset pivots or continuous hinges as specified. Standard deadbolt locks, and concealed vertical rod or rim panic exit devices may also be selected. Standard pull handles have been designed for ADA access and have matching push bars.

The Tubelite Thermal Door frame has snap-in door stops to conceal frame anchors and provide an excellent weatherseal. Open-back vertical door jambs allow easy, fast assembly with the screw-spline head member. Snap-in vertical frame closures easily accommodate addition of sidelights and incorporation with thermal storefront framing.



*Thermi-Block provides  
superior insulation  
through increased  
aluminum separation  
and air space, while  
also increasing  
strength and  
reducing stress.*



*Thermi-Block Thermal Entrances,  
Choice One Bank, Newaygo MI*

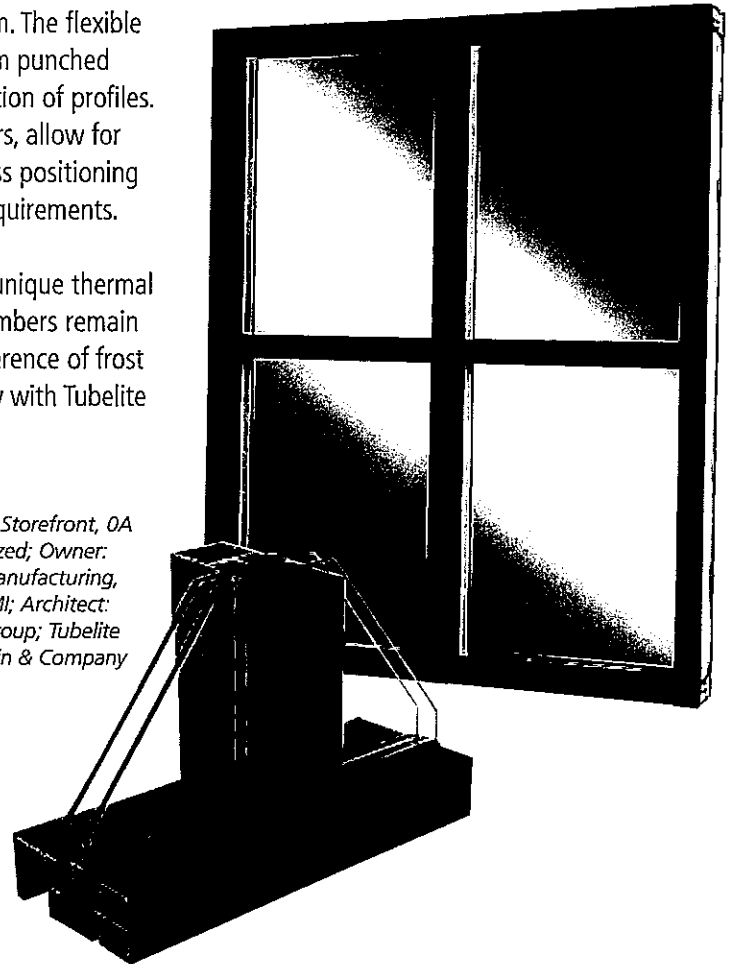
# VERSATHERM™ FRAMING

VersaTherm is our most versatile and economical framing system. The flexible design allows for on-site fabrication in applications ranging from punched openings to mall fronts. VersaTherm is available in a large selection of profiles. Snap-on covers and backmembers, available in a variety of colors, allow for contrasting interior and exterior finishes. Finish options and glass positioning from frame exterior to center meet a wide range of aesthetic requirements.

Snap-on covers and back members are "locked" together by a unique thermal barrier clip. This clip ensures that interior and exterior metal members remain separate while firmly connected, virtually eliminating the transference of frost and condensation. High performance verticals, and compatibility with Tubelite Stock Doors create a complete and truly versatile system.



*VersaTherm Storefront, 0A  
Clear Anodized; Owner:  
Karmann Manufacturing,  
Plymouth, MI; Architect:  
DeMattia Group; Tubelite  
Dealer: Calvin & Company*



PRODUCT	T14000 SERIES	T14000 I/O SERIES	T14650 SERIES	4500 SERIES	VERSATHERM™ SERIES
Application	Low-Rise storefront, center set glass, inside/outside glazed	Low-Rise storefront, front or rear set glass, inside/outside glazed	Medium-Rise storefront, front set glass, outside glazed	Low-Rise storefront, center set glass, outside glazed	Low-Rise storefront, front or center set glass, outside glazed
Face Width	2", 4-1/2"	2"	2"	1-3/4"	1-3/4"
Overall Depths	4-1/2"	4-1/2"	6-1/2"	4-1/2"	3-1/2" to 6-5/8"
Glass Thickness	1"	1"	1"	3/16", 7/32", 1/4", 5/16", 3/8"	1/4", 1"
Air Infiltration	≤0.01 CFM/Ft.2	≤0.03 CFM/Ft.2	0.04 CFM/Ft.2	0.01 CFM/Ft.2	0.01 CFM/Ft.2
Dynamic Water	Controlled @ 10 PSF	Controlled @ 12 PSF	Controlled @ 10 PSF	Controlled @ 12 PSF	12 PSF (Static)
Structural Overload	+/-45 PSF	+/-45 PSF	+/-45 PSF	+/-30 PSF	(Uniform Load Deflection) 30 PSF
CRF* [AAMA1503]	54 - PD - OS 53 - PD - IS 62 - Strut - OS	52 - IS Inboard 61 - IS Outboard	54 - OS	--	64
U Value* [NFRC]	0.40 - OS 0.34 - Strut	0.38 - IS Inboard 0.36 - IS Outboard	0.47 - OS	--	0.40 - 6" System
Sound Transmission	32 STC	32 STC	36 STC*	--	--

\* See Tubelite's Test Reports for mock up sizes and test conditions.

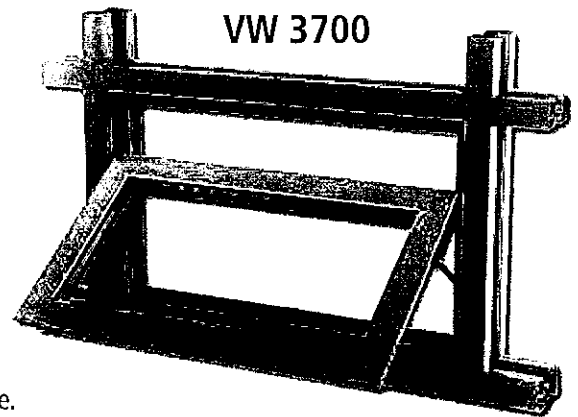
1 Glass Type = 1/4" SB70XL #2 / 1/2" Air / 1/4" Clear. COG U-factor = 0.29. Results obtained from AAMA 507 reports unless otherwise noted. All results represent NFRC 100 standard opening sizes of 78.74" x 78.74" for frames and 75.59" x 82.28" for doors.

# 3700 SERIES WINDOWS

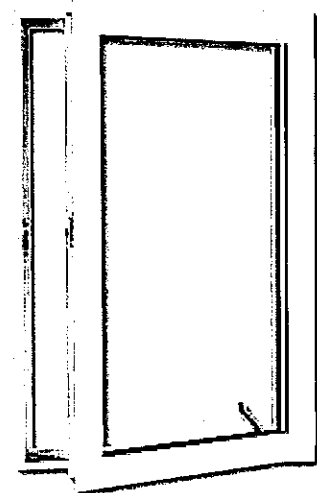
Let fresh air into the building through a storefront or curtainwall. 3700 Series windows can be easily incorporated with Tubelite's other framing systems. Special glazing pocket adapters make installation a breeze.

These AW60 / HC60 rated windows have a frame depth of 2" with a maximum size of 3'0" x 5'0" and mitred corners epoxied and crimped on an "L" shaped clip.

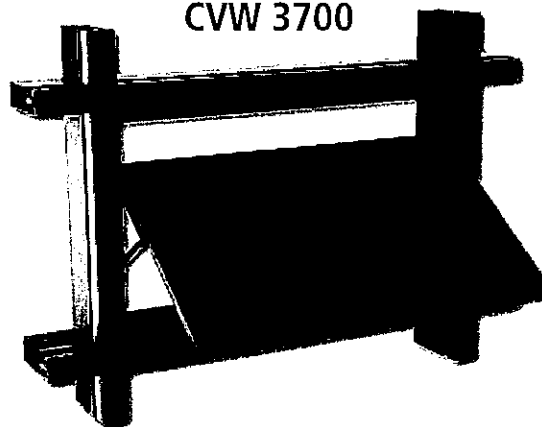
Standard [VW] and concealed project-out vent [CVW] design, standard project-in [HW] and casement [CW] options are available. The concealed vent design is virtually invisible from the outside of the building, with no visible frame.



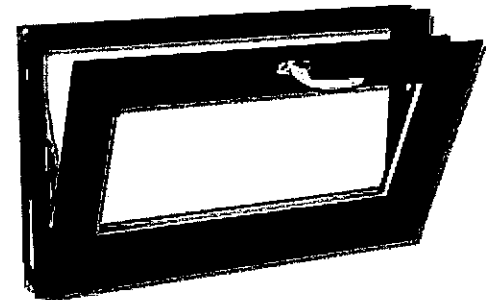
CW 3700



CVW 3700

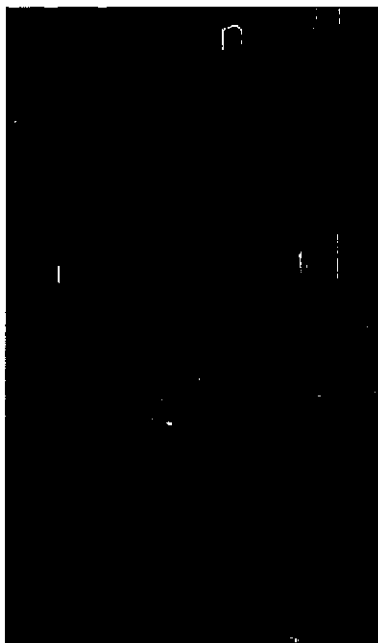


HW 3700



3700 SERIES WINDOWS	VW3700	CVW3700 SERIES	CW3700 SERIES	HW3700
Application	Conventional Frame	Concealed Vent	Casement Type	Project-in Hopper
Frame Joints	Screw-spline	Screw-spline	Screw-spline	Screw-spline
Window Joints	Mitered-clip, Epoxy & Stake	Mitered-clip, Epoxy & Stake	Mitered-clip, Epoxy & Stake	Mitered-clip, Epoxy & Stake
Glass Thickness	1/4" & 1"	1"	1/4" & 1"	1/4" & 1"
Face Width	2-3/8"	-	2-3/8"	2-3/8"
Frame Depth	2"	3-1/2"	2"	2"
Hardware	4-bar hinges, Cam lock	4-bar hinges, Cam lock	Casement hinges, Cam lock, optional roto operator, 2-point egress lock, opening restrictor, egress pull-ring	4-bar hinges, Cam lock
Air Infiltration	0.01CFM/Ft2	0.03CFM/Ft2	0.01 CFM/Ft2	0.04CFM/Ft2
Dynamic Water	12 PSF	12 PSF	12 PSF	6.06 PSF
ANSI/AAMA Testing	CW-PG75 [60x36]-AP	CW-PG75 [61x38]-AP	CW-PG60 [36x60]-AP	CW-PG40 [60x36]-AP
Life Cycle Tested	1250 Cycles	1250 Cycles	1250 Cycles	NA

# STANDARD AND CUSTOM FINISHES



In addition to our standard Clear and Bronze anodized, and White painted colors, we offer five more anodized finishes and nineteen more standard painted colors. Blended standard and custom colors are also available, providing you with an infinite variety. More than a palette of pretty colors, our finishes are tough and backed by some of the best warranties in the industry.

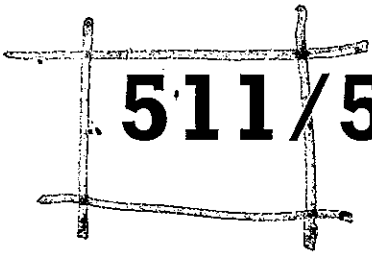
See Tubelite's Standard Finish Color Guide for detailed information on the exceptional performance, integrity and weatherability of our durable anodized finishes. This guide also gives specifications for color retention, erosion resistance and gloss retention of our high-quality, painted finishes.

## THE DIFFERENCE

We're confident that once you experience the benefits of doing business with Tubelite, you'll look to us for all of your storefront and entrance needs. Put us to the test! You'll find us to be the fastest, most **DEPENDABLE** supplier in the industry.

*Custom Entrance/400 Series Curtainwall,  
Wild Grape 70% premium painted  
finish; Sun Healthcare, Albuquerque, NM;  
Architect: Flatow-Moore-Shaffer-McCabe  
Inc.; Tubelite Dealer: Southwest Glass  
& Glazing*

**AAMA 2605  
10 YEAR FINISH  
WARRANTY**  
70% Kynar premium  
painted finishes are  
guaranteed for 10 years against  
fading, chalking,  
and gloss reduction.



511/521

# ALUMINUM DOOR SYSTEMS



ALUMINUM SECTIONAL DOORS



VISUAL ACCESS.  
LIGHT INFILTRATION.  
CONTEMPORARY LOOK.



INDUSTRY LEADING  
COMMERCIAL & INDUSTRIAL SOLUTIONS

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### Standard features at a glance

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Overhead Door Corporation aluminum sectional doors offer an attractive solution for commercial and industrial applications where visual access, light infiltration and aesthetics are key design considerations.

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### Durable construction for years of reliable operation

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- 1 3/4" (45 mm) thick, corrosion-resistant 6063-T6 aluminum sections with galvanized fixtures and hinges promotes durability and trouble-free operation
- 1/4" (6 mm) diameter through-rods on all stiles and rails enhances strength and sturdiness
- Top quality materials, excellent field service and optional maintenance program contribute to extended door life, low maintenance costs and maximum productivity

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### A variety of standard features and options

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- Doors up to 26'2" (7976 mm) wide and 20'1" (6121 mm) high (Model 521)
- Glazing choices include DSB glass, acrylic, tempered glass, clear polycarbonate, multi-wall polycarbonate and wire glass
- Standard clear anodized finish for low-maintenance and corrosion-resistance
- Optional finishes include bronze anodization or a variety of standard powder coat paint colors
- Manual pull rope operation with optional chain hoist or electric motor operator

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### Available in 197 powder coat colors

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Choose from a selection of 197 powder coat colors to match the aesthetic and design of your project. This color optional upgrade includes a hardening additive that provides an attractive and durable finish and easy-to-clean surface.

**Cover image:**

Model 521, clear anodized finish with clear glass.

**Image above:**

Model 521, powder coat green finish.



Model 511, powder-coat-green finish with clear glass.

General specifications	Model 511	Model 521	Available options	Model 511	Model 521
Panel thickness	1 3/4" (45 mm)	1 3/4" (45 mm)	1/8" (3 mm) DSB	•	•
Max. width	16'2" (4928 mm)	26'2" (4928 mm)	1/8" (3 mm) or 1/4" (6 mm) acrylic	•	•
Max. height	16'1" (4902 mm)	20'1" (6121 mm)	1/8" (3 mm) or 1/4" (6 mm) tempered	•	•
Rails standard material	6063-T6 aluminum	6063-T6 aluminum	1/8" (3 mm) or 1/4" (6mm) clear polycarbonate	•	•
Rails standard finish	204R-1 clear anodized	204R-1 clear anodized	1/4" (6 mm) wire glass	•	•
Center stile widths	21/32" (17 mm)	2 11/16" (68 mm)	1/2"(12mm) insulated glass	•	•
End stile widths	2 3/4" 2 3/4"	3 5/16" (85 mm)	Electric operator	•	•
Top rail widths	2 3/8", 3 3/4" (60 mm, 95 mm)	2 3/8", 3 3/4" (60 mm, 95 mm)	Bottom sensing edge	•	•
Intermediate rail pair widths	1 3/8" (40 mm)	3 11/16" (94 mm)	Chain hoist	•	•
Bottom rail widths	2 3/8", 3 3/4", 4 1/2" (60 mm/95 mm/114 mm)	3 3/4", 4 1/2" (95 mm/114 mm)	3" track	•	•
			Bracket mounting	•	•
			High-cycle springs	•	•
			Posi-tension drums	•	•
			Pass door	•	•
			Exhaust ports	•	•
			Bronze anodization	•	•
			Powder coat paint finish	•	•

**ALUMINUM DOOR SYSTEMS MODEL 511**

doors are designed in sizes up to 16'2" wide and 16'1" high (4928 mm and 4902 mm). Featuring a narrow center stile width of 21/32" (17 mm), these doors are sleek, attractive and permit maximum visibility. An array of glazing choices, top-and bottom-rail widths, finishes and special options customizes the 511 Model to satisfy nearly any project requirement.



### Standard features at a glance

Panel thickness	1 3/4" (45 mm)
Maximum standard width	16'2" (6147 mm)
Maximum standard height	16'1" (4902 mm)
Material	6063-T6 aluminum
Standard finish	204R-1 clear anodized
Center stile width	21/32" (17 mm)
End stile width	2 3/4" (70 mm)
Top rail width	2 3/8" (60 mm) or 3 3/4" (95 mm)
Top intermediate rail width	3/4" (19 mm)
Bottom intermediate rail width	5/8" (16 mm)
Bottom rail width	2 3/8" (60 mm) or 3 3/4" (95 mm) or 4 1/2" (114 mm)
Weatherseals	Bottom, flexible PVC
Standard springs	10,000 cycle
Track	2" (51 mm)
Mounting	Angle
Operation	Manual pull rope
Hinges and fixtures	Galvanized steel
Lock	Galvanized, interior-mounted single unit
Color palette	197 powder coat finishes are available from your Overhead Door distributor
Warranty	12-month limited; 3-year powder coat finish

### Options

Glazing options\*: 1/8" (3 mm) DSB; 1/8" (3 mm) or 1/4" (6 mm) acrylic; 1/8" (3 mm) or 1/4" (6 mm) tempered; 1/8" (3 mm) or 1/4" (6 mm) clear polycarbonate; 1/4" (6mm) and 3/8" twin-wall polycarbonate, 5/8" triple-wall polycarbonate; 1/4" (6 mm) 3/8" (10 mm) and 5/8" (16 mm) twin-wall polycarbonate, triple-wall polycarbonate 1/4" (6 mm) wire glass; 1/2" (12 mm) insulated glass

Electric operator or chain hoist

Bottom sensing edge

3" track

Bracket mounting (not available on full vertical door tracks)

Higher-cycle springs in 25k, 50k, 75k, 100k cycles

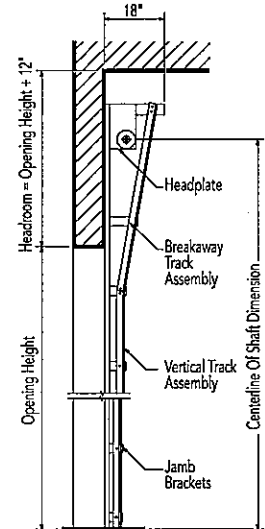
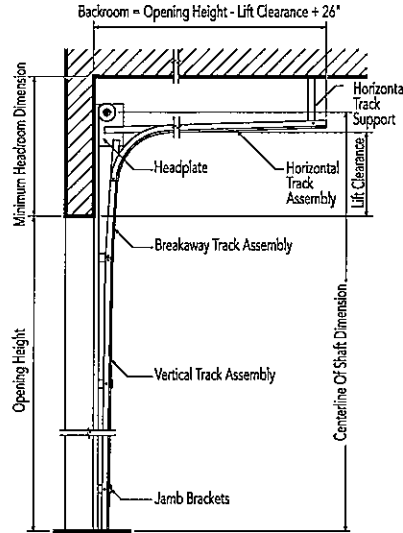
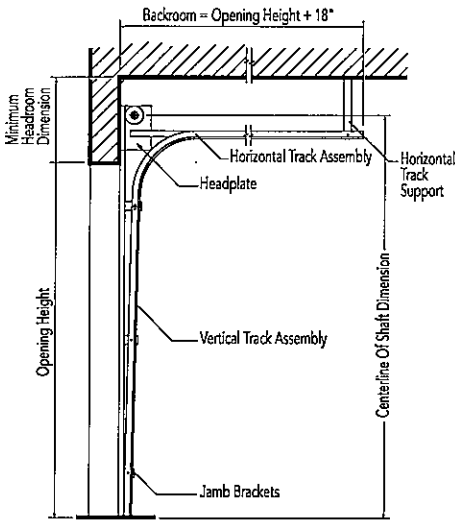
Panel schedule		Section schedule	
Door width	Number of panels	Door height	Number of sections
to 8'11" (2718 mm)	2	to 8'6" (2591 mm)	4
9'0" to 11'11" (2743 mm to 3632 mm)	3	8'7" to 10'1" (2616 mm to 3073 mm)	5
12'0" to 14'11" (3658 mm to 4547 mm)	4	10'2" to 12'1" (3099 mm to 3683 mm)	6
15'0" to 16'2" (4572 mm to 4928 mm)	5	12'2" to 14'1" (3708 mm to 4293 mm)	7
		14'2" to 16'1" (4318 mm to 4902 mm)	8

Track detail

Any of the following track configurations can be selected for 511 and 521 Aluminum door models.

O.H.=Opening height L.C.=Lift clearance D.H.=Door height

**Standard lift track      Lift clearance track      Full vertical track**



2" (51 mm) Track [15" (381 mm) radius]		
Door height	Centerline of shaft	Minimum headroom
Thru 12'0" (3658 mm)	O.H. + 11 5/8" (295 mm)	14 1/4" (362 mm)
Thru 16'0" (4877 mm)	O.H. + 12 5/8" (321 mm)	20 1/2" (521 mm)

3" (76 mm) Track [15" (381 mm) radius]		
Door height	Centerline of shaft	Minimum headroom
Thru 18'0" (5486 mm)	O.H. + 14 5/8" (372 mm)	18" (457 mm)
Thru 32'0" (9754 mm)	O.H. + 16 7/8" (429 mm)	21 1/2" (546 mm)

2" (51 mm) Track [15" (381 mm) radius]		
Door height	Centerline of shaft	Minimum headroom
Thru 12'0" (3658 mm)	O.H. + L.C. + 5 5/8" (143 mm)	L.C. + 8 3/4" (222 mm)
Thru 16'0" (4877 mm)	O.H. + L.C. + 5 5/8" (143 mm)	L.C. + 11 1/4" (286 mm)

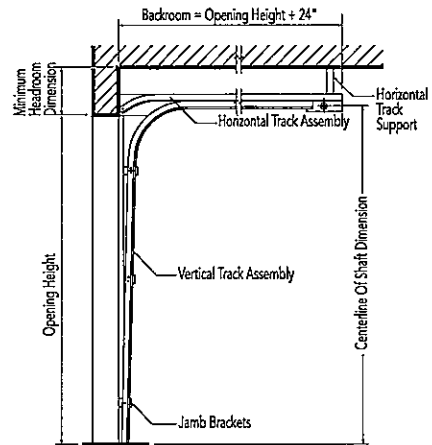
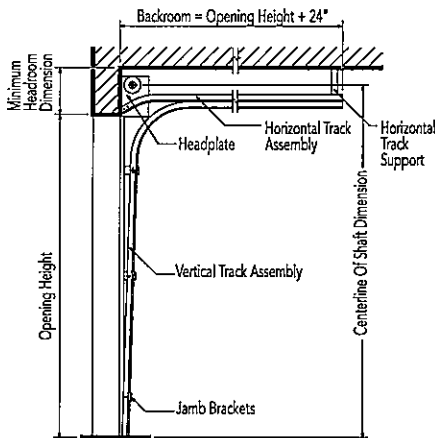
3" (76 mm) Track [15" (381 mm) radius]		
Door height	Centerline of shaft	Minimum headroom
Thru 22'0" (6706 mm)	O.H. + L.C. + 6 5/8" (168 mm)	L.C. + 11 1/2" (292 mm)
Thru 32'0" (9754 mm)	O.H. + L.C. + 6 5/8" (168 mm)	L.C. + 12 1/4" (311 mm)

2" (51 mm) Track [15" (381 mm) radius]		
Door height	Centerline of shaft	Minimum headroom
Thru 11'0" (3353 mm)	O.H. + O.H. + 3/8" (10 mm)	O.H. + 10 1/4" (260 mm)
Thru 16'0" (4877 mm)	O.H. + O.H. + 3/8" (10 mm)	O.H. + 10 1/4" (260 mm)

3" (76 mm) Track [15" (381 mm) radius]		
Door height	Centerline of shaft	Minimum headroom
Thru 18'0" (5486 mm)	O.H. + O.H. + 3/8" (10 mm)	O.H. + 10 1/4" (260 mm)

**Low headroom track      Low headroom track**



2" (51 mm) Track [15" (381 mm) radius]		
Door height	Centerline of shaft	Minimum headroom
Thru 12'0" (3658 mm)	D.H. + 8" (203 mm)	11 3/4" (299 mm)
Thru 16'0" (4877 mm)	D.H. + 8" (203 mm)	12 1/2" (318 mm)

3" (76 mm) Track [15" (381 mm) radius]		
Door height	Centerline of shaft	Minimum headroom
Thru 12'0" (3658 mm)	D.H. + 9" (229 mm)	13" (330 mm)
Thru 32'0" (5486 mm)	D.H. + 9" (229 mm)	13 3/4" (349 mm)

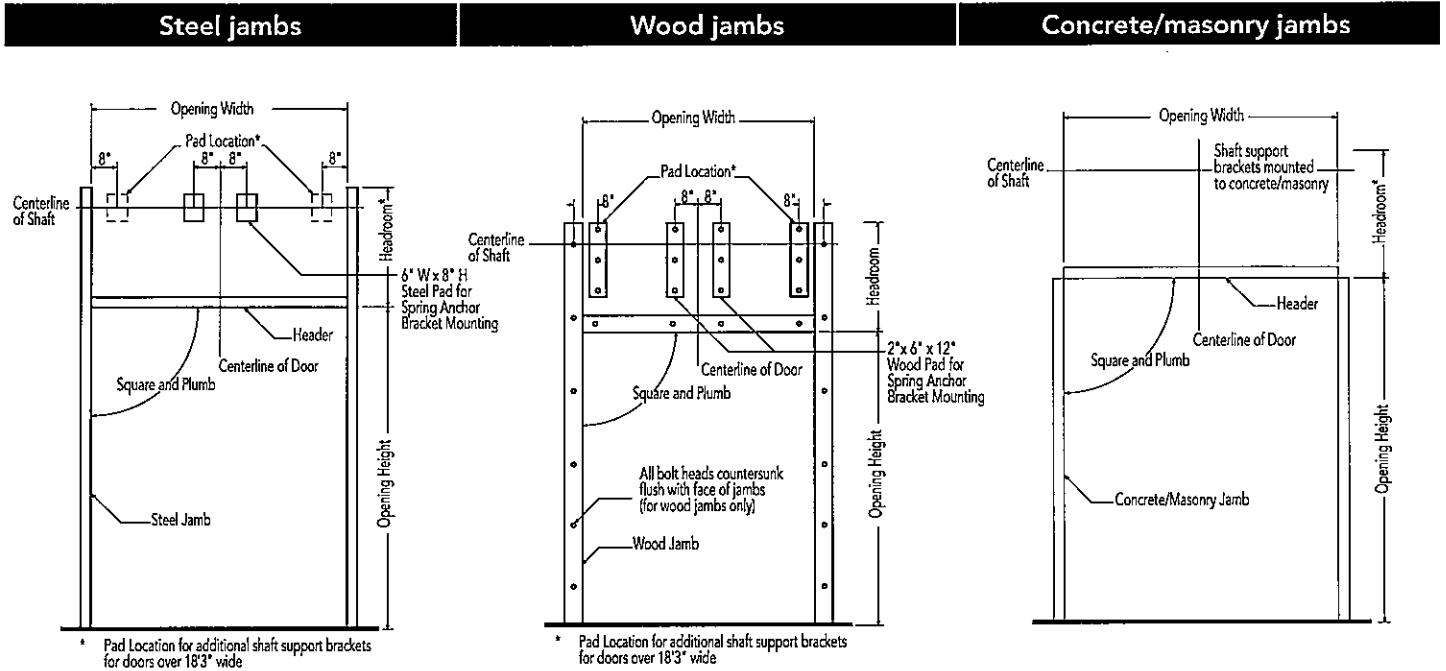
2" (51 mm) Track [15" (381 mm) radius]		
Door height	Centerline of shaft	Minimum headroom
Thru 12'0" (3658 mm)	O.H. + 2" (51 mm)	7 1/2" (191 mm)
Thru 16'0" (4866 mm)	O.H. 2" (51 mm)	8" (203 mm)

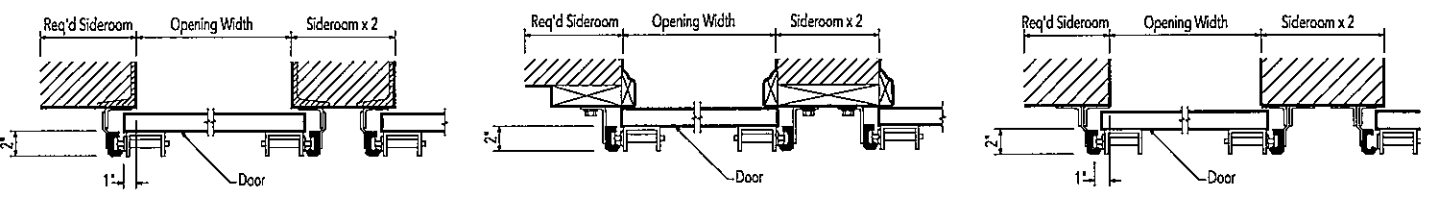
3" (76 mm) Track [15" (381 mm) radius]		
Door height	Centerline of shaft	Minimum headroom
Thru 18'0" (5486 mm)	O.H. 6 3/4" (171 mm)	9 3/4" (248 mm)

**Framing and pad detail**

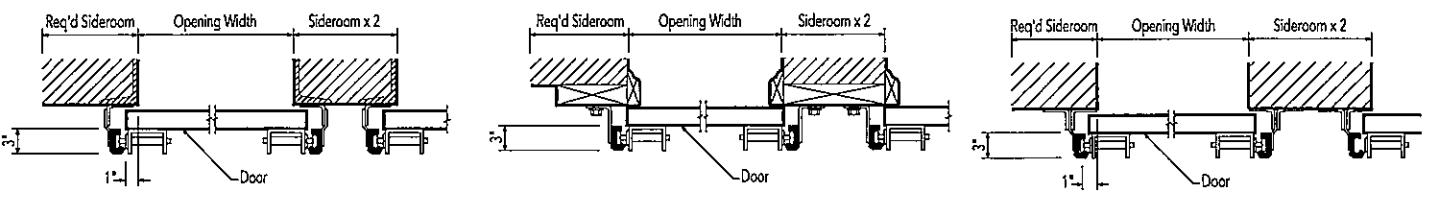
Framing and pad details for common installation of Aluminum doors in steel, wood, concrete and masonry jambs are provided here. If you require additional information or have special project requirements, refer to the Overhead Door Architectural Design Manual, ([www.OverheadDoor.com/ADM/base.html](http://www.OverheadDoor.com/ADM/base.html)) or consult with the Overhead Door Applications Engineering Group or your local Overhead Door distributor.



**2" (51 mm) track**      **2" (51 mm) track**      **2" (51 mm) track**



**3" (76 mm) track**      **3" (76 mm) track**      **3" (76 mm) track**



Minimum required sideroom		
Track type	2" Track (51 mm)	3" Track (76 mm)
Standard lift	4 1/2" (114 mm)	6 1/2" (165 mm)
Low headroom	9" (229 mm)	10" (254 mm)
Lift clearance	4 1/2" (114 mm)	6 1/2" (165 mm)
Full vertical	4 1/2" (114 mm)	6 1/2" (165 mm)

Minimum required sideroom		
Track type	2" Track (51 mm)	3" Track (76 mm)
Standard lift	3 1/2" (89 mm)	5 1/2" (140 mm)
Low headroom	8" (203 mm)	9" (229 mm)
Lift clearance	3 1/2" (89 mm)	5 1/2" (140 mm)
Full vertical	3 1/2" (89 mm)	5 1/2" (140 mm)

Minimum required sideroom		
Track type	2" Track (51 mm)	3" Track (76 mm)
Standard lift	4 1/2" (114 mm)	6 1/2" (165 mm)
Low headroom	9" (229 mm)	10" (254 mm)
Lift clearance	4 1/2" (114 mm)	5 1/2" (140 mm)
Full vertical	4 1/2" (114 mm)	5 1/2" (140 mm)

**Electric operators**

Overhead Door Corporation offers the broadest line of electric operators to suit new construction and retrofit applications, as well as unusual or special requirements. In order to improve safety and enhance door and motor life, industry quality assurance guidelines recommend the choice of a single manufacturer for both door and operator applications.

Overhead Door Corporation is one of the only national manufacturers to offer a full line of commercial and industrial doors and operators specifically designed for integral applications.

**Model RHX®**

Model RHX® is a heavy duty commercial operator designed to operate doors up to 24' (7315 mm) in height and 3696 pounds (1676 kg). Available as either a trolley, sidemount or centermount.



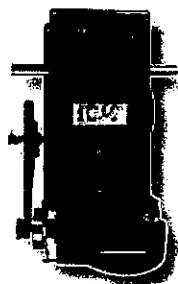
**Model RMX®**

Model RMX® is our newest, most advanced medium-duty operator. It is designed for quicker installation and hassle-free operation and operates doors up to 14' (4267 mm) in height and 620 pounds (282 kg). It is available as a trolley-type or side-mounted unit.



**Model RSX®**

Model RSX® is a standard duty commercial operator designed to operate doors up to 24' (7315 mm) in height and 1620 pounds (735 kg). It offers unique features like LimitLock®, SuperBelt™ and 16 digit menu setup.



**Operator control options**

- Push-button, key or combination stations; surface- or flush-mounted for interior and/or exterior locations
- Vehicle detectors, key card reader, photocell and door timer controls
- Treadle or pull switch stations
- Telephone entry and coded keyboard stations
- Universal programmable door timer
- Radio control systems (24 VAC or 120 VAC)
- Explosion and dust ignition-proof systems

Electric operator selection guide										
	Horsepower/ Newtons	Max. height of door	Max. weight of door	Super Belt™/ Polybelt	Worm gear	Adjustable clutch	Totally enclosed	Continuous duty	Explosion proof	Mounting type
RHX®	1/2 HP, 3/4 HP 1 HP, 3 HP	24' (7315 mm)	3696 lbs (1676 kg)		•	•		•	•	T, S, C
RSX®	1/2 HP, 3/4 HP 1 HP	24' (7315 mm)	1620 (735 kg)	•		•	•	•		T, S, C
RMX®	1/2 HP	14' (4267 mm)	620 (281 kg)	•						T, S

Mounting options:  
T=Trolley S=Side mount C= Center mount

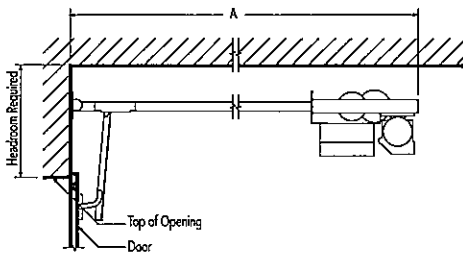
**Safety recommendations**

Overhead Door Corporation strongly recommends the use of a primary safety device as defined by UL325 2010. A primary safety device can be approved monitored photo-eyes or an approved monitored sensing edge. If a primary safety device is not installed, a constant contact control switch must be used to close the door. Contact Overhead Door for more information.

Mounting details

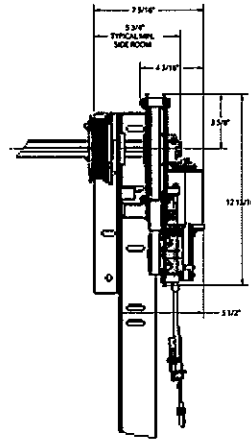
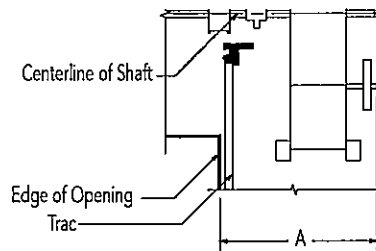
Trolley-type (Drawbar)  
RMX®, RSX®, RHX®

Trolley-type (Drawbar) operators feature a power unit mounted between, above and to the rear of the horizontal tracks. The drawbar drive provides positive control of the door at all times, making this operator the preferred choice whenever possible. Maximum door width is 20' per drawbar. Door width over 20' requires dual drawbar installation. Available on Models RMX®, RSX® and RHX®.



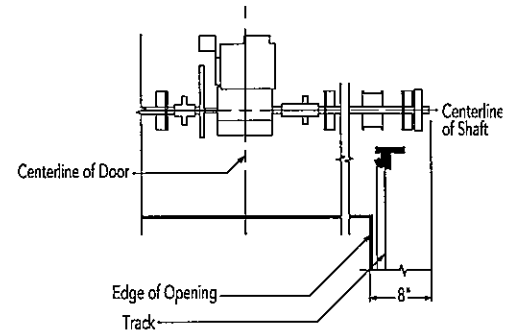
Side mount type (Jackshaft)  
RMX®, RSX®, RHX®

Side-mounted (Jackshaft) RMX®, RSX®, and RHX® operators feature a power unit mounted on the inside front wall and connected to the crosshead shaft, with an adjustable coupling or drive chain and sprockets.



Center mount type/Jackshaft  
RSX®, RHX®

Center-mounted (Jackshaft) operators feature a power unit on the front wall above the door opening. No additional backroom is required. Available on models RSX® and RHX®.



Minimum headroom requirements

RMX®	Track requirements +4 1/2" (114 mm)
RSX®	Track requirements +5" (127 mm)
RHX®	Track requirements +5" (127 mm)

"A" dimension - minimum (sideroom)

	2" track (51 mm)	3" track (76 mm)
RMX®	18 1/2" (470 mm)	19 1/2" (495 mm)
RSX®	21" (533 mm)	22" (559 mm)
RHX®	21" (533 mm)	22" (559 mm)

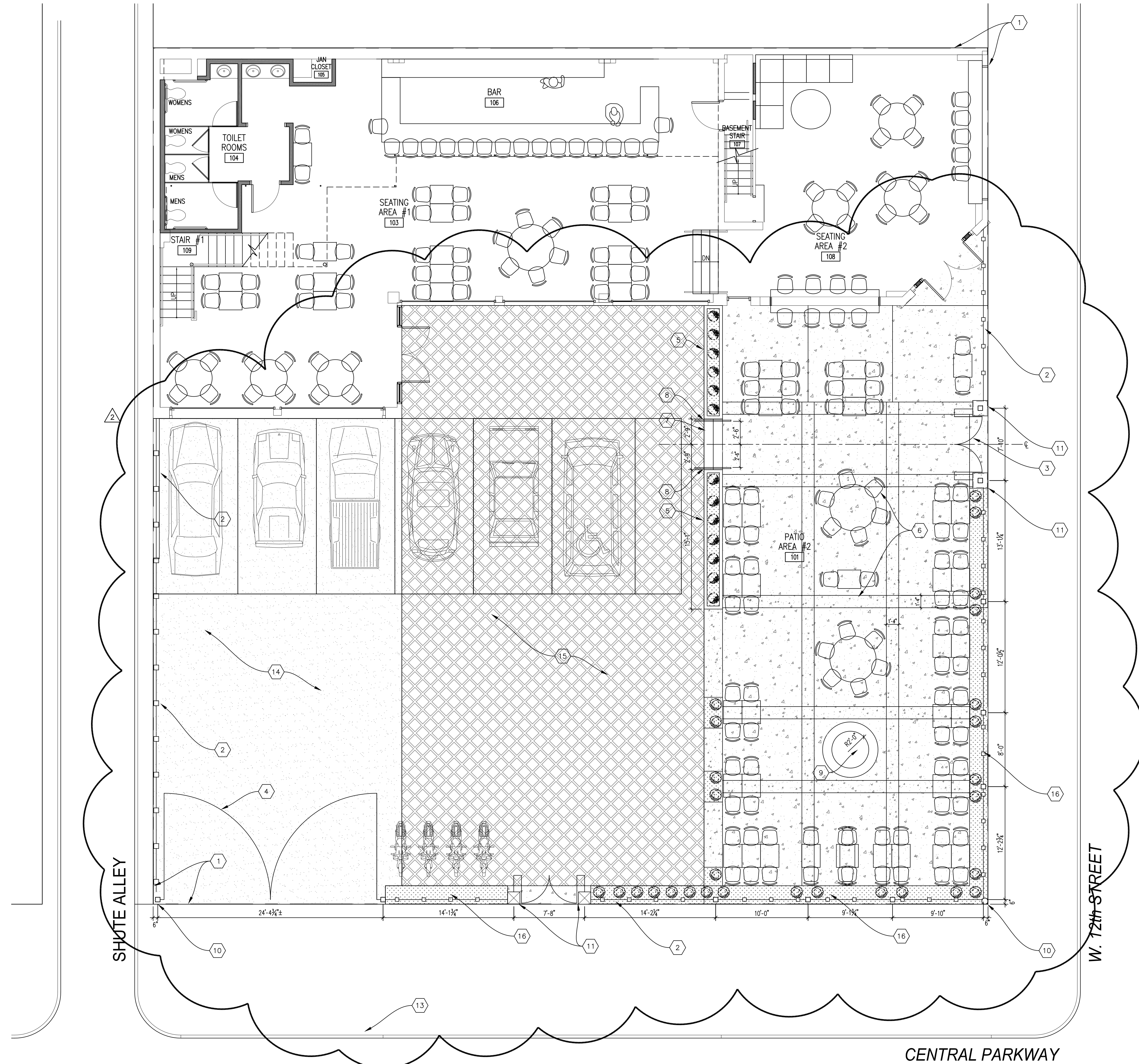
Minimum headroom requirements

RSX®	Track requirements +14" (356 mm)
RHX®	Track requirements +23 5/8" (600 mm)

Depth requirements - "A" dimension (backroom)

RMX®	Door height +4' 0" (1219 mm)
RSX®	Door height +4' 0" (1219 mm)
RHX®	Door height +4' 10" (1219 mm)

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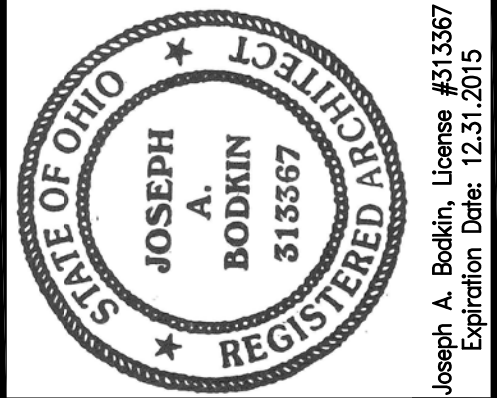


GENERAL ARCHITECTURAL SITE NOTES:

- A. OWNER TO PROVIDE SURVEY TO CONFIRM PROPERTY LINES & GRADING.
- B. ALL FURNITURE BY OWNERS.

ARCHITECTURAL SITE CONSTRUCTION NOTES:

- 1. ASSUMED PROPERTY LINE.
- 2. 6'-0" HIGH DECORATIVE METAL FENCE, TYP.
- 3. 6'-0" HIGH DECORATIVE LOCKING METAL GATES.
- 4. 6'-0" HIGH DECORATIVE LOCKING GATES. VERIFY WIDTH W/ OWNER. SUPPORT AS REQUIRED FOR LENGTH OF GATE.
- 5. RAISED PLANTER BOX
- 6. EXPOSED AGGREGATE CONCRETE
- 7. CONCRETE STEPS. MAXIMUM RISER TO BE 7", MINIMUM TREAD DEPTH TO BE 11".
- 8. METAL HANDRAIL. HEIGHT TO BE 34" MIN & 38" MAX.
- 9. GAS FIRE PIT. RUN GAS LINE TO PIT. DESIGN & MATERIAL SELECTION BY OWNER.
- 10. EXIST'G SIGN TO REMAIN.
- 11. MASONRY PIERS.
- 12. LOW CONCRETE WALL TO REMAIN.
- 13. EXISTING CURB CUT TO REMAIN.
- 14. EXISTING CONCRETE SLAB OVER LOWER AREA TO REMAIN.
- 15. TURFSTONE PAVERS
- 16. PLANTING BED



**Newbar Design Group**  
 RefUrban Architecture: Show your seat's 'im  
 129 Mary Lane  
 Cincinnati, Ohio 45217  
 513.240.1205  
 jbodkin@newbargroup.com

# Queen City Station

## Over The Rhine

222 West 12th Street  
 Cincinnati OH 45202

Project	Queen City Station	No.	Revisions	Date
	222 W 12th Street			01.10.16
Sheet Title	Cincinnati, Ohio 45202		HISTORIC REVISIONS	
	ARCHITECTURAL SITE PLAN			
	ZONING			
Project Number	2015_060	Issue Date		
Scale	AS NOTED	Drawn	Checked	

**A001**

ARCHITECTURAL SITE PLAN  
 SCALE: 3/16" = 1'-0"

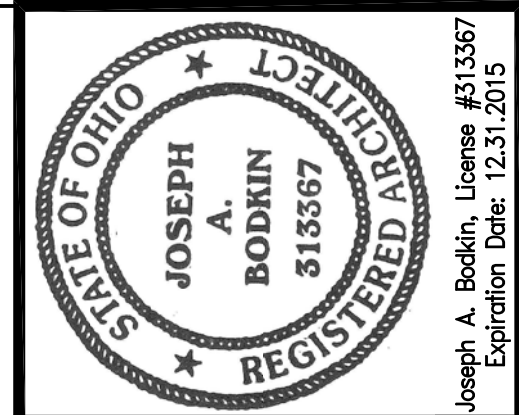
1  
 A001

**GENERAL ELEVATION NOTES:**

- A. PAINT ALL EXTERIOR WOOD. COLORS BY OWNER.
- B. GRADING SHOWN IS AN APPROXIMATE. OWNER TO VERIFY ACCORDINGLY.

**CONSTRUCTION ELEVATION NOTES:**

- 1. TUCK-POINT AS NEEDED, TYP OF ALL.
- 2. NEW ALUMINUM STOREFRONT SYSTEM. FINISH COLOR BY OWNER.
- 3. NEW ROLL UP WINDOW W/ METAL PANEL INFILL BELOW. FINISH COLOR BY OWNER.
- 4. EXST'G SIGN TO REMAIN.
- 5. NEW METAL RAIL. COLOR BY OWNER.
- 6. METAL PANEL IN MTL FRAME.
- 7. LOCKING METAL GATE WITH PANIC HARDWARE.
- 8. EXST'G FIXED WOOD GARAGE WINDOWS TO REMAIN. REPLACE EXST'G GARAGE DOORS W/ NEW ALUMINUM GARAGE DOORS. TYP OF ALL.
- 9. NEW METAL COPING. FINISH COLOR BY OWNER. TYP ON ALL.
- 10. INFILL OPN'GS WITH MASONRY.
- 11. NEW MASONRY PIERS AT GATES.
- 12. NEW HINGED METAL AUTO GATES. SUPPORT AS REQ'D FOR LENGTH OF GATE.
- 13. ATTACH WOOD TRELLIS TO EXST'G SIGN POST.
- 14. EXST'G SIGN AND FLAGPOLE TO REMAIN.



**Newbar Design Group**  
 ReUrban Architecture: Showyourscad's Inn  
 129 Mary Lane  
 Cincinnati, Ohio 45217  
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 jbodkin@newbargroup.com

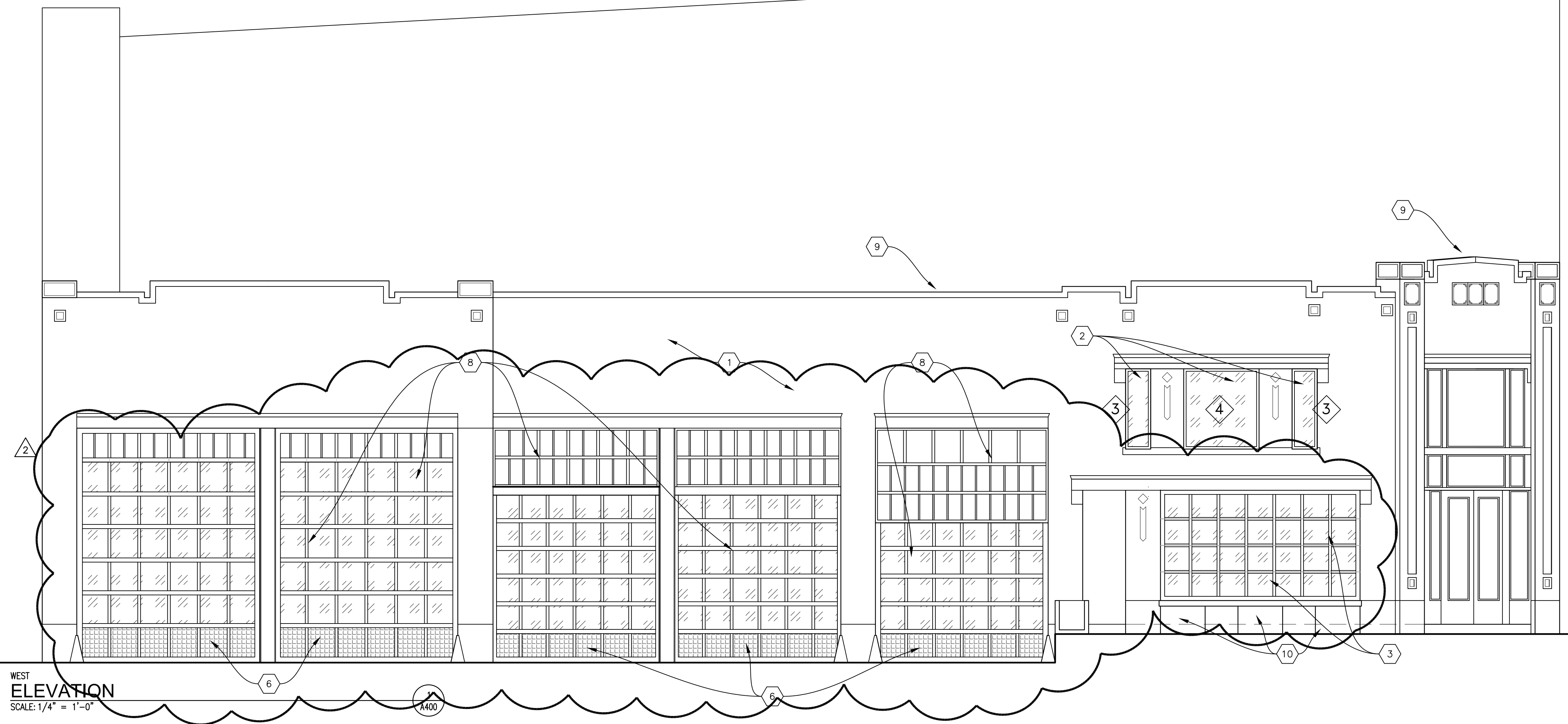
# Queen City Station

## Over The Rhine

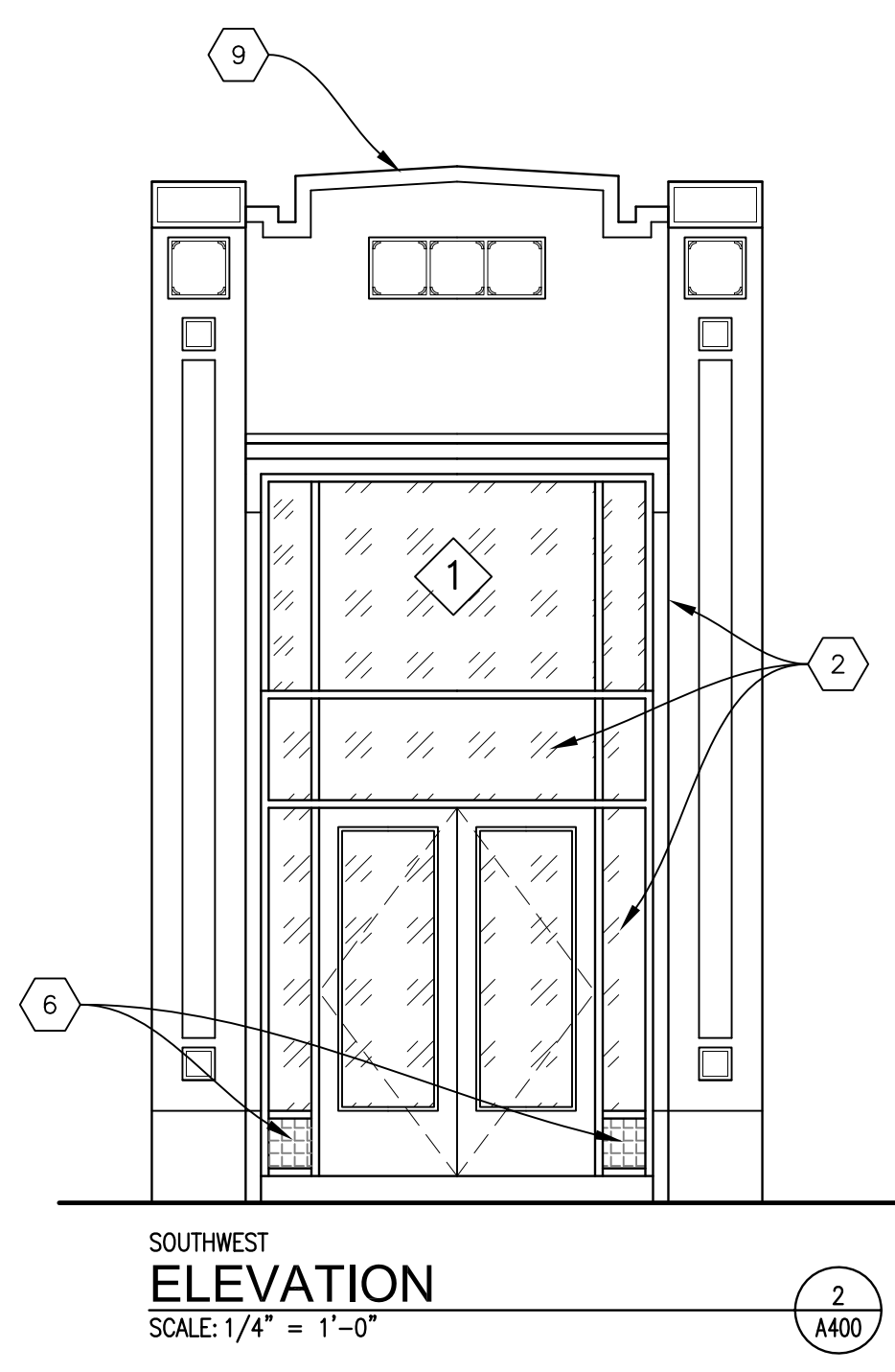
222 West 12th Street  
 Cincinnati OH 45202

Project	Revisions	Date
Queen City Station		
222 W 12th Street		
Cincinnati, Ohio 45202	EXAMINER COMMENTS	12.11.15
EXTERIOR ELEVATIONS	HISTORIC REVISIONS	01.10.16
CONSTRUCTION		
Project Number 2015_060	Issue Date	
Scale 1/8" = 1'-0"	Checked	
	CLIENT APPROVAL	01.09.16

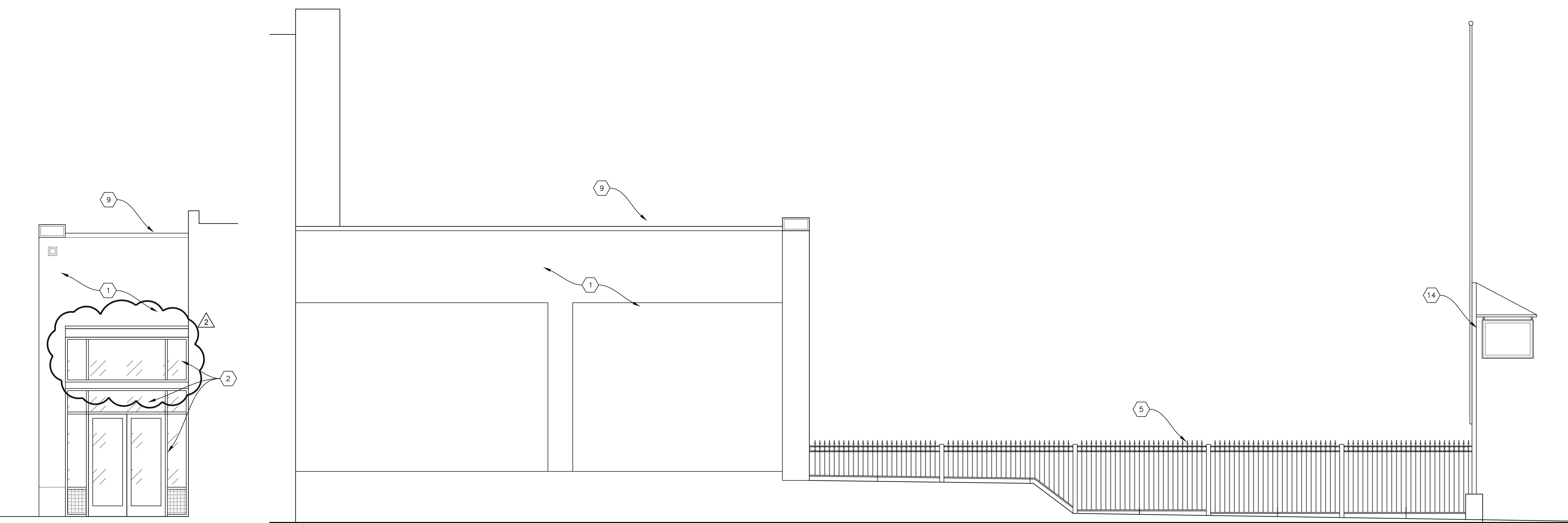
**A400**



WEST  
**ELEVATION**  
 SCALE: 1/4" = 1'-0"



SOUTHWEST  
**ELEVATION**  
 SCALE: 1/4" = 1'-0"



SOUTH  
**ELEVATION**  
 SCALE: 1/4" = 1'-0"

NORTH  
**ELEVATION**  
 SCALE: 1/4" = 1'-0"

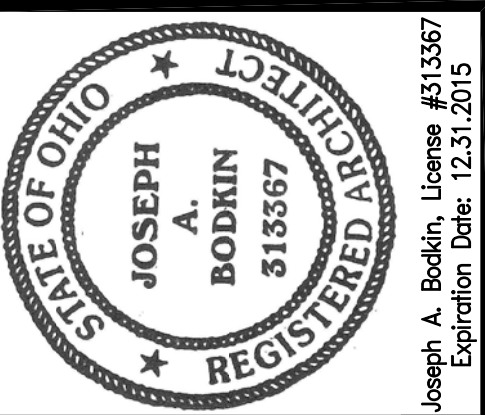
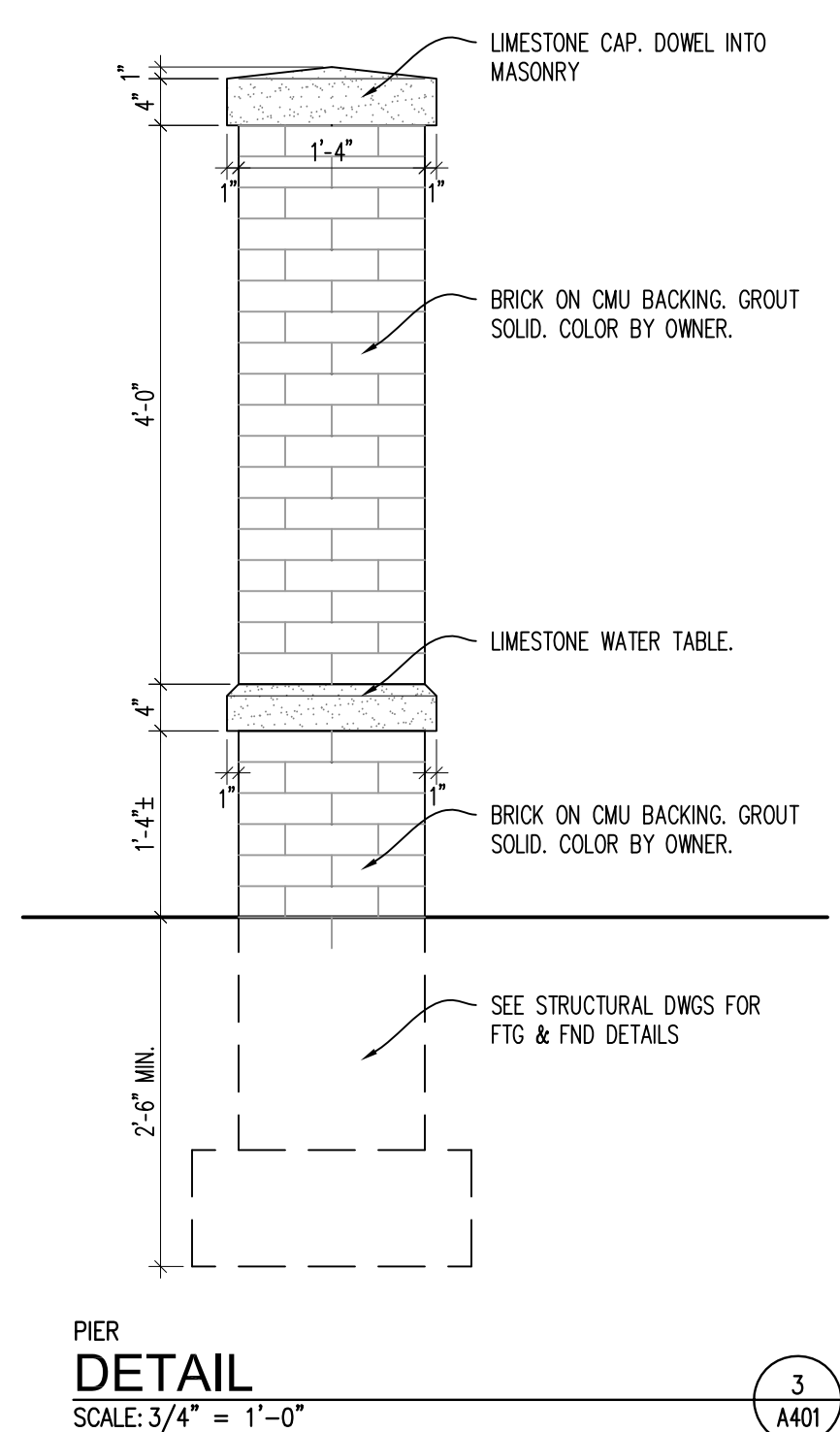
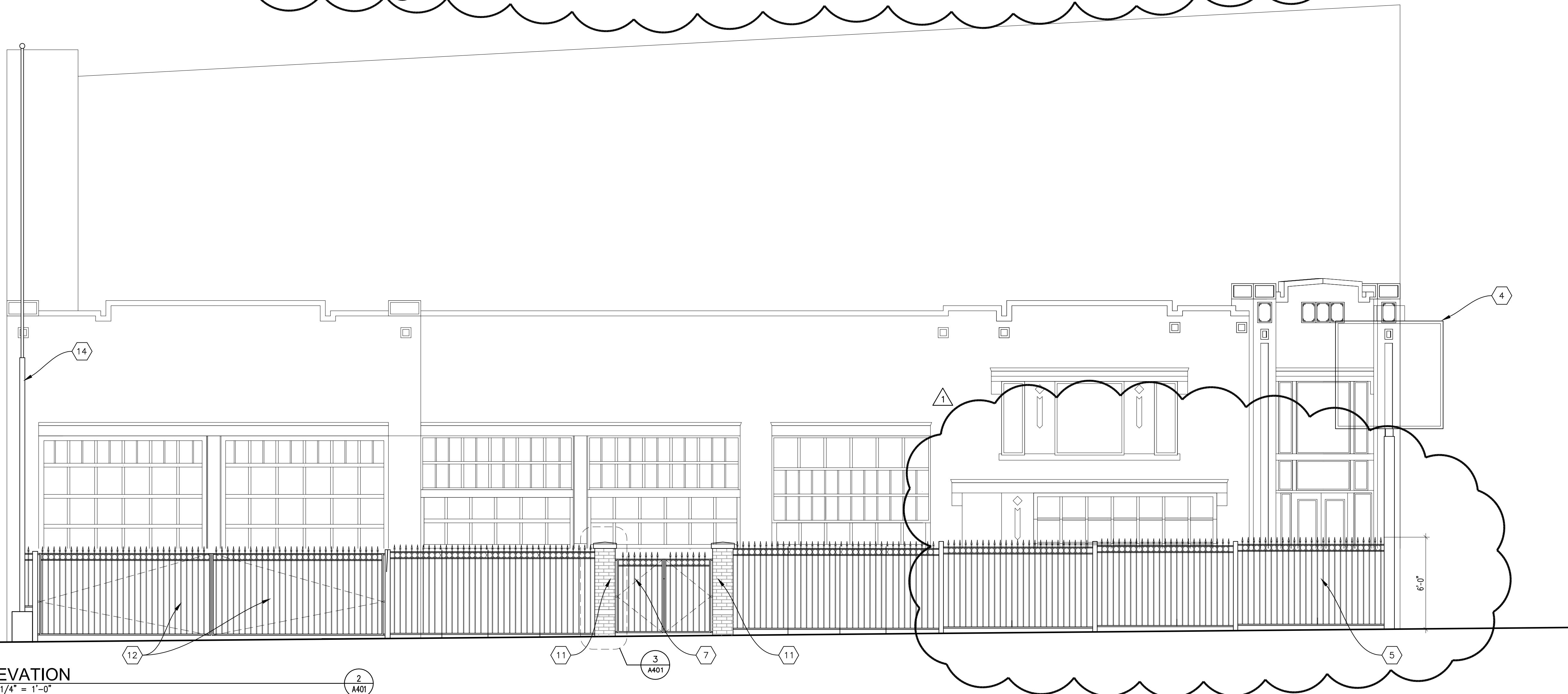
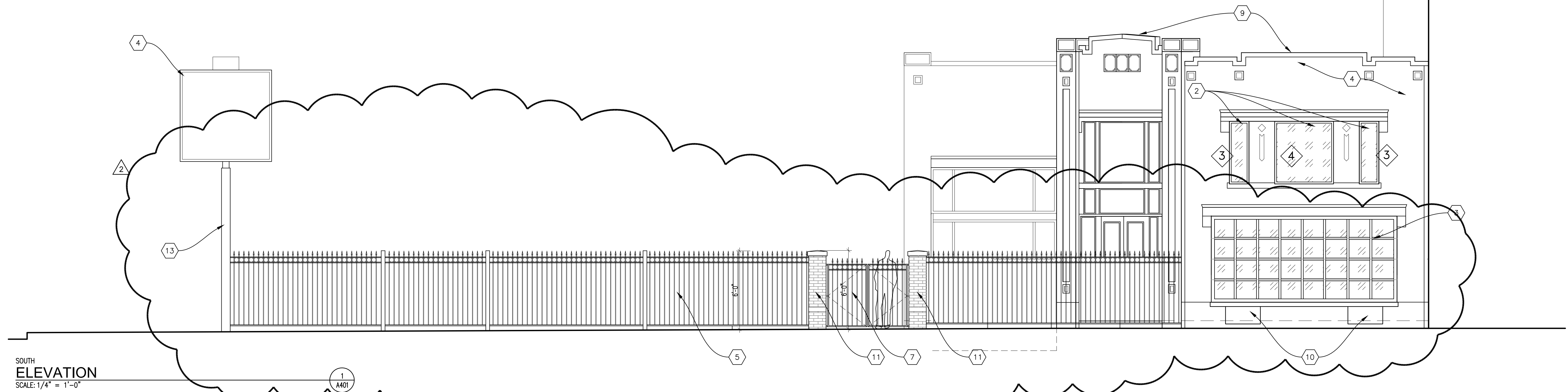
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**GENERAL ELEVATION NOTES:**

- A. PAINT ALL EXTERIOR WOOD. COLORS BY OWNER.
- B. GRADING SHOWN IS AN APPROXIMATE. OWNER TO VERIFY ACCORDINGLY.

**CONSTRUCTION ELEVATION NOTES:**

1. TUCK-POINT AS NEEDED, TYP OF ALL.
2. NEW ALUMINUM STOREFRONT SYSTEM, FINISH COLOR BY OWNER.
3. NEW ROLL UP WINDOW W/ METAL PANEL INFILL BELOW. FINISH COLOR BY OWNER.
4. EXIST'G SIGN TO REMAIN.
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10. INFILL OPN'GS WITH MASONRY.
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12. NEW HINGED METAL AUTO GATES, SUPPORT AS REQ'D FOR LENGTH OF GATE.
13. ATTACH WOOD TRELLIS TO EXIST'G SIGN POST.
14. EXIST'G SIGN AND FLAGPOLE TO REMAIN.



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# Queen City Station

## Over The Rhine

222 West 12th Street  
 Cincinnati OH 45202

Project	Revisions	No.	Date
Queen City Station	EXAMINER COMMENTS	12.11.15	
222 W 12th Street	HISTORIC REVISIONS	01.10.16	
Cincinnati, Ohio 45202			
Sheet Title	EXTERIOR ELEVATIONS		
	CONSTRUCTION		
Project Number	2015_060	Issue Date	01.09.16
Scale	1/8" = 1'-0"	Checked	
		CLIENT APPROVAL	

**A401**

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# Newbar Design Group

ReURBAN ARCHITECTURE: *"Don't be afraid to show your scars"*™

January 11, 2016

BP 2015P08097

PROJECT LOCATION: 222 W 12<sup>TH</sup> STREET – DRINKING ESTABLISHMENT

Mr. Michael Burson  
Historic Conservation Board  
City Planning Division  
2 Centennial Plaza, Suite 700  
805 Central Avenue  
Cincinnati, Ohio 45202

Re: 222 West 12th Street  
Queen City Radio

Dear Mr. Burson:

The subject property, "The Queen City Radio Building," is located at the Northeast corner of West 12th Street and Central Parkway. The lot is approximately 90-feet by 90-feet. Constructed in 1919, the main building facade is situated facing Central Parkway to the west, with approximately 25-feet of building frontage along West 12th Street. The Eastern wall of the building abuts an adjacent building, the Northern wall runs along Shute Alley.

Among known uses, the building was previously used as a gas station, service station and car radio installation facility. Applicant has completed the removal and remediation of previously existing underground storage tanks that were left onsite. Applicant plans to convert this vacant building into a drinking establishment with an outdoor beer garden. The interior space will keep the industrial feel and will house the main bar, seating, toilets, storage etc. The outdoor beer garden is designed to take advantage of the western exposure and is designed to soften the corner of West 12th & Central Parkway.

Applicant plans to completely renovate the existing structure and exterior grounds. The project consists of replacing the existing casement and fixed metal windows with new aluminum storefront windows, replace existing garage doors with new aluminum garage doors, new aluminum entry and storefront where the existing building office entrance is off of West 12th street. The existing concrete block in the south wall of the garage building will be removed and a new aluminum entry and storefront system will be installed. The beer garden design incorporates a ground surface will be a combination of exposed aggregate concrete and permeable pavers. Due to structural conditions in the basement, the north part of the parking lot will remain the existing concrete which is over the basement. The beer garden will be enclosed with a 6-foot high decorative metal fence and masonry piers at the entry gates. A planting buffer will be provided around portions of the fence. The main entry will be off of Central Parkway. A decorative metal gate will be installed at the northwest corner for parking, deliveries and trash access.

In order to renovate and repurpose the building as a drinking establishment and beer garden patio, the Applicant is requesting the Historic Conservation Board to authorize variances as permitted by the Cincinnati Zoning Code. The variance requested would consist of a parking variance for the Three (3) parking spaces. The authorization of this variance will allow Applicant to use the property in a like manner as other properties in the neighborhood (many if not most of the other properties in the neighborhood do not have off street parking). The variance will also allow Applicant to execute its plan for providing outdoor landscaped patio space at the facility, thereby enhancing the

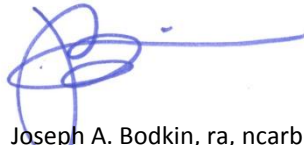
overall patron experience as well as adding a much improved level of vibrancy and aesthetic improvement to the neighborhood streetscape at this OTR district edge property.

Moreover, the Applicant received a comments letter from the City's Department of Transportation and Engineering (attached) that states that the Applicant will need to restore curb cuts along both 12th Street and Central Parkway. This would further impede automobile access to the site and impede the plans for the beer garden. The existence of the Central Parkway Protected Bike Lane along the Western perimeter of the lot, as well as parking spaces along Central Parkway, is an added barrier to any automobile access, thereby further limiting the Applicant's ability to provide the required number of parking spaces.

With this stated, on-street parking is available around the site and the Towne Center Garage facility located at 1251 Central Parkway is approximately 200-feet across the street. Besides this garage there are multiple other parking lots that are within 600 feet of this proposed project and can provide ample parking to their patrons. In addition, the streetcar runs within 600 feet of the Queen City Radio site. See attached area plan. The authorization of this variance will allow for the renovation of this vacant and blighted building, which will improve the safety and appearance of the neighborhood, and, most importantly, will allow for a development and use which will add to the value and revitalization of the adjacent properties, as well as the Over-the-Rhine neighborhood as a whole.

This request complies with the governing standards set forth for granting variances in section 1445-15 of the City Zoning Code. Moreover, the proposed development will be consistent with the purposes of the code and district, will not diminish or impair the value of the property or the health, safety and general welfare of the neighborhood. In addition, the development will not have an adverse effect on the neighborhood and will be compatible with the use and development of neighboring property and Over the Rhine.

Sincerely,



Joseph A. Bodkin, ra, ncarb  
Newbar Design Group, LLC

#### **VARIANCE REQUEST:**

Applicant is requesting a numerical variance for the number of parking spaces on the subject property. Per section 1425-19, off-street parking must meet the following requirements for commercial uses: eating and drinking establishment uses must have 1 space for every 150 square feet. This project will consist of 2440 usable square feet space, which, pursuant to the aforementioned formula, would require 17 spaces. Zoning has agreed to a 50% reduction for off-season parking which would reduce the parking to 9 spaces. We have reconfigured the site to accommodate 6 parking spaces.

Due to the ample parking in the vicinity of this site, the Applicant is requesting the remaining 3 spaces required for this project be waived.

#### **VARIANCE: PUBLIC INTEREST STANDARDS**

Pursuant to section 1445-13, certain factors indicate whether the proposed variance is in the Public Interest:

- a. **Zoning:** The proposed work conforms to the underlying zone district regulations and is in harmony with the general purposes and intent of the Cincinnati Zoning Code or the Land Development Code, as applicable.
  - i. *The Proposed Occupancy is permitted in the CC-A zoning district.*
- b. **Guidelines:** The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.
  - i. *The proposed use conforms to the guidelines for the district.*
- c. **Plans:** *The proposed work conforms to a comprehensive plan, any applicable urban design or other plan officially adopted by Council, and any applicable community plan approved by the City Planning Commission.*
  - i. *The project conforms to the Over-the-Rhine Comprehensive Plan.*
- d. **Traffic:** Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not overload the adjacent streets and the internal circulation system is properly designed.
  - i. *The proposed renovation of this building will not adversely affect traffic.*
  - ii. *There is public parking available within 600 feet of the business in the Washington Park and Towne Center garages. The streetcar is also within 600 feet. The property is fronting Central Parkway, which is more than capable of handling the traffic flow. Moreover, it is anticipated that many of the patrons will arrive on foot or via bicycle, as the property is (1) located along the*

*Central Parkway Protected Bike Lane, (2) one block from Washington Park and (3) the streetcar, and (4) located within the highly walkable Over-the-Rhine neighborhood.*

- e. **Buffering:** Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.
  - i. *We do not anticipate any issues with light and noise on the adjacent properties.*
- f. **Landscaping:** Landscaping meets the requirements of [Chapter 1423](#), Landscaping and Buffer Yards.
  - i. *Landscaping and decorative metal fencing will be provided between the patio and the sidewalk.*
- g. **Hours of Operation:** Operating hours are compatible with adjacent land uses.
  - i. *The operating hours will be consistent with surrounding developments.*
- h. **Neighborhood Compatibility:** The proposed work is compatible with the predominant or prevailing land use, building and structure patterns of the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood.
  - i. *The proposed development is consistent with adjacent land uses.*
  - ii. *The existing area contains numerous other eating and drinking establishments. Moreover, restoring and returning a once blighted and prominent corner structure and lot to a new and vibrant use will provide a net positive benefit for the neighborhood.*
- i. **Proposed Zoning Amendments:** The proposed work is consistent with any proposed amendment to the zoning code under consideration by the City Planning Commission or Council.
  - i. *There are no proposed amendments under consideration of which Applicant is aware that would impact this proposed project.*
- j. **Adverse Effects:** Any adverse effect on the access to the property by fire, police, or other public services; access to light and air from adjoining properties; traffic conditions; or the development, usefulness or value of neighboring land and buildings.
  - i. *There are no serious adverse impacts anticipated for the proposed use.*
- k. **Blight:** The elimination or avoidance of blight.
  - i. *Restoring and retrofitting a vacant building into a new and improved current use will eliminate blight. As will the environmental remediation of the underground storage tanks which previously existed on the site.*
- l. **Economic Benefits:** The promotion of the Cincinnati economy.
  - i. *This project will return a vacant and dormant structure to the city tax rolls, employ residents and bring more tax revenue into the City's economy.*
- m. **Job Creation:** The creation of jobs both permanently and during construction.
  - i. *Jobs will be created during construction/renovation as well as by the future business to be located on the site.*
- n. **Tax Valuation:** Any increase in the real property tax duplicate.

- i. *The new structure will increase the taxable value of the property.*
- o. **Private Benefits:** The economic and other private benefits to the owner or applicant.
  - i. *The owner will have an economic benefit to the proposed use.*
- p. **Public Benefits:** The public peace, health, safety or general welfare.
  - i. *There is no measurable detriment to public peace, health, safety or welfare as a result of this proposed project. To the contrary, a blighted eyesore of a building will be restored and enhanced, put back into a new use, creating jobs and increasing tax revenue, while also beautifying a long neglected gateway corner entrance to the neighborhood.*

To meet the standard outlined in Cincinnati Municipal Code section 1445-15, an applicant must show:

a. Neither the owner nor any of its predecessors caused the conditions requiring the variance. *The building was originally constructed as a service/gas station. The outside area was for filling pumps and access to the service bays. Applicant's proposed use is not as a gas station, but as a landscaped beer garden and bar. All gas pumps and tanks have been removed, and the former service bays will house additional seating, rest rooms and the bar. The reasons for the variance stem from a change in use rather than any actions of the owner or its predecessor(s).*

b. How the project meets either of the following conditions:

(i) Special circumstances or conditions pertaining to the property cause the strict application of the zoning code to be unreasonable and result in practical difficulties. *If the off-street parking requirements were to be enforced, Applicant's proposed plans for using the outdoor space as a landscaped patio and seating area would be eviscerated. The precise nature of the Western facing patio provides a unique and site-specific resource that few other locations can match, and was one of the driving factors in the acquisition and development of this property and business plan. Moreover, as set forth in comments by the City's Department of Transportation and Engineering, "The three curb cuts that are no longer usable by traffic to access parking area must be removed and full height curb and sidewalk must be constructed." Because the curb cuts are to be eliminated, access to the site (and any off-street parking that, absent the requested variance, would be required) is essentially eliminated.*

(ii) Or a variance is necessary for the preservation and enjoyment of a substantial property right of the Applicant possessed by owners of other properties in the same district or vicinity. *Numerous other commercial properties in Over-the-Rhine exist without off-street parking, particularly eating and drinking establishments. The innate appeal of the neighborhood is as a dense, historic and walkable locale. Seas of parking lots and distant setbacks are incongruous with the longstanding appeal and historic nature of the neighborhood.*

## APPLICATION FOR ZONING RELIEF

**1. SUBJECT PROPERTY**

ADDRESS 222 W 12th Street, Cincinnati, OH 45202

AUDITOR'S PARCEL ID(S) 081-0003-0076-00

BASE ZONING CLASSIFICATION CC-A

ZONING OVERLAY (if applicable) OTR Historic

**2. APPLICANT**

NAME Newbar Design Group LLC CONTACT PERSON (if legal entity) Joe Bodkin

ADDRESS 129 Mary Lane, Cincinnati Ohio 45217

EMAIL jbodkin@newbargroup.com

TELEPHONE 513.240.1205

RELATIONSHIP TO OWNER Architect

**3. OWNER**

NAME Queen City Station, LLC CONTACT PERSON (if legal entity) Joe Bodkin

ADDRESS 1304 Broadway Street Suite 2

EMAIL QCRBar@gmail.com

TELEPHONE 513.616.1191

**4. NATURE OF RELIEF REQUESTED** (select all that apply)

- Variance  
  Use Variance  
  Special Exception  
  Conditional Use  
  Use Permit  
 Expansion or Substitution of Nonconforming Use  
  Hillside Overlay District Permission  
 Urban Design Overlay District Permission  
  DD District Phased Development Approval

**5. BRIEF DESCRIPTION OF RELIEF REQUESTED** (You may attach a statement to this application if the space provided is insufficient)

Owner is seeking a variance to eliminate the required on-site parking for this project.

**6. SUMMARY OF REASONS WHY RELIEF SHOULD BE GRANTED.** You must provide a written statement explaining how your project meets the standards for all relief requested. Separate instruction forms for preparing this statement are provided. If you fail to follow the instructions for requesting a variance, use variance, special exception, conditional use, use permit, certificate of appropriateness, expansion or substitution of nonconforming use, hillside overlay district permission, urban design overlay district permission, and/or DD district phased development approval, your application may be denied.

**7. SIGNATURE.** The undersigned does hereby certify that the information provided in connection with this application is, to the best of his or her knowledge, true and correct.

Print Name Joe Bodkin

Signature 

Date 01/04/16

# APPLICATION



# CERTIFICATE OF APPROPRIATENESS

APPLICATION BUILDING ADDRESS: 222 W 12th

DISTRICT NAME: OTR  
(if applicable)

OWNER NAME: Queen City Station LLC

ADDRESS: 1304 Broadway St #2 Cntc OH 45202

EMAIL: urbanexpansion@yahoo.com

CONTRACTOR NAME: CAR. DBA URBAN EXPANSION

ADDRESS: 1304 Broadway #2 Cntc OH 45202

EMAIL: urbanexpansion@yahoo.com

ARCHITECT NAME: Newbar Design Group Joe Bodkin

ADDRESS: 129 Mary Lane Cntc OH 45217

EMAIL: jbodkin@newbargroup.com

HCB USE ONLY	
DATE RECEIVED BY HCB:	_____
PERMIT/APD NO:	_____
APP. COMPLETION DATE:	_____

PHONE NO: 513.616.1191

PHONE NO: 513.616.1191

PHONE NO: 513.240.1205

IT IS YOUR RESPONSIBILITY TO NOTIFY THE URBAN CONSERVATOR IF ANY OF THIS INFORMATION CHANGES DURING THE PENDING REVIEW OF YOUR

WORK PROPOSED: (Describe type of work, existing conditions, and methods to be used, materials proposed)

HCB USE ONLY	
<input type="checkbox"/>	MINOR ALTERATION
<input type="checkbox"/>	NEW CONSTRUCTION
<input type="checkbox"/>	ADDITION
<input type="checkbox"/>	DEMOLITION
<input type="checkbox"/>	REHABILITATION
<input type="checkbox"/>	OTHER _____

RENOVATE AUTO SHOP INTO DRINKERY. EXTERIOR WORK INCLUDES: NEW ALUMINUM STOREFRONT WINDOWS IN EXISTING OPENINGS, REPLACE EXISTING GARAGE DOORS WITH NEW ALUMINUM GARAGE DOORS. INSTALL NEW ROLL UP WINDOWS IN EXISTING OPENINGS. REGRADE EXTERIOR SURFACE FOR OUTDOOR SEATING, NEW WOOD TRELLIS, NEW

6'-0" WISH METAL DECORATIVE FENCE & GATES

IN ORDER TO EXPEDITE HCB ACTION, PLEASE ATTACH ADDITIONAL INFORMATION, IF AVAILABLE, AS MAY BE APPROPRIATE. LIST ANY INFORMATION ATTACHED: (Elevations, site plans, specifications, photos, material samples, additional drawings or written matter)

ENCL: WINDOW & GARAGE DOOR LITERATURE. FENCE PLAN. PLANS

ANGIE PLEASE CALL IF YOU HAVE ANY QUESTIONS  
THANKS Joe Bodkin

Attach a letter explaining the justification for the issuance of the desired Certificate of Appropriateness. Be advised that the burden of proof is on the applicant.

# Newbar Design Group

ReURBAN ARCHITECTURE: *"Don't be afraid to show your scars"*™

February 11, 2016

BP 2015P08097

PROJECT LOCATION: 222 W 12<sup>TH</sup> STREET – DRINKING ESTABLISHMENT

Mr. Michael Burson  
Historic Conservation Board  
City Planning Division  
2 Centennial Plaza, Suite 700  
805 Central Avenue  
Cincinnati, Ohio 45202

Re: 222 West 12th Street  
Queen City Radio

Dear Mr. Burson:

The subject property, "The Queen City Radio Building," is located at the Northeast corner of West 12th Street and Central Parkway. The lot is approximately 90-feet by 90-feet. Constructed in 1919, the main building facade is situated facing Central Parkway to the west, with approximately 25-feet of building frontage along West 12th Street. The Eastern wall of the building abuts an adjacent building, the Northern wall runs along Shute Alley.

Among known uses, the building was previously used as a gas station, service station and car radio installation facility. Applicant has completed the removal and remediation of previously existing underground storage tanks that were left onsite. Applicant plans to convert this vacant building into a drinking establishment with an outdoor beer garden. The interior space will keep the industrial feel and will house the main bar, seating, toilets, storage etc. The outdoor beer garden is designed to take advantage of the western exposure and is designed to soften the corner of West 12th & Central Parkway.

Applicant plans to completely renovate the existing structure and exterior grounds. The project consists of replacing the existing casement and fixed metal windows with new aluminum storefront windows, replace existing garage doors with new aluminum garage doors, new aluminum entry and storefront where the existing building office entrance is off of West 12th street. The existing concrete block in the south wall of the garage building will be removed and a new aluminum entry and storefront system will be installed. The beer garden design incorporates a ground surface will be a combination of exposed aggregate concrete and permeable pavers. Due to structural conditions in the basement, the north part of the parking lot will remain the existing concrete which is over the basement. The beer garden will be enclosed with a 6-foot high decorative metal fence and masonry piers at the entry gates. A planting buffer will be provided around portions of the fence. The main entry will be off of Central Parkway. A decorative metal gate will be installed at the northwest corner for parking, deliveries and trash access.

In order to renovate and repurpose the building as a drinking establishment and beer garden patio, the Applicant is requesting the Historic Conservation Board to authorize variances as permitted by the Cincinnati Zoning Code. The variance requested consists of a parking variance for Five (5) of the Seventeen (17) required parking spaces. The authorization of this variance will allow Applicant to use the property in a like manner as other properties in the neighborhood (many other properties in the neighborhood do not have off street parking). The variance will also allow Applicant to execute its plan for providing outdoor landscaped patio space at the facility, thereby enhancing

the overall patron experience as well as adding a much improved level of vibrancy and aesthetic improvement to the neighborhood streetscape at this OTR district edge property.

Applicant received a comments letter from the City's Department of Transportation and Engineering (attached) that states that the Applicant will need to restore three curb cuts along both 12th Street and Central Parkway. This would further impede automobile access to the site and impede the plans for the beer garden. The existence of the Central Parkway Protected Bike Lane along the Western perimeter of the lot, as well as parking spaces along Central Parkway, is an added barrier to any automobile access, thereby further limiting the Applicant's ability to provide the required number of parking spaces. The elimination of the three curb cuts will allow three additional city parking meters to be added to West 12<sup>th</sup> street. While this has no impact on the applicants required on-site parking, it is incidentally adding three additional revenue producing meters for the city.

With this stated, on-street parking is available around the site and the Towne Center Garage facility located at 1251 Central Parkway is approximately 200-feet across the street. Besides this garage there are multiple other parking lots that are within 600 feet of this proposed project and can provide ample parking to their patrons. In addition, the streetcar runs within 600 feet of the Queen City Radio site. See attached area plan. The authorization of this variance will allow for the renovation of this vacant and blighted building, which will improve the safety and appearance of the neighborhood, and, most importantly, will allow for a development and use which will add to the value and revitalization of the adjacent properties, as well as the Over-the-Rhine neighborhood as a whole.

This request complies with the governing standards set forth for granting variances in section 1445-15 of the City Zoning Code. Moreover, the proposed development will be consistent with the purposes of the code and district, will not diminish or impair the value of the property or the health, safety and general welfare of the neighborhood. In addition, the development will not have an adverse effect on the neighborhood and will be compatible with the use and development of neighboring property and Over the Rhine.

Sincerely,



Joseph A. Bodkin, ra, ncarb  
Newbar Design Group, LLC

#### **VARIANCE REQUEST:**

Applicant is requesting a numerical variance for the number of parking spaces on the subject property. Per section 1425-19, off-street parking must meet the following requirements for commercial uses: eating and drinking establishment uses must have 1 space for every 150 square feet. This project will consist of 5250 usable square feet space both inside (3515sf) and outside (1735sf), which, pursuant to the aforementioned formula, would require 35 spaces. Zoning has agreed to a 50% reduction which they would then require 17 parking spaces. Working with zoning and traffic engineering, the decision was made to provide “on site” valet parking so that on-site parking could be maximized. This approach allows the applicant to park 12 cars on the property without backing out into Central Parkway traffic.

Due to the ample parking in the vicinity of this site (see attached parking diagram) and three city added metered parking spaces, the Applicant is requesting the remaining 5 spaces required for this project be waived.

#### **VARIANCE: PUBLIC INTEREST STANDARDS**

Pursuant to section 1445-13, certain factors indicate whether the proposed variance is in the Public Interest:

- a. **Zoning:** The proposed work conforms to the underlying zone district regulations and is in harmony with the general purposes and intent of the Cincinnati Zoning Code or the Land Development Code, as applicable.
  - i. *The Proposed Occupancy is permitted in the CC-A zoning district.*
- b. **Guidelines:** The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.
  - i. *The proposed use conforms to the guidelines for the district.*
- c. **Plans:** *The proposed work conforms to a comprehensive plan, any applicable urban design or other plan officially adopted by Council, and any applicable community plan approved by the City Planning Commission.*
  - i. *The project conforms to the Over-the-Rhine Comprehensive Plan.*
- d. **Traffic:** Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not overload the adjacent streets and the internal circulation system is properly designed.
  - i. *The proposed renovation of this building will not adversely affect traffic.*
  - ii. *There is public parking available within 600 feet of the business in the Washington Park and Towne Center garages. The streetcar is also within 600 feet. The property is fronting Central Parkway, which is more than capable of handling the traffic flow. Moreover, it is anticipated that many of the patrons will arrive on foot or via bicycle, as the property is (1) located along the Central Parkway Protected Bike Lane, (2) one block from Washington Park and (3) the streetcar, and (4) located within the highly walkable Over-the-Rhine neighborhood.*

- e. **Buffering:** Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.
  - i. *We do not anticipate any issues with light and noise on the adjacent properties.*
- f. **Landscaping:** Landscaping meets the requirements of [Chapter 1423](#), Landscaping and Buffer Yards.
  - i. *Landscaping and decorative metal fencing will be provided between the patio and the sidewalk.*
- g. **Hours of Operation:** Operating hours are compatible with adjacent land uses.
  - i. *The operating hours will be consistent with surrounding developments.*
- h. **Neighborhood Compatibility:** The proposed work is compatible with the predominant or prevailing land use, building and structure patterns of the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood.
  - i. *The proposed development is consistent with adjacent land uses.*
  - ii. *The existing area contains numerous other eating and drinking establishments. Moreover, restoring and returning a once blighted and prominent corner structure and lot to a new and vibrant use will provide a net positive benefit for the neighborhood.*
- i. **Proposed Zoning Amendments:** The proposed work is consistent with any proposed amendment to the zoning code under consideration by the City Planning Commission or Council.
  - i. *There are no proposed amendments under consideration of which Applicant is aware that would impact this proposed project.*
- j. **Adverse Effects:** Any adverse effect on the access to the property by fire, police, or other public services; access to light and air from adjoining properties; traffic conditions; or the development, usefulness or value of neighboring land and buildings.
  - i. *There are no serious adverse impacts anticipated for the proposed use.*
- k. **Blight:** The elimination or avoidance of blight.
  - i. *Restoring and retrofitting a vacant building into a new and improved current use will eliminate blight. As will the environmental remediation of the underground storage tanks which previously existed on the site.*
- l. **Economic Benefits:** The promotion of the Cincinnati economy.
  - i. *This project will return a vacant and dormant structure to the city tax rolls, employ residents and bring more tax revenue into the City's economy.*
- m. **Job Creation:** The creation of jobs both permanently and during construction.
  - i. *Jobs will be created during construction/renovation as well as by the future business to be located on the site.*
- n. **Tax Valuation:** Any increase in the real property tax duplicate.
  - i. *The new structure will increase the taxable value of the property.*
- o. **Private Benefits:** The economic and other private benefits to the owner or applicant.

- i. *The owner will have an economic benefit to the proposed use.*
- p. **Public Benefits:** The public peace, health, safety or general welfare.
  - i. *There is no measurable detriment to public peace, health, safety or welfare as a result of this proposed project. To the contrary, a blighted eyesore of a building will be restored and enhanced, put back into a new use, creating jobs and increasing tax revenue, while also beautifying a long neglected gateway corner entrance to the neighborhood.*

To meet the standard outlined in Cincinnati Municipal Code section 1445-15, an applicant must show:

a. Neither the owner nor any of its predecessors caused the conditions requiring the variance. *The building was originally constructed as a service/gas station. The outside area was for filling pumps and access to the service bays. Applicant's proposed use is not as a gas station, but as a landscaped beer garden and bar. All gas pumps and tanks have been removed, and the former service bays will house additional seating, rest rooms and the bar. The reasons for the variance stem from a change in use rather than any actions of the owner or its predecessor(s).*

b. How the project meets either of the following conditions:

(i) Special circumstances or conditions pertaining to the property cause the strict application of the zoning code to be unreasonable and result in practical difficulties. *If the off-street parking requirements were to be enforced, Applicant's proposed plans for using the outdoor space as a landscaped patio and seating area would be eviscerated. The precise nature of the Western facing patio provides a unique and site-specific resource that few other locations can match, and was one of the driving factors in the acquisition and development of this property and business plan. Moreover, as set forth in comments by the City's Department of Transportation and Engineering, "The three curb cuts that are no longer usable by traffic to access parking area must be removed and full height curb and sidewalk must be constructed." Because the curb cuts are to be eliminated, access to the site (and any off-street parking that, absent the requested variance, would be required) is essentially eliminated.*

(ii) Or a variance is necessary for the preservation and enjoyment of a substantial property right of the Applicant possessed by owners of other properties in the same district or vicinity. *Numerous other commercial properties in Over-the-Rhine exist without off-street parking, particularly eating and drinking establishments. The innate appeal of the neighborhood is as a dense, historic and walkable locale. Seas of parking lots and distant setbacks are incongruous with the longstanding appeal and historic nature of the neighborhood.*




## Online Property Access

**Parcel ID** 081-0003-0076-00      **Address** 222 W TWELFTH ST      **Index Order** Parcel Number      **Tax Year** 2015 Payable 2016

**I Want To...**

Start a New Search  
Email the Auditor  
View the Online Help  
Auditor's Home

**Property Information**

<b>Tax District</b> 001 - CINTI CORP-CINTI CSD		<b>Images/Sketches</b> 	
<b>Appraisal Area</b> 01800 - OVER THE RHINE	<b>Land Use</b> 455 - COMMERCIAL GARAGE		
<b>Owner Name and Address</b> QUEEN CITY STATION LLC 1304 BROADWAY #2 CINCINNATI OH 45202 (call 946-4015 if incorrect)	<b>Mailing Name and Address</b> QUEEN CITY STATION LLC 1304 BROADWAY #2 CINCINNATI OH 45202 (call 946-4800 if incorrect)		
<b>Assessed Value</b> 43,630	<b>Effective Tax Rate</b> 87.643979	<b>Total Tax</b> \$3,877.72	
<b>Property Description</b> NEC 12TH & CENTRAL PKWY 90x92.25 LOT 17 PT 18 PATTERSON&GRANT SUB PAR 76-77-78 CONS - TIF ABATEMENT			

**Appraisal/Sales Summary**

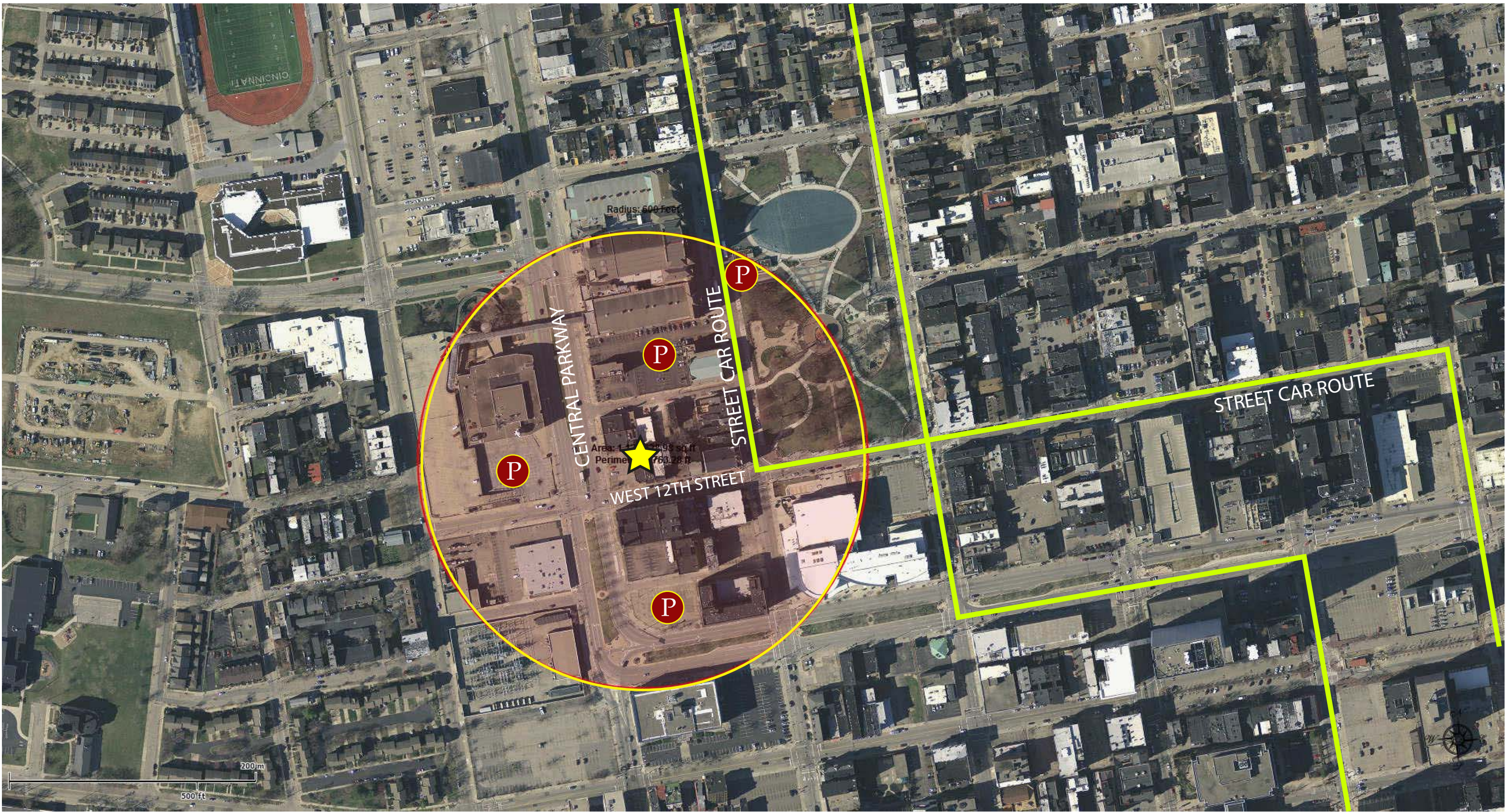
Year Built	1919
Total Rooms	0
# Bedrooms	0
# Full Bathrooms	0
# Half Bathrooms	0
Last Sale Date	6/10/2015
Last Sale Amount	\$300,000
Conveyance Number	87013
Deed Type	FD - Fiduciary Deed (Conv)
Deed Number	347119
# of Parcels Sold	1
New Construction	No
Acreage	0.190
Front Footage	275.00

**Tax/Credit/Value Summary**

Board of Revision	No
Rental Registration	No
Homestead	No
Owner Occupancy Credit	No
Foreclosure	No
Special Assessments	Yes
Market Land Value	79,400
CAUV Value	0
Market Improvement Value	45,260
Market Total Value	124,660
<b>TIF Value</b>	0
<b>Abated Value</b>	0
<b>Exempt Value</b>	0
<b>Taxes Paid</b>	\$0.00
Tax as % of Total Value	0.000%

**Notes**

1) 11-30-04 30 YEAR TIF ABATEMENT BEGAN 2003 THRU 2032



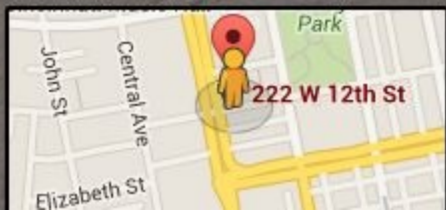
230 W 12th St

Cincinnati, Ohio

Street View - Aug 2015

QUEEN CITY RADIO  
WE FINANCE

222 W. 12th Street



Google



US-127

Cincinnati, Ohio

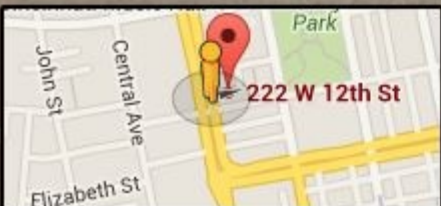
Street View - Aug 2015

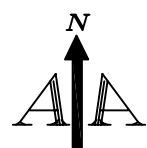
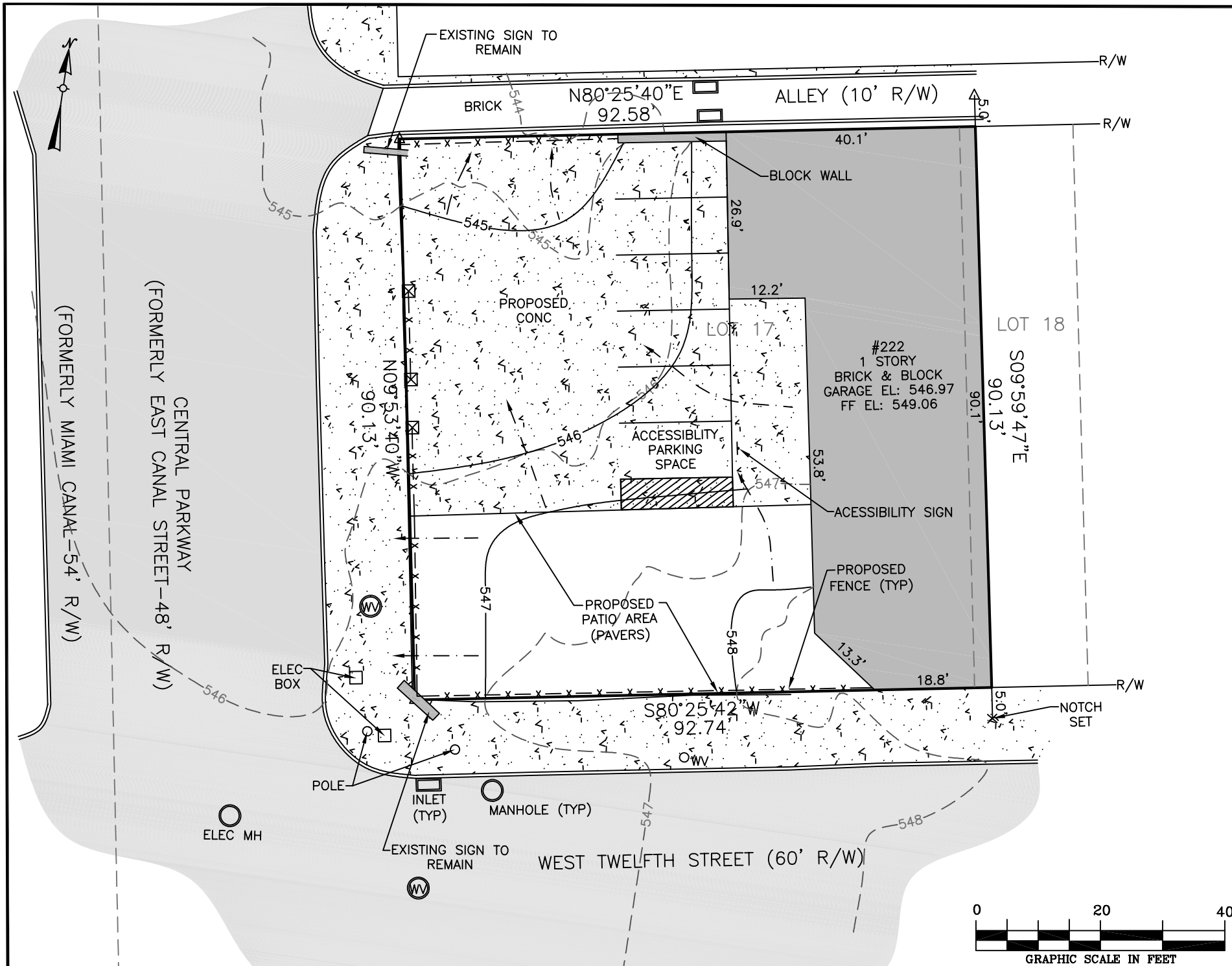
SIGN SPACE

5-2289

222 W. 12th Street

Google





ANDREW R. AMENT,  
 LAND SURVEYOR, PSC  
 OHIO-KENTUCKY  
 655 Fair Oaks Lane  
 Edgewood, Kentucky 41017  
 amentsurveying@gmail.com  
 O: (859) 341-7878 F: (859) 341-7827

**SITE PLAN**

URBAN EXPANSION  
 222 W 12TH STREET  
 HAMILTON COUNTY  
 CINCINNATI, OH

PATTERSON & GRANTS SUBDIVISION  
 LOT 17 & PART OF 18  
 DB 59, PG 32

**SURVEYOR'S CERTIFICATE**

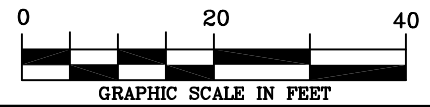
I hereby certify that the survey depicted by this plat was done by persons under my direct supervision. The unadjusted precision ratio meets or exceeds minimum standards. The survey as shown hereon is a Class A survey and the accuracy and precision of said survey meets all the specifications of this class.  
 Field work was completed on 11-19-2015.  
 Date of Plat of Map is 11-20-2015.  
 Revised on 12-21-2015.

*Andrew R. Ament* PLS

Andrew R Ament, Land Surveyor, PSC  
 Registered Land Surveyor  
 Registration No. OH 5684, KY 1729

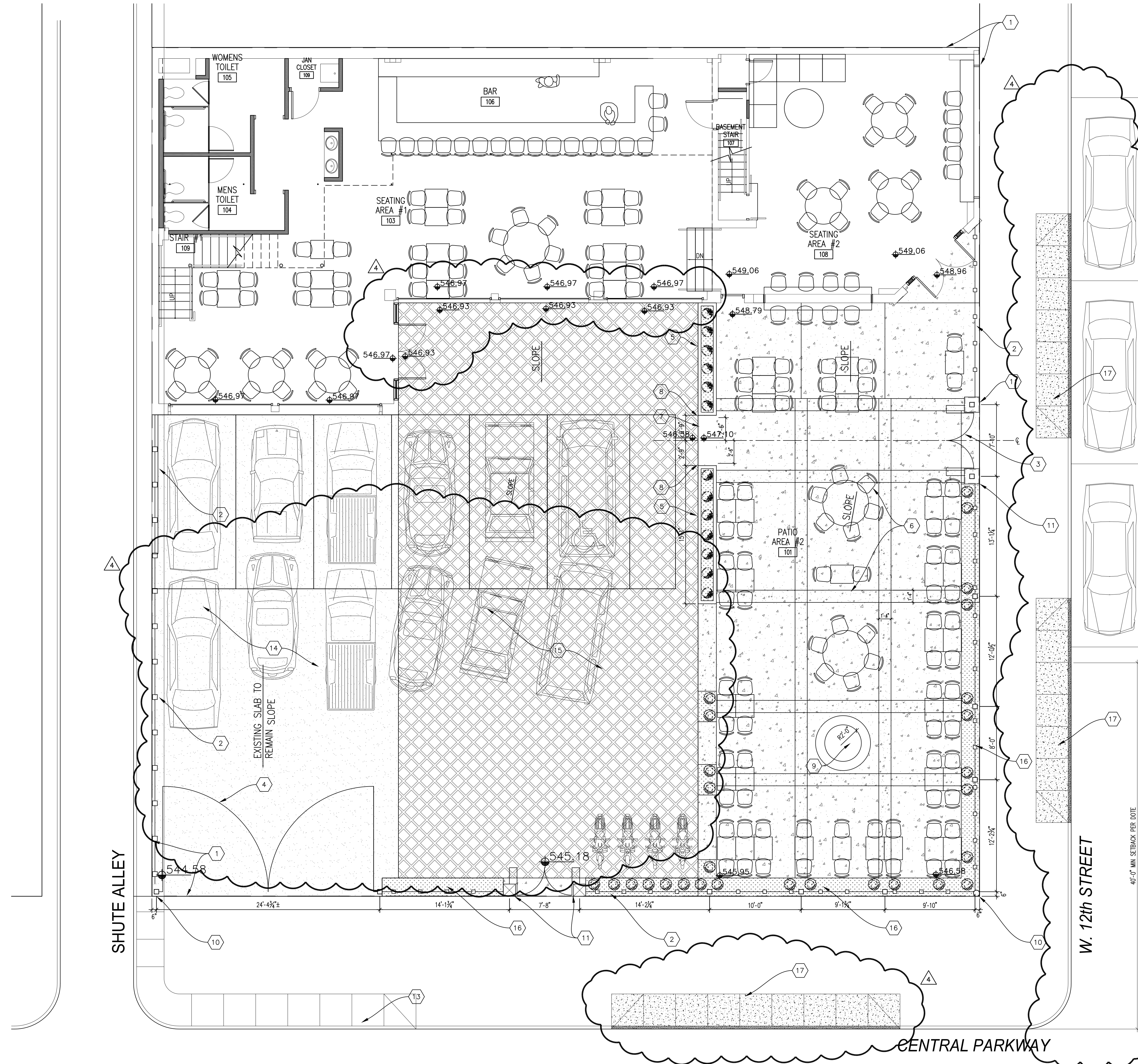
- MONUMENT LEGEND**
- Iron Pin (fd)
  - Iron Pin (set)
  - ⊙ Iron Pipe (fd) OD size per plan
  - ⊠ Stone (fd)
  - ▲ P.K. or Mag Nail (found)
  - △ P.K. or Mag Nail (set)

**Notes:**  
 1. All streets are public unless otherwise noted.  
 2. Survey was performed using a dual frequency Topcon Hiper SR in Ohio State Plane South Zone, NAD 83 & NAVD 88, utilizing Geoid12A.

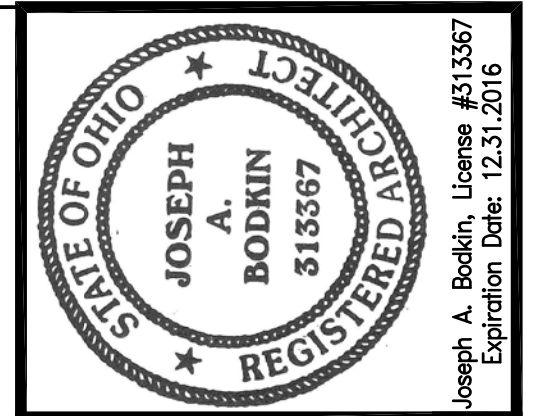


JOB#: 2015- SCALE: 1"=20'  
 DRAWN: CDM CHECKED: ARA

C:\Users\jave\OneDrive\Projects\2015\_060\_Queen City Station\6 Drawings\6.06 Construction Documents\005\_03\_CD\_001.dwg-A001 (printing). Plot Date/Time: Feb 11, 2016-5:19am - By: jave



- GENERAL ARCHITECTURAL SITE NOTES:**
- A. OWNER TO PROVIDE SURVEY TO CONFIRM PROPERTY LINES & GRADING.
  - B. ALL FURNITURE BY OWNERS.
- ARCHITECTURAL SITE CONSTRUCTION NOTES:**
1. ASSUMED PROPERTY LINE.
  2. 6'-0" HIGH DECORATIVE METAL FENCE, TYP.
  3. 6'-0" HIGH DECORATIVE LOCKING METAL GATES.
  4. 6'-0" HIGH DECORATIVE LOCKING GATES. VERIFY WIDTH W/ OWNER. SUPPORT AS REQUIRED FOR LENGTH OF GATE.
  5. RAISED PLANTER BOX
  6. EXPOSED AGGREGATE CONCRETE
  7. CONCRETE STEPS. MAXIMUM RISER TO BE 7", MINIMUM TREAD DEPTH TO BE 11".
  8. METAL HANDRAIL. HEIGHT TO BE 34" MIN & 38" MAX.
  9. GAS FIRE PIT. RUN GAS LINE TO PIT. DESIGN & MATERIAL SELECTION BY OWNER.
  10. EXIST'G SIGN TO REMAIN.
  11. MASONRY PIERS.
  12. LOW CONCRETE WALL TO REMAIN.
  13. EXISTING CURB CUT TO REMAIN.
  14. EXISTING CONCRETE SLAB OVER LOWER AREA TO REMAIN.
  15. TURFSTONE PAVERS
  16. EXISTING CURB TO REMAIN.
  17. REMOVE CURB CUT. INSTALL NEW CURB TO MATCH THE ADJACENT CURB HEIGHT. REPLACE CONC SIDEWALK AS INDICATED.



**Newbar Design Group**  
 Refurban Architecture: Show your seat's 'im  
 129 Mary Lane  
 Cincinnati, Ohio 45217  
 513.240.1205  
 jbodkin@newbargroup.com

# Queen City Station Over The Rhine 222 West 12th Street Cincinnati OH 45202

Project	Queen City Station	No.	Revisions	Date
222 W 12th Street				01.20.16
Cincinnati, Ohio 45202				01.20.16
ARCHITECTURAL SITE PLAN				01.20.16
ZONING				02.11.16
Project Number 2015_060				Issue Date
Scale	AS NOTED			Drawn
				Checked

**A001**

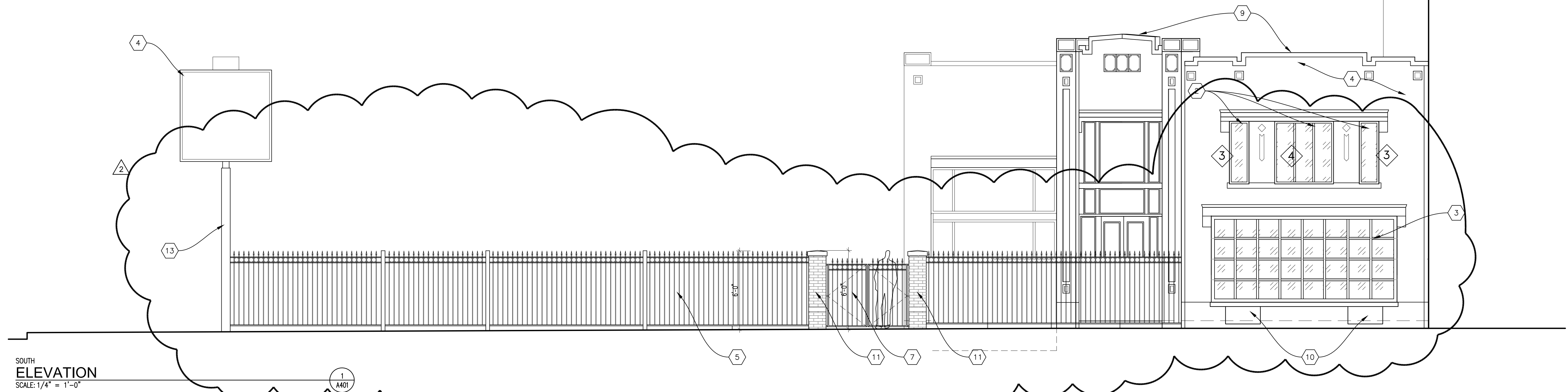
**ARCHITECTURAL SITE PLAN**  
 SCALE: 3/16" = 1'-0"

**GENERAL ELEVATION NOTES:**

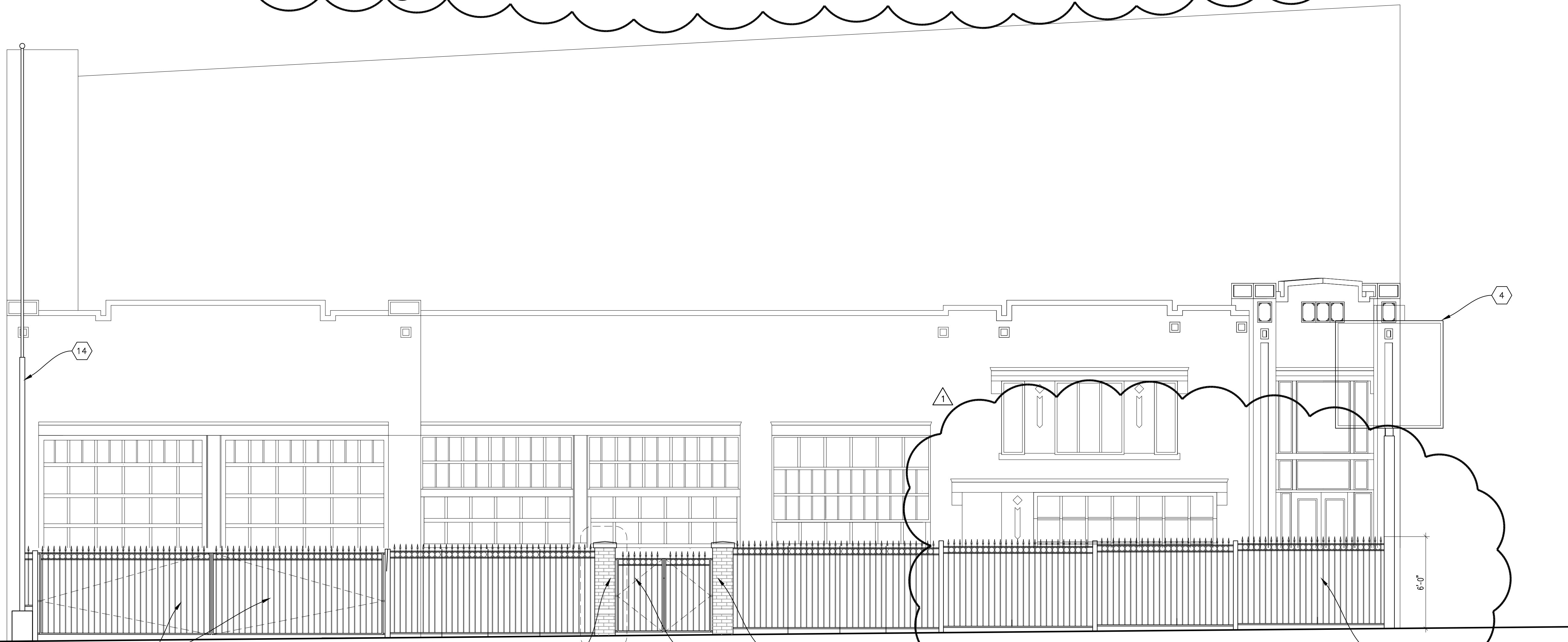
- A. PAINT ALL EXTERIOR WOOD. COLORS BY OWNER.
- B. GRADING SHOWN IS AN APPROXIMATE. OWNER TO VERIFY ACCORDINGLY.

**CONSTRUCTION ELEVATION NOTES:**

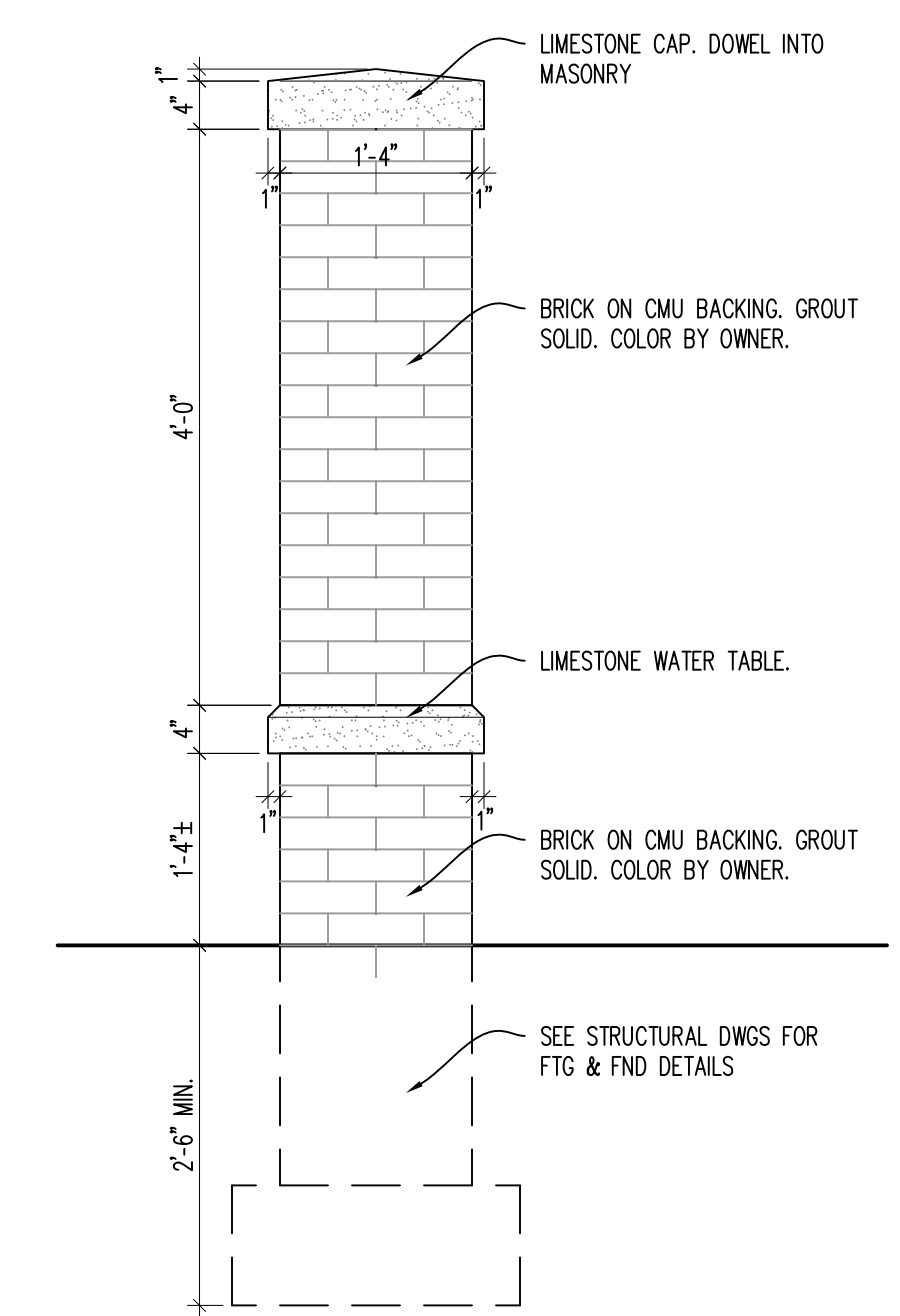
1. TUCK-POINT AS NEEDED, TYP OF ALL.
2. NEW ALUMINUM STOREFRONT SYSTEM, FINISH COLOR BY OWNER.
3. NEW ROLL UP WINDOW W/ METAL PANEL INFILL BELOW. FINISH COLOR BY OWNER.
4. EXIST'G SIGN TO REMAIN.
5. NEW METAL RAIL, COLOR BY OWNER.
6. METAL PANEL IN MTL FRAME.
7. LOCKING METAL GATE WITH PANIC HARDWARE.
8. EXIST'G FIXED WOOD GARAGE WINDOWS TO REMAIN. REPLACE EXIST'G GARAGE DOORS W/ NEW ALUMINUM GARAGE DOORS, TYP OF ALL.
9. NEW METAL COPING, FINISH COLOR BY OWNER, TYP ON ALL.
10. INFILL OPN'GS WITH MASONRY.
11. NEW MASONRY PIERS AT GATES.
12. NEW HINGED METAL AUTO GATES, SUPPORT AS REQ'D FOR LENGTH OF GATE.
13. ATTACH WOOD TRELLIS TO EXIST'G SIGN POST.
14. EXIST'G SIGN AND FLAGPOLE TO REMAIN.



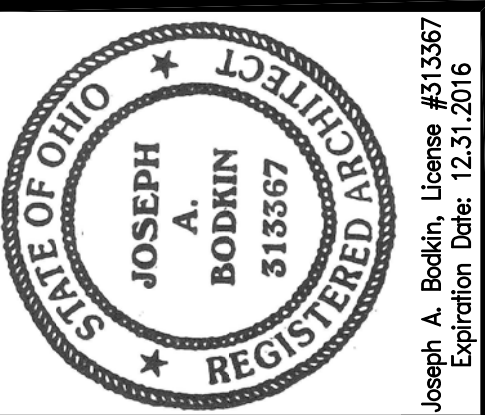
**SOUTH ELEVATION**  
SCALE: 1/4" = 1'-0"



**WEST ELEVATION**  
SCALE: 1/4" = 1'-0"



**PIER DETAIL**  
SCALE: 3/4" = 1'-0"



**Newbar Design Group**  
 ReUrban Architecture: Showyourscars™  
 129 Mary Lane  
 Cincinnati, Ohio 45217  
 513.240.1205  
 jbodkin@newbargroup.com

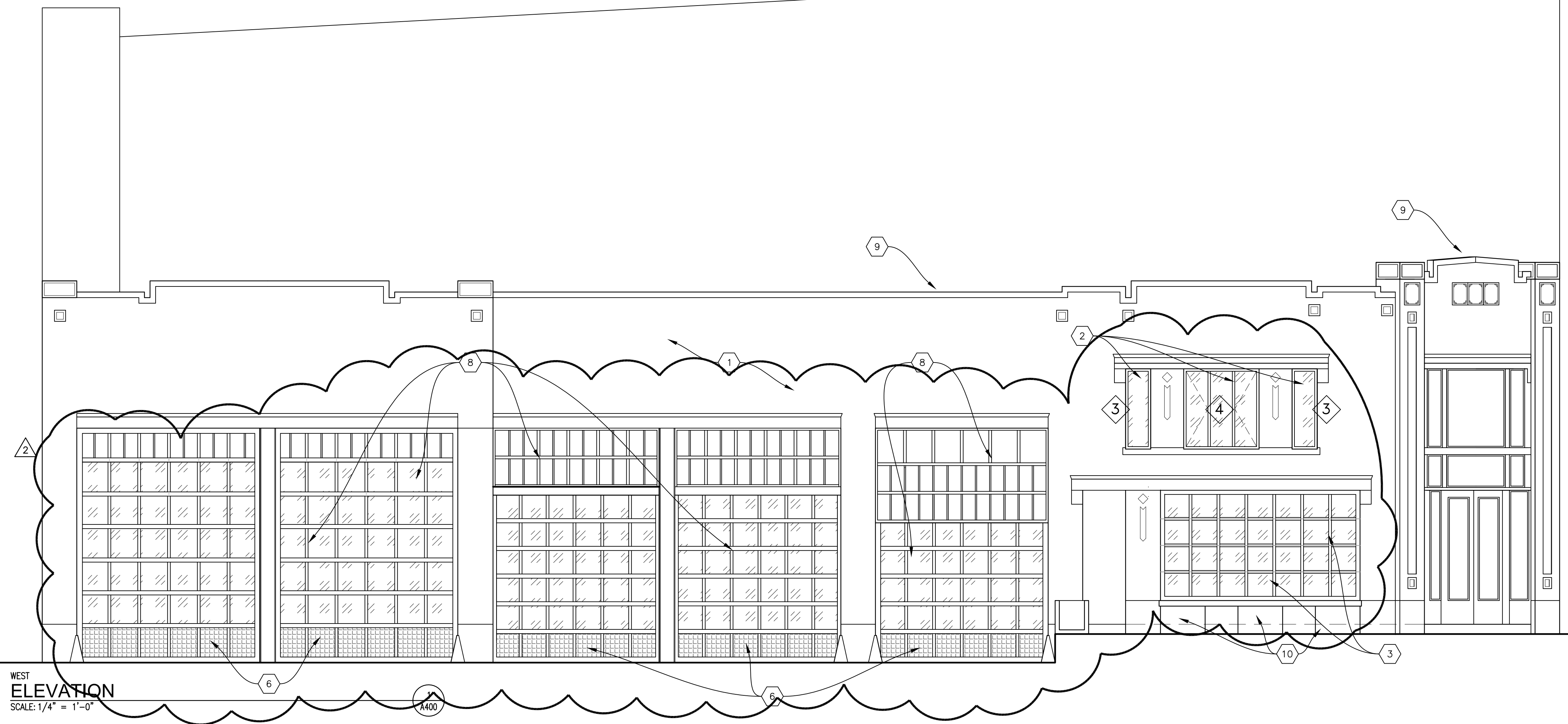
**Queen City Station**  
**Over The Rhine**  
 222 West 12th Street  
 Cincinnati OH 45202

Project	Revisions	No.	Date
Queen City Station 222 W 12th Street Cincinnati, Ohio 45202	EXAMINER COMMENTS	1	12.11.15
	HISTORIC REVISIONS	2	01.10.16
Sheet Title: EXTERIOR ELEVATIONS CONSTRUCTION			
Project Number: 2015_060 Issue Date: 01.09.16			
Scale: 1/8" = 1'-0"			
CLIENT APPROVAL: [Signature]			

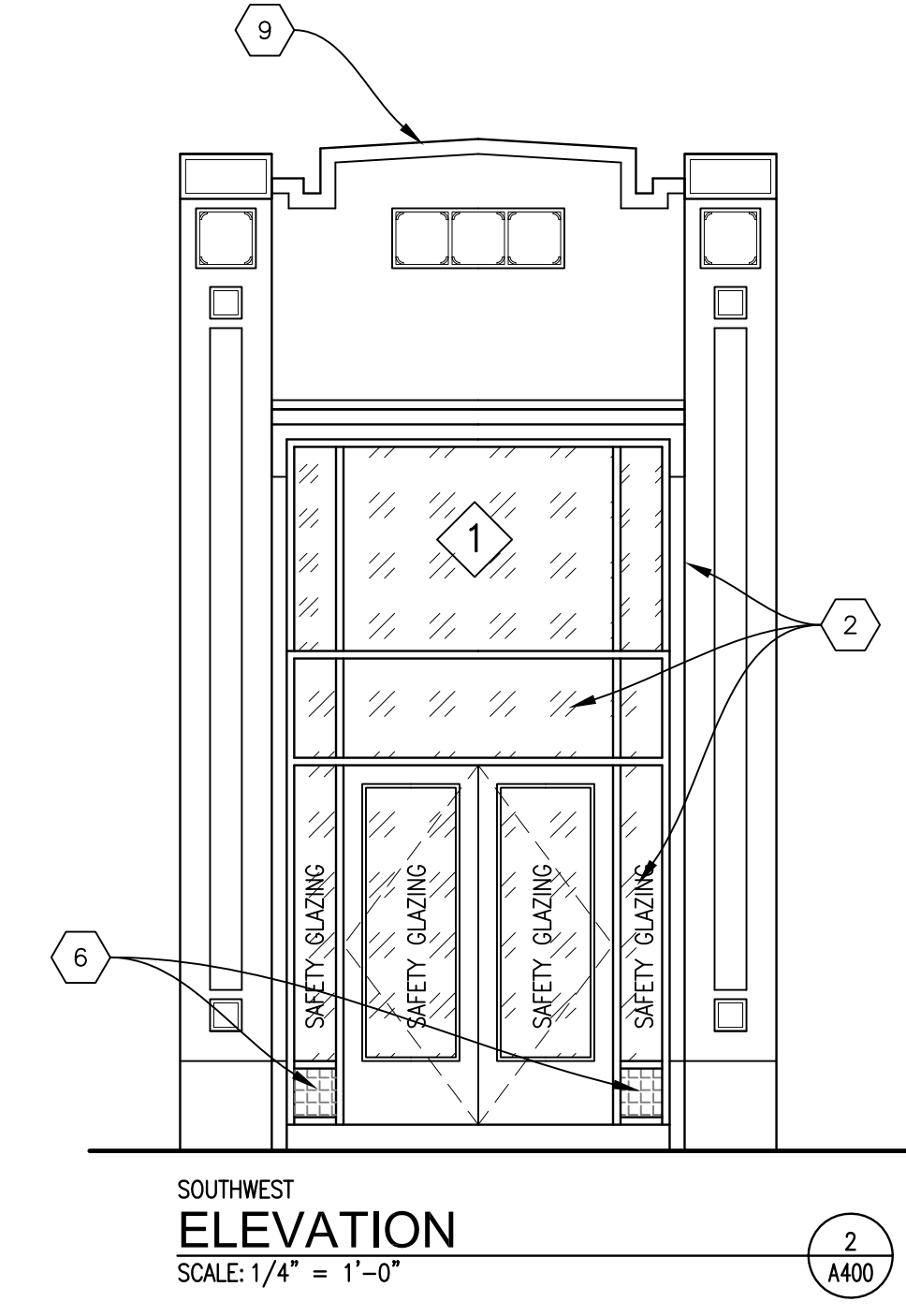
**A401**

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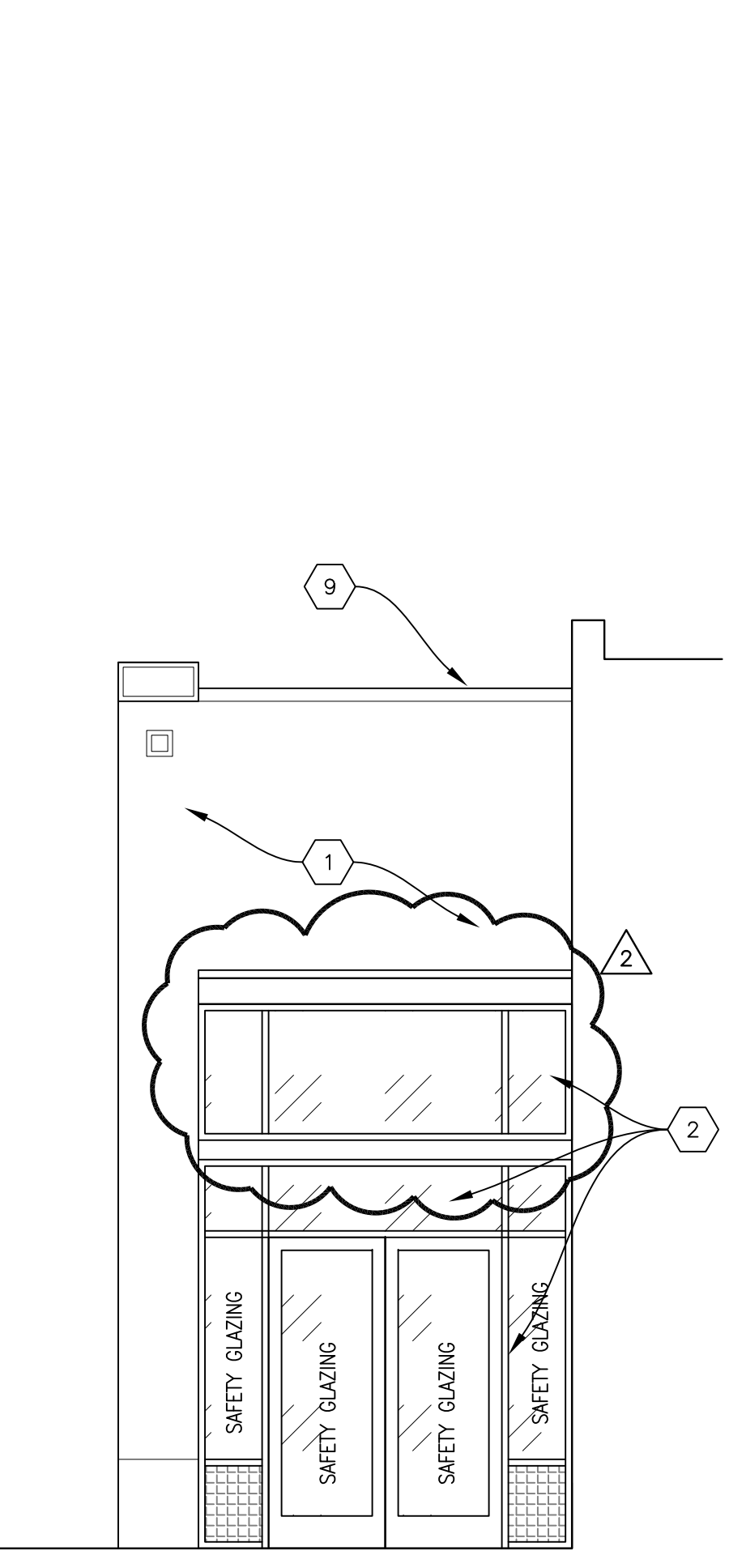
G:\Users\joe\Dropbox\01 - NBDC - Projects\2015\_060 - Queen City Station\6 Drawings\6.05 - Construction Documents\DCS\_CD\_A400.dwg--A400\_Plot\_Datex/Time: sun, 19, 2016--10:45am -- By: Joe



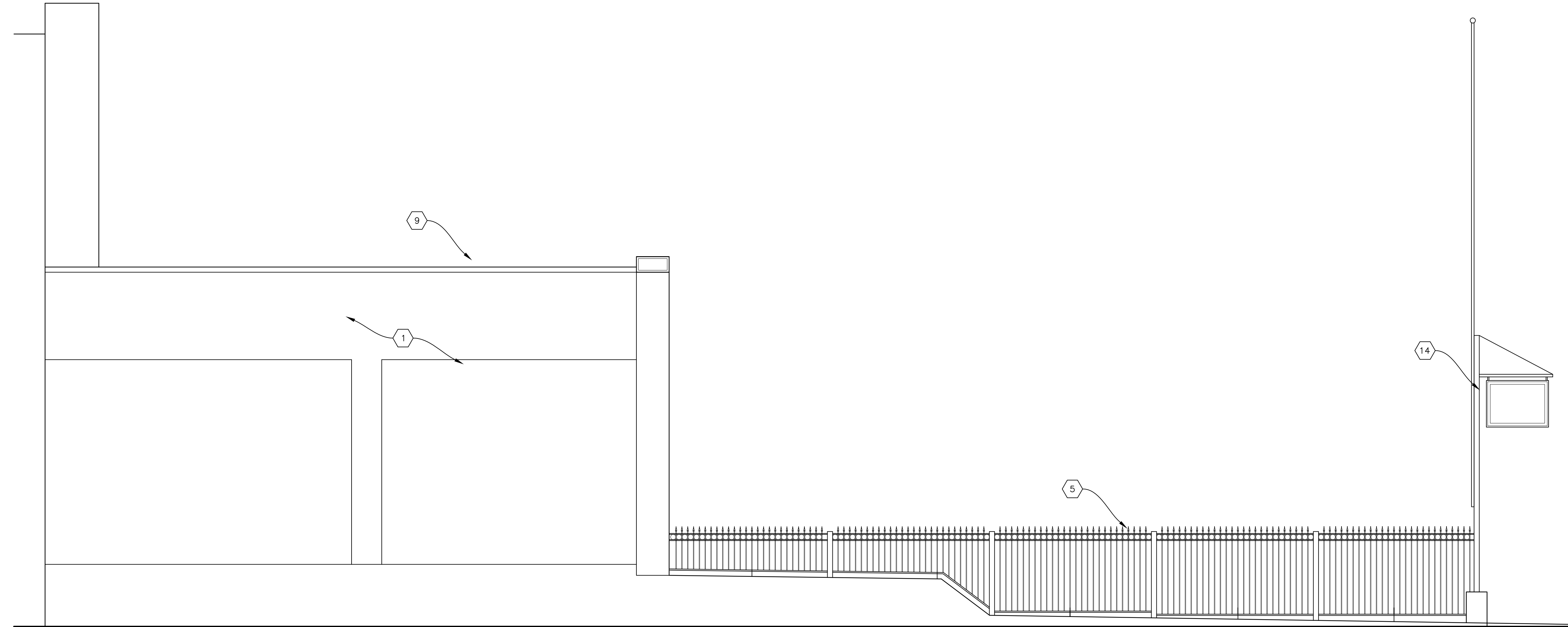
WEST  
ELEVATION  
SCALE: 1/4" = 1'-0"



SOUTHWEST  
ELEVATION  
SCALE: 1/4" = 1'-0"



SOUTH  
ELEVATION  
SCALE: 1/4" = 1'-0"



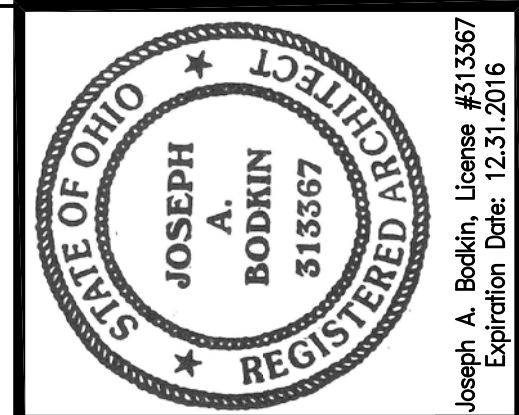
NORTH  
ELEVATION  
SCALE: 1/4" = 1'-0"

**GENERAL ELEVATION NOTES:**

- A. PAINT ALL EXTERIOR WOOD. COLORS BY OWNER.
- B. GRADING SHOWN IS AN APPROXIMATE. OWNER TO VERIFY ACCORDINGLY.

**CONSTRUCTION ELEVATION NOTES:**

- 1. TUCK-POINT AS NEEDED, TYP OF ALL.
- 2. NEW ALUMINUM STOREFRONT SYSTEM. FINISH COLOR BY OWNER.
- 3. NEW ROLL UP WINDOW W/ METAL PANEL INFILL BELOW. FINISH COLOR BY OWNER.
- 4. EXST'G SIGN TO REMAIN.
- 5. NEW METAL RAIL. COLOR BY OWNER.
- 6. METAL PANEL IN MTL FRAME.
- 7. LOCKING METAL GATE WITH PANIC HARDWARE.
- 8. EXST'G FIXED WOOD GARAGE WINDOWS TO REMAIN. REPLACE EXST'G GARAGE DOORS W/ NEW ALUMINUM GARAGE DOORS. TYP OF ALL.
- 9. NEW METAL COPING. FINISH COLOR BY OWNER. TYP ON ALL.
- 10. INFILL OPN'GS WITH MASONRY.
- 11. NEW MASONRY PIERS AT GATES. SUPPORT AS REQ'D FOR LENGTH OF GATE.
- 12. NEW HINGED METAL AUTO GATES. SUPPORT AS REQ'D FOR LENGTH OF GATE.
- 13. ATTACH WOOD TRELLIS TO EXST'G SIGN POST.
- 14. EXST'G SIGN AND FLAGPOLE TO REMAIN.



**Newbar Design Group**  
 ReUrban Architecture: Show your scars™  
 129 Mary Lane  
 Cincinnati, Ohio 45217  
 513.240.1205  
 jbodkin@newbargroup.com

# Queen City Station

## Over The Rhine

222 West 12th Street  
 Cincinnati OH 45202

Project	Revisions	Date
Queen City Station	No.	
222 W 12th Street	EXAMINER COMMENTS	12.11.15
Cincinnati, Ohio 45202	HISTORIC REVISIONS	01.10.16
EXTERIOR ELEVATIONS		
CONSTRUCTION		
Project Number 2015_060	Issue Date	
Scale 1/8" = 1'-0"	Checked	
	CLIENT APPROVAL	01.09.16

**A400**

September 30,  
2015



Chris Reckman  
Urban Expansion  
1304 Broadway #2  
Cincinnati, Ohio 45202

Subject: Building Permit 2015P08097 for 222 W. 12<sup>th</sup> St.

Dear Mr. Reckman;

At this time Department of Transportation and Engineering (DOTE) can't approve this building permit. The following corrections are needed.

The three curb cuts that are no longer usable by traffic to access parking area must be removed and full height curb and sidewalk must be constructed. Add this to the site plan.

Per Municipal Code Sec 721-129, if access to a driveway is continuously blocked, or use of the driveway is discontinued, the owner of the real property which is or was served by that driveway shall remove any apron in the public right-of-way, and restore the curb and grass strip.

The sign pole can remain but the sign must be removed and can be replaced with a sign that hangs only on the property side and that does not encroach the right-of-way.

Add dimensions on the parking spaces and vehicle travel lane in the parking lot.

Please submit revised plans to the building department.

If you have any questions, please call me at 513-352-5216.

Sincerely,

*John Luginbill*

Engineering Technician Supervisor  
Right-of-Way Management  
(513) 352-5216  
(513) 352-5397 - Fax

Michael Burson  
Historic Conservation Board  
City Planning Division  
2 Centennial Plaza, Suite 700  
805 Central Avenue  
Cincinnati, Ohio 45202

Re: 222 W. 12th Street

Dear Mr. Burson,

We are writing with regard to the planned renovation and redevelopment of the former Queen City Radio site in Over-the-Rhine. We have reviewed the owner's plan and feel that the commercial space it will provide will create a positive addition to the neighborhood. Moreover, we agree with the proposed variance requested by the owners. The variance will allow the owners to execute their plan for providing outdoor landscaped patio space at the site, thereby enhancing the overall experience as well as adding a much improved level of vibrancy and aesthetic improvement to the neighborhood streetscape. To reiterate, we fully support the proposed development and encourage approval of the requested variance.

Sincerely,



Adam Gelter  
Executive Vice President  
Cincinnati Center City Development Corporation

Michael Burson  
Historic Conservation Board  
City Planning Division  
2 Centennial Plaza, Suite 700  
805 Central Avenue  
Cincinnati, Ohio 45202

Re: 222 W. 12th Street

Dear Mr. Burson,

As a resident of OTR, owner of AGAR, and The Transept, I am writing to you in regards to Queen City Radios' proposed plans. To simply say I am invested in the success of this rejuvenated neighborhood would be a grave understatement. As a sitting board member of the Over-The-Rhine Chamber, the rich history and vision for this community fuel my involvement and commitment to restoring this neighborhood to its once glorious notoriety.

We are writing with regard to the planned renovation and redevelopment of the former Queen City Radio site in Over-the-Rhine. We have reviewed the owner's plan and feel that the commercial space it will provide will create a positive addition to the neighborhood. Moreover, we agree with the proposed variance requested by the owners. The variance will allow the owners to execute their plan for providing outdoor landscaped patio space at the site, thereby enhancing the overall experience as well as adding a much improved level of vibrancy and aesthetic improvement to the neighborhood streetscape.

To reiterate, we fully support the proposed development and encourage approval of the requested variance. These developments are necessary to drive our progress and keep this neighborhood alive with music and art.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joshua S. Heuser', with a stylized, cursive script.

Joshua S. Heuser  
AGAR  
1205 Walnut St  
Cincinnati, OH 45202

January 29, 2016

Angie Strunc  
Interim Urban Conservator  
City Planning Division  
2 Centennial Plaza, Suite 700  
805 Central Avenue  
Cincinnati, Ohio 45202

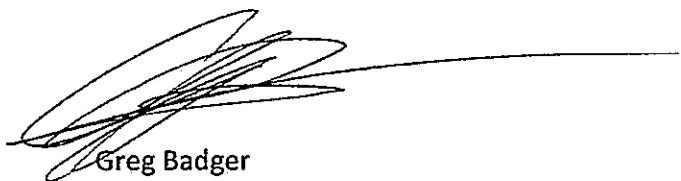
Re: 222 W. 12th Street

Dear Ms. Strunc,

I am writing with regard to the planned renovation and redevelopment of the former Queen City Radio site in Over-the-Rhine. I own and live in the block where this is located. I have reviewed the owner's plan and feel that the commercial space it will provide will create a positive addition to the neighborhood. Moreover, I agree with the proposed variance requested by the owners. The variance will allow the owners to execute their plan for providing outdoor landscaped patio space at the site, thereby enhancing the overall experience as well as adding a much improved level of vibrancy and aesthetic improvement to the neighborhood streetscape.

To reiterate, I fully support the proposed development and encourage approval of the requested variance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Badger', with a long horizontal line extending to the right.

Greg Badger  
1217 Elm Street  
Cincinnati, Ohio 45202

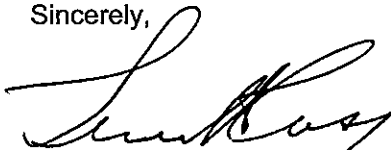
Michael Burson  
Historic Conservation Board  
City Planning Division  
2 Centennial Plaza, Suite 700  
805 Central Avenue  
Cincinnati, Ohio 45202

Re: 222 W. 12th Street

Dear Mr. Burson,

I am writing with regard to the planned renovation and redevelopment of the former Queen City Radio site in Over-the-Rhine. I own and live in the building directly to the East. I have reviewed the owner's plan and feel that the commercial space it will provide will create a positive addition to the neighborhood. Moreover, I agree with the proposed variance requested by the owners. The variance will allow the owners to execute their plan for providing outdoor landscaped patio space at the site, thereby enhancing the overall experience as well as adding a much improved level of vibrancy and aesthetic improvement to the neighborhood streetscape. To reiterate, I fully support the proposed development and encourage approval of the requested variance.

Sincerely,

A handwritten signature in black ink, appearing to read "Terence Casey", written over a horizontal line.

Terence Casey  
220 West 12th Street  
Cincinnati, Ohio 45202



CINCINNATI  
CENTER CITY  
DEVELOPMENT  
CORPORATION

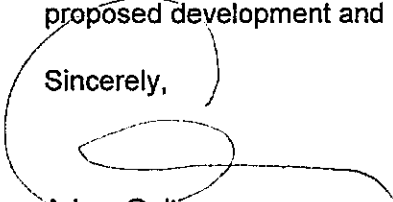
Michael Burson  
Historic Conservation Board  
City Planning Division  
2 Centennial Plaza, Suite 700  
805 Central Avenue  
Cincinnati, Ohio 45202

Re: 222 W. 12th Street

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Sincerely,



Adam Gelter  
Executive Vice President  
Cincinnati Center City Development Corporation

Michael Burson  
Historic Conservation Board  
City Planning Division  
2 Centennial Plaza, Suite 700  
805 Central Avenue  
Cincinnati, Ohio 45202

Re: 222 W. 12th Street

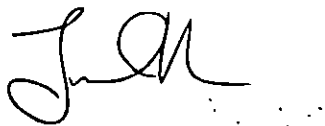
Dear Mr. Burson,

As a resident of OTR, owner of AGAR, and The Transept, I am writing to you in regards to Queen City Radios' proposed plans. To simply say I am invested in the success of this rejuvenated neighborhood would be a grave understatement. As a sitting board member of the Over-The-Rhine Chamber, the rich history and vision for this community fuel my involvement and commitment to restoring this neighborhood to its once glorious notoriety.

We are writing with regard to the planned renovation and redevelopment of the former Queen City Radio site in Over-the-Rhine. We have reviewed the owner's plan and feel that the commercial space it will provide will create a positive addition to the neighborhood. Moreover, we agree with the proposed variance requested by the owners. The variance will allow the owners to execute their plan for providing outdoor landscaped patio space at the site, thereby enhancing the overall experience as well as adding a much improved level of vibrancy and aesthetic improvement to the neighborhood streetscape.

To reiterate, we fully support the proposed development and encourage approval of the requested variance. These developments are necessary to drive our progress and keep this neighborhood alive with music and art.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Heuser', with a few small dots trailing off to the right.

Joshua S. Heuser  
AGAR  
1205 Walnut St  
Cincinnati, OH 45202

**APPLICATION FOR  
CERTIFICATE OF APPROPRIATENESS  
AND ZONING VARIANCE  
HISTORIC CONSERVATION BOARD PUBLIC HEARING  
STAFF REPORT**

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APPLICATION #: N/A  
APPLICANT: Amy Lynch, Platte Design  
OWNER: 1131 Broadway, LLC  
ADDRESS: 1131 Broadway Street, Cincinnati OH 45202  
PARCELS: 075-0001-0233-00 (building), 075-0001-0232-00 (parking lot)  
ZONING: Commercial Community-Pedestrian (CC-P)  
OVERLAYS: Over-the-Rhine Historic District  
COMMUNITY: Pendleton  
REPORT DATE: January 25, 2016  
HEARING DATE: February 11, 2016 at 9:00 a.m.  
STAFF REVIEW: Angie Strunc, City Interim Urban Conservator

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**Nature of Request:**

The applicant is requesting a Certificate of Appropriateness (COA) for addition and renovation and Zoning Variance for two conditional uses in order to rehabilitate a vacant single story non-contributing building into a new restaurant and drinking establishment.

**Existing Conditions:**

The subject property is situated on the southwest corner of Broadway and E. 12<sup>th</sup> Street. There is a combination of vacant land and historic buildings in the area. The one story building is a ca. 1902 commercial garage building with a stone foundation, brick bearing walls, and a parapet roof. The original recessed entryway has also been infilled with a replacement door placed in one entry bay. The building has been vacant for an extended period of time. The majority of the original door and window openings have been altered and infilled. The zoning is CC-P with CN-P to the north and RM-0.7 catty-corner to the northeast.

The adjacent vacant parcel to the west is currently used as a parking lot owned by the landlord of this property.

**Proposed Conditions:**

The proposal is to rehabilitate the existing structure and build a single story addition in the existing parking lot. The proposed use is dining restaurant with musical entertainment and outdoor patio area. Outdoor patio is enclosed with aluminum fencing. The proposal is to consolidate the two parcels into one.

Existing building rehabilitation includes:

- Mezzanine addition interior to the space

- Skylight addition on the existing flat roof; 18' x 6' in size with a pitched roof shape. There may be minimal visibility of the skylight from portions of the right of way not directly opposite.
- Remove masonry infill at existing openings to restore original window and doors.
- Install two new glass and aluminum overhead garage doors in two existing infilled openings. One on Broadway and one on 12<sup>th</sup> Street.
- Install four new fixed windows, aluminum storefront by YKK in four existing infilled openings.
- Remove masonry infill at corner entry at all three arch locations, retaining arches and columns.
- Establish recessed corner entry and install aluminum storefront and door by YKK.
- Install new masonry openings on the West (rear) elevation for two pedestrian doors and one large bi-fold glass door. The large bi-fold glass door is for open air access to the interior of the structure. The proposed plan is for the sill elevation to be above finished grade.
- Interior rehabilitation for tenant finish.

New construction includes:

- 20'-10" x 35'-0" proposed brick masonry addition to the rear of the building to house kitchen equipment. Masonry walls are approximately 10'-0" high.
- Roof top mechanical unit on the single story addition low slope roof which is visible from 12<sup>th</sup> Street.
- 6'-0" tall vertical picket aluminum fence enclosure at patio

**Previous Reviews:** N/A

**Applicable Zoning Code Sections:**

Zoning District:	1409	CC-P Community Commercial Pedestrian
Conditional Use Request:	1419-21(b)	Location
	1419-21(e)	Entertainment
Conditional Use Standard:	1435-05-4	
Variance Authority:	<a href="#">Section 1445-07</a>	HCB authority: <a href="#">Section 1435-05-4</a>
Variance Standard:	<a href="#">Section 1445-13</a>	General Standards: Public Interest
	<a href="#">Section 1445-15</a>	Standards for Variances
Historic District/Reg:	<a href="#">Over the Rhine Historic District</a>	
COA Standard:	<a href="#">1435-09-2</a>	Certificate of Appropriateness; Standard of Review

**Details of Zoning Relief Required:**

The applicant and/or owner(s) are requesting a Conditional Use Hearing to allow Outdoor Dining and Entertainment in a CC-P District at a location that is within 100 feet of a Residential District (RM-0.7). The project is in violation of the **Section 1419-21(b)** and **Section 1419-21(e)** of the City of Cincinnati Zoning Code and approval is needed from **Section 1435-05-4**.

- Per Section 1419-21(b) – Limited or Full Service Restaurants and Drinking Establishments – Location: Any outdoor area located within 100 feet of a residential district boundary line requires conditional use approval. **A Conditional Use approval is required.**
- Per Section 1425-19(e) - Limited or Full Service Restaurants and Drinking Establishments – Entertainment: Within 500 feet of a residential district boundary line, entertainment, including the use of audio/visual equipment or amplified sound is prohibited unless conditional use approval is obtained. **A Conditional Use approval is required.**

### **Zoning Analysis:**

Below is analysis of the consideration factors for all of the requested zoning actions, utilizing Section 1445-13, General Standards; Public Interest.

- Zoning.** The proposed work conforms to the underlying zone district regulations and is in harmony with the general purposes and intent of the Cincinnati Zoning Code.  
*The underlying zoning is CC-P. The proposed development fits within the medium-density, pedestrian-oriented nature of the zoning district.*
- Guidelines.** The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.  
*The proposed use conforms to the guidelines for the district.*
- Plans.** The proposed work conforms to a comprehensive plan, any applicable urban design or other plan officially adopted by Council, and any applicable community plan approved by the City Planning Commission.  
*This project conforms to the Over the Rhine Comprehensive Plan.*
- Traffic.** Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not overload the adjacent streets and the internal circulation system is properly designed.  
*Traffic will not be adversely impacted in this area of Pendleton. Off-street parking is anticipated to be provided through a covenant at an adjacent surface parking lot. Customers not from the neighborhood can easily access parking from Sycamore and walk to the location.*
- Buffering.** Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.  
*The zoning code does not require buffering. Proposed buffering is minimal of the outdoor patio in the form of a 6 foot high black aluminum picket fence. Noise of the establishment is not contained with the opening of three new garage doors; one on each façade wall.*
- Landscaping.** Landscaping meets the requirements of Chapter 1423, Landscaping and Buffer Yards.  
*No landscaping is provided or required.*

- g **Hours of Operation.** Operating hours are compatible with adjacent land uses.  
*Operating Hours are compatible with adjacent uses. The applicant states that use of the outdoor dining area will be restricted between midnight and 7 AM on Friday and Saturday and 10 PM and 7 AM on all other days, satisfying the regulations in 1419-21(g).*
- (h) **Neighborhood Compatibility.** The proposed work is compatible with the predominant or prevailing land use, building and structure patterns of the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood.  
*The proposed use is consistent with the zoning code. However, zoning code differs north of 12<sup>th</sup> Street including residential (RM-0.7) to the northeast. Noise from this establishment may have an adverse impact on the neighborhood.*
- (i) **Proposed Zoning Amendments.** The proposed work is consistent with any proposed amendment to the zoning code then under consideration by the City Planning Commission or Council.  
*There are no proposed amendments under consideration that would impact this proposed project.*
- (j) **Adverse Effects.** Any adverse effect on the access to the property by fire, police, or other public services; access to light and air from adjoining properties; traffic conditions; or the development, usefulness or value of neighboring land and buildings.  
*There are no adverse impacts anticipated for the proposed use.*
- (k) **Blight.** The elimination or avoidance of blight.  
*Rehabbing this building will eliminate blight and return a non-contributing structure to a more suitable historic appearance.*
- (l) **Economic Benefits.** The promotion of the Cincinnati economy.  
*The property will become a tax generating parcel and will add a viable business to the Pendleton neighborhood.*
- (m) **Job Creation.** The creation of jobs both permanently and during construction.  
*Jobs will be created during construction and when complete, the use will employ 12+ people running the restaurant.*
- (n) **Tax Valuation.** Any increase in the real property tax duplicate.  
*The rehabilitated structure will increase the taxable value of the property.*
- (o) **Private Benefits.** The economic and other private benefits to the owner or applicant.  
*The owner has an economic benefit by creating a new restaurant.*
- (p) **Public Benefits.** The public peace, health, safety or general welfare.  
*There is no measurable detriment to public peace, health, safety or welfare as a result of this proposed project.*

## Standards for Conditional Use per Section 1445-21

The Board may approve a conditional use if and only if the conditional use is specifically listed in the applicable zoning district use regulations.

*These uses are listed in the CC-P district.*

**Additional Zoning Analysis:**

The Zoning Code requires the proposed use of this property to have 20 on-site parking spaces. The owner intends to meet the zoning code parking requirements by entering into a covenant for those 20 parking spaces in a nearby surface parking lot within 600 feet to the principle structure which he also owns.

Per the Zoning Code, Section 1425-15 – Location of Parking, the owner can and has intentions to satisfy required parking utilizing Section 1425-15-c-3-i per the requirements of the City Solicitor. This covenant shall be fully executed prior to issuance of a building Certificate of Occupancy from the Buildings & Inspections Department.

**Certificate of Appropriateness Review**

Staff feels the proposed rehabilitation and addition of this project is generally appropriate in the Over-the-Rhine Historic District. The rehabilitation opens existing masonry openings currently infilled for windows, garage doors and the primary pedestrian entrance on the corner. These items are generally consistent with this existing commercial garage structure.

Staff recommends the new bi-fold garage opening on existing west elevation (Sheet A2.2) be lowered to finished grade elevation in lieu of the proposed 3'-4" sill height.

The addition to the west (rear) of the building is single story and located away from the 12<sup>th</sup> Street façade. It is simple in material, massing and scale to minimally follow new construction guidelines for composition (base/middle/top). The addition will incorporate the concrete foundation wall as the base, brick masonry the middle and simple aluminum coping for the top. There are some soldier course units near the top to relate it the original structure in detail and further break down the expanse of new wall. Given the use of the space as utilitarian, there are no windows proposed on the 35 foot plus expanse of brick wall. The new wall will also aid in shielding the dumpster unit facing Bunker Alley from view.

The overall size of the addition is not large but given the small size of the original structure it totals approximately 29% onto the building footprint. With the enclosed patio area, the new components add approximately 70% onto the building footprint. The addition may appear to overpower the original building. The applicant has kept the new wall low with a flat roof to minimize appearance.

**Other Considerations:**

**Prehearing Results:** No one was in attendance.

**Comments Provided to Staff:** N/A

**Consistency with *Plan Cincinnati (2012)*:**  
“Sustain” Initiative Area “Preserve our built history”

**Recommendation:**

Staff recommends the Historic Conservation Board take the following actions:

**A. CONDITIONAL USE(S)**

1. **APPROVE** the requested conditional use as per Section 1419-21(b) Limited or Full Service Restaurants and Drinking Establishments: Location, outlined for 1131 Broadway Street to allow an outdoor area within 100 feet of a residential district boundary line subject to the following conditions:
  - a. The outdoor area shall not be permitted to be utilized Sunday-Thursday between 10 p.m. and 7 a.m. and Friday-Saturdays from 12 a.m. and 7 a.m.
  
2. **APPROVE** the requested conditional use as per Section 1419-21(e) Limited or Full Service Restaurants and Drinking Establishments: Entertainment, outlined for 1131 Broadway Street to allow Entertainment within 500 feet of a residential district boundary line subject to the following conditions:
  - a. Entertainment shall not be permitted Sunday-Thursday between 10 p.m. and 7 a.m. and Friday-Saturdays from 12 a.m. and 7 a.m.
  - b. The garage doors shall be closed from the street Sunday-Thursday between 10 p.m. and 7 a.m. and Friday-Saturdays from 12 a.m. and 7 a.m.
  
3. **FINDING:**
  - a. Such relief from literal implication of the Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property within the district or vicinity where property is located; and
  - b. Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district.
  - c. Such conditions protect the adjacent residential neighbors from negative impacts from noise in a compact mixed use environment when anticipating quiet enjoyment of their property

**B. CERTIFICATE OF APPROPRIATENESS**

1. **APPROVE** a Certificate of Appropriateness for the rehabilitation of 1131 Broadway Street per drawings submitted by Platte Architecture and Design dated 1/7/2016 (updates dated 2/15/16) including any revisions submitted for permit subject to staff review and approval with the following conditions:
  - a. Remove existing curb cuts no longer used and replace curb and sidewalk to meet DOTE requirements.
  - b. The proposed west elevation bi-fold door be lowered to a sill height at finished grade.

- c. Recording of a covenant for off-street parking for 20 parking spaces upon the owner's adjacent parking facility meeting the requirements of Section 1425-25(c) prior to the issuance of any building permits.
- 2. **FINDING:** The Board makes this determination per Section 1435-09-2:
  - a. That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines.

# APPLICATION

**HCBC**  
HISTORIC  
CONSERVATION  
BOARD

# CERTIFICATE OF APPROPRIATENESS

APPLICATION BUILDING ADDRESS: 1131 BROADWAY

DISTRICT NAME: OTR  
(if applicable)

OWNER NAME: 1131 BROADWAY LLC

ADDRESS: 324 READING RD.

EMAIL: \_\_\_\_\_

CONTRACTOR NAME: TBD

ADDRESS: \_\_\_\_\_

EMAIL: \_\_\_\_\_

ARCHITECT NAME: PLATTE DESIGN - AMY LYNCH

ADDRESS: 202 W. ELDER

EMAIL: AMY@PLATTEDESIGN.COM

HCBC USE ONLY	
DATE RECEIVED BY HCB:	<u>1-11-2016</u>
PERMIT/APD NO:	<u>2016 P00570</u>
APP. COMPLETION DATE:	_____

PHONE NO: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

PHONE NO: (513) 871-1850 x.1009

PLEASE NOTE: THE FOLLOWING FEES ARE DUE TO PROCESS YOUR APPLICATION.

Certificate of Appropriateness (without Board review)... \$50.00  
Historic Conservation Board Review ..... \$500.00

HCBC USE ONLY	
Fee Received:	\$ <u>500</u>
Date Received:	<u>1.12.16</u>

IT IS YOUR RESPONSIBILITY TO NOTIFY THE URBAN CONSERVATOR IF ANY OF THIS INFORMATION CHANGES DURING THE PENDING REVIEW OF YOUR

WORK PROPOSED: (Describe type of work, existing conditions, and methods to be used, materials proposed)

HCBC USE ONLY	
<input type="checkbox"/>	MINOR ALTERATION
<input type="checkbox"/>	NEW CONSTRUCTION
<input type="checkbox"/>	ADDITION
<input type="checkbox"/>	DEMOLITION
<input type="checkbox"/>	REHABILITATION
<input type="checkbox"/>	OTHER _____

THE RENOVATION AND ADDITION TO AN EXISTING NON-CONTRIBUTING ONE-STORY MASONRY GARAGE BUILDING. EXISTING INFILLED OPENINGS WILL BE REOPENED AND FITTED WITH NEW METAL + GLASS GARAGE DOORS, WINDOWS, AND STOREFRONT. EXG. WEST ELEVATION WILL HAVE 2 NEW OPENINGS, INCLUDING A GLASS + METAL

DOOR AND A BIFOLDING GARAGE DOOR. NEW CONSTRUCTION ADDITION WILL BE BRICK MASONRY, RECTILINEAR, LESS THAN 2'-0" HIGH, AND AT THE REAR CORNER OF THE PROPERTY. SEE ATTACHED LETTER FOR MORE INFO.

IN ORDER TO EXPEDITE HCB ACTION, PLEASE ATTACH ADDITIONAL INFORMATION, IF AVAILABLE, AS MAY BE APPROPRIATE. LIST ANY INFORMATION ATTACHED: (Elevations, site plans, specifications, photos, material samples, additional drawings or written matter)

\_\_\_\_\_  
\_\_\_\_\_  
SEE ATTACHED  
\_\_\_\_\_  
\_\_\_\_\_

Attach a letter explaining the justification for the issuance of the desired Certificate of Appropriateness. Be advised that the burden of proof is on the applicant.

## APPLICATION FOR ZONING RELIEF

**1. SUBJECT PROPERTY**  
 ADDRESS 1131 BROADWAY ST.  
 AUDITOR'S PARCEL ID(S) 015-0001-0233-50  
 BASE ZONING CLASSIFICATION \_\_\_\_\_  
 ZONING OVERLAY (if applicable) CC-P

**2. APPLICANT**  
 NAME AMY LYNCH (PLATTE DESIGN) CONTACT PERSON (if legal entity) AMY LYNCH  
 ADDRESS 202 W. ELDER ST. CINCINNATI, OH  
 EMAIL AMY@PLATTEDESIGN.COM  
 TELEPHONE 513-871-1850 x1009 RELATIONSHIP TO OWNER ARCHITECT

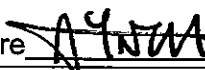
**3. OWNER** 1131 BROADWAY LLC  
 NAME AMMUN CONTACT PERSON (if legal entity) JOE LEVINE  
 ADDRESS 324 READING ROAD  
 EMAIL \_\_\_\_\_  
 TELEPHONE 513-348-7251

**4. NATURE OF RELIEF REQUESTED** (select all that apply)  
 Variance  Use Variance  Special Exception  Conditional Use  Use Permit  
 Expansion or Substitution of Nonconforming Use  Hillside Overlay District Permission  
 Urban Design Overlay District Permission  DD District Phased Development Approval

**5. BRIEF DESCRIPTION OF RELIEF REQUESTED** (You may attach a statement to this application if the space provided is insufficient)  
WE REQUEST 2 CONDITIONAL USE PERMITS:  
 (1) OUTDOOR DINING (1419-21)  
 (2) ENTERTAINMENT (1419-21)

**6. SUMMARY OF REASONS WHY RELIEF SHOULD BE GRANTED.** You must provide a written statement explaining how your project meets the standards for all relief requested. Separate instruction forms for preparing this statement are provided. If you fail to follow the instructions for requesting a variance, use variance, special exception, conditional use, use permit, certificate of appropriateness, expansion or substitution of nonconforming use, hillside overlay district permission, urban design overlay district permission, and/or DD district phased development approval, your application may be denied.

**7. SIGNATURE.** The undersigned does hereby certify that the information provided in connection with this application is, to the best of his or her knowledge, true and correct.

Print Name AMY LYNCH Signature  Date 1/11/16

**8. ADDITIONAL DOCUMENTATION SUBMISSION REQUIREMENTS.** Submit three copies of the following documentation. If you fail to complete the application and provide all information requested, your application may be denied.

<input checked="" type="checkbox"/>	The written statement required in Section 6 above.
<input checked="" type="checkbox"/>	Survey plats, site plans, or other accurate drawings showing boundaries, dimensions, area, topography, and frontage of the property involved, as well as the location and dimensions of all structures existing and proposed from the nearest property lines. When landscaping is required by the zoning code, a landscaping plan must also be provided.
<input checked="" type="checkbox"/>	Plans, architectural drawings, photographs, elevations, specifications, and other detailed information depicting fully the exterior appearance of the existing and proposed construction, including parking and access, exterior lighting, landscaping, and signs involved in the application.
<input checked="" type="checkbox"/>	If the Hamilton County Auditor's official records do not list the applicant or owner as the owner of the property, a lease, contract to purchase, or other agreement demonstrating the applicant or owner's legal basis to seek the relief requested.
<input checked="" type="checkbox"/>	All other documents or information you intend to introduce at the hearing on this application.
<input checked="" type="checkbox"/>	A list of witnesses and expert witnesses who you expect to testify at the hearing on this application.
<input checked="" type="checkbox"/>	A non-refundable application fee. The fee must be paid with a check made payable to "City of Cincinnati." Fees are as follows: \$500-use variances; \$300-all other relief.

**To help avoid delays, it is strongly suggested that you present your application to neighboring property owners and any interested neighborhood community groups prior to the hearing on your application. This will give you a prior opportunity to address your neighbors' concerns or objections and can facilitate the approval of your application.**

**REMEMBER: YOU MUST PAY THE REQUIRED FEE AT THE TIME YOU SUBMIT YOUR APPLICATION. (\$500-USE VARIANCES; \$300-ALL OTHER RELIEF)**



# PLATTE

architecture + design

---

202 W. ELDER STREET 4TH FLOOR | CINCINNATI, OH 45202  
WWW.PLATTEDESIGN.COM T: 513.871.1850 | F: 513.871.1829

January 9, 2016

Re: Certificate of Appropriateness & Conditional Use Permits

1131 Broadway Street

Lucius Q BBQ Restaurant

To the Members of the Historic Conservation Board of Cincinnati:

Thank you for taking time to look at our proposed project at 1131 Broadway Street. For this project we are requesting a Historic Certificate of Appropriateness for the design, as well as two conditional use permits: one for outdoor dining and another for the live musical entertainment inside the building.

The existing building is a one-story masonry building which is listed as “non-contributing” in the Over-the-Rhine Historic District. In the past, the building was used as a garage. The future proposed use is a barbeque restaurant with musical entertainment, with an outdoor patio in the rear of the building to the west.

There have been a number of historically insensitive interventions on the building in the past, all of which we plan to reverse and restore the building to its former glory. We plan to open all of the bricked-in historic openings to their original size. There are two existing garage door openings (one facing Broadway, the other facing 12<sup>th</sup> Street) in which we plan to install new glass overhead garage doors. We also plan to install 4 new fixed windows in the 4 window openings on these primary facades. The design also calls to remove the non-historic masonry infill under the 3 arches at the corner of the building, and install a new aluminum storefront entryway in this location.

The west elevation of the building is a big blank wall- currently on a zero lot line, adjacent to an existing parking lot. This project proposes to consolidate the lots and turn this parking lot into an outdoor patio with dining and a fire pit. The big blank west wall of the existing structure has been mostly covered with a cement-based plaster, so no historic masonry detail remains. We propose two new openings in this wall to connect the restaurant interior with the proposed patio. One of the openings will be a glass and metal door which will act as our ADA entrance to the building. At the larger of the two openings we propose the installation of a bifolding garage-type door, giving the bar direct access to the outdoor patio. The patio will be bordered on the north and west by a black 6'-0" high aluminum fencing system, similar to “Gilpin Legacy”. See attached for example photos and plans.

A new brick masonry addition forms the south border of the patio. This addition will have a low-sloping membrane roof, where we will also be locating some of our outdoor mechanical equipment. The north wall of this new addition extends beyond the addition itself and acts as a visual screen for the dumpster located at the southwest corner of the site. The proposed new construction is quiet, subordinate, and compatible with the original building, because it is made out of brick masonry and is rectilinear in form, and it is shorter in height.

We feel this project complies with the Over the Rhine Historic District Conservation Guidelines. Because the existing building is listed as a “non-contributing” structure, some of the guidelines may not apply to this building. The new construction addition complies with the historic guidelines in that it is “sympathetic but not imitative in design”, and it does not “overpower the original building.” With this letter, as well as the enclosed drawings and documents, we hope the board sees fit to issue a Certificate of Appropriateness for this project.

#### Conditional Use Permits:

With this letter we are also requesting two conditional use permits: one for outdoor dining and another for indoor entertainment. The outdoor dining and entertainment conditional use permits are crucial to the success of this project. Without these permits, the project may not move forward.

Section 1419-21 prohibits these uses within 100' and 500' of a residential zone, respectively. The following factors listed in section 1445-13 of the municipal code were considered:

- (a) *Zoning. The proposed work conforms to the underlying zone district regulations and is in harmony with the general purposes and intent of the Cincinnati Zoning Code or the Land Development Code, as applicable.*

This property is zoned CC-P, which, in essence, means that the area is designated for medium-scale, pedestrian-oriented, mixed-use commercial development.

#### *1409-05 Community Character.*

*Pedestrian. This district designation is intended for areas with a traditional urban character, where buildings are required to be built to the street or sidewalk line, to provide a close relationship between pedestrians and shops. Design standards will reinforce this character and require treatments that provide an interesting pedestrian environment. This designation may apply to some areas where a few auto-oriented uses exist, but where restoring the pedestrian character is specified in a community plan or other documentation approved by the Planning Commission.*

By turning the parking lot in the rear of this building into an outdoor dining area, it makes the area significantly more pedestrian friendly and less auto-oriented. The outdoor dining area is visually connected to the sidewalk, which makes the pedestrian experience not only more interesting but fundamentally safer. The more eyes on the street you can have, especially during busy restaurant evening hours, the safer your streets become.

Furthermore, indoor musical entertainment will bring even more customers through the doors of the restaurant, which increases pedestrian traffic and vibrancy in the neighborhood as a whole.

*(b) Guidelines. The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.*

The project conforms to the design guidelines of the Over the Rhine historic district, as outlined in the text above.

*(d) Traffic. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not overload the adjacent streets and the internal circulation system is properly designed.*

Dramatically increased traffic is not anticipated in this already bustling neighborhood. The parking requirement for the restaurant will be satisfied through the reservation of parking spots in the adjacent parking lot to the west.

*(e) Buffering. Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.*

We have located the outdoor dining area in this design at the northwest corner of this development. The existing building and proposed addition will act as a visual and acoustic buffer for this area. The proposed outdoor dining area is adjacent to mostly existing parking lots.

*(g) Hours of Operation. Operating hours are compatible with adjacent land uses.*

*1419-21 (g) "Hours of Operation. Within 100 feet of a residential district boundary line the use of outdoor areas is prohibited between Midnight and 7 AM on Friday and Saturday and 10 PM and 7 AM on all other days..."*

Because we are within 100' of a residential district, it is our intention to adhere to the operating hours listed in the code (above). Because Pendleton is growing into a vibrant mixed-use commercial district, it is our belief that the operating hours listed above are compatible with the neighborhood.

*(h) Neighborhood Compatibility. The proposed work is compatible with the predominant or prevailing land use, building and structure patterns of the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood.*

This project will be an asset to the neighborhood. It will encourage other businesses to move in to the area, and it will serve as a magnet for pedestrian traffic from the Main Street entertainment district, as listed below in item "l".

This work is compatible with the predominant and prevailing land use. There is already outdoor dining in the courtyard at nearby "Nation" restaurant. Furthermore, the preservation of the existing garage structure contributes to the character of the historic Pendleton urban fabric.

*(k) Blight. The elimination or avoidance of blight.*

This project represents the elimination of blight because it is the development of a previously vacant and bricked-over garage building into a vibrant restaurant. The outdoor dining and entertainment conditional use permits are crucial to the success of this project. Without these permits, the project may not move forward. The existing building will remain empty and rear parking lot will remain just a parking lot.

*(l) Economic Benefits. The promotion of the Cincinnati economy.*

Transforming this vacant building and parking lot into a restaurant with outdoor dining represents the beginning of a connection between the Pendleton business district and the Main Street entertainment district in Over the Rhine. Currently, the pedestrian path between these two areas is a bleak landscape of parking lots and vacant buildings. If someone leaving the bustling bar at Neon's (at 12<sup>th</sup> and Main) can look to the east and see a well-lit and vibrant restaurant patio at the corner of 12<sup>th</sup> and Broadway, they will be inclined to venture into Pendleton. It will be a magnet for business from the West. For many customers of the Main Street Entertainment District, Pendleton is still uncharted territory. Increased pedestrian traffic means increased business and public safety for the entire neighborhood of Pendleton.

*(m) Job Creation. The creation of jobs both permanently and during construction.*

There will be more than a dozen people employed in running the kitchen and bar at this restaurant. Furthermore, the success of this restaurant makes the neighborhood more attractive to other commercial tenants such as offices and retail. Popular restaurants bring new jobs to a neighborhood both directly and indirectly.

*(n) Tax Valuation. Any increase in the real property tax duplicate.*

Currently this empty building and parking lot are valued at \$48,280 by the Hamilton County Auditors. With this project, the restauranters are poised to invest over \$500,000 with the complete renovation and stabilization of the existing building, the new construction kitchen addition, new equipment, and the new outdoor patio area.

*(o) Private Benefits. The economic and other private benefits to the owner or applicant.*

The outdoor patio and entertainment conditional use permits are crucial to the success of this project. Without these permits, the project may not move forward. The outdoor patio with the fire pit, as well as the indoor musical entertainment is a huge attraction to customers- it will bring business through the door.

*(p) Public Benefits. The public peace, health, safety or general welfare.*

The success of this restaurant with the outdoor patio increases the pedestrian walkability of the Pendleton area, especially the connection with the Main Street Entertainment District. Both the patio and the musical entertainment will draw people to the area. The more appealing the pedestrian experience, the more people on the street. More eyes on the street makes for a safer and more economically viable neighborhood, overall.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy Lynch', with a long horizontal line extending to the right.

Amy Lynch, Project Manager

# PLATTE

architecture + design

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202 W. ELDER STREET 4TH FLOOR | CINCINNATI, OH 45202  
WWW.PLATTEDESIGN.COM T: 513.871.1850 | F: 513.871.1829

February 8, 2016

Beth Johnson  
Urban Conservator – City of Cincinnati

Re: Broadway Square Phase 2 – Variance/Conditional-Use/COA Applications

Dear Ms. Johnson,

As requested, we are submitting a series of items to your office regarding the Broadway Phase 2 project – a scattered site redevelopment project in the Pendleton neighborhood for the Model Group developer. After our initial design work and zoning reviews, we have encountered several hardships for which we are requesting zoning variances and conditional uses. Each of the buildings listed below are being submitted for separate building permits. However, we thought it to be prudent for this letter to address the project as a whole.

The scope of the project includes the redevelopment of (6) separate parcels. The attached site map shows the parcel locations, as well as the (3) different zoning designations across which they span. We believe that our proposed designs/uses for three of the properties meet the current zoning code. These buildings are 1201 Broadway (CL-P zone), 1126 Broadway/405 E 12th (CN-P zone) and 1211 Broadway (CC-P zone). For the remaining (3) parcels, we are requesting the following variances and conditional uses due to hardships:

**331 East 13th Street (CN-P zone)**

*We are seeking a variance for parking. We ask the board to approve a variance to Section 1425-15(c)(3) regarding how required off-site parking shall be established and maintained to allow for the following parking solution as conditioned below:*

- a) Property owner shall control the rights to at least 14 parking spaces within 600 feet of the property during normal working hours for the life of the project.*
- b) Property Owner shall initially demonstrate control for a period of at least 15 years and maintain documentation of such rights in a form approved by the City Solicitor. Said documentation shall be provided to the City of Cincinnati at any time within 3 business days of being requested to do so.*
- c) Such control shall be established prior to issuance of the first Certificate of Occupancy.*
- d) Termination or substitution of control shall be upon the prior written consent of the City. Such consent would not be withheld if an equivalency of parking spaces is provided or subsequent legislative actions reduce or eliminate the parking requirement.*

**407 East 13th Street (RM-0.7 zone)**

*We are seeking a variance for parking. We ask the board to approve a variance to Section 1425-15(c)(3) regarding how required off-site parking shall be established and maintained to allow for the following parking solution as conditioned below:*

- a) Property owner shall control the rights to at least 7 parking spaces within 600 feet of the property during normal working hours for the life of the project.*
- b) Property Owner shall initially demonstrate control for a period of at least 15 years and maintain documentation of such rights in a form approved by the City Solicitor. Said documentation shall be provided to the City of Cincinnati at any time within 3 business days of being requested to do so.*
- c) Such control shall be established prior to issuance of the first Certificate of Occupancy.*
- d) Termination or substitution of control shall be upon the prior written consent of the City. Such consent would not be withheld if an equivalency of parking spaces is provided or subsequent legislative actions reduce or eliminate the parking requirement.*

**412 East 12th Street (RM-0.7 zone)**

*We are seeking a variance for parking. We ask the board to approve a variance to Section 1425-15(c)(3) regarding how required off-site parking shall be established and maintained to allow for the following parking solution as conditioned below:*

- a) Property owner shall control the rights to at least 13 parking spaces within 600 feet of the property during normal working hours for the life of the project.*
- b) Property Owner shall initially demonstrate control for a period of at least 15 years and maintain documentation of such rights in a form approved by the City Solicitor. Said documentation shall be provided to the City of Cincinnati at any time within 3 business days of being requested to do so.*
- c) Such control shall be established prior to issuance of the first Certificate of Occupancy.*
- d) Termination or substitution of control shall be upon the prior written consent of the City. Such consent would not be withheld if an equivalency of parking spaces is provided or subsequent legislative actions reduce or eliminate the parking requirement.*

*We are seeking a conditional use approval for the proposed 3092sf of total office space (whereas Use Limitation L7 allows for only 2,500sf of office space in RM-0.7).*

*We are seeking a variance for the placement of 2688sf of office space on the second floor (whereas Use Limitation L7 restricts office space to the first floor only.) We feel that the second floor office use does not disrupt the character of the neighborhood, and have seen it allowed at other buildings within RM-0.7 (such as the adjacent 404 E 12th St building).*

While parking continues to be an issue in the redevelopment of the OTR and Pendleton neighborhoods, given the character of the neighborhood, we feel that additional surface lots should be avoided when possible in order to preserve the dense urban fabric. We feel that long-term leasing of spaces at the 3CDC Zeigler garage will allow this redevelopment project to not add pressure to the current system, and that the garage will provide relief to current pressures. This solution leaves the dense historic street unbroken by additional surface lots.

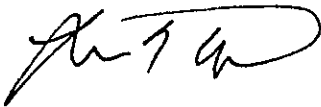
We feel that the additional office space requested as well as its partial placement on the second story poses no "potential adverse impacts on the immediate neighborhood" and does not "interfere with the use and enjoyment of adjacent property and uses" (§1445-05). The office space conditional use is specifically listed in the applicable zoning district use regulations outlined

in §1405-05. The proposed conditional use is within all of the General Standards outlined in §1445-13 (a-p) and specifically addresses:

- (k) *Blight. The elimination or avoidance of blight.*
- (l) *Economic Benefits. The promotion of the Cincinnati economy.*
- (m) *Job Creation. The creation of jobs both permanently and during construction.*
- (n) *Tax Valuation. Any increase in the real property tax duplicate.*
- (o) *Private Benefits. The economic and other private benefits to the owner or applicant.*
- (p) *Public Benefits. The public peace, health, safety or general welfare.*

We are also submitting to you Certificate of Appropriateness applications for all (6) of the buildings that are part of the project, along with corresponding building plans and elevations. If you need any additional information from our office, or if you have any questions/concerns in regards to these applications, please do not hesitate to call or email. We look forward to hearing back from you, and to presenting to the HCB on March 21, 2016.

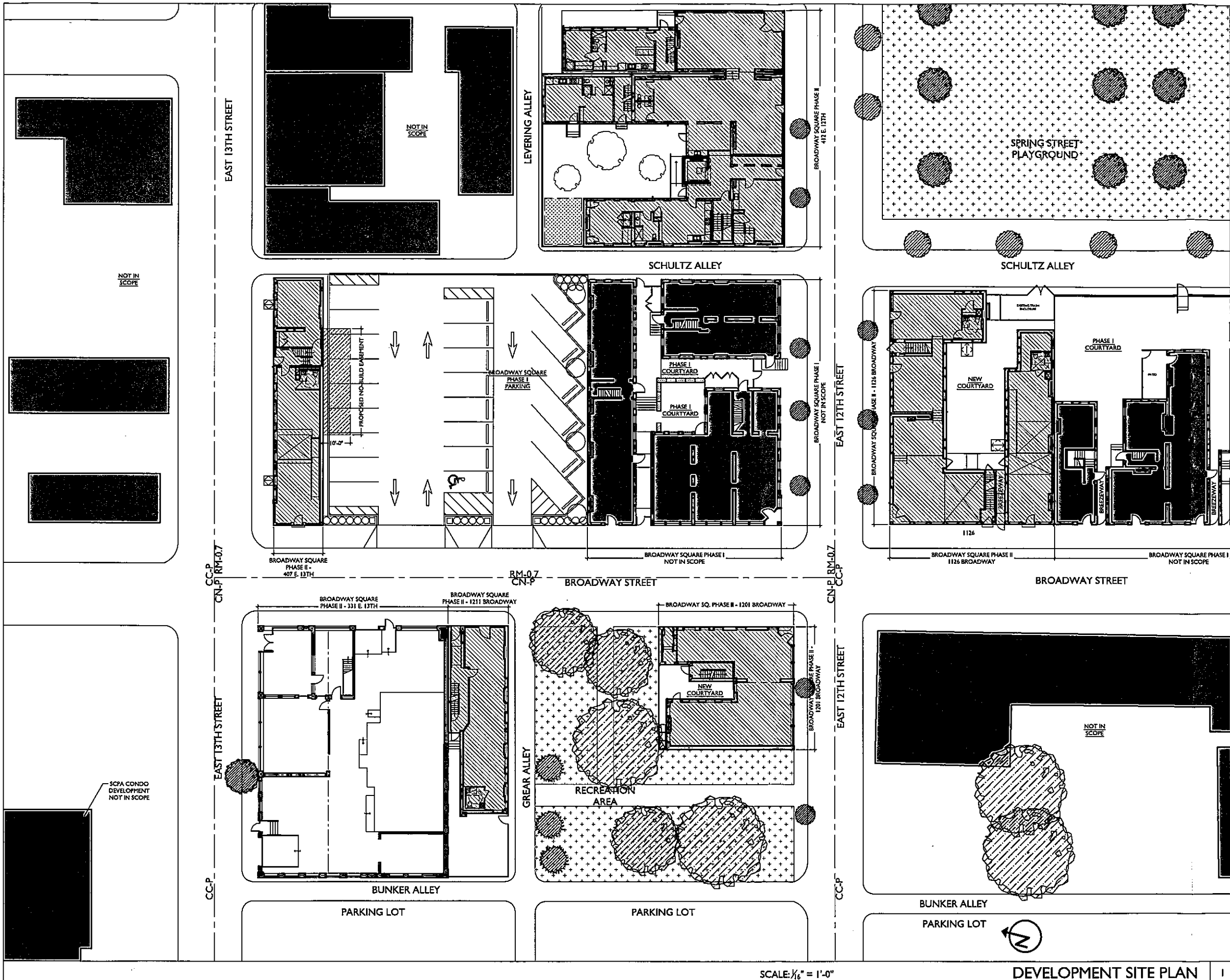
Sincerely,



LUKE FIELD  
RA | LEED-AP | AIA

**PLATTE**  
architecture + design

202 W. Elder St. - 4<sup>th</sup> Fl.  
Cincinnati, OH 45202  
[www.plattedesign.com](http://www.plattedesign.com)  
Office: (513) 871-1850 x.1007



**DEVELOPMENT SITE PLAN GENERAL NOTES**

- THIS PERMIT IS PART OF A LARGER DEVELOPMENT CONSISTING OF 6 BUILDINGS. SITE IMPROVEMENTS WILL BE COORDINATED ACROSS THE PROJECT.
- ADA ACCESS TO ALL BUILDINGS IS PROVIDED THROUGH DOORS AT GRADE, SLOPED ENTRIES AND/OR INTERIOR RAMPS.
- DUE TO THE INFASIBILITY OF ONSITE PARKING, VARIANCES FOR OFF SITE PARKING ACCESS HAVE BEEN APPLIED FOR.

**DEVELOPMENT SITE PLAN GRAPHIC KEY**

	PUBLIC PARK
	ADJACENT BUILDINGS (NOT PART OF BROADWAY PHASE II)
	BROADWAY SQ. PHASE II BUILDINGS (NOT PART OF THIS PERMIT SET)
	PROPOSED EASEMENT
	PERMIT BUILDING
	EXISTING TREE

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KURT PLATTE 10633  
EXP. DATE 12.31.17

Project Date:  
02.05.2016 - COA SUBMISSION

Revisions

Design Team:  
LF, EB, LM, TS, LF, MKS  
Drawn by:  
LM, MKS

PROPOSED PROJECT:  
RENOVATIONS AND ADDITIONS FOR:  
**BROADWAY SQ. PHASE II**  
CINCINNATI, OH 45202

DEVELOPMENT SITE PLAN | 1

# PLATTE

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202 W. ELDER STREET 4TH FLOOR | CINCINNATI, OH 45202  
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January 9, 2016

Re: Certificate of Appropriateness & Conditional Use Permits

1131 Broadway Street

Lucius Q BBQ Restaurant

To the Members of the Historic Conservation Board of Cincinnati:

Thank you for taking time to look at our proposed project at 1131 Broadway Street. For this project we are requesting a Historic Certificate of Appropriateness for the design, as well as two conditional use permits: one for outdoor dining and another for the live musical entertainment inside the building.

The existing building is a one-story masonry building which is listed as “non-contributing” in the Over-the-Rhine Historic District. In the past, the building was used as a garage. The future proposed use is a barbeque restaurant with musical entertainment, with an outdoor patio in the rear of the building to the west.

There have been a number of historically insensitive interventions on the building in the past, all of which we plan to reverse and restore the building to its former glory. We plan to open all of the bricked-in historic openings to their original size. There are two existing garage door openings (one facing Broadway, the other facing 12<sup>th</sup> Street) in which we plan to install new glass overhead garage doors. We also plan to install 4 new fixed windows in the 4 window openings on these primary facades. The design also calls to remove the non-historic masonry infill under the 3 arches at the corner of the building, and install a new aluminum storefront entryway in this location.

The west elevation of the building is a big blank wall- currently on a zero lot line, adjacent to an existing parking lot. This project proposes to consolidate the lots and turn this parking lot into an outdoor patio with dining and a fire pit. The big blank west wall of the existing structure has been mostly covered with a cement-based plaster, so no historic masonry detail remains. We propose two new openings in this wall to connect the restaurant interior with the proposed patio. One of the openings will be a glass and metal door which will act as our ADA entrance to the building. At the larger of the two openings we propose the installation of a bifolding garage-type door, giving the bar direct access to the outdoor patio. The patio will be bordered on the north and west by a black 6'-0" high aluminum fencing system, similar to “Gilpin Legacy”. See attached for example photos and plans.

A new brick masonry addition forms the south border of the patio. This addition will have a low-sloping membrane roof, where we will also be locating some of our outdoor mechanical equipment. The north wall of this new addition extends beyond the addition itself and acts as a visual screen for the dumpster located at the southwest corner of the site. The proposed new construction is quiet, subordinate, and compatible with the original building, because it is made out of brick masonry and is rectilinear in form, and it is shorter in height.

We feel this project complies with the Over the Rhine Historic District Conservation Guidelines. Because the existing building is listed as a “non-contributing” structure, some of the guidelines may not apply to this building. The new construction addition complies with the historic guidelines in that it is “sympathetic but not imitative in design”, and it does not “overpower the original building.” With this letter, as well as the enclosed drawings and documents, we hope the board sees fit to issue a Certificate of Appropriateness for this project.

#### Conditional Use Permits:

With this letter we are also requesting two conditional use permits: one for outdoor dining and another for indoor entertainment. The outdoor dining and entertainment conditional use permits are crucial to the success of this project. Without these permits, the project may not move forward.

Section 1419-21 prohibits these uses within 100’ and 500’ of a residential zone, respectively. The following factors listed in section 1445-13 of the municipal code were considered:

- (a) *Zoning. The proposed work conforms to the underlying zone district regulations and is in harmony with the general purposes and intent of the Cincinnati Zoning Code or the Land Development Code, as applicable.*

This property is zoned CC-P, which, in essence, means that the area is designated for medium-scale, pedestrian-oriented, mixed-use commercial development.

#### *1409-05 Community Character.*

*Pedestrian. This district designation is intended for areas with a traditional urban character, where buildings are required to be built to the street or sidewalk line, to provide a close relationship between pedestrians and shops. Design standards will reinforce this character and require treatments that provide an interesting pedestrian environment. This designation may apply to some areas where a few auto-oriented uses exist, but where restoring the pedestrian character is specified in a community plan or other documentation approved by the Planning Commission.*

By turning the parking lot in the rear of this building into an outdoor dining area, it makes the area significantly more pedestrian friendly and less auto-oriented. The outdoor dining area is visually connected to the sidewalk, which makes the pedestrian experience not only more interesting but fundamentally safer. The more eyes on the street you can have, especially during busy restaurant evening hours, the safer your streets become.

Furthermore, indoor musical entertainment will bring even more customers through the doors of the restaurant, which increases pedestrian traffic and vibrancy in the neighborhood as a whole.

*(b) Guidelines. The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.*

The project conforms to the design guidelines of the Over the Rhine historic district, as outlined in the text above.

*(d) Traffic. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not overload the adjacent streets and the internal circulation system is properly designed.*

Dramatically increased traffic is not anticipated in this already bustling neighborhood. The parking requirement for the restaurant will be satisfied through the reservation of parking spots in the adjacent parking lot to the west.

*(e) Buffering. Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.*

We have located the outdoor dining area in this design at the northwest corner of this development. The existing building and proposed addition will act as a visual and acoustic buffer for this area. The proposed outdoor dining area is adjacent to mostly existing parking lots.

*(g) Hours of Operation. Operating hours are compatible with adjacent land uses.*

*1419-21 (g) "Hours of Operation. Within 100 feet of a residential district boundary line the use of outdoor areas is prohibited between Midnight and 7 AM on Friday and Saturday and 10 PM and 7 AM on all other days..."*

Because we are within 100' of a residential district, it is our intention to adhere to the operating hours listed in the code (above). Because Pendleton is growing into a vibrant mixed-use commercial district, it is our belief that the operating hours listed above are compatible with the neighborhood.

*(h) Neighborhood Compatibility. The proposed work is compatible with the predominant or prevailing land use, building and structure patterns of the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood.*

This project will be an asset to the neighborhood. It will encourage other businesses to move in to the area, and it will serve as a magnet for pedestrian traffic from the Main Street entertainment district, as listed below in item "I".

This work is compatible with the predominant and prevailing land use. There is already outdoor dining in the courtyard at nearby "Nation" restaurant. Furthermore, the preservation of the existing garage structure contributes to the character of the historic Pendleton urban fabric.

*(k) Blight. The elimination or avoidance of blight.*

This project represents the elimination of blight because it is the development of a previously vacant and bricked-over garage building into a vibrant restaurant. The outdoor dining and entertainment conditional use permits are crucial to the success of this project. Without these permits, the project may not move forward. The existing building will remain empty and rear parking lot will remain just a parking lot.

*(l) Economic Benefits. The promotion of the Cincinnati economy.*

Transforming this vacant building and parking lot into a restaurant with outdoor dining represents the beginning of a connection between the Pendleton business district and the Main Street entertainment district in Over the Rhine. Currently, the pedestrian path between these two areas is a bleak landscape of parking lots and vacant buildings. If someone leaving the bustling bar at Neon's (at 12<sup>th</sup> and Main) can look to the east and see a well-lit and vibrant restaurant patio at the corner of 12<sup>th</sup> and Broadway, they will be inclined to venture into Pendleton. It will be a magnet for business from the West. For many customers of the Main Street Entertainment District, Pendleton is still uncharted territory. Increased pedestrian traffic means increased business and public safety for the entire neighborhood of Pendleton.

*(m) Job Creation. The creation of jobs both permanently and during construction.*

There will be more than a dozen people employed in running the kitchen and bar at this restaurant. Furthermore, the success of this restaurant makes the neighborhood more attractive to other commercial tenants such as offices and retail. Popular restaurants bring new jobs to a neighborhood both directly and indirectly.

*(n) Tax Valuation. Any increase in the real property tax duplicate.*

Currently this empty building and parking lot are valued at \$48,280 by the Hamilton County Auditors. With this project, the restaurateurs are poised to invest over \$500,000 with the complete renovation and stabilization of the existing building, the new construction kitchen addition, new equipment, and the new outdoor patio area.

*(o) Private Benefits. The economic and other private benefits to the owner or applicant.*

The outdoor patio and entertainment conditional use permits are crucial to the success of this project. Without these permits, the project may not move forward. The outdoor patio with the fire pit, as well as the indoor musical entertainment is a huge attraction to customers- it will bring business through the door.

*(p) Public Benefits. The public peace, health, safety or general welfare.*

The success of this restaurant with the outdoor patio increases the pedestrian walkability of the Pendleton area, especially the connection with the Main Street Entertainment District. Both the patio and the musical entertainment will draw people to the area. The more appealing the pedestrian experience, the more people on the street. More eyes on the street makes for a safer and more economically viable neighborhood, overall.

Sincerely,

Amy Lynch, Project Manager



Schweiss Doors  
[www.Schweissdoors.com](http://www.Schweissdoors.com)  
[schweiss@schweissdoors.com](mailto:schweiss@schweissdoors.com)

This custom set of Schweiss Bifold Doors was the perfect solution to provide a unique dining experience for this restaurant's patio bar customers

For more information about Schweiss Doors, email [schweiss@schweissdoors.com](mailto:schweiss@schweissdoors.com)



# > YES 45 TU

Thermally Broken Center Set Storefront

## SYSTEM DESCRIPTION:

YES 45 TU is a thermally broken, center set, flush glazed storefront system for insulating glass. The system is thermally broken by means of a poured and debridged pocket that employs a patented process, ThermaBond Plus®, to greatly improve adhesion of the polyurethane to the extruded aluminum. Combining science and technology, ThermaBond Plus resolves the problem of adhesion and the resultant dry shrinkage associated with typical poured and debridged systems.

## OPTIONS & FEATURES:

- 2" Face by 4-1/2" Overall Depth
- Outside or Inside Glazed
- Accepts 1" Insulating Glass
- High Performance Sill Flashing
  - ◆ No Blind Seals
  - ◆ Tall back leg for enhanced water resistance
  - ◆ Patented 3 point attachment of end dam
- Patented Screw Spline or Shear Block Assembly
- ThermaBond Plus Thermal Break
- Model 20D/35D/50D Single Doors up to 4'-0" x 8'-0"
- Model 20D/35D/50D Pairs up to 8'-0" x 8'-0"



# > YES 45 TU Center Set

## Thermally Broken Storefront System Specifications

### 1.01 SUMMARY

- A. Section Includes: Aluminum Storefront Systems.
  - 1. YKK AP Series YES 45 TU Center Set Aluminum Storefront System.
- B. Related Sections:
  - 1. Glass and Glazing: Refer to Division 8 Glass and Glazing Section for glass and glazing requirements

### 1.02 SYSTEM DESCRIPTION

- A. Performance Requirements: Provide aluminum storefront systems that comply with performance requirements indicated, as demonstrated by testing manufacturer's assemblies in accordance with test method indicated.
    - 1. Air Infiltration: Completed storefront systems shall have 0.06 CFM/FT<sup>2</sup> (1.10 m<sup>3</sup>/h·m<sup>2</sup>) maximum allowable infiltration when tested in accordance with ASTM E 283 at differential static pressure of 6.24 PSF (299 Pa).
    - 2. Water Infiltration: No uncontrolled water when tested in accordance with ASTM E 331 at test pressure differential of: 10 PSF (479 Pa) (or when required, field tested in accordance with AAMA 503). Fastener Heads must be seated and sealed against Sill Flashing on any fasteners that penetrate through the Sill Flashing.
    - 3. Wind Loads: Completed storefront system shall withstand wind pressure loads normal to wall plane indicated:
      - a. Exterior Walls:
        - 1) Positive Pressure:
        - 2) Negative Pressure:
      - b. Interior Walls (Pressure Acting in Either Direction):
    - 4. Deflection: Maximum allowable deflection in any member when tested in accordance with ASTM E 330 with allowable stress in accordance with AA Specifications for Aluminum Structures.
      - a. Without Horizontals: L/175 maximum.
      - b. With Horizontals: L/175 or L/240 + 1/4" (6.4mm) for spans greater than 13'-6" (4.1m) but less than 40'-0" (12.2m).
    - 5. Thermal Movement: Provide for thermal movement caused by 180 degrees F. (82.2 degrees C.) surface temperature, without causing buckling stresses on glass, joint seal failure, undue stress on structural elements, damaging loads on fasteners, reduction of performance, or detrimental effects.
    - 6. Thermal Performance: When tested in accordance with AAMA 507, AAMA 1503 and NFRC 100:
      - a. Condensation Resistance Factor (CRFf): A minimum of 60.
      - b. Thermal Transmittance U Value: 0.45 BTU/HR/FT<sup>2</sup>/°F or less.
- Note: Thermal Performance for the glazed system as a whole will be affected by the characteristics of the glass specified and percentage of vision area.
- 7. Acoustical Performance: Acoustical Performance: When tested in accordance with AAMA 1801:
    - a. Sound Transmission Class (STC) shall not be less than 35 laminated.
    - b. Outdoor-Indoor Transmission Class (OITC) shall not be less than 29 laminated.

### 2.01 MANUFACTURERS

- A. Acceptable Manufacturers: YKK AP America, Inc.
  - 1. Storefront System: YKK AP YES 45 TU Storefront System.
- B. Storefront Framing System:
  - 1. Description: Center set, exterior flush glazed; jambs and vertical mullions continuous; head, sill, intermediate horizontal attached by screw spline joinery or shear block attachment.
  - 2. Components: Manufacturer's standard extruded aluminum mullions, 90 degree corner posts, entrance door framing, and indicated shapes.
  - 3. Thermal Barrier: Provide continuous thermal barrier by means of a poured and debridged pocket consisting of a two-part, chemically cured high density polyurethane which is bonded to the aluminum by YKK AP ThermaBond Plus®. Systems employing non structural thermal barriers are not acceptable.

### 2.02 MATERIALS

- A. Extrusions: ASTM B 221 (ASTM B 221M), 6063-T5 Aluminum Alloy.

### 2.03 ACCESSORIES

- A. Manufacturer's Standard Accessories:
  - 1. Fasteners: Zinc plated steel concealed fasteners: Hardened aluminum alloys or AISI 300 series stainless steel exposed fasteners.
  - 2. Glazing: Setting blocks, edge blocks, and spacers in accordance with ASTM C 864, shore durometer hardness as recommended by manufacturer; glazing gaskets in accordance with ASTM C 864.
  - 3. 0.050 Aluminum Sill Flashing End Dams must have 3 point attachment.

### 2.06 FINISHES

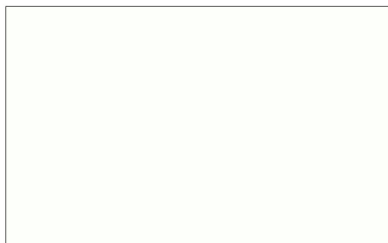
- A. Anodic Coating: Electrolytic color coating followed by an organic seal applied in accordance with the requirements of AAMA 612.
- B. High Performance Organic Coating Finish: Factory applied two-coat 70% Kynar resin by Arkema or 70% Hylar resin by Solvay Solexis, fluoropolymer based coating system, Polyvinylidene Fluoride (PVF-2), applied in accordance with YKK AP procedures and meeting AAMA 2605 specifications.

For additional information on architectural aluminum products offered by YKK AP America Inc. visit our web site at [www.ykkap.com](http://www.ykkap.com).



# > YKK AP Paint Colors

## Standard Colors for a Superior Finish



**Bone White UC43350**



**Colonial White UC54983**



**Sandstone UC109856**



**Beige UC97345**



**Seawolf Beige UC109855**



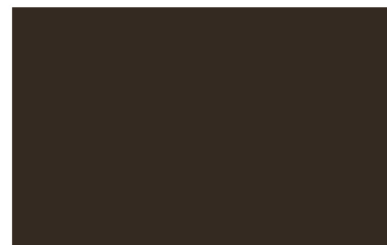
**Hartford Green UC109881**



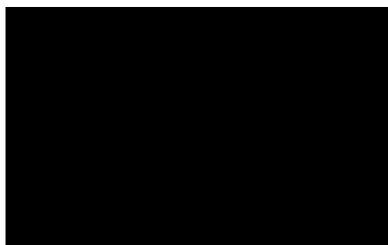
**Colonial Red UC105846**



**Charcoal UC99477**



**Classic Bronze UC109850**



**Black UC40577**

### Superior Painted Finishes – Meets AAMA 2605

The 70% PVDF (Duranar®) two-coat, non-exotic, non-metallic colors shown on this page are the actual colors and may be used as a reference. These colors and finishes are available on YKK AP's *Rapid Building Envelope Program*. Additional colors and finishes are also available. Contact your local sales office for pricing and lead time information.

In Partnership With:



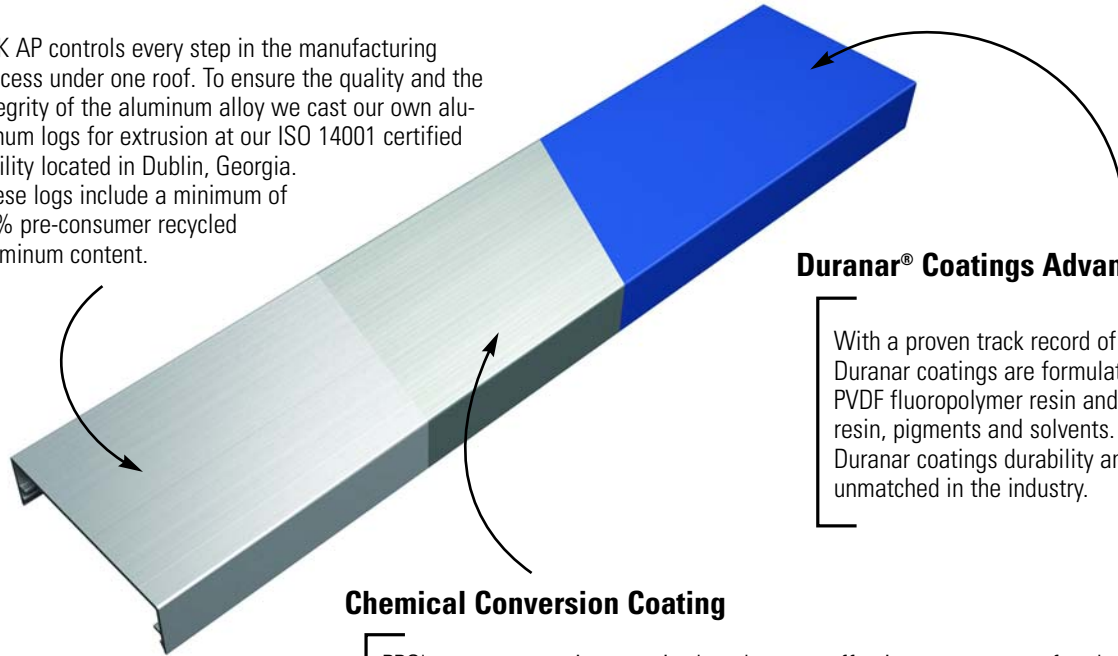
**PPG Coatings Protected**

The PPG Certified Applicator Program is a service mark and Duranar® is a registered trademark of PPG Industries, Inc.

YKK AP is part of this select nationwide network of exceptional coating applicators whose facilities and quality control processes are rigorously audited by PPG to deliver the highest possible level of product quality, customer service and technical expertise.

**Highest Quality Aluminum Billets and Extrusions**

YKK AP controls every step in the manufacturing process under one roof. To ensure the quality and the integrity of the aluminum alloy we cast our own aluminum logs for extrusion at our ISO 14001 certified facility located in Dublin, Georgia. These logs include a minimum of 30% pre-consumer recycled aluminum content.



**Duranar® Coatings Advantage**

With a proven track record of over 40 years, Duranar coatings are formulated with 70% PVDF fluoropolymer resin and proprietary PPG resin, pigments and solvents. This gives Duranar coatings durability and colorfastness unmatched in the industry.

**Chemical Conversion Coating**

PPG's pretreatment is recognized as the most effective pretreatment for aluminum providing the maximum corrosion protection available. Outstanding surface preparation is the key to achieving AAMA 2605 performance, the most stringent paint performance standard in the industry.



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**UP TO 15 SEER / 9.0 HSPF  
PERFORMANCE**



Air Conditioning & Heating

# **GSZ14** ENERGY-EFFICIENT HEAT PUMP



**Thank goodness for Goodman.®**



Air Conditioning & Heating

## ENERGY EFFICIENCY

As the owner of an efficient Goodman® brand GSZ14 R-410A Heat Pump, you have made one of the best purchasing decisions possible in the HVAC marketplace. At Goodman, we strive to build heating and air-conditioning equipment that offers high performance, energy efficiency, durability, and an environment-complementing design – all at a price that will have you saying **“Thank goodness for Goodman.®”**

In particular, your Goodman brand GSZ14 Heat Pump will provide you with reliable cooling and heating at money-saving energy efficiency levels as compared to lower SEER heat pump units.



## COMFORT. SAVINGS. PERFORMANCE.

### ENJOY THE COMFORT

You can count on your Goodman brand GSZ14 Heat Pump to keep you cool on even the hottest summer days and warm on the coldest winter nights. Your Goodman brand air conditioner starts with an energy-efficient compressor, which operates in tandem with our high-efficiency coil. The coil is made of rifled refrigeration-grade copper tubing and corrugated aluminum fins in a design that maximizes surface area. These high-quality components together cool your home effectively.

### QUIET YOU CAN COUNT ON

We know that the last thing you want to hear at night is a noisy air conditioner starting up. So, we build our Goodman brand GSZ14 Heat Pumps with sound-dampening features that help ensure that your cooling system doesn't interfere with a good night's sleep. We rely on a quiet condenser fan system – a three-bladed fan and a unique louvered sound-control top – to reduce fan-related noise. Your Goodman brand GSZ14 Heat Pump will keep your home comfortable, year after year.



**Goodman's SMARTCOIL 5mm tube condensing coil design optimizes the heat transfer ability of R-410A refrigerant compared to standard 3/8" copper tubing.**

### SMARTCOIL™ TECHNOLOGY SMALLER IS SMARTER

Long ago the HVAC industry determined that the combination of copper tubing and aluminum fins provided the most efficient transfer of thermal heat available. Today, the Goodman brand has improved upon this industry standard by making the condenser coil copper tubing smaller and smarter. The result is an air conditioner unit that can offer high-efficiency, use less refrigerant, and deliver money-saving and energy-saving comfort to you for years and years.

### R-410A REFRIGERANT

Compared to lower SEER, R-22 refrigerant units, your new Goodman brand GSZ14 Heat Pump system will not only provide you with money-saving cooling performance for many years, but it also features R-410A refrigerant. This refrigerant does not contain chlorine.

Introduced in 1995, R-410A refrigerant has helped increase the durability and reliability of air conditioner compressors.





## **IMPRESSIVE FEATURES AND BENEFITS:** **GOODMAN® BRAND GSZ14** **R-410A ENERGY-EFFICIENT HEAT PUMP**

- Up to 15 SEER and 9.0 HSPF
- Chlorine-free R-410A refrigerant
- An energy-efficient compressor
- A factory-installed in-line filter drier
- Copper tube/aluminum fin coil
- A louvered cabinet made of heavy-gauge galvanized steel that protects the coil
- Brass liquid and suction line service valves
- A high-efficiency condenser coil made of corrugated aluminum fins and rifled refrigeration-grade copper tubing
- Air Conditioning, Heating, and Refrigeration Institute (AHRI) certified

**Talk to your Goodman brand dealer about opportunities to optimize the efficiency of your new unit.**



## **OUTSTANDING WARRANTY\* PROTECTION**



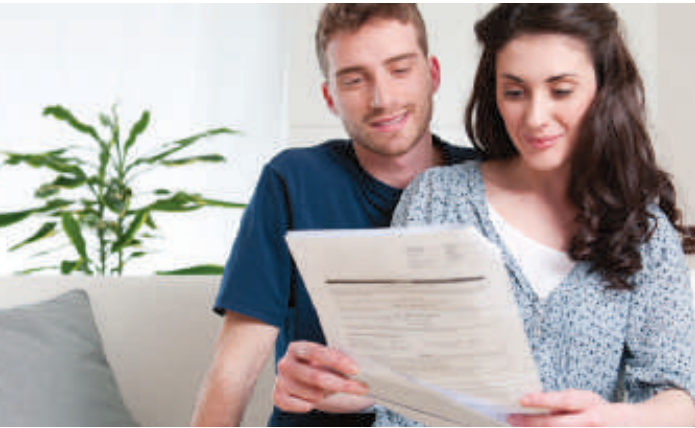
\*Complete warranty details available from your local dealer or at [www.goodmanmfg.com](http://www.goodmanmfg.com). To receive the 10-year Parts Limited Warranty, online registration must be completed within 60 days of installation. Online registration is not required in California or Quebec.

### **ADDITIONAL INFORMATION**

Before purchasing this appliance, read important information about its estimated annual energy consumption, yearly operating cost, or energy efficiency rating that is available from your retailer.



**Thank goodness for Goodman.®**



## Why are homeowners talking about Goodman?



### The reviews are in!

Each day more and more homeowners say, 'Thank goodness for Goodman®'. Find out why by visiting [www.goodmanmfg.com/reviews](http://www.goodmanmfg.com/reviews).



## GOODMAN – A MEMBER OF DAIKIN GROUP

Daikin Industries, Ltd. (DIL) is a global Fortune 1000 company with more than 50,000 employees worldwide, making it the number one residential and commercial HVAC manufacturer in the world. DIL is engaged primarily in the development, manufacture, sale and aftermarket support of heating, ventilation, air conditioning and refrigeration equipment, refrigerants and other chemicals, as well as oil hydraulic products. DIL is headquartered in Osaka, Japan, has manufacturing operations in 18 countries and a sales presence in more than 90 countries.

The company provides innovative, premium quality indoor climate management solutions to meet the changing needs of residential, commercial and industrial customers.



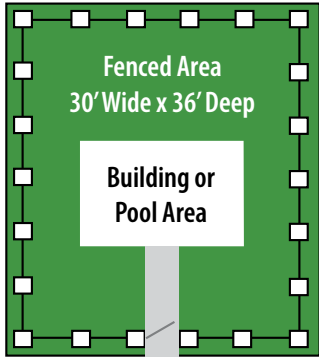
Our continuing commitment to quality products may mean a change in specifications without notice.  
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CB-GSZ14 08-15

# Installation Planning



## Installation Examples

- 21 - 6'W fence sections
- 21 - packages of attachment fittings
- 20 - fence posts
- 2 - gate posts
- 1 - gate

Specifications	Elite	Standard
6063 Alloy Pickets	1" Square	5/8" Square
Picket Spacing	Less Than 4"	Less Than 4"
Post Spacing*	71" o.c.	72" o.c.
Rails	1-5/8" x 1-5/8"	1" x 1"
6105 Alloy Posts	2-1/2" (.070" Thick)	2" sq (.060" Thick)
Gate Posts	2-1/2" or 4" sq (.125" Thick)	2" sq (.125" Thick)

\* Post spacing will change when using brackets

## Building codes

Always check local building codes before starting an installation. Compliance with building codes is the installer's responsibility

## Determining your needs

After you have measured installation area, use this chart to record items you will need for installation.

Item	Qty.

# Aluminum Fence Styles



## Grade and Color of Aluminum Fence

Gilpin aluminum fence is designed and engineered in two grades. Elite or commercial grade is heavier and sturdier when fence is not only used to beautify but to also inhibit unwanted traffic. Elite fence makes a bold statement in any application and is available in 6 and 8 foot wide sections. Standard or residential grade is made for general installations. It is used to accent and beautify your home and is available in 6 foot wide sections only.

Gilpin aluminum fence and gates are available in three colors that will accent your home or business application. Color is a personal choice and should be carefully considered before placing an order. Take into consideration your structure's color and accents and order accordingly.

**Elite Grade**

**Standard Grade**

Black = B    White = W    Bronze = Z

**Color Code**  
Powder Coat Finish

When ordering, place color code (B, W or Z) at end of part number to indicate color choice.

# Fence & Gate Selection

## All Fence Styles

### Fence Selections

- Select installed height: 36"H, 48"H, 60"H, 72"H, 84"H or 96"H
- 84"H & 96"H Elite Grade only
- 36"H, 48"H, 60"H (3 rail), 72"H, 84"H, 96"H (4 rail)

- Select panel width: Elite 6'W, Elite 4'W or Standard 6'W

### Gate Selections (to match fence selection)

### Post Selections (In-Ground or Flanged)

- Select type: Line, Corner, Gate, End, 3-Way, Transition or Blank

### Fence & Gate Accessories

- Fleur-di-Lis, Spear Point, Butterfly Scroll, Estate Scroll, Circles & Ball Cap



**Baltimore**

**Legacy**



**Castlegate**



**Windsor**



# Fence & Gate Selection

**Kingsford**



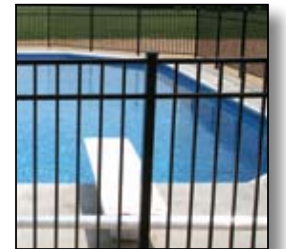
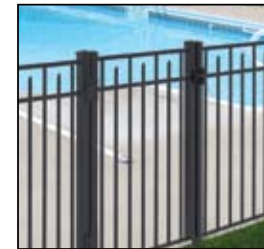
**Olympia**



**Tacoma**



## Baltimore Pool & Legacy Pool



### Fence Selections

- Baltimore Pool: 54"H or 60"H
- Legacy Pool: 48"H, 54"H or 60"H

### Gate Selections (to match fence selection)

### Post Selections (In-Ground or Flanged)

- Select type: Line, Corner, Gate, End, 3-Way, Transition or Blank

### Fence & Gate Accessories

- Fleur-di-Lis, Spear Point, Butterfly Scroll, Estate Scroll, Circles & Ball Cap

**Accessories**

Add beauty and function to your installation

Depending on the style you choose for your aluminum fence installation, a variety of decorative accessories are available to enhance your selection.

Accessories installed when ordered with product.



Butterfly Scroll (shown on spindle)



Circles



Estate Scroll (shown on spindle)



Spear Point



Fleur-de-Lis



Ball Cap



**Fixed Attachment Fitting**

Use when installing fence sections to wall, pillar, or post.

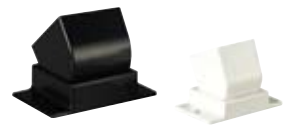


**Locking Latch**

Included with Aluminum Gates

**Upgrade your Latch!**

Magnetic latch w/lock (2 sizes). Top or vertical pull models. Required for pools by many codes as a child resistant safety feature.

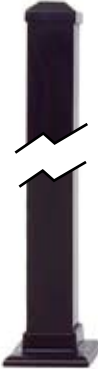


**Swivel Attachment Fitting**

Use when installing fence sections at vertical or horizontal angles.

**Posts**

Gilpin Inc has a post for any fence design. Each post has pre-punched holes for easy installation and accepts appropriate styles of elite (commercial) and standard (residential) grades of aluminum fence.



**Note:**

- Post heights of 36", 48" and 60" are available with flange for surface mount application.
- Fence post includes flat cap and installation screws.
- Ball cap available.

**Limited lifetime warranty**

In normal use, we warrant our products against defects in Gilpin supplied materials and workmanship for as long as you own them, normal wear and tear expected. For details go to [www.gilpininc.com](http://www.gilpininc.com)



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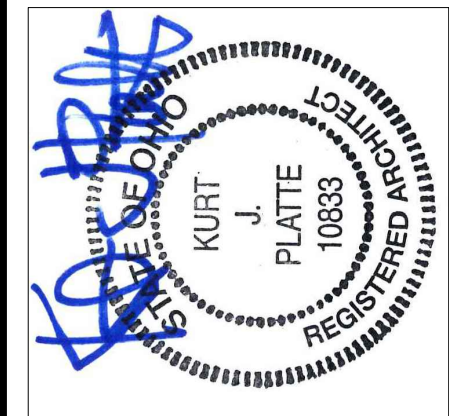


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- .....Powder coat finish.....



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Progress Dates

Revisions

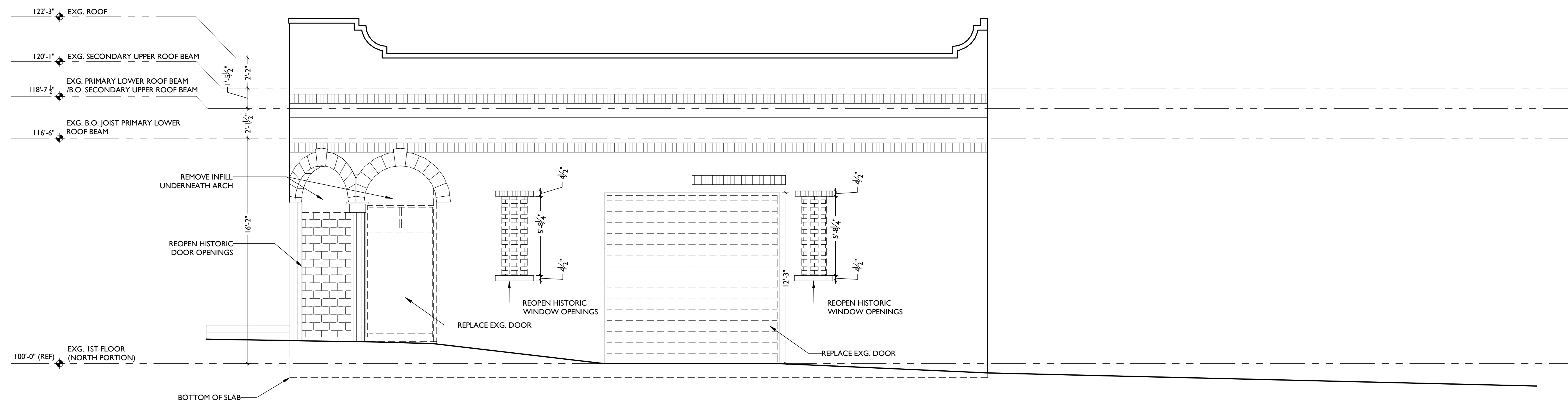
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Drawn by: ASL, POLO

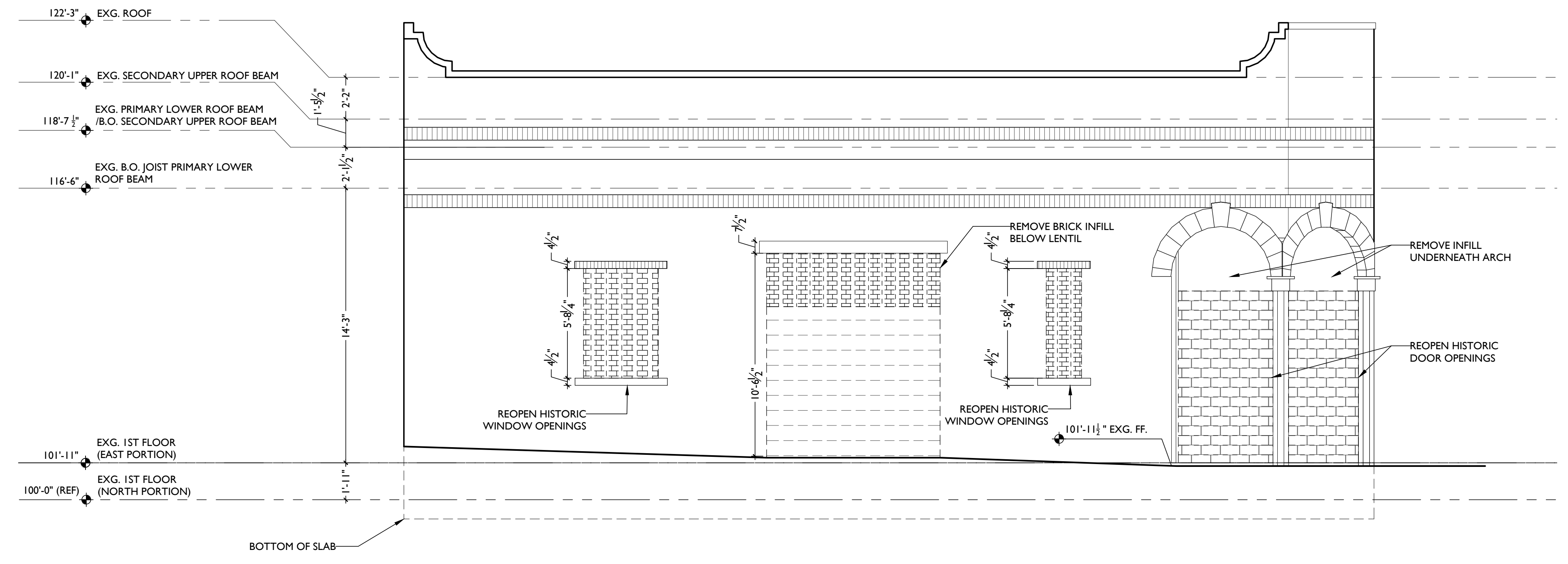
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**LUCIUS Q BBQ RESTAURANT**  
1131 BROADWAY ST  
CINCINNATI, OHIO 45202

01.07.2016

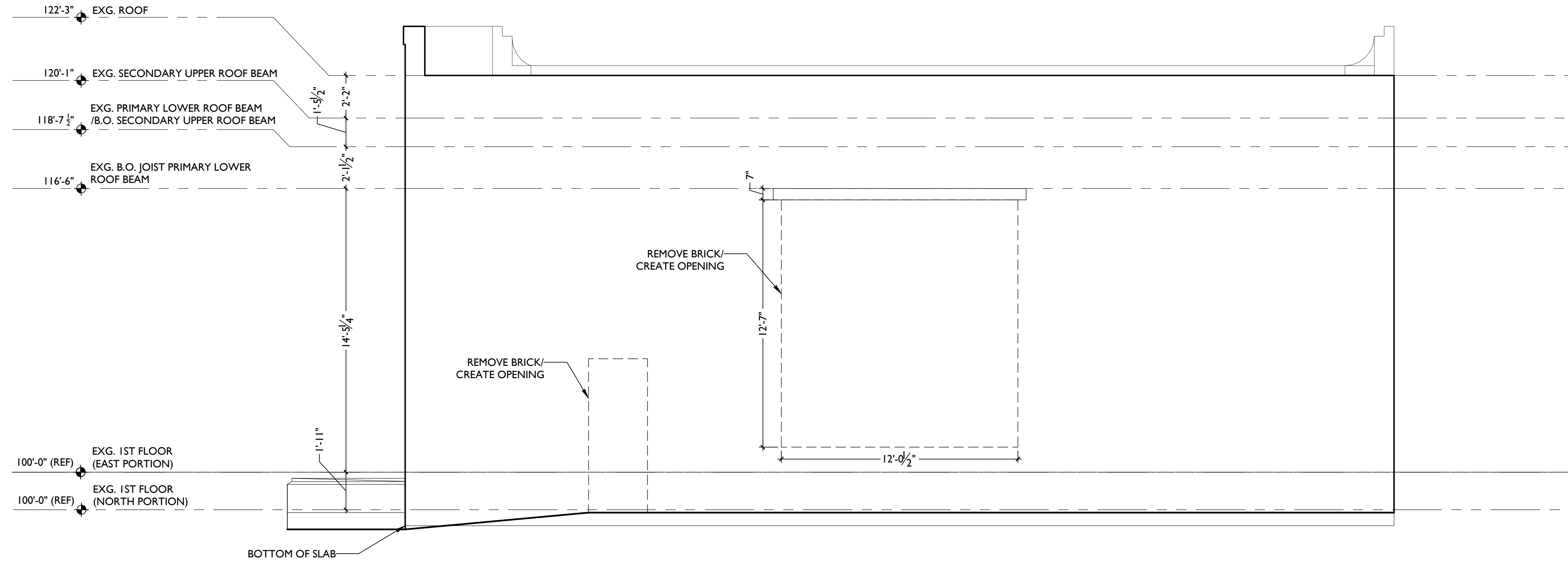
**X2.1**



**2 EXG. NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"



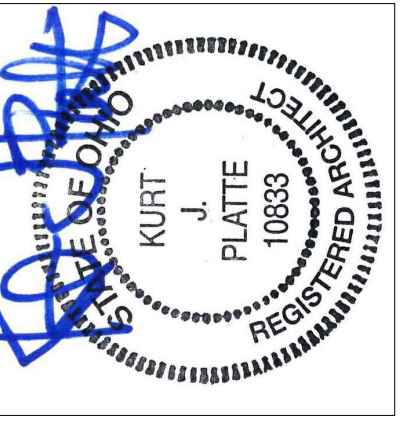
**1 EXG. EAST ELEVATION**  
SCALE: 1/4" = 1'-0"



1 EXG. WEST ELEVATION  
SCALE: 1/4" = 1'-0"

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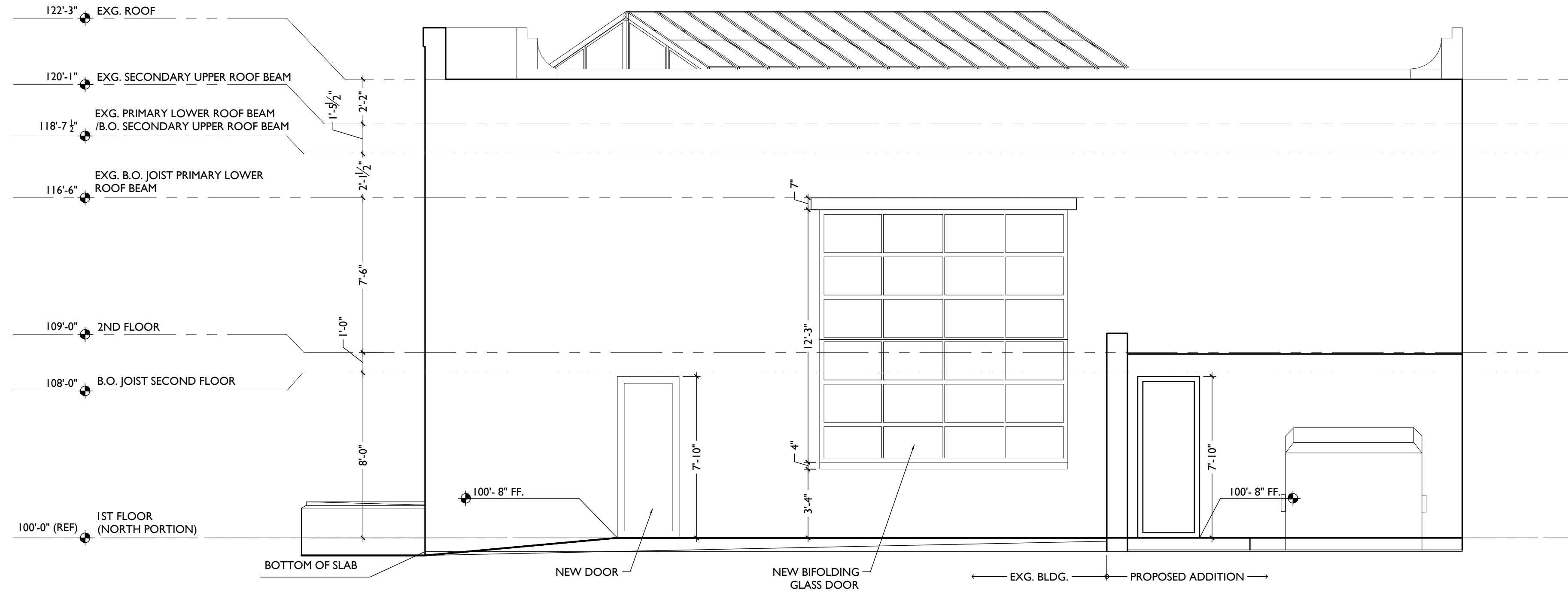
Design Team: ASL

Drawn by: ASL, POLO

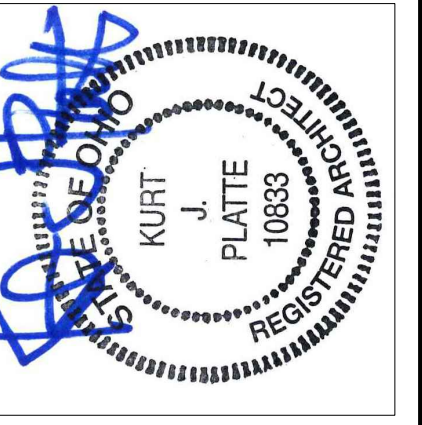
RENOVATIONS FOR:  
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**X2.2**



1 PROPOSED WEST ELEVATION  
SCALE: 1/4" = 1'-0"



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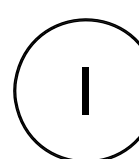
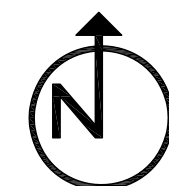
01.07.2016

**A2.2**

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**PROPOSED SITE PLAN**

SCALE: 1/16" = 1'-0"



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**A1.0**





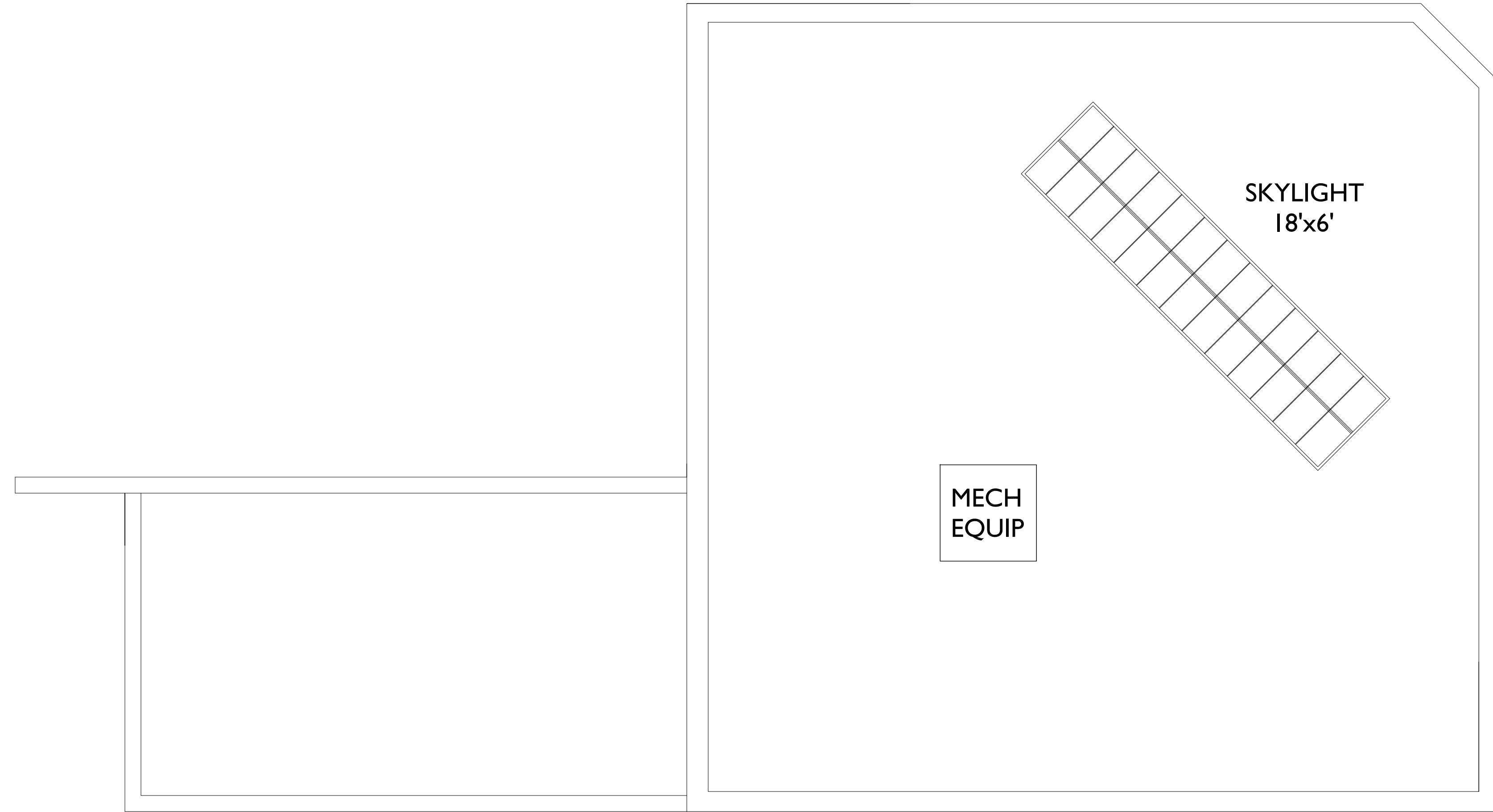
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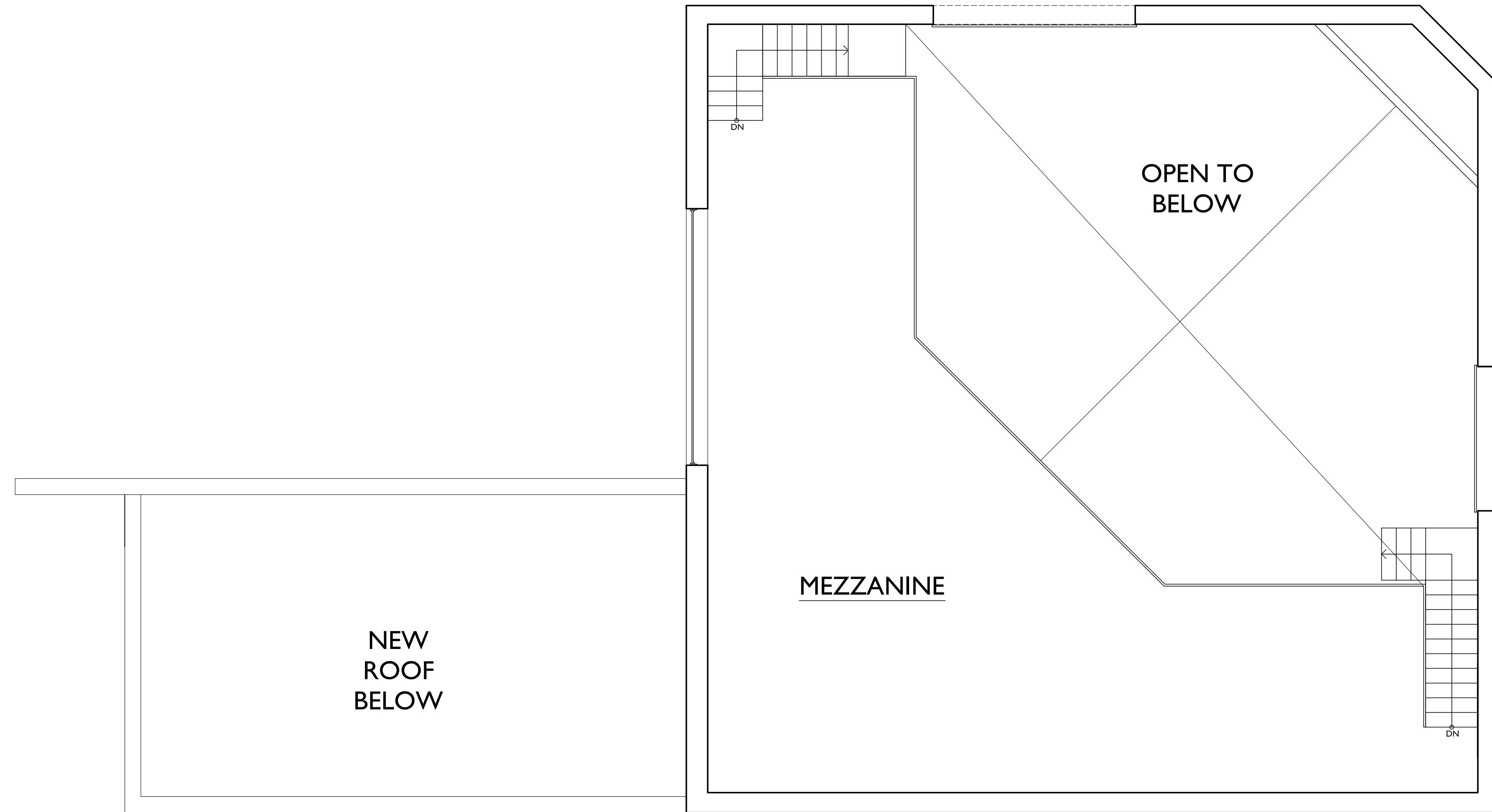
ONE WAY  
←  
STOP

NO PARKING  
ANY TIME





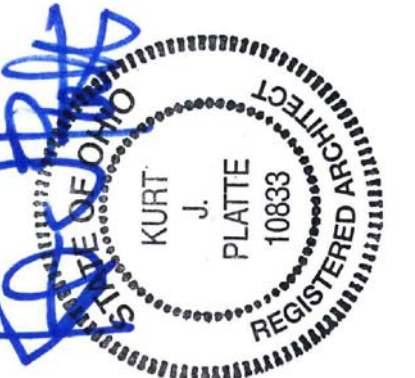
1 PROPOSED ROOF PLAN  
SCALE: 1/4" = 1'-0"



1 PROPOSED FLOOR PLAN -  
MEZZANINE  
SCALE: 1/4" = 1'-0"

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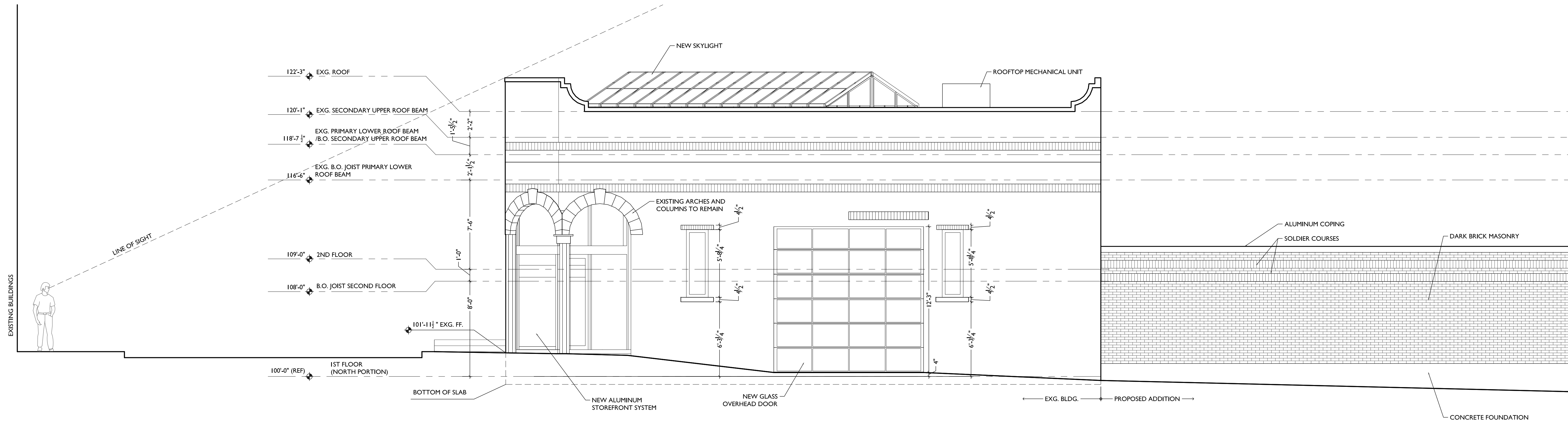
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Drawn by: ASL, POLO

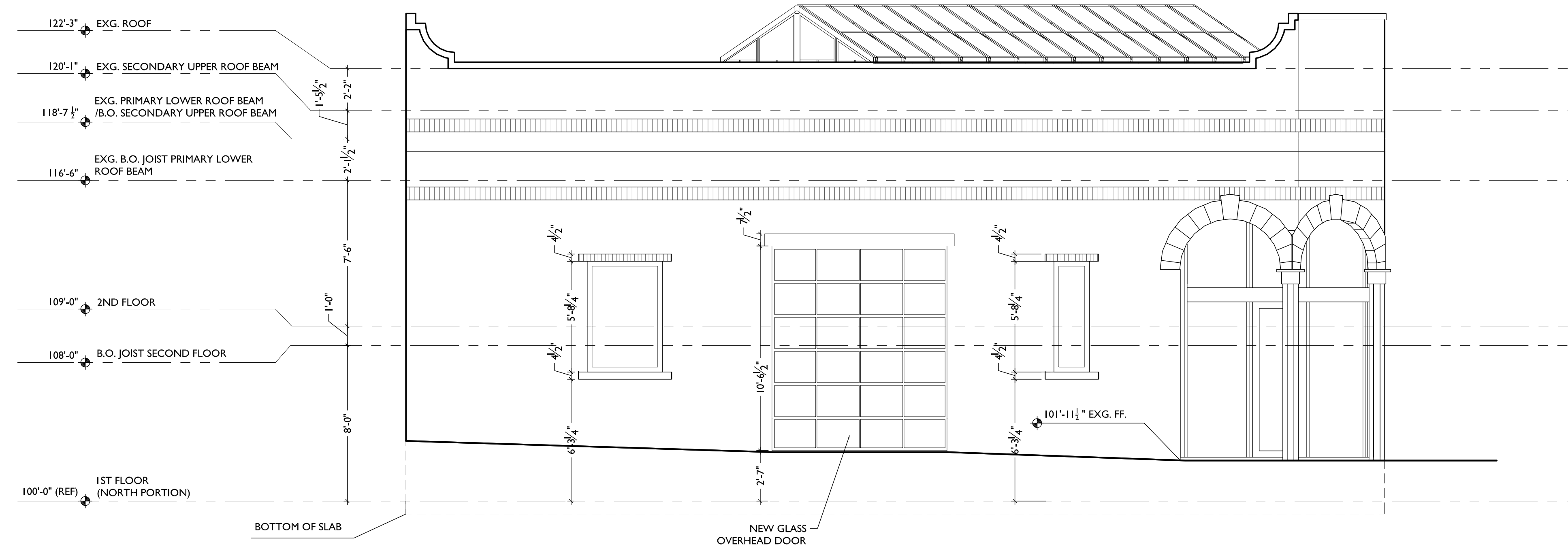
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02.15.2016

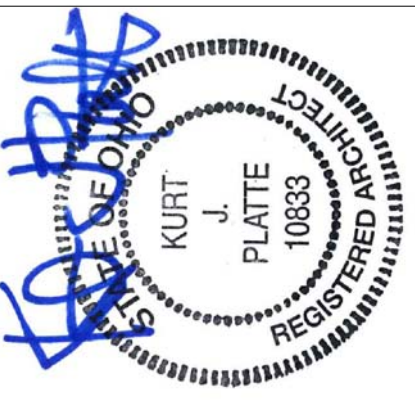
**A1.2**



**1 NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"



**1 EAST ELEVATION**  
SCALE: 1/4" = 1'-0"



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January 9, 2016

Re: Certificate of Appropriateness & Conditional Use Permits

1131 Broadway Street

Lucius Q BBQ Restaurant

To the Members of the Historic Conservation Board of Cincinnati:

Thank you for taking time to look at our proposed project at 1131 Broadway Street. For this project we are requesting a Historic Certificate of Appropriateness for the design, as well as two conditional use permits: one for outdoor dining and another for the live musical entertainment inside the building.

The existing building is a one-story masonry building which is listed as “non-contributing” in the Over-the-Rhine Historic District. In the past, the building was used as a garage. The future proposed use is a barbeque restaurant with musical entertainment, with an outdoor patio in the rear of the building to the west.

There have been a number of historically insensitive interventions on the building in the past, all of which we plan to reverse and restore the building to its former glory. We plan to open all of the bricked-in historic openings to their original size. There are two existing garage door openings (one facing Broadway, the other facing 12<sup>th</sup> Street) in which we plan to install new glass overhead garage doors. We also plan to install 4 new fixed windows in the 4 window openings on these primary facades. The design also calls to remove the non-historic masonry infill under the 3 arches at the corner of the building, and install a new aluminum storefront entryway in this location.

The west elevation of the building is a big blank wall- currently on a zero lot line, adjacent to an existing parking lot. This project proposes to consolidate the lots and turn this parking lot into an outdoor patio with dining and a fire pit. The big blank west wall of the existing structure has been mostly covered with a cement-based plaster, so no historic masonry detail remains. We propose two new openings in this wall to connect the restaurant interior with the proposed patio. One of the openings will be a glass and metal door which will act as our ADA entrance to the building. At the larger of the two openings we propose the installation of a bifolding garage-type door, giving the bar direct access to the outdoor patio. The patio will be bordered on the north and west by a black 6'-0" high aluminum fencing system, similar to “Gilpin Legacy”. See attached for example photos and plans.

A new brick masonry addition forms the south border of the patio. This addition will have a low-sloping membrane roof, where we will also be locating some of our outdoor mechanical equipment. The north wall of this new addition extends beyond the addition itself and acts as a visual screen for the dumpster located at the southwest corner of the site. The proposed new construction is quiet, subordinate, and compatible with the original building, because it is made out of brick masonry and is rectilinear in form, and it is shorter in height.

We feel this project complies with the Over the Rhine Historic District Conservation Guidelines. Because the existing building is listed as a “non-contributing” structure, some of the guidelines may not apply to this building. The new construction addition complies with the historic guidelines in that it is “sympathetic but not imitative in design”, and it does not “overpower the original building.” With this letter, as well as the enclosed drawings and documents, we hope the board sees fit to issue a Certificate of Appropriateness for this project.

#### Conditional Use Permits:

With this letter we are also requesting two conditional use permits: one for outdoor dining and another for indoor entertainment. The outdoor dining and entertainment conditional use permits are crucial to the success of this project. Without these permits, the project may not move forward.

Section 1419-21 prohibits these uses within 100’ and 500’ of a residential zone, respectively. The following factors listed in section 1445-13 of the municipal code were considered:

- (a) *Zoning. The proposed work conforms to the underlying zone district regulations and is in harmony with the general purposes and intent of the Cincinnati Zoning Code or the Land Development Code, as applicable.*

This property is zoned CC-P, which, in essence, means that the area is designated for medium-scale, pedestrian-oriented, mixed-use commercial development.

#### *1409-05 Community Character.*

*Pedestrian. This district designation is intended for areas with a traditional urban character, where buildings are required to be built to the street or sidewalk line, to provide a close relationship between pedestrians and shops. Design standards will reinforce this character and require treatments that provide an interesting pedestrian environment. This designation may apply to some areas where a few auto-oriented uses exist, but where restoring the pedestrian character is specified in a community plan or other documentation approved by the Planning Commission.*

By turning the parking lot in the rear of this building into an outdoor dining area, it makes the area significantly more pedestrian friendly and less auto-oriented. The outdoor dining area is visually connected to the sidewalk, which makes the pedestrian experience not only more interesting but fundamentally safer. The more eyes on the street you can have, especially during busy restaurant evening hours, the safer your streets become.

Furthermore, indoor musical entertainment will bring even more customers through the doors of the restaurant, which increases pedestrian traffic and vibrancy in the neighborhood as a whole.

*(b) Guidelines. The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.*

The project conforms to the design guidelines of the Over the Rhine historic district, as outlined in the text above.

*(d) Traffic. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not overload the adjacent streets and the internal circulation system is properly designed.*

Dramatically increased traffic is not anticipated in this already bustling neighborhood. The parking requirement for the restaurant will be satisfied through the reservation of parking spots in the adjacent parking lot to the west.

*(e) Buffering. Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.*

We have located the outdoor dining area in this design at the northwest corner of this development. The existing building and proposed addition will act as a visual and acoustic buffer for this area. The proposed outdoor dining area is adjacent to mostly existing parking lots.

*(g) Hours of Operation. Operating hours are compatible with adjacent land uses.*

*1419-21 (g) "Hours of Operation. Within 100 feet of a residential district boundary line the use of outdoor areas is prohibited between Midnight and 7 AM on Friday and Saturday and 10 PM and 7 AM on all other days..."*

Because we are within 100' of a residential district, it is our intention to adhere to the operating hours listed in the code (above). Because Pendleton is growing into a vibrant mixed-use commercial district, it is our belief that the operating hours listed above are compatible with the neighborhood.

*(h) Neighborhood Compatibility. The proposed work is compatible with the predominant or prevailing land use, building and structure patterns of the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood.*

This project will be an asset to the neighborhood. It will encourage other businesses to move in to the area, and it will serve as a magnet for pedestrian traffic from the Main Street entertainment district, as listed below in item "I".

This work is compatible with the predominant and prevailing land use. There is already outdoor dining in the courtyard at nearby "Nation" restaurant. Furthermore, the preservation of the existing garage structure contributes to the character of the historic Pendleton urban fabric.

*(k) Blight. The elimination or avoidance of blight.*

This project represents the elimination of blight because it is the development of a previously vacant and bricked-over garage building into a vibrant restaurant. The outdoor dining and entertainment conditional use permits are crucial to the success of this project. Without these permits, the project may not move forward. The existing building will remain empty and rear parking lot will remain just a parking lot.

*(l) Economic Benefits. The promotion of the Cincinnati economy.*

Transforming this vacant building and parking lot into a restaurant with outdoor dining represents the beginning of a connection between the Pendleton business district and the Main Street entertainment district in Over the Rhine. Currently, the pedestrian path between these two areas is a bleak landscape of parking lots and vacant buildings. If someone leaving the bustling bar at Neon's (at 12<sup>th</sup> and Main) can look to the east and see a well-lit and vibrant restaurant patio at the corner of 12<sup>th</sup> and Broadway, they will be inclined to venture into Pendleton. It will be a magnet for business from the West. For many customers of the Main Street Entertainment District, Pendleton is still uncharted territory. Increased pedestrian traffic means increased business and public safety for the entire neighborhood of Pendleton.

*(m) Job Creation. The creation of jobs both permanently and during construction.*

There will be more than a dozen people employed in running the kitchen and bar at this restaurant. Furthermore, the success of this restaurant makes the neighborhood more attractive to other commercial tenants such as offices and retail. Popular restaurants bring new jobs to a neighborhood both directly and indirectly.

*(n) Tax Valuation. Any increase in the real property tax duplicate.*

Currently this empty building and parking lot are valued at \$48,280 by the Hamilton County Auditors. With this project, the restaurateurs are poised to invest over \$500,000 with the complete renovation and stabilization of the existing building, the new construction kitchen addition, new equipment, and the new outdoor patio area.

*(o) Private Benefits. The economic and other private benefits to the owner or applicant.*

The outdoor patio and entertainment conditional use permits are crucial to the success of this project. Without these permits, the project may not move forward. The outdoor patio with the fire pit, as well as the indoor musical entertainment is a huge attraction to customers- it will bring business through the door.

*(p) Public Benefits. The public peace, health, safety or general welfare.*

The success of this restaurant with the outdoor patio increases the pedestrian walkability of the Pendleton area, especially the connection with the Main Street Entertainment District. Both the patio and the musical entertainment will draw people to the area. The more appealing the pedestrian experience, the more people on the street. More eyes on the street makes for a safer and more economically viable neighborhood, overall.

Sincerely,

Amy Lynch, Project Manager

**APPLICATION FOR  
CERTIFICATION OF APPROPRIATENESS  
ZONING RECOMMENDATION TO PLANNING COMMISSION  
HISTORIC CONSERVATION BOARD PUBLIC HEARING  
STAFF REPORT**

APPLICATION #: N/A  
APPLICANT: Lann Field, 3CDC representing the owner  
OWNER: OTR Holdings, Inc.  
ADDRESS: **11-25 East Fourteenth Street  
Cincinnati OH 45202**  
PARCELS: 080-0002-0481-00  
ZONING: Planned Development District (PD)  
OVERLAYS: Over the Rhine Historic District  
COMMUNITY: Over the Rhine  
REPORT DATE: February 15, 2016  
HEARING DATE: Prehearing February 1, 2016 at 10:00 a.m.  
STAFF REVIEW: Angie Strunc, City Interim Urban Conservator

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**Nature of Request:**

The applicant is requesting a Certificate of Appropriateness (COA) to construct a new infill four story office building and rehabilitation of existing structure at 11 E. 14<sup>th</sup> Street.

The project is referred to as Mercer IV Office Project.

**Existing Conditions:**

The project is located on primarily vacant land on the south side of E. 14<sup>th</sup> Street between Boots Alley and Rodney Alley. 11 E. 14<sup>th</sup> Street is an existing vacant masonry 3 story structure on the west end of the site that has smaller additions to the south (rear) of the original structure.

The original proposed use for this site included residential multi-family with commercial uses, five stories, building setbacks and first floor parking in 41,700 square feet. The proposed amendment is to change the use to exclusively commercial office use without parking, four stories and zero setbacks in 64,000 square feet.

The applicant is seeking a Major Amendment to existing PD #65 - Mercer Commons Concept Plan and Final Development Plan, approved by the City Planning Commission on August 11, 2011. The applicant is working with the Planning Department to forward this Major Amendment application and seeks the Historic Conservation Board Certificate of Appropriateness and recommendation to the Planning Commission as required by Municipal Code.

**Proposed Conditions:**

The proposal is to construct a new four story structure that is new infill at the vacant parcel and incorporates the existing structure at 11 E. 14<sup>th</sup> to create approximately

64,000 square feet of commercial space. The structure is building to the property lines on the primary 14<sup>th</sup> Street façade and secondary facades along the alley. The one exception is the recessed entry where the new structure abuts the existing historic structure.

The primary cladding materials are Phenolic resin panels, terra cotta masonry units and storefront glazing.

The existing structure (11 E. 14<sup>th</sup> St.) has three later additions on the rear of the building, smaller than the original structure, which are proposed to be demolished.

The new infill construction includes:

- Steel framing for 3 total floors at the property line. The 4th floor is set back from the primary facade to allow for a roof deck.
- Exterior cladding that consists primarily of aluminum storefront glazing, terra cotta clay interlocking unit and phenolic (wood and fiber treated with resin) panels on a steel framing system.
- Side and rear elevations are clad primarily in phenolic resin panels. This will be visible from adjacent alleys and portions of Mercer St. to the south.
- Aluminum storefront and individual windows by Kawneer. Clear glazing.
- Anodized aluminum detailing at windows.
- Proposed first floor overhang canopy on western end of façade.
- Sunshade – constructed of terra cotta slats (2" x 6" in size) applied to the primary façade at the recessed entry to the west AND along the rear façade of the building to mitigate solar gain on the southern exposure.
- Cornice – Projecting aluminum cornice (18") on the primary faced 3<sup>rd</sup> floor and recessed 4<sup>th</sup> floor. Other portions of building have a non-projecting top element.
- The third floor on the north façade has a guardrail with black vertical pickets that will not be visible from the opposite right of way line.
- The southwest corner of the new structure, behind the historic building, is the primary mechanical space and stairwell. There are metal louvers proposed on the west and south facades in a vertical pattern.

Existing building rehabilitation includes:

- Partial demolition of structure – three later additions to the rear of the original structure to be demolished.
- Brick and stone masonry repair and tuck-pointing
- Historic cornice replacement
- Window replacement in existing masonry openings; including masonry infilled openings. Aluminum clad wood, 1/1 or 2/2 double hung, by Marvin or equal.
- New storefront along primary façade with new entry door. Existing storefront columns and architrave around glazing will remain and be repaired.
- Roof deck to the rear of the original structure accessed from the new construction 4<sup>th</sup> floor; not visible from the primary façade public right of way.

**Previous Reviews:**

Preliminary Design Review was presented to the Historic Conservation Board in May 2014 for the original planned development concept building.

**Applicable Zoning Code Sections:**

Zoning District:	Section 1429	Planned Development Districts
Variance of Code:	Numeric Variance: Section 1425-19	Off Street Parking and Loading Requirements
Variance Authority:	<a href="#">Section 1445-07</a>	HCB authority: <a href="#">Section 1435-05-4</a>
Variance Standard:	<a href="#">Section 1445-13</a> <a href="#">Section 1445-15</a>	General Standards: Public Interest Standards for Variances
Overlays:	Planned Development #65 – Mercer Commons	
Historic District/Reg:	<a href="#">Over the Rhine Historic District</a>	
COA Standard:	<a href="#">Section 1435-09-2</a>	Standard of Review

**Zoning Recommendation to Planning Commission:**

Being that the Planned Development is within a Historic District, procedure demands that the Board provide a zoning recommendation to the Planning Commission for their approval of the Major Amendment of the Concept Plan and Final Plan approval. In that context, Zoning Administration supports the overarching proposal on many facets. Its height, mass and setbacks are appropriate for the historic district and with adjacent structures. The proposed use is both permitted and in this circumstance, preferred to the original residential uses. It is believed this modification enhances the vibrancy and character of the Planned Development, adds needed office uses within OTR, provides greater density of population during the day, supporting commercial uses in the neighborhood. It also allows for a more balanced parking utilization.

Parking is truly the only challenge with the project. However, the proposal presented offers a solution. If the project were not in a Planned Development, the owner would need to seek zoning relief from Parking and Loading Requirements per Chapter 25 and Schedule 1425-19-A. Based on current proposal, the project would require 155 parking spaces. This could have been reduced by 77 required spaces per Section 1425-23(a) due to proximity of 600’ to a public or privately operating parking facility. This waiver has frequently and consistently been granted by the Zoning Administrator within OTR. This would leave the owner responsible to control by ownership, easement, or covenant, 78 offsite parking spaces within 600 feet of the site.

The owner originally sought not to be required to establishing a controlling interest for the remaining offsite parking spaces. The owner provided a rational stating that capacity exists in existing and future proposed facilities in vicinity of the proposed site. Staff was aware of these garages and was also aware that the owner had on previous occasions (SCPA/Alumni Lofts) and in present and future occasions (229-235 E. 12<sup>th</sup> Street) offered to maintain and fulfill required parking capacity for proposed developments, both for themselves and for third parties, within OTR.

It is Zoning Administration’s interpretation of the intent of the zoning code that larger proposed uses fulfill their parking requirements and not to anticipate it to be incorporated solely within the scheme of public parking. Staff maintains that an off-site parking agreement, creating guaranteed parking as a property right to portions of owner’s managed parking facilities, be provided to this project within 600 feet of the development site.

Concurrently for Staff and Board variances to be granted, it was important to better comprehend the percentage of capacity of the parking facilities readily available to the public and for potential future parking requirements of projects. As we manage our collective parking solution, it will be important to maintain knowledge of what is excess capacity and to challenge the market to assist in balancing the development needs and the desire for a walkable and urban environment.

In the past two months, applicant has sufficiently reviewed and demonstrated to the benefit of the City Solicitor and the Zoning Administrator that, in fact, the garages today can accommodate the reduced parking requirements of three current projects, Strietmann, 15<sup>th</sup> and Vine and Mercer IV. Given the proposed timing of the Ziegler garage and its concurrency with Mercer IV and 15<sup>th</sup> and Vine, supply and demand should grow concurrently.

**Spaces Available**

Washington Park Garage	14	
Mercer Garage	141	
Ziegler	200	Ziegler has 400 total spaces; 200 are committed
YMCA/Drop Inn Center lots	80	Surface lots acquired by 3CDC
12th & Vine lot	50	Currently no monthly passes issued
<b>Total Spaces Available</b>	<b>485</b>	

**Spaces Needed**

15th & Vine	78
Mercer IV	78
<b>Total Spaces Needed</b>	<b>156</b>

Further, the applicant has reviewed a previous solution recommended by the City Solicitor and Zoning Administrator and concurred it meet the terms of the City’s alternative management regime previously proposed to the Historic Conservation Board for the Strietmann Building. The proposed language is listed within the recommendations.

This review however, illustrates that impact of parking commitments have absorbed substantial amounts of the public parking supply, particularly during weekday business hours. As new development occurs in the future, the City shall be mindful of the supply at hand and will actively engage in producing more solutions in the future to maintain the equilibrium in supply and demand.

## **Certificate of Appropriateness Review**

Staff finds the proposed new infill construction at 11-25 E. 14<sup>th</sup> Street and rehabilitation of 11 E. 14<sup>th</sup> Street, including partial demolition of rear additions, is generally appropriate and substantially meets the Over the Rhine Historic District guidelines.

The overall building primary façade and secondary facades are broken into parts where rhythm, fenestration and materials vary. The overarching effect helps break down the massing into smaller component parts more in character with the district but which can also leave some disjointing patterns as it relates to the district guidelines of emphasizing verticality and a rhythm of materials.

The eastern and western ends have terra cotta bases with Phenolic resin panels above and punched window openings. The central area of the façade and fourth floor is primarily made of glass storefront running between vertical columns. The fourth floor sets back from the primary façade which breaks the façade even further. The cornice top varies slightly and has an overhang of 18 inches to the west, no overhang to the east.

The building footprint is recessed slightly as it abuts the original structure at 11 E. 14<sup>th</sup> to highlight the main entrance and add a vertical element to the façade.

The guidelines for new construction don't seek to replicate the existing buildings but do seek for design solutions to be compatible with the neighboring buildings in composition, materials, openings, rhythm, scale, proportion and height. The infill construction is appropriate in that it fills the gap on this site that weakens the streetscape and overall character of the district.

### **Staff comments on the Specific Guidelines for New Construction:**

#### **1. Composition:**

**Base:** The proposed design expresses a defined base on the façade by the use of glass storefront system on the first level which is topped by a horizontal metal panel lintel above the storefront. The eastern and western ends of the new façade base are defined by both storefront and terra cotta masonry units. There is a wide horizontal band above the storefront lintel further defining the base in the central area of the facade.

The side and rear elevations have either storefront or terra cotta masonry units defining the base.

**Middle:** The proposed design expresses middle on the central area of the façade by utilizing glazing, column to column, highlighted with horizontal bands at floor elevations. The eastern and western ends of the façade as well as the side and rear elevations express middle with Phenolic resin panels which are a different color than the terra cotta masonry base and punched window openings.

**Top:** The top of the building is defined by its 18 inch projecting cornice on the primary façade. All other facades have a minimal non-projecting corning. The 3<sup>rd</sup> floor roof deck has a railing which also identifies the top.

2. **Roofs:** The roof shape is flat and similar to the nearby buildings which are flat and low slope.
3. **Window Openings:** Window openings are extremely important to the district and should be related in size and placement found on historic structures of similar use in the district. In commercial buildings, windows are often grouped within a single opening. New construction proposes window openings that are grouped together within a single opening floor to ceiling becoming wider than they are tall. This is in the central area of the building, front and back. The eastern and western ends of the new construction are individual windows, taller than they are wide.

The proposed renovation of existing buildings retains window openings in existing location on the primary façade. Double hung, 2/2 windows are proposed. The western façade will remove existing masonry infill and restore the original masonry openings for new double hung 1/1 windows.

4. **Storefronts:** As discussed in the composition of the base above, the first floor storefront is designed to be glass with a 2'-0" sill to the window lintel at 12'-6" above grade. The frame itself will have vertical and horizontal mullions. There are multiple examples in the district where full height glass in a storefront system has been approved by the board and which those businesses use to make them more transparent to the street. The existing buildings will be rehabilitated with new storefronts where masonry infill has occurred; existing columns will remain.
5. **Setback:** Setback is an important issue in a dense urban area such as Over-the-Rhine. The proposed design has zero setbacks on the primary façade with the exception of a recess at the primary entrance adjacent to the existing historic structure.
6. **Rhythm:** The new construction makes efforts to incorporate different design elements but still maintain a rhythm similar to nearby buildings. The primary façade is segmented into bays with different cladding and fenestration to break up the overall horizontal nature of the building into smaller parts. The district guidelines note that commercial and industrial buildings may have an overall horizontal emphasis. Staff feels the rhythm is somewhat broken by the 4<sup>th</sup> floor setback and roof deck as well as the vertical windows and sunshade of the recessed entry.

The punched openings of individual window units provide a rhythm typical to the district although the window sill goes to the floor elevation.

Staff feels that the eastern portion of the building could strengthen the rhythm of the building and the street by changing the cladding to masonry to match the eastern end of the building and the adjacent historic masonry structure. This masonry could also wrap the corner to a natural break point of the stair glazing.

7. **Emphasis:** The new construction is wider than it is tall and emphasizes verticality by breaking the façade into smaller parts with cladding and fenestration details. Window storefront mullions are vertical, punched window openings are vertical and cladding details of the panels run vertical.

Staff would recommend the applicant strengthen verticality by widening the column members subdividing the storefront glazing bays on the primary façade.

Secondary and rear facades emphasize verticality by punched window openings, vertical storefront mullions and cladding panels running vertically.

8. **Height:** The height of the proposed new building is four stories total with the top floor stepped back from the primary façade. General massing of existing buildings in Over the Rhine are two to five stories. Adjacent contributing buildings on E. 14<sup>th</sup> Street are primarily 3 and 4 stories; therefore the 4 story proposed building is appropriate.

9. **Materials:** The exterior construction material proposed is terra cotta masonry units, Phenolic resin panels and a glass storefront system or individual window units. Terra cotta is a masonry material used in existing buildings in the district. The color of the terra cotta panels proposed is a warm brick color and appropriate to the street character. The Phenolic resin panel colors are grey.

Staff feels the masonry and storefront material are typical to new construction in the district and appropriate. The phenolic resin panels are a material that is created by layers of paper, fiberglass or cotton laminated with resin under heat and pressure. The resulting product is a laminated sheet. Staff feels the product is not typical to the district but that the appearance to the general eye is that material could visually look like metal panels the board has previously approved in Over the Rhine. For that reason, staff recommends approval of the product but requests reducing the quantity of the panel on the primary façade, eastern end by replacing it with masonry. The rear and side elevations away from the primary façade staff finds the panels acceptable.

#### **Other Considerations:**

**Prehearing Results:** February 11, 2016 – The architects were in attendance.

**Comments Provided to Staff:** N/A

#### **Recommendation:**

Staff recommends the Historic Conservation Board take the following actions:

##### **A. ZONING RECOMMENDATION TO PLANNING COMMISSION**

1. **APPROVE** the requested amendment to the Planned Development provided that the following considerations are incorporated into the approval:
  - a) A parking management scheme shall be incorporated into the approval and the recommendation be legally executed prior to issuance of any building permits for the project.

- 1) Property owner shall control the rights to at least 78 parking spaces within 600 feet of the property during normal working hours for the life of the project.
  - 2) Property Owner shall initially demonstrate control for a period of at least 15 years and maintain documentation of such rights in a form approved by the City Solicitor. Said documentation shall be provided to the City of Cincinnati at any time within 3 business days of being requested to do so.
  - 3) Such control shall be established prior to issuance of the first Certificate of Occupancy.
  - 4) Termination or substitution of control shall be upon the prior written consent of the City. Such consent would not be withheld if an equivalency of parking spaces is provided or subsequent legislative actions reduce or eliminate the parking requirement.
- b) Previous plans for streetscape improvements, including street lighting and street trees should be completed by the applicant concurrently with construction of this project.

2. **FINDING:** The Board makes this determination per Section 1425-23(a) and per Section 1435-09-2:

- a) That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines.
- b) That the property owner has maintained their responsibility to provide adequate parking for their project while providing an alternative solution meeting the intent of the zoning ordinance yet offering flexibility in managing off-site parking solutions.

## B. CERTIFICATE OF APPROPRIATENESS

1. **APPROVE** a Certificate of Appropriateness for the partial demolition and rehabilitation of existing structure at 11 E. 14<sup>th</sup> Street and new construction at 11-25 E. 14<sup>th</sup> Street as demonstrated by 3CDC and A359 Architecture dated February 1, 2016 with the following conditions:
  - a) That the owner work with and get approval from DOTE for all encroachments and proposed right of way improvements required by the Planned Development #65, approved August 11, 2011. Such improvements may include sidewalk replacement, curb bump outs, street lighting and street trees.
  - b) That the owner modifies the proposed design to widen the primary façade columns between the storefront window systems.
  - c) That the owner modifies the proposed primary façade material and secondary facade on the eastern portion of new construction to a masonry material such as terra cotta masonry units.
2. **FINDING:** The Board makes this determination per Section 1435-09-2:
  - a) That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines.

# APPLICATION

# HCBC

**HISTORIC  
CONSERVATION  
BOARD**

# CERTIFICATE OF APPROPRIATENESS

APPLICATION *Merger IV*  
BUILDING ADDRESS: 11-25 E. 14th Street

DISTRICT NAME: Over-the-Rhine  
(if applicable)

OWNER NAME: OTK Holdings, Inc.

ADDRESS: 1203 Walnut St., 4th Floor

EMAIL: jfield@3CDC.org

CONTRACTOR NAME: Oswald Company, Inc.

ADDRESS: 8549 Montgomery Rd.

EMAIL: jburgardner@oswaldco.com

ARCHITECT NAME: A359

ADDRESS: 16 E. 12th Street

EMAIL: ccassidy@A359i.com

HCBC USE ONLY	
DATE RECEIVED BY HCB:	_____
PERMIT/APD NO:	_____
APP. COMPLETION DATE:	_____

PHONE NO: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**PLEASE NOTE: THE FOLLOWING FEES ARE DUE TO PROCESS YOUR APPLICATION.**

Certificate of Appropriateness (without Board review)... \$50.00  
Historic Conservation Board Review .....\$500.00

HCBC USE ONLY	
Fee Received:	\$ <u>500</u>
Date Received:	<u>10/27</u>

**IT IS YOUR RESPONSIBILITY TO NOTIFY THE URBAN CONSERVATOR IF ANY OF THIS INFORMATION CHANGES DURING THE PENDING REVIEW OF YOUR**

WORK PROPOSED: (Describe type of work, existing conditions, and methods to be used, materials proposed)

HCBC USE ONLY	
<input type="checkbox"/>	MINOR ALTERATION
<input type="checkbox"/>	NEW CONSTRUCTION
<input type="checkbox"/>	ADDITION
<input type="checkbox"/>	DEMOLITION
<input type="checkbox"/>	REHABILITATION
<input type="checkbox"/>	OTHER _____

Please see attached description.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

IN ORDER TO EXPEDITE HCB ACTION, PLEASE ATTACH ADDITIONAL INFORMATION, IF AVAILABLE, AS MAY BE APPROPRIATE. LIST ANY INFORMATION ATTACHED: (Elevations, site plans, specifications, photos, material samples, additional drawings or written matter)

Please see attached.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Attach a letter explaining the justification for the issuance of the desired Certificate of Appropriateness. Be advised that the burden of proof is on the applicant.

**Mercer IV Office Project  
11-25 East 14<sup>th</sup> Street  
Cincinnati, OH 45202**

**Application for Certificate of Appropriateness  
Historic Conservation  
City of Cincinnati**

**02.01.2016**

11-25 East 14<sup>th</sup> Street  
Responses to Conservation Guidelines | OTRHD  
February 1, 2016

## CONSERVATION GUIDELINES OVER-THE-RHINE HISTORIC DISTRICT

*July 18, 2003*

### New Construction

#### A. Intent and General Guidelines

**1. Infill construction is allowed on vacant sites in Over-the-Rhine, because gaps due to demolition weaken the streetscape and the overall character of the district. New construction can improve both the physical quality and economic vitality of the neighborhood.**

The block bordered by Mercer Street, Rodney Alley, E 14<sup>th</sup>, and Boots Alley is currently a largely vacant site with two historic buildings remaining (11 E 14<sup>th</sup>. St. and Boots Alley.). The Mercer IV Office project pertains to the North half of this block only and does not include the 14 Mercer Street building.

The site is one of the largest vacant properties in the neighborhood, and would benefit greatly from infill construction to recreate the density and completeness of the street. The new construction proposed at Mercer IV Office will be integrated with the existing building at 11 E 14<sup>th</sup> so that the new building and the historic building function as one new building while preserving the historic character of the historic structure.

**2. New construction should be well-designed but should not replicate the existing buildings. The exceptional quality of the existing buildings in the district provides an outstanding framework for new construction.**

The developer has hired A359, a local architecture firm located in Over-the-Rhine on 12<sup>th</sup> Street with experience in both new construction and historic preservation, in order to ensure that the building is designed to the upmost quality and will be a positive asset to the community. The new construction replicates the proportions of existing buildings in the neighborhood in height, width and profile and is clad with a contemporary finish material which is compatible and complementary with the district's architecture.

**3. The Historic Conservation Board's review of new construction will focus on the design compatibility with the surrounding contributing structures. The appropriateness of design solutions will be based on balancing the programmatic needs of the applicant with how well the design relates to the neighboring buildings and to the intent of these guidelines. New design proposals should pay particular attention to composition, materials, openings, rhythm, scale, proportion and height.**

In an effort to respect the existing buildings along 14<sup>th</sup> Street while not attempting to replicate them, the new construction is designed to be in scale with the three-and-four-story buildings to the North, East, and West. The glass proportions and terra cotta panels pay homage to the historic storefronts and the hue of historic brick, while setting it apart as a complementary but modern building.

**4. The new construction guidelines for this district will be used to judge the compatibility of new work. The specific site and programmatic needs of each project will be taken into consideration.**

The programmatic elements of the building will function as one comprehensive building, with access from the new building directly into the historic building. The use will be commercial office. Through history Over-the-Rhine featured primarily mixed-use residential/commercial buildings interspersed with larger commercially focused buildings. Office demand is increasing in the urban core, and this site provides a rare opportunity to construct a building in scale with the adjacent buildings while providing a floor plan large enough to accommodate modern office users. The design provides an active and open façade at the primary elevation lower level to provide a street presence that contributes to the neighborhood fabric.

## **B. Specific Guidelines**

**1. Composition: New buildings should respond to the traditional subdivisions found on historic property: a base, a middle, and a top. Most buildings in Over-the-Rhine are built of brick with the principal facade parallel to the street it faces. The most important features of buildings in Over-the-Rhine are the arrangement of openings on the principal facade and an overall vertical emphasis of the whole design. Each building provides its own variations, but collectively they share many basic features.**

The building responds to the common features that exist in Over-the-Rhine in scale (3-stories at the sidewalk setback, 4-stories total) and pays respect both to traditional mixed-use Italianate buildings as well as the more industrial commercial buildings (Art Academy, Pabst Bedding Factory, etc). The principle facade is a combination of glass and a terra cotta masonry unit product. This façade is north facing and parallel to 14<sup>th</sup> Street. The proposed building features a defined base consisting of a storefront/commercial first floor use, middle section with a design differentiated from floor one, and top characterized by a plated rail paying homage to

decorative cornices of the neighborhood, with the fourth floor stepped back from the line of sight. Additionally, the building observes the rhythm and pedestrian scale of the neighborhood.

**Base: New buildings should have a well-defined base. Within the district most buildings have a base that is distinguishable from the rest of the building. This is accomplished through a change of materials, a change of scale, and/or a lintel or other type of horizontal banding. In larger buildings the original base may include more than the first floor.**

The proposed building will have a well-defined base, differentiated from the rest of the building. The new storefront at the North will have a full height setback that is similar to the other storefronts in the neighborhood, including a sill line that matches the adjacent existing building and vertical separation between window bays. These characteristics help to create a pedestrian-friendly scale, and define an organized rhythm and transparency. The window pattern and rhythm of the storefront is distinguished from the upper floors' glazing treatments. The terra cotta provides a masonry base condition as the building wraps to the East and West. A projecting architrave also distinguishes the base from the other components of the design. (See Exhibit A)

**Middle: Details on new buildings should relate to the detailing of adjacent or nearby buildings. Buildings in the district often incorporate architectural details such as changes in plane or changes in materials on their upper floors. Decorative, horizontal bands indicating the floor lines, sill heights or lintel heights should not overpower the vertical emphasis of the design.**

The detailing of the middle of the proposed building relates to nearby, similar-use buildings in the neighborhood. Traditionally, in an effort to maximize daylighting, commercial/work buildings would have glazing from column edge to column edge and floor to ceiling in a single opening (See Exhibit B). Similarly, the middle portion of the building maximizes daylighting and is also defined by horizontal banding to indicate floor lines. The vertical emphasis of the design is created by the vertical metal elements in the storefront and the set back entrance condition adjacent to the existing structure.

**Top: New construction must employ a strong element that terminates the uppermost part of the building. Distinctive elements in the architecture of Over-the-Rhine are elaborate projecting cornices, decorative parapets and the expressive use of materials.**

The building is terminated by a third-floor plated rail at the North façade. This rail is an uninterrupted horizontal element, distinguished by material and color differentiation. Although setback, and less visible from the street, there is a fourth floor that is

terminated also by a horizontal treatment. (See Exhibit C) forming a distinct resolution at the building's top.

**2. Roofs: Roofs for new construction should be similar to roofs of adjacent and nearby buildings of similar size and use. In the district, buildings of three or more stories generally have low-pitched shed roofs that are not visible above the principal facade. Smaller buildings in the district typically have simple gable roofs on which the gables are perpendicular to the principal facade. Institutional buildings in Over-the-Rhine have a variety of roof shapes, including dormers, multiple gables, hip roofs and towers. Roofs in this district have little or no overhang.**

The roof of the proposed building is perceptually flat and not visible above the principle facade. (See Exhibit D)

**3. Window Openings: Window openings are extremely important in this district. The openings of new buildings should be related to the size and placement of openings found on historic structures of similar use in the district. In residential buildings, window openings are typically found individually rather than in pairs or grouped. The openings are taller and wide (typically in a proportion of 2:1), window sash are set back from the wall surface, and openings have some form of definition, such as lintels, sills or decorative surrounds. Window openings, which are typically aligned vertically, usually occupy between 20% and 50% of the principal facade.**

**In commercial, industrial and institutional buildings, windows are often grouped within a single opening. These building types may also use a combination of window sash, including double-hung, awning and hopper.**

**If muntins are used in new window sash, they must provide true divided lights. Within the individual opening, window sash are usually divided into two or more lights. In all cases the glass must be clear; tinted or reflective glass is not acceptable. Also, roll down shutters and metal bar systems installed on the exterior of the building that cover door and window openings are not appropriate.**

The proposed commercial building references the windows of commercial, industrial and institutional buildings in the area with multiple windows grouped together within a single opening at our primary façade. In such precedents, windows typically run between structural elements-- column to column and floor to ceiling. This window placement strategy is similar to industrial/commercial buildings in the area. (See Exhibit E) The proportions of the openings are taller than they are wide to support the vertical emphasis of the design. Secondary façade window openings are aligned similarly to the non-commercial buildings in the neighborhood. Roll-down shutters and metal bar systems will not be used.

**4. Storefronts: New storefronts should relate to the characteristics of existing storefronts on historic buildings. Storefronts in the district are typically taller than individual upper floors; framed by piers and/or columns and have a lintel separating them from the upper floors; are divided into bays which increases their verticality and provides a pedestrian scale and proportion; and have large, fixed expanses of clear (not tinted or reflective) glass. As with**

**rehabilitated original storefronts, roll down shutters and metal bar systems installed on the exterior of the building are not appropriate elements for new storefronts.**

The storefront window sill height is 2'-0" above grade and the storefront window lintel is 12'-6" feet above grade. This lintel height aligns with the storefront of the adjacent, historic building which is to be renovated. The storefront is divided into bays aligned with the structural columns in the building and will be constructed using clear glass. (See Exhibit F)

**5. Setback: Setback is an important issue in a dense urban area such as Over-the-Rhine. The setback for new construction should be consistent with the buildings of similar use on adjacent and nearby sites. In Over-the-Rhine, most commercial buildings are built up to the property line. Some residential property, especially detached buildings, have shallow setbacks but retain an "edge" at the property line with a fence. Some larger institutional buildings such as schools, churches and public buildings are setback from the street to provide public space and to add to their monumentality. In most cases new construction on corner sites should be built up to the edge of both outside property lines.**

The building is built up to the edge of the property line on the principle facade which is consistent with the setbacks of surrounding and adjacent buildings on the street. Minor (~12") setbacks at the storefront level are utilized to create a pedestrian-friendly rhythm. The design establish a deeper setback to create an ADA compliant entrance that also contributes to the vertical orientation to the building similar to existing breezeways between historic buildings in OTR. (See Exhibit G)

**6. Rhythm: New buildings should incorporate design features, such as window groupings, articulation of wall surfaces, and decorative elements such as columns or piers in an effort to maintain the rhythm that already exists in the district. New construction should avoid creating long unrelieved expanses of wall along the street by maintaining the rhythm of bays found on the district. Most buildings in Over-the-Rhine are relatively narrow, 25 to 50 feet in width. A building facade typically displays vertical subdivisions that establish a visual rhythm. In dense commercial areas such as Vine Street, there are no setbacks, creating a solid wall along the street. This wall is articulated by the individual buildings, which in turn are divided by window groupings, changes in wall planes and decorative elements such as pilasters, columns or piers.**

The overall building is segmented into 36'-0" structural bays which are compatible with the surrounding building sizes in the neighborhood. The bays are further subdivided by metal detailing and mullions to be more consistent with nearby street fronts in the neighborhood. The organization and division of the windows further break up the scale of the elevation and provide a rhythm harmonious with the surrounding area. (See Exhibit H)

**7. Emphasis: New residential and mixed-use construction should have a vertical emphasis, because in Over-the-Rhine buildings are taller than they are wide, window openings are tall and narrow, and storefronts have slender columns, which emphasize verticality. Commercial and industrial buildings, which may have an overall horizontal emphasis, often incorporate vertical elements, such as pilasters or vertically oriented openings.**

The proposed commercial building is subdivided into vertical components using elements that correspond with the internal structure, the proportions corresponding to the existing building on site. Within these bays, metal detailing and window mullions further contribute to the vertical inclination of the building. (See Exhibit I)

**8. Height: The height of new construction should not vary more than one story from adjacent contributing buildings. Most buildings in Over-the-Rhine are between two- and five-stories.**

Three and Four story buildings are common for residential, mixed-use, and commercial historic buildings in Over-the-Rhine with most commercial buildings being 4 stories or more. The four-story building is the same height as the building directly to the east, and is one story taller than the adjacent building immediately to the west. This height difference is mitigated by setting the fourth floor back to reduce the perceived visibility from the streetscape. As a result, the third floor becomes the visual termination of the building and aligns the 41'-0" height of the adjacent building to the east. At 54'-0", the total building height is compatible with the neighborhood by remaining only one story taller than its immediate neighbors. It is comparable to the 52'-9" tall structure two buildings east. (See Exhibit J)

**9. Materials: New construction should use materials that are found on the historic buildings in Over-the-Rhine. Clearly the dominant material in Over-the-Rhine is brick, but other materials such as limestone, sandstone, cast-iron, slate, wood and sheet metal are important as well. Materials such as stucco, synthetic stucco and plastic are not appropriate and should not be considered as exposed finish materials for new construction in this district.**

The primary materials of the proposed building are Terracotta Masonry Units and storefront glazing on the primary facade. Terracotta has been widely used historically due to its durability and graceful aging, and the tone of the material closely matches the unpainted brick buildings along the north side of 14<sup>th</sup> Street. As a masonry product, these panels reference the material nature of surrounding brick structures. Phenolic panels (panels comprised of layers of wood and fibers impregnated with resin) are a durable high quality cladding system to be employed on a portion of the building's front elevation, as well as secondary elevations that are not visible from E 14<sup>th</sup> Street. These panels are visible from Rodney Alley and Boots Alley on the side and rear. The view of the south façade of the building from Mercer Street will be blocked by proposed new three story townhomes. Anodized aluminum will be utilized for all metal mullions, metal detailing at window systems, and sun shades. A Viracon 1-2M Insulated Transparent Glazing system will be used for the windows which relates to the clear nature of historic glazing. (See Exhibit K)

## **Additions**

N/A – No additions are proposed. A new building that incorporates the existing building is proposed

### **Intent and General Guidelines**

- 1. Additions are allowed and should follow new construction guidelines. They should be compatible in character with the original. They should be sympathetic but not imitative in design.**
- 2. Additions should be designed to relate architecturally to adjacent buildings in general and to the building they are a part of in particular.**
- 3. Additions should not overpower the original building.**
- 4. The appropriateness of design solutions will be based on balancing the program needs of the applicant with 1) how well the proposed design relates to the original building and neighboring buildings and 2) how closely the proposal meets the intent of these general guidelines and the specific guidelines for new construction.**

## **Rehabilitation**

### **A. Intent and General Guidelines**

These guidelines are intended to assure that rehabilitation will maintain significant features of buildings. The guidelines are not hard-and-fast rules, but are used by the Historic Conservation Board as a guide to assess the compatibility and the appropriateness of proposed changes. Reviews are limited to the exterior changes proposed for buildings; alterations made to the interior of buildings are not reviewed by the Historic Conservation Office.

- 1. Ordinary repair and maintenance which does not change the appearance of the building shall not be reviewed.**

N/A

- 2. Existing features in good condition should be conserved, and damaged features should be repaired wherever possible.**

The applicant is proposing restoring the historic features of the site that are present: brick repair, storefront details, sills and lintels.

- 3. Replace badly damaged or missing features sensitively to harmonize with the character of the original feature. Replication is appropriate, but it is not essential.**

The applicant is proposing replacing the historic features that are missing: windows and cornice.

**4. Completely new features and materials should be compatible with the building in design, color, detailing, texture, size and shape. By their nature adaptively reused buildings may require more flexible and creative design approaches.**

The applicant is proposing a new storefront system that closely matches historic storefronts in the neighborhood, and is proposing aluminum-clad, solid wood 1:1 or 2:2 windows, Marvin brand or similar, to replace missing features.

## **B. Specific Guidelines**

**1. Materials: Missing or deteriorated materials should be replaced with recycled or new materials that match the original as closely as possible with regard to the following: type, color, style, shape, and texture of material. The composition, type of joint, size of units, placement and detailing should be appropriate for the building. Synthetic materials such as aluminum or vinyl siding, imitation brick or plastic are inappropriate. Other types of synthetic materials such as split-face concrete block may be approved on a case-by-case basis.**

The exterior, multi-wythe brick walls will remain to be cleaned and repaired as delicately as possible. Damaged or broken masonry units will be replaced with bricks that match the original color, size, shape, and texture of the originals as closely as possible. The composition, joinery, size, placement, and detailing will also attempt to match the existing conditions as closely as possible. The building is unpainted and will remain unpainted.

**2. Door and Window Openings: Among the most important features of any building are its openings – its windows and doors. The size and location of openings are an essential part of the overall design and an important element in the building's architecture. Don't alter or fill-in original openings. Roll down shutters and metal bar systems installed on the exterior of the building that cover door and window openings are not appropriate.**

No original windows or doors exist. However, the size and location of the openings will remain undisturbed. This process involves replacing a large non-original garage door on the west side of the building facing Boots Alley with new storefront framing and glazing, to allow for more light while maintaining the original opening. Concrete block window infill between the columns of the storefront will be replaced with window frames and glazing. Sills and lintels will be repaired and cleaned and wood-frame, aluminum-clad replacement windows will be inserted into the existing openings. No roll down shutters or metal bar systems will be installed.

**3. Door and Window Sash: Repair original doors and window sashes rather than replace whenever possible. If replacement is necessary, the new door or window sash should match the original in material, size and style as closely as possible. Synthetic replacement windows are generally discouraged. Consult with the Historic Conservation Office about acceptable replacement windows.**

No original doors remain. Because the building will be connected internally to the adjacent new-construction building, ingress and egress will occur in the new building, not through the historic storefront (which is actually in line with its most recent use, which used the side as the primary

entrance). No original windows are remaining. Deteriorated window frames will be supplanted by replacement, replica windows that will match the original in material, size and style as closely as possible.

**4. Ornamentation: Significant architectural features such as window hoods, decorative piers, quoins, bay windows, door and window surrounds, porches, cast-iron storefronts and other ornamental elements should be preserved. These distinctive features help identify and distinguish the buildings in Over-the-Rhine. Don't remove or replace ornamentation with substitutes that are of a different scale or design or an incompatible material. Make replacement ornamentation match the character of the existing feature closely as possible with respect to type, color, style, shape and texture of material. Some synthetic materials including fiberglass castings may be approved on a case-by-case basis.**

The historical cornice is missing and will be replaced. The architrave and existing columns will be repaired and restored to their historic character. The storefront is currently in-filled with CMU and boards which will be removed. The replacement storefront will reintroduce glazing between all the columns on the ground floor and an entry condition. Existing sills and lintels will be cleaned and repaired.

**5. Roofs: Chimneys, dormers or towers and other architectural features that give the roofline of an existing building its identifying character should be preserved. Most of the buildings in Over-the-Rhine have flat or single-pitch roofs. The addition of vents, skylights, and roof top utilities should be inconspicuously placed or screened where necessary. Retain and repair the original roof materials such as slate, which is common on churches, institutional buildings and buildings with mansard roofs, and standing seam metal roofs, which are common on smaller buildings with gable roofs. Do not use wood shakes and plastic roofing products, which are inappropriate materials in Over-the-Rhine. Simulated slate may be approved on a case-by-case basis.**

The roofline of the existing building where it faces the public right of ways at 14<sup>th</sup> Street and Boots Alley will not be altered. There will be no mechanical units placed on this roof. There will be a new roof deck on the rear third of the roof, which will be accessible from the new building to the east.

**6. Cleaning: Clean exterior surfaces with the gentlest method possible. For masonry structures, begin with scraping by hand or scrubbing with a bristle brush and mild detergent. Some types of chemical cleaning can be used, but test patches should be carried out in inconspicuous areas first. Don't sandblast or use other abrasive cleaning methods that destroy the surface of brick and stone and shorten the life of the building. Don't use wire brushes, because they can also damage masonry surfaces.**

No abrasive cleaning of any materials are proposed.

**7. Repointing Masonry: Repoint historic masonry with mortar that matches the existing in color, content and texture and with joints that match in type and thickness. The mortar joints in masonry construction deteriorate for a variety of reasons. Repointing these joints can significantly aid the rehabilitation of a structure. Generally, buildings built prior to 1900 used a lime-based mortar. A typical lime-based mortar has the following formula: 8 parts sand, 2**

parts lime, and 1 part portland cement. This mortar is softer than the portland cement-based mortar of today. Hard modern mortar used on historic masonry causes bricks to crack or spall during the freeze-thaw cycle.

Masonry tuckpointing will be performed to repair areas of damage in accordance with the historic guidelines.

**8. Water-Repellent Coatings: Don't use water-repellent coatings on historic masonry. Most historic structures have survived without the need of water-repellent coatings. Water-related damage on the interior of buildings is usually the result of a failing roof, deteriorated or faulty gutters and downspouts, deteriorated mortar, rising damp or condensation. Water-repellent coatings will not solve these problems and may make them worse.**

There are no water-repellent coatings proposed.

**9. Painting: Repaint buildings that were historically painted. Most buildings built before 1890 in Over-the-Rhine were originally painted. Paint is part of the aesthetic design of these buildings and should be maintained. Paint also protects porous nineteenth century masonry and masks alterations and inappropriate repairs. Masonry that has not been painted in the past should not be painted. Because color can have a significant impact on the neighborhood, use paint colors that are appropriate to your building's age and style. Historically, most paint schemes were relatively simple. The Historic Conservation Office can provide owners with color combinations that are appropriate for a building's age and style. Varying the choice of color between neighboring buildings is preferred.**

Trim and decorative features that were painted before will be repainted.

**10. Wood Siding: Retain and repair original wood siding. When replacement is necessary, the new wood should match the original in size, shape, profile and detail. All wood siding should be painted. Aluminum or vinyl siding is not appropriate for replacing or covering original wood siding. Artificial stone, asbestos, asphalt siding and other similar resurfacing materials are not acceptable. The use of composite cement siding may be approved on a case-by-case basis.**

No wood siding proposed.

**11. Shutters and other outside attachments: Original shutters should be repaired and retained. Many buildings in Over-the-Rhine have or had wood shutters for the windows. Reintroducing missing shutters must be based on physical evidence and the shutters must fit the opening and be operable.**

**Exterior light fixtures should be appropriate to the style of the building. Colonial "coach" lights are not appropriate. Mercury vapor and other streetlights are not appropriate for attachment to the façade. Exterior light fixtures should be mounted in a way that does not cast undue glare onto neighboring properties.**

There is no evidence that shutters were present on this building and they are not proposed in the renovation.

**12. Storefronts:** Retain and repair the design and materials of storefronts in historic buildings. First-floor storefronts are common in Over-the-Rhine and are found in all types of architectural styles. Detailing and materials vary considerably. Each design should be considered individually and original materials should be retained. If the storefront has been altered or if none of the original materials remain, old photographs may indicate the original design. Original masonry storefront materials should be cleaned with the gentlest method possible (see section on cleaning). Cast-iron storefronts may be cleaned by abrasive methods including sandblasting. Adjacent materials must be protected and the pressure should be less than 100 p.s.i. Don't reduce the size of storefront openings. Transparency and scale are very important to storefronts and their relationship to the remainder of the building as well as to the streetscape. Don't cover or remove significant elements such as piers, lintels, transoms, original doors or other similar details. Roll down shutters and metal bar systems installed on the exterior of the building are not appropriate.

Storefront will be reintroduced at the ground floor between all structural bays. All original materials will be retained and repaired. The architrave and existing columns will be repaired while glazing will be inserted between the bays to return the building to its historic transparency. A building entrance is currently proposed and will be constructed in the existing openings.

**13. Signs:** Signs should be designed for clarity, legibility and compatibility with the building or property on which they are located. Signs should be located above the storefront, on the storefront windows or on awnings and should not cover any architectural features. Signs should capitalize on the special character of the building and reflect the nature of the business.

Wall and projecting signs should be located above the storefront or first story and below the second story sills. The size of wall signs shall be limited to one square foot per lineal foot of building frontage. Projecting signs should be no larger than 3 feet, 6 inches in width or height. Small projecting signs such as symbol signs are appropriate. Billboards and internally illuminated signs are not permitted. Neon signs may be approved on a case-by-case basis.

There are no signs proposed on the existing building. A sign above the canopy is proposed in the new building portion of the project (see renderings and elevations) at both the North and South entrances

**14. Awnings:** The installation of fabric awnings on storefronts is encouraged. Awnings add color and variety to commercial buildings and highlight the businesses. Awnings should be installed so they do not cover or require the removal of any original architectural feature. Awnings of metal, plastic, vinyl (not vinyl coated fabric) or wood will be reviewed on a case-by-case basis. Internally illuminated awnings are not acceptable.

Awnings are not proposed.

## Site Improvements

### A. Intent and General Guidelines

**1. Site improvements, such as parking lots, parking pads, paving, fences, decks and trees should be in character with the contributing buildings in the district and should respond to the colors, textures, materials and scale found in the area of the improvement.**

No parking or decks are proposed for renovation project. There will be a hardscaped paved at the rear of the building for pedestrian use only.

**2. The design of any site improvement should be compatible with district buildings and not detract from the character of the district.**

The developer is working closely with the City's Department of Transportation and Engineering to coordinate design of the sidewalk, curbs, and alleys per the city's design and engineering standards.

**3. The design of site improvements should capitalize on the unique character of the area and could incorporate elements from the district. Site improvements should enhance the experience of pedestrians in the district.**

Any site improvements including streetscaping improvements in Boots Alley will be coordinated with DOTE and will be consistent with the neighborhood character.

## **B. Specific Guidelines**

**1. Parking Lots: Cars in parking lots should be screened from public view. Appropriate screening includes low masonry walls in conjunction with planting areas and landscaping, low masonry walls with wrought iron fencing and planting areas with landscaping and wrought iron fencing. Chain link fence along sidewalks is inappropriate. Parking lots with a capacity of 10 or more cars should contain trees within the lot as well as around the perimeter of the lot. Concrete curbs, not rolled asphalt bumpers, are appropriate edges for parking lots. A lot used for surface parking of motor vehicles should be for the exclusive use of owners, occupants and customers of a building located within 300 feet of the lot, and shall be subject to a restrictive covenant to implement this provision.**

No Parking lots are proposed.

**2. Parking Pads: Parking pads (parking for one or two cars) are permitted at the rear of the property, with access at alleys or existing curb cuts whenever possible. Parking pads in areas other than the rear yard shall be judged on a case-by-case basis and judged by their impact on the property and on the district.**

No parking pads are proposed.

**3. Fences and Walls: Wrought-iron or cast-iron fences are encouraged along the sidewalks of vacant lots or where buildings are setback from the sidewalk. Fencing may be set between wrought iron and cast-iron posts, natural stone posts or pre-cast concrete posts. Fencing may also be set on a concrete curb or on top of a retaining wall. Landscaping in front of a fence is**

encouraged. Plain board fences (vertical boards nailed side-by-side on horizontal stringers) or wire fences are appropriate at the rear of the property or along the side of the property. Wood fences should be painted or stained but not left to weather naturally. Chain link, stockade, shadow board, basket weave and lattice designs are not appropriate. Masonry privacy walls are not encouraged.

Retaining walls built along the front property line or along street frontage should be built of or faced with fieldstone or limestone. Retaining walls at other locations should be built of fieldstone, limestone, brick or specialized masonry block such as split-face concrete block. Concrete products including cinder block, stucco and unfinished concrete masonry units should not be used as the finish material for any retaining wall.

A low seat wall may be used to retain the site near the location of the existing transformers. This area is not adjacent to the front property line or primary street. This wall will be constructed of a listed appropriate material.

**4. Decks: Wood decks should be stained or painted. Rooftop decks should not be highly visible from the principal façade. Metal balconies should not be discouraged.**

The historic building at 11 E 14<sup>th</sup> will feature a small roof deck that takes up approximately the rear third of the roof. It will not be visible from the street. It will be accessed from the fourth floor of the adjacent, new-construction building. A new linear balcony is formed by the setback of the 4<sup>th</sup> floor at the new construction and will be accessible from the 4<sup>th</sup> floor tenant space.

**5. Paving for sidewalks, patios and other similar areas: Materials used for paving should have the appearance of individual units to give the surface scale. Appropriate materials include brick, stone, scored concrete and unit pavers. Concrete should be limited to sidewalks and should not be used in large slabs over big areas, such as driveways and parking lots.**

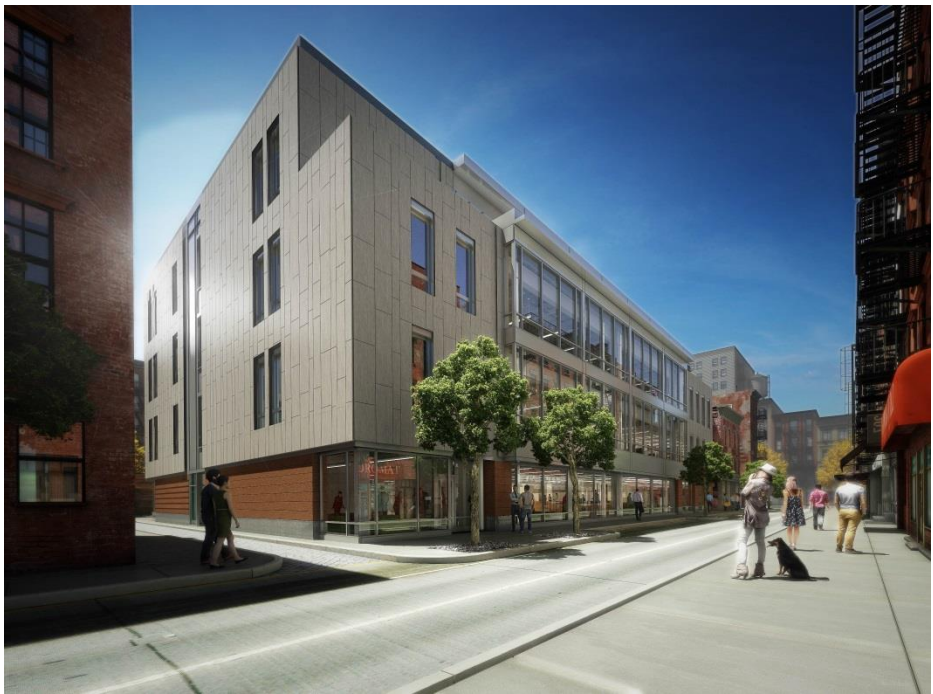
The developer is working closely with the City's Department of Transportation and Engineering to coordinate design of the sidewalk, curbs, and alleys per the city's design and engineering standards.

## Demolition

**4 (applicable guideline). The demolition request is for an inappropriate addition or a non-significant portion of a building and the demolition will not adversely affect those parts of the building which are significant as determined by the Historic Conservation Board.**

Research shows that there were three additions added to the original building. In order to accommodate the new construction portion of the building in a way that appropriately integrates the new building while providing egress to Boots Alley, we are proposing removal of the three small additions on the rear of the building. The additions are currently in poor condition and do not feature architecturally significant features. The main historic building will remain completely intact. (See Exhibit L)

**Exhibit A**



**Artistic Renderings:  
Defined Base**

**Exhibit B**



**Defined Middle**

**Exhibit C**



**4<sup>th</sup> Floor Setback**

**Exhibit D**



14th Street looking West



Site looking South



14th Street looking East



Site looking North

**Existing Conditions at 14<sup>th</sup> Street:**

**Flat roofs**

**Exhibit E**



**Existing Neighborhood Commercial Buildings**

**Exhibit F**



**Alignments**

**Exhibit G**



**Setbacks**

## Exhibit H/I



### Vertical Bay Structure

### Windows

#### **New Building:**

**Basis of Design, Kawneer Aluminum Storefront**

**Basis of Design, Kawneer Aluminum Windows**

#### **Existing Building:**

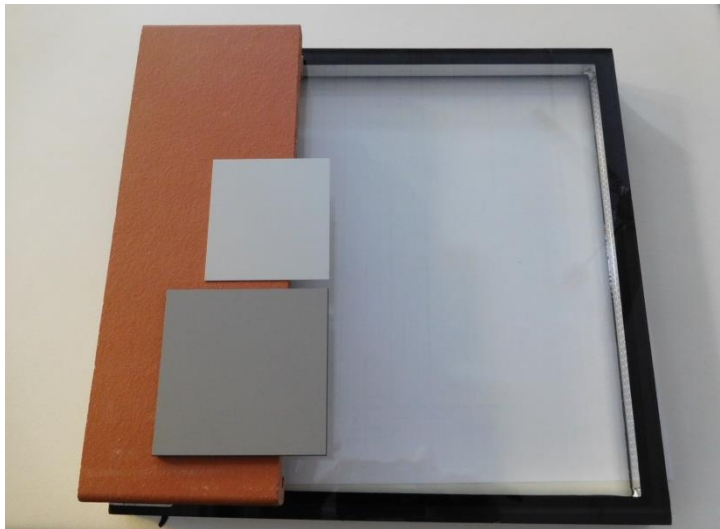
**Basis of Design, Marvin Windows | Aluminum Clad Wood Windows**

**Exhibit J**



**14<sup>th</sup> Street Views**

**Exhibit K**



**Project Building Materials**



**Example material imagery**

**Non-Primary Building Facades**



**East Elevation**



**South Elevation**



**West Elevation**

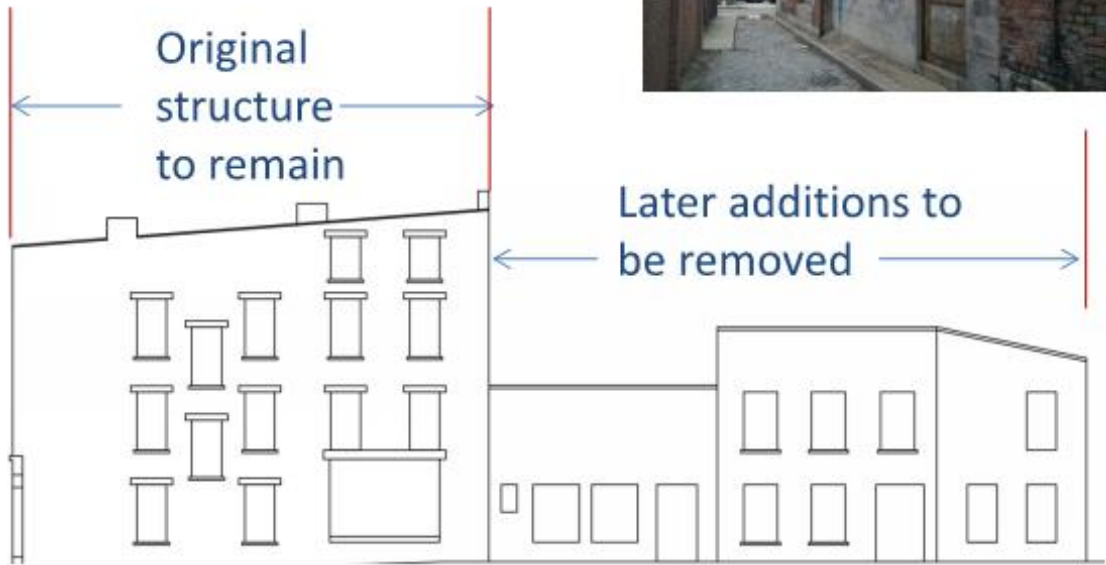


**Aerial from Northwest**



**Aerial from Southeast**

Exhibit L

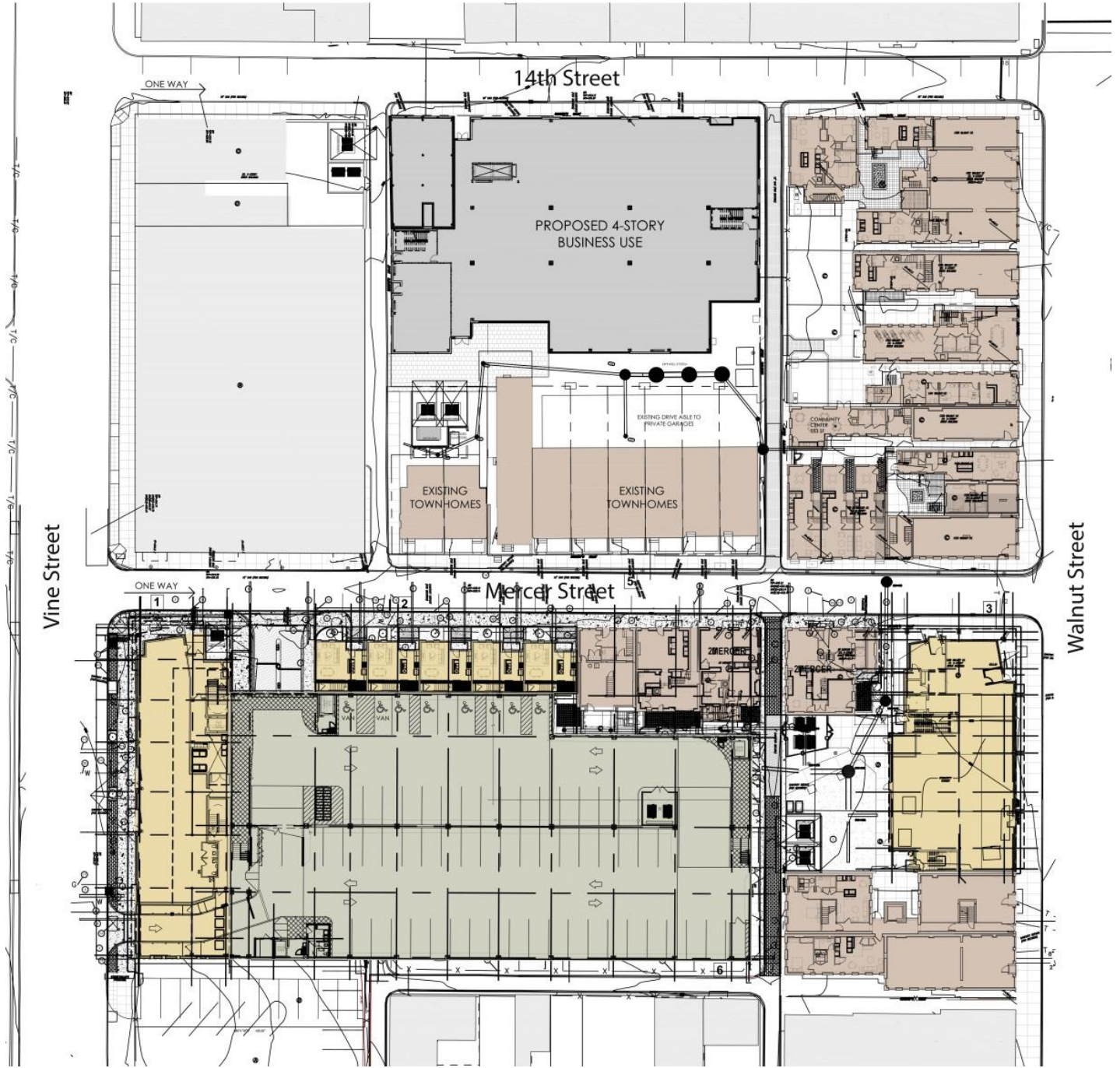


**Historic building to remain intact**



Existing Rear Additions at 11 E 14<sup>th</sup> Street

# VICINITY SITE PLAN









## 17. Tentative Project Schedule

### Project Schedule

<u>Scope of Work</u>	<u>Duration</u>
Construction Document Development	December 2015 - April 2016 (final construction drawings to proceed in order to submit for permitting)
Permitting—Preliminary Foundation permit + Construction Permit	April 2016 – June 2016
Construction	June 2016—April 2017
Occupancy	June 2017

## 18. Number of residential units and /or square feet of commercial space

The Project will have zero residential units and approximately 50,000 NSF of commercial space.

## 19. Estimated total project budget

### MERCER PHASE IV PROJECT BUDGET

<b>USES</b>	
Acquisition	1,920,000
Hard Costs	13,334,024
Soft Costs	2,056,156
<b>TOTAL USES</b>	<b>17,310,179</b>
<b>SOURCES</b>	
First Mortgage	10,000,000
2nd mortgage	1,000,000
Owner Equity	1,872,429
Federal NMTCs	3,837,750
State NMTCs	600,000
<b>TOTAL USES</b>	<b>17,310,179</b>

**20. Number of permanent jobs created if any**

- An estimated 100 Full-Time Construction jobs will be created by the project.
- An estimated additional 50 new, permanent Full-Time jobs will be created through the project, based estimates of 10 new jobs per 1,000 SF of office space.

**21. The Hamilton County auditors record, a copy of your or other documentation showing ownership of the property**

- Exhibit "M"—Hamilton County Auditor's record noting ownership by Mercer Commons, OTR LLC (an affiliate of 3CDC).

**22. A letter of permission to do alterations if a tenant applicant**

- n/a

**23. A list of the applicants' witnesses and expert witnesses who you expect to testify at the hearing or legal counsel, if any**

1. Corinne Cassidy
2. Robert Rich

## Exhibit M

1/29/2016

wedge3.hcauditor.org/view/re/0800002048100/2015/print\_current



Online Property Access

**Parcel ID**

080-0002-0481-00

**Address**

FOURTEENTH ST

**Index Order**

Parcel Number

**Tax Year**

2015 Payable 2016

**I Want To...**

- [Start a New Search](#)
- [Email the Auditor](#)
- [View the Online Help](#)
- [Auditor's Home](#)

Property Information		
<b>Tax District</b>	001 - CINTI CORP-CINTI CSD	<b>Images/Sketches</b> No images found.
<b>School District</b>	CINCINNATI CSD	
<b>Appraisal Area</b>	01800 - OVER THE RHINE	<b>Land Use</b> 499 - OTHER COMM STRUCTURE
<b>Owner Name and Address</b>	<b>Mailing Name and Address</b>	
OTR HOLDINGS INC 1203 WALNUT ST 4TH FL CINCINNATI OH 45202 <i>(call 946-4015 if incorrect)</i>	OTR HOLDINGS INC 1203 WALNUT ST 4TH FL CINCINNATI OH 45202 <i>(call 946-4800 if incorrect)</i>	
<b>Assessed Value</b> 31,650	<b>Effective Tax Rate</b> 87.643979	<b>Total Tax</b> \$2,861.42
<b>Property Description</b> SS FOURTEENTH ST 0.499 AC		

Appraisal/Sales Summary	
Year Built	1880
Total Rooms	0
# Bedrooms	0
# Full Bathrooms	0
# Half Bathrooms	0
Last Sale Date	12/4/2014
Last Sale Amount	\$0
Conveyance Number	
Deed Type	WE - Warranty Deed (EX)
Deed Number	332514
# of Parcels Sold	2
Acreage	0.000
Front Footage	447.07

Tax/Credit/Value Summary	
Board of Revision	No
Rental Registration	No
Homestead	No
Owner Occupancy Credit	No
Foreclosure	No
Special Assessments	Yes
Market Land Value	72,600
CAUV Value	0
Market Improvement Value	17,830
Market Total Value	90,430
<b>TIF Value</b>	0
<b>Abated Value</b>	0
<b>Exempt Value</b>	0
<b>Taxes Paid</b>	\$0.00
Tax as % of Total Value	0.000%

Notes
1) 10/9/15 - new parcel created from 208 for TY 2015

**APPLICATION FOR  
CERTIFICATE OF APPROPRIATENESS  
AND ZONING VARIANCE  
HISTORIC CONSERVATION BOARD PUBLIC HEARING  
STAFF REPORT**

APPLICATION #: N/A  
APPLICANT: Chad Burke, Architect representing the owner  
OWNER: 032811 Holdings LLC  
ADDRESS: **217 W. 12<sup>th</sup> Street, Cincinnati OH 45202**  
PARCELS: 076-0001-0138-90, 076-0001-0139-90, 076-0001-0137-90, 076-0001-0135-90  
ZONING: Commercial Community-Auto Oriented (CC-A)  
OVERLAYS: Over the Rhine Historic District  
COMMUNITY: Over the Rhine  
REPORT DATE: February 11, 2016  
HEARING DATE: Prehearing February 11<sup>th</sup> at 9:30 a.m.  
STAFF REVIEW: Angie Strunc, City Interim Urban Conservator

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**Nature of Request:**

The applicant is requesting zoning relief for a numerical variance for off-street parking and allowable square footage for new building signage on the previously approved new theater building for Cincinnati Shakespeare Company in the Over the Rhine Neighborhood.

**Existing Conditions:**

This project location is in the southwest corner of 12<sup>th</sup> and Elm Street. The site includes the previous Drop Inn Center and the Teamsters Building.

**Proposed Conditions:**

There is no on-site parking provided with this development.

The proposed signage is wall mounted on both the Elm Street and 12<sup>th</sup> Street facades. The signs have backlighting with LED illumination.

**Previous Reviews:**

Historic Conservation Board reviewed and approved the existing building demolition and new construction for the Cincinnati Shakespeare Company on November 9, 2015. The previous approval included a zoning numerical variance reducing the required off-site parking from 42 spaces to 21 spaces.

**Applicable Zoning Code Sections:**

Zoning District: Section 1409 Commercial Districts  
Variance Request: Numeric Variance: Section 1425-19 Off Street Parking and Loading Requirements

Variance Request: Section 1427 Sign Regulations  
Variance Authority: [Section 1445-07](#) HCB authority: [Section 1435-05-4](#)  
Variance Standard: [Section 1445-13](#) General Standards: Public Interest  
[Section 1445-15](#) Standards for Variances  
Overlays: N/A  
Historic District/Reg: [Over the Rhine Historic District](#)  
COA Standard: [Section 1435-09-2](#) Standard of Review

**Details of Zoning Relief Required:**

**Parking:**

The applicant seeks zoning relief from Parking and Loading Requirements per Chapter 25 and Schedule 1425-19-A. Based on this schedule for both the new construction and existing Teamster Building at 217 W. 12<sup>th</sup> Street, the applicant needs 66 required parking spaces. A reduction of 33 required spaces may be permitted per Section 1425-23(a) due to proximity of 600' to a public or privately operating parking facility. This provision may reduce the required parking spaces to 33 spaces that the development must gain control of. The Zoning Administrator concurs with the findings and recommends that the project have its parking reduced from 66 to 33.

The applicant states that 35 spaces will be secured off-site by private agreement with one of the adjacent property owners. Per Section 1425-15(c), the applicant is permitted to locate the required parking spaces on off-site lots within 600' as long as a written covenant or reciprocal easement is recorded securing the parking for the intended use. The applicant is seeking zoning relief to provide a Guaranteed Parking Space lease agreement in lieu of a covenant or easement.

An executed Guaranteed Parking Space Agreement, dated 2/4/2016, has been submitted by the owner with 3CDC which has a base term of five years from a certificate of occupancy at 217 W. 12<sup>th</sup> Street with a tenant renewal for two additional five year terms for up to 35 parking spaces. (See Agreement Attachment)

**Signage:**

The applicant seeks zoning relief from the Sign Regulations of the Over the Rhine Historic District Guidelines. The Historic Guidelines, allowing a total maximum signage area of 1 sq. ft/1 linear ft. of street frontage, is more constricting than the underlying zoning and is the prevailing requirement in this Overlay District.

The Elm Street building frontage is 90 feet and allows 90 square feet of wall signage. The proposed wall signage is 145 square feet.

The 12<sup>th</sup> Street building frontage is 145 feet and allows 145 square feet of wall signage. The proposed wall signage is 127 square feet.

A 'graphic mural' is proposed along W 12<sup>th</sup> Street that qualifies as art and not signage which is exempt from signage regulations.

## **Certificate of Appropriateness Review**

The proposed wall mounted signage is deemed appropriate and meeting the intent of the district guidelines by staff. The wall sign locations, mounting, size and external illumination is deemed appropriate and approvable at staff level. The overall wall sign size per square foot exceeds the allowable limit in the district and therefore requires a zoning variance. However Staff is supportive of the signage request because

- Total square footage of signage proposed is not exceeded on the building
- Redistribution of the signage to the primary façade on Elm Street is logical
- Provided the “graphic mural” meets signage definitions, the addition enhances the streetscape on 12<sup>th</sup>, particularly near the service entrances of the building.

### **Other Considerations:**

**Prehearing Results:** February 11, 2016 – The architect was in attendance.

**Comments Provided to Staff:** N/A

### **Recommendation:**

Staff recommends the Historic Conservation Board take the following actions:

#### **A. ZONING VARIANCE**

1. **APPROVE** the requested numerical variance to the Parking Requirements of Section 1425-19 to reduce the requirement to provide 66 parking spaces to 33 parking spaces and to **APPROVE** a variance to Section 1425-15(c)(3) regarding how required off-site parking shall be established and maintained to allow for the following parking solution as conditioned below:
  - a) Property owner shall control the rights to at least 33 parking spaces within 600 feet of the property during normal working hours for the life of the project.
  - b) Property Owner shall initially demonstrate control for a period of at least 15 years and maintain documentation of such rights in a form approved by the City Solicitor. Said documentation shall be provided to the City of Cincinnati at any time within 3 business days of being requested to do so.
  - c) Such control shall be established prior to issuance of the first Certificate of Occupancy.
  - d) Termination or substitution of control shall be upon the prior written consent of the City. Such consent would not be withheld if an equivalency of parking spaces is provided or subsequent legislative actions reduce or eliminate the parking requirement.
2. **FINDING:** The Board makes this determination per Section 1425-23(a) and per Section 1435-09-2:
  - a) That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines.
  - b) That the property owner has maintained their responsibility to provide

adequate parking for their project while providing an alternative solution meeting the intent of the zoning ordinance yet offering flexibility in managing off-site parking solutions.

**B. CERTIFICATE OF APPROPRIATENESS**

1. **APPROVE** a Certificate of Appropriateness submitted by GBBN Architects dated 1/22/2015 including any revisions submitted for permit subject to staff review and approval with the following conditions:
  - a) The graphic mural is approved provided it complies with 1427-03-M1 and does not relate by language, logo, or pictorial depiction to advertisement of any product, service, place, person or the identification of any business.
  
2. **FINDING:** The Board makes this determination per Section 1435-09-2:
  - (a) That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines.

# APPLICATION

## HC B HISTORIC CONSERVATION BOARD

# CERTIFICATE OF APPROPRIATENESS

APPLICATION BUILDING ADDRESS: 217 West 12th Street

DISTRICT NAME: Over-The-Rhine  
(if applicable)

OWNER NAME: Cincinnati Shakespeare Co.

ADDRESS: 719 Race Street

EMAIL: Jay.Woffington@cincyshakes.com

CONTRACTOR NAME: tbd

ADDRESS: \_\_\_\_\_

EMAIL: \_\_\_\_\_

ARCHITECT NAME: Chad Burke, GBBN Architects

ADDRESS: 332 East 8th Street

EMAIL: CBurke@gbbn.com

**HC B USE ONLY**

DATE RECEIVED BY HCB: \_\_\_\_\_

PERMIT/APD NO: \_\_\_\_\_

APP. COMPLETION DATE: \_\_\_\_\_

PHONE NO: 513.559.5896

PHONE NO: \_\_\_\_\_

PHONE NO: 513.241.8700

**PLEASE NOTE: THE FOLLOWING FEES ARE DUE TO PROCESS YOUR APPLICATION.**

Certificate of Appropriateness (without Board review)... \$50.00

Historic Conservation Board Review .....\$500.00

**HC B USE ONLY**

Fee Received: \$ 500

Date Received: 10/15

**IT IS YOUR RESPONSIBILITY TO NOTIFY THE URBAN CONSERVATOR IF ANY OF THIS INFORMATION CHANGES DURING THE PENDING REVIEW OF YOUR**

WORK PROPOSED: (Describe type of work, existing conditions, and methods to be used, materials proposed)

HC B USE ONLY	
<input type="checkbox"/>	MINOR ALTERATION
<input checked="" type="checkbox"/>	NEW CONSTRUCTION
<input type="checkbox"/>	ADDITION
<input type="checkbox"/>	DEMOLITION
<input type="checkbox"/>	REHABILITATION
<input type="checkbox"/>	OTHER _____

This Certificate of Appropriateness is for the construction of a new 250 seat theater for the Cincinnati Shakespeare Company at the site of 217 West 12th Street in Over-The-Rhine. The West building, called the "Teamster's Building," is a contributing building. It will receive only minor interior alterations to be used for a scene shop and administration. A new building will be constructed adjacent to the Teamster's Building to house the auditorium and backstage, lobby, rehearsal space and patron amenities. It will be constructed of brick, limestone, and perforated meta panel, with a glass storefront.

IN ORDER TO EXPEDITE HCB ACTION, PLEASE ATTACH ADDITIONAL INFORMATION, IF AVAILABLE, AS MAY BE APPROPRIATE. LIST ANY INFORMATION ATTACHED: (Elevations, site plans, specifications, photos, material samples, additional drawings or written matter)

A full presentation will be provided on October 26th.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Attach a letter explaining the justification for the issuance of the desired Certificate of Appropriateness. Be advised that the burden of proof is on the applicant.



architecture.  
interiors.  
planning.  
facilities.

beijing  
cincinnati  
louisville  
pittsburgh

10.05.2015

Angie Strunc  
Two Centennial Plaza  
805 Central Avenue, Suite 720  
Cincinnati, OH 45202

Re: Cincinnati Shakespeare Company, 217 West 12<sup>th</sup> Street

Dear Ms. Strunc,

Cincinnati Shakespeare Company is a resident ensemble theater company bringing Shakespeare and the Classics to life for audiences of all ages. Having outgrown their current space and lease, Cincinnati Shakespeare Company has been taking steps over the last year to create a permanent home for classical theater at the southwest corner of 12<sup>th</sup> and Elm Streets.

This project proposes the demolition of the non-historic portions of the existing Drop-In Center. The Teamster's building will be preserved and used for administration, with very minor modifications at the ground level interior to create an on-site scene shop. The 24,000 square foot new theater building would house a world class auditorium and backstage support, lobby and amenity spaces, and a rehearsal/education/event space overlooking Washington Park.

The auditorium design features a thrust stage that emphasizes patrons' shared experience of the play. Scaled to create an intimate atmosphere for Shakespearean and Classical theater, it seats 200 patrons at the ground level. A balcony with 50 additional seats allows more authentic staging of Shakespeare's works.

Cincinnati Shakespeare Company currently programs a high level of activity throughout the year, with over 270 active days and nights. The new theater will enable them to expand this program including performances, rehearsals, set building, educational programming and special events.

In addition to promoting the vitality of OTR, the Cincinnati Shakespeare Company is excited to be better positioned for collaboration and to extend its outreach efforts in the community as the newest member of the city's cultural corridor including Music Hall, Memorial Hall, and Washington Park.

We look forward to working with the historic conservation board to ensure that this project fulfills both the programmatic requirements of the Cincinnati Shakespeare Company and the intent of the historic guidelines for OTR.

Sincerely,

Chad Burke  
Project Manager

\_\_\_\_\_  
Authorization

10.05.2015  
\_\_\_\_\_  
Date

## APPLICATION FOR ZONING RELIEF

**1. SUBJECT PROPERTY**

ADDRESS 217 West 12th Street  
 AUDITOR'S PARCEL ID(S) 076-0001-0135-90, 076-0001-0137-90, 076-0001-0138-90, 076-0001-0139-90  
 BASE ZONING CLASSIFICATION CC-A  
 ZONING OVERLAY (if applicable) Over-the-Rhine Historic District

**2. APPLICANT**

NAME GBBN Architects CONTACT PERSON (if legal entity) Jay Woffington  
 ADDRESS 332 East 8th Street, Cincinnati Ohio  
 EMAIL cburke@gbbn.com  
 TELEPHONE 513.241.8700 RELATIONSHIP TO OWNER Architect

**3. OWNER**

NAME Cincinnati Shakespeare Company CONTACT PERSON (if legal entity) Jay Woffington  
 ADDRESS 719 Race Street, Cincinnati Ohio  
 EMAIL Jay.Woffington@cincyshakes.com  
 TELEPHONE 513.559.5896

**4. NATURE OF RELIEF REQUESTED (select all that apply)**

- Variance  Use Variance  Special Exception  Conditional Use  Use Permit
- Expansion or Substitution of Nonconforming Use  Hillside Overlay District Permission
- Urban Design Overlay District Permission  DD District Phased Development Approval

**5. BRIEF DESCRIPTION OF RELIEF REQUESTED (You may attach a statement to this application if the space provided is insufficient)**

See attached Statement

**6. SUMMARY OF REASONS WHY RELIEF SHOULD BE GRANTED.** You must provide a written statement explaining how your project meets the standards for all relief requested. Separate instruction forms for preparing this statement are provided. If you fail to follow the instructions for requesting a variance, use variance, special exception, conditional use, use permit, certificate of appropriateness, expansion or substitution of nonconforming use, hillside overlay district permission, urban design overlay district permission, and/or DD district phased development approval, your application may be denied.

**7. SIGNATURE.** The undersigned does hereby certify that the information provided in connection with this application is, to the best of his or her knowledge, true and correct.

Print Name Chad Burke Signature  Date 1/21/16

**8. ADDITIONAL DOCUMENTATION SUBMISSION REQUIREMENTS.** Submit three copies of the following documentation. If you fail to complete the application and provide all information requested, your application may be denied.

<input type="checkbox"/>	The written statement required in Section 6 above.
<input type="checkbox"/>	Survey plats, site plans, or other accurate drawings showing boundaries, dimensions, area, topography, and frontage of the property involved, as well as the location and dimensions of all structures existing and proposed from the nearest property lines. When landscaping is required by the zoning code, a landscaping plan must also be provided.
<input type="checkbox"/>	Plans, architectural drawings, photographs, elevations, specifications, and other detailed information depicting fully the exterior appearance of the existing and proposed construction, including parking and access, exterior lighting, landscaping, and signs involved in the application.
<input type="checkbox"/>	If the Hamilton County Auditor's official records do not list the applicant or owner as the owner of the property, a lease, contract to purchase, or other agreement demonstrating the applicant or owner's legal basis to seek the relief requested.
<input type="checkbox"/>	All other documents or information you intend to introduce at the hearing on this application.
<input type="checkbox"/>	A list of witnesses and expert witnesses who you expect to testify at the hearing on this application.
<input type="checkbox"/>	A non-refundable application fee. The fee must be paid with a check made payable to "City of Cincinnati." Fees are as follows: \$500-use variances; \$300-all other relief.

**To help avoid delays, it is strongly suggested that you present your application to neighboring property owners and any interested neighborhood community groups prior to the hearing on your application. This will give you a prior opportunity to address your neighbors' concerns or objections and can facilitate the approval of your application.**

**REMEMBER: YOU MUST PAY THE REQUIRED FEE AT THE TIME YOU SUBMIT YOUR APPLICATION. (\$500-USE VARIANCES; \$300-ALL OTHER RELIEF)**

## ***INSTRUCTIONS FOR APPLICATIONS REQUESTING A CONDITIONAL USE APPROVAL***

Applicants requesting a conditional use approval must demonstrate through credible testimony, documentary evidence or written statements how their proposed project meets the standards outlined in Cincinnati Municipal Code 1445-13 AND Cincinnati Municipal Code 1445-05 and 1445-21. Applications that are not supported by testimony, documentary evidence or written statements are subject to disapproval.

As required by Section 6 of the Zoning Hearing Examiner Application, applicants must provide a written statement explaining how their proposed project meets the following standards for a conditional use approval:

1. To meet the standard outlined in Cincinnati Municipal Code 1445-13, an applicant must show that the proposed project “is in the public interest.” A list of factors considered by the Zoning Hearing Examiner to determine whether the proposed project “is in the public interest” is found in Cincinnati Municipal Code 1445-13.

### **AND**

2. To meet the standard outlined in Cincinnati Municipal Code 1445-05 and 1445-21, an applicant must show:
  - a. the conditional use is specifically listed in the applicable zoning district use regulations;
  - b. the project meets any limitations specifically listed in the applicable zoning district use regulations; and
  - c. the project’s location, design, configuration and special impact on the area will prevent or limit potential adverse effects on the immediate neighborhood.

## 1. OTR HISTORIC

Signs should be designed for clarity, legibility, and compatibility with the building or property on which they are located. Signs should be located **above the storefront, on the storefront windows** or on awnings and should not cover any architectural features. Signs should capitalize on the special character of the building and reflect the nature of the business.

Wall and projecting signs should be located above the storefront or first story and below the second story sills. **The size of wall signs shall be limited to one square foot per lineal foot of building frontage.** Projecting signs should be no larger than 3 feet, 6 inches in width or height. Small projecting signs such as symbol signs are appropriate. **Billboards and internally illuminated signs are not permitted.** Neon signs may be approved on a case by case basis.

## 2. Zoning

Zoning: CC-A

District: Over the Rhine

a) Maximum Building Sign Area.

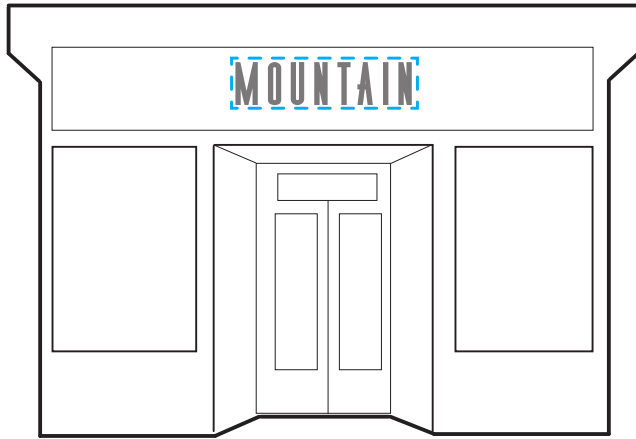
**SUPERCEDED BY OTR HISTORIC GUIDELINES.**

~~The maximum sign area allowed is as follows: CC-A and CG-A Districts: Two square feet for every linear foot of building frontage per establishment (Historic takes precedence)~~

**Cincinnati Shakespeare Company  
New Theater**

**Signage Guide  
01.22.2015**

## CALCULATING SIGN AREA



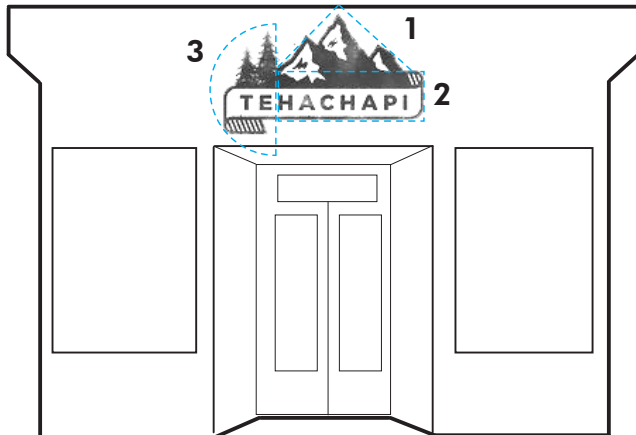
### **NO BACKGROUND**

*Calculate area of letters plus spaces between letters.*



### **BACKGROUND**

*Calculate combined area of letters, spaces between letters any other graphic elements.*



### **IRREGULAR SHAPE**

*Use up to three shapes (parallelogram, triangle, circle or half circle) to enclose all letters and graphic elements. Calculate combined area of shapes.*



**DESIGN INCLUDES:**

**ELM STREET:**

**78 SF (SHAKESPEARE COMPANY)+  
67 SF (OTTO M. BUDIG THEATER) =  
145 SF**

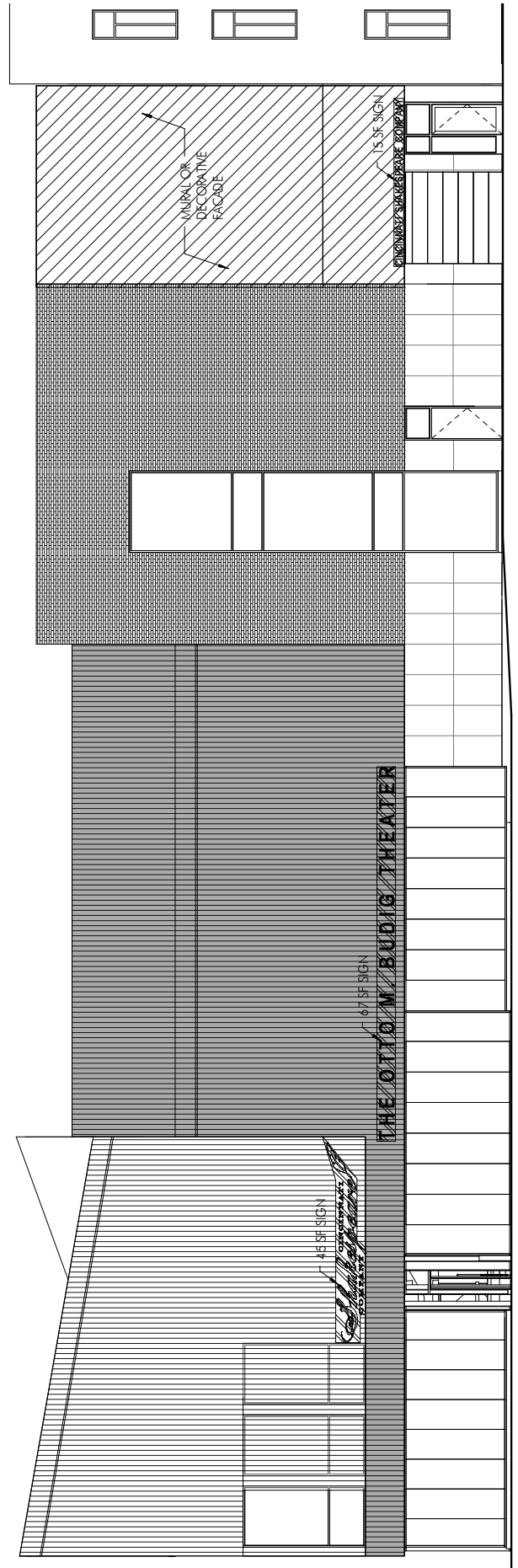
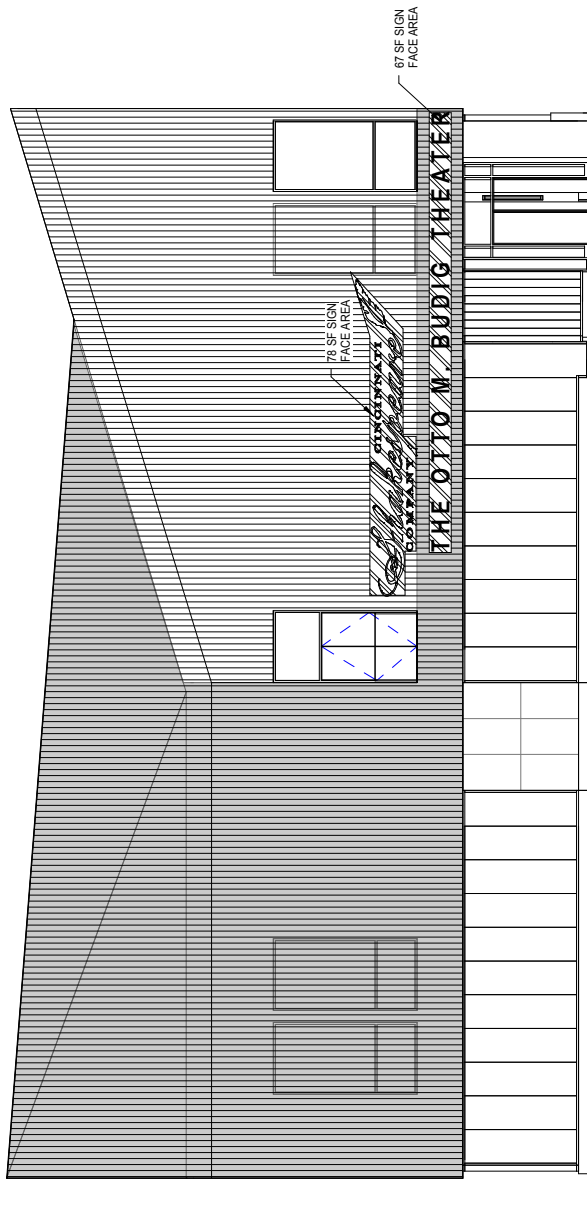
**12TH STREET:**

**45 SF (SHAKESPEARE COMPANY)  
+ 67 SF (OTTO M. BUDIG THEATER)  
+ 15 SF (SHAKESPEARE COMPANY) =  
127 SF**

**281 SF ALLOWED**

**272 SF DESIGNED**

**Exterior Wall Signs  
rendering**



Exterior Wall Signs elevations



**Corrugated Mounting**

Studs are set using jam nuts on the front and back of the corrugation. You will need access to the rear of the wall for this letter application.



LED Back Lighting - 2" x 2" x 2" - 2" x 2" x 2" - 2" x 2" x 2"  
 To be confirmed as acceptable with Historic Board

1/2" x 1/2" x 1/2" - 1/2" x 1/2" x 1/2" - 1/2" x 1/2" x 1/2"

§ 1427-03-E1. - External Illumination.  
 "External Illumination" means a source of illumination directed toward a sign so that a beam of light falls on the exterior surface of the sign and so arranged that no direct rays of light project from such artificial source into residences or streets. (Backlighting is a Grey area)

§ 1427-03-I3. - Internal Illumination. "Internal Illumination" means a source of illumination enclosed entirely within the sign and not directly visible from outside the sign. (PROHIBITED by OTR Historic Guidelines)

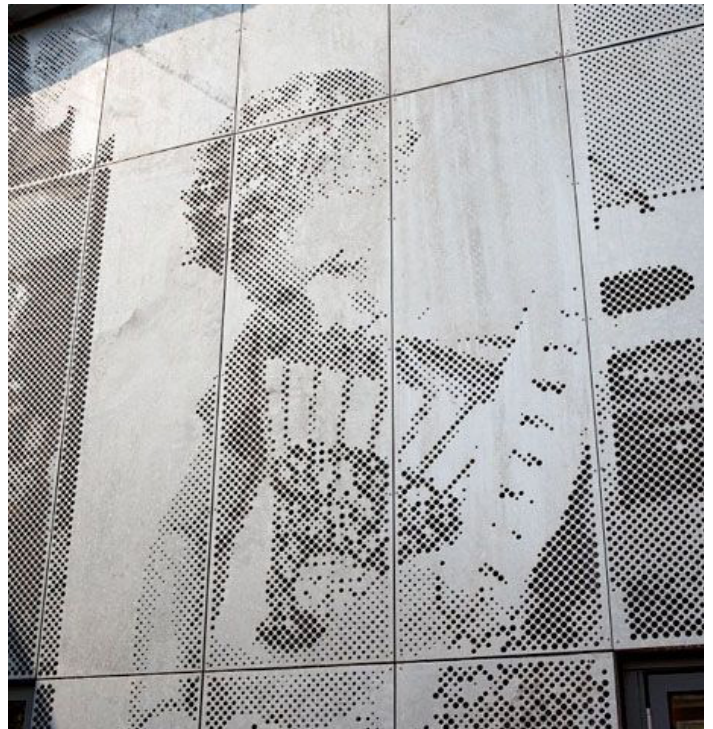
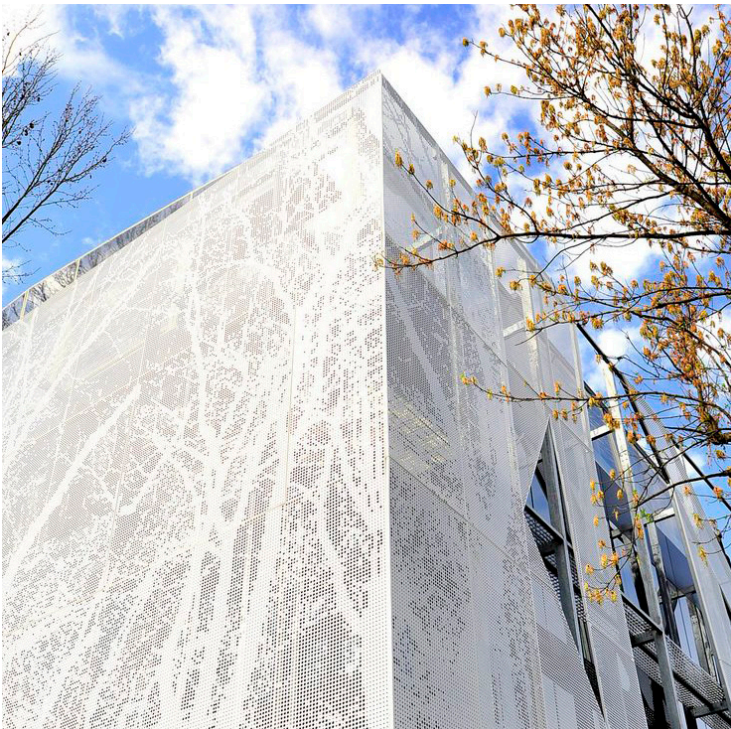
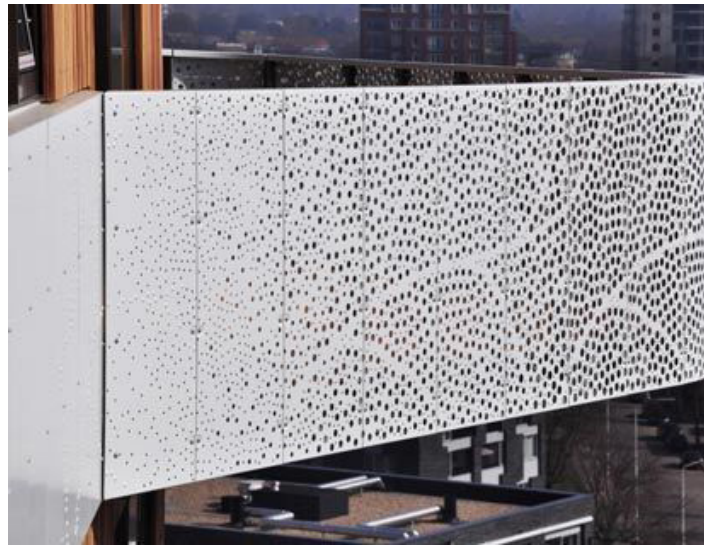
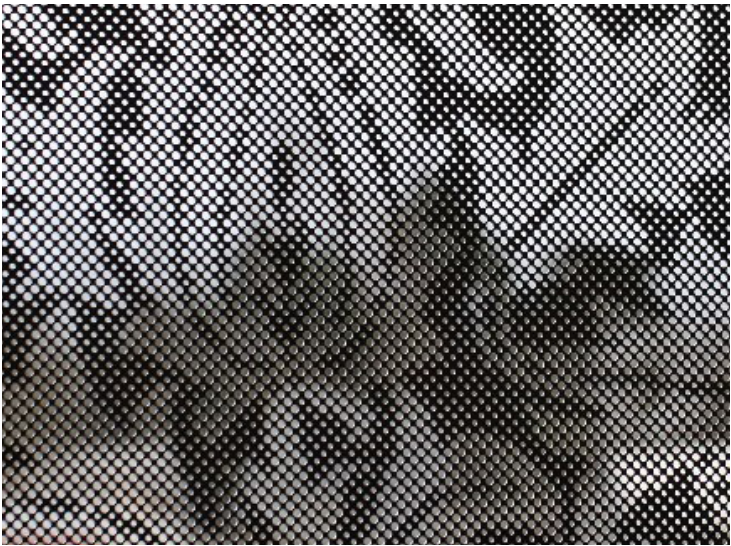
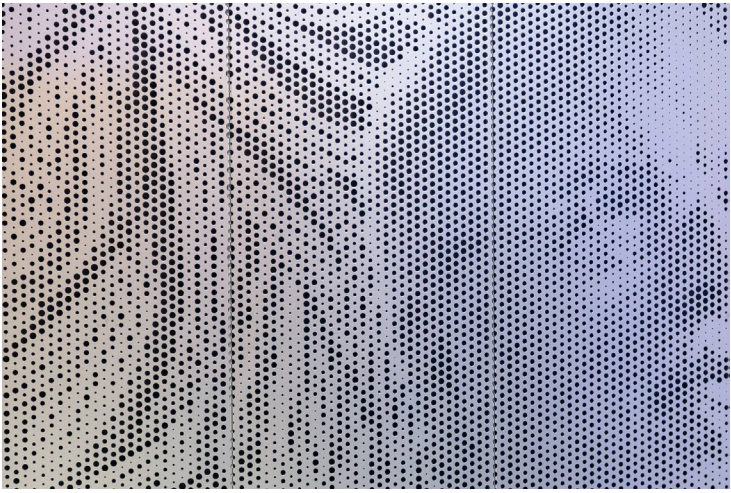
**Exterior Wall Signs materials and details**



LED Back žřř\* rg -2Á ηω2" WββžžWV©2

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## Exterior Wall Signs materials and details



**Mural Facade  
examples**



architecture.  
interiors.  
planning.  
facilities.

02.05.2016

Angie Strunc  
Two Centennial Plaza  
805 Central Avenue, Suite 720  
Cincinnati, OH 45202

beijing  
cincinnati  
lexington  
louisville

Re: Cincinnati Shakespeare Company, 217 West 12<sup>th</sup> Street

Dear Ms. Strunc,

On behalf of The Cincinnati Shakespeare Company, we are seeking the following reliefs for the proposed new theater building at 217 West 12<sup>th</sup> Street, Cincinnati OH 45202:

- Per Schedule 1425-19-A: Off-Street Parking and Loading Requirements

**General Background**

Cincinnati Shakespeare Company is a resident ensemble theater company bringing Shakespeare and the Classics to life for audiences of all ages. Having outgrown their current space and lease, Cincinnati Shakespeare Company has been taking steps over the last year to create a permanent home for classical theater at the southwest corner of 12<sup>th</sup> and Elm Streets.

This project proposes the demolition of the non-historic portions of the existing Drop-In Center. The Teamster’s building will be preserved and used for administration, with very minor modifications at the ground level interior to create an on-site scene shop. The new theater building would house a world class auditorium and backstage support, lobby and amenity spaces, and a rehearsal/education/event space overlooking Washington Park.

In addition to promoting the vitality of OTR, the Cincinnati Shakespeare Company is excited to be better positioned for collaboration and to extend its outreach efforts in the community as the newest member of the city’s cultural corridor including Music Hall, Memorial Hall, and Washington Park.

The Demolition of the existing Drop-In Center, and the design of the new Theater building both received Certificate of Appropriates from the Historic Conservation Board.

**Specific Relief Requested**

Per Schedule 1425-19-A: Off-Street Parking and Loading Requirements, Cultural institutions are required to have 1 parking space per 500 SF or 1 for every 8 seats, whichever is greater. Our facility has the following:

	Options for Parking Calculations
250 Seats	250 Seats / 8 = 31.25 Parking Spaces Required
App 32,807 SF (See Exhibit A for Area Calculations)	32,807 SF / 500 = 66 Parking Spaces Required

**GBBN Architects, Inc.**

332 East 8th Street | Cincinnati, Ohio 45202-2217

T 513.241.8700 | F 513.241.8873

www.gbbn.com

Based on this we have 66 required parking spaces for both the New Theater Building and the Teamsters building. Per Section 1425-23 (a) we are permitted to reduce our parking requirement by 50% if we are located within 600' of a publicly or privately operated parking facility. We are within 600' of the Washington Park Garage, the parking lot 1228 Central Parkway, and several other Parking lots in the area. **This provision limits our required parking to 33 Spaces.**

Per Section 1425-15 (c), we are permitted to locate our required parking spaces on off-site lots within 600' as long as a written covenant or reciprocal easement is recorded securing the parking for the intended use. We are seeking zoning relief to provide a Guaranteed Parking Space lease agreement on these spaces in lieu of a covenant or easement. The signed agreement for 35 spaces is included here for your review.

**Standards for a Variance:**

1. *To meet the standard outlined in Cincinnati Municipal Code 1445-13, an applicant must show that the proposed project "is in the public interest". A list of factors considered by the Zoning Hearing Examiner to determine whether the project "is in the public interest" is found in Cincinnati Municipal Code 1445-13.*

Answer: Out of the 16 items listed in CMC Section 1445-13 for use in determining whether a project is in the public interest, we feel the Cincinnati Shakespeare Company project meets all 16 in providing a positive benefit for the public interest. We have highlighted a few of these here:

- a) Zoning: The Proposed project conforms to the general and specific purposes for the CC-A Commercial District outlined in Chapter 1409 of the CZC in that it enhances an existing commercial district, encourages the creation of a neighborhood activity center, and it reflects complimentary and compatible uses in the area.
  - h) Neighborhood Compatibility: The proposed project is compatible with the predominant land use, building and structure patterns of the neighborhood. It ties in with the Arts Corridor along Elm Street including neighboring buildings such as Music Hall, Memorial Hall, and the School for Creative and Performing Arts.
  - l) Economic Benefits: We feel the activity our proposed project will bring to the site will have an overall positive impact on the surrounding properties, businesses and establishments throughout Over-the-Rhine.
  - p) Public Benefits: In addition to the Cincinnati Shakespeare Company's theatrical performances, it also has extensive outreach programs including educational classes for students and the community. It will undoubtedly be a public benefit.
2. *To meet the Standard outlined in Cincinnati Municipal Code 1445-15 an applicant must show:*
    - a. *neither the owner nor any of its predecessors caused the condition requiring a variance;*

Answer: The variance request was not caused by the owner nor any of it's predecessors. Rather it is the result of a confined site in an urban setting. We believe that this is exactly the type of program that should go on this site and have over 50 community support letters that are in agreement. There are no satisfactory parcels, however, in this area that would fit all required theater functions as well as on-site parking.

- b. *how the project meets any of the following conditions:*
  - i. *special circumstances or conditions pertaining to the property cause the strict application of the zoning code to be unreasonable and would result in practical difficulties; or*

Answer: As described above, there are conditions on this site that limit our ability to provide on-site parking. We are bookended to the West by an existing historic building, to the North and East by 12<sup>th</sup> and Elm Streets, and to the South by a public alley. We performed feasibility analysis on many sites in Over-the-Rhine and we're unable to find a site that could accommodate both the program our project requires as well as on-site parking that met our financial constraints. We feel with the many public parking facilities within a short walk of the site, as well as the introduction of the Streetcar project, our relatively minimal parking needs will have little impact. When parking is needed, the attached Guaranteed Parking Space Agreement will satisfy all our parking needs.

We hope that this memo provides everything you need to inform your decision. We appreciate your time in considering this matter. Please contact me directly if you have any questions. I would be happy to supply you with any additional information that you may need.

Sincerely,

Chad Burke, AIA, LEED AP  
GBBN ARCHITECTS INC.

## GUARANTEED PARKING SPACE AGREEMENT

This Guaranteed Parking Space Agreement (hereinafter "Lease" or "Agreement") is made and entered into by and between the Cincinnati Center City Development Corporation, its successors and assigns as owner of the Premises (as hereafter defined), collectively hereinafter called Landlord, and Arden Real Estate Holding Company, an Ohio non-profit corporation and subsidiary of the Cincinnati Shakespeare Company, an Ohio non-profit corporation, its successors and assigns, collectively hereinafter called Tenant.

### WITNESSETH:

That Landlord does hereby grant privilege to Tenant the right to access such number of spaces for purposes of contracted monthly parking as Tenant may from time to time request parking spaces located within any garage or lot that the Landlord owns or controls that is within 600 feet from the Cincinnati Shakespeare Theater on the corner of 12<sup>th</sup> and Elm Street, Cincinnati, OH 45202 (hereinafter "Premises").

**Base Term:** This Agreement shall be for the base term of five (5) years, commencing upon the receipt of Tenant's certificate of occupancy at 217 West 12<sup>th</sup> Street and ending on the first (1<sup>st</sup>) day of the month following the expiration of the fifth (5<sup>th</sup>) anniversary of the commencement date. The Landlord and Tenant agree to execute a memorandum documenting the commencement date promptly after it has been established.

**Renewal:** At the conclusion of the base term, Tenant may renew this Lease for an additional five (5) years, at the terms of rate and payment set forth below. At the conclusion of this initial renewal period, Tenant may renew for an additional five (5) years at the terms of rate and payment set forth below. "Term" shall be deemed to include the base term and any renewal terms.

**Number of Spaces:** During the base term, Tenant shall have the option to lease up to thirty-five (35) spaces at the parking rates defined within this Agreement.

**Use Restrictions:** Parking passes leased from Landlord shall be eligible for use whenever the garage or lot is open to the public. The parking passes will not be functional when garage or lot is closed or rented for a private event.

**Parking Rate and Payment:** Tenant agrees to pay Landlord per monthly parking space. The cost per space will be the market price at the time Tenant receives certificates of occupancy, presently estimated to be one-hundred dollars (\$100) per contracted parking pass per month.

**Increases:** During the base term, on January 1 of each year, with 30 days written notice from Landlord, Landlord may increase the monthly rate charged to Tenant. Any annual rate increase shall not exceed Five percent (5%) of the prior calendar year parking charge. At the conclusion of the base term, Landlord shall reassess the market rate and will charge the reassessed market rate to the Tenant for the entire number of spaces Tenant chooses to purchase from Landlord. Thereafter, on January 1 of each year during the first renewal term, and with 30 days written notice to Tenant, Landlord may increase the monthly rate charged to Tenant, not to exceed 5% of the prior calendar year parking charge.

**Relocation:** At any time during the base term or renewal term, Landlord may relocate all or a portion of the parking spaces assigned to Tenant to any covered parking garage located within the radius defined in Exhibit A. If Landlord wishes to relocate Tenant, Landlord shall ensure that parking rates and availability are as guaranteed in this Agreement.

**Completion/Commencement Guarantee:** Tenant grants to Landlord that construction of the Cincinnati Shakespeare Company Theater Facility shall commence by May 1, 2016 and construction will be substantially completed by September 1, 2017. If these conditions are not met, this agreement shall be rendered null and void.

**Termination:** At any time throughout the term of this agreement, Tenant may terminate this Agreement by providing written notice at least thirty (30) days prior to the cancellation date. Landlord may terminate this agreement if subsequent legislative actions reduce or eliminate the parking requirement.

**Hold Harmless:** Tenant agrees to hold Landlord harmless from any and all claims, which may arise from, on, in, or about the leased Premises and related to or arising out of Tenant's breach of this Agreement respective employees, agents, licensees, or invitees, unless provided otherwise herein.

**Notices:** All notices required under this Lease shall be deemed to be properly served if delivered in writing personally or sent by certified mail to the Landlord at:

Cincinnati Center City Development Corporation  
C/O Steve Leeper  
1203 Walnut 4<sup>th</sup> Floor  
Cincinnati, OH 45202  
sleeper@3cdc.org

If to Tenant, notices shall be sent to:

Jay Woffington  
Cincinnati Shakespeare Company  
719 Race Street  
Cincinnati, OH 45202  
513.518.0772  
jay.woffington@cincyshakes.com

With a copy to:

Geoff Leder  
Keating, Muething, & Klekamp, PLL  
One East 4<sup>th</sup> Street  
Suite 1400  
Cincinnati, OH 45202  
gleder@kmlaw.com

or to any subsequent address which the Landlord or Tenant may designate for such purpose. Date of service of a notice served by mail shall be the date on which such notice is deposited in a post office of the United States Post Office Department.

**Non-Recourse to Certain Persons:** This Agreement is and shall be, in the absence of fraud or willful misconduct by Owner, non-recourse to the managers, members, directors, trustees, officers, agents and representatives of the Landlord and to the managers, members, directors, trustees, officers, agents and representatives of Tenant. This section of the essence of this Agreement and Landlord and Tenant would not have entered into this agreement but for its inclusion.

**Default by Tenant:** The occurrence of any one or more of the following events shall constitute a default and breach of this Lease by Tenant: (a) The failure by Tenant to make any payment of rent required to be made by Tenant hereunder, as and when

due, where such failure shall continue for a period of ten (10) business days after Landlord notifies Tenant and its mortgagee(s) in writing of such failure; or (b) the failure by tenant to observe or perform any of the covenants, conditions, or provisions of this Lease to be observed or performed by Tenant, other than the payment of sums due hereunder, where such failure shall continue for a period of thirty (30) days after written notice thereof from Landlord to Tenant and its mortgagee(s); provided, however, that if the nature of Tenant's default is such that more than thirty (30) days are reasonably required for its cure, then Tenant shall not be deemed to be in default if Tenant or its mortgagee(s) commences such cure within such thirty (30) day period and thereafter diligently pursues such cure to completion.

**Memorandum of Lease:** Tenant may record a memorandum of this Lease in the Hamilton County Recorder's office. Landlord agrees to execute a memorandum of lease in recordable form giving notice of such terms s Tenant may reasonably request.

IN WITNESS WHEREOF, this Lease has been duly executed in two (2) counterparts, each of which constitutes a separate and binding agreement.

Dated: 2/4/16

LANDLORD:  


By: Adam Gelter

TENANT:  


By: Jay Wofford