

**MAJOR AMENDMENT  
TO  
THE CONCEPT PLAN FOR PD-43  
(THE BANKS)**

April 2026

Phil Beck (Applicant) on behalf of  
Hamilton County, Ohio &  
The City of Cincinnati, Ohio

Prepared by:

**Dinsmore & Shohl LLP**

Richard B. Tranter, Esq.  
R. Elizabeth Emmert, Esq.  
Michael A. Huber, Esq.  
Brandon S. Gilbert, Esq.

**DEVELOPMENT PROGRAM STATEMENT**  
**MAJOR AMENDMENT TO THE CONCEPT PLAN FOR PD-43 (THE BANKS)**

**Introduction:**

This Development Program Statement (“**Statement**”) is for the Major Amendment to the Concept Plan for PD-43, with major changes focused on Lots 1, 13, 24A, 24B and 25<sup>1</sup> of the various phases of the Banks Subdivision and Lot 4 of the Paul Brown Subdivision (individually, a “**Lot**” and collectively, the “**Lots**”). The Lots represent significant undeveloped parcels within Zoning District PD-43 “The Banks” (“**PD-43**” or the “**Banks District**”), intended for development consistent with this Statement and The Banks Urban Design Plan Update (the “**Plan**”) prepared by Perkins & Will. Concurrent with this Major Amendment, the Plan will be submitted to the City of Cincinnati, Ohio (the “**City**”), including the Department of City Planning and Engagement (“**Staff**”), for City Council review. Upon its adoption, the Plan will provide valuable guidelines for future development of the Banks District. Future development of the Lots will substantially adhere to the general intent of this Statement and the Plan, as both may be modified from time to time.

The proposed development of the Lots contemplates the construction of approximately 2.18 million gross square feet of new building space, plus a total of 315,000 gross square feet of additional parking for a total of approximately 2.5 million gross square feet of new construction at or above the podium level to the Lots (whether constructed or to be constructed). Such new construction envisions up to 1.5 million square feet of residential space, 124,000 square feet of hotel space, and 147,000 square feet of commercial retail or restaurant/bar space at or above ground level.

Attached to this Application as **Appendix A** is a Concept Plan for the entirety of PD-43 (the “**Concept Plan**”) with a specific focus on the Lots. Further enclosed are depictions of the areas intended for (a) the zoning map amendment, incorporating Lot 4 into PD-43, and (b) the zoning text amendment.

**Plan Elements:**

❖ **Location of Site**

Lot 1, as outlined on the Concept Plan and depicted on **Appendix B-1** attached hereto, is located along East Second Street and is adjacent to Paycor Stadium. Currently, the Lot is being used to provide surface level parking, with air rights that have yet to be developed or otherwise utilized. Due to its size and location, Lot 1 represents one of the largest and most flexible parcels within the Banks District

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<sup>1</sup> All references herein to Lot 25 means residual Lots 5 and 10 and a portion of vacated Theodore M. Berry Way, as shown on the Banks Subdivision Phase XI; it is anticipated that the City and County will consolidate the referenced parcels, then subdivide the consolidated parcels into Lots 25A and 25B along the 515’ DATUM (Podium level).

and presents an opportunity to support the needs of adjacent parcels through the construction of a podium or other structured parking asset at podium level, along with any other proposed vertical commercial development.

Lot 4 and portion of Plum Street, Central Avenue and W. Pete Rose Way, as collectively outlined on the Concept Plan and depicted on **Appendix B-2** attached hereto, are located directly adjacent to Paycor Stadium and are currently utilized for pedestrian access to and from Paycor Stadium. There is the possibility that these two parcels may be joined with Lot 13 for future development, providing for both a connected development area at ground level and enhanced vertical development opportunities for uses such as a hotel or other mixed-use development.

Lot 13, as outlined on the Concept Plan and depicted on **Appendix B-3** attached hereto, is located directly adjacent to Paycor Stadium and is currently utilized for surface level parking. There is the possibility that Lot 13 may be joined with Lot 4 or a portion of Plum Street for future development, providing for both a connected development area at ground level and enhanced vertical development opportunities for uses such as a hotel or other mixed-use development.

Lots 24A and 24B (may also be referred to collectively as “**Lot 24**”), as outlined on the Concept Plan and depicted on **Appendix B-4** attached hereto, are anchored between Freedom Way and the Ohio River and represent one of the largest undeveloped areas for vertical development within the Banks District. Currently, Lot 24A provides for below podium parking and Lot 25B remains undeveloped. Further development of Lot 24 would provide for a more efficient use of the Central Riverfront Garage, as well as stronger continuity of active ground level frontages along Freedom Way.

Lot 25, as outlined on the Concept Plan and depicted on **Appendix B-5** attached hereto and intended for further subdivision at the 515’ DATUM (Podium level), is anchored between Freedom Way and the Ohio River and represents another large area for vertical development within the Banks District. Currently, Lot 25 provides for below podium parking, and future development would provide for a more efficient use of the Central Riverfront Garage, as well as stronger continuity of active ground level frontages.

See **Appendix C** for additional information on the Lots, including, but not limited to, acreage, parcel identification numbers, right-of-way frontage and existing conditions.

### ❖ **Legal Description, Ownership & Property Addresses**

The title ownership, addresses and other pertinent details of each Lot can be found in **Appendix C**. Legal descriptions for each Lot can be found in **Appendices D1-D5**.

### ❖ **Existing Conditions**

Details on the existing conditions of each Lot can be found in **Appendix C**.

### ❖ **Description of Proposed Land Uses, Buildings and Structures**

Hamilton County, Ohio (the “**County**”) and the City encourage the development of the Lots for the uses identified in **Appendix E** and further defined in **Appendix F-1**, and the buildings and structures generally consistent with the Plan. Alternatively, the County and City discourage the development of the Lots for the uses identified in **Appendix F-2**, which uses are prohibited, provided, however, that nothing shall prohibit the introduction of a new use category that is not defined in the City’s Code of Ordinances (the “**Code**”) and not prohibited by Appendix F-2 as part of a subsequent Major Amendment to PD-43.

### ❖ **Preliminary Reviews**

Coordinated Site Review by the various City departments and a Zone Change Consultation have been conducted and are on file with Staff. Additionally, the Plan has been filed with the City pursuant to The Banks Urban Design Plan Update submission undertaken by the City.

### ❖ **Set Back Lines**

Ground level setback lines and stepped back-upper-level setback lines for each Lot will be determined at the time of any filing for a Final Development Plan for development of the applicable Lot, generally consistent with the Plan.

### ❖ **Building Heights**

Final height measurements for vertical improvements on each Lot will be determined at the time of any filing for a Final Development Plan for development of the applicable Lot, consist with the Plan; however, the table attached hereto as **Appendix G** indicates the maximum height limitations applicable to each Lot, in accordance with the Plan.

### ❖ **Streetscapes and Open Spaces**

Final streetscaping, including but not limited to, sidewalk widths and open space calculations for each Lot, will be determined at the time of any filing for a Final Development Plan for development of the applicable Lot, provided that the streetscape and open space designs and features on any Lot will be generally consistent with the Plan and other applicable requirements of PD-43, if any, which are not inconsistent with the Plan.

### ❖ **Density**

See **Appendix G** for the projected density range of residential square footage permitted on each Lot.

### ❖ **Refuse Collection**

Trash and waste facilities shall be provided on-site and located in areas limiting visibility and will generally comply with the Plan guidelines and other applicable requirements of PD-43, if any, which are not inconsistent with the Plan, recognizing that this Major Amendment has undergone Coordinated Site Review (“CSR”) with the City.

### ❖ **Geotechnical**

Geotechnical analysis for each Lot shall be completed as required pursuant to the Final Development Plan review process for development of the applicable Lot, recognizing that this Major Amendment has undergone CSR with the City. The Plan modeling is based upon market assumptions and is not representative of construction, support or other engineering standards which must be independently verified.

### ❖ **Drainage**

Drainage controls on each Lot will comply with any applicable standards of PD-43, or the applicable County or City regulations, whichever is more specific and as the same may be varied pursuant to the Final Development Plan process, recognizing that this Major Amendment has undergone CSR with the City.

### ❖ **Landscaping & Buffering**

Final landscaping and buffering for each Lot will be determined at the time of any filing for a Final Development Plan for development of the applicable Lot, provided that any landscaping and buffering on a Lot will be generally consistent with the Plan.

❖ **Traffic Control**

Traffic analysis and any required traffic control measures for each Lot will be determined as part of any Final Development Plan for development of each Lot, recognizing that this Major Amendment has undergone CSR with the City.

❖ **Sewage**

Municipal sanitary sewer access and utilization for each Lot shall be determined at the time of the filing of any Final Development Plan for development of the applicable Lot, recognizing that this Major Amendment has undergone CSR with the City.

❖ **Water**

Municipal water access and utilization for each Lot shall be determined at the time of the filing of any Final Development Plan for development of the applicable Lot, recognizing that this Major Amendment has undergone CSR with the City.

❖ **Electric & Natural Gas**

Electric and natural gas utilities for each Lot shall be determined at the time of the filing of any Final Development Plan for development of the applicable Lot, recognizing that this Major Amendment has undergone CSR with the City.

❖ **Parking**

Consistent with the City's Urban Parking Overlay District, there are no minimum parking requirements for new development in PD-43. Where the future developer(s) of any Lot desires to develop additional parking on a Lot, such development will substantially adhere to the following requirements as stated in the Plan:

- Any above-grade structured parking shall be wrapped a minimum of 80 percent across all street facing elevations by a minimum of 20 feet depth of active or occupiable building space, including residential, office, hotel, or

commercial uses, except where clearly identified on the regulating diagrams in for each site. Refer to the Plan and Section Depiction of Podium Parking Guidance (Plan, pg's 92 & 93) and the Overall Parking and Loading Ground Level Curb Regulating Plan - All Lots (Plan, pg. 113) for additional guidance.

- Where podium parking is not required to be wrapped by occupiable space, parking garages must comply with minimum screening standards set in Section 4 of the Plan (Plan, pg. 116).
- Parking and parking access are prohibited at the ground floor along Active Frontages and Active Corners except where indicated on the Overall Ground Level Frontage Regulating Plan - All Lots (Plan, pg. 109) and the Overall Parking and Loading Ground Level Curb Regulating Plan - All Lots (Plan, pg. 113).
- Where full wrapping is infeasible due to structural or floodplain constraints, alternative screening methods may be approved, provided parking is appropriately screened from the public realm.

Additionally, future developers of the Lots may utilize existing below-grade Central Riverfront Garage (CRG) parking spaces to support building occupants, subject to availability via applicable private agreements.

#### ❖ **Parking Standards**

The parking standards applicable to each Lot shall be determined at the time of the filing of any Final Development Plan for development of the applicable Lot, generally consistent with the Plan and in accordance with the applicable requirements of PD-43, if any, which are not inconsistent with the Plan.

#### ❖ **Retail & Commercial**

The retail, entertainment and other commercial uses on the Lots create a vibrant streetscape that is pedestrian friendly. Such uses may also serve as amenities for the future residents of the Lots and the Banks District.

The intended uses for this mixed-use project may include, retail, restaurants/bars, entertainment, hospitality and other commercial (including office) uses, as more specifically set forth in **Appendices E & F-1**.

#### ❖ **Exterior Lighting**

The exterior lighting standards applicable to each Lot shall be determined at the time of the filing of any Final Development Plan for development of the applicable Lot, and will generally comply with the Plan guidelines and other applicable requirements of PD-43, if any, which are not inconsistent with the Plan.

❖ **Signage**

The signage standards applicable to each Lot shall follow the established signage regulations for PD-43 as approved on February 19, 2010.

❖ **Final Development Plan Scheduling**

The Final Development Plan for any Lot shall follow the processes set out in the Code governing the content and submission procedures for a Final Development Plan, as same may be modified or altered from time to time.

❖ **Re-Zone Plat (Map Amendment)**

See **Appendices H & I** for the re-zoning plat and re-zoning legal description.

❖ **Concept Plan**

See **Appendix A** for the Concept Plan.

❖ **Consolidated PD-43 District**

See **Appendices J-1 & J-2** for the Consolidated PD-43 District Index and Consolidated PD-43 Development Summary, respectively, which include a comprehensive overview of all real property located within the Banks District.

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**APPENDIX A**

Concept Plan

See attached.

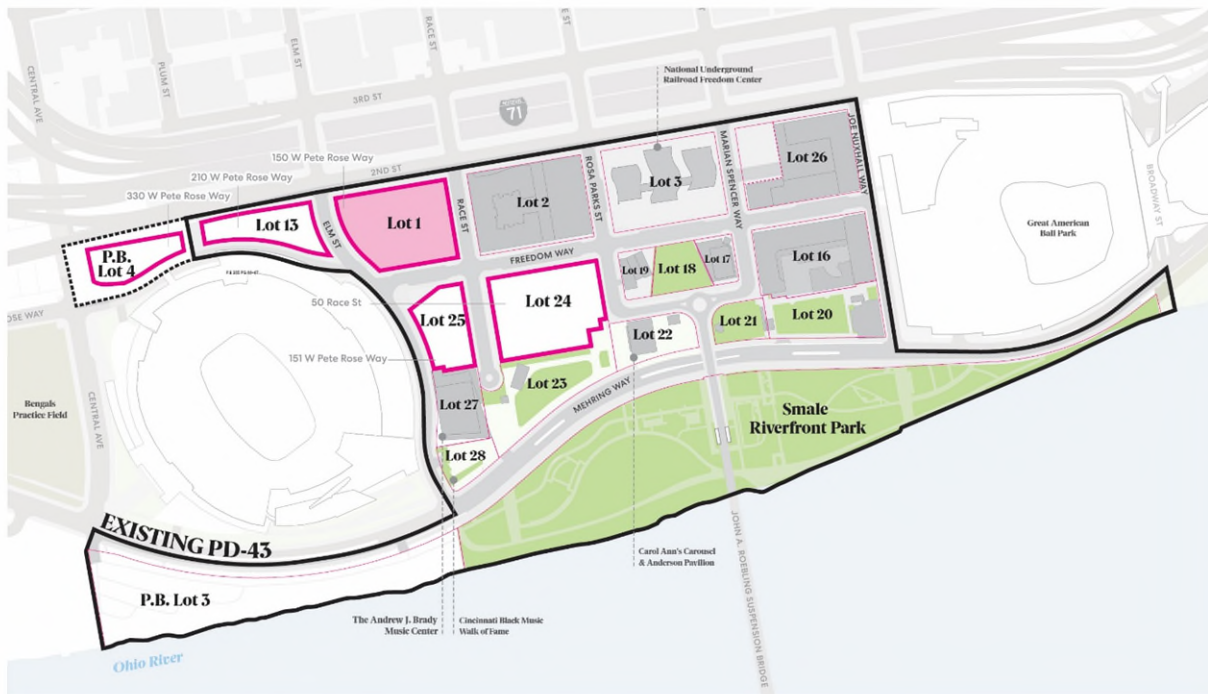
Appendix A - Concept Plan<sup>1</sup>



<sup>1</sup>The Lots depicted here are further referenced on Appendices J-1 and J-2. Applicant wishes to acknowledge the assistance of Perkins&Will.

## APPENDIX B-1

### Lot 1 Detail

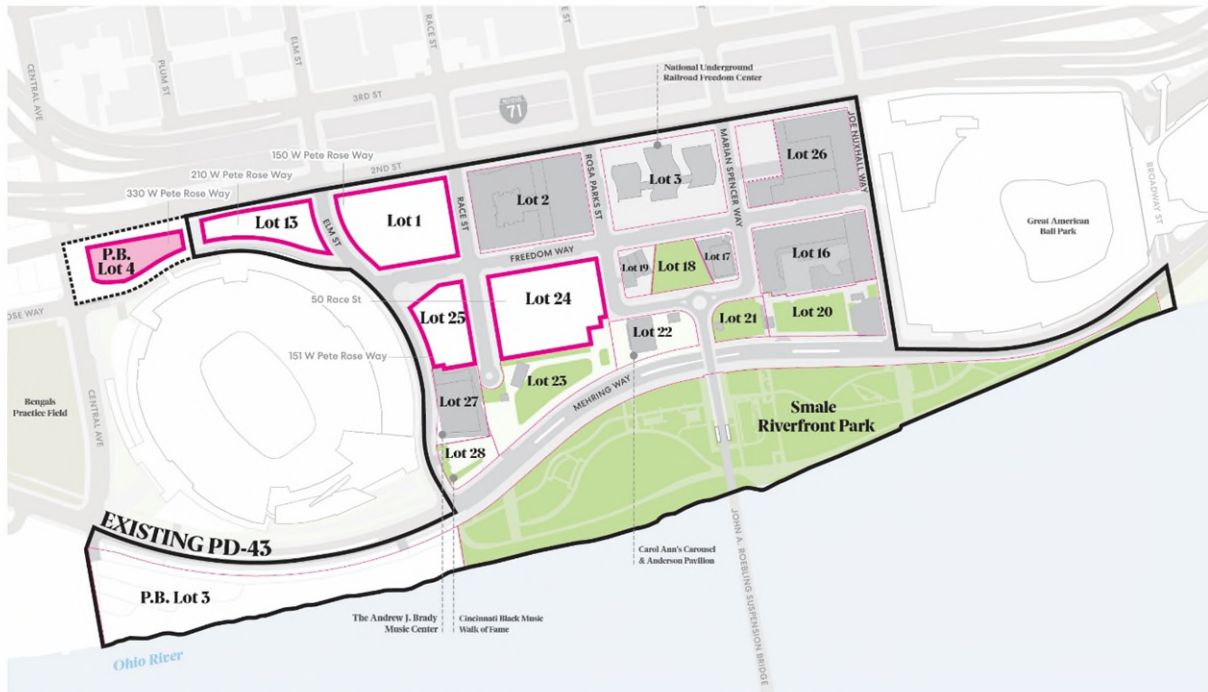


The schedule of proposed uses on Lot 1 is generally categorized in Appendix E and summarized below. The particular proposed uses and prohibited uses for Lot 1 are identified on Appendices F-1 and F-2, respectively.

- Retail;
- Residential;
- Restaurant/Bar;
- Office;
- Hotel;
- General Commercial;
- Parking; and
- Institutional.

**APPENDIX B-2**

**Lot 4 Detail**

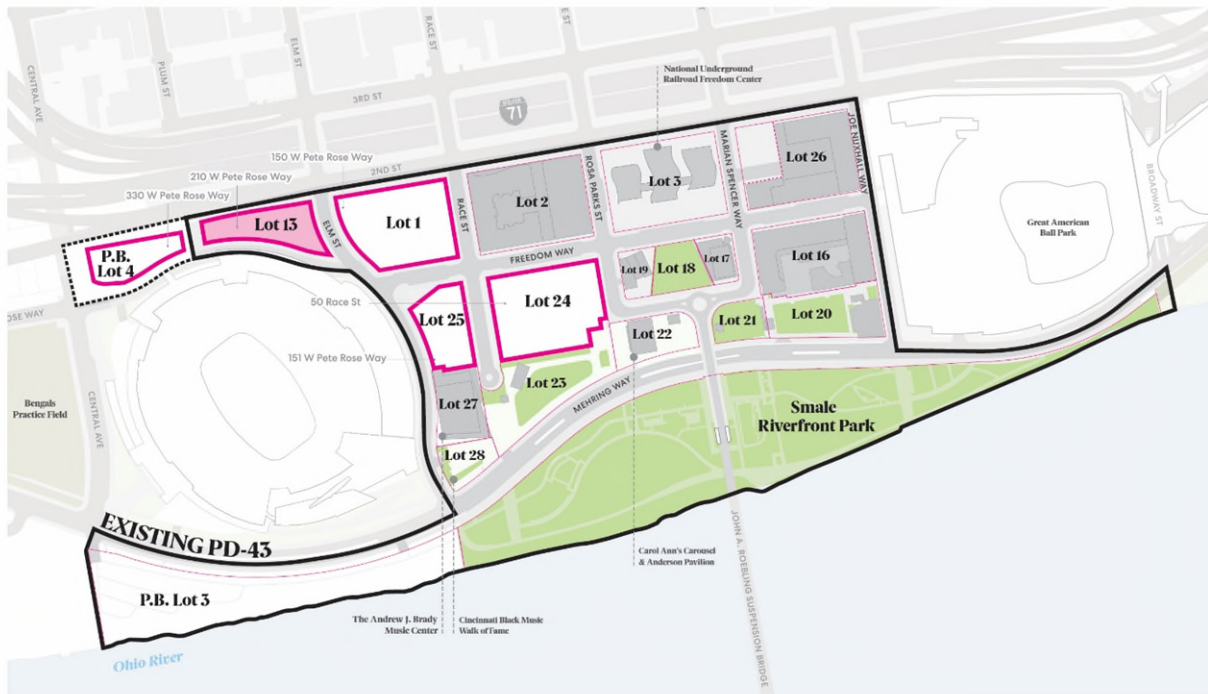


The schedule of proposed uses on Lot 4 is generally categorized in Appendix E and summarized below. The particular proposed uses and prohibited uses for Lot 4 are identified on Appendices F-1 and F-2, respectively.

- Retail;
- Residential;
- Restaurant/Bar;
- Office;
- Hotel;
- General Commercial;
- Parking; and
- Institutional.

## APPENDIX B-3

### Lot 13 Detail

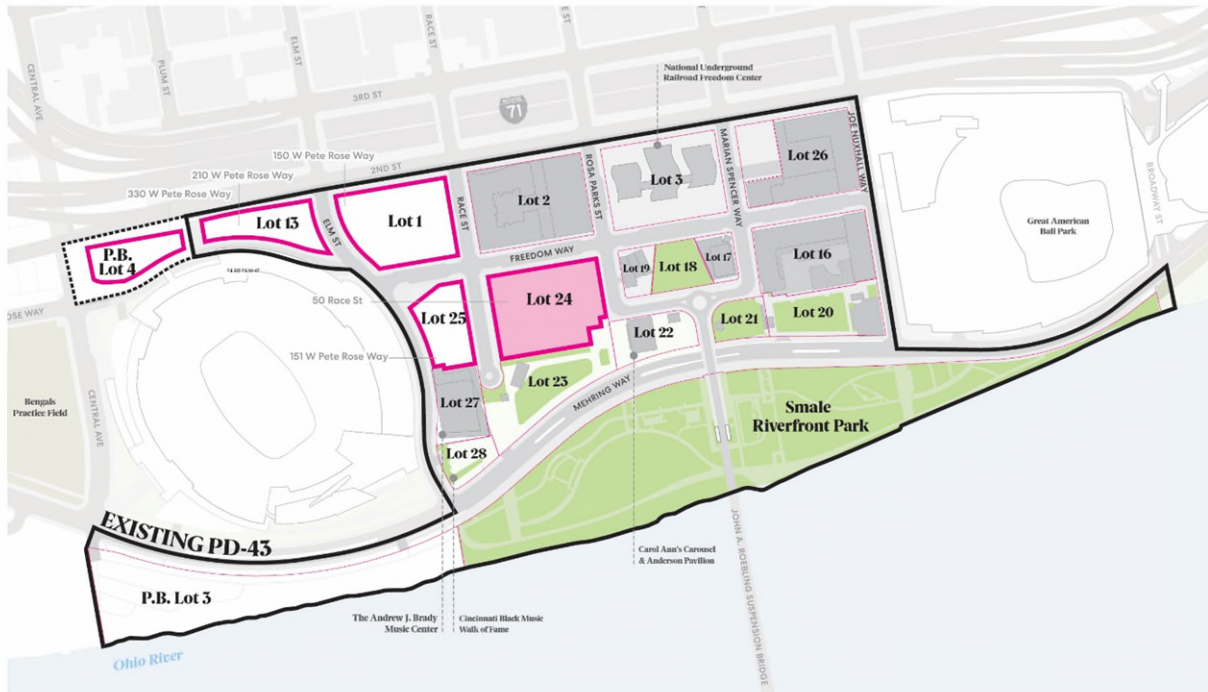


The schedule of proposed uses on Lot 13 is generally categorized in Appendix E and summarized below. The particular proposed uses and prohibited uses for Lot 13 are identified on Appendices F-1 and F-2, respectively.

- Retail;
- Residential;
- Restaurant/Bar;
- Office;
- Hotel;
- General Commercial;
- Parking; and
- Institutional.

**APPENDIX B-4**

**Lot 24 Detail**



The schedule of proposed uses on Lot 24 is generally categorized in Appendix E and summarized below. The particular proposed uses and prohibited uses for Lot 24 are identified on Appendices F-1 and F-2, respectively.

- Retail;
- Residential;
- Restaurant/Bar;
- Office;
- Hotel;
- General Commercial;
- Parking; and
- Institutional.

## APPENDIX B-5

### Lot 25 Detail



The schedule of proposed uses on Lot 25 is generally categorized in Appendix E and summarized below. The particular proposed uses and prohibited uses for Lot 25 are identified on Appendices F-1 and F-2, respectively.

- Retail;
- Residential;
- Restaurant/Bar;
- Office;
- Hotel;
- General Commercial;
- Parking; and
- Institutional.

**APPENDIX C**

<b>CURRENT LOT OVERVIEW</b>					
<b>Data</b>	<b>LOTS<sup>2</sup></b>				
	<b>1</b>	<b>4<sup>3</sup></b>	<b>13</b>	<b>24 (A&amp;B)<sup>4</sup></b>	<b>25<sup>5</sup></b>
<b>Acreeage</b>	2.27	0.94	1.19	2.60	1.14
<b>Ham. Ctny. PINS</b>	8300070001	820A020001 <sup>6</sup> (historic 820A020004)	8300070009	8300070071 & 8300070072	8300070067; 8300070077 & 8300070089
<b>Square Footage</b>	98,881	40,946	51,836	113,256	50,094
<b>Subdivision Ref.</b>	Banks Subd. Phase II	Paul Brown Subdivision	Banks Subd. Phase II	Banks Subd. Phase IX	Banks Subd. Phase II
<b>Title Ownership</b>	City of Cincinnati	Hamilton County	City of Cincinnati	Hamilton County	Hamilton County
<b>R.O.W Frontage</b>	North: W. 2 <sup>nd</sup> St. South: W. Pete Rose Way East: Race St. West: Elm St.	North: W. 2 <sup>nd</sup> St. South: W. Pete Rose Way East: Plum Street West: Central Ave.	North: W 2 <sup>nd</sup> St. South: W. Pete Rose Way East: Elm St. West: n/a	North: W. Freedom Way South: n/a East: Rosa Parks St. West: Race St.	North: W. Freedom Way South: n/a East: Race St. West: Elm St.
<b>Podium Status</b>	No Supports; No Podium	No Supports; No Podium	No Supports; No Podium	Supports Built; No Podium	No Supports; No Podium
<b>Proj. Building Ground Level<sup>7</sup></b>	515' DATUM	515' DATUM	515' DATUM	515' DATUM	515' DATUM
<b>Existing Conditions</b>	Below Podium level – Surface Parking (Bengals 'Lot B')	Below Podium level – Pavilion with walking paths	Below Podium level – Surface Parking (Bengals 'Lot B')	Below Podium level – Garage Parking (CRG Garage)	Below Podium level – Surface Parking (Bengals 'Lot D')

<sup>2</sup> For purposes of PD-43, all standards and other provisions of this document shall apply to the entirety of every Lot listed herein, as may be consolidated, subdivided or otherwise altered pursuant to any current or future zoning, platting or land use actions.

<sup>3</sup> Lot 4 (including portions of Plum Street, Central Avenue and W. Pete Rose Way as seen on the enclosed Concept Plan) is not located within the boundaries of PD-43, but will be added to PD-43 via this Major Amendment to PD-43.

<sup>4</sup> Lot 24 has been subdivided along the 515' DATUM with County ownership above the 515' DATUM (Lot 24B) and below the 515' DATUM (Lot 24A). For purposes herein, all references to Lot 24 shall be considered to encompass both Lot 24A and Lot 24B.

<sup>5</sup> All references herein to Lot 25 means residual Lots 5 and 10 and a portion of vacated Theodore M. Berry Way, as shown on the Banks Subdivision Phase XI; it is anticipated that the City and County will consolidate the referenced parcels, then subdivide the consolidated parcels into Lots 25A and 25B along the 515' DATUM (Podium level).

<sup>6</sup> The Lot 4 PIN is consolidated with the Paycor Stadium tax parcels located between W. Pete Rose Way, Central Avenue, W. Mehring Way and Smith Street for purposes of the Hamilton County Auditor / Treasurer; however, the accurate historic PIN for the parcel is 820A020004.

<sup>7</sup> Per the Plan, the podium level for each Lot is intended to be at the 515' DATUM (i.e., everything below the 515' DATUM will be below podium level, and everything above the 515' DATUM will be utilized for vertical building construction in compliance with this PD-43).

**APPENDIX D-1**

Lot 1 Legal Description

See attached.

\*Applicant acknowledges MSP Design, Inc's efforts in assisting Applicant with the preparation of this application.

**LEGAL DESCRIPTION: THE BANKS Lot 1 REMAINDER Zoning**  
Auditor's Parcel 083-0007-0001

Situate in Section 17, Town 4, Fractional Range 1, Cincinnati Township, City of Cincinnati, Hamilton County, Ohio, and being PART of Lot 1 of The Banks Phase II, as recorded in Plat Book 387, Pages 43-45 of the Hamilton County Recorder's Office, and being more particularly described as follows:

Beginning at the northwest corner of said Lot 1 of The Banks Phase II, said point also being the intersection of the easterly line of Elm Street (a 70 foot right-of-way) with the southerly line of the relocated right-of-way of Second Street (a right-of-way of varying width);

Thence along the northerly line of said Lot 1 and the southerly line of said Second Street, North  $80^{\circ}22'31''$  East, 391.39 feet to the southwesterly corner of the intersection of Second Street with the westerly line of Race Street (a 79 foot right-of-way);

Thence along said line of Race Street, South  $9^{\circ}37'29''$  East, 273.00 feet to the northwest corner of the intersection of said Race Street with the northerly line of Freedom Way (an 88 foot right-of-way);

Thence along said line of Freedom Way, South  $80^{\circ}22'31''$  West, 288.86 feet to a point in the westerly line of aforesaid Lot 1, said point also being in an easterly line of aforesaid Elm Street;

Thence along easterly lines of said Elm Street and westerly lines of said Lot 1, the following three (3) courses and distances:

1. along an arc deflecting to the left, having a radius of 707.21 feet, a distance of 45.25 feet, a central angle of  $3^{\circ}39'57''$ , and a chord bearing of North  $47^{\circ}21'58''$  West, 45.25 feet
2. along an arc deflecting to the right, having a radius of 326.51 feet, a distance of 225.52 feet, a central angle of  $39^{\circ}34'28''$ , and a chord bearing of North  $29^{\circ}24'43''$  West, 221.07 feet
3. North  $9^{\circ}37'29''$  West, 29.21 feet to the point of beginning.

Containing 2.2668 acres of land.

Subject to all legal highways, easements and restrictions of record.

The bearings in the above description are based on Record Plats of The Banks subdivision, which are based on the Ohio State Plane Coordinate System South Zone (NAD 83), original City of Cincinnati Benchmark No. 6919 & 6920.

Prepared by: McGill Smith Punshon, Inc.  
Date: April 2, 2026  
MSP No.: 99327.10

99327103-CLI-LEG-Lot1REMAINDER\_zoning.docx

McGill Smith Punshon, Inc.  
3700 Park 42 Drive ■ Suite 190B ■ Cincinnati, Ohio ■ 45241-2097  
513.759.0004 ■ Fax 513.563.7099 ■ [www.mcgillsmithpunshon.com](http://www.mcgillsmithpunshon.com)



**APPENDIX D-2**

Lot 4 Legal Description<sup>8</sup>

See Appendix I.

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<sup>8</sup> Contains Lot 4 of P.B. Subd. and adjacent to the centerline descriptions of Plum Street, Central Avenue and W. Pete Rose Way.

**DESCRIPTION FOR: Hamilton County Board of Commissioners**

**LOCATION: Paul Brown Subdivision Lot 4 and adjacent Rights-of-Way  
(Plum Street, West Pete Rose Way & Central Avenue)**

**1.7006 Acres to be REZONED to PLANNED DEVELOPMENT**

Situate in Section 17, Town 4, Fractional Range 1, Cincinnati Township, City of Cincinnati, Hamilton County, Ohio and including all of Lot 4 of Paul Brown Subdivision, as recorded in Plat Book 358, Pages 66 & 67, Hamilton County, Ohio Recorder's Office, and also including portions of the Plum Street, West Pete Rose Way and Central Avenue rights-of-way, the perimeter being more particularly described as follows:

Beginning at the intersection of the centerlines of said Plum Street (a 66' foot right-of-way) and said West Pete Rose Way (a 70' foot right-of-way);

Thence along said centerline of West Pete Rose Way, the following three (3) courses and distances:

1. Along an arc deflecting to the left, having a central angle of  $17^{\circ}17'08''$ , a radius of 535.00 feet, a length of 161.40 feet, and a chord of South  $63^{\circ}36'56''$  West, 160.79 feet;
2. Along an arc deflecting to the right, having a central angle of  $25^{\circ}14'17''$ , a radius of 500.00 feet, a length of 220.24 feet, and a chord of South  $67^{\circ}35'31''$  West, 218.47 feet;
3. South  $80^{\circ}12'39''$  West, 69.43 feet to its intersection with the centerline of Central Avenue extended northwardly from the centerline of the 102' right-of-way as defined in the aforesaid Paul Brown Subdivision Record Plat west of Lot 2;

Thence along said centerline of Central Avenue extended northwardly, North  $09^{\circ}58'21''$  West, 195.65 feet to its intersection with the westwardly extension of the southerly line of Fort Washington Way Subdivision Lot 1, as recorded in Record Plat Book 441, Pages 16 & 17, Hamilton County, Ohio Recorder's Office, said line also being an extension of a northerly line of aforesaid Paul Brown Subdivision Lot 4;

Thence along said line, being in part the southerly line of said Fort Washington Way Subdivision Lot 1 and in part a northerly line of said Paul Brown Subdivision Lot 4, North  $79^{\circ}54'04''$  East, 142.27 feet to a point;

Thence continuing along said southerly line of Fort Washington Way Subdivision Lot 1 and its easterly extension, North 76°02'57" East, 295.79 feet to a point in the aforesaid centerline of Plum Street;

Thence along said centerline of Plum Street, South 09°49'02" East, 124.23 feet to the point of beginning.

Containing **1.7006 acres** of land.

Subject to all legal highways, easements and restrictions of record.

The above description is for a zoning district and is not intended for the transfer of property.

The above description was prepared by McGill Smith Punshon, Inc. from a Rezoning Exhibit dated March 30, 2026. The bearings in the above description are based on Paul Brown Subdivision Record Plat as recorded in Plat Book 358, Pages 66 & 67, Hamilton County, Ohio Recorder's Office, which was based on the Ohio State Plane Coordinate System, South Zone (NAD83).

Prepared by: McGill Smith Punshon, Inc.

Date: March 30, 2026

MSP No.: 99327.10

99327103-CLI-LEG-REZONE-Lot4.docx



**APPENDIX D-3**

Lot 13 Legal Description

See attached.

**LEGAL DESCRIPTION:**     **THE BANKS Lot 13 Zoning**  
Auditor's Parcel 083-0007-0009

Situate in Section 17, Town 4, Fractional Range 1, Cincinnati Township, City of Cincinnati, Hamilton County, Ohio, and being ALL of Lot 13 of The Banks Phase II, as recorded in Plat Book 387, Pages 43-45 of the Hamilton County Recorder's Office.

Containing 1.1889 acres of land.

Subject to all legal highways, easements and restrictions of record.

The bearings in the above description are based on Record Plats of The Banks subdivision, which are based on the Ohio State Plane Coordinate System South Zone (NAD 83), original City of Cincinnati Benchmark No. 6919 & 6920.

Prepared by:    McGill Smith Punshon, Inc.  
Date:            April 2, 2026  
MSP No.:        99327.10

99327103-CLI-LEG-Lot13\_zoning.docx

**APPENDIX D-4**

Lots 24A & 24B Legal Descriptions

See attached.

**LEGAL DESCRIPTION:     **THE BANKS Lot 24A Zoning****  
Auditor's Parcel 083-0007-0071

Situate in Section 17, Town 4, Fractional Range 1, Cincinnati Township, City of Cincinnati, Hamilton County, Ohio, and being ALL of Lot 24A of The Banks Phase IX, as recorded in Plat Book 465, Pages 70-71 of the Hamilton County Recorder's Office.

Containing 2.55166 acres of land up to Elevation 510 & 0.04596 acres of land up to Elevation 502.5 to 510.0.

Subject to all legal highways, easements and restrictions of record.

The bearings and elevations in the above description are based on Record Plats of The Banks subdivision, which are based on the Ohio State Plane Coordinate System South Zone (NAD 83) and the National Geodetic Vertical Datum of 1929 (NGVD 29), City of Cincinnati Benchmark No. 6919 & 6920.

Prepared by:    McGill Smith Punshon, Inc.  
Date:            April 2, 2026  
MSP No.:        99327.10

99327103-CLI-LEG-Lot24A\_zoning.docx

**LEGAL DESCRIPTION:     **THE BANKS Lot 24B Zoning****  
Auditor's Parcel 083-0007-0072

Situate in Section 17, Town 4, Fractional Range 1, Cincinnati Township, City of Cincinnati, Hamilton County, Ohio, and being ALL of Lot 24B of The Banks Phase IX, as recorded in Plat Book 465, Pages 70-71 of the Hamilton County Recorder's Office.

Containing 2.55166 acres of land above Elevation 510 & 0.04596 acres of land above Elevation 502.5 to 510.0.

Subject to all legal highways, easements and restrictions of record.

The bearings and elevations in the above description are based on Record Plats of The Banks subdivision, which are based on the Ohio State Plane Coordinate System South Zone (NAD 83) and the National Geodetic Vertical Datum of 1929 (NGVD 29), original City of Cincinnati Benchmark No. 6919 & 6920.

Prepared by:    McGill Smith Punshon, Inc.  
Date:            April 2, 2026  
MSP No.:        99327.10

99327103-CLI-LEG-Lot24B\_zoning.docx

**APPENDIX D-5**

Lot 25 Legal Description<sup>9</sup>

See attached.

---

<sup>9</sup> Containing the legal descriptions for the remainders of Lot 5 and Lot 10, Banks Subd. Phase II and a vacated portion of former Theodore M. Berry Way, as well as a boundary legal description and depiction for a consolidation of the foregoing.

**LEGAL DESCRIPTION:     **THE BANKS Lot 5 REMAINDER Zoning****  
Auditor's Parcel 083-0007-0077

Situate in Section 17, Town 4, Fractional Range 1, Cincinnati Township, City of Cincinnati, Hamilton County, Ohio, and being PART of Lot 5 of The Banks Phase II, as recorded in Plat Book 387, Pages 43-45 of the Hamilton County Recorder's Office, and being more particularly described as follows:

Beginning at the southwest corner of said Lot 5 of The Banks Phase II, said point also being in the easterly line of Elm Street (a 70 foot right-of-way);

Thence along said easterly line of Elm Street and the westerly line of said Lot 5, along an arc deflecting to the left, having a radius of 707.21 feet, a distance of 99.86 feet, a central angle of 8°05'24", and a chord bearing of North 27°23'35" West, 99.77 feet to the northwest corner of said Lot 5 and the southeast corner of the intersection of said Elm Street with Freedom Way (a variable width right-of-way at this point);

Thence along the northwesterly line of said Lot 5 and southeasterly line of said Freedom Way, North 52°00'21" East, 134.66 feet to a corner in the southerly line of said Freedom Way (an 88 foot right-of-way at this point);

Thence along said line of Freedom Way, North 80°22'31" East, 86.61 feet to the southwest corner of the intersection of said southerly line of Freedom Way with the westerly line of Race Street (a 79 foot right-of-way);

Thence along said line of Race Street, South 9°37'29" East, 159.00 feet to a point in the southerly line of aforesaid Lot 5;

Thence along said line of Lot 5, South 80°22'31" West, 174.65 feet to the point of beginning.

Containing 0.6257 acres of land.

Subject to all legal highways, easements and restrictions of record.

The bearings in the above description are based on Record Plats of The Banks subdivision, which are based on the Ohio State Plane Coordinate System South Zone (NAD 83), original City of Cincinnati Benchmark No. 6919 & 6920.

Prepared by:    McGill Smith Punshon, Inc.  
Date:            April 2, 2026  
MSP No.:        99327.10

99327103-CLI-LEG-Lot5REMAINDER\_zoning.docx

McGill Smith Punshon, Inc.  
3700 Park 42 Drive ■ Suite 190B ■ Cincinnati, Ohio ■ 45241-2097  
513.759.0004 ■ Fax 513.563.7099 ■ [www.mcgillsmithpunshon.com](http://www.mcgillsmithpunshon.com)



**LEGAL DESCRIPTION:     **THE BANKS Lot 10 REMAINDER Zoning****  
Auditor's Parcel 083-0007-0089

Situate in Section 17, Town 4, Fractional Range 1, Cincinnati Township, City of Cincinnati, Hamilton County, Ohio, and being PART of Lot 10 of The Banks Phase II, as recorded in Plat Book 387, Pages 43-45 of the Hamilton County Recorder's Office, and being more particularly described as follows:

Beginning at the northwest corner of said Lot 10 of The Banks Phase II, said point also being in the easterly line of Elm Street (a 70 foot right-of-way);

Thence along the northerly line of said Lot 10, North 80°22'31" East, 161.25 feet to a point in the westerly line of Race Street (a 79 foot right-of-way);

Thence along said westerly line of Race Street, South 9°37'29" East, 70.50 feet to the northeast corner of Lots 27A & B of The Banks Phase X, as recorded in Plat Book 482, Pages 81-82 of the Hamilton County Recorder's Office;

Thence along northerly lines of said Lots 27A & B, the following three (3) courses and distances:

1.     South 80°22'31" West, 121.50 feet
2.     North 9°37'29" West, 12.50 feet
3.     South 80°22'31" West, 34.08 feet to a point in the aforesaid easterly line of Elm Street and the westerly line of aforesaid Lot 10;

Thence along said easterly line of Elm Street and westerly line of Lot 10, along an arc deflecting to the left, having a radius of 707.21 feet, a distance of 58.29 feet, a central angle of 4°43'22", and a chord bearing of North 15°12'36" West, 58.28 feet to the point of beginning.

Containing 0.2453 acres of land.

Subject to all legal highways, easements and restrictions of record.

The bearings in the above description are based on Record Plats of The Banks subdivision, which are based on the Ohio State Plane Coordinate System South Zone (NAD 83), original City of Cincinnati Benchmark No. 6919 & 6920.

Prepared by:    McGill Smith Punshon, Inc.  
Date:            April 2, 2026  
MSP No.:        99327.10

99327103-CLI-LEG-Lot10REMAINDER\_zoning.docx

**LEGAL DESCRIPTION:      Former TED BERRY WAY between Lots 5 & 10 Zoning**  
Auditor's Parcel 083-0007-0067

Situate in Section 17, Town 4, Fractional Range 1, Cincinnati Township, City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

Beginning at the southwest corner of Lot 5 of The Banks Phase II, as recorded in Plat Book 387, Pages 43-45, Hamilton County Recorder's Office, said point also being in the easterly line of Elm Street (a 70 foot right-of-way);

Thence along the southerly line of said Lot 5, North 80°22'31" East, 174.65 feet to a point in the westerly line of Race Street (a 79 foot right-of-way);

Thence along said line of Race Street, South 9°37'29" East, 70.00 feet to a point in the northerly line of Lot 10 of aforesaid The Banks Phase II;

Thence along said northerly line of Lot 10, South 80°22'31" West, 161.25 feet to the northwest corner of said Lot 10, said point also being in the aforesaid easterly line of Elm Street;

Thence along said easterly line of Elm Street, along an arc deflecting to the left, having a radius of 707.21 feet, a distance of 71.30 feet, a central angle of 5°46'36", and a chord bearing of North 20°27'35" West, 71.27 feet to the point of beginning.

Containing 0.269 acres of land.

Subject to all legal highways, easements and restrictions of record.

The bearings in the above description are based on Record Plats of The Banks subdivision, which are based on the Ohio State Plane Coordinate System South Zone (NAD 83), original City of Cincinnati Benchmark No. 6919 & 6920.

Prepared by:    McGill Smith Punshon, Inc.  
Date:            April 2, 2026  
MSP No.:        99327.10

99327103-CLI-LEG-FormerTBW\_zoning.docx

## **LEGAL DESCRIPTION: THE BANKS Future Lot 25 (1.1399 Acres) FOR ZONING PURPOSES**

Situate in Section 17, Town 4, Fractional Range 1, Cincinnati Township, City of Cincinnati, Hamilton County, Ohio and including part of Lots 5 and 10 of The Banks Phase II, as recorded in Plat Book 387, Pages 43-45 of the Hamilton County Recorder's Office, and also including lands conveyed to the Board of County Commissioners of Hamilton County, Ohio by Official Record 13407, Page 782 (Exhibit A), Hamilton County Recorder's Office, the perimeter being more particularly described as follows:

Beginning at the intersection of the southerly line of Freedom Way (an 88 foot right-of-way) with the westerly line of Race Street (a 79 foot right-of-way);

Thence along said line of Race Street, South 9°37'29" East, 299.50 feet to the northeast corner of Lots 27A & B of The Banks Phase X, as recorded in Plat Book 482, Pages 81-82 of the Hamilton County Recorder's Office;

Thence along northerly lines of said Lots 27A & B, the following three (3) courses and distances:

1. South 80°22'31" West, 121.50 feet
2. North 9°37'29" West, 12.50 feet
3. South 80°22'31" West, 34.08 feet to a point in the easterly line of Elm Street (a 70 foot right-of-way);

Thence along said line of Elm Street, along an arc deflecting to the left, having a radius of 707.21 feet, a distance of 229.45 feet, a central angle of 18°35'22", and a chord bearing of North 22°08'36" West, 228.45 feet to the southeast corner of the intersection of said Elm Street with Freedom Way (a variable width right-of-way at this point);

Thence along the southeasterly line of said Freedom Way, North 52°00'21" East, 134.66 feet to a corner in the southerly line of aforesaid Freedom Way (an 88 foot right-of-way at this point);

Thence along said line of Freedom Way, North 80°22'31" East, 86.61 feet to the point of beginning.

Containing **1.1399 acres** of land.

Subject to all legal highways, easements and restrictions of record.

The bearings in the above description are based on Record Plats of The Banks subdivision, which are based on the Ohio State Plane Coordinate System South Zone (NAD 83), original City of Cincinnati Benchmark No. 6919 & 6920.

Prepared by: McGill Smith Punshon, Inc.

Date: April 6, 2026

MSP No.: 99327.10

99327103-CLI-LEG-FUTURE Lot25\_ZONING.docx

**McGill Smith Punshon, Inc.**

3700 Park 42 Drive ■ Suite 190B ■ Cincinnati, Ohio ■ 45241-2097  
513.759.0004 ■ Fax 513.563.7099 ■ [www.mcgillsmithpunshon.com](http://www.mcgillsmithpunshon.com)



# FREEDOM WAY

88' R/W

**FUTURE Lot 25**  
(MAY BE SPLIT INTO LOTS  
25A & 25B AT ELEV.510)

FOOTPRINT=  
1.1399 ACRES

N80°22'31"E 86.61'

N52°00'21"E 134.66'

79' R/W

Remainder of  
THE BANKS  
PHASE II—LOT 5  
P.B.387 PG.43-45  
NET AREA = 0.6257 AC.

**RACE STREET**

S09°37'29"E

299.50'

$\Delta=18^{\circ}35'22''$   
R=707.21'  
L=229.45'  
C=N22°08'36"W  
228.45'

BOARD OF COUNTY COMMISSIONERS  
OF HAMILTON COUNTY, OHIO  
O.R.13407, PG.782 (EXHBIT A)  
0.269 ACRES

**ELM STREET**

Remainder of  
THE BANKS PHASE II—LOT 10  
P.B.387 PG.43-45  
NET AREA=0.2453 AC.

S80°22'31"W  
34.08'

N09°37'29"W  
12.50'

S80°22'31"W 121.50'

THE BANKS PHASE X  
Lot 27A (to 497.83)  
Lot 27B (> 497.83)  
P.B.482 PG.81-82

70' R/W

## EXHIBIT of THE BANKS FUTURE Lot 25

SECTION 17, TOWN 4, FRACTIONAL RANGE 1, CINCINNATI TWP.  
CITY OF CINCINNATI, HAMILTON COUNTY, OHIO



BEARINGS AND ELEVATIONS ARE BASED ON THE BANKS  
SUBDIVISION RECORD PLATS, WHICH ARE BASED ON THE OHIO  
STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NORTH  
AMERICAN DATUM OF 1983 (NAD83) AND THE NATIONAL  
GEODETIC VERTICAL DATUM OF 1929 (NGVD1929), CITY OF  
CINCINNATI BENCHMARK No.6919 & No.6920.

SCALE IN FEET



Date	APRIL 6, 2026
Scale	1" = 50'
Drawn By	RG
Proj. Mgr.	RDN
Survey Database	99327
DWG	99327103-BDY-SitePlan-Lot25
X-Ref(s)	
Project Number	99237.10
File No.	99327
Sheet No.	1 / 1

**MSP**  
DESIGN  
McGill Smith Punshon

- Architecture
- Engineering
- Landscape Architecture
- Planning
- Surveying

 3700 Park 42 Drive  
Suite 190B  
Cincinnati OH 45241  
Phone 513.759.0004  
www.mspdesign.com

**APPENDIX E**

PROPOSED USE CATEGORIES TABLE <sup>10</sup>					
PROPOSED USE CATEGORIES <sup>11,12</sup>	LOTS				
	1	4	13	24	25
<b>MIXED USE (INCLUDING THE BELOW IDENTIFIED USE CATEGORIES):</b>	X	X	X	X	X
<b>Retail</b>	X	X	X	X	X
<b>Office</b>	X	X	X	X	X
<b>Hotel</b>	X	X	X	X	X
<b>General Commercial</b>	X	X	X	X	X
<b>Parking</b>	X	X	X	X	X
<b>Institutional</b>	X	X	X	X	X
<b>Residential</b>	X	X	X	X	X
<b>Restaurant/Bar</b>	X	X	X	X	X

<sup>10</sup> In addition to the use categories listed herein, all uses permitted on the Lots pursuant to PD-43, as amended, shall continue to be permitted on the Lots.

<sup>11</sup> Reference to the use categories herein including the uses set forth in Appendix F-1 to this Statement.

<sup>12</sup> The use categories listed in this Table and Appendix F-1 are not intended to be exclusive, but rather representative of the categories of uses (including accessory uses) proposed in this Application. By way of example: (i) the residential category would include such uses as multi-family, single-family townhomes and condominiums; (ii) the retail and office categories would include such uses as personal services, sales, and banking/financing; (iii) the general commercial category would include such uses as supermarket/grocery store, and department store; and (iv) the institutional category would include such uses as educational, non-profit / public service, and medical.

## APPENDIX F-1

### Proposed Uses – City Code of Ordinances

The following are a list of use categories that shall be permitted by right on each Lot, which use categories are deemed to have the definition ascribed to them under the Code (as may be amended, modified or altered from time to time):

- Permanent Residential –
  - Single-family dwelling;
  - Attached single-family dwelling;
  - Single-family rowhouse;
  - Multi-family dwelling; and
  - Two-family dwelling.
- Residential Care Facilities –
  - Assisted Living;
  - Developmental disability dwelling; and
  - Nursing home.
- Transitional Housing –
  - Programs 1–5.
- Public and Semipublic Uses –
  - Clubs and lodges;
  - Colleges, public or private;
  - Community service facilities;
  - Cultural institutions;
  - Day care center;
  - Government facilities and offices;
  - Offices;
  - Hospitals;
  - Park and recreation facilities;
  - Public maintenance facility;
  - Public safety facilities;
  - Religious assembly; and
  - Schools, public or private.
- Commercial Uses –
  - Banks and financial institutions;
  - ATM, stand-alone;
  - Bed and breakfast inns;
  - Building maintenance services;
  - Business services;
  - Commercial meeting facilities;
  - Eating and drinking establishments;

- Convenience markets;
- Drinking establishments;
- Restaurants, full service;
- Restaurants, limited;
- Food markets;
- Food preparation;
- Hotels and commercial lodging;
- Loft dwelling units;
- Maintenance and repair services;
- Medical services and clinics;
- Offices;
- Parking facilities;
- Personal instruction services;
- Personal services;
- Recreation and entertainment (indoor or small-scale and outdoor or large-scale); and
- Retail sales.
- Transportation, Communication and Utilities –
  - Communications facilities.

## APPENDIX F-2

### Prohibited Uses – City Code of Ordinances

The following are a list of uses types that shall be prohibited each Lot, which use types are deemed to have the definition ascribed to them under the Code (as may be amended, modified or altered from time to time), if any:

- Fire Hazards –
  - Any use which produces or is accompanied by any unusual fire, explosive or other damaging or dangerous hazards, including the storage, display or sale of explosives or fire works other than professional fireworks shows for special events, provided that ordinary use of heating implements in accordance with all applicable Code provisions (including ordinary use of grills and ovens and similar cooking appliances or structures in accordance with all applicable Code provisions in restaurants, grocery stores or other retail facilities), shall not violate this provision.
- Gun Related Uses –
  - Any shooting gallery, gun range, or gun shop provided, however, that a gun department that is part of but not the primary use of a sporting goods store, outdoor recreation store, department store, or other retail operation is permitted.
- Amusement Galleries –
  - Any amusement gallery, video game arcade, or “virtual reality” establishment (an “Amusement Use”) except that the following Amusement Uses shall be permitted:
    - Any Amusement Use which is an ancillary use within a restaurant, movie theatre, or other retail operation;
    - Any Amusement Use which is marketed for use by persons eighteen years of age and older and is used primarily by persons eighteen years of age and older;
    - Any Amusement Use which is marketed for use by persons younger than eighteen years of age, provided that:
      - there is sufficient adult personnel in attendance at the establishment at all times when the establishment is open for business in order to maintain order and proper decorum;
      - if required by any governmental authority, owner’s association or operator shall provide additional security for its establishment in the form of an off-duty police officer; and
      - any owner’s association having the right to oversee any Lot shall have the right to impose, and the operator thereof shall comply with, such rules and regulations as such owner’s

association may reasonably impose to maintain order and proper decorum in and/or about the amusement establishment.

- Nuisances; Flashing Lights –
  - Any use that (i) constitutes a public or private nuisance; or (ii) emits or generates an obnoxious odor, noise, litter, dust or dirt, or the foregoing items in this section can be heard, smelled or seen outside of the buildings to be located on any Lot. For the purposes of this provision: (A) ordinary odors of food and beverage preparation emanating from restaurants and other retail establishments shall not be considered obnoxious; (B) grease trap odors, dumpster odors and the like that are perceptible from any common areas or the interior of any buildings to be located on any Lot shall be considered obnoxious; and (C) music that cannot be heard inside a building on a floor above ground floor level shall not be considered obnoxious.
- Fire Sales –
  - Any “fire sale”, “going out of business” sale or bankruptcy sale (except as may be required by court order) or auction sale except for auctions of fine art, fine jewelry, fine books, fine furnishings, and the like.
- Funeral Parlors –
  - Any funeral parlor, mortuary or funeral home.
- Massage Parlors –
  - Any massage parlor; provided, however, that massage facilities in first class health clubs and spa and the like are permitted.
- Nude Entertainment –
  - Any establishment featuring strip tease, nude, “topless,” or similar adult entertainment; provided, however, that the foregoing restriction shall not prohibit the showing, sale, or rental of movies or similar media that are being shown, offered for sale, or rented nationally to general audiences or in nationally recognized stores or live theatrical performance, that contain incidental nudity or similar adult entertainment.
- Pornographic Materials –
  - Any establishment that devotes more than a minor or incidental portion of its floor area to sexually explicit or pornographic materials or receives more than a minor or incidental portion of its gross revenues from the sale of such materials.
- Paraphernalia for Illegal Drug Use –
  - Any establishment that sells paraphernalia for illegal drug use.
- Industrial Uses –

- Any operation primarily used as a storage warehouse operation and any assembling, manufacturing, refining, smelting, industrial, drilling or mining operation and any distilling operation except for a distilling operation incidental to a restaurant or a Brewpub.
- Agricultural Uses –
  - any agricultural use; provided, however, that a greenhouse operation or the sale of food or agricultural products grown elsewhere shall be permitted.
- Flea Markets –
  - A flea market, pawn shop or thrift store.
- Stockyards –
  - Any stockyard, slaughterhouse or livestock sales pavilion; provided, however, that pet shops with or without ancillary kennel and veterinary facilities and operations are permitted.
- Junkyards –
  - Any junkyard, dumping, disposal, incineration or reduction of garbage, sewerage, dead animals or refuse except for disposal, incineration or reduction of garbage, sewerage, or refuse generated on the Lots to the extent permitted by applicable law, rules and regulations.
- Dry Cleaning Plants; Certain Laundry Facilities –
  - Any commercial laundry, dry cleaning plant, or laundromat; provided, however, that the prohibition against a commercial laundry, or Laundromat shall not be applicable to (i) facilities for on-site drop-off and pick-up service for dry-cleaning performed off-site; (ii) laundry facilities provided in a residential building for the residents of such building; (iii) laundry facilities within a hotel or temporary lodging facility.

Note that Applicant has removed Certain Clubs/Bars and Gambling uses from this Appendix F-2.

**APPENDIX G**

PROJECTED LOT COVERAGES AND INTENSITY <sup>13</sup>						
Projected Standards <sup>14</sup>	LOTS					
	1	4	13	24	25	TOTAL <sup>15</sup>
Approx. Net Site Area (SF)	98,881	40,946	51,836	113,256	50,094	355,013
Proj. Gross SF of New Buildings	-	-	-	-	-	0-2,180,000
Proj. Block Coverage <sup>16</sup>	80-100%	80-100%	80-100%	80-100%	80-100%	-
Proj. Residential Building SF	-	-	-	-	-	0-1,500,000
Proj. Office Building SF	-	-	-	-	-	0-202,000
Proj. Retail & General Commercial SF	-	-	-	-	-	0-147,000
Proj. Restaurant/Bar	-	-	-	-	-	0-147,000
Proj. Hotel SF	-	-	-	-	-	0-124,000
Proj. Structured Parking SF	-	-	-	-	-	0-315,000
Proj. Institutional SF	-	-	-	-	-	0-60,000
Max. Height (extending above 515' DATUM) <sup>17</sup>	285'	185'	145'	285'	135'	-
Min. Setbacks (all sides)	0'	0'	0'	0'	0'	-

<sup>13</sup> Proposed use categories on each Lot are current proposals subject to adjustment based on market conditions.

<sup>14</sup> All standards are projections based upon the Plan. The square footages listed herein may be varied by any prospective developer of any Lot during the Final Development Plan process, provided that any variation does not increase the projected gross square footage of new buildings by more than 5% or increase the maximum heights set forth herein.

<sup>15</sup> Total calculations for projected use category square footages are intended to be applicable across Lots 1, 4, 13, 24 and 25, recognizing that PD-43 is intended to be a zoning district where uses and square footages mix and are varied in accordance with Final Development Plans. For example, the total square footage listed above for Residential is intended to reflect the total square footage of the proposed residential space to be constructed within the PD-43 district, whether all such square footage is constructed on one Lot, or reallocated and spread between multiple Lots.

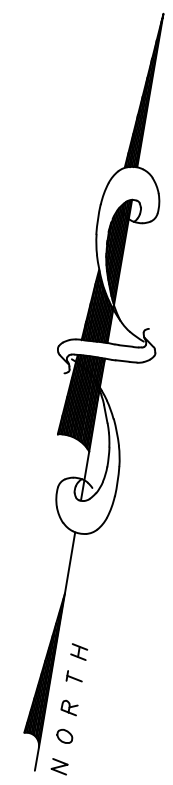
<sup>16</sup> Projected Build-To Alignments are preliminary and as depicted on the Ground Level Regulating Plans and Tower Footprint Regulating Plans for each Lot, as applicable, contained in the Plan (pg's 95, 99, 101, 103, 105 & 107). Buildings should be constructed along 80 to 100 percent of the build-to line on all frontages, or as shown on the Ground Regulating Plans, except where a setback or pedestrian or shared pathway is designed to create additional active, public space at the ground level.

<sup>17</sup> Height is measured from the 515' DATUM. The Axonometric Illustration of Height Restrictions for each Lot contained in the Plan (pg's 98, 102 & 106) show the intended height restrictions of stories or occupied buildings on the Lots. While vertical improvements may be built less than the maximum heights stated herein, in no event shall any occupied structure on any Lot exceed the 22.5-degree plane depicted on District Massing Framework East-West Section seen in the Plan (pg. 85).

**APPENDIX H**

Re-Zoning Plat

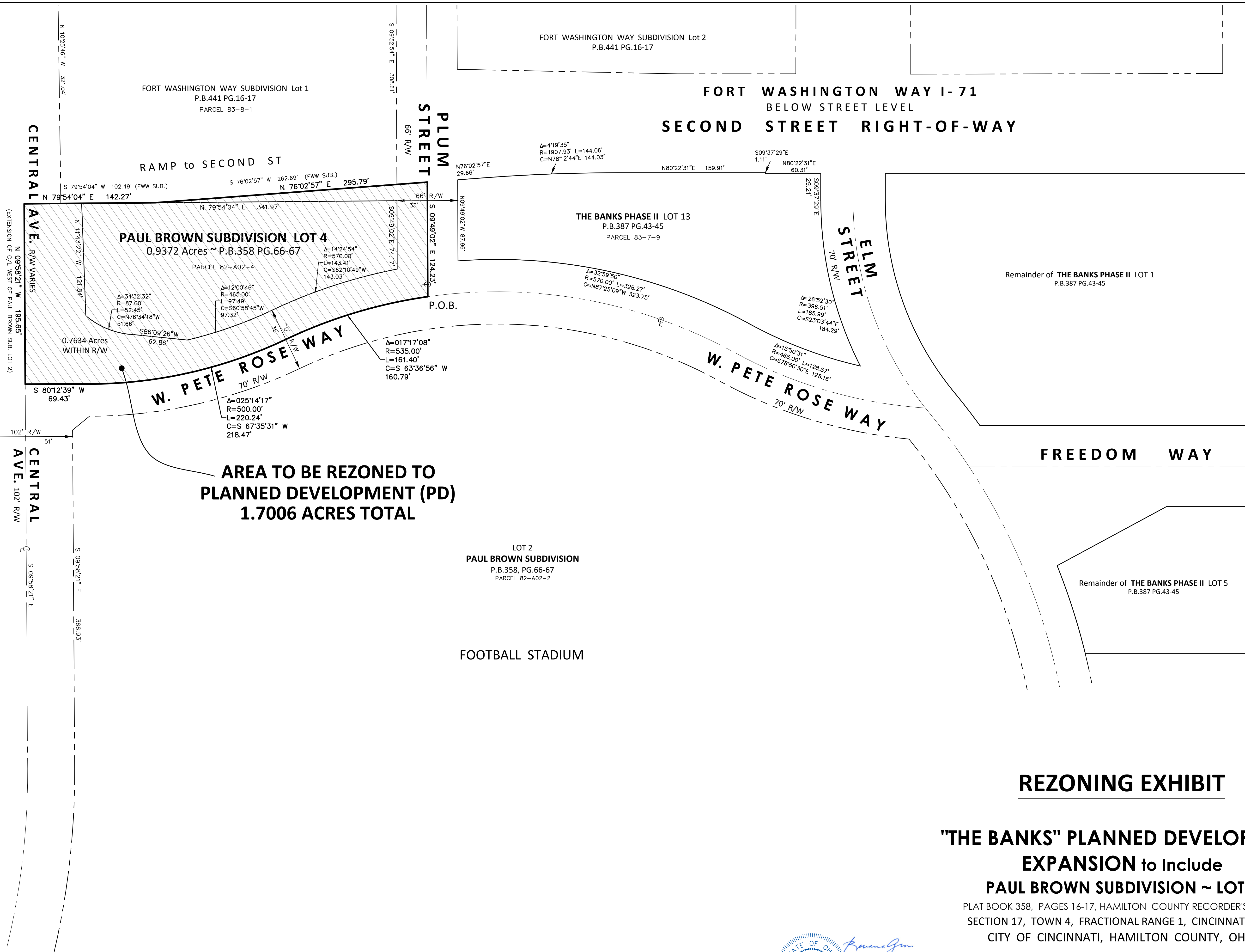
See attached.



**SURVEY NOTES:**

PARCEL LINES ARE BASED ON DEEDS AND PLATS OF RECORD NOTED HEREON AND DO NOT REPRESENT NEW PROPERTY LINES.

BEARINGS ARE BASED ON THE PAUL BROWN SUBDIVISION RECORD PLAT, P.B. 358, PG. 66-67, WHICH WAS BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NORTH AMERICAN DATUM OF 1983 (NAD 83).



**AREA TO BE REZONED TO  
PLANNED DEVELOPMENT (PD)  
1.7006 ACRES TOTAL**

LOT 2  
PAUL BROWN SUBDIVISION  
P.B. 358, PG. 66-67  
PARCEL 82-A02-2  
  
FOOTBALL STADIUM

**REZONING EXHIBIT**

**"THE BANKS" PLANNED DEVELOPMENT  
EXPANSION to Include  
PAUL BROWN SUBDIVISION ~ LOT 4**  
PLAT BOOK 358, PAGES 16-17, HAMILTON COUNTY RECORDER'S OFFICE  
SECTION 17, TOWN 4, FRACTIONAL RANGE 1, CINCINNATI TWP.  
CITY OF CINCINNATI, HAMILTON COUNTY, OHIO



Date	MARCH 30, 2026
Scale	1" = 50'
Drawn By	RG Proj. Mgr. RDN
Survey Database	99327 TBC
DWG	99327103-BDY-REZONE-Lot4
X-Ref(s)	
Project Number	99327.10
File No.	99327 Sheet No. 1/1

**MSP DESIGN**  
McGill Smith Punshon

- Architecture
- Engineering
- Landscape Architecture
- Planning
- Surveying

3700 Park 42 Drive  
Suite 1908  
Cincinnati OH 45241  
Phone 513.759.0004  
www.mspdesign.com

P:\SDSKPRO\99327\99327103-BDY-REZONE-Lot4.dwg, EXHIBIT, 3/30/2026 9:36:56 AM, Renana, 1:1

**APPENDIX I**

Re-Zoning Legal Description

See attached.

**DESCRIPTION FOR: Hamilton County Board of Commissioners**

**LOCATION: Paul Brown Subdivision Lot 4 and adjacent Rights-of-Way  
(Plum Street, West Pete Rose Way & Central Avenue)**

**1.7006 Acres to be REZONED to PLANNED DEVELOPMENT**

Situate in Section 17, Town 4, Fractional Range 1, Cincinnati Township, City of Cincinnati, Hamilton County, Ohio and including all of Lot 4 of Paul Brown Subdivision, as recorded in Plat Book 358, Pages 66 & 67, Hamilton County, Ohio Recorder's Office, and also including portions of the Plum Street, West Pete Rose Way and Central Avenue rights-of-way, the perimeter being more particularly described as follows:

Beginning at the intersection of the centerlines of said Plum Street (a 66' foot right-of-way) and said West Pete Rose Way (a 70' foot right-of-way);

Thence along said centerline of West Pete Rose Way, the following three (3) courses and distances:

1. Along an arc deflecting to the left, having a central angle of  $17^{\circ}17'08''$ , a radius of 535.00 feet, a length of 161.40 feet, and a chord of South  $63^{\circ}36'56''$  West, 160.79 feet;
2. Along an arc deflecting to the right, having a central angle of  $25^{\circ}14'17''$ , a radius of 500.00 feet, a length of 220.24 feet, and a chord of South  $67^{\circ}35'31''$  West, 218.47 feet;
3. South  $80^{\circ}12'39''$  West, 69.43 feet to its intersection with the centerline of Central Avenue extended northwardly from the centerline of the 102' right-of-way as defined in the aforesaid Paul Brown Subdivision Record Plat west of Lot 2;

Thence along said centerline of Central Avenue extended northwardly, North  $09^{\circ}58'21''$  West, 195.65 feet to its intersection with the westwardly extension of the southerly line of Fort Washington Way Subdivision Lot 1, as recorded in Record Plat Book 441, Pages 16 & 17, Hamilton County, Ohio Recorder's Office, said line also being an extension of a northerly line of aforesaid Paul Brown Subdivision Lot 4;

Thence along said line, being in part the southerly line of said Fort Washington Way Subdivision Lot 1 and in part a northerly line of said Paul Brown Subdivision Lot 4, North  $79^{\circ}54'04''$  East, 142.27 feet to a point;

Thence continuing along said southerly line of Fort Washington Way Subdivision Lot 1 and its easterly extension, North 76°02'57" East, 295.79 feet to a point in the aforesaid centerline of Plum Street;

Thence along said centerline of Plum Street, South 09°49'02" East, 124.23 feet to the point of beginning.

Containing **1.7006 acres** of land.

Subject to all legal highways, easements and restrictions of record.

The above description is for a zoning district and is not intended for the transfer of property.

The above description was prepared by McGill Smith Punshon, Inc. from a Rezoning Exhibit dated March 30, 2026. The bearings in the above description are based on Paul Brown Subdivision Record Plat as recorded in Plat Book 358, Pages 66 & 67, Hamilton County, Ohio Recorder's Office, which was based on the Ohio State Plane Coordinate System, South Zone (NAD83).

Prepared by: McGill Smith Punshon, Inc.

Date: March 30, 2026

MSP No.: 99327.10

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**APPENDIX J-1**

Consolidated PD-43 District Index

See attached.

**CONSOLIDATED PD-43 DISTRICT INDEX**

Lot No:	Legacy Block Numbers <sup>18</sup>	Subdivision Name:	Elevation <sup>19</sup> :	Subdivision Phase No. (if applicable)	Plat Recording Reference
<b>P.B. Lot 3</b>	N.A.	Lot 3 of Paul Brown Subdivision	N.A.	N.A	P.B. 358 PG. 66-67
<b>P.B. Lot 4</b>	N.A.	Lot 4 of Paul Brown Subdivision	N.A	N.A	P.B. 358 PG. 66-67
<b>Lot 1<sup>20</sup></b>	Block 1	Remainder of Lot 1 of The Banks	N.A	Phase Two	P.B. 387 PG. 43-45
<b>Lot 2</b>	Block 2	Remainder of Lot 2 of The Banks	To Ground Level	Phase Two	P.B. 387 PG. 43-45
		Lot 2B-1B of The Banks	Above Ground Level	Phase Six	P.B. 441 PG. 9-10
		Lots 2B-1A2, 2B-1C2, 2B-1D & 2B-1E of The Banks	Above Ground Level	Phase Eight	P.B. 444 PG. 81-82
<b>Lot 3</b>	Block 3	Lot 3 of The Banks	N.A.	Phase One	P.B. 361 PG. 62-63
<b>Lot 13</b>	Block 13	Lot 13 of The Banks	N.A.	Phase Two	P.B. 387 PG. 43-45
<b>Lot 16</b>	Block 8/11B	Lot 16A of The Banks	To Ground Level	Phase Four	P.B. 417 PG. 3-4
		Remainder of Lot 16B of The Banks	Above Ground Level	Phase Four	P.B. 417 PG. 3-4
		Lots 16B-1A + 16B-1B of The Banks	Above Ground Level	Phase Seven	P.B. 443 PG. 60-63
<b>Lot 17</b>	Block 7	Lot 17 of The Banks	N.A.	Phase Four	P.B. 417 PG. 3-4
<b>Lot 18</b>	Block 7	Lot 18 of The Banks	N.A.	Phase Four	P.B. 417 PG. 3-4
<b>Lot 19</b>	Block 7	Lot 19 of The Banks	N.A.	Phase Four	P.B. 417 PG. 3-4
<b>Lot 20</b>	N.A.	Lot 20C of The Banks	To Ground Level	Phase Five	P.B. 420 PG. 75-76
		Lot 20D of The Banks	Above Ground Level	Phase Five	P.B. 420 PG. 75-76
		Lot 20E of The Banks	Above Ground Level	Phase Five	P.B. 420 PG. 75-76
<b>Lot 21</b>	N.A.	Lot 21 of The Banks	N.A.	Phase Four	P.B. 417 PG. 3-4
<b>Lot 22<sup>21</sup></b>	N.A.	Remainder of Lot 11 of The Banks	N.A.	Phase Two	P.B. 387 PG. 43-45
<b>Lot 23</b>	N.A.	Lot 23C of The Banks	To Ground Level	Phase Eleven	P.B. 506 PG. 97-98
		Lot 23D of The Banks	Above Ground Level	Phase Eleven	P.B. 506 PG. 97-98
<b>Lot 24</b>	Block 6/11A	Lot 24A of The Banks	To Ground Level	Phase Nine	P.B. 465 PG. 70-71
		Lot 24B of The Banks	Above Ground Level	Phase Nine	P.B. 465 PG. 70-71
<b>Lot 25<sup>22</sup></b>	Block 5/10	Remainder of Lot 5 of The Banks	N.A.	Phase Two	P.B. 387 PG. 43-45
		Remainder of Lot 10 of The Banks	N.A.	Phase Two	P.B. 387 PG. 43-45
		Vacated Theodore M. Berry Way	N.A	N.A.	O.R. 16407 PG. 782
<b>Lot 26</b>	Block 4	Lot 26A of The Banks	To Ground Level	Phase Four	P.B. 417 PG. 3-4
		Lots 26B-1A +26B-1B + 26B-1C of The Banks	Above Ground Level	Phase Seven	P.B. 443 PG. 60-63
<b>Residual Lot 26B</b>	Block 4	Remainder of Lot 26B of The Banks	Above Ground Level	Phase Four	P.B. 417 PG. 3-4
<b>Lot 27</b>	Block 5/10	Lot 27A of The Banks	To Ground Level	Phase Ten	P.B. 482 PG. 81-82
		Lot 27B of The Banks	Above Ground Level	Phase Ten	P.B. 482 PG. 81-82
<b>Lot 28</b>	Block 5/10	Lot 28A of The Banks	N.A.	Phase Eleven	P.B. 506 PG. 97-98

<sup>18</sup> The Legacy Block Numbers represent prior designations for each the Banks Lots which were set forth in the Concept Plan and Development Program Statement Amendment dated as of July 20, 2007, and included in Ordinance 0385-2007 amending PD-43; they are being provided per the request of the Staff for legacy reference purposes.

<sup>19</sup> The term, "Ground Level" as used herein, means and refers to an elevation that is at or near the "515' Datum" and is synonymous to "Podium" as set forth in the Banks Urban Design Plan Update prepared by Perkins and Will (circa April 2026).

<sup>20</sup> The legal description for each of the Lots located within "The Banks" Subdivision is generally expressed as follows: "Lot \_\_\_ of The Banks Phase \_\_, as numbered and delineated on the recorded plat thereof, of record in Plat Book \_\_, Pages \_\_, Recorders Office of Hamilton County, Ohio."

<sup>21</sup> Lot 22 has not yet been created by a replat of the applicable Banks Subdivision Plat. Thus, any reference to Lot 22 as used herein, means for title purposes the Remainder of Lot 11 (a/k/a Hamilton County, Ohio Tax Parcel Number 083-0007-0046).

<sup>22</sup> Lot 25 has not yet been created by a replat of the applicable Banks Subdivision Plat. Thus, any reference to Lot 25 as used herein, means for title purposes (a) the Remainder of Lot 5 (a/k/a Hamilton County, Ohio Tax Parcel Number 083-0007-0077), and the remainder of Lot 10 (a/k/a Hamilton County, Ohio Tax Parcel Number 083-0007-0089) from the Phase II Banks Subdivision and (b) a portion of vacated Theodore M. Berry Way (a/k/a Hamilton County, Ohio Tax Parcel Number 083-0007-0067).

**APPENDIX J-2**

Consolidated PD-43 District Development Summary

See attached.

**CONSOLIDATED PD-43 DEVELOPMENT SUMMARY<sup>23</sup>**

Lot No:	Approx. Lot Area (Acres)	Approx. Lot Area (ft <sup>2</sup> )	Current Permitted Use Categories (Zoning)	Current Uses	Parking	Height Limits	Build Height
Smale Riverfront Park <sup>24</sup>	29.28	1,275,500	Park	Smale Park	0	N.A.	-
P.B. Lot 3	4.95	215,622	Parking	Parking	391	N.A.	-
P.B. Lot 4	0.94	40,946	See Appendix B-2 & E & F1	N.A	-	See Appendix G	-
Lot 1	2.27	98,881	See Appendix B-1 & E & F1	Parking	-	See Appendix G	-
Lot 2	1.74	75,794	Office, Retail, Residential	The Radius Apartments / Office Building / Commercial	324 spaces above podium 733 spaces below podium	24 Stories (20 leasable floors & 4 floors of parking)	Office Use: 10 stories Residential: 7 stories Retail: 1 story Parking: 1 story
	2.45	106,722	Parking	Below Podium Parking			
Lot 3	2.59	112,925	Freedom Center	Freedom Center	728 spaces below podium	24 Stories (20 leasable floors & 4 floors of parking)	-
Lot 13	1.19	51,836	See Appendix B-3 & E & F1	Parking	-	See Appendix G	-
Lot 16	1.35	58,941	Residential, Retail	The Current Apartments / Commercial	250 spaces above podium 322 spaces below podium	24 Stories (20 leasable floors & 4 floors of parking)	Residential: 7 stories (6 -story Residential over 1 Retail) Hotel: 7 stories
	0.87	38,050	Hotel, Restaurant/Bar, Retail	AC Hotel / Commercial			
	2.23	96,991	Parking	Below Podium Parking			
Lot 17	0.42	18,165	Retail	Yard House	0	35 ft.	-
Lot 18	0.67	29,050	Open Space, Park, Recreation Attraction, Retail	Green Space / Queen City Sign	0	35 ft.	-
Lot 19	0.42	18,165	Retail	The Filson	0	35 ft.	25 ft.
Lot 20	1.42	62,160	Park	Park	141 spaces below podium	24 Stories (20 leasable floors & 4 floors of parking)	-
	1.12	48,935	Restaurant/Bar	Cincinnati Lager House			
	1.42	62,160	Parking	Below Podium Parking			
Lot 21	0.55	23,967	Open Space, Park	Plaza	0	N.A.	-
Lot 22	1.01	44,196	Recreation	Carousel	0	N.A.	-
Lot 23	2.07	90,082	Open Space, Park, Outdoor Entertainment	Green Space / Outdoor Venue	163 spaces below podium	24 Stories (20 leasable floors & 4 floors of parking)	-
			Parking	Below Podium Parking			
Lot 24	2.60	113,151	See Appendix B-4 & E & F1	Vacant	-	See Appendix G	-
			Parking	Below Podium Parking			
Lot 25	1.14	49,724	See Appendix B-5 & E & F1	Below Podium Parking	-	See Appendix G	-
Lot 26	1.99	86,885	Residential, Retail	The Current Apartments / Commercial	209 spaces above podium 583 spaces below podium	24 Stories (20 leasable floors & 4 floors of parking)	Residential: 7 stories (6 -story Residential over 1 Retail)
	0.59	25,618	Office, Residential, Retail	Vacant			
	2.58	112,503	Parking	Below Podium Parking			
Lot 27	0.94	41,151	Music Venue, Residential, Retail	Brady Music Center	102 spaces below podium	24 Stories (20 leasable floors & 4 floors of parking)	-
			Parking	Below Podium Parking			
Lot 28	0.53	23,100	Open Space, Park, Restaurant/Bar, Retail	Cincinnati Black Music Walk of Fame	18 spaces	24 Stories (20 leasable floors & 4 floors of parking)	-

<sup>23</sup> The data referenced in this Appendix J-2, is based upon information provided by Staff.

<sup>24</sup> The property known as "Smale Riverfront Park" consists of certain property located to the south of Mehring Way and runs east from the east line of Lot 3 of Paul Brown Subdivision and ends at the west line of Broadway Street as extended to the north shoreline of the Ohio River.