Call the meeting to order.

CONSENT ITEMS:

LOCAL HISTORIC LANDMARK DESIGNATION

1. 299 East 6th Street, requesting consideration of the property known as the Duttenhoffer Building, for local designation as a local historic landmark in the Cincinnati CBD. The owner wishes to convert the property into a boutique hotel in the downtown area. The purpose for designation would be to support its submission for a State of Ohio Tax Credit application. (Harris 3 pm)

DISCUSSION ITEMS:

CERTIFICATE OF APPROPRIATENESS

2. 2421 Auburn Avenue, demolish a former carriage house, Auburn Avenue Historic District (Kellam 3:30 pm)

CERTIFICATE OF APPROPRIATENESS, HILLSIDE REVIEW AND ZONING VARIANCES

3. 503 Milton Street, construct a single-family house, Prospect Hill Historic District (Kellam 4:00 pm)

USE VARIANCE

4. 404-406 E. 12th Street, office use on first and second floor, Over-the-Rhine Historic District (Kellam 4:30 pm)

PRELIMINARY DESIGN REVIEW

5. 1207 Elm Street, conversion of existing a men’s transitional housing facility to a single family residence with 4 car tandem garage and roof decks. (Harris 5:00 pm)

ADJOURN
SUBJECT: NOMINATION OF THE DUTTENHOFER BUILDING
AT 299 EAST 6TH STREET BUILDING,
CINCINNATI, OHIO AS AN LOCAL HISTORIC LANDMARK IN THE
CENTRAL BUSINESS DISTRICT

Applicant: Margo Warminski, Cincinnati Preservation Association.

Type of Work: Nomination of 299 East 6th Street also known as the Duttenhofer Building as a Local Historic Landmark. The nomination request includes the structure itself and not the parcels upon which the structure is located.

Background: The Urban Conservator was contacted in April 17, 2015 by the Cincinnati Preservation Association, requesting consideration of the property located at 299 East 6th Street, known as the Duttenhofer Building, for local designation as a historic landmark in the Cincinnati CBD. The owner wishes to convert the property into boutique hotel in the downtown area. The purpose for designation of property would be to support its submission for a State of Ohio Tax Credit application with the local landmark status which is essential in the competition to receive State of Ohio tax credits.

Staff has communicated with the applicant to work through the nomination process reviewing the draft document and requesting minor changes to the form and requesting addition mapping to specify the boundary of the parcels included in the nomination. The applicant has submitted the required minor changes to meet staff request. Notification was emailed to the surrounding owners and the CBD community council informing them of the requested designation.

A pre-hearing was held for the nomination request on April 28, 2015. The applicant and architect for the new owner were in attendance.

Description and Findings: Attached to this cover report are the Designation Report with appendix, boundary maps, and the Conservation Guidelines for the Duttenhofer Building. These materials, along with the HCB’s recommendation, public statements presented to the HCB at the hearing and any correspondence received will be presented to the City Planning Commission at a second public hearing to be held on the issue. HCB members should refer to the attached Designation Report for delineation of the proposed boundaries and a detailed report of the structure’s historic and architectural significance. Staff has attached the Designation Report and applicant’s conservation guidelines at the end of this cover report.

Staff finds that, based on the attributes of the structure and parcel as set forth in the Designation Report, that the application for the nomination for the Duttenhofer Building meets the requirements prescribed in Chapter 1435, specifically §1435-07-1, “Becoming a Becoming a Historic Structure; Determination of Historic Significance”.

The Cincinnati Zoning Code (CZC) § 1435-07-1(a), specifies that a structure or group of structures may be deemed as having Historic Significance if it has at least one of the following attributes:

1. Association with events that have made a significant contribution to the broad patterns of our history; or
2. Association with the lives of persons significant in our past; or
3. Embodies the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. That has yielded, or may be likely to yield, information important in prehistory or history.

The applicant is nominating the Duttenhofer Building under Criterion 1 and 3 above. As stated from the designation report, Criterion 1 is the association “with events that have made a significant contribution to the broad patterns of our history.” Under Criterion 1, The Duttenhofer Building is the sole surviving structure associated with Val Duttenhofer Sons, one of the country’s largest shoe manufacturers, in an era when Cincinnati ranked as the nation’s second-largest manufacturer of shoes. The building also meets Criterion 3 as a significant example of the Chicago Commercial style applied to a tall office building designed by a prominent local architect, Samuel S. Godley.

**Becoming a Historic Structure:** The procedure for the consideration of an application for the designation of a local Historic Landmark, Historic District or Historic Site is as follows per CZC § 1435-07-2-B, “Report, Public Hearing and Decision”.

a) **Report.** Within sixty (60) days of the receipt of a completed designation application, the Urban Conservator has the duty to prepare and send to the Historic Conservation Board a report and proposed conservation guidelines for the Historic Landmark, Historic District or Historic Site and a proposed boundary map for any Historic District. For a proposed Historic District, the Urban Conservator shall prepare and send to the Historic Conservation Board a list of all structures within the proposed Historic District that the Urban Conservator considers to be Non-Contributing Structures. Not later than thirty (30) days after receipt of the Urban Conservator's report and proposed conservation guidelines, the Historic Conservation Board shall schedule a public hearing on the proposed designation.

b) **Historic Conservation Board.** After a public hearing on the proposed designation, the Historic Conservation Board has the duty to decide whether to recommend designation of the proposed Historic Landmark, Historic District or Historic Site and forward its decision, whether favorable or not, along with the proposed conservation guidelines to the City Planning Commission.

c) **City Planning Commission.** Within thirty (30) days of the transmittal of the decision and recommendation of the Historic Conservation Board, the City Planning Commission shall hold a public hearing to determine whether to follow the recommendation of the Historic Conservation Board.

In making such determination, the City Planning Commission shall consider all of the following factors:

1) The relationship of the proposed designation to the comprehensive plans of the city and of the community in which the proposed Historic Landmark, Historic District or Historic Site is located; and
2) The effect of the proposed designation on the surrounding areas and economic development plans of the city; and
3) Such other planning and historic preservation considerations as may be relevant to the proposed designation.
After a public hearing on the proposed designation and conservation guidelines, the City Planning Commission has the duty to decide whether to approve or disapprove the designation and forward its decision, whether favorable or not, along with the conservation guidelines to Council.

\textit{Council.} Upon receipt of the decision of the City Planning Commission, Council shall vote to ordain or overrule the City Planning Commission's decision. A simple majority of the members elected to Council is required to ordain a designation; provided, however, if the City Planning Commission disapproves the designation, a two-thirds majority vote of Council is required to overrule the City Planning Commission's decision.

\textbf{Recommendation}: Staff recommends that the Historic Conservation Board favorably recommend to the Cincinnati City Planning Commission (CPC) and to Cincinnati City Council (CC) the designation of the “Duttenhofer Building,” as a local Historic Landmark, having met the conditions of §1435-07-1, including the adoption of the Historic Conservation Guidelines.

\textbf{APPROVED}:

Larry D. Harris  
Urban Conservator
Figure 1- 299 East 6th Street Site Map
INTRODUCTION

This report represents the finding and recommendations for local Historic Landmark designation of the Duttenhoffer Building. Margo Warminski of the Cincinnati Preservation Association prepared this report.

BACKGROUND

The owner has an interest in the preservation of the property for the future. The building is architecturally and historically significant as a good example of the Chicago Commercial Style built as an investment by one of the nation’s leading shoe makers during the heyday of shoe manufacturing in Cincinnati’s downtown core. It is presently over ninety percent vacant.

RESEARCH

Research was conducted using the resources of the Cincinnati Preservation Association, a National Register Preliminary Questionnaire prepared for the Ohio Historic Preservation Office by John T. Campo & Associates, and various online sources including the Public Library of Cincinnati and Hamilton County’s Virtual Library, Samuel Godley archive and Biographical Dictionary of Cincinnati Architects

STATEMENT OF SIGNIFICANCE

The Duttenhofer Building is significant in the context of shoe manufacturing in Cincinnati during the early 20th century and as an example of a Chicago Commercial Style tall office building of the era.

Shoe Manufacturing in Cincinnati

Shoes, especially women’s shoes, were one of Cincinnati’s major products of manufacture, in part due to the extensive slaughtering and pork packing industries which first developed in the 1820s. The leather industry was a thriving concern, with “the largest tannery in the world…located here in 1886 (The Industries of Cincinnati 1886: 101). The raw material was used in many of the city’s industries, including harnesses, saddlery, trunks, valises, as well as shoes and boots. Beginning as a cottage industry with skilled craftsmen, the shoe industry was revolutionized by machinery after the Civil War and led to a proliferation of factories by the 1890s…. By the early 1890s, there were over 30 firms employed over 4,000, mainly unskilled, workers (S. B. Nelson 1894: 315).

In the nineteenth century, Cincinnati was second only to Massachusetts in the manufacture of shoes and boots, and hosted a number of shoe companies which had their main factory in that New England state (The Industries of
By 1921, Cincinnati led Ohio in the manufacture of shoes, carrying on nearly half of the industry in the city (Adams 1921: 28). Unionization attempts in the 1920s led to both the relocation of several of the companies to other cities, but also the organization of the United States Shoe Corporation, or U.S. Shoe, which was one of the 500 largest companies in the nation in the early 1980s. (Rita Walsh, “Cincinnati East Manufacturing and Warehouse District,” National Register nomination, 1998).

The shoe industry was concentrated in downtown’s eastern fringe, between Seventh, Court, Sycamore and Eggleston streets. This area developed as an industrial center in the early 19th century because of its proximity to the Miami-Erie Canal to the north and east. Its position later was enhanced by construction of the depot of the city’s first railroad, the Little Miami, at the foot of what is now Eggleston. By the late 19th century, many shoe manufacturers were housed in the area as well as warehouses, wholesalers and a “remarkable number of printing, paper, and inks businesses” (ibid.).

The shoe manufacturing industry, including such related and subsidiary concerns as shoe dressing, shoe counter manufacturer, factory supplies, and machinery were, by the late nineteenth century, concentrated along Sycamore Street and the adjoining cross streets in the city’s eastern fringe area…. The area contained numerous manufacturing enterprises in addition to shoe-related industries. Several of these manufacturing activities continued into the twentieth century in the area…. (ibid.)

Shoe-industry related buildings in the nearby Cincinnati East Manufacturing and Warehouse District (National Register, 1998) include 212 East Ninth Street (Louis G. Freeman shoe manufacturing, c. 1880); 800 Sycamore Street (Sachs Shoe Manufacturing, c. 1890); 909-911 Sycamore Street (various shoe enterprises). The two-story building at 706 Sycamore Street housed a number of shoe manufacturers, as did the Power Building (1903; National Register, 1999) at 224 East Eighth Street (ibid.). The largest and oldest of the shoe manufacturing facilities is c. 1890 Kruipendorf-Dittman & Company building (Samuel Hannaford, architect; National Register, 1980) at Seventh and Sycamore streets, a block north of the Duttenhofer Building. A number of manufacturing enterprises in downtown’s eastern sector, including 12 shoe factories, were destroyed by one of the city’s worst fires in 1910 (ibid.).

Val Duttenhofer Sons in Cincinnati. Val Duttenhofer Shoes was founded c. 1889 in Cincinnati as a manufacturer of mid-priced women’s shoes. By 1890 the company was
located on the second floor of a building at Eighth and Sycamore streets, where they produced 60 pairs of women’s footwear per day. Val Duttenhofer’s sons, Val Jr. and John, learned the shoe trade from their father and took over management of the company in 1901. Val Duttenhofer Sons became a stock company in 1903 (www. http://urbanup.net/cities/ohio/cincinnati-ohio/downtown/duttenhofer-building/).

In the spring of 1907, Val Duttenhofer Sons acquired a factory at 741 Sycamore Street (no longer extant) for $185,000. By 1908, the company was manufacturing 4,000 pairs of shoes per day, with their plant having the ability to produce 4,500 daily. Production eventually increased to over eight thousand pairs per day, and the company became “one of the largest of its kind in the country” (Cincinnati Enquirer, “Val Duttenhofer Dead,” April 24, 1939).

In 1914, the company purchased a lot at the corner of Sixth and Sycamore streets for construction of an eight-story office building (later increased to ten stories). An item in The Bricklayer, Mason and Plasterer, Vol. XVIII, No. 1, from January 1915 noting a “store and loft building to cost $250,000” to be constructed by the Roche-Bruner Building Company in Cincinnati may refer to the Duttenhofer Building (The Bricklayer, Mason and Plasterer, Vol. XVIII, No. 1, January 1915).

The Duttenhofer Building was constructed as a speculative office building with the objective of leasing entire floors to tenants: a concept viewed as “something new” for the Cincinnati office market at the time. The following item appeared in the Cincinnati Enquirer on February 12, 1915:

Building Commissioner, Rendigs, yesterday issued a permit to Val Duttenhofer, Jr. for the construction of a ten-story office building, for the southwest corner of Sixth and Sycamore Streets. Work of erecting the buildings now on the site of the structure, which will be something new for Cincinnati, is already under way. The work to be performed by the Roche-Bruner Building Company will cost $184,000, which does not include the equipment. The property was acquired a little over a year ago by Mr. Duttenhofer, who is engaged in the shoe manufacturing business. The original plan called for an eight-story improvement which has been increased to one of the ten stories, not including the attic, the work being planned by Architects SS and GH Godley. It is proposed to rent each floor to firms who have use for office space of that size. Among the conveniences for the tenants will be a vacuum cleaning system, ice refrigerating plan, a fireproof vault on each floor and two high-speed passenger elevators and the same number for freight purposes. (“New Office Building,” Cincinnati Enquirer, February 12, 1915)
An undated promotional brochure for the Duttenhofer Building showed a “typical floor plan” in the new building consisting of an open space neatly punctuated by rows of columns, four across and seven deep. “The Storeroom [first-floor retail space] in the Duttenhofer Building is ideally located for exhibition and salesroom purposes. It carries with it over 12,000 square feet of space in basement.” The brochure went on to say that, “Ceilings in the Duttenhofer Building are unusually high. The window openings are large and have been designed to afford a maximum of light and ventilation. Natural light on four sides.” The building was to be “ready for occupancy” by December 1, 1915 (John T. Campo, “National Register Preliminary Questionnaire: The Duttenhoffer Building,” 2015).

Tenants in the Duttenhofer Building as of 1918 and 1920 included the following:

- the Southern Railway System
- the Ohio National Life Insurance Company
- various divisions of the Industrial Commission of Ohio
- the Department of Synagogue and School Extension of the Union of American Hebrew Congregations
- the Premier Pattern Company, shoe pattern manufacturers
- the William H. Klonne & Company, importers and jobbers of woolens
- the Corticelli Silk Company. (Williams Directory Company, Cincinnati City Directory, 1918, 1920; Williams’ Cincinnati Industrial, Mercantile and Professional Register, 1918).

In 1922 over six thousand Cincinnati shoeworkers went to strike to protest the Cincinnati Boot and Shoe Manufacturers’ demand to reduce union wages by 10 percent. During the seven-month duration of the strike fewer than 100 laborers returned to work. The walkout ended in November 1922 when an agreement for a five percent reduction was reached between manufacturers and laborers. During the duration of the strike Duttenhofer’s Sons relocated to two out-of-town factories in order to continue production and never returned to Cincinnati. The company dissolved five years later. Val Duttenhofer, Jr., spent the remainder of his life in the real estate business, in both Cincinnati and Florida. He died in 1939 (Enquirer, ibid.).

**Later Users of the Building**

After Duttenhofer sold the building, it became the headquarters of the Union of American Hebrew Congregations (UAHC), an organization that supports Reform Jewish congregations in America, who had been meeting in the building since at
least 1920. Founded in 1873 in Cincinnati by Rabbi Isaac Mayer Wise, the organization originally was called the Union for Reform Judaism.

In 1963 the UAHC sold the Duttenhofer Building to Procter & Gamble for use as an auxiliary office building. Company offices occupied the first three floors, with the remaining levels leased to tenants (“P&G Moves 200 to Duttenhofer,” Cincinnati Enquirer, September 1, 1983). Procter & Gamble renovated the offices at a cost of $200,000 (“P&G To Alter Duttenhoffer Bldg.,” Cincinnati Enquirer, April 3, 1963). The company continued to own the building until 2014, when they sold it to the current owners.

**Architects**

According to architectural historian Walter E. Langsam, Samuel S. Godley, architect of the Duttenhofer Building, was “one of the most sophisticated designers of residences for both the Jewish and Gentile elites of the city for several decades. His residential clients included members of the Doepke, Duttenhofer, Feiss, Fleischmann, Freiberg, Heinsheimer, Herschede, Jacob, Kuhn, Mack, Mitchell, Prichard, Resor, Steinau, Strader, Wise, Wolf, and Workum families, all of whom had leading roles in the economic, social, and cultural life of the city” (“Biographical Dictionary of Cincinnati Architects,” http://www.architecturecincy.org/programs/biographical-dictionary-of-cincinnati-architects/g/).

Godley was a versatile architect whose work includes single- and multi-family residential buildings as well as commercial and industrial structures and distilleries. Some of his best-known works include the Beaux-Arts style Frank Herschede mansion (1908) at 3668 Reading Road in North Avondale and Queen Anne/Colonial Revival residences on Greendale Avenue in Clifton. He also designed Charles Fleischmann’s Henrietta Hotel in Avondale as well as a pair of large apartment buildings in the same neighborhood. Early in his career he drew plans for the Grove Park Inn in Asheville, North Carolina. In his later years, he worked with son G.H. Godley to design the Duttenhofer, Transport, Reakirt and Walsh buildings (ibid.).

**Commercial Style Architecture**

The Duttenhofer Building represents the Chicago Commercial style of architecture, which originated in the massive rebuilding of downtown Chicago following the devastating fire. Buildings in the style are characterized by the three-part arrangement characteristic of a classical column: a heavy, one- to two-story base, often rusticated,
with storefronts, classically inspired ornamentation and an interior cornice; upper stories with minimal ornamentation (the “shaft”); and a terminating cornice (“capital”), typically with bracketed and modillioned. The use of steel-frame construction with masonry cladding allowed the use of open, flexible floor plans and large, plate-glass, triple windows, known as “Chicago windows,” for ample light and air. Strong vertical lines carry the eye upward. The Duttenhofer Building displays the tripartite form, pier-and-spandrel façade arrangements, large window openings, and simple, classically inspired ornamentation characteristic of many Commercial Style buildings.

The Chicago Commercial Style dominated the early 20th c. skyline of downtown Cincinnati. Notable examples include the four towering steel-frame office buildings designed by Chicago architect Daniel Burnham in the 1900s: the Union Trust (1901; National Register, 2006), First National (1904), Fourth National (1905) and Traction (1903) buildings, as well as the Mercantile Library Building (1908) by Joseph Steinkamp & Brother and the concrete-frame Ingalls Building (1904; National Register, 1975) by Elzner & Anderson.

DESCRIPTION OF PROPERTY

The Duttenhofer Building is located at 299 East Sixth Street, at the southwest corner of Sycamore Street. The Commercial Style building was built in 1916 as a speculative office building for Val Duttenhofer and Sons, shoe manufacturers.

Setting

The Duttenhofer Building is located in the financial district of downtown Cincinnati, one block northeast of Fountain Square. To the north is the Gwynne Building (1916; National Register, 1979), a Beaux Arts office tower designed by Ernest Flagg, adjoined by two low-rise commercial structures and a parking lot. To the east is the office campus of the Procter & Gamble Company (primary building: Kohn, Pederson & Fox, 1985). To the south is an office tower built in 1984, fronting on Fifth Street. To the west is the Cincinnati Bar Building, a Commercial Style office building built in 1913. Public alleys bound the property on the south and west.

Site

The building occupies a level, rectangular .28-acre parcel. It is built to the lot lines and occupies the entire site.

Structure
**Description:** The Duttenhofer Building is a ten-story, reinforced-concrete structure with brick curtain walls, five bays wide and eight deep. It fronts north onto East Sixth Street and has a second street elevation along Sycamore Street. A built-up flat roof covers the structure. The building contains 125,100 square feet.

The building rises from a two-story, rusticated limestone “base” with full-height piers and gray granite plinth. Radiating stone voussoirs accent the corner façade bays. A simple stone interior cornice with dentil band defines the building “base.”

The upper stories (“shaft”) are clad in light brown brick and articulated by six-story piers. The large windows are set in slightly recessed spandrels with narrow stone sills. Brick string courses appear between the second and third stories. The third-story windows are finished with molded stone lintels. A denticulated interior cornice like that at the second story serves as a culminating element.

The building’s top two stories (“capital”) contain a wealth of detail. The brick piers are framed by quarter-round stone pilasters and culminate in fluted capitals with acanthine scrolls and egg-and-dart moldings. Above is a frieze with paneled brickwork, paired, flattened corbels vertically aligned with the piers, an endless chain carved in stone, and a plain brick parapet with stone coping. A cartouche bearing the carved initial “D” overlooks the intersection of Sixth and Sycamore streets. The entablature wraps around the building’s southeast and northwest corners.

Not visible from street level, the rooftop penthouse is a low, flat-roofed, utilitarian brick structure containing original wire glass windows with wood frames. A solid metal fence extends along the south edge of the roof.

The west and south facades are utilitarian in character, with the concrete and brick construction clearly evident. The bays at the west and south are bricked in, or infilled with vents; at the former window locations, the brickwork is recessed slightly to define the opening.

Inside, the original mailbox, mail chute and manager’s mezzanine have been retained in part of the interior. Original stile-and-rail doors remain in select locations.

**Alterations:** When the building was purchased by Procter & Gamble, numerous modifications were made to the exterior and interior. The storefronts were replaced with modern units, the openings cut down in size, and concave gray granite bulkheads added. The exterior doors were replaced with glazed anodized aluminum units and revolving doors. Brass canopies have been installed over the building entrances. The
windows have been replaced with new thermal windows with tinted transoms. The tripartite configuration, however, has been retained and the openings themselves have not been changed. The projecting cornice also was removed. A modern skywalk, which is scheduled for removal, was added to the east façade to connect to the Procter & Gamble headquarters. It is the owner’s intention to restore the façade in this location.

Inside, much of the interior was removed. The lobby walls were reclad in travertine marble and dropped ceilings and modern fixtures installed. Despite these changes, which largely are reversible, the building continues to “read” as a product of its time and place.

BOUNDARY

The property coincides with parcel number 078-0002-0023-00 of the Hamilton County Auditor’s records. The parcel is bounded on the north by East Sixth Street, the east by Sycamore Street, the south by Cuts Alley and the west by Leslie Alley.

JUSTIFICATION OF BOUNDARY

The above-listed is both the original and legally recorded boundary line for the property for which designation is being requested. The building occupies the entire parcel and no other structures are present. It excludes surrounding properties that were not part of the development and are under different ownership.

FINDINGS

According to Chapter 1435 of the Cincinnati Zoning Code (Historic Preservation) certain findings must be made before a historic structure can be designated by City Council. The structure must be found to have historic significance. Historic significance means that the attributes of a district, site or structure that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or
2. That are associated with the lives of persons significant in our past; or
3. That embody the distinctive characteristics of a type, period or method of construction, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. That have yielded, or may be likely to yield information important in history or prehistory.
The Duttenhofer Building has historic significance according to Chapter 1435 as defined under criterion 1. The building is the sole surviving structure associated with Val Duttenhofer Sons, one of the country’s largest shoe manufacturers, in an era when Cincinnati ranked as the nation’s second-largest manufacturer of shoes. Other buildings occupied by the firm in the city have been demolished. Landmark designation of the Duttenhofer Building will preserve a building associated with this important industry. The building also meets Criterion 3 as a significant example of the Chicago Commercial style applied to a tall office building designed by a prominent local architect.

PLANNING CONSIDERATIONS

In addition to the above-required findings, Chapter 1435-07-1 of the Cincinnati Municipal Code (Historic Preservation) lists other considerations that must be weighed when historic designation is considered, notably the relationship of the proposed designation to the comprehensive plans of the city and the community in which the proposed district is located. Historic designation and subsequent rehabilitation of the Duttenhofer Building will strongly support the vision of Plan Cincinnati.

Compatibility With Plan Cincinnati

Sustain Goal 2b: “Preserve our built history… Cincinnati’s rich history is best exemplified through our historic buildings and by the built environment that help define a neighborhood’s character.…” Landmark designation allows for historic rehabilitation of the Duttenhofer Building, which will preserve the building’s historic character and facilitate revitalization and reuse.

SUMMARY OF FINDINGS

The designation of the Duttenhofer Building meets the requirements of Chapter 1435 of the Cincinnati Zoning Code (Historic Preservation). The documentation in this designation report provides conclusive evidence that all required findings may be made for the proposed designation.

REFERENCES


“The Duttenhofer Building.” Available online at www.
http://urbanup.net/cities/ohio/cincinnati-ohio/downtown/duttenhofer-building/


“P&G Moves 200 to Duttenhofer.” Cincinnati Enquirer, September 1, 1983.


“Val Duttenhofer, Jr., Dead; Widely Known in Business; Helped to Found Auto Club.” Cincinnati Enquirer, April 24, 1939.


http://virtuallibrary.cincinnatilibrary.org/virtuallibrary/vl_citydir.aspx

---------. Williams’ Cincinnati Industrial, Mercantile and Professional Register. Cincinnati, Ohio: 1918. Available online at
http://virtuallibrary.cincinnatilibrary.org/virtuallibrary/vl_citydir.aspx
Duttenhofer Building
Cincinnati Landmark nomination

Property Photos

Existing Conditions
April, 2015
Duttenhofer Building
Cincinnati Landmark nomination

Sandborn map
Duttenhofer Building
Cincinnati Landmark nomination

Location map
Duttenhofer Building
Cincinnati Landmark nomination

Aerial View
Duttenhofer Building
Cincinnati Landmark Designation

Exterior Views
E_1 - Primary facades - North and East
E_2 - East and South facades
E_4 - North Facade at street level
E_5 - Cornice Detail

E_6 - Dentil Detail
Duttenhofer Building
Cincinnati Landmark Designation

Interior features
I_3 - Manager’s mezzanine - original windows

I_4 - Manager’s mezzanine - original frames
General Terminology

Within the context of these historic conservation guidelines, “Duttenhofer Building” refers the building located at 299 East Sixth Street. Vertical emphasis, symmetry and restrained classically inspired ornamentation are defining characteristics of the Chicago Commercial Style design of this building, and preservation of these attributes is critical to its integrity. The north and east facades of the building face East Sixth Street and Sycamore Street respectively. Therefore, within the context of these guidelines, these are defined as primary facades. The south (rear) and west elevations of the building, which face away from the streets toward alleys, are defined as non-primary or secondary façades.

Rehabilitation

Intent and General Guidelines

These guidelines are intended to ensure that rehabilitation will maintain significant features of the Duttenhofer Building. Guidelines are used by the Historic Conservation Board as a guide to assess the compatibility and appropriateness of proposed rehabilitation changes. Reviews by the Board are limited to exterior changes proposed for the buildings. Repair and maintenance not changing significant features and clearly complying with the intent of these guidelines does not require review by the Board. Alterations made to the interior are not purview of the Board, and are not subject to their review.

The following overarching approaches are recommended:

1. **Repair and Maintenance.** Ordinary repair and maintenance of like and kind to match the original construction, where visible and which does not change the appearance of the building, is acceptable under these guidelines. Rehabilitation may include preservation, restoration, reconstruction, or a combination of these, as appropriate and reasonable for the building.

2. **Maintenance.** Existing visible features that contribute to the overall character of the building on good condition should be maintained and where possible, preserved or conserved. Damaged visible features that can be repaired should be repaired rather than replaced wherever possible.

3. **Replacements.** Replacements of significant features badly damaged, deteriorated beyond reasonable repair, or missing shall sensitively harmonize
with characteristics of the original feature. Replication is appropriate, but not required.

**Specific Guidelines**

The following specific approaches to elements, features, and visible components are recommended:

1. **Materials**: Materials for visible features that are badly damaged, deteriorated beyond reasonable repair, or missing shall be replaced with materials or components that match as closely as possible the style, shape, color, treatments, and texture of elements replaced. Composition, type of joint, size of units, visible measures, placement, and detailing shall be appropriate for the buildings. Because of ongoing technological innovations, synthetic materials that closely match existing characteristics may be utilized.

2. **Door and Window Openings**: Among the important features of the Duttenhofer Building are their window and door openings. The size and location of openings are an essential part of their overall design and an important feature of their architectural design. Original wall openings shall not be significantly altered or filled in on primary facades. On secondary facades, original wall openings should not be significantly altered without consideration of their impact to the overall character of the original design.

3. **Doors and Window Sash**: Original doors and window sashes shall be repaired rather than replaced where feasible and where appropriate access and security can be achieved in compliance with building codes. If replacement of doors or windows becomes necessary due to deterioration or to replace missing or nonconforming units, new doors and windows on primary facades shall fill the original openings and be compatible with the building in scale, materials, size, type, kind, style, color, and finish as closely as possible. If reuse of historic windows is not feasible due to deterioration, new windows shall match originals as closely as possible in materials, scale, configuration, mullion style, size, and color. Minor variations in mullion and sash frame dimensions of replacement windows may be considered. Vinyl replacement windows or glass block windows shall not be used.

4. **Storefronts**: Nonconforming storefront features including doors, display windows, infill panels and canopies may be removed or replaced with new materials compatible with the building’s design.

5. **Ornamentation**: Significant architectural features of the Duttenhofer Building include the following: limestone: rusticated wall treatment and ornamentation including voussoirs, piers, dentils, frieze, carvings, cartouche, string courses and entablatures; brick: running-bond walls, piers, string courses; granite bulkheads; primary façade window openings. These features and other ornamental elements shall be preserved or conserved. Do not make replacements or substitutions of different scale, size, design, or incompatible materials. Replace ornamentation to match originals in character, scale, configuration, style, size texture, and color. Some synthetic materials including fiberglass castings or composite materials may be considered.
6. **Roofs:** Parapets and other architectural features that define the roofline of the buildings shall be preserved. On the primary facades, vents, skylights, rooftop utilities, equipment, and other roof elements shall be inconspicuously placed or screened where necessary.

7. **Painting:** Repaint building elements that have been historically painted. Stone and masonry that has not been painted in the past shall not be painted. Use colors that are appropriate to the building’s age, history, and style.

8. **Outside Attachments:** Exterior light fixtures should be appropriate to the style of the building, or simple and contemporary. Mercury vapor, high-pressure sodium, and other light sources that impart distortions of color when illuminated are not appropriate to primary facades. Exterior light fixtures shall be mounted or constructed so as not to cast undue glare onto neighboring buildings or damage the building on which they are mounted.

9. **Awnings.** Awnings are acceptable for seasonal use, provided they adhere to National Park Service Preservation Brief 44 for the use of awnings and historic buildings. Internally illuminated awnings are not acceptable.

10. **Noncontributing buildings.** There are no noncontributing structures covered by this designation.

**Additions, Exterior Alterations, Site Improvements and Alterations**

**Intent and General Guidelines**

1. **Additions:** Additions shall follow new construction guidelines, codes, and regulations and shall be limited to the non-primary façades. Any addition shall be compatible in character with the original building, with sensitivity to existing massing and scale, site, and appearance within the context of the original buildings. Additions shall be sympathetic, may be complementary, but should not be imitative in design. Additions should be designed to relate architecturally, not overwhelming the original building. Rooftop additions should be set back to minimize visibility.

2. **Alterations:** Alterations shall follow construction guidelines for alternations, codes, and regulations. Alterations shall not change or alter significant architectural features on primary facades. On the secondary facades, alterations shall be designed to minimize impact on the overall character of the facade on which the alteration occurs.

3. **Appropriateness:** The appropriateness of design solutions for additions and alterations should include the following.
   a. How well the proposed design for the addition or alteration relates to the original building and the neighboring buildings.
   b. How closely the proposed addition or alteration meets the general and specific intentions of these guidelines.
Site Improvements and Alterations

1. **Signs.** Signs should be designed for clarity, legibility, and compatibility with structures on the site. Their design should be simple and contemporary. Billboards, roof-top signs and internally illuminated signs are not permitted.

2. **Walls and Fences.** Not applicable

3. **Parking and paving.** Not applicable

4. **Landscaping.** Not applicable

5. **Support structures.** Not applicable

Demolition

Any demolition, alterations, or modifications to the Duttenhofer Building, and minimum maintenance requirements, are governed by Section 1435-09: Alterations and Demolitions; Certificates of Appropriateness; Minimum Maintenance, of the Cincinnati Zoning Code, ordained by Ordinance No. 217-2012, §1, effective July 20, 2012.
Honorable Historic Conservation Board
Cincinnati, Ohio

May 4, 2015

SUBJECT: CERTIFICATE OF APPROPRIATENESS
2421 AUBURN AVENUE
AUBURN AVENUE HISTORIC DISTRICT

APPLICANT AND OWNER:  Sean Suder, attorney representing the owner Dan Schimberg

TYPE OF REQUEST:  Demolish 2421 Auburn Avenue (former carriage house)

BACKGROUND AND DESCRIPTION:  This property is located on the west side of Auburn Avenue between E. McMillan and Hollister Streets. This garage building sits at the far rear of the parcel. The building is surrounded by a parking lot which serves the two neighboring offices. The proposal is to tear down the building for more surface parking. The applicant is not trying to make a case for economic hardship but instead a case that the building is no longer contributing in the district. See the attached letter (17 pages).

The building possibly appears on a 1904 insurance map and is labeled for auto use. Staff can’t confirm that is the same building that stands today. It appears to have been built as a carriage house/garage. Since then the building has been extremely altered and appears to have been converted to a residential or commercial use. The following alterations have occurred at this building:

1. The doors and windows are gone.
2. It has been covered in siding.
3. A chimney was added
4. The roof is deteriorating.
5. Meters for water and electric were added.
6. Cinderblock foundation and cinderblock interior walls

When the district was designated in 1988 the building was not listed on the noncontributing list but sometimes garages were overlooked in surveys.

DISCUSSION:  Based on the following alterations listed above staff finds that the building is not a contributing structure within the Auburn Avenue Historic District and its demolition will not adversely affect the character of the district.

RECOMMENDATION:  Staff recommends the Historic Conservation Board take the
following actions:

1. Approve a Certificate of Appropriateness for the demolition of 2421 Auburn Avenue finding that the building is not contributing to the district.
2. Approve a Certificate of Appropriateness for the resurfacing of the parking lot with the condition that a screening and landscape plan is submitted to staff for review and approval prior to any issuance of a COA or demolition/building permit.

Respectfully submitted,

Caroline Hardy Kellam
Senior City Planner

APPROVED:

Larry Harris
Urban Conservator
VIA HAND DELIVERY
City of Cincinnati Historic Conservation Board
c/o Urban Conservator
Department of City Planning and Buildings
805 Central Avenue, Suite 720
Two Centennial Plaza
Cincinnati, OH 45202

RE: Application for Certificate of Appropriateness ("Application") of Auburn Land Holdings LLC for Demolition of the Accessory Structure Located at 2421 Auburn Avenue, Cincinnati, Ohio (the "Property")

I. INTRODUCTION

This letter is written on behalf of Auburn Land Holdings LLC ("Auburn") in connection with the enclosed Application for Certificate of Appropriateness. Under Cincinnati Municipal Code Section 1435-09-2(a), Auburn is requesting the issuance of a certificate of appropriateness to demolish the orphaned accessory building (the "Accessory Building") on the Property. A certificate of appropriateness is justified in this case because the Accessory Building is a non-contributing building and its demolition will not adversely affect the character of the district. Therefore, Auburn's proposal for demolition substantially conforms to the Auburn Avenue Historic District Conservation Guidelines (the "Guidelines").

II. THE AUBURN AVENUE HISTORIC DISTRICT AND CONSERVATION GUIDELINES

The Auburn Avenue Historic District (the "District") is a linear district that is primarily oriented along Auburn Avenue between William Howard Taft Avenue and Sycamore Street in the Mt. Auburn neighborhood of Cincinnati. The historic significance of the District is characterized by large, eighteenth century residences built for prominent Cincinnatians who relocated from the urban basin.

Many of the former single-family residences in the District have been converted to offices for non-profit
organizations affiliated with nearby hospitals and the University of Cincinnati. Others have been converted to either multi-family residential uses or professional services offices. While several others were originally constructed as multi-family dwellings and remain as such. The Christ Hospital complex is located at the southern end of the District. In the immediate vicinity of the Property, the District includes parcels directly abutting Auburn Avenue and E. Hollister Street.

According to the Guidelines, development in the District began in the late 1830's and the most prominent historic structures in the District were constructed from 1839-1890 (see photos below of the historic structures specifically mentioned in the Guidelines). The District’s historical significance is rooted in the nineteenth century. By the twentieth century, the city’s development extended well beyond Mt. Auburn, and the District was well established until its decline in the later part of the twentieth century. There are approximately 20 non-contributing structures identified in the Guidelines. The Guidelines do not specifically address the treatment of accessory structures.
III. THE ACCESSORY BUILDING: BACKGROUND AND CONDITION

The approximately 1,296 square foot Accessory Building is located in the rear yard of Parcel Id. No. 089-0004-0038-00 ("Parcel 38"), between Auburn Avenue and Macauley Street. Parcel 38 shares an address of 2421 Auburn with the adjacent parcel to the north (Parcel Id. No. 089-0004-0037-00). Other than the Accessory Building, Parcel 38 is improved with a surface parking lot and associated drive aisles for use by the office building located on Parcel 37. (See aerial photo below). Auburn also owns Parcel 37.
The Accessory Building does not appear on the below map from 1878. It first appears on a Sanborn Map from 1904 (see next page). The 1904 map identifies the Accessory Building’s use for “1 Auto.” It also shows that it is located on the parcel identified on the map as 2421 Auburn Avenue. That map shows a larger building located at 2421 Auburn Avenue, which appears to be the building that is currently located on 2421 Auburn Avenue and is currently occupied by Cancer Family Care.
1904 Sanborn Map (Source: Hamilton County Library)
The Hamilton County Auditor’s online property records indicate that the Accessory Building was built in 1905 (see below).

It is unclear from historical maps and from the Accessory Building's orientation on Parcel 38 whether it was constructed as an accessory structure to the principal building located on Parcel 37 and/or the adjacent building located at 2415 Auburn Avenue. Upon inquiry, the Cincinnati Historical Society does not possess any photographs of the Accessory Building.

As a result of the 40-foot grade difference between Auburn Avenue and Macauley Street, the Accessory Building can be accessed from either Auburn Avenue or from Macauley Street. Macauley Street and the properties located thereon are not located in the District. (See map on
following page). It appears from the historical maps that Macauley Street was originally platted as Sycamore Street and that lots were created along it but were never developed.
The Accessory Building is constructed in part on a stone foundation and in part on a concrete block foundation (see photo below). The concrete block foundation appears that it may have been part of an addition, but the reason for the different foundations is unclear.
The Accessory Building is currently clad in vinyl siding, which is in poor condition. The original exterior materials type is unclear. Aluminum gutters, downspouts and soffits have been added and are conspicuous features of the façade. Please note that Auburn did not make any of these alterations.

Utility conduits and meters have been added to the façade in a conspicuous fashion. The Auburn Avenue facade has been altered to include vinyl-clad windows, a metal entry door, and a wrought-iron and glass storm door. The Accessory Building’s original exterior design is undetectable. All other windows are currently covered in plywood. The interior of the building has been altered significantly and is currently uninhabitable.
The following are views of the Accessory Building from the surrounding public rights-of-way along Auburn Avenue, E. McMillan Street, E. Hollister Street, and Macauley Street. They evidence that the character of the surrounding neighborhood will not be adversely affected by the demolition of the Accessory Building.
IV. CERTIFICATE OF APPROPRIATENESS ANALYSIS

The Accessory Building is a Non-Contributing Structure under CMC 1435-01-N1, which provides that “a ‘non-contributing structure’ is a structure located within a Historic District or Historic Site, or that is associated with a Historic Landmark, that does not have Historic Significance.”
While the Accessory Building is located in a Historic District, it does not have Historic Significance as defined in CMC 1435-01-H3 as follows:

‘Historic Significance’ means: (a) the attributes or characteristics of a district, site or structure that possess integrity of location, design, setting, materials, workmanship, feeling and association; (b) a district, site or structure that is associated with events that have made a contribution to the broad patterns of our history; (c) a district, site or structure that is associated with the lives of persons significant in the past; (d) a district, site or structure that embodies the distinctive characteristics of a type, period or method of construction; (e) a district, site or structure that represents a significant and distinguishable entity whose components may lack individual distinction; or (f) a district, site or structure that has yielded, or may be likely to yield, information important in prehistory or history.

The following addresses each of the above factors for determining historic significance:

(a) The Accessory Building was built in the twentieth century well after the most significant historic structures in the District – all of which were constructed in the nineteenth century. The architecture and materials of the Accessory Building do not relate to any other buildings in its immediate vicinity in the District. The Accessory Building is located in the rear yard of the property behind and downhill from a surface parking lot. It appears to have been constructed as a response to the proliferation of the automobile. While the proliferation of the automobile may be a transformational change in American society, preserving early twentieth-century auto-oriented development is not among the general characteristics of the District that are intended to be preserved by the Guidelines.

The Accessory Building is not associated with anything in the District. It is an orphaned accessory structure that relates more directly to property located outside of the District. The attributes or characteristics of the Accessory Building and the Property do not possess integrity of location, design, setting, materials, workmanship, feeling and association. The Accessory Building’s materials have been replaced or concealed by low-quality modern vinyl and aluminum materials. The original materials are virtually undetectable. The fenestration has been replaced with modern and low-quality materials.

(b) To our knowledge, the Accessory Building is not associated with any events that have made a contribution to the broad patterns of our history. While auto-oriented buildings proliferated in the early to mid-twentieth century, the District is not an example of a historic auto-oriented place or collection of such buildings, and the Accessory Building does not contribute to the general characteristics of the District as a whole.

(c) To our knowledge, the Accessory Building is not associated with the lives of any persons that were significant in the past.

(d) The Accessory Building may have once been an example of a fashionable accessory automobile garage, but it has since been significantly altered in a destructive manner that
largely conceals any architectural interest. While the dormers and cupola may have some architectural interest, they seem misplaced on the base structure, and it is unclear if they are original to the Accessory Building. They are also not particularly interesting examples from an architectural standpoint. The method of construction is a mix of what appears to be early twentieth century methods, including lathe and plaster walls, along with modern methods such as the use of concrete block.

(e) The Accessory Building does not seem to relate to anything in the District. It is unclear what building it may have related to in the past, if any. It is questionable whether it even belongs in the District considering it is accessed through adjacent parcels fronting on Macauley Street, which are not located in the District. The only feature of the Accessory Building that makes it in any way distinguishable from any other accessory structure in the District is the roof line and dormers. While this may be of some architectural interest, it does not represent a significant and distinguishable entity.

(f) To our knowledge, the Accessory Building has not yielded and will not yield information important in prehistory or history. The Building was constructed at the beginning of the twentieth century, and has been significantly altered over time. It was never intended to be a principal building or a dominant feature of the District. Its location and setting at the back of the lot relegates it as a secondary building with no relation to the general characteristics of the District.

For the reasons more fully set forth above, the Accessory Building does not have historic significance. While it is located in the District, its lack of historic significance makes it a non-contributing structure in the District. Because the Accessory Building is not a predominant feature of the District, does not relate to any of the historic structures in the District, is located in the rear of a surface parking lot, and is an orphaned accessory structure, its loss will not adversely affect the character of the District. As such, the Guidelines permit its demolition, and the Board should approve a certificate of appropriateness under Zoning Code Section 1435-09-2(a).

III. CONCLUSION:

Like many buildings in Cincinnati, the Accessory Building is old; however, it lacks the requisite historic significance to warrant protection and preservation by the City of Cincinnati. We recognize and appreciate the need for historic preservation in Cincinnati where there exists a legitimate governmental interest in protecting a building with historic significance. In this instance, the loss of this orphaned, non-contributing accessory structure will not adversely impact the public health, safety and welfare to justify the city’s intervention. As a result, under applicable law and the Guidelines, it is appropriate that Auburn be permitted to demolish the Accessory Building. Auburn respectfully requests that the Board issue the requisite Certificate of Appropriateness.
April 7, 2015
Page 17

Thank you for your review and consideration of this matter.

Respectfully submitted,

GRAYDON HEAD & RITCHEY LLP

[Signature]
Sean S. Suder
Partner

Enclosures
cc: Patrice Eby Burke

5345593.2
Honorable Historic Conservation Board
Cincinnati, Ohio

May 4, 2015

ITEM 3

SUBJECT: CERTIFICATE OF APPROPRIATENESS
HILLSIDE REVIEW AND ZONING VARIANCES
503 MILTON STREET
PROSPECT HILL HISTORIC DISTRICT

APPLICANT: Mark Jones, architect, representing the owners

TYPE OF REQUEST Construct a single-family home

BACKGROUND AND DESCRIPTION: This vacant property is situated on the south side of Milton Street near the corner of Milton and Young Streets. The lot is through lot to Corporation Alley.

The applicant proposes to construct a single-family house with a one car garage. The proposed structure includes the following:

1. Concrete structure with a brick veneer and a rusticated stone veneer
2. Concrete foundation with some stone veneer
3. Rubber roof
4. Aluminum clad 2/2 double hung wood windows
5. Solid wood front door
6. Wood garage door

Rear elevation

7. Painted steel fence and field stone retaining wall
8. Four panel metal door
9. Aluminum French doors for access to balconies
10. All glass railings on balconies

The rear elevation of the building is setback 55” from Corporation Alley and there is a 32’ elevation change from the front to the rear elevation. The glass area on the rear is setback 3’ to 4’ from the rear wall.

A pre hearing was held on April 23, 2015 and the applicant was the only person in attendance.

This property is located in a RM 1.2 Residential Mixed Zoning District. The following variances are needed:
Nature of Request:
The applicant and/or owners are requesting a Hillside Review and Dimensional Variance on the subject property.

Existing Conditions:
The subject property is located at 503 Milton Street in the Community of Mt. Auburn. The property is a vacant lot currently zoned RM-1.2 Multi-family District, Historic & Hillside Overlay Districts.

Proposed Conditions:
The applicant Mr. Mark P. Jones is proposing to build a single-family home that will require a dimensional variance for a proposed six-foot fence in the front yard and a hillside review for the maximum building envelope.

Applicable Zoning Code Sections:
Section 1421-33 Fences and Walls.

Section 1433-13 Applications Subject to Review

Section 1433-19 Base Development Requirements

Section 1435-05-4 Variance, Special Exceptions and Conditional Uses

Details of Zoning Relief Required:
The applicant is requesting a dimensional variance for relief from Fence requirements in Section 1421-33(b) Fences and Walls – Maximum Height. The fence exceeds the maximum height permitted.

- Section 1421-33(b) indicates that the maximum height of a fence or wall or any combination thereof in any front, corner side yard or corner rear yard may not exceed four feet in any residential districts and six feet in all other districts and may not exceed opacity of 50 percent. (EXCEPTION: Fences and walls used as parking lot screening per 1425-27). In any interior side or rear yard, the maximum height may not exceed six feet and may be 100 opaque.

- A 2-foot variance is needed for the fence height in the front yard.

The applicant is requesting a hearing to construct new residential building in the Hillside Overlay
District, as required in Section 1433-13: Applications Subject to Review.

- A review is needed under Section 1433-13(a), which indicates that permits for construction of new primary buildings and accessory structures larger than 600 square feet in area or 15 feet in height.

The applicant is requesting a zoning hearing review for relief from the Section 1433-19(a) Base Development Requirements.

- Section 1433-19(a) requires that a new building or a building alteration, addition or repair must be contained within the maximum building envelope.

- The proposed project will exceed the maximum building envelope along the front and both side yards.

- Relief is needed for 5 feet in the front yard, 3 feet in the left and right side yards.

Note: The applicant has submitted geotechnical information supporting the stability of the proposed development.

The applicant’s property is located in a Historic District and is subject to review under Section 1435-05-4 Variances, Special Exceptions and Conditional Uses.

- Whenever an application is made for a variance, special exception or conditional use relating to property wholly or partially located within a Historic District or involving a historic asset, the Historic Conservation Board exercises the authority granted to the Zoning Hearing Examiner in Chapter 1445 of the Cincinnati Zoning Code. In such cases, the provisions of Chapter 1445, where not inconsistent with the provisions of this chapter, apply to the authority prescribed therein.

DISCUSSION: The historic guidelines for new construction in the Prospect Hill Historic District are as follows:

NEW CONSTRUCTION / ADDITIONS

Materials – The type of materials and their color, texture, scale, and detailing should be compatible with those of the District and/or the original building.

Scale – The scale of new work and its constituent parts should be compatible with the District and/or the original building and the scale of its parts.

Form – The shape, massing, and proportions of new work should be compatible with the District and/or the original building.
Detailing – The detailing, including but not limited to, the following features and their placement on additions and new construction:

- walls
- eaves
- railings
- roofs
- cornices
- belt courses
- windows
- chimneys
- appurtenances
- doors

Height – The height of an addition should not exceed the height of the original building. The height of new buildings should be comparable to the height of existing adjacent buildings. The height of new buildings constructed in undeveloped areas should not detract from the character and appearance of the District.

Setback – The setback of new buildings should be comparable to the setbacks of existing adjacent buildings.

Historic Integrity – Compatibility of new work to original work is required, but imitation of old work in new construction should be avoided. New work should appear to be new work. Where new additions meet original work, the connection should be carefully designed so as not to detract from the original but to also reflect the fact that the connection is new. If original openings are filled in, the outline of the original opening should remain apparent by setting new in-fill material back from the surface and leaving original sills and lintels in place. Historic integrity is to be maintained by designing new buildings, structures, appurtenances, additions, connections and filled-in openings so that they do not appear to have been constructed when the affected historic structure was originally built.

Staff feels there are several areas where the proposed new construction does not meet the guidelines and is not compatible with the historic district:

1) Setback – It is not compatible with the majority of the neighboring setbacks of historic houses throughout the neighborhood.
2) Roofline – The slope is not compatible with roofs in the historic district.
3) Balconies – Balconies are not characteristic on front facades throughout the district.
4) Façade – The front façade is not compatible with facades in the historic district.
5) Rear elevation – There are not enough openings on the rear elevation.

There are too many areas where the proposed design does not meet the Prospect Hill Historic District guidelines. There are so many variances needed for each structure that staff cannot justify the variances are needed in the interest of historic conservation.

Staff finds that the proposed new construction meets the guidelines for the Prospect Hill Historic District with regards to scale, form, materials, detailing and height. Granting the variances is in the interest of historic conservation and the proposed design substantially meets the Hillside Chapter 1433-19 Base Development Requirements and 1433-23 Hillside Development Standards.
RECOMMENDATION: Staff recommends the Historic Conservation Board take the following actions:

1. Approve a Certificate of Appropriateness for the proposed new construction at 503 Milton Street finding that the proposed construction does substantially meet the guidelines for the historic district as stated in Section 1435-09-2 of the Cincinnati Zoning Code finding that it:
   
a. That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines

2. Approve the requested variances outlined above finding that the Standards for Variances from Section 1445-15 Standards and 1433-19 (a) Base Development Requirements for Variances have been met.
   
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 are unreasonable and would result in practical difficulties.
   
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.

Respectfully submitted,

Caroline Hardy Kellam
Senior City Planner

APPROVED:

Larry Harris
Urban Conservator
Milton Street looking east from Young St.
Milton Street looking west from project site
Milton Street looking east for project site
March 3, 2015 (Revised information is shown dated in parenthesis)

City of Cincinnati
City Planning and Buildings
Historic Conservation Board

Re: Application for Certificate of Appropriateness
503 Milton St.
Auditor’s Parcel 086-0001-0052-00

Dear Plan Reviewer:

The owners of the above referenced lot are requesting a Certificate of Appropriateness for the construction of a new single family residence. The owner seeks to construct the new single family home that will be consistent with the Historic District Overlay requirements and the actual single and multi-family family homes along the same side of Milton Street to the east and the west.

Based on review of the various Municipal Codes, this lot is governed by 3 separate set of requirements, they are as follows:

1. The basic zoning is RM – L/RM 1.2 for Multi-Family Low (density) Ohio Land Development Section 1703 – 2.3. The requirements for lot dimensions for Lot size of 2,500 sf and 25’ width minimum. The Front yard setback is front – 20’, Side yard setback total is 3’ min per side, 6’ total for both sides, Rear yard setback is 20’, and Building height is 35’ max.

2. The Municipal Code Sections 1421 – 1425 that places the property as being in a Historic District – Prospect Hill / Historic District Ordinance 0410-1981 and identifies the zoning as RM 1.2. The requirements for building placement are as follows: Front Yard setback 20’, Side Yard setbacks as 0’/5’, Rear Yard setback as 20’ and building height as 35’.

3. The Hillside Overlay District – Municipal Code Section, Chapter 1433. The requirements are based on averaging of abutting structures dimensions.

The lot size for the purpose of this request is 25’ wide and 130.28’ long (3257 sf) with frontage on Milton Street to the north and Corporation Alley to the south. There is a vacant lot to the west (501 Milton St.) and 2 lots to the East (505 Milton St and 504 Corporation Alley). See attached stamped survey drawing and proposed site plans.

Conservation Guidelines: Prospect Hill Historic District

Statement of New Construction Requirements and Adherence:

Materials: The type of materials and their color, texture, scale, and detailing should be compatible with those of the district and/or the original building. Response: The proposed exterior wall materials shall match the brick and stone on the newer residence built at 456 Milton Street located diagonally across the street to the Northwest. The placement of the materials is shown on the attached building elevations
attached to this application. Colorized building elevations are also included. We have spoken to the brick supplier and the brick and the stone are both still available.

Scale – The scale of the new work and its constituent parts should be compatible with the District and/or the original building and the scale of its parts. **Response:** The proposed building is designed to be consistent with the scale of other structures in the District. The width and height are similar to houses adjacent to it. See attached building elevations.

Form – The shape, massing and proportions of new work should be compatible with the District and/or the original building. **Response:** The proposed building is designed to be consistent with the forms of other structures in the District. The width and height are similar to houses adjacent to it. See attached building elevations.

Detailing – The detailing, including but not limited to, the following features and their placement additions and new construction. **Response:** The proposed building is designed to be consistent with the detailing of other structures in the District. The width and height are similar to houses adjacent to it. See attached building elevations. Also cut sheets for the garage door, windows, and fence are attached.

Height – The height of the addition should not exceed the height of the original building. The height of new buildings should be compatible to the height of the existing adjacent buildings. The height of new buildings constructed in undeveloped areas should not detract from the character and appearance of the District. **Response:** The proposed building is designed to be consistent with the height of other adjacent structures in the District. The height are similar to houses adjacent to it. See attached building elevations. Lines are shown for the various height requirements. Also the owners have requested relief from the Hillside District Building Envelope Requirement for height. A complete description is included in this letter. It is part of the Zoning Relief request included in the latter portion of this letter that was prepared for the Zoning.

Setback – The Setback of new buildings should be comparable to the setbacks of the existing adjacent structures. **Response:** The proposed building is designed to be consistent with the setbacks of other adjacent structures on the same side of the street. See attached site plans. Also the owners have requested relief from the Hillside District Building Envelope Requirement for setbacks. A complete description is included in this letter. It is part of the Zoning Relief request included in the latter portion of this letter that was prepared for the Zoning.

Historic Integrity – Compatibility of new work to original work is required, but imitation of old work in new construction should be avoided. New work should appear to be new work. Where new additions meet original work, the connection should be carefully designed so as not to detract from the original but to also reflect the fact that the connection is new. If original openings are filled in, the outline of the original opening should remain apparent by setting new infill material back from the surface and leaving original sills and lintels in place. Historic integrity is to be maintained by designing new buildings, structures, appurtenances, additions, connections and filled-in openings so that they do not appear been constructed when the affected historic structure was originally built. **Response:** The proposed building is designed to be consistent with the adjacent structures on the same side of the street. The owner wishes to maintain some of the character of the adjacent building but not intend to replicate them. See attached building elevations.
Zoning information:

As indicated in meetings with the City Building Permit department and Zoning it has been indicated that the Hillside District requirements are the controlling set of requirements for this project.

Per the Instructions for Applications Requesting Development Permission in a Hillside Overlay District, I am to provide written statement explaining how this proposed project meets the following:

Cincinnati Municipal Code 1433-19 – Base development Requirements:

a) Maximum Building Envelopment. A new building or building alteration, addition or repair must be contained within the maximum building envelope. **Response: The Hillside District in the Municipal Code, Section 1433-17 – Determination of Maximum Building envelope defines the building placement as follows:**

   (a) **HS Rear Setback.** Average rear yard setback of the abutting structures on both sides; and the required rear yard setback of the underlying district if no abutting structures exist. **Response: Rear yard for the property abutting on the left (505 Milton St.) of the lot referenced for relief is 2'. The abutting lot to the right (501 Milton St.) is vacant therefore the Historic District Overlay requirements apply, which is 20'. The average would be not less than 11' (2' + 20'/2 = 11').**

   (b) **HS Side Yard Setback.** Average Setback of the abutting structures on both sides and the underlying district if no abutting structures exist; of the required least width side yard setback of the underlying district if no abutting structures exist. **Response: Side Yard Setback for the property abutting to the left is 13'/0'. The abutting lot to the right is vacant, therefore the Historic District Overlay requirements apply, which are 0'/5'. The average would be not less than 9' (13' + 5'/2 = 9').**

   (c) **HS Front Yard Setback.** Average Setback of the abutting structures on both sides and the underlying district if no abutting structures exist; of the required front yard setback of the underlying district if no abutting structures exist. **Response: The Front Yard Setback for the property abutting to the left is 0'. The abutting lot to the right is vacant, therefore the Historic District Overlay requirements apply, which is 20'. The average would be not less than 9' (0' + 20'/2 = 10').**

   (d) **HS Height of Front.** Maximum height of the front of the structure; either the maximum height of the underlying zoning district or the average height of the abutting structures having the same street frontage as the measured from the finished grad of the front of each abutting structure, whichever is greater. **Response: The Height of Front for the lot abutting to the left would be 23'-10". The Height of Front for the lot abutting to the right is vacant, therefore the Historic District Overlay requirements apply, which is 35'. The average would be not less than 29'-5" (23'-10" + 35'/2 = 29'-5").**

   (e) **HS Height of Rear.** Maximum height of the rear of the structure; either the maximum height of the underlying zoning district or the average height of the abutting structures having the same street frontage as the measured from the finished grad of the front of each abutting structure, whichever is greater. **Response: The Height of Back for the lot abutting to the left would be 34'-4". The Height of Front for the lot abutting to the right is vacant, therefore the Historic District Overlay requirements apply, which is 35'. The average would be not less than 34'-4" (34'-4" + 35'/2 = 34'-8").**
Please note that all heights referenced for the abutting structure to the left or east of the referenced property were taken by counting bricks where 3 stacked bricks equal 8".

b) Height verses width. Buildings on top of the hillside must be taller than they are wider to accentuate the vertical dimension. **Response:** The proposed project is not on the top of the hillside, however it is taller than it is wide.

c) Stepping. Buildings proposed below or above the brow of the hill must be staggered or stepped in depth and width to match the topography and slope: **Response:** The building is designed to step with the hillside. The applicant seeks relief and be allowed to construct a building that is consistent with the Historic Overlay District for front and rear building heights of 35' and additionally be allowed to average the building's height as the lot has a steep fall from Milton Street to Corporate Alley. The proposed building would average less than 35’. This would mean that part of the building may extend above 35’ but the majority of the building would be less than 35’. See attached building elevations.

d) Maximum retaining wall height. Retaining walls may not exceed 8' in height. **Response:** All proposed retaining walls at the parking pad on the south side of the lot do not exceed 5’ in height and are field stone faced to be consistent with the older walls in this district.

e) Rooftop Utilities. **Response:** Not Applicable, no rooftop equipment is proposed.

f) Landscaping of Pervious Surfaces. All pervious surfaces remaining after completion of construction must be landscaped in trees, shrubs, grass or other ground covers to promote hillside stability and reduce excessive runoff. **Response:** all pervious surfaces are proposed to be ground cover and landscaping. See extents on attached drawing, C-3 Proposed Site Plan.

g) Excavation and fills should not exceed 8' in cumulative height. Excavations and or fills of any height of any height or cumulative amount that is not ties to a specific development is expressly prohibited. Regardless of height, documentation must be provided to show the excavation and or the fill is necessary to support a specific development and a staff review is required to determine conformance with all requirements of this chapter. **Response:** The excavation is limited to the foundations and grade beams. The drilled piers that support the house are approximately 25’ deep and 30” to 36” in diameter to reach bedrock and then pocket into it per the geotechnical recommendations (report is attached). The piers are tied together with grade beams around the perimeter and side to side and whose bottoms must be below the frost level. The Garage level is above the adjacent grade and is surrounded by grade beams. It will be filled with compacted fill for the concrete floor for the garage. The maximum height of the fill is 5’ and a minimum of 0’. The remainder of the area of the lower level floor is above grade with a crawl space below it. The only other minor excavation will be a small area at the back door to the rear yard that will be a maximum of 18” at the deepest point below the existing grade with an area of 8’ x 20’ but within the grade beams.

h) The preliminary geotechnical evaluation should address relative hillside stabilization. **Response:** The Geotechnical report is attached.

Cincinnati Municipal Code 1433-23 – Hillside Development Standards:

a) Avoid cuts in the hillside if they would leave cliff like vertical slopes and excessively high retaining wall. **Response.** The retaining walls at the proposed Parking Pad on the south side of the property are a maximum 5’ in height.
b) Design building to fit into the hillside rather than altering the hillside to fit the buildings.  
Response: The grade along the property lines will remain unaltered as well as the front and rear yards.

c) Hillside development should be designed to minimize excavation required for foundations, parking and access drives. Response: The foundations will be 30" drilled piers, pocketed into the bedrock as shown on the attached building elevations, Sheets A-1 thru A-4 connected with grade beams. The parking pad on the south side of the property is cut into the hill and sloped to minimize the cut and is set in 1'-8" from the east property line and 3'-8" from the west side property line. The stairs in the back yard is cut into the hill but the grading is reworked to maintain the existing grade as much as possible.

d) Cluster new development to retain surrounding tree cover and minimize alterations to the existing topography. Response: The narrowness of the site (25') and the elevation change of 32' from the high side at Milton to the low side at Corporation Alley precludes significant changes. The proposed house is 71' feet, the proposed front yard is 5'. The topography at the rear of the property is only altered for the stairs which are built into the hillside and the parking pad on the south side of the property is cut into the hill and sloped to minimize the cut and is set in 3' from each side yard property line.

e) Maintain a clear sense of the hillside brow of locating buildings back from the brow of the hill. Response: The house is setback 5', which is consistent with setbacks of the other homes along the same side of the street and allows for the steep slope across the front yard for transition into the garage. The house is consistent with other houses/structures on the same side of the street in this regard.

f) Site buildings to so as to respect views from public viewing spaces within the HS District identified in a community plan or other documentation approved by the City Planning Commission. Response: No public viewing areas are adjacent to the proposed site to the applicant's knowledge.

g) Where applicable, consider the guidelines contained in the “Cincinnati Hillside Guidelines” report to evaluate development applicants. Response: Other than the guidelines contained in Chapter 1433 – applicant is not aware of other “guidelines”.

Based on the Hillside District Requirements for Determination of Maximum Building Envelope would be as follows:

These guidelines would indicate a building footprint with a rear yard setback of not less than 11', side yard setbacks of 0'/9', a front yard of not less than 10' and front building height of 29'-5" and a rear building height of 34'-8". This would mean the maximum possible building width for the referenced lot would be 16', based on the 25' lot width. The abutting property to the left is an unusual lot configuration for the neighborhood for the purpose of averaging. The average side yards for the same side of the street to the east or to the left of the property is between 5' – 6’ with some properties with side yards of 0’ to a maximum of 13’ (which is the abutting property). The average side yards for the same side of the street to the west or to the right is approximately 1’. The range of front yard setbacks range from 0’ – 8’ for the same side of the street to the east.
The Property owners are requesting development permission in a Hillside Overlay District. In addition, they seek relief be granted to the following requirements:

1. The property owners be allowed to reduce the front yard setback from not less than 9' (based on calculations noted previously) to 5' which would allowed the front of the proposed house to be consistent with the buildings along the same side of the street.
   
   **Request: A variance of the front yard setback of 4', (added March 12, 2015)**

2. The property owners request relief to reduce the side yards to 0'/4' from 0'/9' (based on calculations noted previously) to maximize the narrow site and still provide sufficient separation with the adjacent structure of 4' as not to need to provide a fire rated wall between the existing and the new structures.
   
   **Request: A variance of the side yard setback of 5', (added March 12, 2015)**

3. The property owners request that the front and rear building heights of 35' be allowed to be averaged as the lot has a steep fall from Milton Street to Corporate Alley. The proposed building would average less than 35'. This would mean that part of the building may extend above 35' but the majority of the building would be less than 35'. See attached building elevations.
   
   **Request: A variance of the building height to average of 35', (added March 12, 2015)**

The owners are also submitting to the Historic Conservation Board for full review and action. It is the applicant understand that the issues that the owners are seeking relief from will be reviewed by that Board and that their recommendations will be accepted Board of Zoning Appeals. If this is not accurate, please advise.

Thank you for consideration of this request.

Sincerely,

Mark P. Jones, Registered Architect

Documents attached to the Application for Certificate of Appropriateness:

1. Site Survey Plan
2. Geotechnical Report prepared by Thelen Inc.
3. Proposed Site Plans
4. Proposed Building Elevations
5. Colorized Building Elevations
6. CAGIS Map for Photo Orientation
7. Photo of 456 Milton Street
8. Photo of 457 Milton Street
9. Photo of 503 Milton Street
10. Photo of 505 Milton Street
11. Photo of 507 Milton Street
12. Garage Door cut sheet
13. Window cut Sheets
14. Fence cut Sheet
GEOTECHNICAL EXPLORATION

503 MILTON STREET
CINCINNATI, OHIO

Prepared for: Erin Davren & Richard Huff
Thelen Project No.: 141012NE
Erin Davren & Richard Huff  
c/o PFB Architects  
9461 Kenwood road  
Cincinnati, Ohio 45242  

Attention: Mr. Mark P. Jones  

Re: Geotechnical Exploration  
503 Milton Street  
Cincinnati, Ohio  

Ladies and Gentlemen:  

Contained herein are the results of a geotechnical exploration performed for construction of a single-family residence on a building lot located at 503 Milton Street in Cincinnati, Ohio. This work was performed in accordance with our Proposal-Agreement N14719 and was authorized by the signature of Ms. Erin Davren on October 28, 2014.  

We are enclosing with this report a reprint of "Important Information About Your Geotechnical Engineering Report" published by ASFE, The Geoprosfessional Business Association, which our firm would like to introduce to you at this time.  

We appreciate the opportunity to provide the geotechnical exploration for this project. Should you have any questions concerning the information, conclusions or recommendations contained in this report, or if we may be of additional assistance during the design and construction phases, please do not hesitate to contact us.  

Respectfully submitted,  

ARTHUR T. STURBAUM  
Senior Geotechnical Engineer  

ATS:ph  
141012NE  

Copies submitted: Client (e)  
Ms. Erin K. Davren (m)
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APPENDIX
1.0 INTRODUCTION
This report contains results of a geotechnical exploration performed for a new single-family residence to be constructed at 503 Milton Street in Cincinnati, Ohio.

2.0 SCOPE
The purposes of our services were to determine the general subsurface profile in the area of the residence and to relate the engineering properties of the underlying soil and bedrock, that is strength, classification and compressibility to foundation support for the new residence and to related site development.

3.0 PROJECT CHARACTERISTICS
The residence will be a single-family structure on three levels, approximately 72 feet by 24 feet in plan dimensions. The residence will feature a front entry garage at Milton Street and will step down to the south, following the contours of the existing hillside and walking out to the rear towards a detached garage, which will front onto Corporation Alley. The structure will be constructed on a frame which will be supported on eight (8) centrally loaded columns. Site work is anticipated to be minimal, with excavation sufficient to install foundations. Some fill may be required to support the garage slab.
4.0 FIELD EXPLORATION
Three (3) test borings were performed at the locations shown on the Boring Plan, Drawing 141012NE-1, taken from the site survey provided by PFB Architects and included in the Appendix to this report.

The test borings were performed using a track-mounted drill rig assisted to the boring locations with a Bobcat loader provided by Thelen Associates. Sampling was obtained with a two-inch diameter split spoon sampler driven with a 130-pound hammer according to the procedures of ASTM D1586. Representative parts of the split spoon samples were placed in glass jars and sealed in the field. All field samples were appropriately marked for future identification.

Concurrent with the drilling operation, the Drilling Technician prepared field test boring logs of the subsurface profile noting type and depths of sampling, standard penetration test resistances (N-values), soil and bedrock stratifications, groundwater or the lack thereof and other pertinent data.

5.0 LABORATORY REVIEW
Following completion of the test borings, the samples were returned to our Soil Mechanics Laboratory where they were reviewed and visually classified by the Project Geotechnical Engineer. Representative samples were selected for natural moisture content determinations and Atterberg limits tests. A tabulation of the laboratory test results is included in the Appendix.

Based on the Drilling Technician's field logs, the results of the laboratory tests and the Engineer's visual classification of the samples, final test boring logs were prepared. Copies of the logs are included in the Appendix along with a Soil Classification Sheet describing the terms and symbols used in their preparation.
The dashed lines on the test boring logs identify the changes between soil or bedrock types, were determined by interpolation between the samples and should be considered to be approximate. Only changes which occur within samples can be precisely determined and are indicated by solid lines on the logs. The transition between soil and bedrock types may be abrupt or gradual.

6.0 EXISTING SITE CONDITIONS
The site is located on a south facing slope which extends between Milton Street and Corporation Alley over an elevation differential of 30 feet at an average inclination of three horizontal to one vertical (3H:1V). Two stone walls, remnants of the former residence and yard are located within the midpoint of the building lot. Remnants of a former residence or carriage house are present adjacent to Corporation Alley.

The adjacent lot to the west is vacant. On the east side, a three-story masonry residence with partial basement and stone foundation extends along the east property line over two-thirds of the lot.

7.0 SUBSURFACE PROFILE
The test borings indicate a subsurface profile consisting of fill from previous construction overlying stiff silty clay and clay, then interbedded shale and limestone bedrock.

Fill extended to depths of 7.0 feet in all test borings. The fill consists of a mixture of silty clay and topsoil with brick and stone fragments and is presumed to be remnants from previous occupancy of the site. The fill was generally classified as medium stiff in consistency. Standard penetration test resistances (N-values) range from 3 to 16 blows of the sample hammer per foot of sampler penetration. The higher blow counts are likely the result of hard fractions, such as brick and stone, within the fill.

Underlying the fill, the test borings extended into stiff silty clay and clay soils which classify CL to CH according to the Unified Soil Classification System (USCS) with liquid
limits between 37 and 57 percent and plasticity indices between 16 and 31. N-values range from 10 to 14 blows per foot with moisture contents between 9 and 12 percent, well below the plastic limit of the soil. In Test Boring 3, a zone of residual clay derived from weathering of the parent bedrock extended from 9.5 to 12.0 feet.

All test borings were extended into the parent bedrock, an Ordovician Age interbedded shale and limestone. The bedrock is generally classified into three distinct zones as a result of weathering of the shale portion of the bedrock.

The uppermost zone is visually classified as highly weathered shale and limestone bedrock. The shale in this zone is typically brown in color and has virtually weathered to a residual clay but possesses distinct bedding planes and horizontal limestone layers typical of the bedrock system.

The intermediate zone is described as weathered shale and limestone which is characterized by shale which is typically olive brown in color and tougher than the highly weathered zone above.

Both the upper and intermediate zones have weathered from the parent material, gray (unweathered) shale and limestone bedrock.

The limestone portion of the bedrock is gray, hard, crystalline, fossiliferous and randomly fractured.

The bedrock at the site is representative of the lower Fairview and upper Kope or Eden formation, which are characterized by infrequent, but thick limestone layers which may exceed 12 inches in individual layer thickness. Typically limestone comprises 20 to 25 percent of the bedrock system.

A tabulation of the bedrock depths encountered in the test borings is presented below:
<table>
<thead>
<tr>
<th>Boring No.</th>
<th>Surface El. (MSL)</th>
<th>Highly Weathered depth/El. (ft. / MSL)</th>
<th>Weathered depth/El. (ft. / MSL)</th>
<th>Unweathered depth/El. (ft. / MSL)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>690.0</td>
<td>14.5 / 675.5</td>
<td>17.0 / 673.0</td>
<td>22.0 / 668.0</td>
</tr>
<tr>
<td>2</td>
<td>685.1</td>
<td>14.5 / 670.6</td>
<td>17.0 / 668.1</td>
<td>27.0 / 658.1</td>
</tr>
<tr>
<td>3</td>
<td>664.6</td>
<td>12.0 / 652.6</td>
<td>17.0 / 647.6</td>
<td>22.0 / 642.6</td>
</tr>
</tbody>
</table>

Groundwater measurements taken during drilling did not indicate the presence of groundwater. Typically groundwater can be anticipated as perched water within the existing fill, at the overburden/bedrock interface or, more commonly, as seepage along the horizontal limestone layers within the bedrock system.

8.0 CONCLUSIONS AND RECOMMENDATIONS

Based upon our engineering reconnaissance of the site, the test borings, a visual examination of the samples, the laboratory tests, our understanding of the proposed construction and our experience as Consulting Soil and Foundation Engineers in the Greater Cincinnati Area, we have reached the following conclusions and make the following recommendations.

The conclusions and recommendations of this report have been derived by relating the general principles of the discipline of Geotechnical Engineering to the proposed construction outlined by the Project Characteristics section of this report. Because changes in surface, subsurface, climatic and economic conditions can occur with time and location, we recommend for our mutual interest that the use of this report be restricted to this specific project.

Our understanding of the proposed design and construction is based on the information provided to us at the time this report was prepared and referenced in the Project Characteristics section of this report. We recommend that our office be retained to review the final design documents, plans and specifications, to assess any impact
changes, additions or revisions in these documents may have on the conclusions and recommendations of this geotechnical report.

Any changes or modifications which are made in the field during the construction phase which alter site grading, structure locations, infrastructure or other related site work should also be reviewed by our office prior to their implementation.

If conditions are encountered in the field during construction which vary from the facts of this report, we recommend that our office be contacted immediately to review the changed conditions in the field and make appropriate recommendations.

The scope of our services did not include any environmental assessment or investigation for the presence or absence of wetlands or hazardous or toxic materials in the soil, bedrock, surface water, groundwater or air, on or below or around this site.

It is our understanding that the time frame for beginning and completing the foundation and site work for this project will be continuous without interruption or delay. Should interruptions or delays occur, our office should be kept appraised to determine what recommendations must be modified accordingly.

We have performed the test borings and laboratory tests for our evaluation of the site conditions and for the formulation of the conclusions and recommendations of this report. We assume no responsibility for the interpretation or extrapolation of the data by others.

We recommend that a preconstruction meeting be held at the site with the Owner's representative, the Structural Engineer, the Foundation Contractor, the Geotechnical Engineer and any other interested parties to review the scope and schedule of the proposed site work and foundation installation.
Our geotechnical engineering services employ the observational method. Our recommendations are provisional due to the limited sampling involved. They can be finalized only in the field, during excavations, when actual subsurface conditions are exposed that allow the geotechnical engineer to evaluate and adjust the recommendations if and as necessary.

The test borings indicate the subsurface profile consists of existing fill overlying stiff clays and silty clays above interbedded shale and limestone bedrock.

The new residence should be founded on drilled piers extended into the bedrock. Piers extended into the olive brown weathered bedrock may be proportioned for a maximum end bearing pressure of 12,000 pounds per square foot, full dead and full live load. Piers extended a minimum of 12 inches into the gray (unweathered) bedrock may be proportioned for a maximum bearing pressure of 20,000 pounds per square foot.

Lateral resistance for the piers should be discounted within the existing fill. Lateral resistance for piers extended into the stiff silty clay or clay should be proportioned based on a coefficient of passive resistance ($K_p$) of 2.5 and a total unit weight of soil ($\gamma_d$) of 125 pounds per cubic foot. For piers extended into the highly weathered and weathered zones of the bedrock, a uniformly applied passive resistance of 6,000 pounds per square foot may be applied. Should the piers be socketed into the gray (unweathered) bedrock, passive pressures may be computed based on a uniformly applied passive resistance of 20,000 pounds per square foot below the top foot of the unweathered bedrock.

Shafts should be drilled straight and plumb with relatively level bearing surfaces.

Reinforcing steel should allow for a minimum of 3 inches of clearance from the sides of the drilled pier excavation and should be supported at the base on plastic chairs to isolate the reinforcing steel from the soil below.
Depending on the time of year, groundwater may be encountered as seepage along the horizontal limestone layers within the bedrock within the drilled shaft excavation. Under no circumstances should concrete be placed in more than 6 inches of standing water without prior approval by the Project Geotechnical Engineer.

We recommend that the drilled shaft concrete be placed through the center of the drilled pier and not deflect against the reinforcing steel. An elephant trunk or tremmie may be used to direct concrete placement.

We recommend that the drilled pier installation be reviewed by representatives of Thelen Associates Inc. to verify the bearing materials in light of the conclusions and recommendations of this report and the intent of the design drawings.

Excavation spoils from the drilled pier installation may be reused as new fill for support of slabs or concrete floors. Spoils should not be placed over the sloping hillside without proper benching and surface preparation.

Extreme caution should be undertaken during foundation installation to avoid disturbing the stone foundations of the adjacent residence to the east of the building lot. Excavations should not be made below existing grades within 5 feet of the existing foundation and in no case should open excavations extend below bearing level of the stone foundation of the adjacent structure.

Retaining walls which extend below grade and are rigidly connected to the frame of the new residence or the garage adjacent to Corporation Alley should be proportioned based on an at-rest equivalent fluid pressure for backfill of 60 pounds per cubic foot. This recommendation presumes free-draining granular backfill will be placed behind the walls and outletted by gravity flow. Free-standing retaining walls may be proportioned based on an active equivalent fluid weight for backfill of 45 pounds per cubic foot.
Test Boring 3, performed at the area of the proposed detached garage indicates fill extending to a depth of 7 feet or, El. 657, the approximate elevation of Corporation Alley. Based on similar structures adjacent to Corporation Alley, it is likely that the original structure in this location had a floor on grade at the level of Corporation Alley. The detached garage may be supported on conventional foundations (spread footings) proportioned for a maximum bearing pressure of 3,000 pounds per square foot, full dead and full live load and bearing in stiff undisturbed silty clay.

Spread footings and/or grade beams should be excavated to neat lines and grades and concrete should be placed bank to bank in the excavations without forming.

The base of all exterior footings and/or grade beams should extend a minimum 30 inches below finished exterior grades to provide protection from frost.

Foundation steps should occur in horizontal increments of no less than 4 feet and vertical increments no greater than 2 feet. Reinforcing steel should run continuously through the steps and concrete should overlap at the steps.

Foundation excavations should be reviewed by the Project Geotechnical Engineer or a representative thereof prior to concrete placement to assess the bearing materials and surface preparation in light of the conclusions and recommendations of this report and the intent of the design documents.

Bearing surfaces for shallow foundations should be free of any loose, crusted, frozen or saturated materials before placement of concrete. Concrete should be placed as soon as possible following the excavation to maintain the soils at their in-situ moisture contents. Should a crusted or saturated surface develop subsequent to excavating, the surfaces should be skimmed to expose fresh soils below.

Walls which fall below existing grade should incorporate a footing drain system. The
drainage system should incorporate free-draining granular backfill and a gravity flow outlet. Below grade slabs should incorporate a granular blanket tied to the premier footing drain system.

Site grading should be accomplished with care so as not to damage or disturb the adjacent properties. Grading for the rear terraces should be kept to an absolute minimum, with no more than 2 feet of cut or fill.

Backfill for foundations should be placed in 6 to 8 inch lifts and compacted with appropriate equipment to at least 95 percent of the maximum dry density as determined by the standard Proctor moisture-density test, ASTM D698.

The subgrade for slabs-on-grade for garages should be recompacted prior to the placement of concrete to a minimum of 95 percent, ASTM D698.

Straw bales or silt fences should be staked around the perimeter of the site during construction to prevent off-site siltation.

Under no conditions should the earth remaining from excavations be dumped or randomly placed on the slope within the building lot.

If construction extends in the winter periods of the year, concrete should not be placed on frozen or saturated soil.

ATS:ph
141012NE
APPENDIX

ASFE Report Information

Tabulation of Laboratory Tests

Boring Plan, Drawing 141012NE-1

Test Boring Logs

Soil Classification Sheet
Important Information about Your Geotechnical Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

Geotechnical Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical engineering study conducted for a civil engineer may not fulfill the needs of a construction contractor or even another civil engineer. Because each geotechnical engineering study is unique, each geotechnical engineering report is unique, prepared solely for the client. No one except you should rely on your geotechnical engineering report without first conferring with the geotechnical engineer who prepared it. And no one—not even you—should apply the report for any purpose or project except the one originally contemplated.

Read the Full Report

Serious problems have occurred because those relying on a geotechnical engineering report did not read it all. Do not rely on an executive summary. Do not read selected elements only.

A Geotechnical Engineering Report Is Based on A Unique Set of Project-Specific Factors

Geotechnical engineers consider a number of unique, project-specific factors when establishing the scope of a study. Typical factors include: the client's goals, objectives, and risk management preferences; the general nature of the structure involved, its size, and configuration; the location of the structure on the site; and other planned or existing site improvements, such as access roads, parking lots, and underground utilities. Unless the geotechnical engineer who conducted the study specifically indicates otherwise, do not rely on a geotechnical engineering report that was:
- not prepared for you,
- not prepared for your project,
- not prepared for the specific site explored, or
- completed before important project changes were made.

Typical changes that can erode the reliability of an existing geotechnical engineering report include those that affect:
- the function of the proposed structure, as when it's changed from a parking garage to an office building, or from a light industrial plant to a refrigerated warehouse,
- elevation, configuration, location, orientation, or weight of the proposed structure,
- composition of the design team, or
- project ownership.

As a general rule, always inform your geotechnical engineer of project changes—even minor ones—and request an assessment of their impact. Geotechnical engineers cannot accept responsibility or liability for problems that occur because their reports do not consider developments of which they were not informed.

Subsurface Conditions Can Change

A geotechnical engineering report is based on conditions that existed at the time the study was performed. Do not rely on a geotechnical engineering report whose adequacy may have been affected by: the passage of time; by man-made events, such as construction on or adjacent to the site; or by natural events, such as floods, earthquakes, or groundwater fluctuations. Always contact the geotechnical engineer before applying the report to determine if it is still reliable. A minor amount of additional testing or analysis could prevent major problems.

Most Geotechnical Findings Are Professional Opinions

Site exploration identifies subsurface conditions only at those points where subsurface tests are conducted or samples are taken. Geotechnical engineers review field and laboratory data and then apply their professional judgment to render an opinion about subsurface conditions throughout the site. Actual subsurface conditions may differ—sometimes significantly—from those indicated in your report. Retaining the geotechnical engineer who developed your report to provide construction observation is the most effective method of managing the risks associated with unanticipated conditions.

A Report's Recommendations Are Not Final

Do not overly rely on the construction recommendations included in your report. Those recommendations are not final, because geotechnical engineers develop them principally from judgment and opinion. Geotechnical engineers can finalize their recommendations only by observing actual
subsurface conditions revealed during construction. The geotechnical engineer who developed your report cannot assume responsibility or liability for the report's recommendations if that engineer does not perform construction observation.

A Geotechnical Engineering Report Is Subject to Misinterpretation

Other design team members' misinterpretation of geotechnical engineering reports has resulted in costly problems. Lower that risk by having your geotechnical engineer confer with appropriate members of the design team after submitting the report. Also retain your geotechnical engineer to review pertinent elements of the design team's plans and specifications. Contractors can also misinterpret a geotechnical engineering report. Reduce that risk by having your geotechnical engineer participate in prebid and preconstruction conferences, and by providing construction observation.

Do Not Redraw the Engineer's Logs

Geotechnical engineers prepare final boring and testing logs based upon their interpretation of field logs and laboratory data. To prevent errors or omissions, the logs included in a geotechnical engineering report should never be redrawn for inclusion in architectural or other design drawings. Only photographic or electronic reproduction is acceptable, but recognize that separating logs from the report can elevate risk.

Give Contractors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can make contractors liable for unanticipated subsurface conditions by limiting what they provide for bid preparation. To help prevent costly problems, give contractors the complete geotechnical engineering report, but preface it with a clearly written letter of transmittal. In that letter, advise contractors that the report was not prepared for purposes of bid development and that the report's accuracy is limited; encourage them to confer with the geotechnical engineer who prepared the report (a modest fee may be required) and/or to conduct additional study to obtain the specific types of information they need or prefer. A prebid conference can also be valuable. Be sure contractors have sufficient time to perform additional study. Only then might you be in a position to give contractors the best information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions.

Read Responsibility Provisions Closely

Some clients, design professionals, and contractors do not recognize that geotechnical engineering is far less exact than other engineering disciplines. This lack of understanding has created unrealistic expectations that have led to disappointments, claims, and disputes. To help reduce the risk of such outcomes, geotechnical engineers commonly include a variety of explanatory provisions in their reports. Sometimes labeled "limitations" many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help others recognize their own responsibilities and risks. Read these provisions closely. Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The equipment, techniques, and personnel used to perform a geoenvironmental study differ significantly from those used to perform a geotechnical study. For that reason, a geotechnical engineering report does not usually relate any geoenvironmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. Unanticipated environmental problems have led to numerous project failures. If you have not yet obtained your own geoenvironmental information, ask your geotechnical consultant for risk management guidance. Do not rely on an environmental report prepared for someone else.

Obtain Professional Assistance To Deal with Mold

Diverse strategies can be applied during building design, construction, operation, and maintenance to prevent significant amounts of mold from growing on indoor surfaces. To be effective, all such strategies should be devised for the express purpose of mold prevention, integrated into a comprehensive plan, and executed with diligent oversight by a professional mold prevention consultant. Because just a small amount of water or moisture can lead to the development of severe mold infestations, a number of mold prevention strategies focus on keeping building surfaces dry. While groundwater, water infiltration, and similar issues may have been addressed as part of the geotechnical engineering study whose findings are conveyed in this report, the geotechnical engineer in charge of this project is not a mold prevention consultant; none of the services performed in connection with the geotechnical engineer's study were designed or conducted for the purpose of mold prevention. Proper implementation of the recommendations conveyed in this report will not of itself be sufficient to prevent mold from growing in or on the structure involved.

Rely, On Your ASFE-Member Geotechnical Engineer for Additional Assistance

Membership in ASFE/The Best People on Earth exposes geotechnical engineers to a wide array of risk management techniques that can be of genuine benefit for everyone involved with a construction project. Confer with your ASFE-member geotechnical engineer for more information.
## TABULATION OF LABORATORY TESTS

<table>
<thead>
<tr>
<th>Boring No.</th>
<th>Sample No.</th>
<th>Depth (ft.)</th>
<th>Moisture Content (%)</th>
<th>Atterberg Limits (%)</th>
<th>Gradation Analysis (%)</th>
<th>Natural Dry Density, PCF</th>
<th>ODOT / USCS Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>From</td>
<td>To</td>
<td>LL</td>
<td>PL</td>
<td>PI</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>4</td>
<td>7.5</td>
<td>9.0</td>
<td>12.4</td>
<td>57</td>
<td>26</td>
<td>31</td>
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<tr>
<td>5</td>
<td>10.0</td>
<td>11.5</td>
<td>9.2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>12.5</td>
<td>14.0</td>
<td>9.9</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>15.0</td>
<td>16.5</td>
<td>17.9</td>
<td>37</td>
<td>21</td>
<td>16</td>
<td>A-6-b / CL</td>
</tr>
<tr>
<td>8</td>
<td>17.5</td>
<td>19.0</td>
<td>14.6</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**LOG OF TEST BORING**

**CLIENT:** Erin Davren & Richard Huff  
**PROJECT:** Geotechnical Exploration, 503 Milton Street  
Cincinnati, Ohio  

**LOCATION OF BORING:** As Shown on Boring Plan, Drawing 141012NE-1

<table>
<thead>
<tr>
<th>ELEV. (ft)</th>
<th>COLOR, MOISTURE, DENSITY, PLASTICITY, SIZE, PROPORTIONS</th>
<th>Strata Depth (feet)</th>
<th>Sample Number</th>
<th>Sample Type</th>
<th>SPT Borehole (Blows*)</th>
<th>Rock Core Recovery (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>690.0</td>
<td>Ground Surface</td>
<td>0</td>
<td>1</td>
<td>DS</td>
<td>2-3-3</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>Mixed brown and dark gray moist medium stiff FILL, silky clay and topsoil with cinders and brick fragments.</td>
<td></td>
<td>2</td>
<td>DS</td>
<td>3-2-3</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>DS</td>
<td>6-7-9</td>
<td>18</td>
</tr>
<tr>
<td>683.0</td>
<td>Brown, trace gray moist very stiff SILTY CLAY.</td>
<td>7</td>
<td>4</td>
<td>DS</td>
<td>6-5-5</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5</td>
<td>DS</td>
<td>2-4-6</td>
<td>18</td>
</tr>
<tr>
<td>675.5</td>
<td>Interbedded brown moist soft highly weathered SHALE and gray hard LIMESTONE (bedrock).</td>
<td>14.5</td>
<td>6</td>
<td>DS</td>
<td>6-7-7</td>
<td>18</td>
</tr>
<tr>
<td>673.0</td>
<td>Interbedded olive brown moist soft weathered SHALE and gray hard LIMESTONE (bedrock).</td>
<td>17.0</td>
<td>7</td>
<td>DS</td>
<td>8-18-21</td>
<td>18</td>
</tr>
<tr>
<td>668.0</td>
<td>Interbedded gray moist soft SHALE and gray hard LIMESTONE (bedrock).</td>
<td>22.0</td>
<td>8</td>
<td>DS</td>
<td>8-18-21</td>
<td>18</td>
</tr>
<tr>
<td>666.5</td>
<td>Bottom of test boring at 23.5 feet.</td>
<td>23.5</td>
<td>9</td>
<td>DS</td>
<td>21-25-40</td>
<td>18</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>DS</td>
<td>32-65</td>
<td>12</td>
</tr>
</tbody>
</table>

**Datum:** Mean Sea Level  
**Hammer Weight:** 140 lb.  
**Hole Diameter:** 6 in.  
**Drill Rig:** CME-55 TD-3  
**Surface Elevation:** 690.0 ft.  
**Hammer Drop:** 30 in.  
**Rock Core Diameter:** 1.875 in.  
**Foreman:** L. Wanstrath  
**Date Started:** 1/4/2014  
**Pipe Size:** 2 in. O.D.  
**Boring Method:** HSA-3.25  
**Engineer:** A. Sturbaum  
**Date Completed:** 1/4/2014

**BORING METHOD:**  
HSA = Hollow Stem Augers  
CFA = Continuous Flight Augers  
DC = Driving Casing  
MD = Mud Drilling

**SAMPLE TYPE:**  
PC = Pavement Core  
CA = Continuous Flight Auger  
DS = Driven Split Spoon  
PT = Pressed Shelby Tube  
RC = Rock Core

**SAMPLE CONDITIONS:**  
D = Disintegrated  
I = Intact  
U = Undisturbed  
L = Lost

**GROUNDWATER DEPTH:**  
First Noted: Dry  
At Completion: Dry  
After:  
Backfilled: Immediately

* SPT = Standard Penetration Test - Driving 2" O.D. Sampler 18" with 140-Pound Hammer Falling 30"; Count Made at 6" Intervals
## LOG OF TEST BORING

**CLIENT:** Erin Daven & Richard Huff  
**PROJECT:** Geotechnical Exploration, 503 Milton Street  
Cincinnati, Ohio  
**LOCATION OF BORING:** As Shown on Boring Plan, Drawing 141012NE-1

<table>
<thead>
<tr>
<th>ELEV.</th>
<th>COLOR, MOISTURE, DENSITY, PLASTICITY, SIZE, PROPORTIONS DESCRIPTION</th>
<th>Strata Depth (feet)</th>
<th>Sample Type</th>
<th>Sample Number</th>
<th>SPT Blow/5&quot;</th>
<th>Recovery</th>
</tr>
</thead>
<tbody>
<tr>
<td>685.1</td>
<td>Ground Surface</td>
<td>0.0</td>
<td>I</td>
<td>1A 1B</td>
<td>2-3-3</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>Brown moist medium stiff FILL, silty clay with gravel, brick and rock fragments.</td>
<td></td>
<td>I</td>
<td>2 DS</td>
<td>2-2-2</td>
<td>12</td>
</tr>
<tr>
<td>680.6</td>
<td>Brown dry very stiff FILL, silty clay with limestone fragments, trace roots (possible fill).</td>
<td>4.5</td>
<td>I</td>
<td>3 DS</td>
<td>7-8-7</td>
<td>18</td>
</tr>
<tr>
<td>678.1</td>
<td>Brown dry stiff CLAY (CH).</td>
<td>7.0</td>
<td>I</td>
<td>4 DS</td>
<td>6-6-5</td>
<td>18</td>
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<tr>
<td>673.1</td>
<td>Brown dry very stiff SILTY CLAY (CL).</td>
<td>12.0</td>
<td>I</td>
<td>5 DS</td>
<td>5-6-5</td>
<td>18</td>
</tr>
<tr>
<td>670.6</td>
<td>Interbedded brown moist soft highly weathered SHALE and gray hard LIMESTONE (bedrock).</td>
<td>14.5</td>
<td>I</td>
<td>6 DS</td>
<td>7-7-8</td>
<td>18</td>
</tr>
<tr>
<td>668.1</td>
<td>Interbedded olive brown moist soft weathered SHALE and gray hard LIMESTONE with iron oxide stains (bedrock).</td>
<td>17.0</td>
<td>I</td>
<td>7 DS</td>
<td>7-75/2&quot;</td>
<td>6</td>
</tr>
<tr>
<td>661.1</td>
<td>Interbedded gray, trace brown moist soft weathered SHALE and gray hard LIMESTONE (bedrock).</td>
<td>24.0</td>
<td>I</td>
<td>8 DS</td>
<td>7-9-17</td>
<td>18</td>
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<tr>
<td>658.1</td>
<td>Interbedded gray moist soft SHALE and gray hard LIMESTONE (bedrock).</td>
<td>27.0</td>
<td>I</td>
<td>9 DS</td>
<td>11-18-9</td>
<td>18</td>
</tr>
<tr>
<td>656.6</td>
<td>Interbedded gray moist soft SHALE and gray hard LIMESTONE (bedrock).</td>
<td>28.5</td>
<td>I</td>
<td>10 DS</td>
<td>21-40-9</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>Bottom of test boring at 28.5 feet.</td>
<td></td>
<td>I</td>
<td>11 DS</td>
<td>18-65</td>
<td>12</td>
</tr>
</tbody>
</table>

**Datum:** Mean Sea Level  
**Hammer Weight:** 140 lb.  
**Hole Diameter:** 6 in.  
**Drill Rig:** CME-55 TD-3  
**Surface Elevation:** 685.1 ft.  
**Hammer Drop:** 30 in.  
**Rock Core Diameter:** 1.875 in.  
**Foreman:** L. Wanstrath  
**Date Started:** 1/4/2014  
**Pipe Size:** 2 in. O.D.  
**Boring Method:** HSA-3.25  
**Date Completed:** 1/4/2014  
**Engineer:** A. Sturbaum

### BORING METHOD
- HSA = Hollow Stem Augers  
- CFA = Continuous Flight Augers  
- DC = Driving Casing  
- MD = Mud Drilling

### SAMPLE TYPE
- PC = Pavement Core  
- CA = Continuous Flight Auger  
- DS = Driven Split Spoon  
- PT = Pressed Shelby Tube  
- RC = Rock Core

### SAMPLE CONDITIONS
- D = Disintegrated  
- I = Intact  
- U = Undisturbed  
- L = Lost

### GROUNDWATER DEPTH
- First Noted: Dry  
- At Completion: Dry  
- After:  
- Backfilled: Immediately

---

* SPT = Standard Penetration Test - Driving 2" O.D. Sampler 18" with 140-Pound Hammer Falling 30"; Count Made at 6" Intervals
**LOG OF TEST BORING**

**CLIENT:** Erin Davren & Richard Huff  
**PROJECT:** Geotechnical Exploration, 503 Milton Street  
Cincinnati, Ohio

**BORING #:** 3  
**PROJECT #:** 141012NE  
**PAGE #:** 1 of 1

**LOCATION OF BORING:** As Shown on Boring Plan, Drawing 141012NE-1

<table>
<thead>
<tr>
<th>ELEV.</th>
<th>COLOR, MOISTURE, DENSITY, PLASTICITY, SIZE, PROPORTIONS DESCRIPTION</th>
<th>Strata Depth (feet)</th>
<th>Depth Scale (feet)</th>
<th>GR Group</th>
<th>Sample Number</th>
<th>Sample Type</th>
<th>SPT Blow Count*</th>
<th>Recovery (in.)</th>
<th>Recovery (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>664.6</td>
<td>Ground Surface</td>
<td></td>
<td>0</td>
<td></td>
<td>1</td>
<td>1A 1B</td>
<td></td>
<td>1-1-2</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>Mixed brown and dark gray moist medium stiff FILL, silty clay and topsoil with cinders and brick fragments.</td>
<td></td>
<td></td>
<td></td>
<td>2</td>
<td>DS</td>
<td></td>
<td>2-1-2</td>
<td>1</td>
</tr>
<tr>
<td>657.6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>DS</td>
<td></td>
<td>19-9-4</td>
<td>1</td>
</tr>
<tr>
<td>655.1</td>
<td>Mottled brown moist very stiff SILTY CLAY, trace iron oxide stains.</td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>DS</td>
<td></td>
<td>4-5-7</td>
<td>18</td>
</tr>
<tr>
<td>652.6</td>
<td>Brown moist stiff SILTY CLAY, trace iron oxide stains and bedding planes (residual).</td>
<td></td>
<td></td>
<td></td>
<td>5</td>
<td>DS</td>
<td></td>
<td>5-8-11</td>
<td>18</td>
</tr>
<tr>
<td>647.6</td>
<td>Interbedded brown moist soft highly weathered SHALE and gray hard LIMESTONE (bedrock).</td>
<td></td>
<td></td>
<td></td>
<td>6</td>
<td>DS</td>
<td></td>
<td>8-11-18</td>
<td>18</td>
</tr>
<tr>
<td>642.6</td>
<td>Interbedded olive brown moist soft weathered SHALE and gray hard LIMESTONE (bedrock).</td>
<td></td>
<td></td>
<td></td>
<td>7</td>
<td>DS</td>
<td></td>
<td>14-31-50</td>
<td>18</td>
</tr>
<tr>
<td>641.1</td>
<td>Interbedded gray moist soft SHALE and gray hard LIMESTONE (bedrock).</td>
<td></td>
<td></td>
<td></td>
<td>8</td>
<td>DS</td>
<td></td>
<td>18-41-50</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>Bottom of test boring at 23.5 feet.</td>
<td></td>
<td></td>
<td></td>
<td>9</td>
<td>DS</td>
<td></td>
<td>100/6*</td>
<td>6</td>
</tr>
</tbody>
</table>

**Datum:** Mean Sea Level  
**Hammer Weight:** 140 lb.  
**Hole Diameter:** 6 in.  
**Drill Rig:** CME-55 TD-3  
**Surface Elevation:** 664.6 ft.  
**Hammer Drop:** 30 in.  
**Rock Core Diameter:** 1.875 in.  
**Foreman:** L. Wansstrath  
**Date Started:** 1/4/2014  
**Pipe Size:** 2 in. O.D.  
**Engineer:** A. Sturbaum  
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**BORING METHOD**  
HSA = Hollow Stem Augers  
CFA = Continuous Flight Augers  
DC = Driving Casings  
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**SAMPLE TYPE**  
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**SAMPLE CONDITIONS**  
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I = Intact  
U = Undisturbed  
L = Lost

**GROUNDWATER DEPTH**  
First Noted: Dry  
At Completion: Dry  
After: Backfilled  
Immediately

*SPT = Standard Penetration Test - Driving 2" O.D. Sampler 18" with 140-Pound Hammer Falling 30"; Count Made at 6" Intervals
SOIL CLASSIFICATION SHEET

NON COHESIVE SOILS
(Silt, Sand, Gravel and Combinations)

Density
Very Loose - 5 blows/ft. or less
Loose - 6 to 10 blows/ft.
Medium Dense - 11 to 30 blows/ft.
Dense - 31 to 50 blows/ft.
Very Dense - 51 blows/ft. or more

Particle Size Identification
Boulders - 8 inch diameter or more
Cobbles - 3 to 8 inch diameter
Gravel - Coarse - 3/4 to 3 inches
          - Fine - 3/16 to 3/4 inches
Sand - Coarse - 2mm to 5mm
        - Medium - 0.45mm to 2mm
        - Fine - 0.075mm to 0.45mm
Silt - 0.005mm to 0.075mm
(Cannot see particles)

Relative Properties
Descriptive Term  Percent
Trace  1 - 10
Little  11 - 20
Some  21 - 35
And  36 - 50

COHESIVE SOILS
(Clay, Silt and Combinations)

Consistency
Very Soft  Easily penetrated several inches by fist
Soft  Easily penetrated several inches by thumb
Medium Stiff  Can be penetrated several inches by thumb with moderate effort
Stiff  Readily indented by thumb but penetrated only with great effort
Very Stiff  Readily indented by thumbnail
Hard  Indented with difficulty by thumbnail

Field Identification
Unconfined Compressive Strength (tons/sq. ft.)
Less than 0.25
0.25 - 0.5
0.5 - 1.0
1.0 - 2.0
2.0 - 4.0
Over 4.0

Classification on logs are made by visual inspection.

Standard Penetration Test – Driving a 2.0” O.D., 1 3/8” I.D., sampler a distance of 1.0 foot into undisturbed soil with a 140 pound hammer free falling a distance of 30 inches. It is customary to drive the spoon 6 inches to seat into undisturbed soil, then perform the test. The number of hammer blows for seating the spoon and making the tests are recorded for each 6 inches of penetration on the drill log (Example − 6/8/9). The standard penetration test results can be obtained by adding the last two figures (i.e. 8+9=17 blows/ft.). Refusal is defined as greater than 50 blows for 6 inches or less penetration.

Strata Changes – In the column “Soil Descriptions” on the drill log, the horizontal lines represent strata changes. A solid line (-----) represents an actually observed change; a dashed line (———) represents an estimated change.

Groundwater observations were made at the times indicated. Porosity of soil strata, weather conditions, site topography, etc., may cause changes in the water levels indicated on the logs.
This is the window. A vertical divider will be added top and bottom. The color is French Roast.

OPTIONS

Interior Finish Color
- Early American Stain
- Interior Trim Style
- Brickmould

Exterior Finish Color
- French Roast
- Exterior Trim Style
- Brickmould

Hardware Style
- Cam-Action Lock

Glass Options
- Advanced Low-E Insulating Glass

Note: This is an alum. clad wood window.


3/6/2015
Honorable Historic Conservation Board
Cincinnati, Ohio

May 4, 2015

SUBJECT:
USE VARIANCE
404-406 E. 12TH STREET
OVER-THE-RHINE HISTORIC DISTRICT

APPLICANT: Jason Chamlee, Model Group

OWNER: Model Group

TYPE OF WORK: Put offices in the first and second floors of this building

BACKGROUND AND DESCRIPTION: This property is situated on the east side of Broadway between 12th and 13th Streets. There is no work proposed on the exterior of the building.

A pre-hearing was held on Thursday April 23, 2014. The applicants were the only persons in attendance.

Zoning Issues

Details of Zoning Relief Required:

Nature of Request:
The applicant and/or owners are requesting a Use Variance from the requirements of Section 1445-16 of the Cincinnati Zoning Code.

Existing Conditions:
The subject property is an existing building located in the Over-the-Rhine Historic District. The property is currently zoned RM-0.7 Residential Multi-family District and Historic Overlay District. The current zoning does not permit office uses above the first floor.

Proposed Conditions:
The applicant Mr. Robert Maly is proposing to use the existing building (404-406 East 12th Street) as a mixed-use development called Broadway Square. The building will have professional offices on the first and second floors and residential on the third floor and above.

Applicable Zoning Code Sections:
Section 1405-05 Land Use Regulations
Section 1435-05-4 Variance, Special Exceptions and Conditional Uses

Section 1445-16 Use Variance Standards

**Details of Zoning Relief Required:**

The applicant is requesting a Use Variance for relief from Schedule 1405-05 Use Regulations – Residential Multi-family Districts.

- Schedule 1405-05 indicates that Office uses are not permitted on the second floor and above.

- The applicant intends to use the first and second floor of the subject property as an office use.

- A Use Variance is needed.

The applicant’s project is subject to review under Section 1445-16.

- The proposed work does not conform to the requirements of Section 1405-05 and requires a hearing and decision by the Zoning Hearing Examiner.

- Section 1445-16 indicates no variance shall be granted to allow a use not permissible under the terms of the Zoning Code in the zoning district in which the property is located, unless the Zoning Hearing Examiner finds that the applicant for the use variance has demonstrated that the applicant will suffer unnecessary hardship if strict compliance with the terms of the Code is required and such hardship must be demonstrated by clear and convincing evidence.

The applicant’s property is located in a Historic District and is subject to review under Section 1435-05-4 Variances, Special Exceptions and Conditional Uses.

- Whenever an application is made for a variance, special exception or conditional use relating to property wholly or partially located within a Historic District or involving a historic asset, the Historic Conservation Board exercises the authority granted to the Zoning Hearing Examiner in Chapter 1445 of the Cincinnati Zoning Code. In such cases, the provisions of Chapter 1445, where not inconsistent with the provisions of this chapter, apply to the authority prescribed therein.

Chapter 1445 Variances, Special Exceptions and Conditional Uses, Section 1445-13, General Standards; Public Interest, is intended to maximize both the public interest and private benefits. These factors include:

a **Zoning.** The proposed work conforms to the underlying zone district regulations and is in harmony with the general purposes and intent of the Cincinnati Zoning Code.

*The underlying zoning is RM-0.7 and it does not conform with the zoning requirements.*
b  **Guidelines.** The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.

*The proposed use conforms to the guidelines for the district.*

c  **Plans.** The proposed work conforms to a comprehensive plan, any applicable urban design or other plan officially adopted by Council, and any applicable community plan approved by the City Planning Commission.

*The proposed use conforms with the Over-the-Rhine Comprehensive Plan and Plan Cincinnati.*

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

*There is minimal anticipation of increased traffic for the proposed use and there is plenty of parking nearby.*

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

*This is not applicable for the proposed use.*

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

*This is not applicable for the proposed use.*

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

*Mixed use buildings with commercial on the first and second floor and residential above are characteristic of the historic district.*

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

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

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

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

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

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

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

*This building has been recently rehabilitated.*
(l) **Economic Benefits.** The promotion of the Cincinnati economy.  
*These uses will help Cincinnati’s economy.*

(m) **Job Creation.** The creation of jobs both permanently and during construction.  
*Jobs will be created for these commercial uses and during construction.*

(n) **Tax Valuation.** Any increase in the real property tax duplicate.  
*This will potentially help the property values by creating new businesses.*

(o) **Private Benefits.** The economic and other private benefits to the owner or applicant.  
*This is not applicable for the proposed use.*

(p) **Public Benefits.** The public peace, health, safety or general welfare.  
*There is no measurable detriment to public peace, health, safety or welfare as a result of this proposed project.*

1445-16. - Use Variance Standards.

No variance shall be granted to allow a use not permissible under the terms of the Zoning Code in the zoning district in which the property is located, unless the Zoning Hearing Examiner finds that the applicant for the use variance has demonstrated that the applicant will suffer unnecessary hardship if strict compliance with the terms of the Code is required and such hardship must be demonstrated by clear and convincing evidence as to the following criteria:

(a) The property cannot be put to any economically viable use under any of the permitted uses in the zoning district;

(b) The variance requested stems from a condition that is unique to the property at issue and not ordinarily found in the same zone or district;

(c) The hardship condition is not created by actions of the applicant;

(d) The granting of the variance will not adversely affect the rights of adjacent property owners or residents;

(e) The granting of the variance will not adversely affect the community character, public health, safety or general welfare;

(f) The variance will be consistent with the general spirit and intent of the Zoning Code; and
(g) The variance sought is the minimum that will afford relief to the applicant.

Under Section 1435-05-4 of the Cincinnati Zoning Code, The Historic Conservation Board may grant relief when it finds such relief from the literal implication of the Zoning Code will not be materially detrimental to the public health, safety, and welfare or injurious to property in the district or vicinity where the property is located and either:

a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; or
b) Is necessary to provide the owner a recoverable rate of return on the real property where the denial thereof would amount to a taking of the property of the owner without just compensation.

DISCUSSION: Other properties adjacent to these, separated only by right of way, are able to house similar uses and allowing these uses in the subject buildings will make for a consistent commercial district at the intersection of 12th and Broadway Streets.

If strict compliance with the existing terms of the Code is required, the applicant and the neighborhood will suffer unnecessary hardship in losing prospective tenants that are willing to move into these spaces and bring significant investment to this area, greatly in need of revitalization.

(a,b) The variance requested stems from a condition that is unique to the property at issue given its direct proximity to zones that will allow the proposed uses.
(c) The hardship condition is not created by actions of the applicant
(d) The granting of the variance will not adversely affect the rights of adjacent property owners or residents; applicant owns the majority of all of the adjacent property and will own and operate the residential units above these spaces.
(e) The granting of the variance will not adversely affect the community character, public health, safety or general welfare; rather it will play a significant role in the revitalization and restoration of the neighborhood and these formerly blighted properties.
(f) The variance will be consistent with the general spirit and intent of the Zoning Code as well as the historic mixed-use character of this neighborhood.
(g) The variance sought is the minimum that will afford relief to the applicant and allow the businesses interested in moving into these spaces to complete construction and open for operation.
The subject property is adjacent to an existing CN-P District and CC-P District, which permits commercial uses. These commercial districts appear to have altered the built environment of the surrounding area. Staff recommends the use variance because the potential use does not appear to have an adverse effect on the surrounding properties and the community.

Staff finds the requested use variance is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district as stated in Section 1435-05-4 of the Cincinnati Zoning Code.

**RECOMMENDATION:** Staff recommends the Historic Conservation Board take the following actions:

1. Approve the requested use variance for 404-406 E. 12th Street as per Section 1445-13 and 1445-16 as outlined above because it has been demonstrated that the applicant will suffer unnecessary hardship and the proposed use is necessary and appropriate in the interest of historic conservation and does not adversely affect the historic architectural or aesthetic integrity of the district and the Standards for Variances in Section 1435-05-4 finding that it:

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 district.

Respectfully submitted,

Caroline Hardy Kellam
Senior City Planner

APPROVED:

Larry Harris
Urban Conservator
March 16, 2015

Mr. Roddie Ringer, Senior City Planner
Business Development & Permit Center
3300 Central Parkway
Cincinnati, Ohio 45225

Re: 404-406 E 12th Street

Dear Cincinnati Zoning Review Board:

Executive Summary

We, as the owners of the property located at 404-406 E 12th Street, request a Zoning Use Variance to allow professional offices to operate on the first and second floors in this building. We have committed tenants for these spaces, an architectural firm for the first floor and a law firm for the second floor. While the current zoning of RM-0.7 allows for commercial uses it does not specifically allow for second floor office. These buildings are adjacent to CN-P to the west and CC-P to the south, both of which allow restaurants (see enclosed map with Exhibit A).

This building is part of a multi-phased redevelopment of this portion of the Pendleton neighborhood known as Broadway Square. The buildings being restored were historically mixed use with both commercial and residential components. These buildings originally had commercial storefronts and we’re restoring that historic condition, preserving this unique resource and enlivening the neighborhood. The original neighborhood was filled with shops and businesses, functioning as a sustainable mixed-use community, which today is the collective vision for Pendleton’s future. It is our strong belief that the re-introduction of commercial spaces into these buildings strengthens the neighborhood and is complimentary to the historic character of the buildings and streetscape.

Conformance with Chapter 1445

These proposed uses conform to all other applicable laws, ordinances and regulations and are in the public interest. This redevelopment project meets several of the factors listed in Cincinnati Municipal Code 1445-13:

- **Zoning.** The proposed work is in harmony with the general purposes and intent of the Cincinnati Zoning Code. We are seeking a use variance to specifically allow for the commercial office spaces in this building.
- **Guidelines.** The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located. This neighborhood and
these buildings have been an area of focus for City Council and the Mayor. The City has strongly supported Broadway Square, including significant financial investment.

- **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 (Exhibit B)** – In the Live Section, page 157, the plan states as a goal to "increase mixed-use, compact walkable development throughout the basin and uptown, surrounding our centers of activity, and along transit corridors. In strategic areas, we will meet the demand for more mixed-use, compact walkable development and in turn increase the vibrancy of our neighborhoods." Broadway Square is a unique opportunity to provide mixed-use development in an area of demonstrated demand.
  - **Over-The-Rhine Comprehensive Plan (Exhibit C)** – The subject buildings are within a Quality of Life Focus Area within this plan (page 128). Having these store fronts enlivened enhances and supports the interest in the cultural destinations within this part of the neighborhood. Under Economic Development goals (page 75) the plan calls on making OTR a model for diverse and inclusive business development. Several of our prospective tenants have cited the vibrant mix of uses as what has attracted them to the location. This accomplishes the stated goal of "Provide support to a variety of office users including technology-based companies, architectural, arts and other design firms." Also, "Maximize the support and development of digital and technology related business in the community."

- **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 neighborhood is very walkable with ample parking opportunities nearby. The law firm and architectural firm under consideration are small professional offices with very low parking demand.

- **Hours of Operation.** Operating hours are compatible with adjacent land uses. All residential units above and adjacent to these commercial spaces are part of Broadway Square and owned and operated by the applicant as rental housing.

- **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 neighborhood has been very supportive of Broadway Square and we are in fact returning the use of these buildings to the historic patterns.

- **Adverse Effects:** There are no adverse effects on the access to the property by fire, police, or other public services; access to light and air from adjoining properties is supported and maintained; traffic conditions are suitable; the development, usefulness or value of neighboring land and buildings is enhanced.

- **Blight.** The elimination or avoidance of blight. These buildings have been vacant and boarded up for years. Reactivating these commercial spaces is a significant improvement to the overall character and safety of the neighborhood.
- **Economic Benefits.** The promotion of the Cincinnati economy. Bringing new businesses to the neighborhood brings significant economic benefits to the City and serves to strengthen the local economic vibrancy.

- **Job Creation.** The creation of jobs both permanently and during construction. These new commercial uses have brought construction jobs to the community and will also provide permanent jobs for those employed by the businesses.

- **Tax Valuation.** These improvements will result in a long term increase in the real property tax value.

- **Private Benefits.** The economic and other private benefits to the owner or applicant are a successful and sustainable project which also enhances the lifestyle of those living in and visiting the neighborhood.

- **Public Benefits:** The public peace, health, safety or general welfare will be supported and maintained with these improvements.

Neither the owner nor any predecessors caused these buildings to require a variance and therefore this request meets the following conditions as stated in Cincinnati Municipal Code 1445-15.

- Owing to special circumstances or conditions pertaining to a specific piece of property, the strict application of the provisions or requirements of this Code are unreasonable and would result in practical difficulties. With similar uses being allowed literally across the street, it makes sense for these spaces to house these proposed complimentary uses.

- 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. Other properties adjacent to these, separated only by right of way, are able to house similar uses and allowing these uses in the subject buildings will make for a consistent commercial district at the intersection of 12th and Broadway Streets.

If strict compliance with the existing terms of the Code is required, the applicant and the neighborhood will suffer unnecessary hardship in losing prospective tenants that are willing to move into these spaces and bring significant investment to this area, greatly in need of revitalization.

- The variance requested stems from a condition that is unique to the property at issue given its direct adjacency to zones that will allow the proposed uses.

- The hardship condition is not created by actions of the applicant

- The granting of the variance will not adversely affect the rights of adjacent property owners or residents; applicant owns the majority of all of the adjacent property and will own and operate the residential units above these spaces.

- The granting of the variance will not adversely affect the community character, public health, safety or general welfare; rather it will play a significant role in the revitalization and restoration of the neighborhood and this formerly blighted property.

- The variance will be consistent with the general spirit and intent of the Zoning Code as well as the historic mixed-use character of this neighborhood.
The variance sought is the minimum that will afford relief to the applicant and allow the businesses interested in moving into these spaces to complete construction and open for operations.

We respectfully request that a Use Variance for the first and second floor of this building be granted so that we can commence the build out phase of these office spaces which will bring life back to these historic buildings. We are excited to be playing a role in the continued revitalization of the Pendleton and Over-the-Rhine neighborhoods.

Sincerely,

Bobby Maly
Broadway Square I, LLC
Exhibit A

Map of Property
Exhibit B

Excerpts from Plan Cincinnati Documents
Become more walkable.

Cincinnati will begin incorporating strategic regulatory tools to promote stable mixed-use neighborhoods through more creative development and will enforce codes and ordinances that regulate safety and cleanliness. We will also be innovative and help guide the future character of development with tools such as form-based codes, transfer of development rights, transit-oriented development, and others.

Increase mixed-use, compact walkable development throughout the basin and uptown, surrounding our centers of activity, and along transit corridors.

In strategic areas, we will meet the demand for more mixed-use, compact walkable development and in turn increase the vibrancy of our neighborhoods.

Short-range (1-3 years):
- Revise the City’s Building and Zoning Codes and Subdivision Regulations into one unified Land Development Code with standards that emphasize traditional neighborhood development over suburban development.
- Integrate Universal Design standards into codes to facilitate the creation of more accessible structures.
- Existing sidewalks should be repaired and widened when practical.
- Create new pedestrian crossings at suitable intersections and mid-street crossings and educate motorists and pedestrians about crosswalk safety.
- Continue to maintain the City Hillside Step Information System to maintain an inventory of each set of steps and track inspection and repair information. Whenever possible, retain public ownership of steps.

Current Initiatives:
- All development in the City is required to provide sidewalks. As a result, most residential areas are connected with sidewalks. The Department of Transportation and Engineering estimates that there are about 1,700 miles of improved sidewalk space in the City of Cincinnati.
- There are nearly 400 sets of City hillside steps serving the residents, visitors and commuters. Besides being an integral part of our city’s transportation system, the hillside steps are recognized as a unique feature and point of destination for many visitors of the City.
- The City of Cincinnati is in the process of developing a Form-Based Code, a zoning tool that instead of being guided primarily by use, uses a community’s walkable urban development pattern as the framework for the code to ensure compatible, predictable, high-quality built results.
- The City of Cincinnati is in the process of developing Complete Streets guidelines to ensure that its streets are built not simply for vehicular traffic but for transit, bikes, and pedestrians as well.
Exhibit C

Excerpts from Over-the-Rhine Comprehensive Plan
ECONOMIC DEVELOPMENT GOALS AND OBJECTIVES

Goal 1: Make OTR a model for diverse and inclusive business development.
Objectives:
- Strengthen neighborhood retail uses on Vine Street and throughout the neighborhood
- Provide support to a variety of office users including technology-based companies, architectural, arts and other design firms
- Maximize the support and development of digital and technology related business in the community
- Coordinate and enhance small business and microenterprise support programs
- Focus marketing of retail space around Findlay Market for local, specialty, and international food products and services

Goal 2: Establish stronger linkages between the OTR workforce and job training programs and employment opportunities in the neighborhood and throughout the City.
Objectives:
- Create opportunities in industries where OTR has a competitive advantage such as historic building trades, the arts and crafts industry, and food service and products at Findlay Market
- Establish an educational link between technology-based businesses, neighborhood schools and the Employment and Training Center
- Improve transportation options to employment centers throughout the region, including support for Metro Moves

Goal 3: Strengthen and create destinations that attract and encourage neighborhood and regional participation.
Objectives:
- Support regional arts organizations in the neighborhood and maximize their direct economic benefit to the neighborhood
- Use cultural resources to attract people to neighborhood restaurants and other establishments
- Enhance Findlay Market as a regional destination by expanding the Market and targeting renovation of the surrounding buildings
- Support the Main Street Entertainment District as a regional destination that is welcoming to local residents and serves as a neighborhood gathering place
- Provide strong pedestrian links between the Pendleton Arts Center, Main Street, Vine Street and Music Hall along 13th Street
- Enhance the safety of the neighborhood to encourage people to use the resources of the area
- Enhance the grocery offerings in the vicinity of Findlay Market to improve convenience shopping for residents and visitors
- Create safe, clean and maintained "pocket parking lots" throughout the neighborhood focusing on the commercial corridors on Vine Street and Findlay Market, with an additional structured lot in the vicinity of Main Street
- Create a coordinated marketing program to promote the diverse arts, cultural and other destinations on the neighborhood

Goal 4: Ensure the opportunity for OTR residents to become financially literate and independent
Objectives
- Create opportunities for homeownership in the neighborhood
- Make use of SmartMoney Community Services and other local financial training programs
- Provide strong educational institutions
- Support local financial institutions that recycle dollars in the neighborhood
Exhibit D

Site Plans, Architectural Drawings, Photographs and Elevations
Exhibit E

Auditor's Official Record
Dusty Rhodes, Hamilton County Auditor

Property Report

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Note
1) 7-14-04 30 YEAR TIF ABATEMENT BEGAN 2003 THRU 2032

Residential

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## Payments

### Current Year Tax Detail

### Detail of Special Assessment

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[Link to property record page]
Exhibit F

List of Witnesses
Application for Zoning Relief

Broadway Square I
404-406 E 12th Street

List of Potential Witnesses

One or all of the following may appear to testify at this hearing, as required:

Robert Maly, Managing Member, Broadway Square I (Owner)

Jason Chamlee, Project Manager, Model Group (Developer)

Matt Reckman, Model Realty, (Property Manager)
SUBJECT: PRELIMINARY DESIGN REVIEW

1207 ELM STREET
OVER THE RHINE HISTORIC DISTRICT

Applicant: Mark Gunther, architect for the owner.

Type of Work: Conversion of existing a men’s transitional housing facility to a single family residence with 4 car tandem garage and roof decks at 1207 Elm Street in the Over the Rhine Historic District.

Background: The architect submitted the following narrative to the board.

This property is a four story Italianate structure and was recently acquired by Mark Greene Construction LLC. Mark and Connie Greene have been developers of luxury single family riverfront homes; they now have made 1207 Elm their first project in OTR. To maintain their same amenities package, we are requesting a few modifications to the existing exterior of the building.

There is currently a 26 feet wide by 17 feet deep parking pad accessible from alleys on the West side of the property; this proposal is to have that lead to a dual tandem bay garage. A portion of the existing first floor masonry wall at the South elevation would be removed to allow the clear span necessary for a four vehicle enclosure. Existing openings would have stone lintels and sills salvaged and reused on the new masonry wall.

The primary living space of this dwelling will be the fourth floor. A cut away roof deck already exists on the West side of the property; this proposal is to have that lead to a dual tandem bay garage. Access to each deck will be from low-pitched shed dormers that would not be visible above the principal façade. Another modification proposed is to return the cornice to a more appropriate proportion. A previous renovation raised the roof line approximately three feet above the original. The original eyebrow windows are now below the brackets and trim. As proposed, the cornice would be lowered to allow the eyebrows to once again be surrounded by the cornice elements.

Besides the cornice modifications, the primary façade was also altered at the grade level. Plaster was applied over the brick; a three wide “picture” window was installed as was a curious copper canopy over a deepened exterior entry vestibule. Our proposal is to construct a new box bay window in lieu of the “picture”, remove the canopy and lessen the vestibule depth.

Discussion The Over the Rhine Guidelines that relates to the scope of proposed work for this project is listed below for your information.

Additions

Intent and General Guidelines

1. Additions are allowed and should follow new construction guidelines. They should be compatible in character with the original. They should be sympathetic but not imitative in design.
2. Additions should be designed to relate architecturally to adjacent buildings in general and to the building they are a part of in particular.

3. Additions should not overpower the original building.

4. The appropriateness of design solutions will be based on balancing the program needs of the applicant with 1) how well the proposed design relates to the original building and neighboring buildings and 2) how closely the proposal meets the intent of these general guidelines and the specific guidelines for new construction.

Rehabilitation

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

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

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

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

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

B. Specific Guidelines

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

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

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

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

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

**Recommendation:** No official Board action is required at this time, however staff encourages the Board to ask questions and direct the applicant to state for the record, the time line for submittal of the COA application and when they wish to begin construction.

**APPROVED:**

Larry D. Harris  
Urban Conservator
Figure 1 Project Site
April 27, 2015

Larry Harris, Urban Conservator
Historic Conservation Office

Re: 1207 Elm Street Preliminary COA Review

Dear Larry,

I am submitting proposed plans, elevations, axonometric and existing building photos for preliminary review and comment by the Board. This property is a four story Italianate structure and was recently acquired by Mark Greene Construction LLC. Mark and Connie Greene have been developers of luxury single family riverfront homes; they now have made 1207 Elm their first project in OTR. To maintain their same amenities package, we are requesting a few modifications to the existing exterior of the building.

There is currently a 26 feet wide by 17 feet deep parking pad accessible from alleys on the West side of the property; this proposal is to have that lead to a dual tandem bay garage. A portion of the existing first floor masonry wall at the South elevation would be removed to allow the clearspan necessary for a four vehicle enclosure. Existing openings would have stone lintels and sills salvaged and reused on the new masonry wall.

The primary living space of this dwelling will be the fourth floor. A cut away roof deck already exists on the West side and we proposed to create another one on the East (Washington Park) side. Access to each deck will be from low-pitched shed dormers that would not be visible above the principal façade. Another modification proposed is to return the cornice to a more appropriate proportion. A previous renovation raised the roof line approximately three feet above the original. The original eyebrow windows are now below the brackets and trim. As proposed, the cornice would be lowered to allow the eyebrows to once again be surrounded by the cornice elements.

Besides the cornice modifications, the primary façade was also altered at the grade level. Plaster was applied over the brick, a three wide “picture” window was installed as was a curious copper canopy over a deepened exterior entry vestibule. Our proposal is to construct a new box bay window in lieu of the “picture”, remove the canopy and lessen the vestibule depth.

Thank you for the opportunity to present our concept to you and the Board. In addition to affirming adherence to the district guidelines, we will also be requesting relief from two zoning issues. This is a CC-A district and grade level residential is a conditional use plus rear yard setbacks are twenty five feet (we only have seventeen).

Sincerely,
Mark A. Gunther, RA, NCARB