



805 CENTRAL AVE, SUITE 720  
CINCINNATI OHIO 45202  
P 513 352 3271  
F 513 352 2579  
WWW.CINCINNATI-OH.GOV  
CAGIS.HAMILTON-CO.ORG

## Notwithstanding Ordinance Application

INITIALIZED BY

### Part A - Identification

Subject Property Address (Please print in blue or black ink only)

525 Elm St. Cincinnati, OH 45202

Applicant - Name (Print)  
3CDC Development Manager, LLC

Phone No  
(513) 977- 8039

E-mail Address  
skaiser@3cdc.org

Street Number & Name  
1203 Walnut St. 4th Floor Cincinnati, OH 45202

City / State / Zip Code

Phone No / Fax No

Relationship of Applicant to Owner:



Owner **Rep.**



Lessee



Attorney

Property Owner - Name (Print)  
City of Cincinnati

Phone No

E-mail Address

Street Number & Name

City / State / Zip Code

Phone No / Fax No

### Part B - Submission Requirements (Please provide the following for a complete application)

1. A copy of the zoning map showing the subject property. A copy may be obtained through the Zoning Administration by emailing [zoninginfo@cincinnati-oh.gov](mailto:zoninginfo@cincinnati-oh.gov) or by calling (513) 352-2430.
2. A written statement outlining all of the practical difficulties created by following existing legislative and administrative procedures.
3. Submit one (1) paper copy and one (1) digital copy of the application to the Director of City Planning at 805 Central Avenue, Suite 720, Cincinnati, Ohio 45202. Payment must be included with the application. (Payable to the City of Cincinnati)

### Part C - Authorization

The applicant or agent undersigned does hereby certify that the information and statements given on the application, drawings, and inspections are to the best of their knowledge, true and correct. The undersigned further certifies their authorization to grant consent to the inspection by employees of the City of Cincinnati of the described premises at any time when work on those premises is ongoing and hereby grants their consent.

Applicant's Signature

Date

4-8-24

### FOR OFFICE USE ONLY

Reviewed By:

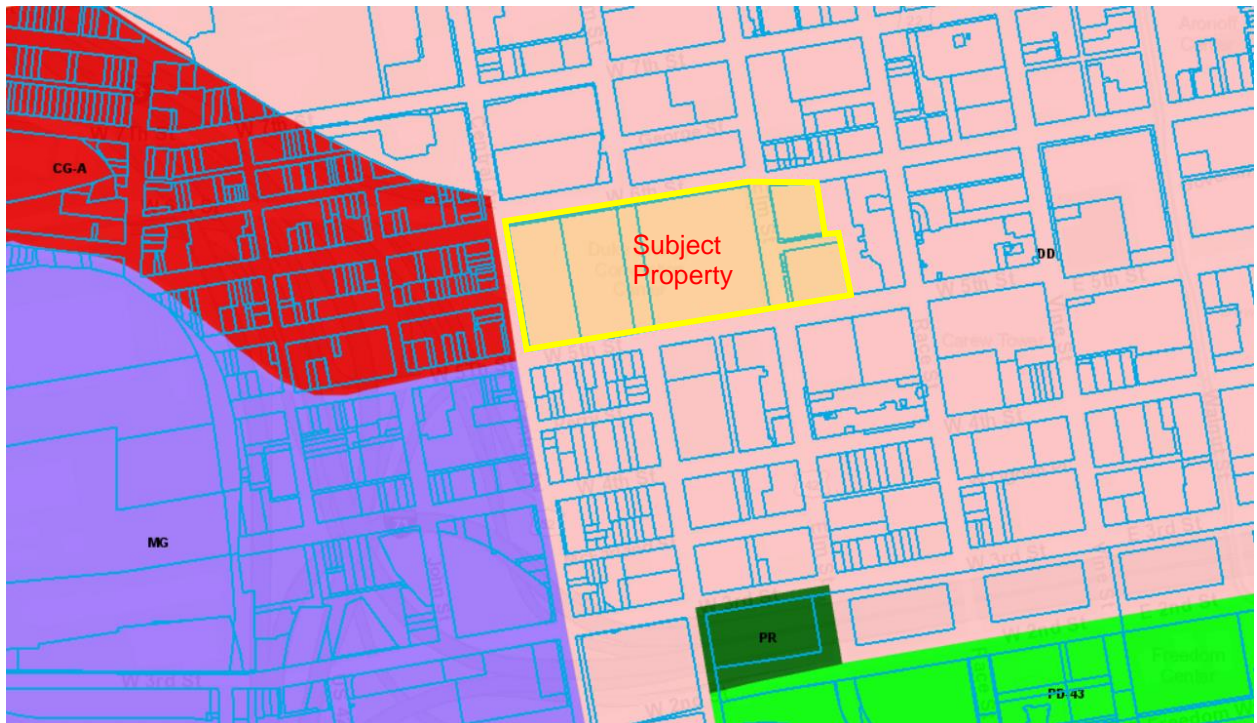
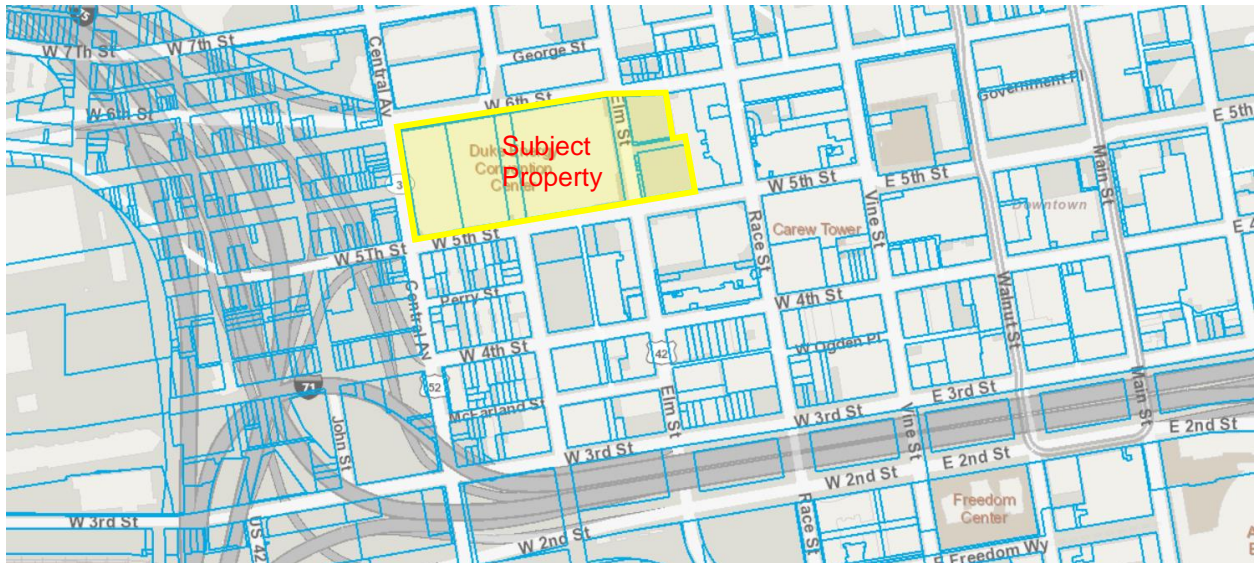
Processing Fee

City Planning Staff

Date Application Complete

ZONING MAP – 525 Elm St.

Property is in the DD Zone







TO: Stacy Hoffman, City Planning Division Manager  
FROM: Katie Westbrook, 3CDC Development Director  
DATE: April 8, 2024

**RE: Notwithstanding Ordinance Application for 525 Elm St.**

Serving as the Development Manager of the Convention Center, 3CDC Development Manager, LLC (3CDC) is submitting the attached Notwithstanding Ordinance Application on behalf of the City of Cincinnati and Hamilton County to streamline review and approval of various design and use elements of the Elm Street Plaza (located between W 5th and W 6<sup>th</sup> Street). The specific elements in this request are listed on the following page. Renderings and drawings are also enclosed to illustrate the approximate locations and dimensions of these elements. 3CDC, The City of Cincinnati, Hamilton County, and The PORT Authority are actively working to consolidate ownership of the site as outlined in the attached drawings.

Without the Notwithstanding Ordinance, these elements would require multiple separate approvals for zoning variances. The Notwithstanding Ordinance consolidates these applications into one comprehensive request. This approach allows the Planning Commission to review the proposed site plan more holistically and expedite the approval process. An accelerated approval process is essential to the success of this project due to strict construction deadlines resulting from the Convention Center's event schedule.

This exciting project is a catalyst for economic development throughout Downtown Cincinnati increasing the City's ability to promote the Convention Center and improving public safety surrounding the Convention Center. The items included in this request are integral to the success of this project for its stakeholders.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'KW' with a large, stylized flourish at the end.

Katie Westbrook  
Development Director

### **Itemized List of Application Items**

- A. A variance is required to permit the Pavilion structure and any accessory structures that do not have a façade of at least 40 ft. in height
- B. A variance is required for the Pavilion structure and any accessory structures to not abut the public right-of-way
- C. A locational variance is required to locate a Commercial Meeting Facility use on the ground floor
- D. Addition of Plaza plantings, pavement, and dog park in the 6<sup>th</sup> street right-of-way
- E. Addition of Plaza hardscape in the 5<sup>th</sup> street right-of-way

Date: 4.5.2024

Location: Elm Street Plaza (East side of Elm Street between W 5<sup>th</sup> and W 6<sup>th</sup> Street)

Request: Zoning Relief Analysis, Adjudication Letter

Zoning District: Downtown Development District (DD)

Applicant Name: Katie Westbrook, 3CDC

Dear Applicant:

The City of Cincinnati appreciates receiving information regarding your proposed project. The purpose of this letter is to inform you that your request does not comply with the City of Cincinnati Zoning Code for the following reason:

- **1411-15** - The property at the east side of Elm Street, between W 5<sup>th</sup> and W 6<sup>th</sup> Streets, is within the Zero Setback Overlay on all 3 sides abutting right-of-way. Per Zoning Code Section 1411-15, every building must be built with a facade at least 40 feet in height and abut the public right-of-way along the indicated locations.
  - ***A Variance is required to permit the Pavilion structure and any accessory structures that do not have a façade of at least 40 ft. in height.***
  - ***A Variance is required for the Pavilion structure and any accessory structures to not abut the public right-of-way.***
- **1411-17** - The property at the east side of Elm Street, between W 5<sup>th</sup> and W 6<sup>th</sup> Streets, is within the Commercial Continuity Overlay on all 3 sides abutting right-of-way. Per Zoning Code Section 1411-17, “at least 60 percent of first-floor building frontage shall be devoted to commercial uses. Further, floor areas closest in elevation to and within 12 feet of adjoining walkway or atrium frontages must be devoted to lobbies.” The proposed plaza serving the Duke Energy Convention Center is classified as a Commercial Meeting Facility. The Land Use Regulations of Zoning Code Section 1411-05, Limitation #4, stipulate that a Commercial Meeting Facility is “Not permitted as a principal ground floor use in locations indicated on Map 1411-17: Commercial Continuity Overlay.”
  - ***A Locational Variance is required to locate a Commercial Meeting Facility use on the ground floor.***

If you choose to move forward with your project as planned, you will need to obtain zoning relief from the Zoning Hearing Examiner. If you have any questions regarding the submission of your Zoning Hearing Application and the required documents, please contact Kasandra Maynes at 513-352-1559 or visit <https://www.cincinnati-oh.gov/buildings/hearings-appeals/zoning-hearing-examiner/>.

You may also contact me at the information listed below with zoning questions, concerns or to make an appointment.

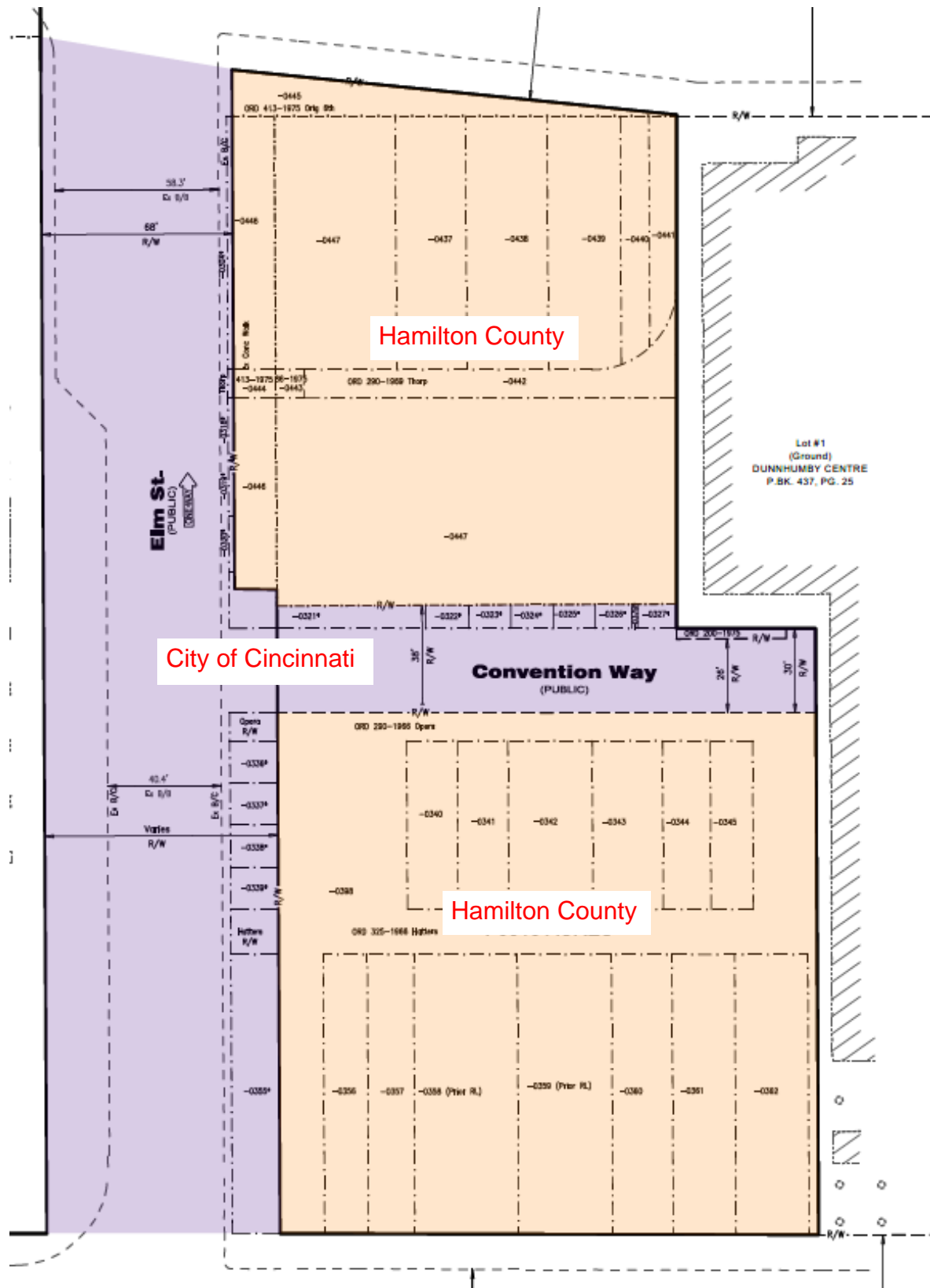
Please include a copy of this letter with your zoning application.

Sincerely,

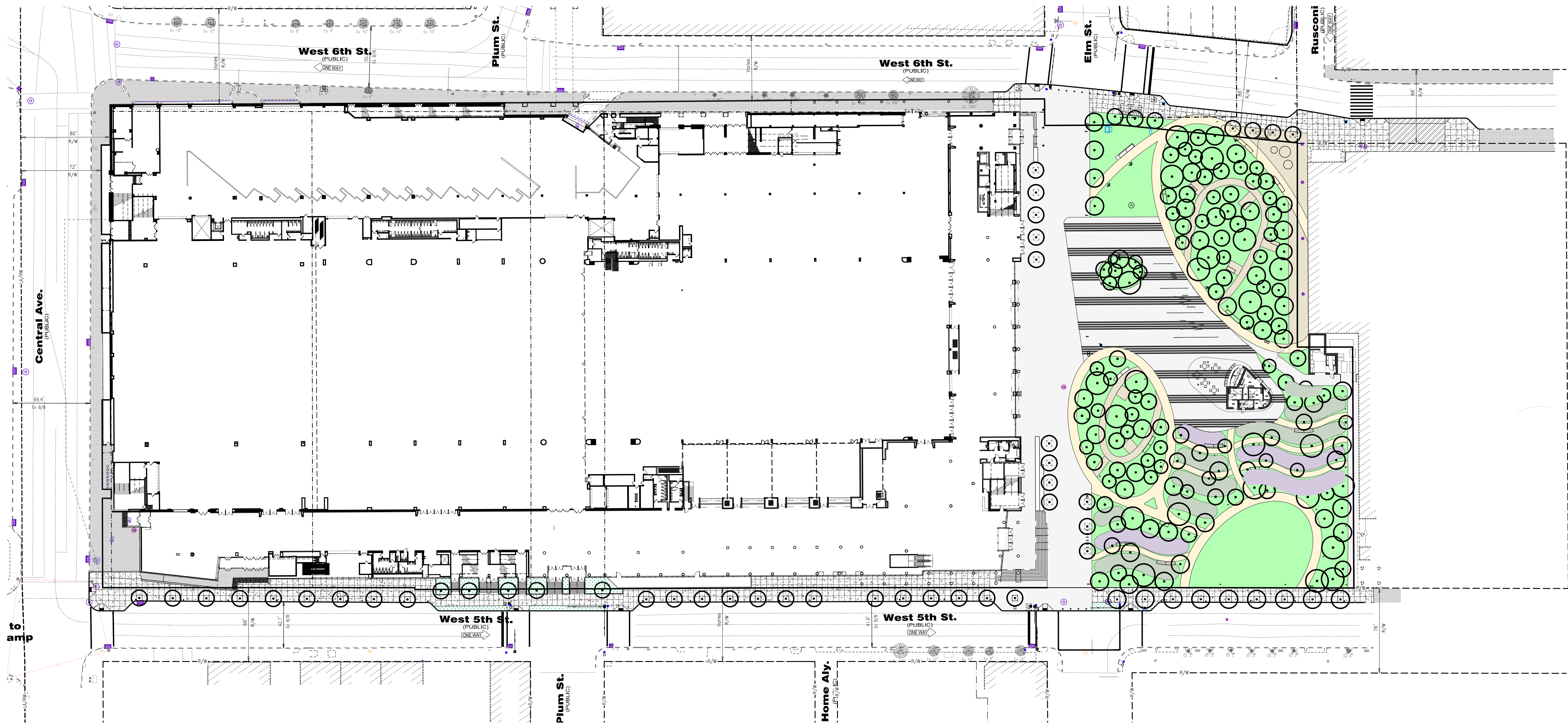


Emily Ahouse  
Zoning Administrator  
(p): 513-352-4793  
(e): [emily.ahouse@cincinnati-oh.gov](mailto:emily.ahouse@cincinnati-oh.gov)

## Elm Street Plaza Parcel Ownership



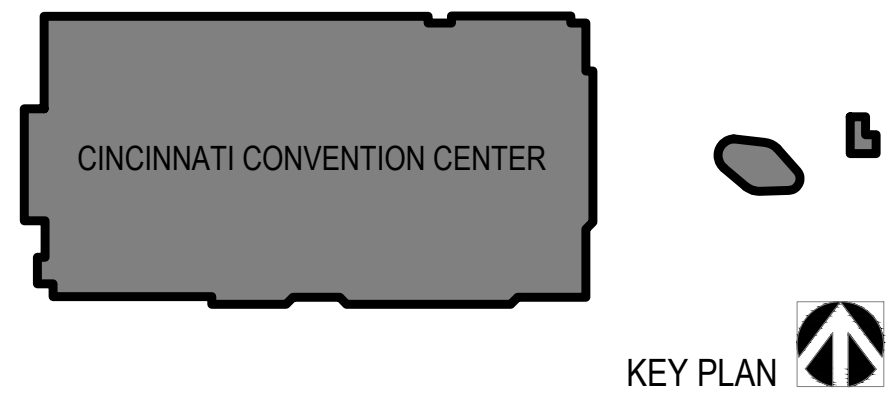




LEGEND

- PROPOSED CONCRETE WALK IN RIGHT-OF-WAY (SEE DETAILS 1-3(C-101))
- PROPOSED RAIN GARDEN IN RIGHT-OF-WAY (SEE DETAILS 4-3(C-101))
- EXISTING CONCRETE/WALK (TO REMAIN)
- PROPOSED CONCRETE DRIVE APRON (PER DOTE ACC NO. 22855)
- PROPOSED PLAZA SPECIALTY PAVEMENTS (SEE LANDSCAPE PLANS FOR DETAILS)
- PROPOSED PLAZA OPEN SPACE (SEE LANDSCAPE PLANS FOR DETAILS)
- PROPOSED PARK LANDSCAPE MOUND (SEE LANDSCAPE PLANS FOR DETAILS)
- PROPOSED TREE (IN R/W OR PLAZA) (SEE LA PLANS FOR DETAILS)

PROJECT TITLE  
**Elm Street Plaza**  
525 Elm Street, Cincinnati, OH 45202



#	DATE	CHANGE DESCRIPTION

**bayer becker** 1404 RACE STREET  
SUITE 204  
CINCINNATI, OH 45202  
PHONE: (513) 834-6151

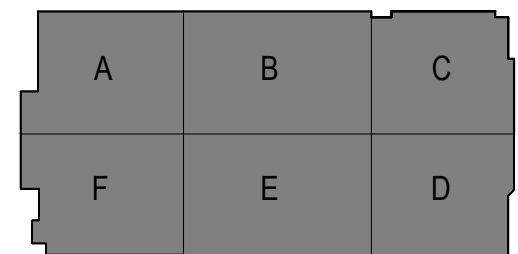
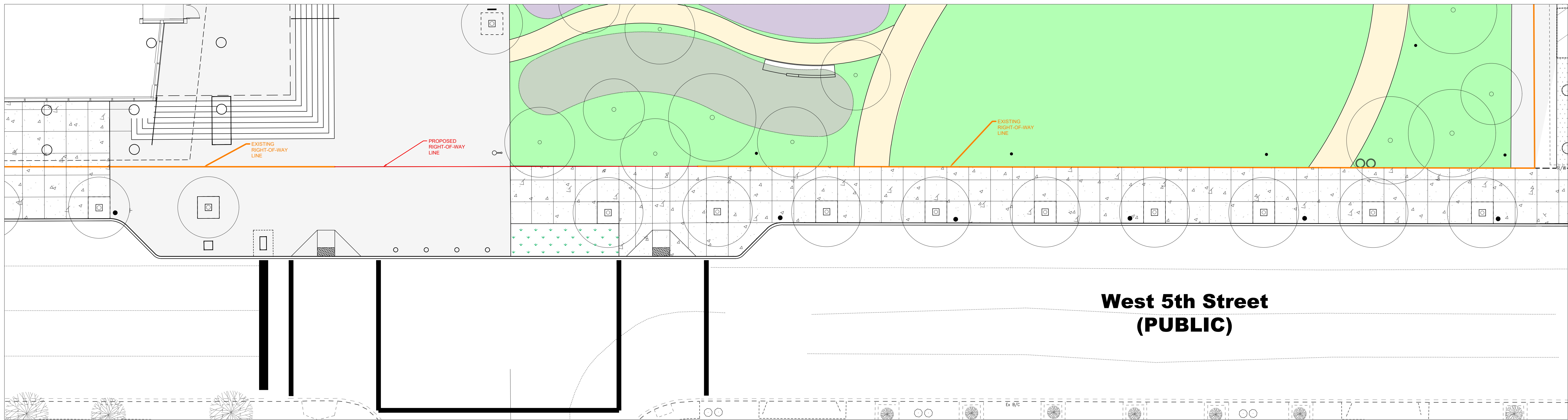
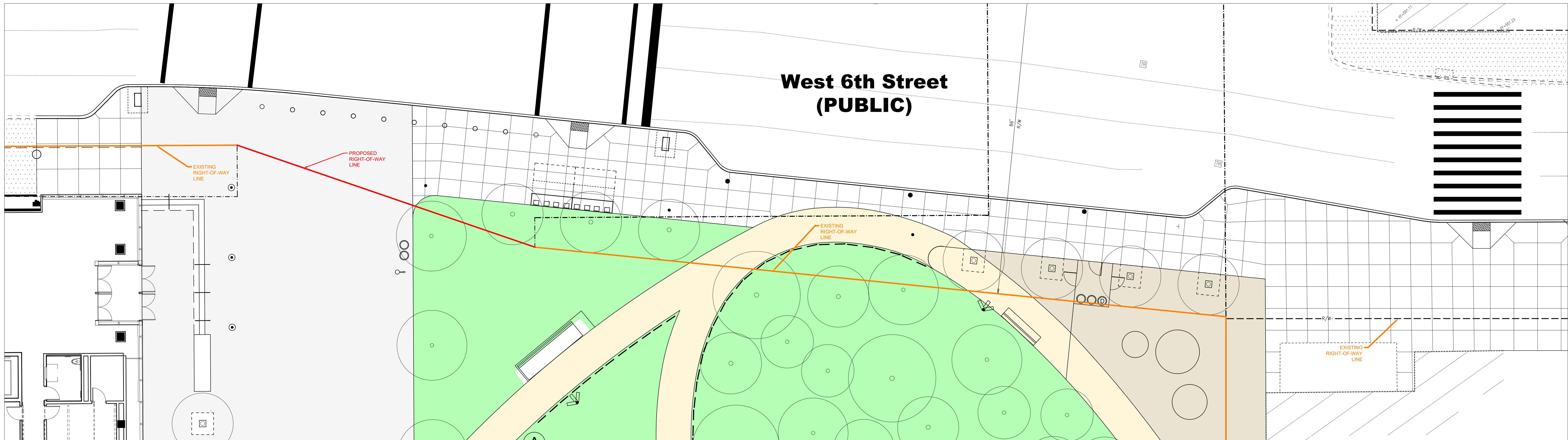
**Moody Nolan** 300 SPRUCE STREET  
SUITE 300  
COLUMBUS, OH 43215  
PHONE: (614) 461-4664

**3CDC** 1203 WALNUT STREET  
4TH FLOOR  
CINCINNATI, OH 45202  
PHONE: (513) 621-4400

DRAWING TITLE  
**OVERALL SITE LAYOUT PLAN**

PROGRESS DRAWING NOT FOR CONSTRUCTION	03/22/2024	
	DRAWN: KDS	CHECKED: MPD
	22118.02	
	C-300	
	DESIGN DEVELOPMENT	





KEY PLAN

#	DATE	CHANGE DESCRIPTION

**bayer  
becker** 1404 RACE STREET  
SUITE 204  
CINCINNATI, OH 45246  
PHONE: (513) 834-6151

1200 PEACHTREE STREET  
NE, SUITE 200  
ATLANTA, GA 30309  
PHONE: (404) 888-6600

300 SPRUCE STREET  
SUITE 300  
COLUMBUS, OH 43215  
PHONE: (614) 461-4664

1203 WALNUT STREET  
4TH FLOOR  
CINCINNATI, OH 45202  
PHONE: (513) 621-4400

DRAWING TITLE:  
**PROPERTY LINE EXHIBIT**

DRAWN BY: KDS CHECKED BY: MPD

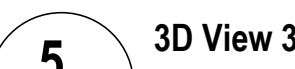
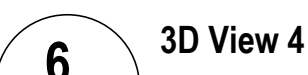
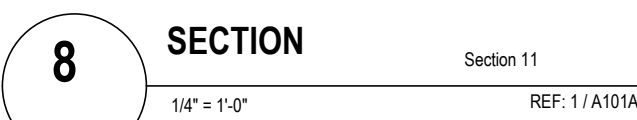
22118.02

**EXHIBIT**










1

KEY VALUE	KEYNOTE TEXT
03 30 00.A1	CAST IN PLACE CONCRETE
04 00 00.B1A	BRICK - TYPE 1, COLOR A
04 00 00.D4	CONCRETE MASONRY UNIT - 8"
05 31 00.A1	ROOF DECK
05 70 00	DECORATIVE METALS
07 21 00.A1	RIGID BOARD INSULATION
08 81 00.A1	EXTERIOR INSULATED GLAZING
09 30 00.A2	CERAMIC TILE
31 30 00.B2	COMPACTED GRAVEL SUB-BASE

Elm Street Plaza

525 Elm Street, Cincinnati, OH 45202



300 SPRUCE STREET  
SUITE 300  
COLUMBUS, OH 43215  
PHONE: (614) 461-4666

Moody Nolan

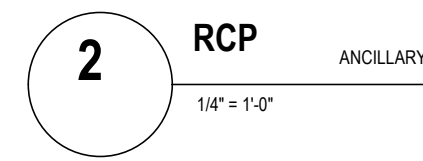
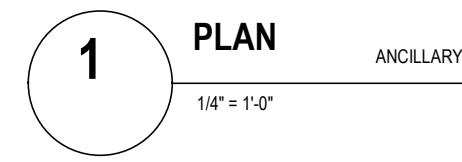
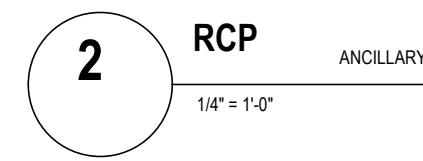


1203 WALNUT STREET  
4TH FLOOR  
CINCINNATI, OH 45202  
PHONE: (513) 621-4400

**EXTERIOR ELEVATIONS - OVERALL**

PROGRESS DRAWING NOT FOR CONSTRUCTION	DRAWN:   XXX	CHECKED:   XXX
	22118.02	
	<h1>A301A</h1>	
	DESIGN DEVELOPMENT	





1. ALL DIMENSIONS ARE TO FACE OF WALL (UNLESS NOTED OTHERWISE).
2. SEE STRUCTURAL DRAWINGS FOR LOCATIONS OF ALL STEEL REINFORCING IN WALL & FLOOR CONSTRUCTION.
3. SEE FINISH SCHEDULE FOR ADDITIONAL INFORMATION OF LOCATIONS AND TYPES OF FINISH MATERIALS.
4. SEE ELEVATIONS AND STRUCTURAL DRAWINGS FOR LOCATIONS OF EXPANSION & CONTROL JOINTS. CONTRACTOR SHALL PROVIDE ADDITIONAL FINISH DETAIL JOINTS TO COORDINATE TO COMPLY WITH MAXIMUM SPACING REQUIREMENTS IN SPECIFICATIONS AND NATIONAL MINISTRY INSTITUTE. SEE DETAILS ON XXXX.
5. MECHANICAL & ELECTRICAL EQUIPMENT SHALL BE ON HOUSING/PERMANENT BASE. PADS ARE TO BE PROVIDED BY THE TRADE SUPPLYING THE EQUIPMENT. SEE MECHANICAL AND ELECTRICAL DRAWINGS FOR ADDITIONAL INFORMATION. WORK IS TO BE COORDINATED THROUGH THE GENERAL TRADES CONTRACTOR PRIOR TO THE TRADE WORK. (UNLESS NOTED OTHERWISE).

1	MURAL EXTENSION
2	700
3	700
4	700
5	

1200 PARTITION SHOKE RESISTIVE PARTITION TO DECK

1 HOUR SHOKE RESISTIVE PARTITION TO DECK

2 HOUR SHOKE RESISTIVE PARTITION TO DECK

3 HOUR SHOKE RESISTIVE PARTITION TO DECK

4 HOUR SHOKE RESISTIVE PARTITION TO DECK

1 HOUR FIRE ALARMS PARTITION TO DECK

2 HOUR FIRE ALARMS PARTITION TO DECK

3 HOUR FIRE ALARMS PARTITION TO DECK

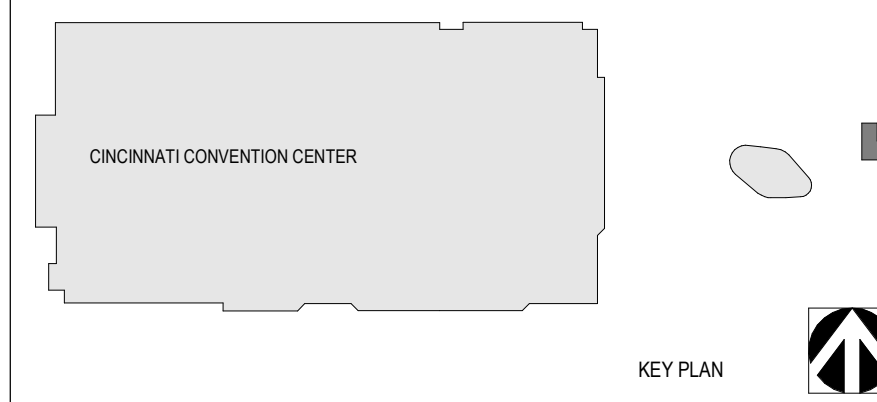
4 HOUR FIRE ALARMS PARTITION TO DECK

KEY VALUE	KEYNOTE TEXT
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PERCENTAGE

**Elm Street Plaza**

525 Elm Street, Cincinnati, OH 45202



#	DATE	CHANGE DESCRIPTION



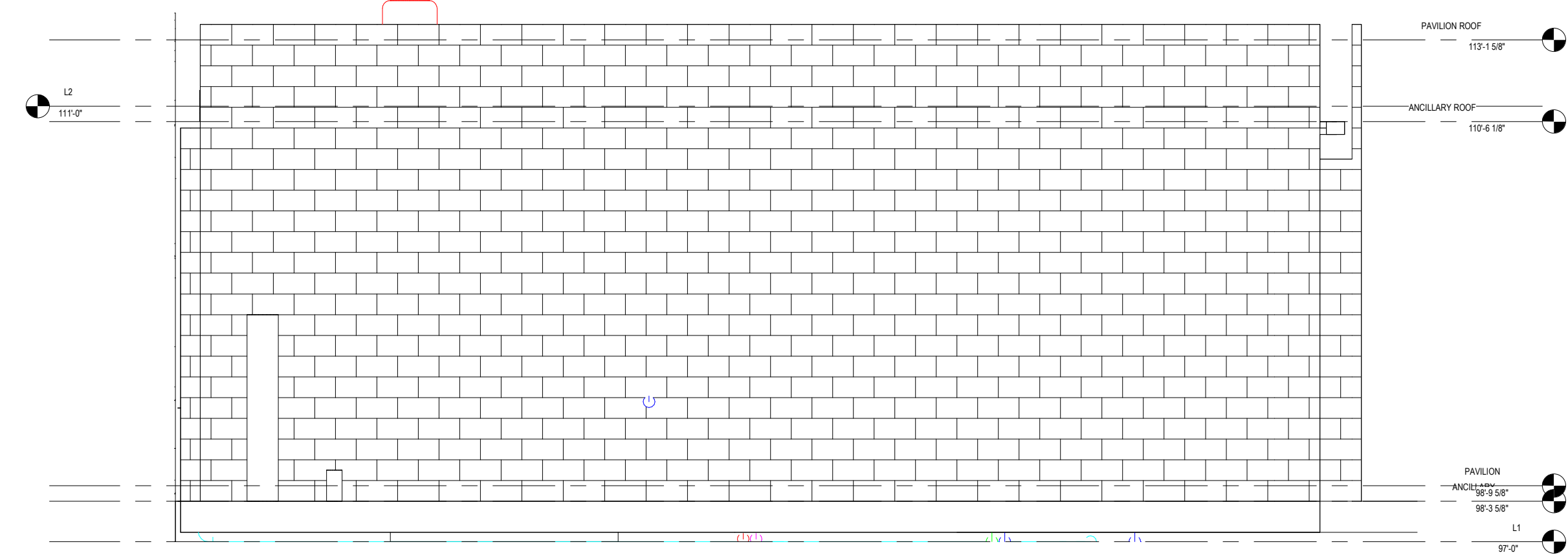
Moody Nolan



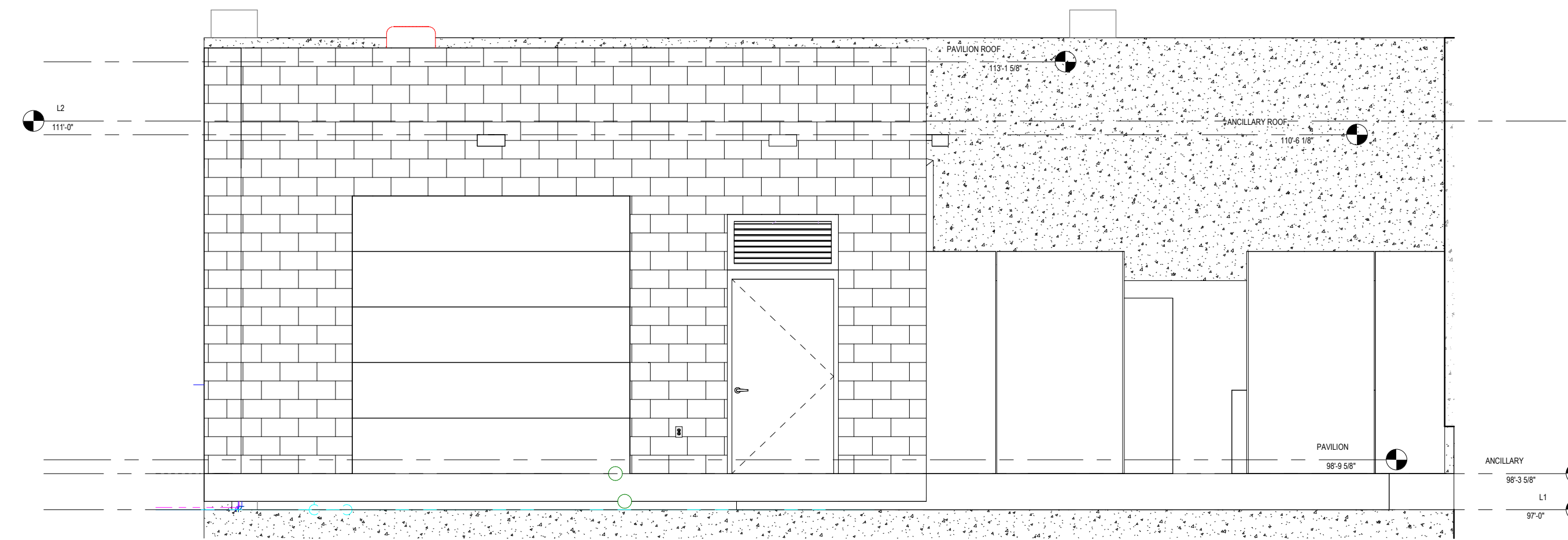
1203 WALNUT STREET  
4TH FLOOR  
CINCINNATI, OH 45202  
PHONE: (513) 621-4400

LEVEL 01 - FLOOR PLAN - ANCILLARY

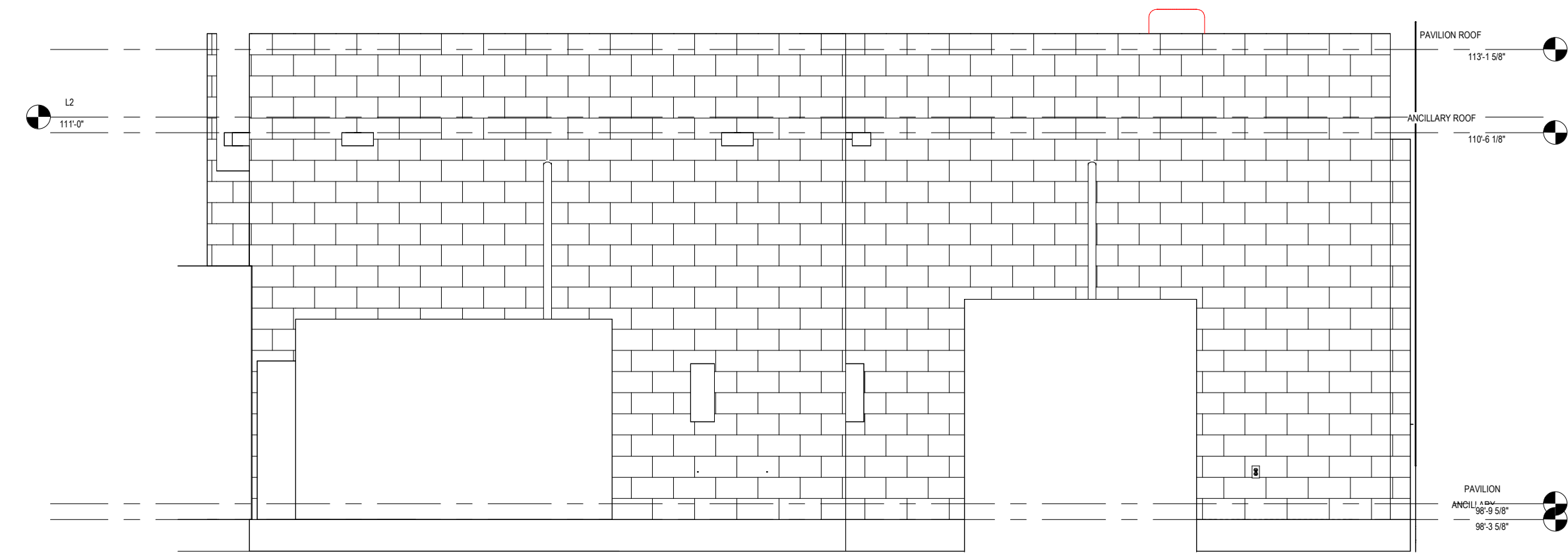
PROGRESS FORWARD NOT FOR CONSTRUCTION	3/22/2024	
	DRAWN: EKK	CHECKED: XJK
	2/21/18 02	
	<b>A101B</b>	
	DESIGN DEVELOPMENT	



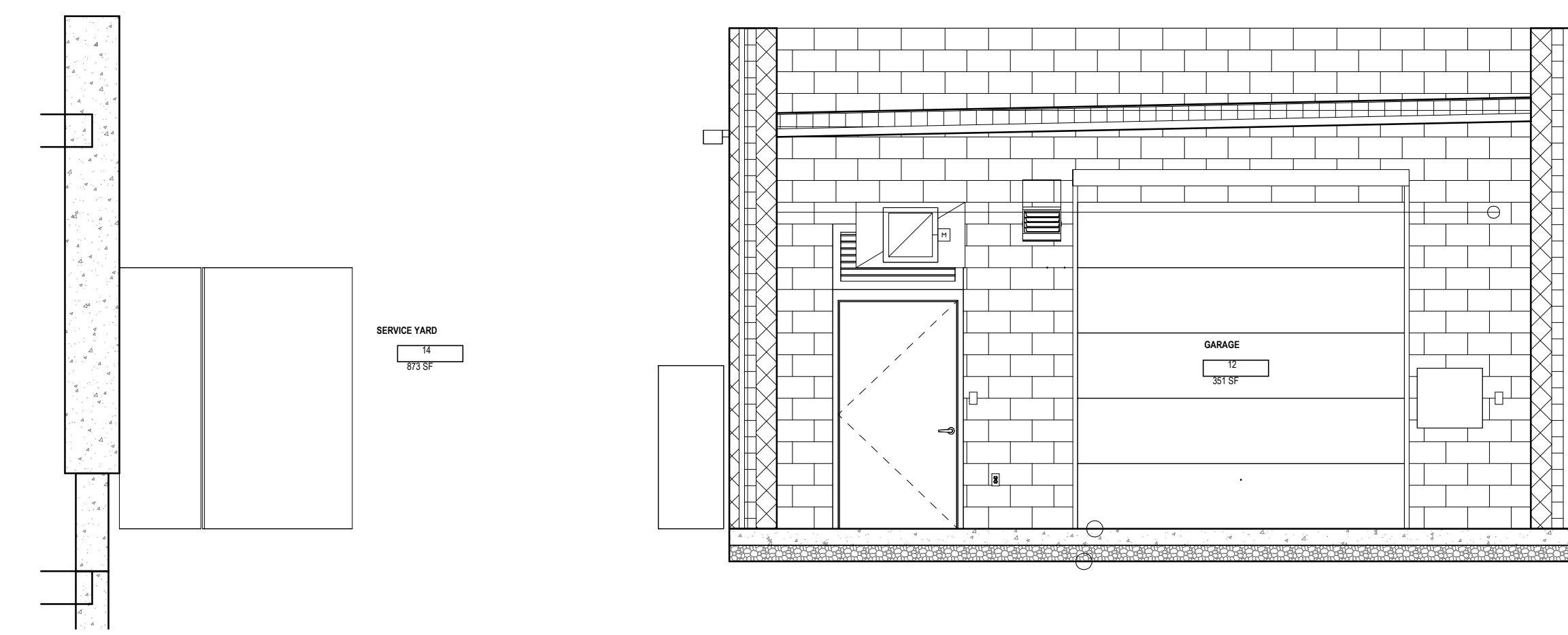
6 WEST ELEVATION  
1/8" = 1'-0"



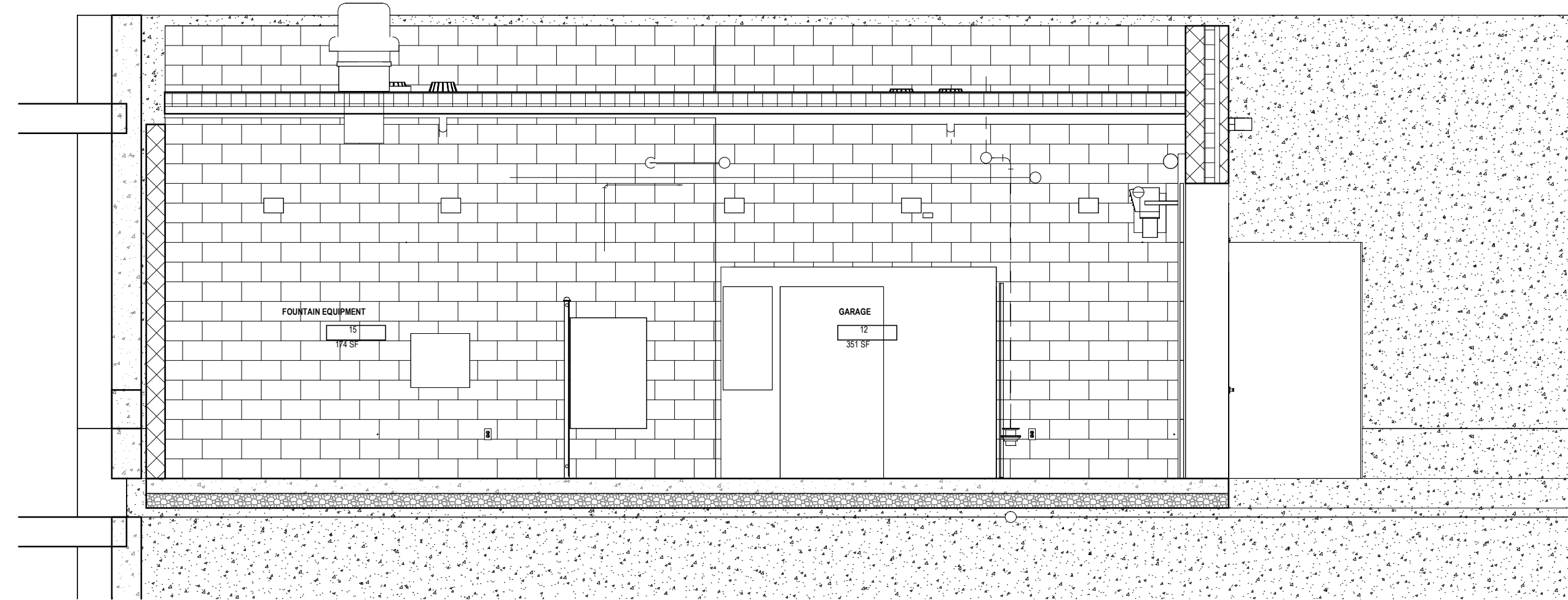
5 SOUTH ELEVATION  
1/8" = 1'-0"



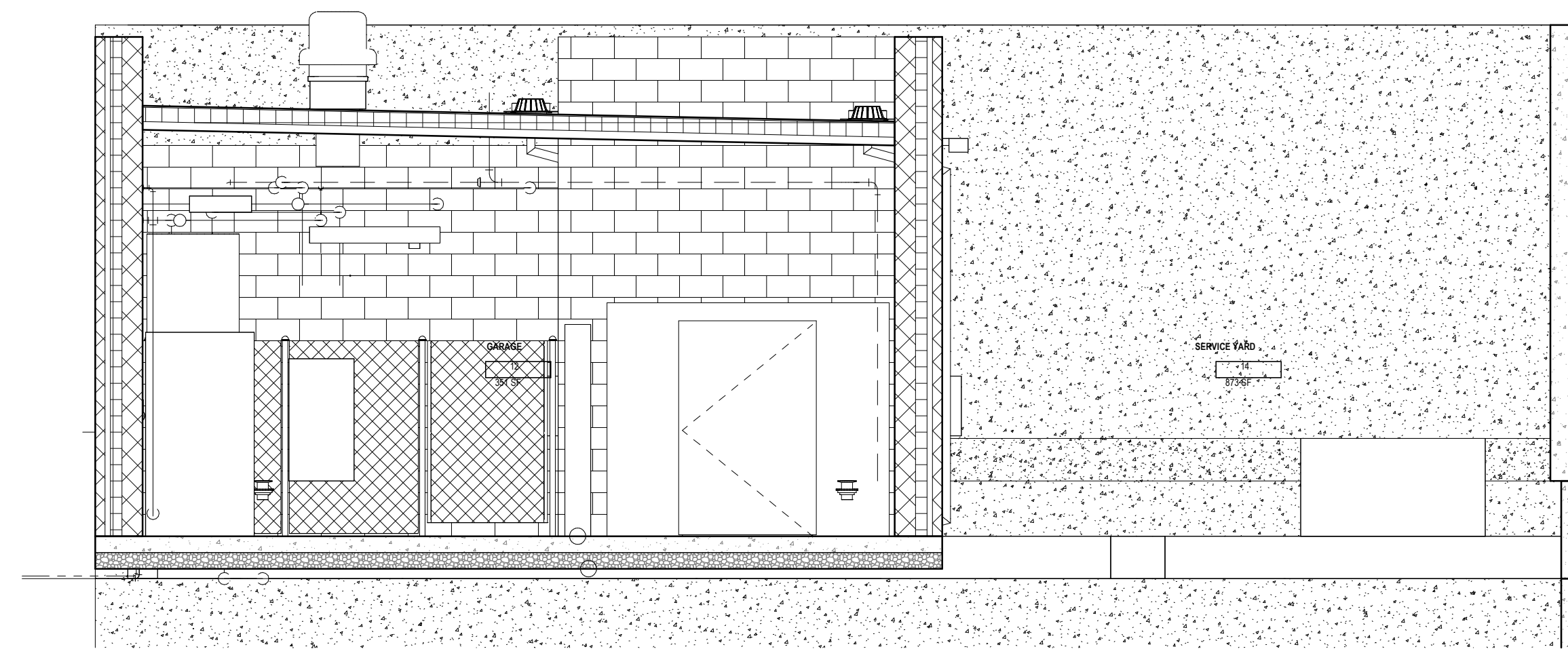
4 EAST ELEVATION  
1/8" = 1'-0"



3 SECTION  
1/8" = 1'-0" ANCILLARY EAST-WEST  
REF: 1.A301B



2 SECTION  
1/8" = 1'-0" ANCILLARY NORTH-SOUTH  
REF: 1.A301B



1 SECTION  
1/8" = 1'-0" ANCILLARY WEST-EAST  
REF: 1.A301B

GENERAL NOTES - EXTERIOR ELEVATIONS

1. X

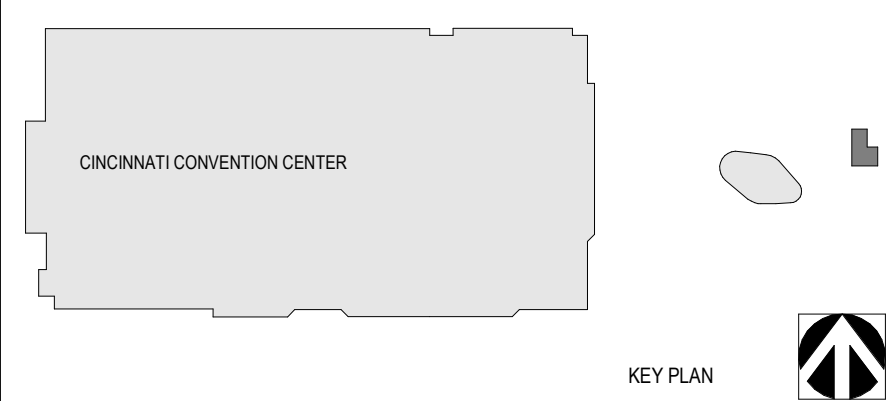
KEYNOTE LEGEND

KEY VALUE	KEYNOTE TEXT
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ISSUANCE LIST

Elm Street Plaza


525 Elm Street, Cincinnati, OH 45202



#	DATE	CHANGE DESCRIPTION



Moody Nolan



3CDC

EXTERIOR ELEVATIONS - OVERALL

PROJECT DRAWING NOT FOR CONSTRUCTION	3/22/2024
	ISSUED FOR CONSTRUCTION
	2/21/18.02
	A301B