

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

APPLICATION #: ZH20180193/COA2018081
APPLICANT: City Studios
OWNER: Urban Sites
ADDRESS: **528 E 12th Street**
PARCELS: 075-0003-0132, 0133, 1034
ZONING: CC-P
OVERLAYS: Over the Rhine Historic District
COMMUNITY: Pendleton
REPORT DATE: December 7, 2018
HEARING DATE: December 17, 2018
STAFF REVIEW: Beth Johnson, Urban Conservator

Details of Zoning Relief Required:

1. Sec. 1423-13: Required Buffer Yard: A required 10 foot buffer is required for a side and rear yard between a CC-P and an RM 1.2 district. A zero foot buffer is proposed on the west side property line. **A 10 foot numerical variance is required for side and 7 foot numerical variance is required for the rear yard buffer.**
2. Sec. 1409-07: Land Use Regulations- Density. In the CC-P new construction allows 1 unit per 700 sf. This would permit 23 units with the inclusion of Sec. 1421-15. The project proposes 56 units. **A numeric variance of 33 units is required.**
3. Sec. 1409-19: Articulated Building Façade. The project proposes 224 sf of articulated building façade, depicted as a cantilevered building entry. Applicant is permitted to have 156 sf. **A numeric variance of 68 sf is required.**

Nature of Request:

The applicant is requesting three variances and a Certificate of Appropriateness for construction of a new mixed use 5 story building at 528 E 12th Street.

Existing Conditions:

The existing property is currently 3 parcels which have a one story non-contributing and a surface parking lot. There are currently 2 existing curb cuts along the street. The property has a 4 story contributing building to the west, 4 and 4 ½ story contributing buildings to the north, a 2 story contributing building to the east and a non-contributing building and surface parking lot to the south.



Figure 1: Birdseye view of 1118 Sycamore Street. Pictures provided by Google Street Views.



Figure 2: Map of 528 E 12th Street. Map provided by Cagis Maps

Proposed Conditions:

The proposal at 528 E 12th Street

1. Construct a new 5-story, 56 unit residential building with a lobby and parking on the first floor and 4 stories of apartments above.
2. The first floor will have a portion that is set back from the street
3. The building will be clad in brick as a main material with wood and black metal accents.
4. The garage will be accessed with automated garage doors that are glass.

Previous Review: NA

Applicable Zoning Code Sections:

Zoning District:	Section 1409	Commercial
Variance Requests:	Section 1409	Development Standards
	Section 1425	Parking 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:	Section 1435	Historic Preservation
Historic District/Reg:		Over the Rhine Historic District
COA Standard:	Section 1435-09-2	COA; Standard of Review

Zoning Analysis:

Density:

When considering Density Variances, three of the major issues that staff consider are the ramifications that a Density Variance would have on 1) Parking and Traffic patterns 2) Trash and Utility management and 3) Design of the Building. The design of the building and its appropriateness with the neighborhood will be discussed in the COA section below.

1) Parking and Traffic Patterns

On September 19, 2018, City Council passed the Urban Parking Overlay Zone #1, which exempts all projects within the boundary of the overlay from parking requirements. This overlay became law on October 20, 2018.

While the property would be exempt from parking requirements, the project is still substantially providing parking for the project within the building and at a nearby proposed parking lot at the corner of 12th Street and Reading. The building will have 29 parking spaces at the first floor and there will be an additional 25 spaces at the proposed surface lot to be submitted under separate permit. With the new parking overlay, the project would have been exempt to provide parking for the permitted density which would have been 23 spaces. This is an increased parking demand of 33

spaces. Applicants are providing between garage parking and a lot at 600 E 12th Street 54 spaces serving 56 dwelling units. The proposed parking lot layout is included in page 8 of the 11x17 inch bound document. The applicants have stated twice (once in a letter dated 11/2/2018 and one dated 12/3/2018) in their submitted materials, that they are providing for 54 spots for this project. The proposal is providing parking to manage the most significant negative impact of the proposed significant increase in density. Staff has stated from its initial meeting with the applicant that such a significant density proposal would require a significant provision of parking at or near the zoning minimum requirements, consistent with previous staff recommendations to the Board prior to and since the enactment of the overlay. Without this parking, Staff would have been unsupportive of the density proposed.

As for on street parking demand: There concerns have been raised that this project is removing on-street parking. Currently there are 2 curb cuts at the site which take away 2 spaces from on-street parking. While the curb cuts will be moved, there will still only be 2 curb cuts and therefore on-street parking will not be impacted (page 5 of revised submission).

This project is also within a CC-P zone which requires that alleys be used whenever practical. The applicants have provided analysis which shows that this alley is not practical for use due to the narrow width of the alley, only around 8.5 feet in some spots due to retaining walls directly on the property line. A turn radius analysis submitted by the applicant's civil engineer has also been performed and if alley access or alley circulation were required for the parking area, it would result in a net decrease of 4 parking spaces. In a project that is trying to balance parking demand in a neighborhood that expressed concerns for on-street parking, this would create more demand for on-street parking. DOTE has reviewed the information provided and concurred that for the scale of the site, alley only access is not encouraged and concurs with the proposal. It should be noted that DOTE, in consideration of this issue, supported Staff efforts to narrow the automated garage door accesses, to limit their visual impact along the street. Staff will be encouraging grading to be matched as close as possible to the alley grade to allow for potential 'breathing room" in the event some of the other smaller scale property owners in the future chooses to utilize alley access for their vehicles.

2) Trash and Utility Management

When an increase in density is requested for a property, providing adequate trash and utility management within the building or on the property is necessary as to not create a collection of trash receptacles on public right of ways, either on streets or on alleys. The applicants have made accommodations on the first floor for trash enclosed entirely within the building. This is providing a large buffer from trash and associated issues with trash enclosures.

Buffer Yards

The project site is within the CC-P zoning district and is directly adjacent to RM districts on the west and north parcel lines. The properties in the RM zones do not comply with the base zoning setbacks and are historic buildings. The OTR and Pendleton Neighborhoods are typically zero side lot line developments with little to no setbacks within the district. While there is a change in zoning between two parcels along the street, it is still one continuous street face and adding a 10 foot side yard buffer would be inappropriate and would take away from the street continuity. Additionally, the proposed use, being an entirely residential use, is more in keeping with the requirements of the RM district as it provides no commercial uses within the development, nor makes it practical that any future commercial use could be established. Thus, the need for buffering of identical uses becomes a true question of necessity. Had a proposal been forwarded that contained any commercial and industrial uses as the existing site does, then buffering of storage areas and screening of outdoor nuisances would be necessary. Buffering a few parked cars, located well below their northern neighbors yards and hardly visible but for standing at the rear property line and looking downward, requires little if any visual and spatial barriers.

The lesser rear buffer variance is acceptable as this buffer is not created with other properties in the CC-P along 12th street to the RM district to the north. The applicants are asking for a similar right. It should be noted that a portion of the property does in fact provide a 10 ft. buffer, while the remainder maintains 3 ft. of unpaved area.

Articulation

The articulation, allowing a portion of the façade to be recessed, that the applicants are asking for is a design adjustment to create relief against the street as well as to visually reduce the visibility of the proposed garage doors. Articulation in the zoning code is defined as when building is set back from the build-to line. The setback is 2 feet and benches and planters will be situated within this recess to also provide an edge at the right of way. As this is a design element that staff is supportive of in regards to the appropriateness for the design in the Historic District as described below, staff feels this request is justified.

Standards for Variances per Section 1435-05-4

- (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

The proposed work will fill a void in the urban fabric and will remove a non-contributing building and a large unscreened outdoor storage area and parking lot from the street scape. The development should be contextually sensitive, and staff reviews the compatibility of the development below.

- (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).

The applicants have not demonstrated that the proposed project is the only project that would create an economically viable use as they have not studied every type of use allowed under the zoning code. The proposed use, multi-family dwelling structure, is permitted within the district but for the density requested.

Standards for Variances per Section 1445-05-4

- (a) Owing to special circumstances or conditions pertaining to a specific piece of property, the strict application of the provisions or requirements of this Code or the Land Development Code, as applicable, are unreasonable and would result in practical difficulties.

A strict application of the code would only allow 23 residential dwelling units on this property. This strict application is contrary to the goals of the Over-the-Rhine Comprehensive Plan and Plan Cincinnati of creating more housing opportunities and is contrary to Plan Cincinnati. In a letter included in the packet, the applicants discuss the desire to substantially self-park as well as provide smaller units to fill a market demand for smaller workforce rate housing in the neighborhood while not increasing the parking demand. The addition of the garage and parking is \$1.5 million and an increased density is required to provide the income stream to support this.

- (b) The 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.

The applicants are asking for the density allowance comparable to that which was recently approved by the Historic Conservation Board at 1118 Sycamore Street on October 8, 2018. This property is 2 blocks away also within the CC-P zoning district. This density was also supported by substantially parking their project as well.

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

1. **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 use of the subject property does not conform to the zoning as it is increasing the density by almost

2.5 times the allowed density that is permitted and therefore does not meet the standards of the CC-P zoning district. The proposed use of multi-family residential use generally does conform to the zone.

2. **Guidelines.** The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.
Staff is of the opinion the proposed work does substantially conform to the guidelines for the Over-the-Rhine Conservation District. (Refer to Certificate of Appropriateness review below)
3. **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.
Plan Cincinnati was adopted in 2012 and there are many maps and discussion about the urban center and the basin area being a dense urban neighborhood. The proposal is supporting the desire for dense development to help build the population and work base for the City of Cincinnati.
4. **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.
This has been discussed above.
5. **Buffering.** Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.
The applicants are asking for a variance for buffering on the side and rear. Staff support for this is discussed above.
6. **Landscaping.** Landscaping meets the requirements of Chapter 1423, Landscaping and Buffer Yards.
The applicant is providing some landscaping at the rear to provide a small buffer yard.
7. **Hours of Operation.** Operating hours are compatible with adjacent land uses.
This is not applicable at this time.
8. **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 as a taller, dense, multi-family residential development along 12th street is compatible with the primary and existing uses on 12th Street. The architectural compatibility is discussed below.
9. **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.
Not applicable

10. **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 not anticipated any adverse effects to the extent of access to fire, police or other public services. In regards to concerns from neighbors on 13th Street that views could be impacted from their property, the underlying zoning district allows for an 85 foot tall building and the Historic District guidelines allow for a height to be within 1 story of adjacent "Contributing Structures". The proposed building is 56'8", well below the allowed maximum height of the zoning district and at 5 stories only 1 story greater than the contributing 4 story structure adjacent to the west. East of the site, is immediately vacant, with a two story contributing structure on the eastern half of the property; a firehouse and former municipal structure that would functionally not have ever been considered taller than it was built. The last structure on the street is two stories. Structures to the north are 4 and 4 ½ stories in height and are ½ story to 1 ½ + stories higher in grade than the proposed grade of the project. While the height of the building is also addressed within the Certificate of Appropriateness guidelines, staff recommends that the height is appropriate.
11. **Blight.** The elimination or avoidance of blight.

The current property is a parking lot and 1 story non-contributing building and is not considered a blighted property; however it is an underused property that is not supporting the urban fabric, the architectural character of the neighborhood, or a walkable community.
12. **Economic Benefits.** The promotion of the Cincinnati economy.

The proposed work will increase the property value of the subject parcels.
13. **Job Creation.** The creation of jobs both permanently and during construction.

The proposed project will create temporary jobs during construction and will provide permanent jobs at the apartment complex.
14. **Tax Valuation.** Any increase in the real property tax duplicate.

Property taxes will increase due to the improved value of the significantly larger structure on the property. While the project does anticipate using Tax Abatement it will still increase taxes to the school district.
15. **Private Benefits.** The economic and other private benefits to the owner or applicant.

The owner has an economic benefit to the proposed establishment.

Certificate of Appropriateness Review

DEMOLITION

While the project is not-listed as a non-contributing building in the OTR Historic District Guidelines, staff believes this was in over-sight. The guidelines used the list of non-contributing structures that was listed in the National Register nomination for OTR; however the local district expanded the boundaries to match the streets and neighborhood boundaries whereas the National Register district carves out non-contributing buildings along the edges.



National Register Historic District Boundary

Staff is supportive of the demolition of a non-contributing building only if a new building is approved for this site. Staff will condition that the demolition building permit will not be issued until a building permit for the shell of the building that matched HCB approved plans is also issued.

NEW CONSTRUCTION

The Over the Rhine Historic Conservation Design Guidelines gives direction to both staff and an applicant on how to design and review proposed developments. When designing infill developments, context and existing surrounding buildings are the main guiding principles of reference. Typically, the context that we consider the most when looking at appropriate infill design is the block that the parcel is on and especially adjacent properties. The applicants have chosen to take design cues from both residential as well as large format buildings as there are both residential buildings and large format and industrial buildings within the block of this site.

Many comments have been submitted to staff in regards to the “style” of the building and that the contemporary style is not appropriate for the neighborhood. The Over-the-Rhine Historic District Guidelines do not specify a style that is required. They outline elements of a building that the applicant should use to make the building contextual and compatible. There are many styles and ways to design a building to make it compatible with the guidelines and the applicant. The guidelines also specifically state the buildings should not replicate the historic buildings and accepted federal preservation philosophy as stated in the Secretary of the Interior’s Standards and reflected in our own guidelines, adheres to that principle.

“The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”

How new work is differentiated has often been debated whether it should be invention within the same style or abstract reference is the most appropriate response. In this application, the designers have chosen abstract reference and the applicants have provided a detailed and graphic oriented narrative as part of their proposal illustrating how they achieve contextuality.

Staff comments on the Specific Guidelines for New Construction:

A. Intent and General Guidelines

1. New 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 lot is partially vacant lot and is used as a surface parking lot. The other portion is a non-contributing building.

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.

This infill development does not replicate the existing buildings and through the applicant’s narrative they explain how they used the existing buildings to inform their design.

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.

Staff details the compatibility of the project with the guidelines and surrounding buildings below in the specific guidelines. One element that staff considers,

especially in review of overall massing and height, is the programmatic elements that the applicant is including on the site and the feasibility of making the project work.

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.

Staff details the compatibility of the project with the guidelines and surrounding buildings below in the specific guidelines

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.

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.

As a residential building, bases are more minimal compared to commercial buildings. As this is not a commercial building the base is mostly defined by entrances and entrance openings to the lobby and garages. A change in brick patterns at the lobby and darker brick color, recessed, garage doors and artistic elements provide a distinguishing base.

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.

Changes of plane on the façade are incorporated through the slight recesses at the openings, recessed balconies that have accent materials of metal.

The middle is also defined by punched openings in regular columns and rows across the building. This is a defining characteristic of buildings within OTR.

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 top is defined only by a small metal coping and a thicker brick band at the top. While there are not projecting elements at the top, this is a simple top. At the top is also a change in colors to a black metal over some of the balconies. This element was designed to mimic changes in heights that are seen along the street scape between buildings. While this is a wider building than a typical building in OTR, this element creates a rhythm at the top based on typical widths of buildings within the district.

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 roofs are flat roofs, which are appropriate for roofs on buildings that are over three stories tall.

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 wider (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 sashes 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.

- 1. The windows make up a large portion of the building.*
- 2. The individual panes are taller than they are wide and have 2-3 divisions/mullions in the windows*
- 3. The glass is clear and only used the tint required for energy code requirements.*
- 4. The window openings are between 20-50% of the façade on both the front and rear.*

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 lintels are 12 to 18 feet above grade; the window sill height is between 18 inches and 3 feet above grade; and storefront windows are set back from the structural elements approximately 12 inches

This is not a commercial building and therefore does not have a commercial storefront system. The proposed design does have glass garage door systems and large glass entrances to mimic a storefront design. These are large expanses of glass to hide the look of a garage door and to provide transparency at the street level.

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, has 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 setback is approximately a zero-lot line setback on all sides. This is appropriate to the Over-the-Rhine building typology.

There is a slight 2 foot setback along the majority of the street front to provide a bit of relief and provide for opportunities for landscaping along the front. As the portion of the building that is directly adjacent to a zero lot line is also at a zero lot line setback, the street continuity is continued. The upper floors are also all at a zero lot line setback and cantilevered over the recessed first floor.

This setback is shallow and the property retains an edge at the front property line with planters and benches.

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 design intention of the proposal was to take cues from both industrial and large format buildings in the direct vicinity of the property as well as the residential typology of the buildings. The architects graphically detail their rhythm and scale on page 15 of the 11x17 in. bound packet provided.

- 1. The design of the building incorporates the rhythm of the street with breaks at the top of the building mimicking height variation.*
- 2. The regular columns of windows create a staccato over the façade.*
- 3. The groupings of balconies and windows create a visual break over the expanse of the building.*
- 4. Façade is broken up into vertical subdivisions of 30-40 feet in width.*

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.

In a building that is wider than it is tall, vertical emphasis is the challenge. The building does inherently have a horizontal emphasis; however, the building incorporates vertical elements through the following

- 1. Darker metal bands at the balconies creating a vertical column on the building.*
- 2. Aligning base openings and screen walls with columns above to carry the verticality to the base.*
- 3. Vertical alignment of window groupings.*
- 4. Windows and window recesses are taller than wide.*
- 5. Black insets/accents at the top along balconies break up the horizontal emphasis at the top create elements that move the eye to the vertical.*

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.

The building that is directly abutting and adjacent to the project is 4 stories. The buildings directly to the north of the building are 4 and 4 ½ stories and as they are at a higher elevation of ½ to 1 ½ + stories at their grade, are still taller than the project building when measuring height above sea level (ASL).

There has been concern voiced at both the pre-hearing and in letters that the firehouse that is on the eastern half of the adjacent parcel to the east is only 2 stories and therefore this project should only be 3 stories tall. Staff disagrees with this assessment as the building that is directly touching the building is 4 stories and the guideline states should, not may or must. There is also a significant width of frontage upon the parcel between the firehouse and the new building, such

that a development parcel could be provided. Such a site at either 3 or 4 stories, would serve as an appropriate transition between uses. It should also be noted the firehouse is an anomaly within the neighborhood, would functionally never been of 3 stories or greater in height. The buildings that were located at the proposed parking lot at the corner of Reading and 12th were 3 and 4 stories in height

Staff also wants to point out the building to the south that is one story on the rear is 2 stories fronting Reading and is also a non-contributing building. Redevelopment of that site would likely allow a 4 story maximum building along E 12th Street.

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.

1. *Overall the materials used on the building are appropriate. The main massing is brick with metal and wood paneling used as accents.*
2. *Multiple different brick colors are used to create dimension and differentiation between composition elements.*
3. *Glass is used at the windows and on the first floor for the garage and lobby entrances.*
4. *Metal canopies are at the entrance.*

Other Considerations:

Prehearing Results: November 28, 2018. The meeting was attended by 9 community representatives and the applicants. 8 of the 9 community members at the meeting were against the project. The Pendleton Community Council has voted in support of the project. A letter is attached.

Staff has received 6 letters that object to the project from the following.

Staff has received 1 a letter from the Pendleton Neighborhood Council in support of the project.

Recommendation:

I. ZONING VARIANCES

A. APPROVE the application for Zoning Relief for a mixed-use building at 528 E 12th Street per the drawings submitted by City Studios Architects dated 12/5/2018.

1. **§1409-07– Numerical Variance – APPROVE** - Numerical Variance to allow for a variance of 33 additional units, for a total of 56 residential dwelling units within the proposed structure subject to the following conditions:
 - a. The project shall provide 29 parking spaces onsite.
 - b. A Parking Facility of no less than 25 parking spaces shall be provided of the development at 600 E. 12th Street. The parking facility shall be approved, constructed and available for use at the time 528 E 12th Street requests a Certificate of Occupancy.
 - c. A covenant or easement for no less than 25 parking spaces at the parking facility at 600 E.12th Street shall be provided and recorded concurrently with the issuance of the project’s building permit.
2. **§1409-19- Numerical Variance: APPROVE**– 64 square foot numerical variance to allow up to 224 sf of articulation at the building façade with the following condition.
 - a. Planters and benches will be provided at the front of the building as indicated on the approved plans.
3. **§1423-13- Numerical Variance: APPROVE**– 10 foot numerical variance to allow a 0 ft. buffer on the west side parcel line and 7 ft. buffer on the rear parcel line with the conditions the site plan with landscaping at the rear match the approved site plan.

B. FINDING: The Board makes this determination that per Section 1435-05-4:

1. Such relief from literal implication of the Zoning Code will not materially detrimental to the public health, safety and welfare or injurious to property within the district or vicinity where property is located.
2. The provision of onsite and immediately adjacent offsite parking was a critical determinant in consideration of the significant increase in density proposed upon the site.
3. The applicant has promised to provide parking for 96% of its residential dwelling units.

II. CERTIFICATE OF APPROPRIATENESS

A. APPROVE the application for demolition of a noncontributing structure and a Certificate of Appropriateness for a multi-family residential building at 528 E 12th Street per plans submitted by City Studios dates 12/5/2018 with the following conditions

1. Demolition permits shall not be issued prior to the issuance of no less than a Foundation-only building permit.
2. The building permit must be issued within 2 years or the Certificate of Appropriateness will expire.

3. The tax parcels shall be merged by Consolidation Plat prior to building permits being issued.
4. Curb cuts for the drives and a Revocable Street Privilege for the canopy shall be approved by DOTE.

B. FINDING: The Board makes this determination that per Section 1435-05-4:

1. That the property owner and applicant have demonstrated by credible evidence that the proposal substantially conforms to the applicable guidelines for New Construction of the Over-the-Rhine Historic Conservation District.
2. The building is only 1 story above multiple adjacent contributing buildings.
3. The applicant has broken up the building façade with different design elements to create a consistent rhythm and strong vertical emphasis.
4. The garage doors at the first floor are glass to provide transparency and have been reduced in size from originally proposed 20 foot wide doors to 12 foot wide doors to align vertically with elements on the building.



Where Creativity
Meets Functionality

Civil Engineers | Transportation Engineers | Landscape Architects | Planners | Land Surveyors

December 4, 2018

City of Cincinnati
Buildings & Inspections
805 Central Avenue, Suite 500
Cincinnati, OH 45202
Attn: Ms. Beth Johnson, Urban Conservator

Re: Bolivar Alley Access – 528 E. 12th Street Project

Beth,

The purpose of this letter is to address the question of whether existing Bolivar Alley is a practical means of access for the new apartment project at 528 E. 12th Street.

After meeting with DOTE on 10/29/18, it is my opinion that Bolivar Alley is not a suitable access for the following reasons:

1. The existing alley is very narrow (approx. 8.5'-9.5' wide), which makes it tight for vehicles to navigate
 - a. In addition, the existing walls on the north side of the alley make this condition feel even tighter (and appear to be failing in spots)
 - b. We performed an AutoTurn Analysis, and we would lose up to 4 parking spaces (on a project that is already tight on parking) in order for a standard passenger vehicle to have enough room to properly enter our proposed parking facility (traveling westbound)
2. DOTE confirmed that it will not snow plow the alley and the city is not providing any site lighting in the alley; therefore, there is a potential safety concern for new vehicles accessing the alley
3. DOTE will not allow a left-in to the alley from Reading Road because of the proximity to the signalized 12th Street intersection to the south (Bolivar Alley is one-way west)
4. There is an existing concrete wall (2-3' tall) between our project's north property line and the south side of Bolivar Alley; therefore, it would be very difficult to make a new alley curb cut work from a grading perspective

Please don't hesitate to call with any questions or comments.

Sincerely,

Michael P. Dooley, PE, LEED AP

6900 Tylersville Road, Suite A
Mason, OH 45040
513-336-6600

318 South College Avenue
Oxford, OH 45056
513-523-4270

1404 Race Street, Suite 204
Cincinnati, OH 45202
513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
859-261-1113

<http://www.bayerbecker.com>

December 3, 2018

Beth Johnson, AICP | Urban Conservator
City of Cincinnati | Buildings & Inspections Permit Center | 805 Central
Avenue, Suite 500 | Cincinnati, OH 45202

Ms. Johnson,

I am writing in regards to our 12th Street project in order to offer a little more background as to how we arrived at the currently project proposed to the Historic Conservation Board.

Urban Sites has a long history of over 25 years renovating buildings and improving the OTR and Pendleton neighborhoods. We have added 41 new businesses as commercial tenants in 2017 alone and have renovated hundreds of historic buildings in Over-The-Rhine. All of the aforementioned projects have been done with great thought and care. We not only strive for quality renovations, but also to create spaces that balance neighborhoods with thriving businesses, places of interest, and apartments units that an array of residents can afford.

As the neighborhood's largest apartment developer with years of history on the market, we have seen that larger 2-bedroom units do not rent well. We have also seen that residents need to keep their monthly rental rate below a certain threshold. As it is our desire to keep the rents on these units below that of many of the high-end projects coming online, our 12th Street projects consists of 1-bedroom units and studio-plus units (which have a separate area for the bed, in order to feel like a small 1-bedroom). The smaller unit size has increased the number of units (and density) of the proposed development, and will allow us to provide monthly rents affordable to many in the neighborhood. If the market demand was for larger 2 or 3 bedroom units, we may not have had to approach the board on density, however we feel that the mix and price-point we are providing within this project is appropriate and healthy for the neighborhood.

Within the existing zoning guidelines we could have built 32 units on the two sites (where the building is proposed and where the parking lot is proposed) without a density variance and without providing parking. We are asking for a density variance (to 56 units), in part, so that we are able to afford to almost fully self-park our project (54 parking spaces for

56 units). We are spending approximately \$1.5 million on the parking and are doing so with the neighborhood in mind. We believe the higher density, necessary to help cover parking costs, will benefit the neighborhood by keeping cars off of the streets, and will bring 56 new residents who will frequent the local small businesses.

We are also creating a building using quality materials, with design in mind, and providing public art along the ground floor. As always, we intend for our project to add to the neighborhood and to build upon its history as a place where people seek out art.

Urban Sites very much sees itself as a guardian of the past, and has been recognized as such by the Cincinnati Preservation Association and others. In our first ground-up (non-renovation) project, we have put great thought into creating a project that bolsters and acts as a catalyst for an already great neighborhood. We hope you feel the same, and hope that this note helps to shed some light on the thought process that went into the creation of our project and need for a density variance.

Thank you and your staff for all of your time and efforts on this.

Best Regards,

A handwritten signature in black ink, appearing to read 'Daniel Lipson', with a long horizontal flourish extending to the right.

Daniel Lipson
Chief Development Officer
Urban Sites

November 1, 2018

Beth Johnson, Urban Conservator
Department of Buildings & Inspections
City of Cincinnati
805 Central Avenue
Cincinnati, OH 45202

Subject: Demolition Case Sheet
528 E 12th Street
Cincinnati OH 45202

Dear Beth and Historic Conservation Board,

Please find documentation for the demolition of 528 E 12th Street below based on the following condition:

Section 1: A property owner who wished to demolish a local landmark or a building located in a local historic district must demonstrate to the Historic Conservation Board that they meet one of the following conditions.

2. Demolition of a Non-Contributing building or addition: a. Must be listed in the application guidelines as non-contributing or if not listed as non-contributing, must provide justification why the building should be considered non-contributing; and b. The demolition will not adversely affect the streetscape.

528 E 12th Street is not listed on the Over-the-Rhine Local Historic District Non-Contributing Resource List but has been previously confirmed by Urban Conservator Beth Johnson in that attached email that it is considered a non-contributing building to the National Register as shown hatched in the attached map.

The National Register actually excludes the property from the boundary of the national historic district and therefore did not document it as a non-contributing building within the national historic district. The discrepancy with the Over-the-Rhine Local Historic District Non-Contributing Resource List exists because the local historic district encompasses a larger boundary than the national historic district, including 528 E 12th Street, but used the same list of non-contributing buildings from the national historic district.

The demolition of the 1-story contemporary block building will not adversely affect the streetscape as a more appropriate 5-story residential building will be built in it's place.

Sincerely,



Gregory W. Olson, Manager
9487 Dry Fork Road, LLC

wy

RE: [External Email] Woodburn & Pendleton projects

1 message

Johnson, Beth <beth.johnson@cincinnati-oh.gov>
To: "will@urbansites.com" <will@urbansites.com>
Cc: "Shad, Matthew" <Matthew.Shad@cincinnati-oh.gov>, "danny@urbansites.com" <danny@urbansites.com>

Wed, Aug

Will,

See the map below it is listed as a non-contributing in the NR and I would consider it a non-contributing building.



Beth Johnson, AICP | Urban Conservator
City of Cincinnati | Buildings & Inspections
Permit Center | 805 Central Avenue, Suite 500 | Cincinnati, OH 45202
513-352-4848 (p) | 513-352-2378 (f) | beth.johnson@cincinnati-oh.gov | Website



From: Will Yokel [mailto:will@urbansites.com]
Sent: Wednesday, August 15, 2018 12:59 PM
To: Johnson, Beth
Cc: Shad, Matthew; danny@urbansites.com
Subject: Re: [External Email] Woodburn & Pendleton projects

Beth,
Have you been able to confirm if 528 E 12th Street is a non-contributing building?

Thanks,
Will Yokel, Architect
Urban Sites

November 2, 2018

**Subject: Section 6 Variance Request
528 E 12th Street
Cincinnati OH 45202**

Dear Urban Conservator Beth Johnson and Zoning Administrator Matthew Shad,

I am writing in regards to our request for a density increase for our project located at 528 E 12th Street which is owned by 9487 Dry Fork Road LLC, a subsidiary of Urban Sites.

The project includes the development of 56 residential units, built atop a parking podium. It also contemplates an agreement on the lot at 600 E 12th with common ownership. Between the 29 parking spaces on-site and the 25 parking spaces at 600 E 12th we will provide 54 parking spaces.

The current development is zoned Commercial Community-Pedestrian (CC-P) and we're seeking relief from the lot area calculation to allow for 56 units. CC-P allows 1 unit per 700 SF of lot for new construction but is able to be reduced by 20% to 1 unit per 560 SF by providing structured parking attached to the building. The zoning density therefore allows the 13,328 SF lot a total of 23 units and requires a variance for the additional 33 units.

Below are the reasons for this need:

ONE: The added density to this project helps promote and support local business and the Pendleton neighborhood as a whole.

Density at this location is good for the growing local commercial businesses located there. It will bring new daily consumers to the area. Given that there are not many vacant lots in Pendleton within the historic district, the opportunities to add density are limited.

It allows for a project which will bring better exposure for the Pendleton neighborhood. This project brings with it parking at the corner of Reading & 12th. We hope to create visual exposure for Pendleton for those who enter downtown from either I-71 or 471 coming to downtown Cincinnati and previously driving past Pendleton without noticing that this precious neighborhood exists.

TWO: The project "self-parks" residents without relying on others.

This project achieves an almost 1-to-1 parking ratio using both on-site parking and a commonly owned lot just two doors away. We will place a long-term lease between the project at 528 E 12th and the lot to be developed at 600 E 12th. In addition to the parking provided by the developer, the Casino's garage is located just across the street with approximately 4,000 parking spaces currently offered at a rate of only \$50/month.

THREE: This project is in the public's interest.

It is in harmony with the Zoning Code as it provides additional apartments in a residential area intended to be a dense urban residential area. The project is located on one of the few remaining sites in which density can be added.

urbansites

The density sought is well within guidelines or precedents recently approved on other nearby projects. As the project provides for its own parking needs, it is suitable and adequate to not overload streets. The project is extremely compatible with the surrounding neighborhood. It is a quiet residential plan, which brings new residents (and customers) to the Pendleton businesses and compatible with intended plan for the area. In addition, in this walkable urban Pendleton neighborhood, we intend to integrate art at the street level to welcome and engage with the neighborhood pedestrian.

FOUR: Without the density proposed the project is not economically feasible.

Without the added density and economies of scale in building something of at the least this size, the project is not economically feasible and simply would not happen. Construction and soft costs continue to rise, as does supply and new-to-market competition affecting the projected revenue. As density is increased, a developer is able to spread land, site, amenity, parking and other common elements amongst more units, reducing the per unit cost. As well, from the operating side of the proforma, costs of certain operating elements (such as a roof and labor for example) are spread amongst more units, therefore lowering the per unit operating cost. If we are not able to add the proposed density, the per unit development and operating costs will be too high as balanced by the per unit revenue achievable, and the project will not be feasible. At request, we are happy to provide more detail as to the financials for this project.

Urban Sites has been developing in the OTR/Pendleton neighborhoods for over 25 years. In those 25 years Urban Sites has demonstrated time and time again that it has respect (if not passion) for preservation, it has added to and grown the neighborhoods it calls home, and has invested not just financially but through charitable giving and job creation in those neighborhoods.

Urban Sites has taken the care and made the time and financial investment in the area to prove that it is a trusted local developer who cares deeply about the neighborhoods it calls home.

Thank you for your consideration and continued stewardship of our neighborhoods.

Sincerely,

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

Danny Lipson
Chief Development Officer
Urban Sites

December 5, 2018,

Historic Conservation Office
Cincinnati Zoning Department
City of Cincinnati
11 Centennial Plaza
805 Central Ave., Suite 500
Cincinnati, Ohio 45202

**Re: Certificate of Appropriateness and
Variance Request Letter (Section 6)
528 E. 12th Street, Cincinnati, Ohio**

This letter is to submit a Certificate of Appropriateness application for demolition of an existing 1 story, non-contributing building at 528 E. 12th Street to be replaced with the new construction of a 5-story residential building with ground floor parking. We are requesting three zoning variances for this project.

528 E. 12th Street is located toward the east end of E. 12th Street, on the north side, just before the street dies into Reading Road. The site falls within the Over-the-Rhine Historic District and is situated in the neighborhood of Pendleton (CC-P, zoning designation).

The following information is included **(items in bold added since Nov. 2nd submission)**:

1. Adjudication Letter dated October 31, 2018 and checklist
2. Completed Certificate of Appropriateness Application
3. Completed Zoning Hearing Examiner Application
4. Letter / narrative statement per Section 6 of the Zoning Hearing Examiner Application
5. Hamilton County Auditor Property Report showing ownership. The three parcels will be consolidated as part of this project.
6. Demolition Case Sheet Letter – Urban Sites
- 7. Letter regarding feasibility of using Bolivar Alley – Bayer Becker**
- 8. Letter regarding density / unit size – Urban Sites**
9. Historic Conservation Board Review Submission (Index of drawings on cover sheet)
10. Check for \$615.44 (submitted November 2nd)

528 E. 12th Street
December 5, 2018
Page 2 of 3

This project meets the OTR Historic Guidelines and is most definitely in the public interest. Please see below for additional information, per variance request. City Studios has created a graphic package (attached) that outlines how the proposed project meets the OTR Historic Guidelines and strengthens our neighborhood.

Variance Request #1

Per 1423 -13 of the Cincinnati Zoning Code a 10' buffer yard is required for the side (west) and rear (north) yards between the CC-P and RM 0.7 zones. We are requesting variances for both of these buffer yards.

1. Side (west) yard. The proposed building will be built up to the west property line, tight against an existing historic structure. The OTR Historic Guidelines recommends against leaving gaps in the street in order to complete the street edge. Our project will infill the existing gap and strengthen the 12th St. streetscape. The historic building to the west of this project (526 E. 12th) will also be renovated. The first floor of 526 will be used as a shared amenity space for the two residential buildings.
2. Rear (north) yard. The proposed building will sit 20' feet back from the rear property line. The proposed outdoor parking lot will sit 3' back from the north property line at the alley. We are requesting a variance to the required rear buffer yard in order to extend our exterior surface parking lot to the north to accommodate 4 additional parking spaces. The alley is vehicular in nature and we do not feel that these parking spaces will have a negative impact on the alley or surrounding parcels. The historic building to the east of our project (also CC-P, zoning designation) is built right up to the north alley property line. The majority of the historic properties to the north of the alley are also built to the property line and have tall retaining walls along the property line creating a buffer between the properties.

Variance Request #2

1409-07 Land Use Regulations – Density. In the CCP new construction is allowed 1 unit per 560 sf, taking the allowed 20% reduction per 1421-15 for providing structured parking. This would permit 23 units. The project proposes 56 units. A variance of 33 units is required.

- Letter from Urban Sites Attached

528 E. 12th Street
December 5, 2018
Page 3 of 3

Variance Request #3

1409-19: Articulated Building Facade. The project proposes a 276.5 sf. articulated area along 12th Street. They are allowed 156.75sf. A variance of 119.75sf. is required.

- The first floor 12th street façade is set back approximately 2' along a portion of the building at the open-air parking garage. This set back will provide more area along the sidewalk for pedestrians to interact with and view the proposed art installation. It will also give us the opportunity to have some green planting beds along the edge of the building. The entry at the west end of the building (apartment entry) and the entire face of the upper stories will sit on the street property line. We think that this building articulation on the first floor strengthens the pedestrian experience on 12th Street.

Sincerely,

Chantelle Noble
CITY STUDIOS Architecture

528 E. 12TH STREET

Proposed Demolition / New Construction Historic Conservation Board - Review Submission 12/05/2018

Drawing Index:

1	Title Page	18	North Elevation
2	Project Description	19	East Elevation
	Building Site	20	West Elevation
3	Existing Condition Photos	21	View Looking West
4	Location Plan	22	View Looking East
5	Existing Site Plan	23	Detail View at Top
6	Proposed Site Plan	24	Street Level View from Reading Looking West
	Building Layout	25	Street Level View Looking West
7	Proposed First Floor Plan	26	Street Level View from Pendleton Looking East
8	Proposed Off-Site Parking	27	Street Level View Looking East
9	Proposed Typ. Upper Floor Plan	28	North Elevation Looking East
10	Proposed Typ. Unit Layouts	29	North Elevation Looking West
	Historic Context		
11	Sanborn Map	30	Ground Level Design
12	Residential Scale Buildings	31	Interactive Screen Wall
13	Industrial / Commercial Scale Buildings	31	Street Level View
	Building Design		
14	Design Approach	32	Building Materials
15	Rhythm and Scale	33	Examples
16	Street Context		
17	South Elevation		



PROJECT DESCRIPTION

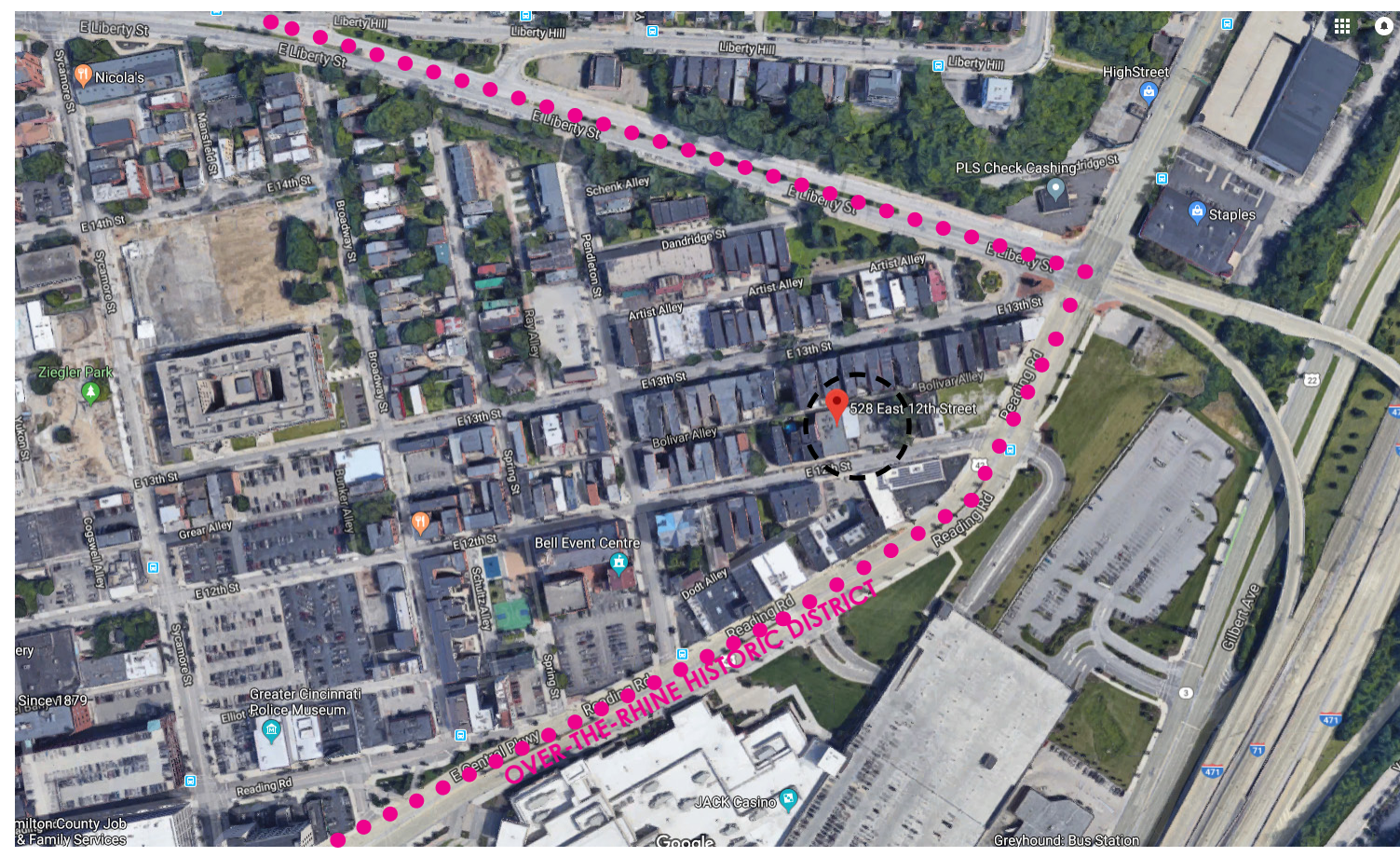
528 E. 12th Street

528 E. 12th Street is located toward the east end of E. 12th Street, on the north side, just before the street dies into Reading Road. This site falls within the Over-the-Rhine Historic District (CC-P) and is situated in the neighborhood of Pendleton.

This project is a proposed new construction residential building on an existing lot currently containing a parking lot and a non-contributing 1 story building at 528 E. 12th Street. The scope of work includes proposed demolition of the 1-story building.

The proposed new building will be five stories, with four stories of residential above a 1-story open air parking garage. It will contain 56 market rate apartment units and with 54 parking spaces (29 on-site, 25 off-site).

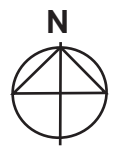
A new parking lot will be constructed at 600 E. 12th Street to provide additional dedicated residential parking. The parking lot will be submitted under separate application.



Location Map (NTS)



Aerial View of Site (NTS)



BUILDING SITE EXISTING CONDITION

528 E. 12th Street currently contains a 1 story commercial building on the west side that has been verified as a non-contributing structure within the historic district, and a parking lot to the east side with a aluminum fence and gate.

The site slopes down approximately 5'-0" from east to west and sits approximately 2'-3' higher than the alley to the north, with a retaining wall along the north side.

The topography slopes up steeply between the alley and 13th Street, making the adjacent buildings to the north approximately a story taller than the buildings along 12th street.

Bolivar Alley to the north has been recently transformed into an art walk by ArtWorks with murals on the retaining walls between Pendleton and Reading Road.



Site looking west from 12th Street



Site looking straight from 12th Street



Site looking east from 12th Street



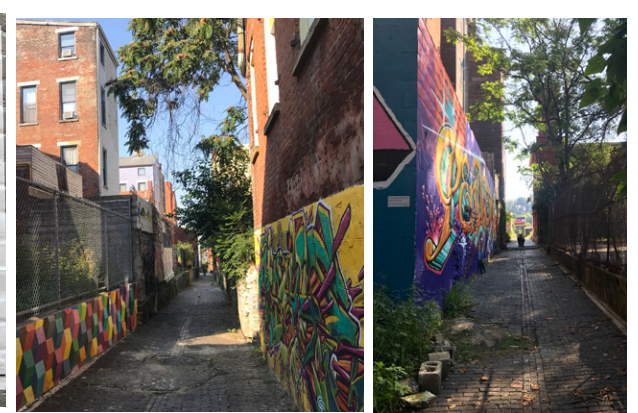
Existing non-historic 1-story building



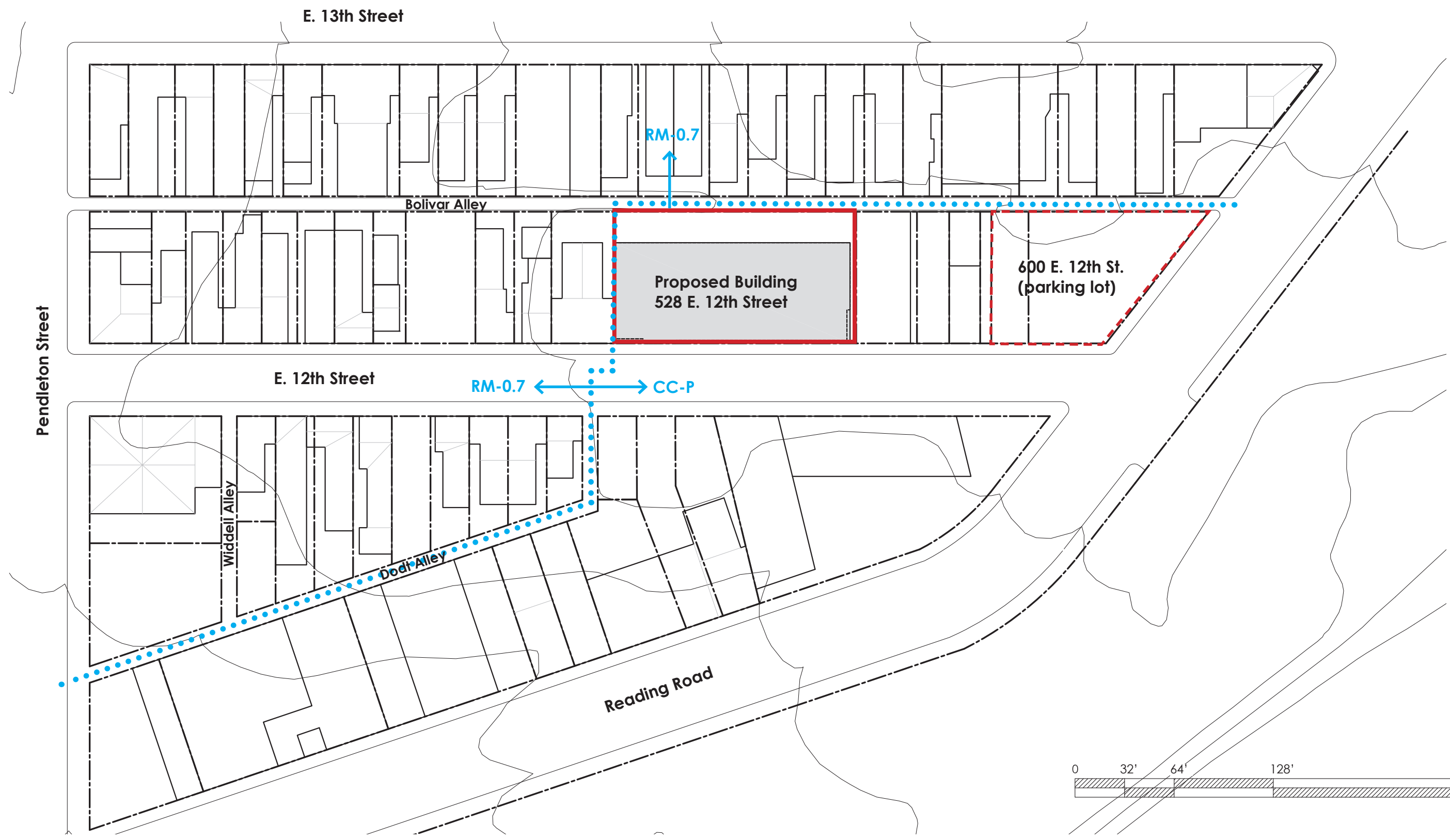
Site looking west from alley



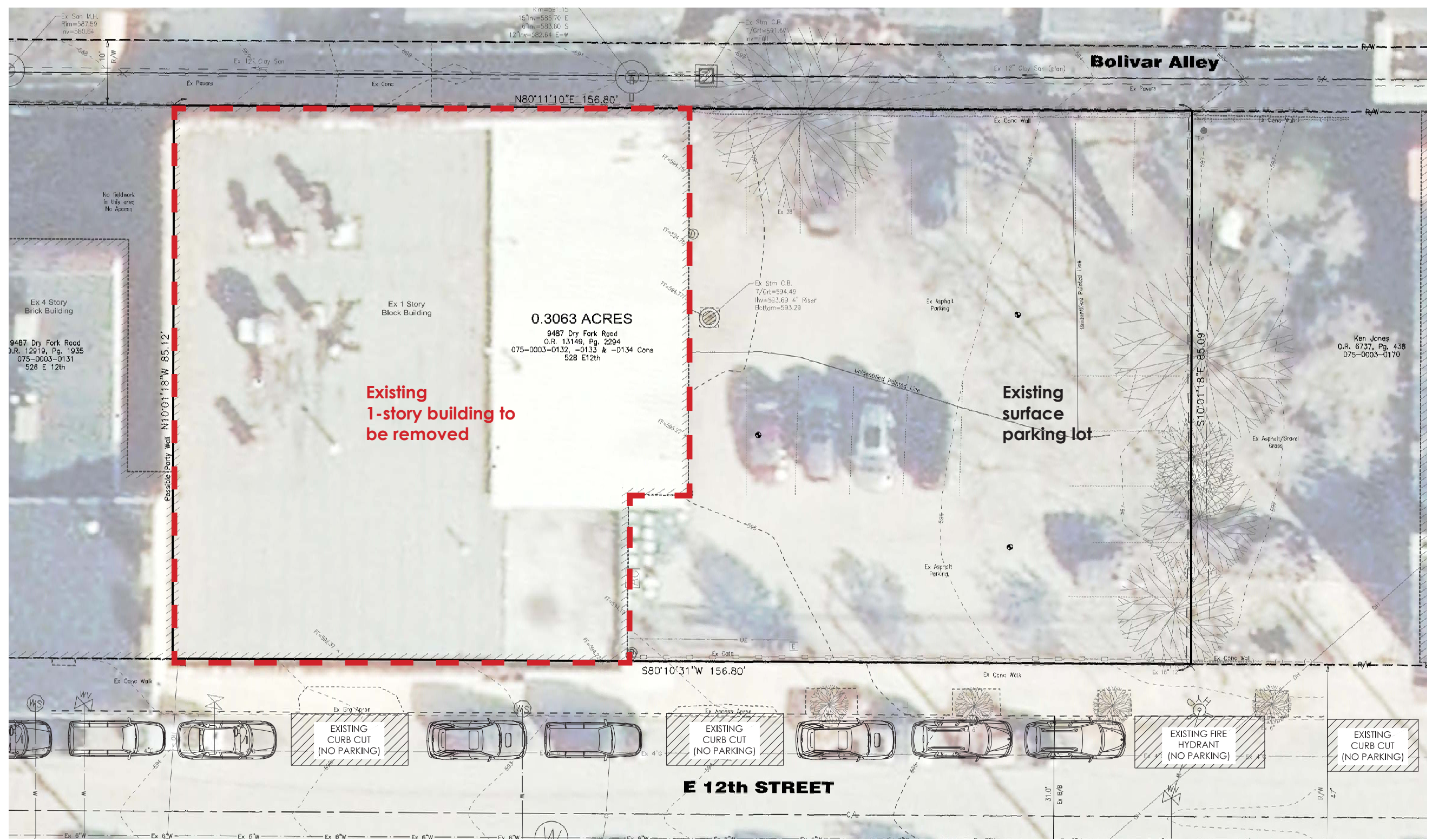
Art installations in alley



BUILDING SITE LOCATION PLAN (1/64" = 1'-0")



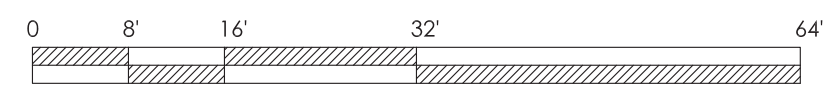
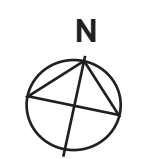
BUILDING SITE EXISTING SITE PLAN (1/16" = 1'-0")



While 528 E. 12th is not listed on the non-contributing list in the local guidelines, it has been confirmed by the Urban Conservator that the existing 1-story building is non-contributing as the National Register boundary excludes the lot from the district.

The demolition of the non-historic 1-story building will not adversely affect the streetscape as it will be replaced with a new 5-story building which continues the streetscape without interruption and further infills an empty space created by the existing surface parking lot.

As shown, the current curb cut configuration allows for 6 street parking spaces in front of the property. While the curb cuts will be relocated, the same number of street parking spaces will be maintained (see the following page)



Buffer Yard:

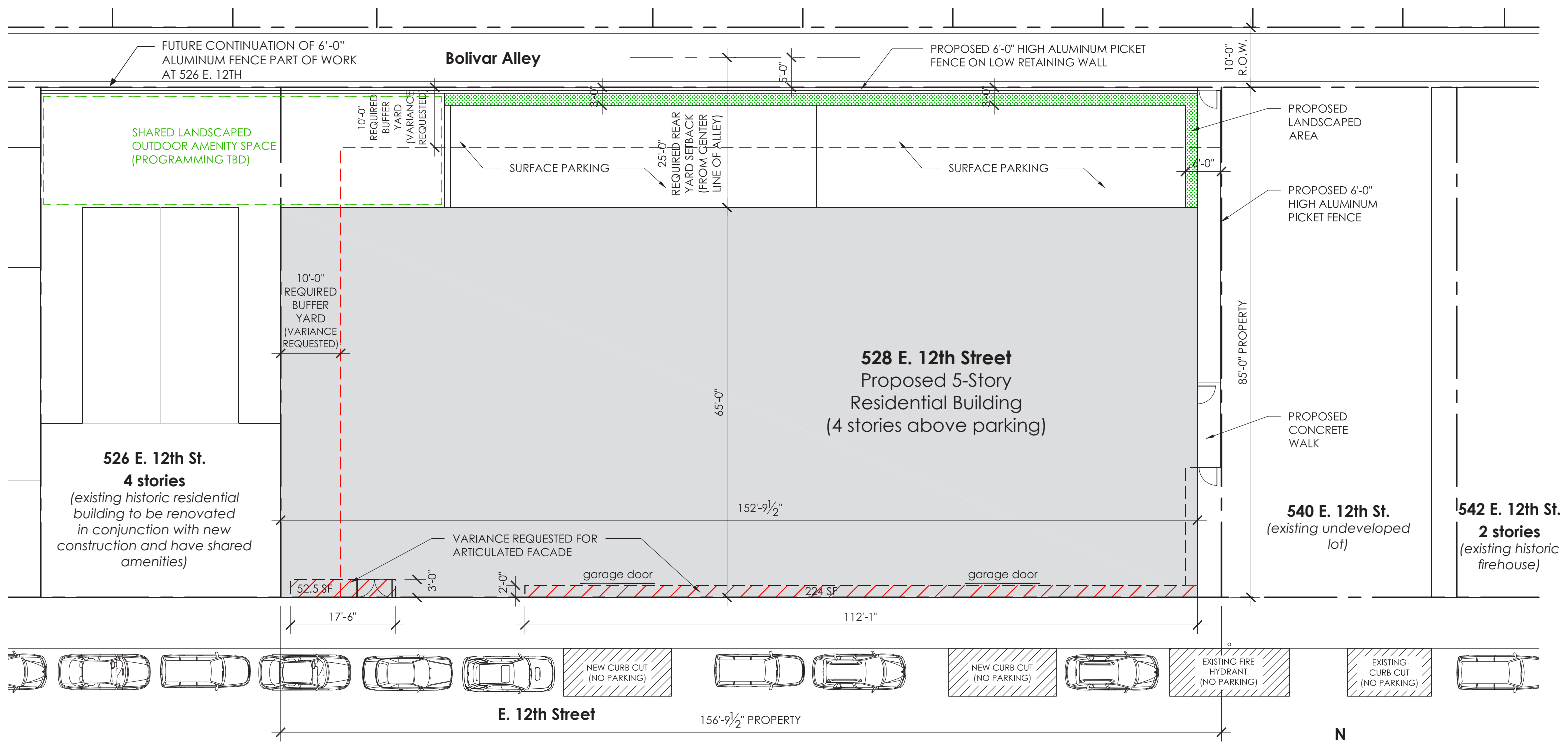
The site (CC-P) abuts RM 0.7 to the west and north. A variance is requested to have no buffer yard on either side. See letter for justification.

Building Articulation:

The CC-P zone requires a zero foot setback along the street facade for the first 15' high. Articulation is allowed up to 1 SF per property length = 156.75 SF allowed. The actual design articulation is 276.5 SF, allowing for setback at entry doors and setback for an interactive screen wall. A variance is requested for 119.75 SF of additional setback.

**BUILDING SITE
PROPOSED SITE PLAN (1/16" = 1'-0")**

528 E. 12th Street



urbansites

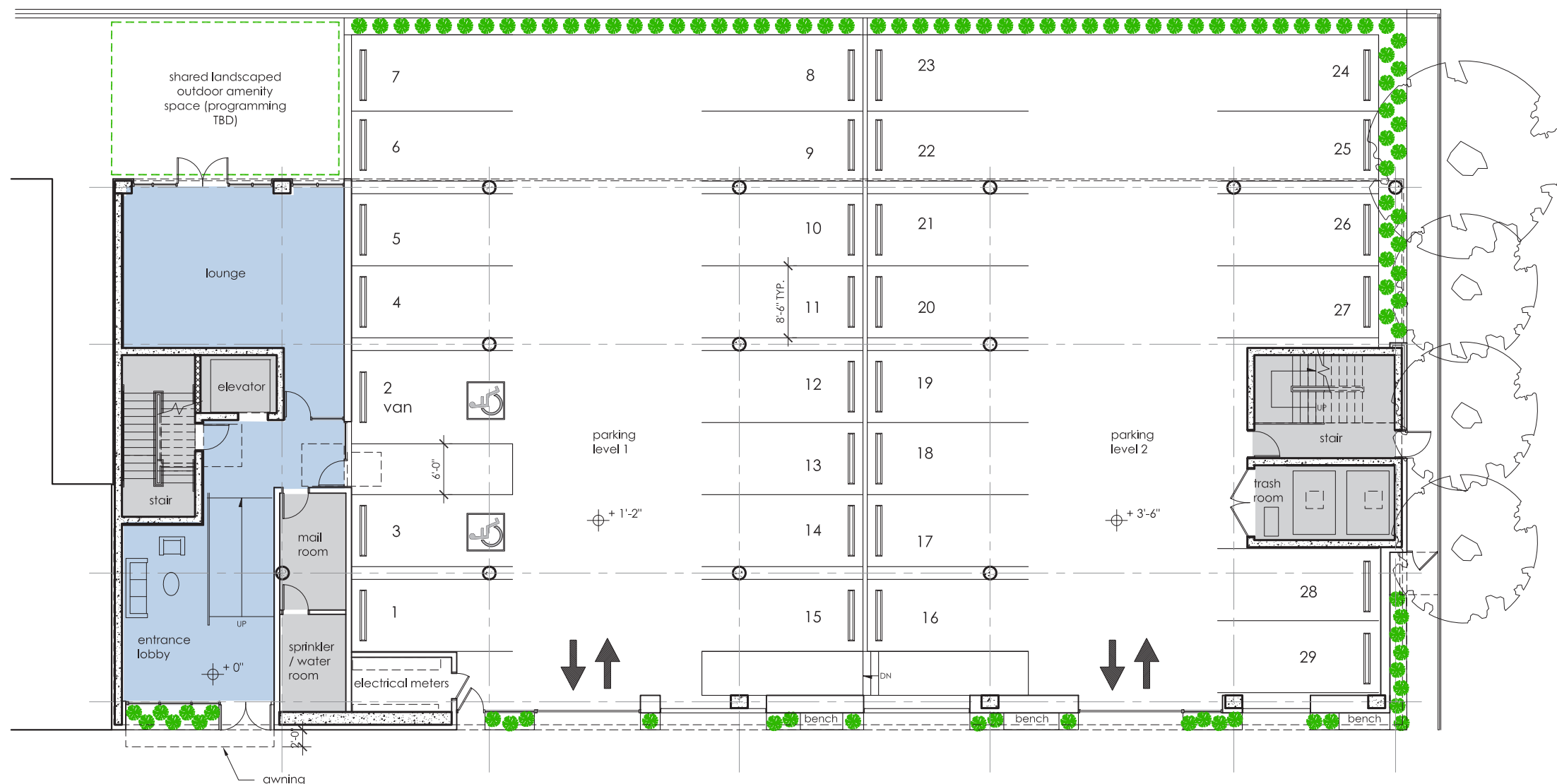
Historic Conservation Board Submission
12/05/2018

CITYSTUDIOS
ARCHITECTURE

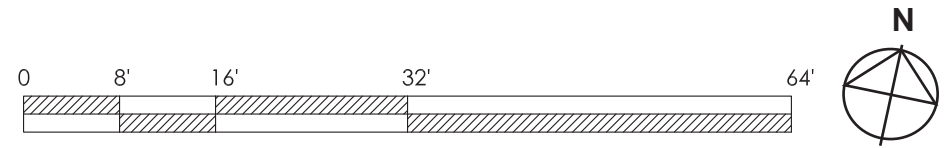
1148 Main Street
Cincinnati, OH 45202
ph: 513 . 621 . 0750
citystudiosarch.com

BUILDING LAYOUT PROPOSED 1ST FLOOR (1/16" = 1'-0")

Bolivar Alley



E. 12th Street

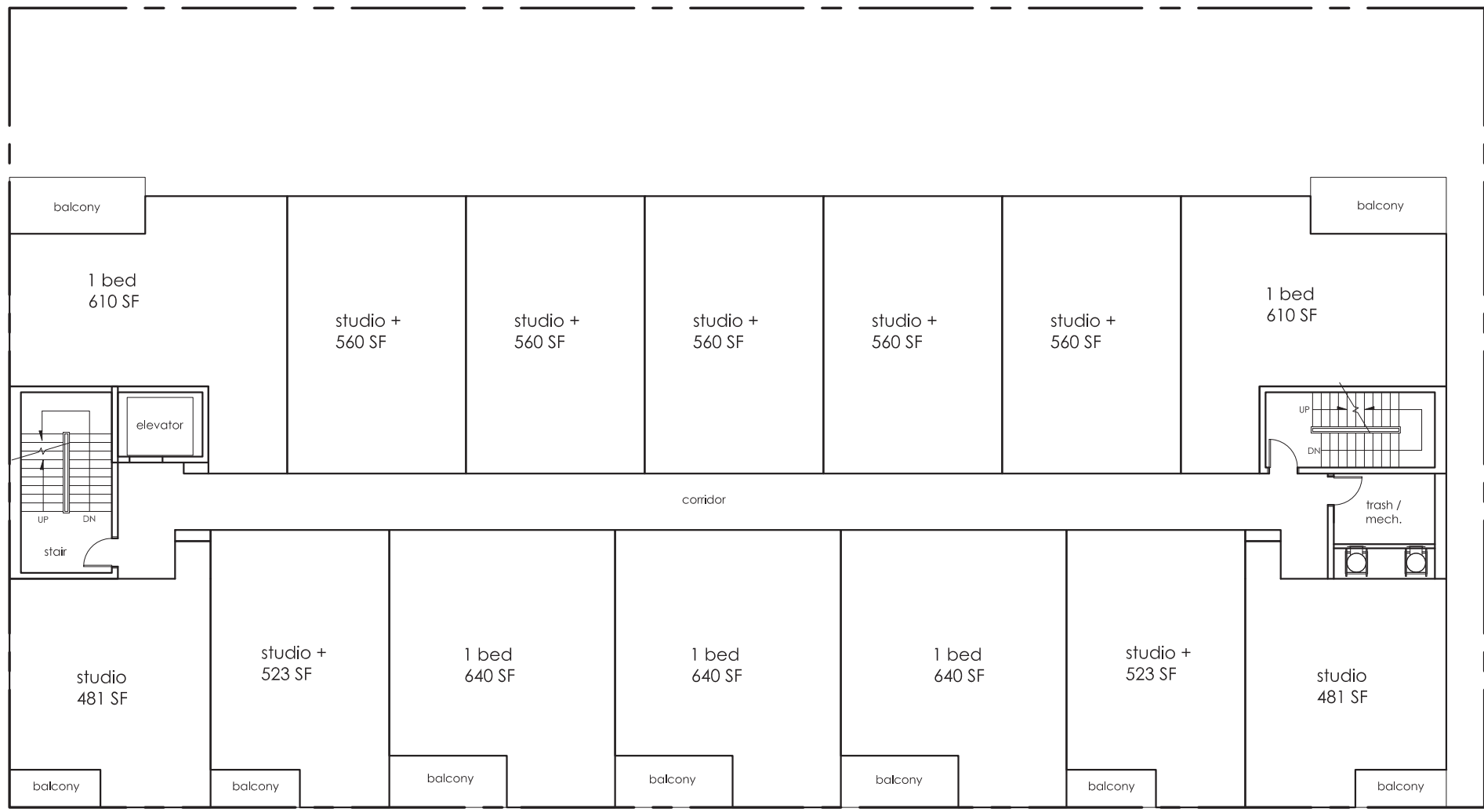


The ground floor plan includes the residential entry lobby, lounge, egress stairs, elevator, utilities and trash storage. In addition, the ground floor includes 29 parking spaces, 21 covered, and 8 open air.

Due to the slope of the site, the parking is split into two levels with separate garage door entrances.

BUILDING LAYOUT

PROPOSED TYPICAL UPPER FLOOR (1/16" = 1'-0")



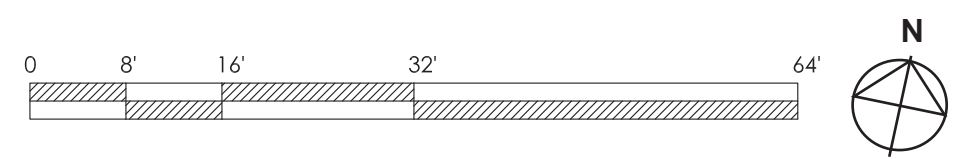
8 STUDIO UNITS
 28 STUDIO + UNITS
 20 1-BEDROOM UNITS
56 UNITS TOTAL

(2) TYPE A UNITS PROVIDED (2%)

A variance is requested for exceeding the allowed density for residential in CC-P.

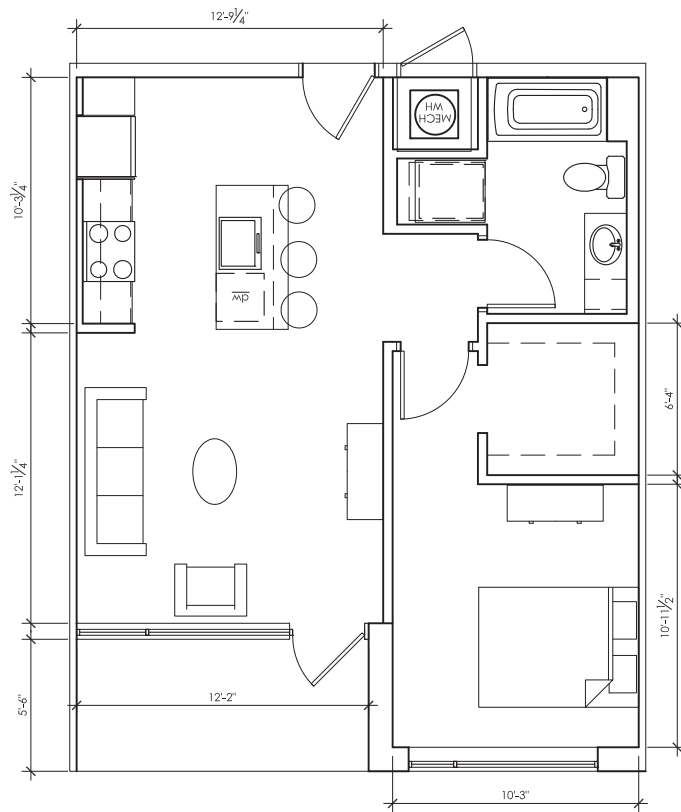
1 per 560 SF of lot allowed = $13,328/560 = 23$ units allowed.
 Variance requested for 33 units above allowed.

To alleviate the increase in density, 54 dedicated residential parking spaces have been provided.

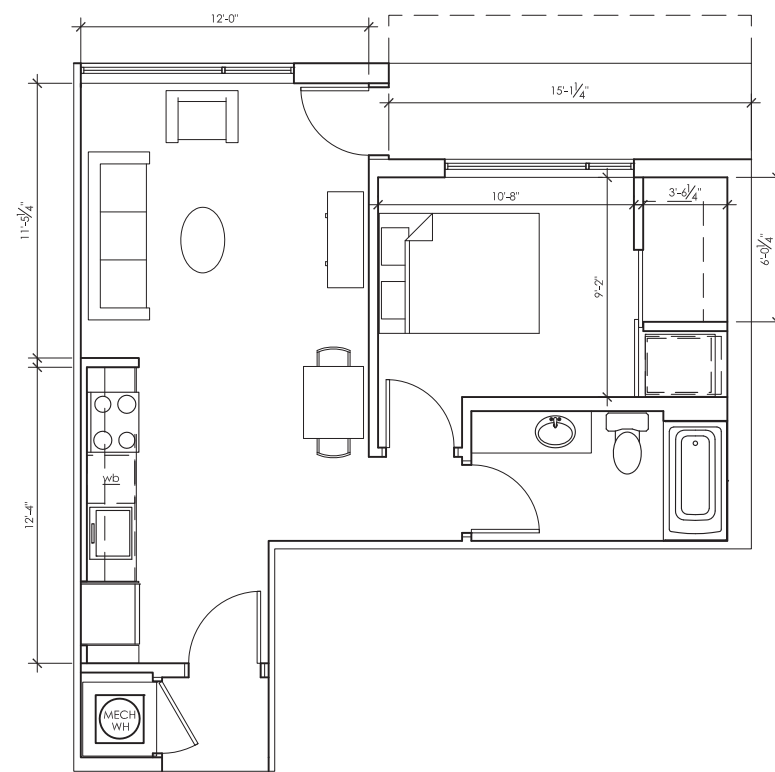


BUILDING LAYOUT

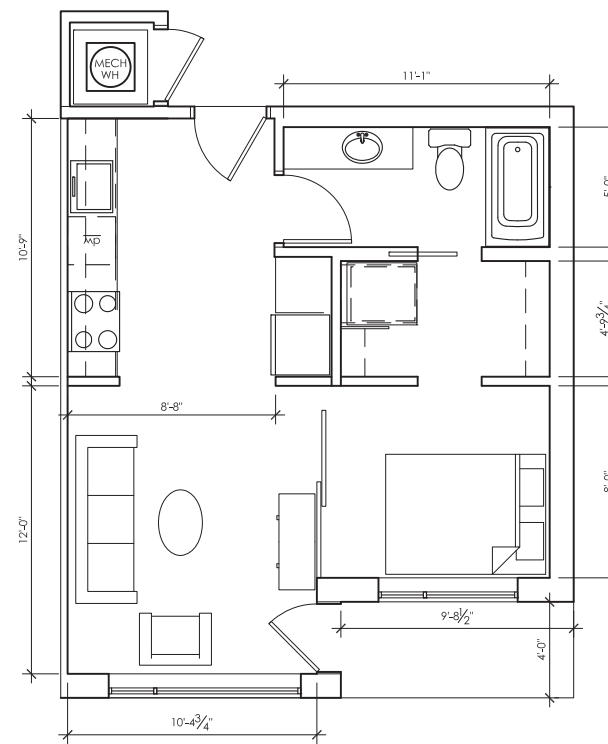
PROPOSED TYPICAL UNIT LAYOUTS (1/8" = 1'-0")



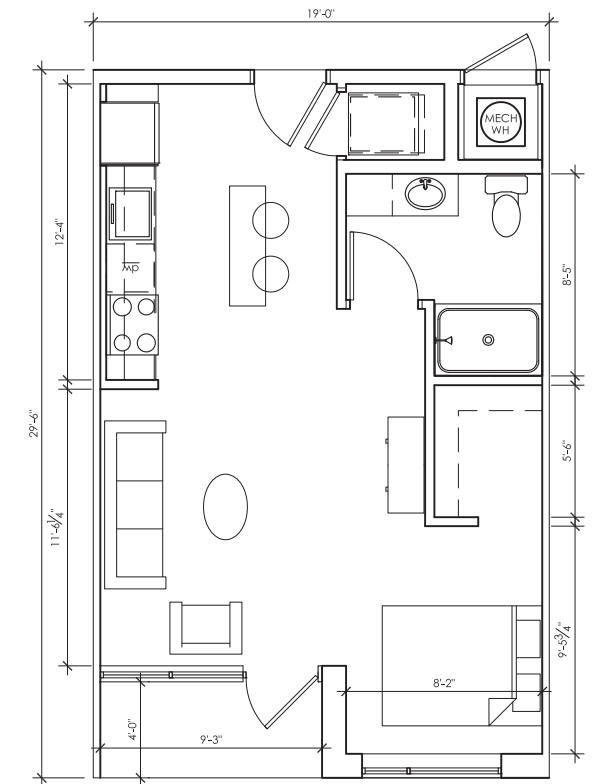
typical 1 bed (south)



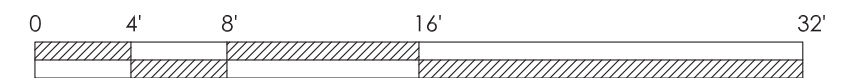
corner 1 bed (north)



typical corner studio (south)



typical studio +
(south; north similar with no balcony)



HISTORIC CONTEXT SANBORN MAP

Historically, the site did not contain residential buildings. Looking at various years of Sanborn Maps, the site was either vacant or contained 1-2 small industrial buildings with a large open lot, which appears to have been used as a lumber yard.

The image to the left shows the 1910 Sanborn Map. The buildings highlighted in green are all industrial, commercial use or large scale multi-family residential buildings, while the remainder of the area buildings are smaller residential scale buildings with occasional first floor commercial spaces.

To the west and directly north of 528 E. 12th, the majority of buildings are historic residential buildings, with the occasional first floor commercial space. These buildings are typically three to four stories with attics and have a typical lot width of 20-25'.

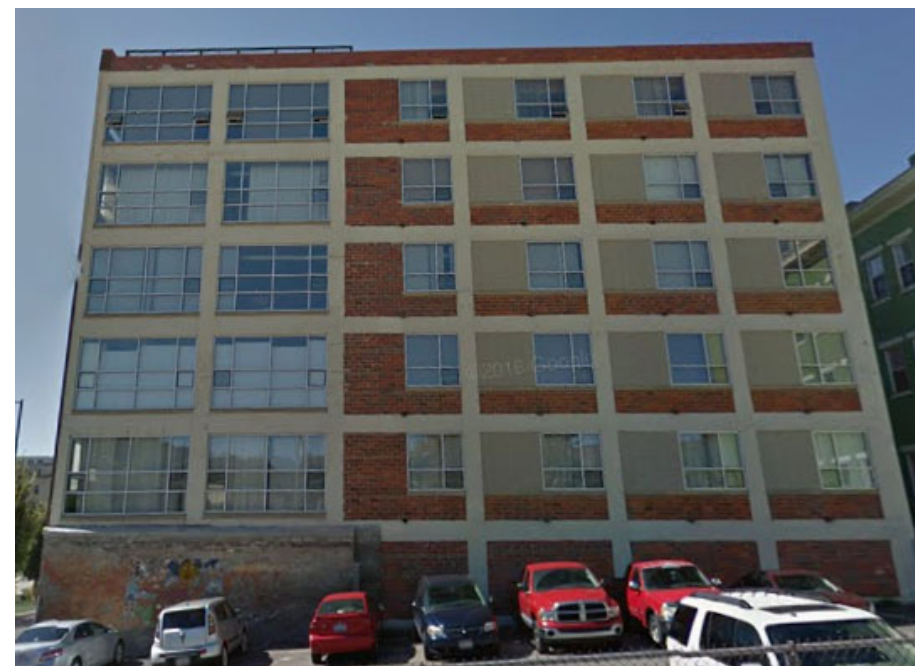
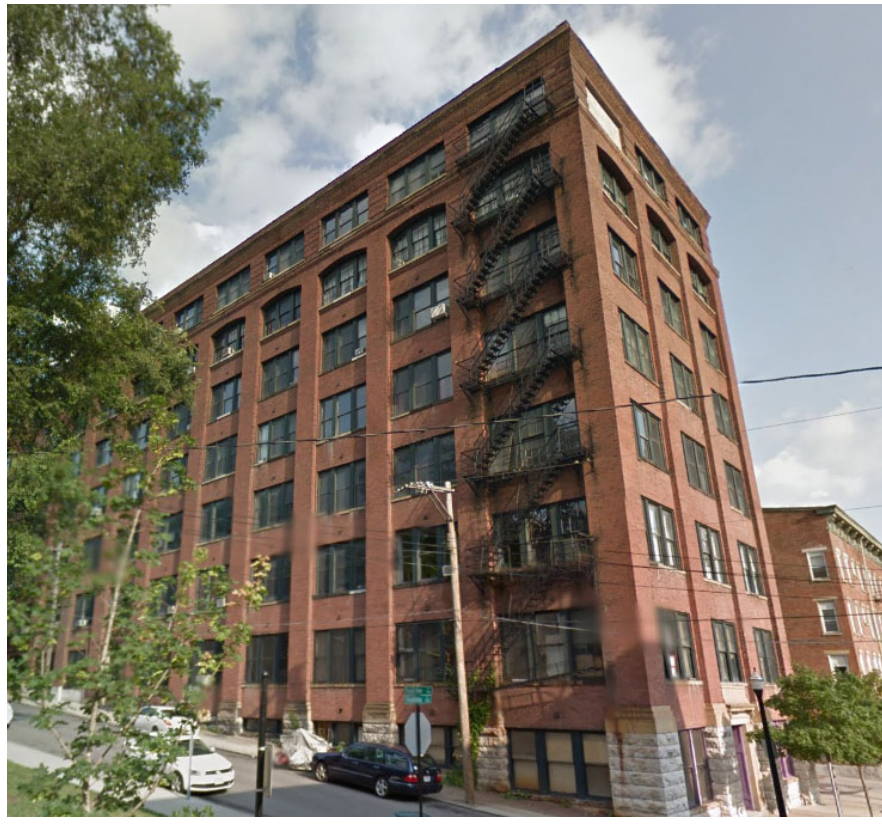
As illustrated by this map, the smaller residential building rhythm and scale falls off as the neighborhood approaches Reading Road, giving way to more prominent, large scale industrial / commercial buildings typically three to five stories with larger lot widths of 75'-150'.



HISTORIC CONTEXT RESIDENTIAL SCALE BUILDINGS - 12TH ST.



HISTORIC CONTEXT INDUSTRIAL / COMMERCIAL SCALE BUILDINGS



Relationship to Industrial / Commercial scale:

- Building reads as one massive volume
- Larger window openings (greater % of glass to wall)
- Consistent larger masonry openings with recessed brick to create variation.
- Rusticated base at entry using patterned brick.

Relationship to residential scale:

- Regular rhythm of windows
- Grouped balcony bays break building visually into smaller widths, similar in scale to buildings to the west
- Top broken down by darker brick implying gaps between sections of the building, similar to gaps created by varying heights of residential buildings.
- Interactive screen walls / glass garage doors break up the base into smaller segments and bring the verticality of the bays above to the ground

BUILDING DESIGN DESIGN APPROACH

528 E. 12th Street

While the new building typology (large scale residential development) more closely relates to the industrial / commercial buildings due to the wide lot size and repetitive floor plate, we found it important to create a hybrid design that reflects not only the industrial scale of the neighboring buildings to the east, but also provides some elements that break down the scale to relate to the residential buildings to the west. The summary to the left is illustrated on the following pages with diagrams.



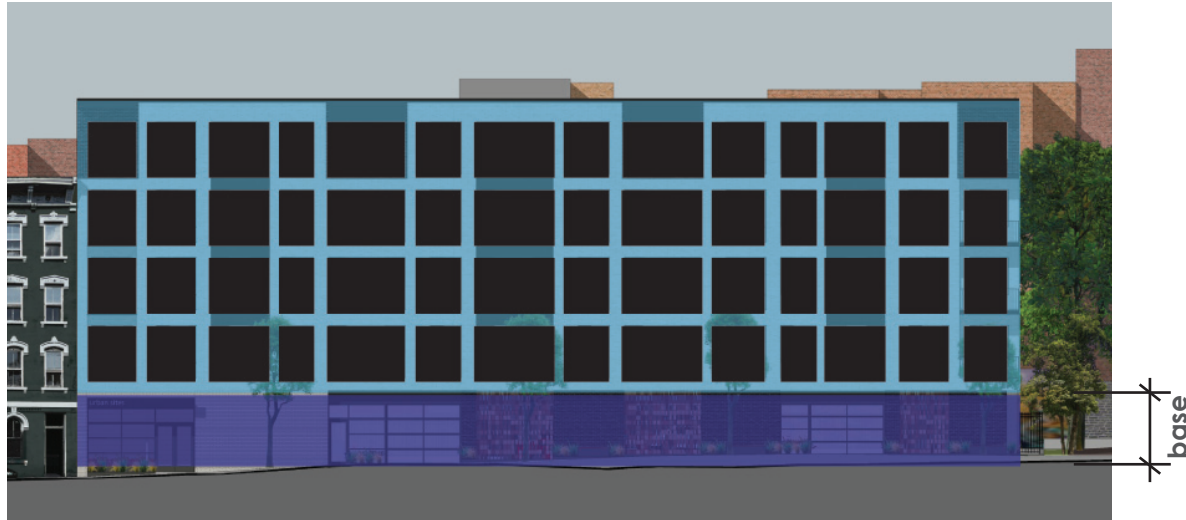
urbansites

Historic Conservation Board Submission
12/05/2018

CITYSTUDIOS
ARCHITECTURE

1148 Main Street
Cincinnati, OH 45202
ph: 513 . 621 . 0750
citystudiosarch.com

BUILDING DESIGN RHYTHM / SCALE



Large single mass building with large consistently spaced openings and strong base



Large single volume broken down by introducing dark material to imply voids along top floor, relating to gaps and voids between smaller scale residential buildings.



Rhythm of groups of balconies and windows visually breaks the building into smaller segments closer in width to the residential buildings.



Recessed balconies (grouped or individually stacked) emphasize verticality across a long building.



The dark material implying voids along the top floor visually breaks the building into three smaller volumes with gaps between, similar to the residential buildings.

BUILDING DESIGN STREET CONTEXT

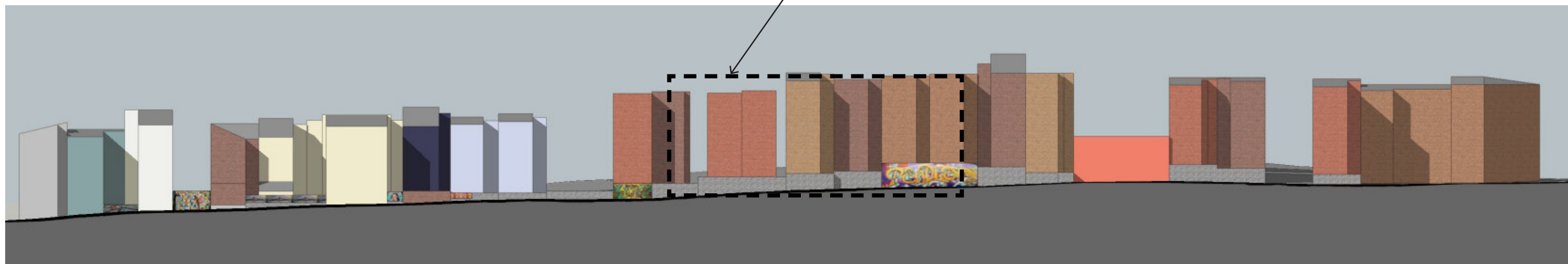
528 E. 12th Street

PROPOSED BUILDING HEIGHT WITHIN 1-STORY OF DIRECTLY ADJACENT BUILDING AND OTHER BUILDINGS ALONG STREET TO WEST



Elevation of 12th Street Looking North, between Pendleton and Reading

PROPOSED BUILDING HEIGHT SIMILAR OR LOWER THAN BUILDINGS DIRECTLY TO NORTH



Elevation of Bolivar Alley Looking North at back of buildings along 13th Street, between Pendleton and Reading

BUILDING DESIGN

SOUTH ELEVATION (1/16" = 1'-0")

STAINED COMPOSITE OR ENGINEERED WOOD SIDING AT INSIDE FACE (SEE PERSPECTIVE VIEWS)

ALUMINUM OR ALUMINUM CLAD WOOD WINDOWS / PATIO DOORS

PAINTED METAL COPING

DARK GRAY COLOR BRICK

PAINTED METAL BALCONY STRUCTURE AND RAILINGS



+/- 13'-0"

+/- 56'-8"
(el. 652.82)

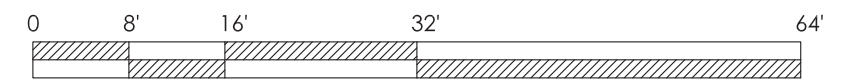
"RUSTICATED" PATTERNED LIGHT COLOR / BUFF BRICK AT ENTRY

ALUMINUM / GLASS GARAGE DOOR

DARK GRAY COLOR BRICK

LIGHT / BUFF COLOR BRICK

INTERACTIVE SCREEN WALL, MATERIAL TBD



urbansites

Historic Conservation Board Submission
12/05/2018

CITYSTUDIOS
ARCHITECTURE

1148 Main Street
Cincinnati, OH 45202
ph: 513 . 621 . 0750
citystudiosarch.com

BUILDING DESIGN

NORTH ELEVATION (1/16" = 1'-0")

528 E. 12th Street

ALUMINUM OR ALUMINUM CLAD
WOOD WINDOWS / PATIO DOORS

DARK GRAY PAINTED EIFS

PAINTED METAL COPING

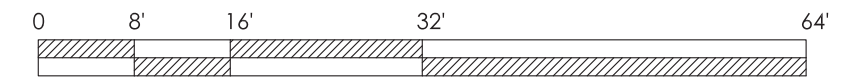
PAINTED METAL PANEL BELOW WINDOW

PAINTED METAL BALCONY STRUCTURE
AND RAILINGS



WOOD COLOR PAINTED EIFS
WITH GROOVED / RIBBED TEXTURE

PAINTED ALUMINUM PICKET FENCE



urbansites

Historic Conservation Board Submission
12/05/2018

CITYSTUDIOS
ARCHITECTURE

1148 Main Street
Cincinnati, OH 45202
ph: 513 . 621 . 0750
citystudiosarch.com

BUILDING DESIGN EAST ELEVATION (1/16" = 1'-0")

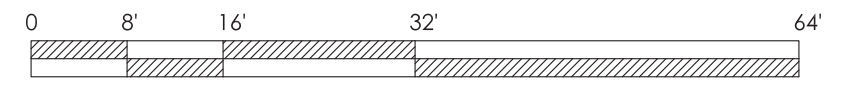
DARK GRAY COLOR BRICK
PAINTED METAL
BALCONY STRUCTURE
AND RAILINGS

PAINTED METAL COPING
WOOD COLOR PAINTED EIFS
WITH GROOVED / RIBBED TEXTURE
DARK GRAY PAINTED EIFS



DARK GRAY COLOR BRICK
LIGHT / BUFF COLOR BRICK

PAINTED ALUMINUM PICKET FENCE

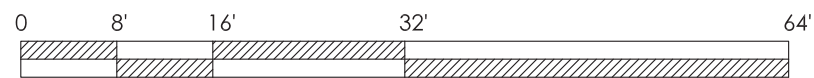


BUILDING DESIGN

WEST ELEVATION (1/16" = 1'-0")

WOOD COLOR PAINTED EIFS WITH GROOVED / RIBBED TEXTURE
DARK GRAY PAINTED EIFS

PAINTED METAL COPING
DARK GRAY COLOR BRICK



PAINTED METAL BALCONY STRUCTURE AND RAILINGS

BUILDING DESIGN
VIEW LOOKING WEST

528 E. 12th Street



urbansites

Historic Conservation Board Submission
12/05/2018

CITYSTUDIOS
ARCHITECTURE

1148 Main Street
Cincinnati, OH 45202
ph: 513 . 621 . 0750
citystudiosarch.com

BUILDING DESIGN
VIEW LOOKING EAST

528 E. 12th Street



urbansites

Historic Conservation Board Submission
12/05/2018

CITYSTUDIOS
ARCHITECTURE

1148 Main Street
Cincinnati, OH 45202
ph: 513 . 621 . 0750
citystudiosarch.com

BUILDING DESIGN
DETAIL VIEW AT TOP

528 E. 12th Street



BUILDING DESIGN

528 E. 12th Street

STREET LEVEL VIEW FROM READING LOOKING WEST



BUILDING DESIGN
STREET LEVEL VIEW LOOKING WEST

528 E. 12th Street



BUILDING DESIGN

528 E. 12th Street

STREET LEVEL VIEW FROM PENDLETON LOOKING EAST



BUILDING DESIGN
STREET LEVEL VIEW LOOKING EAST

528 E. 12th Street



urbansites

Historic Conservation Board Submission
12/05/2018

CITYSTUDIOS
ARCHITECTURE

1148 Main Street
Cincinnati, OH 45202
ph: 513 . 621 . 0750
citystudiosarch.com

BUILDING DESIGN
NORTH ELEVATION FROM ALLEY LOOKING EAST

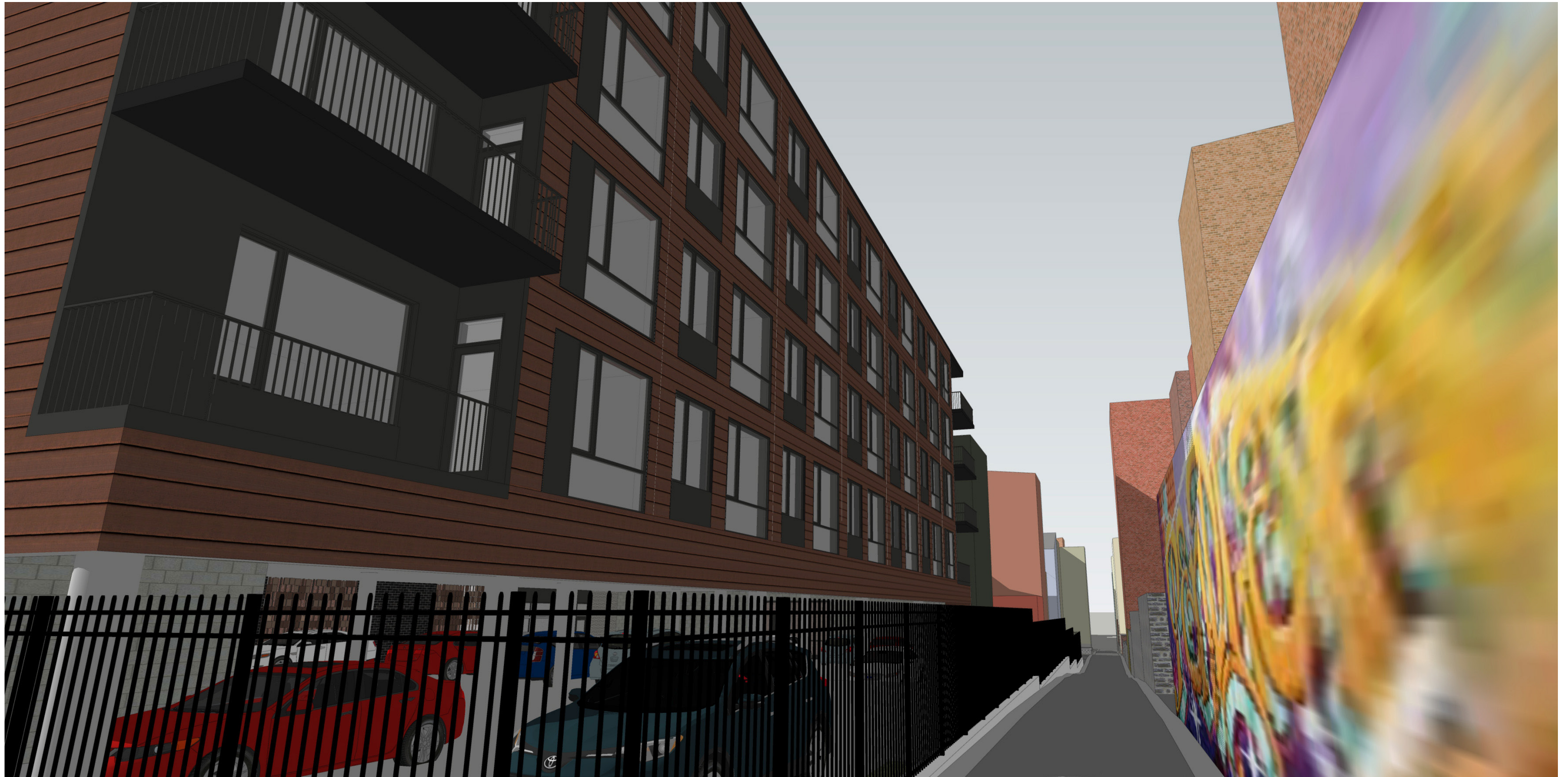
528 E. 12th Street



BUILDING DESIGN

528 E. 12th Street

NORTH ELEVATION FROM ALLEY LOOKING WEST



urbansites

Historic Conservation Board Submission
12/05/2018

CITYSTUDIOS
ARCHITECTURE

1148 Main Street
Cincinnati, OH 45202
ph: 513 . 621 . 0750
citystudiosarch.com

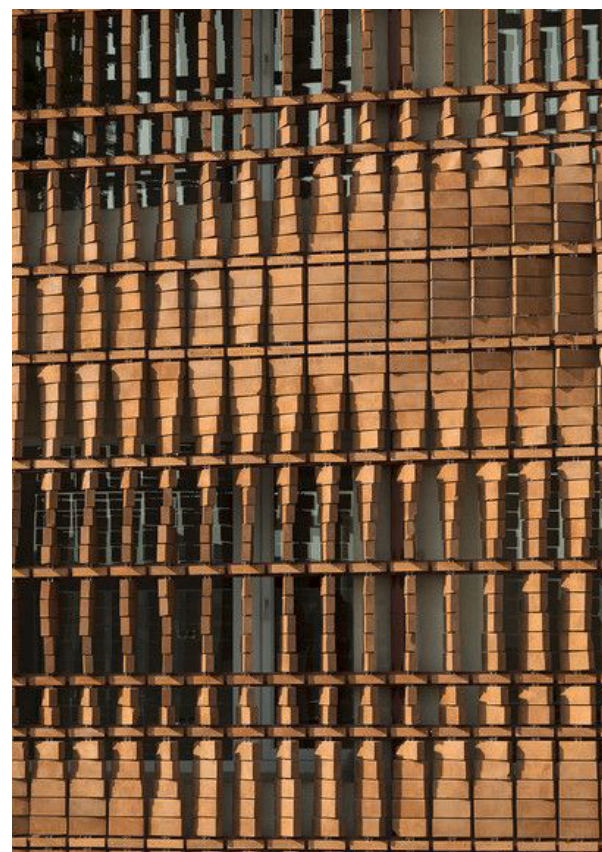
GROUND LEVEL DESIGN INTERACTIVE SCREEN WALL

The ground floor will include an interactive screen wall / art installation to activate the sidewalk in front of the ground floor use (parking). The developer has been in discussions with AGAR, a local experiential designer, to design a site specific installation that will not only be of interest to the everyday pedestrian, but will be a destination in conjunction with the ArtWorks murals along Bolivar Alley and the artist events at nearby Pendleton Arts Center.

The variance request for an increase in the allowed building articulation along the ground floor is to give more space as the sidewalk level for interaction with the art installation and to provide areas of planting and benches along the property to soften / buffer the edge between the sidewalk and parking.

As the design is further developed, the developer and architect will review the ground floor design with the Urban Conservator to ensure it continues to meet the historic guidelines.

The images are examples of similar types of installations.



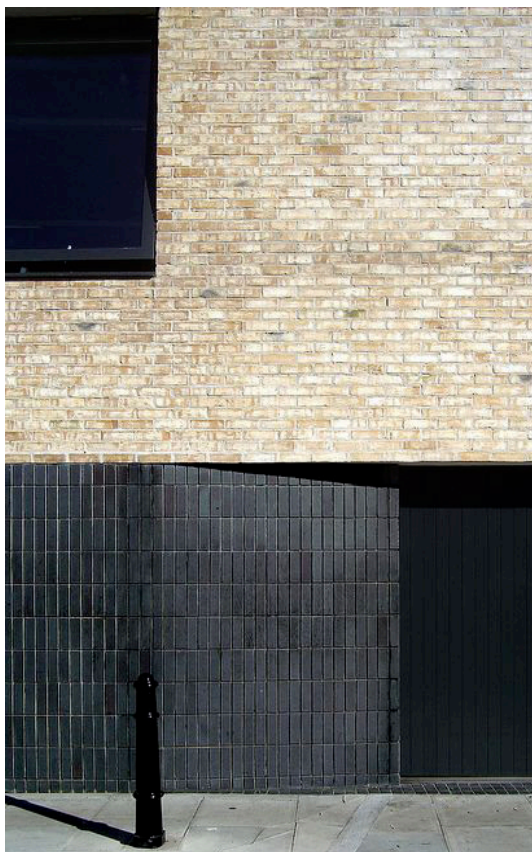
GROUND LEVEL DESIGN STREET VIEW

528 E. 12th Street



BUILDING MATERIALS EXAMPLES

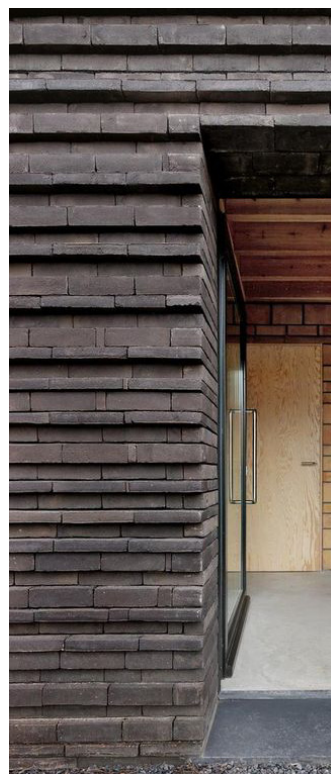
This page show examples of the types of materials proposed for the building. These images are representative only - final colors and specific products are TBD.



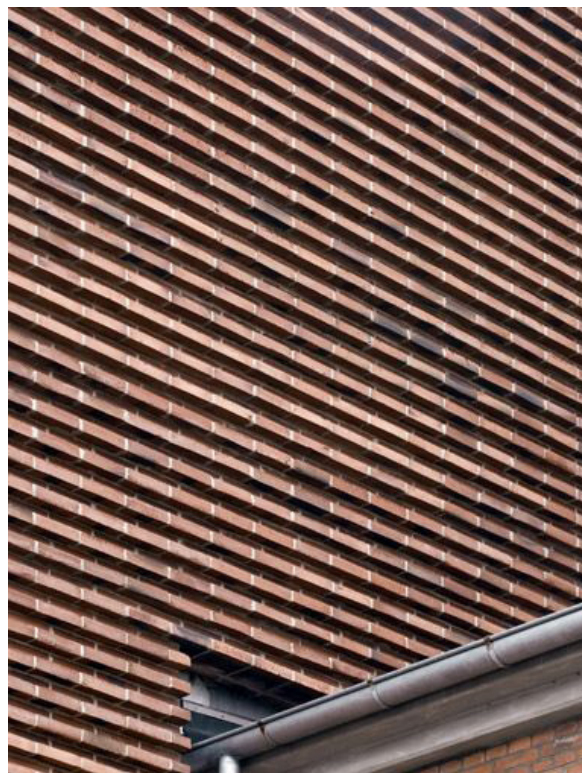
Brick Color Palette Examples



Brick Color Palette Example



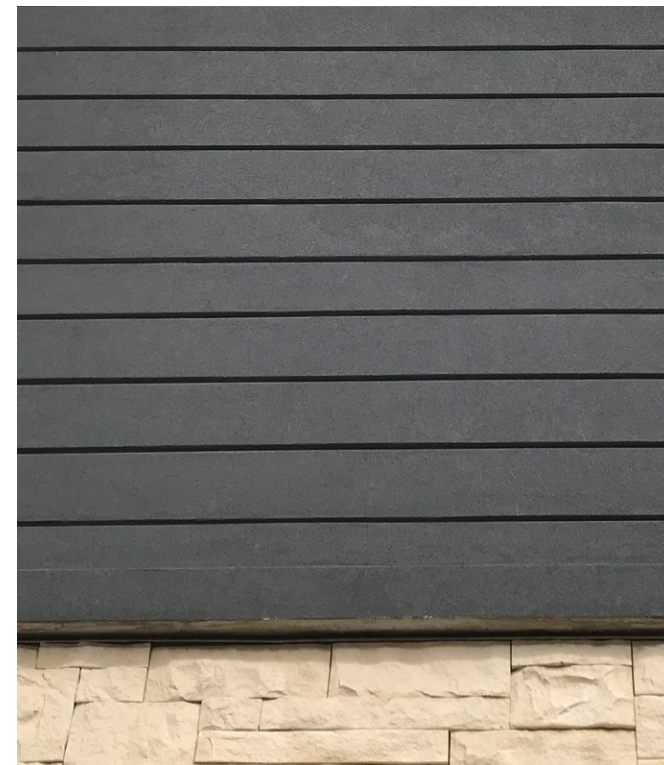
"Rusticated" brick example



Building facades visible from the street

BUILDING MATERIALS EXAMPLES

This page show examples of the types of materials proposed for the building. These images are representative only - final colors and specific products are TBD.



Example of Grooved / Ribbed EIFS (rear only; to be painted similar to wood color)

Close up of Grooved / Ribbed EIFS (rear only; to be painted similar to wood color)



Rear building facade, visible only from alley



Overall color palette example with light brick, painted metal and wood





Pendleton Neighborhood Council

513.295.5308 andrew@theAGAR.com 522 East 12th Street, Cincinnati, OH 45202

December 10, 2018

To Whom It May Concern,

This letter serves as a notice of support on behalf of Urban Sites and their latest development project taking place in Pendleton at 528 E. 12th Street. Last week the leadership team from the project took over two hours to present the project vision to our Community Council and answer any questions or address concerns from stake holders.

At the end of the meeting, the council moved to support the project with the affirming results reported below. We support this project moving forward as it brings jobs, housing and vibrancy to our neighborhood and does so in a manner that contributes to the entire community as a whole.

- **In favor of the development - 23**
- **Opposed to the development - 7**
- **Abstained from voting - 3**

Please do not hesitate to reach out to me directly with any further follow up questions.

Sincerely,

Andrew Salzbrun

Vice President - Pendleton Neighborhood Council

Johnson, Beth

From: Danny Klingler <dannyklingler@gmail.com>
Sent: Monday, December 10, 2018 5:00 PM
To: Johnson, Beth
Subject: [External Email] 12th St Urban Sites Project

External Email Communication

Dear Beth and HCB,

I'm writing to offer my formal objection to the proposed Urban Sites infill project on 12th St.

The project is obviously out of compliance with the OTR historic conservation guidelines, most notably in terms of height (it is multiple stories taller than the historic firehouse to the north). The project is also requesting an approximately 100% density variance in a neighborhood of 3-8 family structures of 3-4 stories in height. There is no legitimate justification for this variance as it is not true that absent the variance the owner would be deprived of "all economically viable use" of their property.

Perhaps most disturbingly, this is yet another case of a developer intentionally avoiding community engagement out of fear for what that would entail. The Over-the-Rhine Community Council, which represents the entire OTR Historic District, was never approached about this project. The Pendleton Neighborhood Council was approached as an afterthought, last Monday, with the HCB hearing already scheduled. Urban Sites contacted numerous people and asked them to attend and support the project, thus ensuring that rather than having a democratic process, the PNC meeting was reduced to a guaranteed yes vote for the project.

For the above reasons I ask that the HCB deny this application.

Sincerely,
Danny Klingler

Johnson, Beth

From: Patricia Bittner <patricia@biltarchitects.com>
Sent: Monday, December 10, 2018 3:55 PM
To: Johnson, Beth; Shad, Matthew
Subject: [External Email] 528 E. 12th St.

External Email Communication

Dear Ms. Johnson and Mr. Shad,

I am a resident and property owner in the 500 block of East 12th street.

I am writing to express my concern with the development being proposed for 528 E. 12th.

My concern is with the scale of the project which is 5 stories tall, ~150' feet wide with 56 apartments.

Residential buildings in our neighborhood and within the 500 block tend to be 25' wide, 3-4 stories tall and have far fewer units. There are a few wider double lot buildings but none that I know of that are 5 stories tall. The neighborhood church (except the dome and bell tower) and old school house are 4 stories. It is inappropriate for a new residential building to be larger, taller and physically more prominent than these important culturally significant, iconic structures that define our neighborhood. The historic firehouse to the west of the proposed structure is only 2 stories.

The proposed structure would block views and sunlight to our neighbors on 13th Street who sit up hill from the development.

The proposed building has multiple balconies and deck recesses on the street facade. This is out of character with the neighborhood architecture.

The first floor parking garage with wide curb cuts and traffic is unlike the pedestrian friendly character of the neighborhood where building address the sidewalk with stoops which are used as informal gathering spaces for neighborhood children and residents.

I am not opposed to the site being developed and would welcome a smaller more appropriately sized structure, with or without parking.

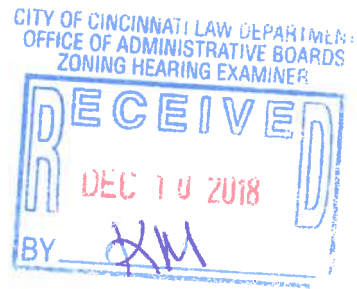
One suggestion would be to access the rear of the site via the alley (which is relatively wide for OTR) and provide parking at grade or possibly tucked under the building. In that way the developer could remove the 5th floor that he explained was needed to pay for the expansive garage.

I believe the proposed structure would adversely affect the character and quality of life in our neighborhood.

Respectfully,

Patricia Bittner
BiLT Architects

Deborah R. Mays
519 East 12th Street, Apt. 1
Cincinnati, OH 45202
(513) 375-0394



December 17, 2018

City of Cincinnati
Historic Conservation Board
801 Plum Street
Cincinnati, OH 45202

Re: Urban Sites Proposed Development of 528 East 12th Street

Dear Board Members:

Post my November 28, 2018 communication, I have had opportunities to attend the November 28th Historic Conservation Board preliminary meeting as well as the December 3rd Pendleton Community Council meeting regarding Urban Sites proposed development of 528 East 12th Street. I am writing your Board this communication today in order to expand and/or clarify my earlier thoughts.

Between September 2000 and June 2002, several Over-The-Rhine stakeholders gathered regularly to develop the Over-The-Rhine Comprehensive Master Plan. I served as co-chair of its Housing Committee and Economic Development Committee. The Housing Committee focused on the diverse needs of OTR's sub-areas, which included Pendleton. I have lived at 519 East 12th since August 2007, witnessing first-hand major renovations of two-to-four story multifamily units. Today, I wish to share with you why I believe the 528 East 12th development project is not in compliance with the 2002 OTR Plan.

Pages two through five provide outlines of the Future Land Use Map and Strategic Plan Map illustrating the plan's recommendations and vision for the neighborhood's revitalization. Based on the color coding of the Future Land Use Map, the 500 block of East 12th Street is listed as a residential/medium-density area, representing places where "residential reuses will be created at a lower-density level. The buildings in this area lend themselves more to single- and two-family housing, and homeownership is encouraged. The Strategic Plan Map identifies those areas where the initial redevelopment efforts are preferred." (See Attachment A)

Page 2

City of Cincinnati

Historic Conservation Board

Re: Development of 528 East 12th Street

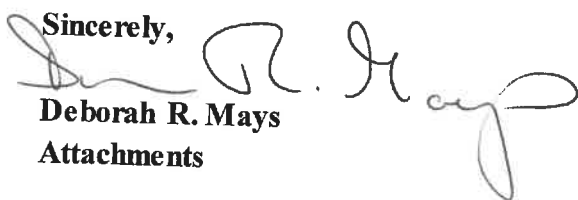
I am again sharing with you the ground-level photographs of the 500 block of East 12th. Several three-family and six-plus multi-family units have already undergone extremely difficult renovations to provide new modern systems, structural repairs and upgrades such as air conditioning, computer hook-ups, and sprinkler systems. Providing off-street parking to tenants presents itself as a greater challenge.

I believe Urban Sites' 528 East 12th project intrudes upon as well as violates the civil rights of owner-occupied property/business owners and tenants within the 500 block of East 12th:

- Zoning – (a) The project requires a 33-unit variance; and (b) The five-story structure would obstruct views and daylight of 542 East 12th as well as properties in the 500 block of East 13th (south side).
- Parking – (a) The project includes 29 parking spaces on the first floor of structure while 25 additional spaces will be provided at East 12th & Reading Road. (b) East 12th already has a parking shortage for residents living between 500 & 526. The City of Cincinnati Transportation & Engineering Department and I reviewed our situation and were able to upgrade street signs in 2017, creating four additional parking spaces. (c) On December 3rd, Urban Sites CEO, Greg Olsen could not guarantee “all of its occupants would always park in their garage and lot”.
- Rental costs – Urban Sites estimates a studio apartment will cost \$1,000 per month ... this price is higher than other immediate surrounding rental fees for three-and-four bedroom units.
- Construction period – The construction manager for 526, 528 and lot at East 12th & Reading Road estimates these projects would take one-plus years to complete. If the north side of East 12th is not available, that means approximately 12 parking spaces would be lost between 524 and 542 East 12th. What about those occasions when the entire one-way street is blocked by construction and supply vehicles?

I would again appreciate your serious consideration and scrutiny as Board Members of our City's Historic Conservation Districts when reviewing the proposal(s) for 528 East 12th.
Thank you in advance.

Sincerely,



Deborah R. Mays

Attachments

Attachment

A

The following Future Land Use Map and Strategic Plan Map illustrate this plan's recommendations spatially and its vision for the neighborhood's revitalization.

The Future Land Use Map illustrates six kinds of areas in OTR:

1. The **residential and commercial mixed-use** areas include a large percentage of buildings designed with office or retail space on the first floor and housing in the floors above. Densely packed, these buildings are generally three- to five-stories in height with long, narrow floor plates. The future land use plan for OTR respects these building types and therefore envisions higher-density rental housing and, in some cases, condominiums in these areas. Provisions for commercial and office uses in street level storefronts, as well as alternative uses of the upper floors for office and studio space, are also made in these areas.
2. The **residential/medium-density** areas represent places where residential reuses will be created at a lower-density level. The buildings in these areas lend themselves more to single- and two-family housing, and homeownership will be encouraged. Since there are fewer opportunities for commercial concerns, the overall character of these parts of the neighborhood will be strongly residential.
3. The **loft district** is intended to encompass a wide variety of businesses and housing opportunities including office/commercial, light manufacturing, artists' studios, and housing. Older manufacturing and industrial buildings, with their large open floor plates and massive windows, present limitless opportunities for creative and unique developments. The loft district extends west out of OTR into the West End where similar recommendations are being made in that neighborhood.

4. The social, educational and cultural institutions illustrated in the Future Land Use Map represent some of the community's most important anchors. The continued presence of these organizations is essential to its overall revitalization.
5. The **retail mixed-use** zones target Main Street, Vine Street and Findlay Market. These areas are OTR's focal points, the location of many local and regional businesses. Main Street, Vine Street and Findlay Market are envisioned as active, lively business zones that also include housing. Vine Street includes the core of the neighborhood's local businesses, while Main Street is a destination for entertainment, arts, and specialty goods and services. Findlay Market is a food and flowers district that is eventually seen as a daily market for residents of Over-the-Rhine and outlying neighborhoods with additional restaurants and housing.
6. **Open spaces** in the neighborhood are very important gathering spaces and places to slow down in this otherwise dense neighborhood. Open spaces utilized for gardens and parks also provide food, greenery and color to street faces.

Future Land Use

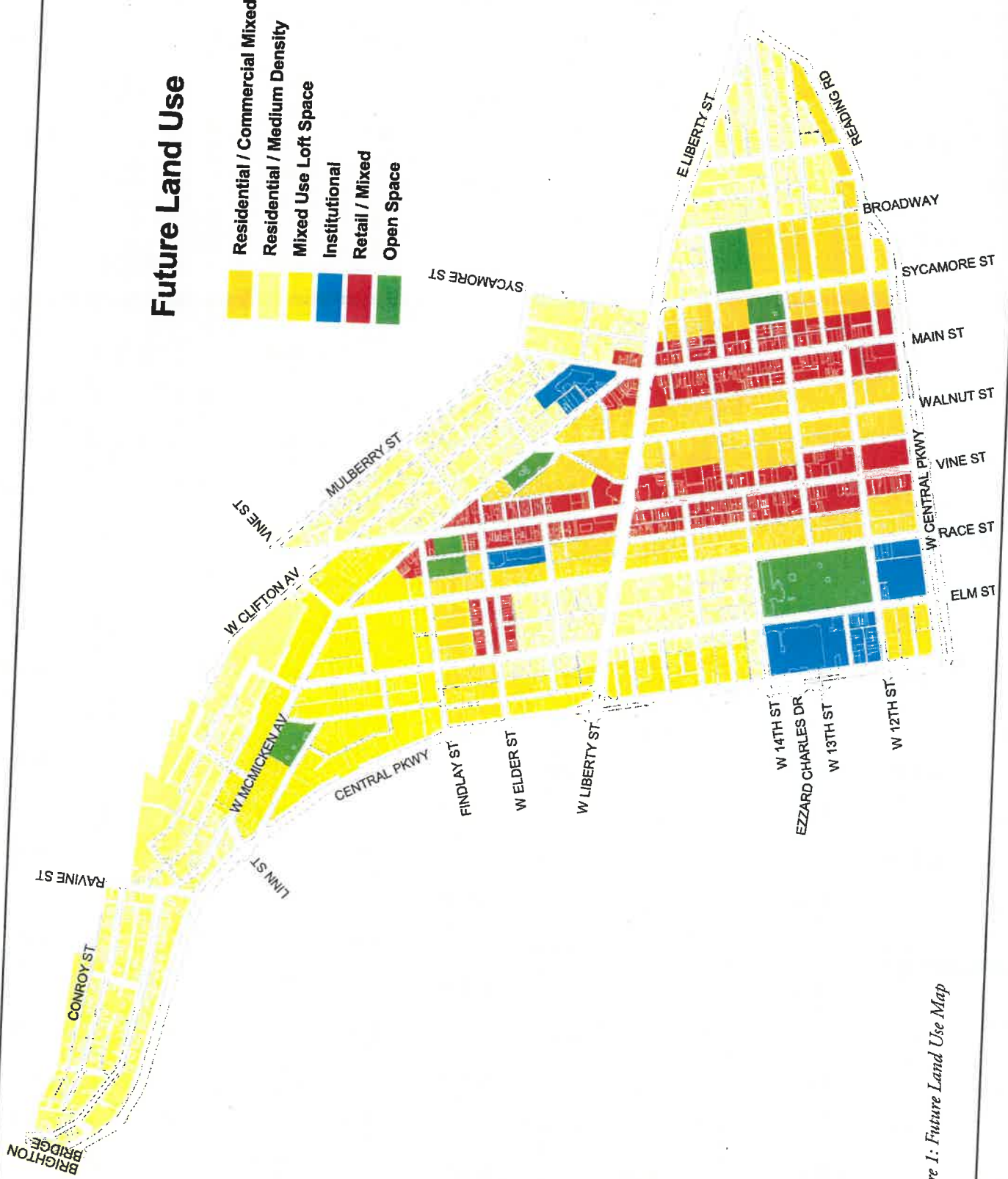
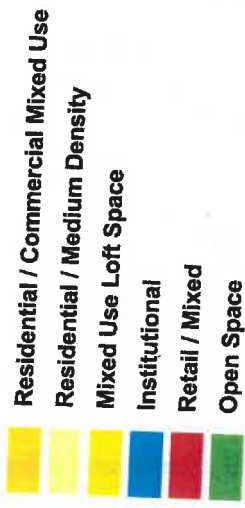


Figure 1: Future Land Use Map

The Strategic Plan Map identifies those areas in which to focus initial redevelopment efforts. The project locations shown begin to implement key recommendations in the plan, and a review of this map shows that every part of the neighborhood plays an important role. Plan recommendations are designed to build on both existing assets, such as Music Hall, and future investments, such as those planned by Cincinnati Public Schools. Recommendations are also intended to target rehabilitation and new construction to take advantage of vacant land and existing building types.

Plans for the "Loft District" include the rehabilitation of a series of buildings for mixed-uses including housing, commercial office space and studio space. The plan also includes improvements to Hanna Park as part of the Armler Trust through the City of Cincinnati Recreation Commission. The illustrations included in this plan give an indication of the opportunities for associated parking and open space.

The "Infill Housing" proposed in the northern part of the neighborhood involves the construction of new single- and two-family housing on the many available lots along Mulberry Street, Clifton Avenue and smaller streets extending up the hillside.

Improvements in the "Rothenberg Area" will center around a newly renovated Rothenberg elementary school. This will include expanded green space and parking for the school. This area is also targeted for housing renovation and in-fill development. Housing developments undertaken nearby Rothenberg school should incorporate larger units to accommodate families with children.

The future "Melindy Square" project will take advantage of the mixed-use buildings in this part of OTR to create approximately 80 new mixed-income housing units.

The "Washington Park Area / SCPA Area" encompasses a new Washington Park School and a new K-12 Arts School. Recommendations for this area also include some targeted mixed-income housing rehabilitation that will include buildings along Race Street and Republic Street.

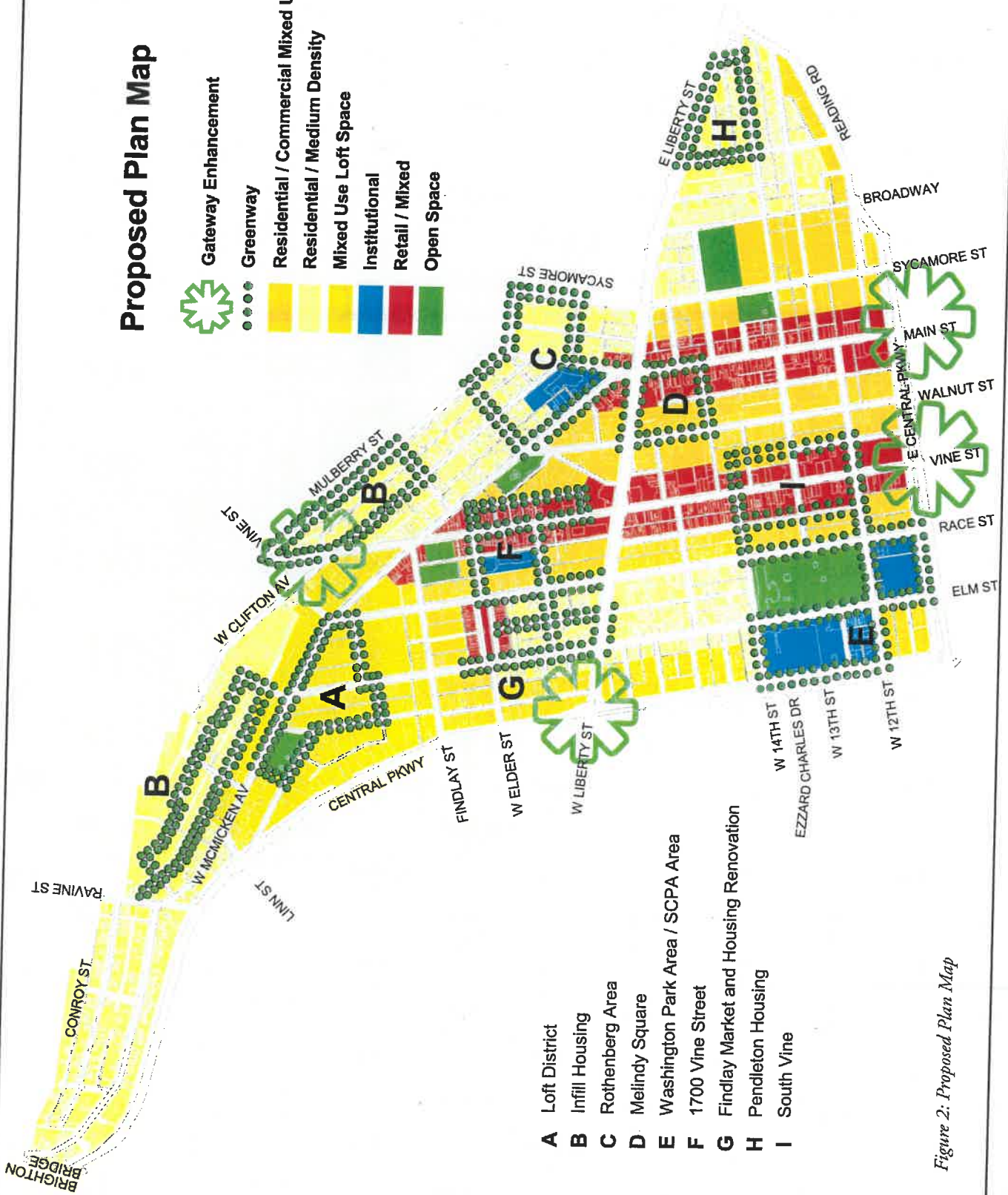
The 1700 block of Vine Street is one focus for retail and commercial rehabilitation activity. The block is undergoing improvements because of improvements to Smart Money, and the stabilization of the old Kauffman building. Additional improvements will include shared parking and retail space renovation. There are also improvements proposed to better connect Vine Street to Findlay Market in this location.

Findlay Market is the location of another targeted renovation project. The market house renovation is well underway. The expansion of the market space will also spur expanded hours of operation and a new management structure for the market. In addition, renovation of the buildings around the market house for retail and residential use is also underway.

✱ The Pendleton Mews housing project will provide 20 new single-family units in a part of the neighborhood identified for those types of new uses. The streetscape and lighting improvements associated with this project will also be included.

The south Vine Street area includes a number of renovation projects that will provide new retail and housing space. The ReSTOC project in the 1300 block will provide 35 new affordable units while the activity on the 1200 block will provide additional new market rate units and both will provide renovated retail space.

Proposed Plan Map



- A** Loft District
- B** Infill Housing
- C** Rothenberg Area
- D** Melindy Square
- E** Washington Park Area / SCPA Area
- F** 1700 Vine Street
- G** Findlay Market and Housing Renovation
- H** Pendleton Housing
- I** South Vine

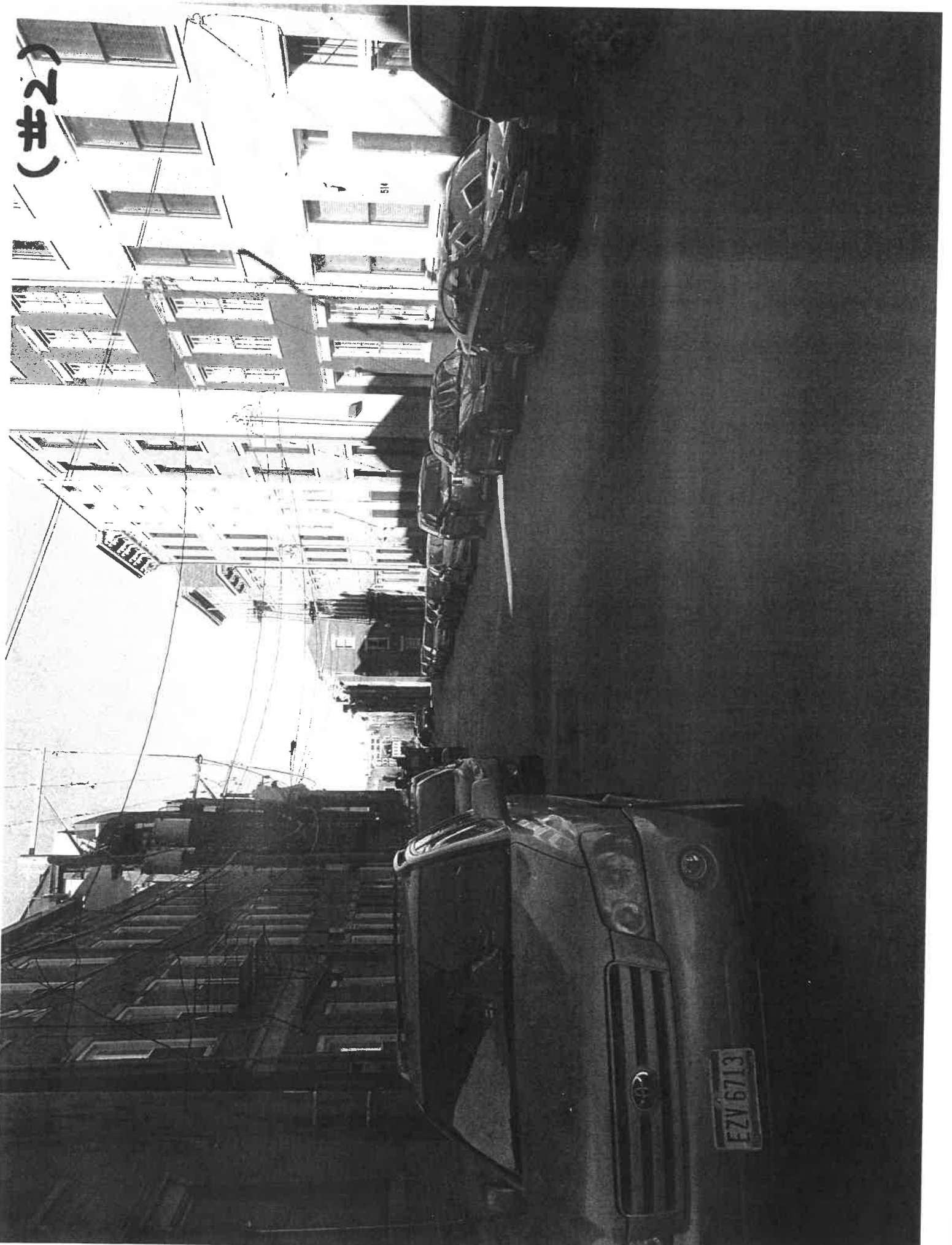
Figure 2: Proposed Plan Map

Attachment
B



(18#)

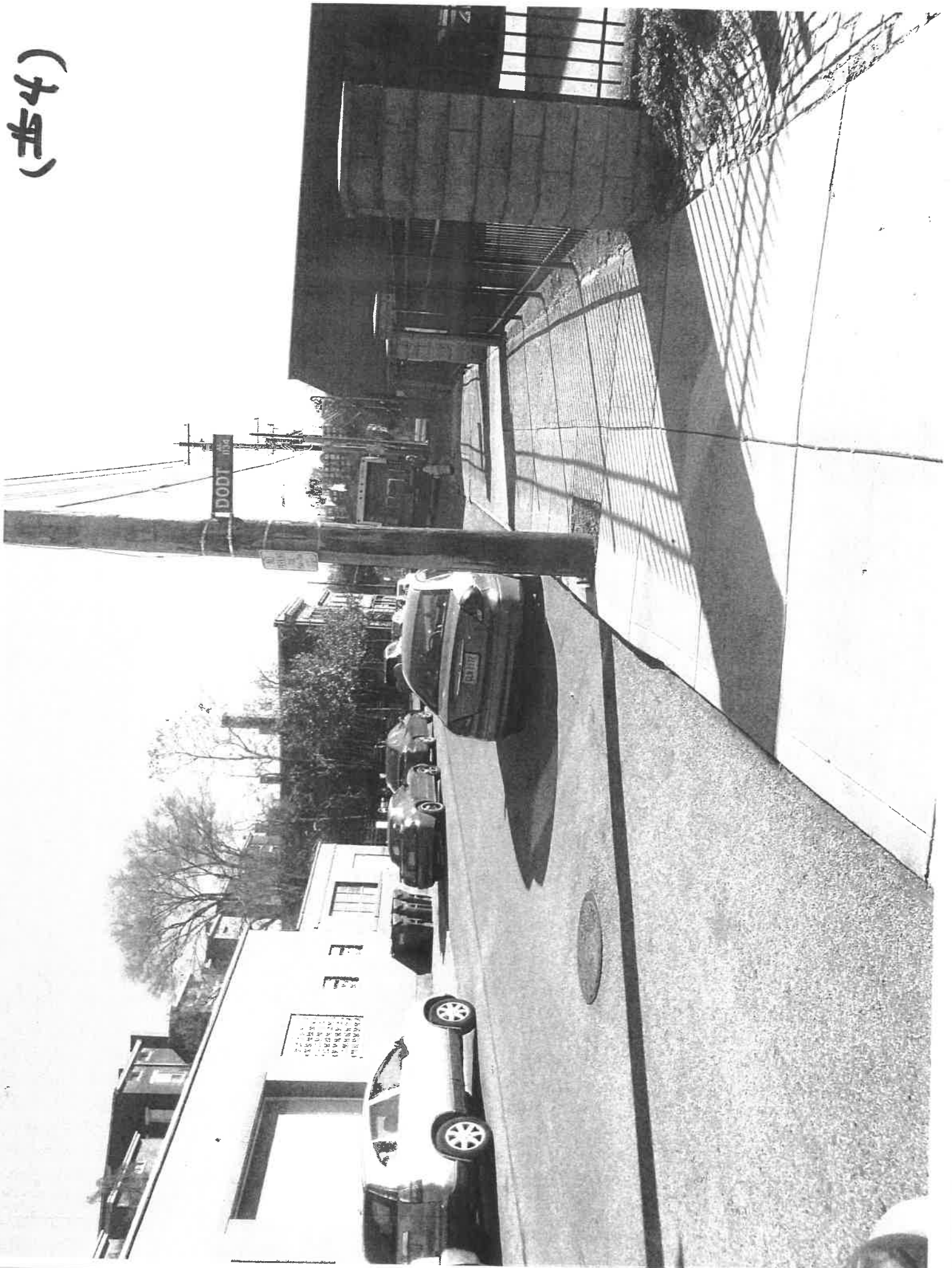
(#2)

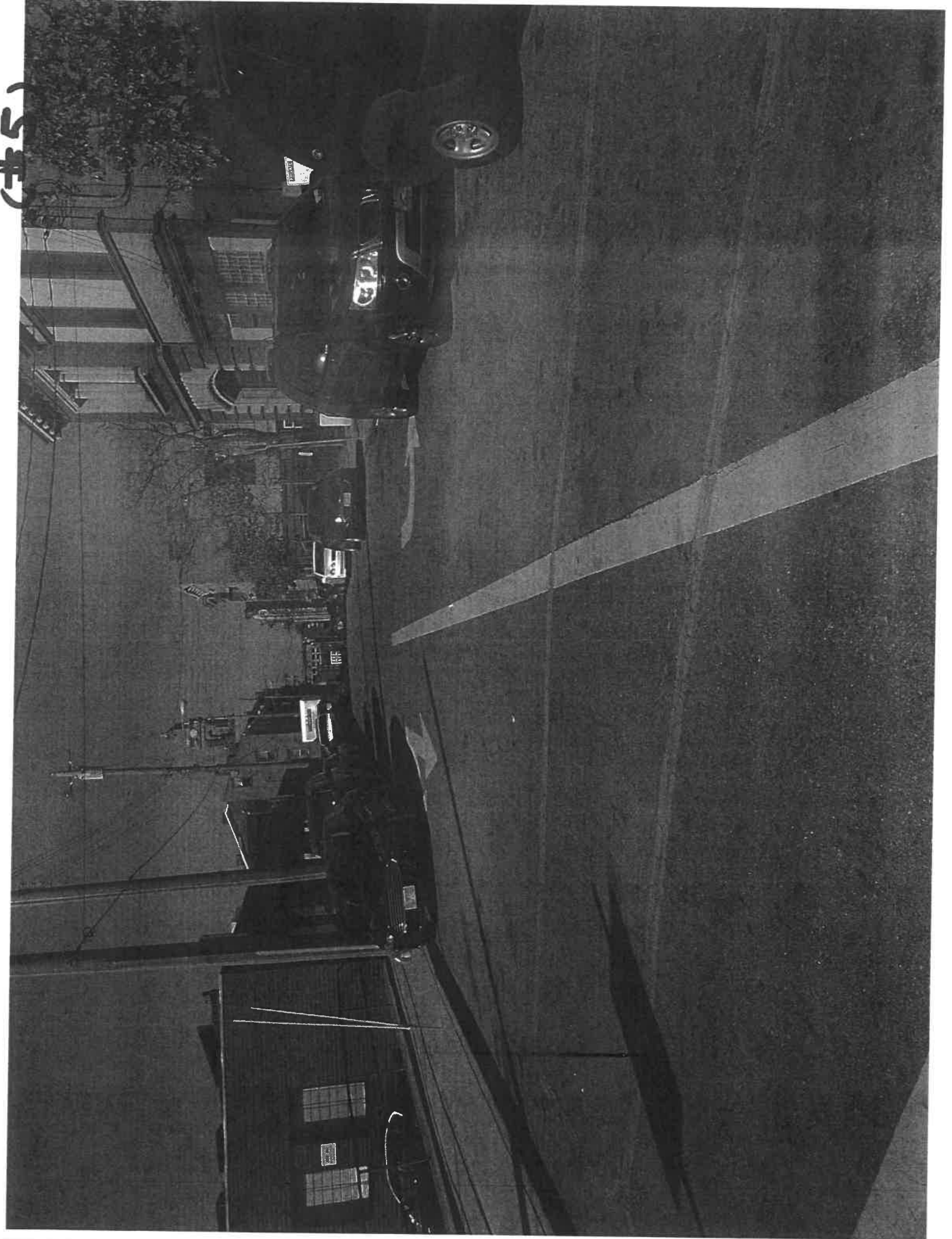


(3)
#



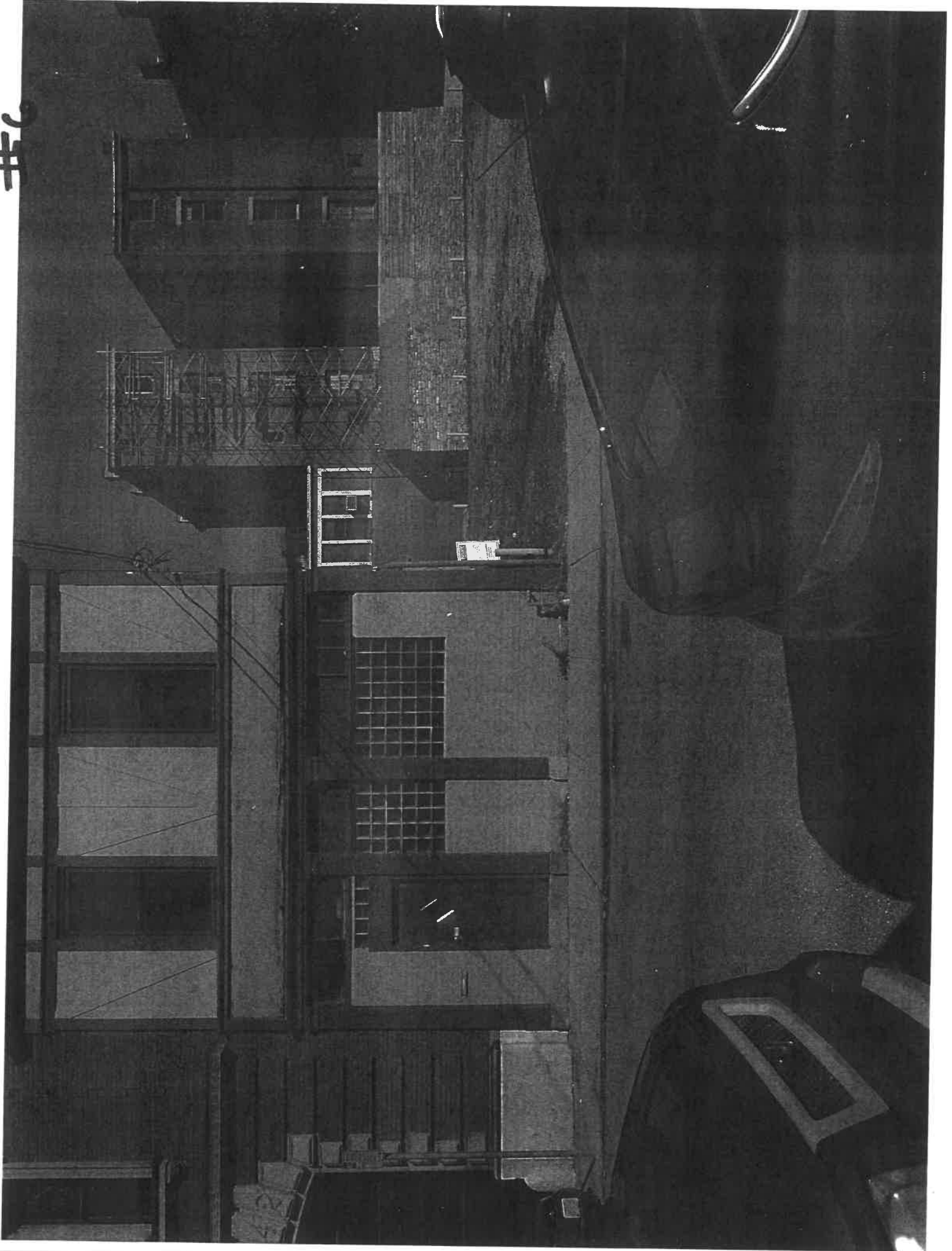
(4#)



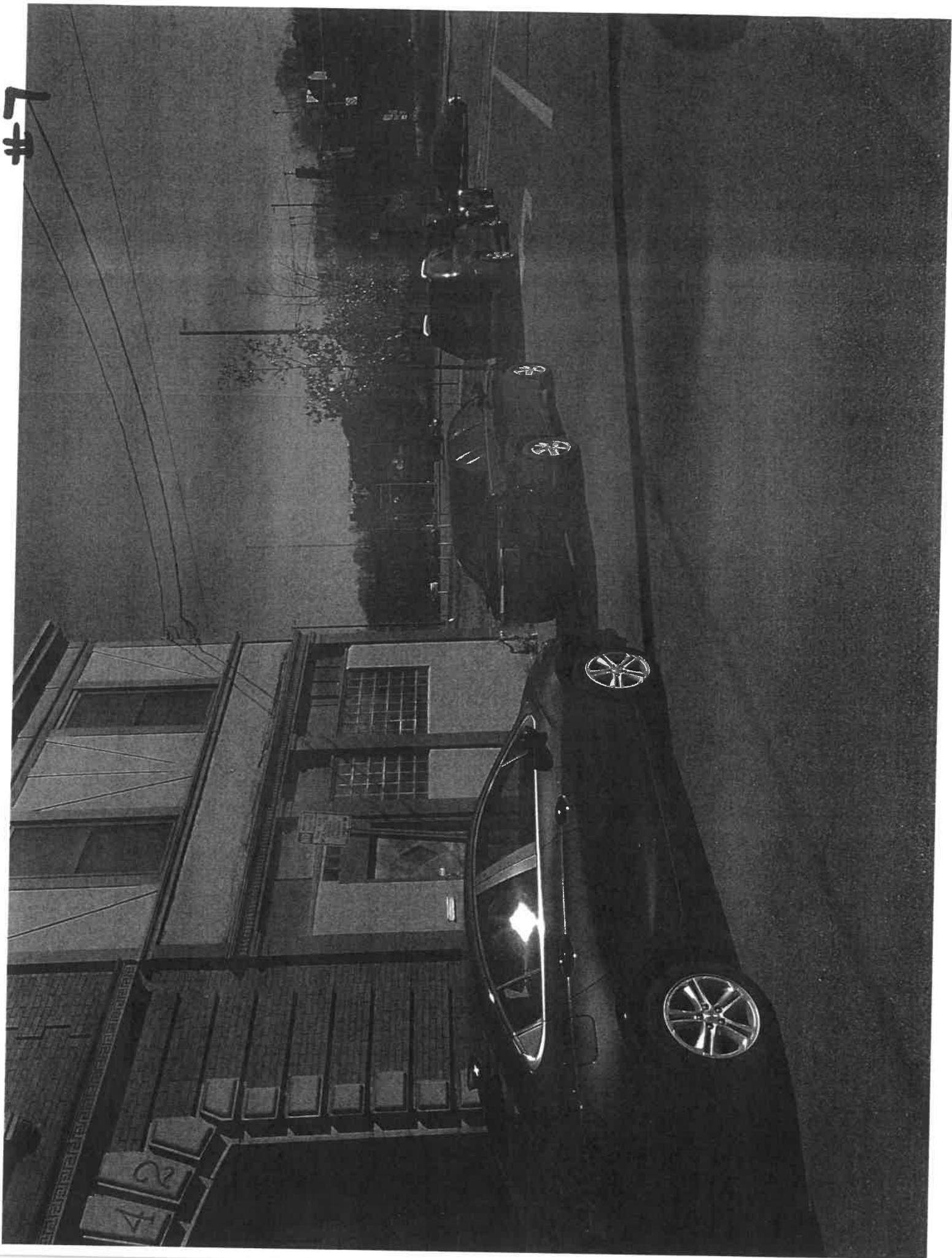


(5#)

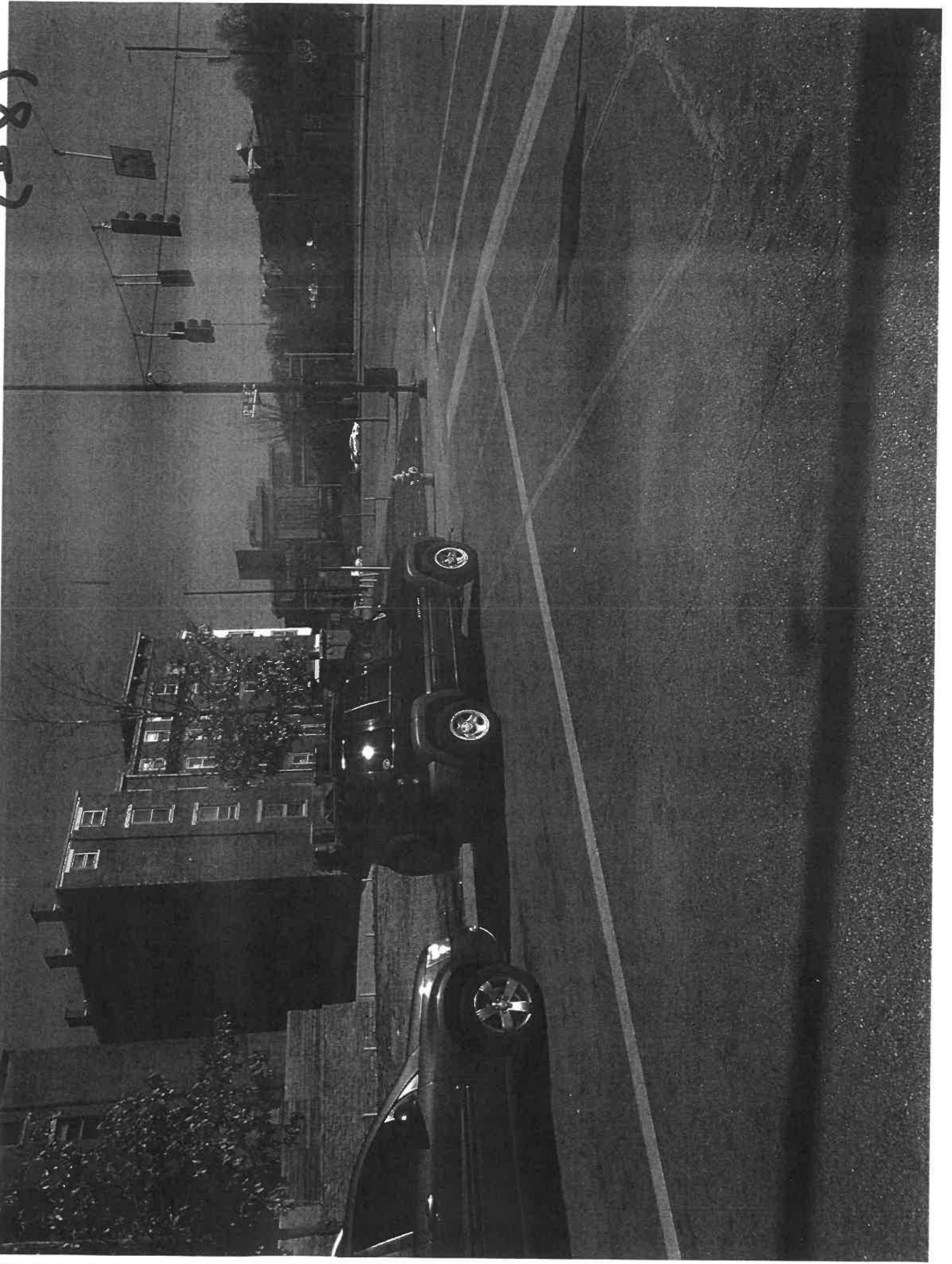
156



7-#



(85)



December 9, 2018

Re: Proposal for 528 E. 12th Street

Dear Beth and Matt,

The site of the proposed project at 528 E. 12th Street is unique, important and prominent. Most of the site has not been built on since it was a lumber yard in the 1800's. This site has been an open space for many years, allowing views, natural light and sunshine for all of the adjacent building structures that surround the site.

This site on 12th Street is situated on the high point or crest of a knoll with Reading Road, a major artery leading into the downtown on the East. Twelfth Street slopes downward from east to west toward downtown. The historic character of the street and the pattern of the buildings is very much a result of this slope. This proposed building site has a six-foot drop in elevation along its 153' long street frontage due to the topography of the street.

The lot size and buildings on Twelfth Street, and in most of the Pendleton area, are generally 25' wide with buildings 21' to 23' wide, leaving a 3' - 4' wide access between the buildings. The buildings step up with the slope of the street with the heights of the buildings varying from three to four stories. The majority of the buildings on this block are three stories in height.

The slope of the street, the small lot size and the varying heights of the buildings have created a pattern and scale unique to this neighborhood and this street. The owner of the proposed site wants to build a residential structure five stories in height extending a full 150' length of the street frontage without any acknowledgement of the sloping topography. This design is in sharp contrast with the existing context:

- The basic visual and historic characteristics of the area are not reinforced.
- The pattern of the historic buildings on this block is not respected or preserved.
- The physical size and mass of the building does nothing to complement the character of the street and in actuality it will overpower all of the surrounding buildings especially the two-story firehouse and the two-story building next to the firehouse to the east. The OTR Historic Guidelines state that new buildings should not vary by more than one story from adjacent buildings. This proposed design will be three stories higher than the firehouse and its neighbor building, that is like stacking one and a half firehouses on top of the existing one. Why should this be allowed according to the historic guidelines?
- The new design as viewed from the East, Reading Road, the 471 interstate, downtown and Mt. Adams will dominate the skyline of this portion of the neighborhood presenting a visual image different from the existing historic character and block the view of the undulating skyline of the area.

The 2002 Over the Rhine Comprehensive Plan adopted by the city calls for this site to be medium density residential housing and recommends a preferred use to be townhouse(s) or owner-occupied home(s).

The current zoning based on the site square footage and the existing city policy allows for a residential density of 23 units, without any requirement for on-site parking. The proposal is requesting a variance to allow 56 units which represents a 143% density increase over what is allowed, or nearly two and half times the allowable density (2.43 times). The owner makes an argument that he needs this number of units to make his economic package work because the parking deck designed below the residential units for 29 cars is too expensive and he needs 56 units to support this cost. Neither the neighborhood or the adjacent property owners gain anything from the granting of this variance, while they lose a lot.

There are other alternatives for the development of this site that would be more in line with the historic pattern of the street and the intent of the 2002 Comprehensive Plan. An example would be the recent development at the end of Pendleton Street and Spring Street where single-family homes were built and the developer has sold all of the units giving them a good profit. The developer of the Pendleton / Spring Street development understood the market need for home ownership in the area, which is well below the neighborhood average in the city, and which the 2002 Comprehensive Plan recommended for stability and security in the neighborhood.

The open parking deck design in this proposal creates problems for the neighborhood and does not meet the intent of the OTR Historic Guidelines and zoning code. The existing zoning is CC-P, Commercial Community-Pedestrian Oriented:

- The zoning code calls for a pedestrian friendly design. The proposed design shows two 23' wide parking Entry/Exit ways with street curb cuts and roll up open metal grating doors. Vehicles will need to pull out onto the sidewalk in order to see oncoming traffic. This takes the emphasis away from pedestrian oriented to vehicle oriented. The wide curb cuts will eliminate existing, much needed, on-street parking spaces. The historic guidelines and the Conservation Board have discouraged the approach of designing entry/garage doors to be located on the front facade in the past, especially since there is an alternative. An alternative would be to not have a parking deck at all. This would lower the height of the building and lower the cost.

Another alternative would be to use the 10' wide totally brick paved Bolivar Alley. An example is the use of Ray Alley with only a seven-foot paved driving lane as access for the development at the ends of Pendleton and Spring Streets and Goose Alley between Race Street and Vine Street with a six-foot ten-inch paved driving lane and a ten-foot total width of right of way for residential use. Goose alley has tall building structures built up to the right of way on both sides.

- The proposal shows 29 parking spaces on site and a parking lot for 26 cars at the end of 12th Street. The new parking deck on site will displace the existing 18 to 19 parking spaces currently leased and used on a daily basis by nearby businesses. Where will these existing parking patrons park?

The parking lot at the end of 12th Street is not a part of this submittal and should not be used as support for this submittal. This parking lot may or may not be built and may or may not be approved. Even if the parking lot gets built, it should only be considered as a temporary lot since the owner has stated that they intend to put a building on this site in the near future.

- Parking on the street is extremely limited already due to other recent developments. Allowing the requested zoning density increase will create a problem for the residents living on 12th Street especially the low-income residents who cannot afford to rent parking spaces at the casino parking garage or other lots for \$80 to \$100/month. All existing parking spaces are usually taken. Friends and relatives coming to visit anyone on the block much less the proposed new 56 units will not have a place to park.

Delivery trucks and residents park in the middle of the street, blocking traffic in order to drop off their items. Often this is the only alternative because this is a narrow one way (East) one lane street with parking on both sides.

The increase in the number of residential units allowed by code is a problem. To increase the number of units to two and a half times only compounds the issue of the existing conditions.

Since the development of the new bars and restaurants at 12th and Broadway there has been an increase of visitors from outside the neighborhood driving to this location. The Final Friday Art event at the Pendleton Art Center brings an increase in traffic on Twelfth Street by visitors looking for free parking. The approved development at Sycamore and Twelfth with 156 units will also add to this already congested one-way street.

The design of this building ignores several of the basic OTR Historic Guidelines meant to preserve and protect this neighborhood.

- Solid to void ratio is not in proportion to the historic structures on the street.
- Rhythm and spacing of the façade elements do not work with those along the street.
- The proportions of the overall building façade of width to height reads as a long horizontal building, rather than vertical. The façade is flat without articulation or detailing to give it a vertical emphasis. The base of the building is shown recessed which emphasizes the long horizontal and gives the appearance of a floating building mass. The flat continuous uninterrupted roof line reinforces the horizontal line at the base to give the overall appearance of one large horizontal building. Any vertical elements on the building are lost because they have no connection to the base or ground except at the main entry.
- The design does have a base and middle but lacks a top.
- The renderings show street trees but none are shown on the plans. The plans do not show the existing street trees that will be lost.

A variance is being requested to reduce the buffer zone at the rear of the property. The plans show most of this area being used for exterior parking on a concrete pad which will be viewed from the existing buildings to the North and the new residential units above. This leaves very little room for landscaping and ways to make this area pleasant and attractive.

- The introduction of entry / exit garage openings and rolling metal open grate doors introduces elements onto the street that do not exist on any other building on the street. The garage openings create an element that contrasts to the existing materials, character and rhythm of the other buildings and should not be allowed.

I own the firehouse property adjacent to this development, and I feel that it will adversely affect the quality of my environment because of the physical size of this new structure; placing my property in shade; cutting off the light coming into my windows; creating more street noise due to increased traffic and the increased number of residents living there.

This new development will isolate the firehouse and my neighbor from the rest of the historic part of the street. The firehouse was built around 1908 and was designed by Harry Hake and Associates, a prominent Cincinnati architectural firm who designed several of the neighborhood firehouses around Cincinnati.

This Firehouse # 42 was designed to serve the local Pendleton neighborhood using horse drawn wagons with large in-swinging wooden doors for access to the street. The small-scale significance of a neighborhood firehouse will be lost, being over powered by the size of the proposed adjacent development.

Many mornings, our parking lot access on the side is blocked by cars from people who could not find a place to park the night before, thereby not allowing access to our space until we locate the owner of the vehicle or until the car can be towed.

I am not opposed to a development on this site but the physical size of this development is out of place for this street.

There are two other potential large development sites in Pendleton, one across from the Pendleton Arts Center and the Verdin parking lot in front of the St. Paul's Church complex. If this is approved, it will set a precedent for the development of these other sites to be developed in the same style and manner. The historic residential character of the neighborhood will be lost.

Thank You for your consideration of these important matters.

Ken Jones
542 East Twelfth Street

Attachment: Owner's Twelfth Street Elevation

Johnson, Beth

From: Michelle Avery Keely <avery.keely@gmail.com>
Sent: Tuesday, December 04, 2018 2:42 PM
To: Johnson, Beth; Shad, Matthew
Subject: [External Email] Opposition to 528 E 12th Street Development Proposal

External Email Communication

To Whom it may Concern:

I am opposed to residential project under consideration for 528 East 12th Street.

I have worked as an architect for 30 years out of the firehouse at 542 E. 12th Street, adjacent to the east of the proposed structure. During this time I have worked with Ken Jones and we have been dedicated to the historic preservation of the Pendleton neighborhood and Over the Rhine. All of our OTR projects during these thirty or more years have followed the OTR Historic Guidelines. This historic area has become a major attraction to bring locals and tourists to downtown and is attracting development; I would like to see responsible development that is respectful of the historic district, and creates a livable pleasant environment that is diverse and inclusive. Adherence to the OTR Historic Guidelines and long-studied city zoning codes have served us well for the most part to get us to this point.

The appeal of the OTR building stock is due not only to the historic architecture but also to the human scale and details of the structures, and the inviting street level design for pedestrian interaction. Why ignore this recipe for success by constructing such a massive 5-story densely populated 150' foot wide automobile-oriented building on a street block where most buildings are 3-stories tall and 25' wide or less? A design that does not relate to the unique architecture of OTR and looks like it could be built anywhere. The proposed building is an over sized 5-story modern block with a 150' long continuous, flat, straight line at the base and top, unresponsive to the historic building pattern and sloped street. Too tall-too massive-this does not fit the character of this block and is not in compliance with OTR Historic Guidelines!

The OTR Historic Guidelines state that "The height of new construction should not vary more than one story from adjacent contributing buildings." That is buildings with an "s", plural, meaning that the new building should not vary by more than one-story from the adjacent two-story firehouse on the east. Instead the proposed five-story structure is three stories taller than the adjacent historically significant firehouse and dwarfs it, four stories above the one story structure (South) across the street from this proposed project, and at least two stories taller on average than the historic block of structures in general. The south side of 12th street in this block contains structures almost exclusively three-stories or less. And the north side of the street has mostly three story structures with a few that are four stories. The proposed five-story height will loom over the surrounding buildings and block the light and views.

The zoning designation for the proposed site is CC-P, which is Pedestrian oriented Commercial Community. The ground level design along the street does not meet the zoning intent for being pedestrian-oriented, it is auto-oriented.

The proposed increased density for this project will be a problem for traffic on this street. It is already quite congested with the development that is already here. 12th Street in this block has street parking on both sides and only one one-way lane for driving which is often blocked by cars or trucks

double-parked in order to facilitate pickup and drop off of people and things like groceries etc. Most of the time there are no available parking spaces for residents who do not have off-street parking, many of whom have lived here a long time and rely on their cars. The street blockages and congestion will get worse as the new development would overwhelm the already saturated street parking. Life for the current residents of the street will become very inconvenient.

I don't see what the Public benefit will be for allowing so many variances and ignoring key parts of the OTR Historic Guidelines, against all previous city planning efforts and to the detriment of the quality of life for longtime residential and business occupants of this street block. Please do not jeopardize the OTR historic district quality and cohesiveness that has been hard fought (and won) by preservation advocates for several decades. Please consider the risks and harm and require a development that is a lower height, less dense and more compatible with this historic neighborhood.

Sincerely,
Michelle Avery Keely
Architect
Ken Jones & Associates
542 East 12th Street
Cincinnati OH 45223

 ReplyForward

Johnson, Beth

From: mary hennen <henms34@yahoo.com>
Sent: Sunday, December 09, 2018 2:28 PM
To: Johnson, Beth
Cc: Shad, Matthew
Subject: [External Email] zone variance for 528 E 12th St

External Email Communication

To Whom It May Concern: I have called Pendleton my neighborhood for 23 years and presently live at 542 E 12th St, directly next door to the proposed Urbansites development, the project about which I write today to voice concerns. I am quite familiar with the lot in question, having managed the River City Works Sculpture Center of the Art Academy of Cincinnati from 1995 to 2005 in the present facilities on that property at 528 E 12th St. (We used a 532 E 12th St mailing address). To begin, I am not in opposition to development of this lot, but I do have concerns. **FIRST**, I am not thrilled with the design, or lack of. It fails to integrate itself into its surroundings, refusing to reflect any of the distinctive historical detail continuously present up and down the street, instead choosing to present a redundant pattern over the extremely large facade. **SECOND**, I am not happy with the height. Though I am aware that existing code would allow for a fifth floor, nowhere on East 12th St does a residential building rise more than four floors, facades varying almost entirely between three and four floors. **THIRD**, the continuous, unbroken facade of the proposed building is of a length found nowhere else on East 12th St. Even the roof line is a straight edge. The existing fluctuating roof lines, occasional gaps between buildings and windows that refuse to line up from building to building, are the visual elements that color the story of this historical neighborhood with a palette rich in diversity. The building being proposed offers none of this, instead presenting a giant block of a nondescript nature that will dwarf everything around and stand out like a sore thumb. **FOURTH**, I submit that 56 new units will produce a parking nightmare. The 29 parking spaces on the first floor are totally inadequate. On-street parking at night is already exhausted by both 12th and 13th St residents everyday. Daytime parking is almost as bad with the addition of daytime downtown employees. Also, 7 to 8 on-street parking spaces will be lost to this development. The promise of additional parking spaces at the end of the street, is just that, a promise, since the property is still up for sale. **FIFTH**, and most importantly, I am very concerned with the density relief they are requesting for this project, an increase of 143%! At 56 units, I conservatively estimate 76 tenants in the building, a number that could easily match or exceed the present number of residents on the street. This calculation is hard to figure since the 2010 Census says Pendleton population was 900 while a 2018 statisticalatlas.com report says the population is 495. Either way, there is no question Pendleton could accommodate more residents, just not all on ONE lot. **CONGESTION** is defined as excessive fullness, while **DENSE** means a crowding together of parts, both terms expressing a negative connotation. Let's support residential development, but spread the wealth around the neighborhood. **FINALLY**, I fear that approving this variance for increased density would set a new precedent, easily applicable to several other open lots in the neighborhood. **PLEASE**, let's respect the heritage of this neighborhood in our on-going developments and not **OVERREACH!** Thank you. Jack Hennen

Dear Members of the Historic Conservation Board, Ms Johnson, and Mr Shad

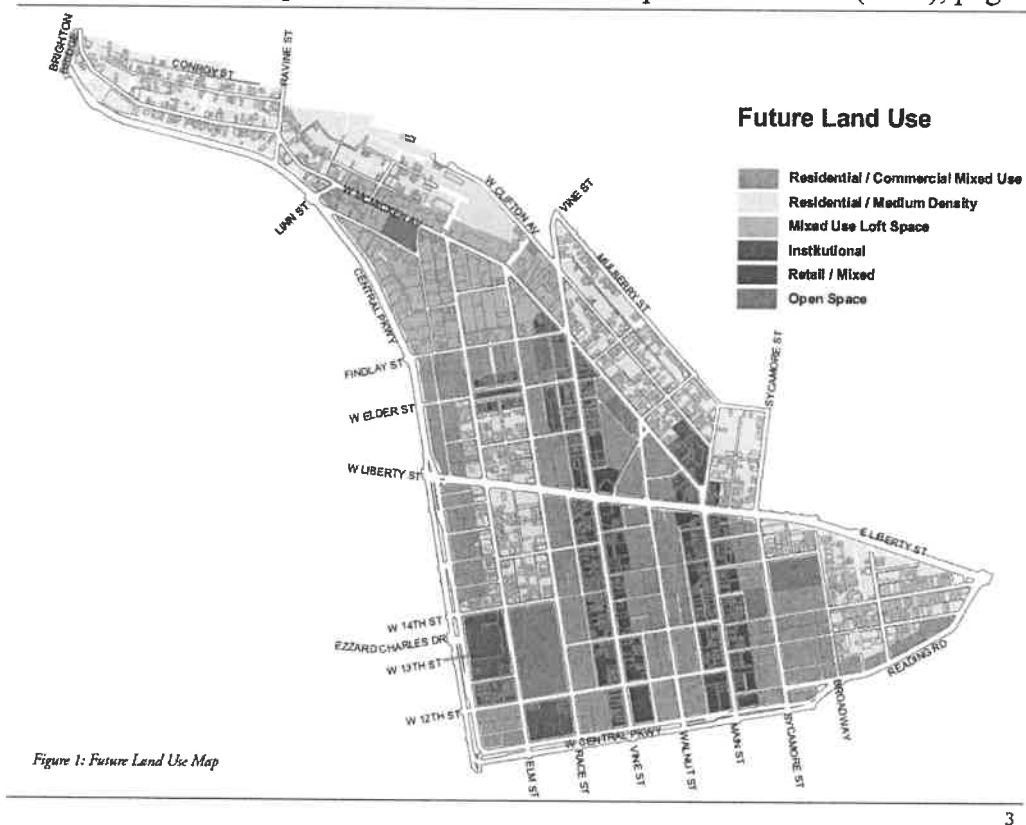
To build a new residential building, the Property Owner is requesting a COA based on substantial deviations from most if not all applicable laws.

If the Owner's requests are approved, the development would be entirely out of compliance with all applicable laws, rules, regulations, and plans for the Over-the-Rhine Historic District.

The most appropriate way to not negatively impact the urban fabric and historic character of the neighborhood, and its sub areas, would be for Owner's proposal to conform in its entirety to the City's zoning code, its historic preservation ordinances, the Over-the-Rhine Historic Guidelines, and the 2002 Over-the-Rhine Comprehensive Plan.

A. DENSITY

Future Land Use Map: The Over-the-Rhine Comprehensive Plan (2002), page 3:



Accompanying text for the above Future Land Use Map is continued on the next page (page 2 herein).

The text to the Future Land Use Map is set forth below. This text and map in turn informed the City's 2004 Zoning Map:

2. The residential/medium-density areas represent places where residential reuses will be created at a lower-density level. The buildings in these areas lend themselves more to single- and two-family housing, and homeownership will be encouraged. Since there are fewer opportunities for commercial concerns, the overall character of these parts of the neighborhood will be strongly residential.

The 2002 Over-the-Rhine Comprehensive Plan;
A consensus-based plan by people who care, Page 2

https://www.cincinnati-oh.gov/planning/assets/File/2002_otr_comprehensive_plan.pdf

Further, the City's recent Land Development Plan shows a strong preference for low- to mid density:

See Page 2:

<https://www.cincinnati-oh.gov/buildings/zoning-administration/compare-side-by-side-maps/pendleton-side-by-side-map/>

The Owner's request for a high density development project is out of compliance with the City's Zoning Code and the City's plans for Over-the-Rhine.

The Owner's plan blows out the order of things to which people are depending on to live well, to work here, and to invest sensibly. Laws and plans are supposed to produce stability and security.

If the City's own plans and zoning code are overruled or nullified, the new building including its site plan will irreparably and negatively affect the neighborhood, its residents, and other property owners.

If the rules are changed to accommodate this one property owner, the project will negatively impact everything and everyone around it.

Please do not harm other people in order to provide one property owner an advantage not needed, not wanted, nor justified.

B. COMPATIBILITY

1. There is no valid reason why the design of a new residential building composed of new industrially-made materials (compared to old, hand-crafted ones) is not capable of encompassing a character compatible with other residential buildings in OTR.
 - A. Between the polar ends of the spectrum—that is, between Compatible and Stark Contrast—a new building in an historic district should be designed so as to lie closest to the compatible end of the spectrum.
 - B. As proposed, this building is not harmonious, not even compatible, with the other buildings in the area or the district. The new building's proposed mass, scale, and design are entirely inappropriate. As proposed, the new building would dominate its nearest residential neighbors but also the historic firehouse.

This building however, if approved, would stand in stark contrast to the existing historic residential buildings located beside it, in front of it and behind it. It would overwhelm its neighbors to the east too: namely, the firehouse and the former labor-union hall (now a residence).

The proposed design is a poor fit with the other buildings on East 12th Street.

2. While trying to justify the contrast with the nearby residential buildings, the design professionals claimed their design is in fact consistent with the OTR Guidelines because the new building is compatible with nearby *commercial* buildings.

The professionals claimed they took their design cues from the historic *commercial* buildings lining Reading Road. When asked why the design cannot be compatible with nearby historic residential buildings lining East 12th and 13th Streets, no answer or justification was provided.

- A. The new building is a suburban-residential typology. By the late 70s, this style was overdone on the edges of suburban neighborhoods and along the interstates everywhere. It is a ubiquitous style, and particularly for an urban, historic district such as Over-the-Rhine, a clumsy style.
- B. The proposed design, in all of its bulk, along with its exposed car port and front-facing garage doors, would fit in with the mid- to late 20th century buildings in Sharonville or Hebron, but not Over-the-Rhine in Cincinnati.
- C. It is a style not becoming of any of our nation's diverse historic districts such as Santa Fe NM, Charleston SC, New Orleans LA, Greenwich Village NY, and Mariemont OH.

Down the road in the little Village of Mariemont Ohio, a number of new residential buildings have been designed, approved and built. Those residential buildings fit in beautifully with the historic character of the village; the new buildings are highly compatible and appropriate. Moreover, they are successful.

While the architectural styles desired for the Village of Mariemont would not be compatible for Over-the-Rhine, the Owner's current proposed design is not appropriate for any of America's 19th century (or earlier) historic districts including OTR or Mariemont.

From reading Mariemont's historic preservation ordinance, a mid- to late 20th century suburban typology would not be deemed compatible with the character of their historic district nor their many landmarked buildings, parks, and sites.

Village of Mariemont; Code of Ordinances; Title XV, Land Usage

151.075 Historic District

(H) *Regulations governing site modifications, new structures, alterations, and demolitions.*

(2) *Standards for review: design requirements for certificate of appropriateness.* The Architectural Review Board, in deciding whether to issue a certificate of appropriateness, shall determine that the application under consideration promotes, preserves, and enhances the distinctive historical integrity of the landmark structure as set forth in division (F) above, as well as the historical village character of the community and would not be at variance with existing structures within that portion of the district in which the structure is or is proposed to be located. In conducting its review the Board shall make examination and give consideration to the elements of the application including, but not necessarily limited to:

(o) Design requirements for other buildings in historic districts.

1. New buildings shall be similar in size, scale, mass, and *architectural style* to the surrounding landmark structures.

2. New buildings shall have exterior material of painted wood, material that simulates painted wood, brick, stucco, or stone masonry. *Windows shall be similar to those of adjacent landmark structures.*

3. Overall building height-to-width ratios, chimney construction, roof pitch, and other pertinent data, as deemed important to the overall building appearance, to assure reasonable adherence to the landmark structures adjacent shall be considered in the design of any new or replacement structure.

4. To maintain the stature of landmark structures, the footprint of any building erected on a lot that was created by the subdivision of a lot containing a landmark structure shall not exceed 100% of the area covered by the foot print of the landmark structure.

<http://www.mariemont.org/services/building.html>

D. There are no architectural styles listed in Cincinnati's historic preservation ordinance or in the OTR Guidelines. None is expressly mandated but also none is expressly prohibited.

E. Compatibility is largely an expression of the following general ideas:

- 1) How the building will be used, e.g., its purpose.
- 2) The proposed design should take its cues or design language from surrounding buildings.
- 3) The existing adjacent and nearby historic buildings should be protected, including how they are arranged, used, and enjoyed. Plus the street itself, which everyone must use, should be considered. But also, all the valuable amenities and components constituting the public realm including neighbors' light, air, space and privacy should be protected. Otherwise the new building – now bulked up in height, mass, scale, and density – becomes parasitic, domineering, and intrusive to its historic neighbors, nearby occupants, and the street.

F. The proposed design is a massive, out-of-scale 'object' building with a car port. The design is a stark contrast to the other residential buildings which define the street as largely residential. This new building reads late 20th century suburban rental, a clear affront to the character-defining buildings built and belonging (together) in the OTR Historic District.

- 1) In historic districts, churches read as houses of worship; residential buildings read as houses; fire houses read as fire protection; commercial buildings read as businesses, warehouses, small manufacturers; stables read as transport; markets read as fresh food, goods, and supplies, and so on.
- 2) Up until the early 20th century, the arrangement of compositional elements of buildings, streets and the public realm created a cohesive language understood by the people who lived, visited, worked, and traded in the neighborhood. Citizens and visitors knew the language of basic architecture. They could read the buildings and structures surrounding them. Buildings and structures were purposefully designed to be character-defining and as such defined the street, the neighborhood, and the city, regardless whether the buildings or structures were small, large, simple or ornate. As an ensemble, the buildings were superb.
- 3) The architectural style of a large, new *residential* building in OTR should be compatible with its *residential* neighbors, and not be compatible only with suburban-styled residential buildings found in most US cities and towns. Or equally inappropriate, should not be compatible only with the historic commercial buildings lining Reading Road. Those buildings were designed as warehouses and small manufacturing plants.

As currently proposed, the new residential building would be a drastic change from the existing streetscape within the historic district.

G. Compatibility is not simply a question of architectural style. There are many styles, including styles within styles, existing in OTR. Again, the Guidelines do not prescribe styles.

- 1) The best way to make buildings from different centuries and styles compatible is for them to share the same generative principles about size, scale, space, mass, height,

structure, materials, elements, composition, proportion, and ornament which all together infer a neighborhood's character. When these principles are shared by buildings along the street, then buildings and structures will be compatible regardless of size or style. But when a building's design is intentionally meant to be oppositional to these principles, no alignment of windows and doors will be sufficient to maintain a harmonious whole or serve to protect the district's character.

- 2) Very few of the nearly 1500 historic buildings in OTR are exact copies. But each building tends to respect the traditional patterns and characteristics which people built, maintained and cherished.
 - 3) The survival of the valued character of OTR and its significance to our city is worth some effort from all of us.
3. The proposed work is not compatible with the predominant or prevailing land use, building and structure patterns of the neighborhood surrounding the proposed development, and will have a material net cumulative adverse impact on the neighborhood.

The proposed use of a residential development with residential on the upper stories and a car port on the first floor is not allowable and is out of character upon the particular block face of East 12th Street, with the predominant first story facades incorporating residential uses along the street. Regardless of use, the building design is not compatible with the neighborhood, particularly in terms of scale, height, mass and density.

4. Front-loaded garage doors are not compatible, are not appropriate in the OTR Historic District.

C. TRAFFIC and PARKING on East 12th Street

Traffic congestion frequently occurs on this narrow, one-way street.

When people need to load or off-load people or supplies, they double park. When moving in or out of apartments, people must double park. When contractors need to repair buildings, they double park. When commuters leave downtown during the work week, they cut through East 12th Street to access Reading Road and I-71. Their vehicles are backed up on 12th Street, waiting for a green light during evening commuting hours (4-7pm).

On-street parking shortages are severe. The shortages are painful for existing residents and for property owners trying to rent apartments.

While the 500 block of E 12th Street has many off-street parking lots, most are dedicated to users for a specific building or not affordable for residents.

The street's residents do not currently enjoy having a Residential-Only Permit Parking Program and for reasons which remain unclear. However, even with an RPPP implemented, only so many on-street spaces are available for residents.

A high-density project will only exacerbate these conditions, an already untenable situation.

The Owner's parking plan should be to put ingress-egress access to the car port from Bolivar Alley.

Bolivar Alley, which lies between 12th and 13th Streets, is wide enough to accommodate the residents' vehicles entering or exiting their car port, just as Goose Alley is wide enough to accommodate access to rear-loading garages and car ports.

Goose Alley lies east of the 1500 block of Race Street where several back-of-the-house garages exist. The same principles which apply to Goose Alley also apply to Ray Alley, located between Spring Street and Pendleton Street. The paved area of Bolivar Alley is even wider than Goose or Ray Alleys.

The proposed use of a residential development with residential over a car port on the first floor, with front-loaded garage doors, is not allowable and is out of character upon the particular block face of East 12th Street. Regardless of use, the building design is not compatible with the neighborhood, particularly in terms of scale, height, mass and density.

D. GUIDELINES

The proposed work does not substantially conform to the guidelines for the Over-the-Rhine Conservation District.

E. BUFFERING

Appropriate buffering is not provided to protect adjacent uses or properties from light, noise, visual impacts, and other harmful environmental changes.

F. ADVERSE EFFECTS

The adverse effects which neighbors have been concerned with regarding parking, mass, size, scale, height and density have not been properly addressed by either the applicant or by changes in law.

There is significant opposition to this project relevant to the density and the design of the project.

Approximately 9-10 people appeared for the pre-hearing objecting to the project's design parameters, plus a number of letters have been sent regarding the project. Neighbors on all sides of the project object to the project.

Staff and HCB members are respectfully being asked to not ignore other property owners but also those who are currently living near the property who are not supportive of the development and have valid concerns about the adverse effect that over 2x the density will have on their properties, residencies, and their street.

In closing, I hope the Board and Staff Professionals make the determination that per Section 1435-05-4:

1. Such relief from literal implication of the Zoning Code will be materially detrimental to the public health, safety and welfare or injurious to property within the district or vicinity where property.
2. The applicants have failed to demonstrate that the proposed project is the only economically viable project at the site.
3. Property Owners and residents who are adjacent to the property on all four sides of the building object to the project.
4. And Further, the design is not appropriate; it does not substantially conform to the Guidelines.

Respectfully submitted,

Myra Greenberg
Over-the-Rhine resident