Not Approved

MINUTES OF THE
CITY PLANNING COMMISSION
OCTOBER 5, 2007
J. MARTIN GRIESEL CONFERENCE ROOM
TWO CENTENNIAL PLAZA – SUITE 700
805 CENTRAL AVENUE

CALL TO ORDER

Ms. McCray called the meeting to order at 9:05 a.m.

Commission Members:

Present: Jacquelyn McCray, Donald Mooney, Scott Stiles, Rainer vom Hofe, John Schneider, Roxanne Qualls and Caleb Faux.

Community Development and Planning Staff: Charles Graves, Margaret Wuerstle, Bonnie Holman and Caroline Kellam.

Law Department:
Deborah Wyler Allison

APPROVAL OF MINUTES

Submission of the minutes from the September 21, 2007 Planning Commission meeting for approval.

Mr. Schneider asked that his statement regarding a taller structure wrapping the parking garage be added to the minutes.

Motion:	Mr. vom Hofe moved approval of minutes as amended.
Second:	Mr. Schneider
Ayes:	Ms. McCray, Mr. Mooney, Mr. Stiles, Mr. vom Hofe, Mr. Schneider and Ms. Qualls
Nays:	None, **motion carried**

DISCUSSION ITEMS

ITEM #1 A report and recommendation on authorizing the City Manager to enter into an agreement of lease with Jason III Aviation, Inc. for Lunken Airport Lease Area 4 containing Hangar 4.

BACKGROUND:
A Request for Proposals for Lunken Airport Lease Area 4, which contains Hangar 4, was issued October 10, 2006. Jason III Aviation is a 24-hour full-service fixed base operation

(FBO) currently located at Lunken Airport Lease Area 40. The company provides a variety of services including aircraft storage, aircraft maintenance, sale of fuel, and sale of parts and supplies. One proposal was received and it was selected as the most advantageous to the City, and the company wishes to enter a 5-year agreement with five 5-year renewal periods. The annual rent for the initial term of the lease is $216,000.00, which is the fair rental value as determined by the September 1, 1998 Revenue Policy for Lunken and Blue Ash Airports and adjusted for inflation. In addition to the Lease area 4, Jason III Aviation will continue to operate from the current location at Lease Area 40. This is consistent with the Lunken Airport Master Plan and policy direction provide by Cincinnati City Council.

RECOMMENDATION:
Department of Community Development and Planning staff recommended that City Planning Commission take the following action:

> AUTHORIZE the City Manager to enter into an agreement of lease with Jason III Aviation, Inc. for Lunken Airport Lease Area 4 containing Hangar 4.

DISCUSSION
Mr. Schneider stated that the economics in general aviation are changing and it would be a good time to take a closer look at the leases. Mr. Stiles responded that he had recently raised the idea of investigating the possibility of increasing revenue through future lease agreements at the Lunken Airport and said that he would pursue the matter.

Motion:	Mr. Schneider moved approval of Consent Item #1.
Second:	Mr. vom Hofe
Ayes:	Ms. McCray, Mr. Mooney, Mr. Stiles, Mr. vom Hofe, Mr. Schneider and Ms. Qualls
Nays:	None, **motion carried**

ITEM #2 A report and recommendation on a Final Development Plan for Phase One Development within Planned Development District 50 (PD-50) along Burnet Avenue in the neighborhood of Avondale.

Ms. Caroline Kellam, Senior Planner presented this item.

Mr. Faux arrived at 9:10 a.m.

BACKGROUND
On May 18, 2007, the Cincinnati Planning Commission (CPC) approved a change of zoning from RMX Residential Mixed and CN-M Commercial Neighborhood Mixed to PD and accepted a concept plan and development program statement for PD-50 located on Burnet Avenue in Avondale. On June 6, 2007, Cincinnati City Council also approved this zone change and the concept plan with the development program statement for PD-

50. This concept plan represents the first phase of implementation of the Burnet Avenue Urban Renewal Plan.

At their meeting on September 21, 2007, the CPC made a motion to table the Final Development Plan for (PD-50) and have the Urban Design Review Board (UDRB) review certain elements of the design. Particularly, the CPC had concerns on: 1) how the future residential component would relate to the garage, 2) the treatment of the rear elevation of the garage facing the residential units 3) the relationship of the garage to the street and the pedestrian character of the surrounding neighborhood. The CPC wanted the UDRB's comments prior to a determination being made on the Final Development Plan. The Urban Design Review Board has a 14-day public notification requirement. This requirement is met by publishing a notice twice in the City Bulletin prior to holding a UDRB meeting. Therefore, the Urban Design Review Board will not be able to meet before October 10, 2007. In the interim, the developer would like to submit supplemental information for final review and approval.

DESCRIPTION

PD-50 is within the area bounded on the west by Burnet Avenue, on the north by Hickory Street, on the east by Harvey Avenue and on the south by the southern boundary of 3437 Harvey Avenue, 431 Maple Avenue and the northern boundary of the Post Office property.

Currently this area along Burnet Avenue is predominantly characterized by vacant lots. As the Uptown Consortium acquired properties in the area, older buildings were cleared from the site. Most of the commercial buildings on Burnet Avenue along the length of the project site have been removed. The structures remaining are mostly single-family homes.

FINAL DEVELOPMENT PLAN

A final development plan has been prepared and submitted by DNK Neyer Partnership. Elements of the Final Development Plan include the following:

The redevelopment plan for Phase I calls for a mixed commercial development along Burnet Avenue and a parking structure. The commercial area will consist of two buildings; a six-story medical office building with a parking garage behind the office building and a mixed-use office building for the Cincinnati Herald.

Building	**Height**	**Square Footage/Spaces**
Medical Office Building	6 stories - 109' ht.	126,038 square feet gross
Herald Building - mixed use	3 stories - 48' ht.	44,409 square feet gross
Parking Structure	6 levels - 74' ht. (top of stair tower)	1,445 parking spaces

Medical Office Building
In order to reduce the medical office building to a more neighborhood-oriented scale, the building has been designed to break the mass into smaller pieces using different materials and forms. The ground level will be mostly transparent in order to provide a visual connection between the interior environment and the street.
The southern section of the first floor consists of a curtain wall interspersed with occasional aluminum panels to create a whimsical effect that abstractly interprets the "weaving" concept. The northern section consists of a curtain wall interspersed with occasional Prodema panels to again create a whimsical effect that is child-friendly. The Prodema material is a very sturdy and weather-resistant resin panel that has the look of wood. This material can be seen on the Mayfield Clinic building on the west (southbound) side of Interstate 71 just south of the Smith-Edwards exit.
The upper floors on the southern section of the structure consist of alternating corrugated aluminum panels and windows. A large curtain wall extending from the entrance to the fifth floor highlights the entrance and breaks up the massing. The sixth floor on the north side cantilevers slightly out over the outdoor dining area, seemingly "punching through" the vertical volume and recalling the "weaving" concept. The northern elevation has the same Prodema material as the rest of the vertical volume described above. The other elevations, including the curved façade of the south side, consist of alternating horizontal bands of corrugated aluminum panels and windows, creating a very modern effect.

The Cincinnati Herald Building
The Cincinnati Herald Building, which will be located at the corner of Burnet and Northern Avenues will anchor the north side of Phase I redevelopment along Burnet Avenue, This building will be mixed-use, with retail and/or a restaurant envisioned for the ground floor, and offices on the top two levels of a three-story building. The design of this building will complement the medical office building and will contribute to the distinct identity of the overall development.

The Burnet Avenue elevation will consist of storefront windows on the first floor. The second and third floors will consist of alternating horizontal bands of Prodema material and windows. Curved aluminum canopies will bracket the corners at the second floor and roof levels. The Northern Avenue elevation will consist of the same materials as the Burnet Avenue elevation. The other, less visible, elevations will consist of alternating horizontal bands of corrugated aluminum panels broken up with Prodema trim pieces and windows.

Parking Garage
The proposed six-level, 1,450-space parking structure (part of Phase I) will be tucked away behind the proposed commercial and residential developments. The residential portion of this PD will be submitted at a later date as Phase IA. Due to the topography of the site, only five of the six levels of parking will be exposed above ground on the east side of the parking structure. Two entries are proposed, both from the extended Northern Avenue. The longest exposed façade of the parking structure will be along Northern Avenue. This façade is also where the most intensive architectural treatment of the façade will occur with design elements intended to break up the massing of the garage and

incorporate it into the overall theme of the development. Landscaping will also be provided around the perimeter of the structure where possible, to further soften its edges.

The most important elevation of the parking garage, the one that faces Northern Avenue, is treated with curved metal mesh panels that weave in and out of one another as they follow the column lines and decks of the garage. The other elevations consist partly of the "weaving" concept wrapping around and enveloping the sides of the garage, with the remainder being screened with vertical metal mesh panels. The garage is bracketed by three stair towers that consist of transparent curtain walls with alternating 'stripes' of aluminum curtain wall panels. These stair towers will be lighted from the inside and will act as beacons to the community.

Landscaping
A pocket park featuring an outdoor dining and/or gathering area will be located along the Burnet Avenue frontage between the two commercial buildings. Open spaces have been identified between the residential area and the Post Office as well as mid-block along Burnet Avenue. A unified streetscape and landscape design will tie the entire area together and provide a unique identity for the neighborhood.

Lighting
New decorative streetlights are being provided as part of the streetscape for Phase I. These lights will be the "Davit Arm" style, similar to what is currently being used nearby along Martin Luther King Drive between Burnet Avenue and Vine Street. The service drive will be lit using the same fixtures. The streetlights will be 35 feet high and the service drive lights will be 25 feet high. Pedestrian pathways will be lit with modern-style decorative lights similar to those used in the International Friendship Park. These lights will be 12 to 14 feet high. The service drive will also be lit using recessed lighting under the portion of the building connecting the medical office building and the garage.

Signs
The Uptown Consortium and Cincinnati Children's Hospital Medical Center (CCHMC) are currently working together to develop a comprehensive sign package that encompasses the Uptown district, CCHMC, and Burnet Avenue. This planning is in the very early stages and is not expected to be complete before this development is well into construction. The sign guidelines will need to be reviewed by the Planning Commission at a later date as a major amendment to the final development plan.

Parking Analysis

Use	Approx. Area (s.f.)	Ratio (spaces : s.f.)	Spaces Required
Medical Office Building			
Medical clinic	37,131	1:150	248
Office	88,907	1:400	223
Herald Building			
Office	33,309	1:400	84
Retail	4,093	1:250	17

Restaurant	3,548	1:150	24
Outdoor dining	1,200	1:300	4

Total spaces required for commercial/mixed use: 596
Total spaces provided in parking garage: 1,445

Cincinnati Children's Hospital Medical Center main campus employees will use excess parking.

Density and Open Space

Parcel	**Gross Floor Area (s.f.)**	**Land Area (acres)**	**Density (F.A.R.)**	**Open Space Area (acres)**
Med Office / Garage	594,654	3.5	3.9	1.1
Herald Building	44,409	0.5	2.0	0.2
Future Northern Ave.		0.8	0.8	
Undeveloped Area		1.0	1.0	
Total	**639,063**	**5.8**	**7.7**	**1.3**

Statement of Uses

Use	**Area (g.s.f.)**
Medical Office Building	
Medical Clinic	37,131
Office – General	88,907
Total	126,038
Herald Building	
Office – General	33,309
Retail	4,093
Restaurant	3,548
Common Area	3,459
Total	44,409
Parking Garage	
Parking Garage	468,616

Project Sponsors and Ownership

Ownership
- Uptown Consortium, Inc.
- City of Cincinnati

Sponsors
- Children's Hospital Medical Center
- Sesh Communications, Inc. (Cincinnati Herald)

Future ownership and control

Parcel	Future Owner
Medical Office Building / garage	Cincinnati Children's Hospital Medical Center
Herald Building	Sesh Communications, Inc.
Future right-of-way	City of Cincinnati
Undeveloped area	NTP Development, LLC

Maintenance and upkeep will be the responsibility of the future landowner of each parcel. The future right-of-way streetscape will be maintained by the adjacent landowner and the vehicular pavement and street lighting will be maintained by the City of Cincinnati. Common spaces in the commercial area will be maintained initially by the developer, and later by a property owners association to be formed by the owners of the medical office building, the parking structure and the Herald Building.

Project Investment

The Uptown Consortium is putting approximately $5 million into infrastructure improvements to prepare the site for development. The total investment by all the project partners is approximately $50 million. The City of Cincinnati effectively contributed about $1 million to the project by selling the city land for $1 in exchange for the infrastructure improvements.

Phase schedule:

Building	Start construction	Finish construction / core & shell
Combined sewer relocation	October 2007	November 2007
Water main	December 2007	January 2007
Other public utilities	February 2007	March 2007
Road improvements	July 2008	September 2008
Streetscape improvements	September 2008	October 2008
Herald Building	November 2007	July 2008
Parking structure	November 2007	December 2008
Medical Office Building	November 2007	November 2008

CONSISTENCY WITH EXISTING PLANS

This Final Development Plan for PD-50 represents Phase I of the Burnet Avenue Urban Renewal Plan.

CODE REQUIREMENTS

Under Section 1429-15, the City Planning Commission may approve a Final Development Plan for a development in a PD District on consideration of the following:

(a) Consistency

This Plan is consistent with the purpose of the PD District because it:

- Allows for more efficient development of property

- Allows the developer to be more creative with the use of the space, creating a mixed-use development that would not be possible with conventional zoning.
- Includes open space areas interspersed throughout the development, and features landscaping that creates an aesthetically pleasing environment.

(b) Adequate Streets

- The development has an adequate street network

(c) Adequate Infrastructure

The following statements relate to the site infrastructure:

- The developer worked with MSD to determine sufficiency of sewer credits and impact
- The developer worked with GCWW to ensure no interference with water mains, and appropriate hydrants and sprinkling.
- The developer worked with DOTE to determine roadway design.

(h) Sufficiency of Provisions for Maintenance of Common Areas

The Burnet Avenue and Northern Avenue streetscapes and other common spaces in the commercial area will be maintained initially by the developer, and later by a property owners association to be formed by the owners of the medical office building, the parking structure and the Herald Building.

(f) Compatibility

The proposed uses and arrangement are compatible with surrounding land uses because:

- The site is located near commercial uses, but is also adjacent to several residential streets. The mix of uses proposed in the Burnet Avenue development is consistent with uses found in the area. The low-intensity of the residential and office uses are compatible with the nearby residential neighborhood.
- The development will assist in the continued revitalization of this important commercial corridor.

FINDINGS

The Burnet Avenue Redevelopment will be an asset to the Avondale community and will helped to spur additional revitalization efforts in the Burnet Avenue Business District. This project offers a good mix of uses, high quality construction and design that is compatible with the neighborhood.

Therefore, it is the opinion of staff of the Department of City Planning that the proposed Burnet Avenue Redevelopment Phase I is in compliance with Section 1429-15 “Planning Commission Approval of Final Development Plan”. The proposal is consistent with the purpose of the Planned Development District Regulations and the approved Concept Plan and Development Program Statement.

RECOMMENDATION

The staff of the Department of Community Development and Planning recommended that City Planning Commission take the following actions:

Approve the Final Development Plan for Burnet Avenue Redevelopment Phase I within PD-50 with the following conditions:

The Developer must provide the following items:

1. Final, approved roadway plans including all utilities, traffic signals, street lighting and pavement marking and signing.
2. Final, approved plat showing the consolidation of property and outlining the new rights-of-way for the public improvements. This also includes an additional six feet of right-of-way along the west side of Harvey from Erkenbrecker north to the project limits.
3. The landscaping and sidewalk plan, as shown, has not been approved by DOTE. Any nonstandard items within the right-of-way must be approved by DOTE and may require a revocable street privilege.
4. A plan for a landscape buffer behind the parking structure along Harvey Avenue must be approved by DOTE and Planning.

DISCUSSION

Ms. Kellam gave a brief overview of the staff report and stated that due to the public notification requirements staff was unable to schedule a meeting of the Urban Design Review Board within the two weeks between Planning Commission meetings. She said that Planning staff, DOTE staff and the City architects met with representatives of DNK Architects to discuss the plan in more detail and address the Planning Commissioners concerns. She pointed out that there was a new letter from the Avondale Community Council supporting the project and that the president of the Community Council was present.

Mr. Faux stated that the proposal was the same as the one presented at the September 21, 2007 Planning Commission meeting. Ms. Kellam concurred and stated that the proposal was for Phase I, which did not include the residential component.

Mr. David Kirk, Principal and President of DNK Architects, stated that he had been involved with the Burnet Avenue project for over three years and highlighted the activities of the Burnet Avenue Revitalization Team (BART). A number of the BART members were present and Mr. Kirk explained that BART established a plan for neighborhood redevelopment.

Mr. Kirk explained that Phase I of PD-50 consisted of two office buildings and a parking garage. He said that the African theme of weaving together came from the plan to bring together and blend the industrial area south of Erkenbrecker with the residential area north of Erkenbrecker and the large local African American Community. He said that

during the planning process and development of the master plan they concentrated on sensitivity to the residential development, the scale of the project and the way the structures are presented to the community.

Mr. Kirk gave a presentation of the project and a detailed explanation of Phase I. He explained the complexities of wrapping the garage with residential units and concluded that it would be better to separate the structures. He stated that the residential site was large enough for a typical urban townhouse development. He went on to say that there was an agreement with Model Group to be the developer for the residential units.

Mr. Kirk presented streetscape renderings and stated that the plan for the project was to create a pedestrian friendly neighborhood and a destination point. He described the retail plans for the Herald building and showed the area that would create public spaces. He showed a rendering of the garage and explained the unique weaving design on the garage façade and highlighted the landscape elements used to soften its appearance.

Mr. Mooney asked for the number of spaces in the garage and the target users. Mr. Kirk responded that there would be 1450 spaces and that target users would be retail customers, office visitors, medical office and hospital patients and Children's Hospital staff. Mr. Mooney asked if there would be any parking for the adjacent residential development. Mr. Kirk responded that they would have parking below their units.

Mr. Tony Brown, President of the Uptown Consortium, stated that the fact that Children's Hospital was financing the construction of the garage, gave the developers a unique opportunity to provide parking for the office and retail portion of the project without the typical delay. There was also an agreement worked out to provide dedicated parking spaces for the office and retail consumers. He said that they had to finance the relocation of a 100-year-old water/sewer line. He went on to say that the goal for the residential site was to construct workforce housing and for the land not to exceed $35,000.

Mr. Mooney asked if there was public financing in this project. Mr. Brown responded that the City sold the land to them for $1 and in return the Uptown Consortium was contributing 3 million dollars in water and sewer upgrades.

Mr. Stiles asked if there would be fees charged for parking at the garage. Mr. Brown stated that the details had not been finalized but that the plan was for the garage to be free for the retail customers and office visitors but charged to Mr. Curty, the building owner. Mr. Matt Latham, architect with DNK Architects, added that there would most likely be a parking validation system.

Mr. Brown stated that the public and private parking entrances would be separate. He explained that was why constructing the garage below ground would not be feasible.

Mr. Schneider disclosed that he had contact with two sponsors of the project. He asked about the yellow lines that appeared on the plan. Mr. Kirk explained that in the

Goody/Clancy plan, developed a number of years ago, showed townhouses wrapping the garage. He showed on the drawing that the townhouses would be shallow and after further study not feasible. The development that was proposed by that past plan did not fit on the site. Mr. Brown added that part of the land used on the Goody/Clancy plan was owned by the U.S. Post office and not available for development.

Mr. vom Hofe asked why the developers were not doing the residential construction at the same time as the Phase I retail and office construction. He stated that he was concerned that the residential site would never be developed. Mr. Brown explained that the Uptown Consortium was not a residential builder and the costs of land assemblage and the additional costs of the horizontal improvements did not make it feasible to do together. He stated that the Consortium has site control and a letter of intent with Model Group, to build the residential development.

Mr. vom Hofe asked if the housing development was definitely going to proceed. Mr. Kirk said that the development would happen.

Ms. Qualls stated that walkability of the neighborhood was not just softening the garage with landscaping but how the garage meets the sidewalk and street. She asked if the details of curb cuts, sidewalk widths, egress/ingress and traffic patterns had been addressed. Mr. Kirk responded that the garage only fronts on one street and has a setback of 25 feet. The entrances and exits of the garage have been separated and signage would be highly visible. Mr. Latham explained that the curb cuts are at the far ends of the garage with wide spaces between the curb cuts. Wide sidewalks were requested by DOTE and are included in the plan. Ms. Qualls stated that on occasion suburban specifications used in urban environments detract from the walkability of the neighborhood and design questions need to be addressed. Mr. Kirk stated that they have worked with DOTE and that all City specifications will be followed.

Mr. Brown stated that in addition to the “sticks and bricks” investment, the Consortium understands that there must also be program investment. He explained that the project is one block away from Police District #4’s worst crime hotspot at Burnet and Rockdale. He said that the Consortium desires to create an environment that is rich with opportunity and not one that is focused on despair. He stated that the project has the support of the Community Council, business owners and residents and asked the Planning Commissioners for their approval.

Mr. Mooney asked if there was anyone present that was not in favor of the Burnet Avenue project.

Ms. Qualls asked Michael Moore, City Architect, if he had a chance to review the plans for the project. Mr. Moore stated that he met with DNK Architects earlier in the week and discussed the issues. Mr. Latham stated that the street trees were left off the original drawing but had now been added to the new rendering.

Mr. Schneider suggested that the residential units be build closer to the street to provide deeper rear yards. Mr. Moore stated that the suggestion would be investigated and that parking would be on the rear of the houses.

Ms. Qualls asked if the utilities would be buried. Mr. Kirk said that most utilities would be buried under Burnet and Northern Avenues.

Mr. Mooney moved approval of the proposal. He stated that conditions were unique and felt that the project fit the community. He said that DNK Architects and the Uptown Consortium did a tremendous job working with the neighborhood and felt that the project would be a great improvement. He went on to say that providing parking for Children's Hospital was perhaps vital to keep the Hospital in the City.

Ms. McCray seconded the motion and stated that she hoped the residents appreciated the discussion in regard to the character of the design in this critical area of our City. She said she personally felt that tasteless developments such as the one at Highland and East McMillan should not be replicated. She concluded that she looked forward to the next Phase.

Ms. Qualls stated that she would support the proposal. She felt that the Planning Commissioners needed to be sensitive to the elements of design and as the project progresses the stakeholders should be aware of the heightened awareness.

Motion:	Mr. Mooney moved approval of Item #2.
Second:	Ms. McCray
Ayes:	Ms. McCray, Mr. Mooney, Mr. Stiles, Mr. vom Hofe, Mr. Schneider, Ms. Qualls and Mr. Faux
Nays:	None, **motion carried**

DIRECTOR'S REPORT

Mr. Graves gave a brief description of CitiRama and said that the homes were environmentally friendly and LEEDS certified. He encouraged the Planning Commissioners to visit the homes. Ms. Qualls asked if the developer had the USGBC certification. She explained that the developer had to provide documentation for the certification and continue to maintain the quality to remain certified. Mr. Graves said that he would investigate the issue.

Mr. Graves said that as a result of holding the text amendments regarding numerical and locational standards, the City Council is experiencing an increase in the request for notwithstanding ordinances. He asked if the Planning Commission would like to revisit the issue. Ms. Qualls said that although she still objected to variances, it would be in the City's best interest to consider the situation again. Mr. Mooney agreed and asked for a staff report when notwithstanding ordinances are presented to the City Council. Mr. Faux stated that he would be in favor of bringing the item back to the Planning Commission. He said that it was not wise to use notwithstanding ordinances on a regular basis and that it undermined the validity of the Zoning Code. Ms. McCray stated that she

would like to see some analysis on notwithstanding ordinances to see if there are land use patterns.

Mr. Stiles stated that the City Manager's office has received calls regarding the issue and feels that the City Council members are being put in an awkward position. City staff has referred some people to City Council members for notwithstanding ordinances. He stated that he sent a message to Department Heads to clarify that it is not appropriate for City staff to suggest notwithstanding ordinances. He explained that he suggested to the Directors that when there is an issue they should discuss it and send a report to the City Manager to assist the City Council members.

Mr. Mooney asked the types of notwithstanding ordinances that were being requested. Mr. Graves stated that they were primarily variances and he would get together with B&I and Community Development staff to do an analysis in terms of land use issues and work to address the situation in a timely manner.

Mr. Faux stated that the Zoning Code was written by Planning staff and on a day-to-day basis is interpreted by Building and Inspections staff. He said that he has repeatedly encouraged better cooperation between B&I and Planning staff with interpretation matters. He felt that there should be consultation between the departments. There has been a long-standing resistance to that collaboration. He said that he personally felt that some of the notwithstanding requests were due to the lack of communication. Mr. Stiles responded that the City Manager has talked with Mr. Graves and B&I staff regarding the matter and that it would be addressed.

Mr. Graves stated that he had been attempting to schedule an evening meeting for the St. Aloysis zoning request in Bond Hill. He conferred with the Planning Commissioners and determined that the meeting would be held on either Wednesday, October 24 or Thursday, October 25, 2007. The Planning Commission members would be notified.

Mr. Mooney asked if the City Park and the County parking portion of the Riverfront development would still be built if The Banks development was not built. He presented a map of the 1948 Master Plan and pointed out some of the areas that were similar to the current proposal. He said that the City promised the citizens a park along the riverfront and stated that they needed to determine if that can be done regardless of the success of The Banks project.

Ms. Debra Allison, of the Law Department and City Attorney working on The Banks project stated that the parks would move forward regardless of the success or failure of The Banks development. The parking garage would not be built without any commercial development.

Ms. Qualls stated that one of the key issues was affordable parking for administrative staff working in the downtown area. Downtown business owners are arguing that if the parking garage was built, prices would raise considerably. The availability of parking for the Central Business District (CBD) administrative support workers was also a concern.

She said that she was not sure of the validity of the concerns but said that it needed to be investigated. Ms. Allison said that rates would be comparable to rates at City-owned garages. Ms. Qualls asked who would have use of the parking garage since the sports franchises have committed spaces. Ms. Wyler stated that the franchises would have a specific number of spaces on specific days. On the other days the County would have control. Mr. Schneider said that on game days people that typically park near the stadiums know the situation and plan accordingly.

Mr. Schneider said that he was still concerned with the size and heights of buildings in The Banks development. Mr. Faux responded that the Planning Commission would be able to approve or disapprove any proposal for The Banks development. Ms. Allison agreed and stated that in addition the developers must adhere to the 1999 Urban Design Master Plan. Mr. Faux said that the Planning Commissioners have been clear with their opinions regarding building size and heights. Ms. Wuerstle added that there were no height limitations on buildings on the site prior to the PD designation.

Mr. Schneider stated that he would be leading a trip to Portland, OR in mid-November to tour downtown office and residential developments without parking.

Mr. Ben Novacel, of NWA Architects, stated that since the variance text amendments were not approved, he did not have the opportunity to obtain the variances that he needs for his projects and notwithstanding ordinances are currently the only option. Mr. Faux said that the Planning Commission had agreed to bring the issue back for consideration.

Mr. Mike Manch, of NWA Architects, stated that he was told to contact a Council member when he was unable to obtain a variance. He said that there were some unique properties in Cincinnati and the lack of a process for variances causes a hardship.

Ms. Qualls asked if the text amendment could be presented at the next Planning Commission meeting. Mr. Graves said that it would be brought back at that time.

Mr. Erwin Hoffman, former Chief Planner, welcomed Mr. Graves to his position of Director of City Planning.

ADJOURN

Motion:	Mr. Mooney moved to adjourn.
Second:	Mr. Stiles
Ayes:	Ms. McCray, Mr. Mooney, Mr. Stiles, Mr. vom Hofe, Mr. Schneider, Ms. Qualls and Mr. Faux
Nays:	None, **motion carried**

_____	_____
Charles C. Graves, III Director, Department of City Planning	Caleb Faux, Chair
Date: _____	Date: _____