

SUBJECT: A report and recommendation on a proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #43 (PD-43), The Banks, in the Central Business District.

GENERAL INFORMATION:

Location: Planned Development #43 (PD-43), The Banks

Petitioner: Hamilton County
138 E. Court Street, Room 603, Cincinnati, OH 45202

Request: A proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #43 (PD-43), The Banks, to expand the boundary of PD-43 and to establish development parameters to align with *The Banks Urban Design Plan Update*.

ATTACHMENTS:

Provided in addition to this report are the following exhibits:

- Exhibit A – Location Map
- Exhibit B – Major Amendment Application Development Program Statement
 - Appendix A: Concept Plan
 - Appendix B-1: Lot 1 Detail
 - Appendix B-2: Lot 4 Detail
 - Appendix B-3: Lot 13 Detail
 - Appendix B-4: Lot 24 Detail
 - Appendix B-5: Lot 25 Detail
 - Appendix C: Current Lot Overview
 - Appendix D-1: Lot 1 Legal Description
 - Appendix D-2: Lot 4 Legal Description
 - Appendix D-3: Lot 13 Legal Description
 - Appendix D-4: Lot 24 Legal Description
 - Appendix D-5: Lot 25 Legal Description
 - Appendix E: Proposed Use Categories Table
 - Appendix F-1: Proposed Uses
 - Appendix F-2: Prohibited Uses
 - Appendix G: Projected Lot Coverages and Intensity
 - Appendix H: Re-Zoning Plat
 - Appendix I: Re-Zoning Legal Description
 - Appendix J-1: Consolidated PD-43 District Index
 - Appendix J-2: Consolidated PD-43 Development Summary
- Exhibit C – Signage Regulations
- Exhibit D – Coordinated Site Review Letter
- Exhibit E – Correspondence from Public

BACKGROUND:

On February 17, 2006, the City Planning Commission approved the creation of Planned Development #43 (PD-43), The Banks, which was based on the *Central Riverfront Urban Design Master Plan (2000)*. City Council approved the proposed zone change, Concept Plan, and Development Program Statement as Ordinance 141-2006 on May 17, 2006.

A Major Amendment to the Concept Plan and Development Program Statement for PD-43 to change the allowed square footage and flexibility of uses across the PD was approved by the City Planning Commission on August 16, 2007, and by City Council on November 1, 2007. A subsequent Major Amendment to adjust height limits was approved by the City Planning Commission on January 18, 2008, and by City Council on April 23, 2008. The City Planning Commission approved the signage plan on February 19, 2010.

Another Major Amendment to allow for the construction of The Brady Music Center and to change allowed uses on certain lots in PD-43 was approved by the City Planning Commission on November 15, 2019, and by City Council on November 20, 2019.

In April 2026, The Banks Public Partnership released *The Banks Urban Design Plan Update (2026)*, resetting the coordinated vision of The Banks for the next 10+ years. *The Banks Urban Design Plan Update* is being reviewed concurrently with this Major Amendment for approval by the City Planning Commission and City Council. The plan update recommends a variety of strategies to create a world-class and vibrant mixed-use entertainment district, including expanding the PD boundary; building significantly more high-density residential development; adding restaurants, retail, and commercial storefronts; and creating new public spaces. To implement the updated plan's vision, Hamilton County is proposing a Major Amendment to reset the Concept Plan and Development Program Statement for all of PD-43. While the Major Amendment does not substantially change the rules controlling the already developed areas of PD-43, significant changes to the PD include updated uses and heights for Lots 1, 4, 13, 24, and 25, and the inclusion of Lot 4 into the PD. For detailed information on all lots in PD-43, including current uses and other lot naming conventions that have been used in previous Major Amendments (such as subdivision names or block numbers), see Appendix J-1 and Appendix J-2 of Exhibit B.

ADJACENT LAND USE AND ZONING:

The site is currently zoned Planned Development (PD-43). The adjacent zoning and land uses are as follows:

North:

Zoning: Downtown Development (DD)

Use: Freeway, Office, Multi-family Residential, Commercial, Parking

East:

Zoning: Downtown Development (DD)

Use: Great American Ballpark

South:

Zoning: None

Use: Ohio River

West:

Zoning: Downtown Development (DD) and Riverfront Manufacturing District Transportation Corridor (RF-M-T)

Use: Paycor Stadium, Parking Lot

PROPOSED DEVELOPMENT AND CHANGES TO CONCEPT PLAN:

The proposed Major Amendment to the Concept Plan and Development Program Statement is for the entirety of PD-43, The Banks, which encompasses almost 85 contiguous acres, as shown in Exhibit A. This reset for PD-43 compiles the rules governing development in one place, which provides clarity considering the numerous Major

Amendments over the 20-year history of The Banks. While the rules governing Lots 1, 4, 13, 24, and 25 (the “Development Lots”) are updated in this reset of the Concept Plan to reflect the changes of *The Banks Urban Design Plan Update*, the rules governing the rest of The Banks are amended and restated in the proposed Major Amendment for clarity. The updated PD-43 Concept Plan is shown in Appendix A of Exhibit B, and an updated PD-43 index and current development summary for all lots are shown in Appendix J-1 and J-2 of Exhibit B.

Expansion Area

The petitioner proposes to rezone approximately 1.7006 acres of Paul Brown (P.B.) Subdivision Lot 4 (referred to in this staff report as “Lot 4”) from Downtown Development District (DD) to PD-43. Appendix A of Exhibit B shows the updated Concept Plan with the expansion area, while Appendix H and Appendix I of Exhibit B show the rezoning plat and legal description respectively.

Permitted Uses

The Banks Urban Design Plan Update proposes up to approximately 2.5 million gross square feet of new building and parking space across the five Development Lots. The permitted uses for the Development Lots include retail, office, hotel, general commercial, parking, institution, multi-family residential, and restaurant/bar, as shown in Appendix B-1 through B-5, Appendix E, and Appendix F-1 of Exhibit B. Table 1 below shows the minimum and maximum square footage for each permitted use in total across the five Development Lots. Permitted uses for the remaining lots in PD-43 are shown in Appendix J-2 of Exhibit B. The corresponding minimum and maximum square footage for such permitted uses of the remaining lots in PD-43 remains the same as was established by the Concept Plan and Development Program Statement for PD-43 (as amended by the prior Major Amendments).

Table 1: Permitted Minimum and Maximum Square Footages for Permitted Uses for Lots 1, 4, 13, 24, 25 (“Development Lots”)

Permitted Uses	Development Lots Square Footage
Residential	0-1,500,000
Restaurant/Bar	0-147,000
Office	0-202,000
Hotel	0-124,000
Retail & General Commercial	0-147,000
Institutional	0-60,000
Parking	0-315,000
Total	0-2,495,000

Prohibited Uses

There are also Prohibited Uses for all PD-43 lots, which are shown in Appendix F-2 of Exhibit B. This list has been modified from the original Prohibited Uses list that was included in a previous Major Amendment. The changes were removing Certain Clubs/Bars and Gambling uses from the Prohibited Uses list.

Heights

The maximum building heights for all lots in PD-43 are shown in Appendix G of Exhibit B, and all heights are measured from the base building podium datum (~515 feet above sea level). The maximum heights of the Development Lots are shown in Table 2 below but note that these heights are subject to certain additional restrictions. Specifically, no building on Lot 25 should exceed the overall height of the Paycor Stadium canopy,

and no building on Lot 24 should exceed a 22.5-degree plane extending from the height of the maximum allowed tower footprint perimeter on Lot 25 at the Paycor canopy elevation. See page 85 of *The Banks Urban Design Plan Update* for illustrations and further details regarding the height restrictions.

Table 2: Maximum Height for Lots 1, 4, 13, 24, 25 (“Development Lots”)

Lot	Maximum Height (ft)
1	285
4	185
13	145
24	285
25	135

Setbacks

The minimum setback for all lots in PD-43 is zero feet.

Parking

Vehicle parking is not required in PD-43, since it is in an Urban Parking Overlay District. However, parking currently exists both below the base building podium in the Central Riverfront Garage, as well as above in dedicated parking garages for different buildings. The list of the number of current parking spaces in PD-43 by parcel is in Appendix J-2 of Exhibit B. Parking is a permitted use for the Development Lots (see Table 1 above), and some of the Development Lots will be subdivided into air lots in the future. These subdivisions would take place so that developments above the building podium are separate properties from the Central Riverfront Garage below.

The Banks Urban Design Plan Update provides design standards for above-grade parking garages, which are also included in this Major Amendment. The design standards are as follows, and any page numbers are references to pages within *The Banks Urban Design Plan Update*:

- 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 for each site. Refer to the Podium Parking Guidance Section (p. 92-93) and the Overall Parking and Loading Ground Level Curb Regulating Plan - All Lots (p. 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 (p. 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 (p. 109) and the Overall Parking and Loading Ground Level Curb Regulating Plan - All Lots (p. 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.

Signage

The signage plan for all of PD-43 is shown in Exhibit C, which is the same signage plan that was approved for previous portions of The Banks in 2010.

BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:

According to §1429-05 of the Cincinnati Zoning Code, *Basic Requirements*, PD Districts and development within PD Districts must comply with the following:

- a. **Minimum Area** – *The minimum area of a PD must be two contiguous acres.*
The existing PD-43 consists of approximately 84.6 contiguous acres, with approximately 1.7 additional acres proposed with the inclusion of Lot 4, creating a total of approximately 86.3 acres.
- b. **Ownership** – *Evidence that the petitioner has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development are required.*
The petitioner has provided proof of ownership.
- c. **Multiple Buildings on a Lot** – *More than one building is permitted on a lot.*
The proposal includes allowances for multiple buildings on the lots.
- d. **Historic Landmarks and Districts** – *Whenever a Planned Development application is filed for a property wholly or partially located within a historic landmark, historic district, or involving a historic structure, the Historic Conversation Board shall advise the City Planning Commission relating to approval of the Final Development Plan.*
No portion of the site is located within a historic district, nor contains any historic landmark.
- e. **Hillside Overlay Districts** – *Whenever a Planned Development application is filed for a property wholly or partially located within a Hillside Overlay District, the City Planning Commission shall approve the Final Development Plan.*
No portion of the site is located within the Hillside Overlay District.
- f. **Urban Design Overlay District** – *Whenever a Planned Development application is filed for a property wholly or partially located within an Urban Design Overlay District, the City Planning Commission shall approve the Final Development Plan.*
No portion of the site is located within an Urban Design Overlay District.

CONCEPT PLAN AND DEVELOPMENT PROGRAM STATEMENT:

According to §1429-09 of the Cincinnati Zoning Code, *Concept Plan and Development Program Statement*, a petition to rezone a property to PD must include a Concept Plan and Development Program Statement. The purpose is to describe the proposed use or uses to be conducted in the PD District. The Concept Plan and Development Program Statement must include text or diagrams that specify:

- a. **Plan Elements** – *A survey of the tract to be developed, providing a metes and bounds description of the property and the survey of property lines and total acreage. Additionally, the plan should include the location in general terms, of land areas to be developed, including: type and description of proposed land uses, buildings and structures; street rights-of-way and driveways; parcel boundaries and proposed lots, including set back lines; building heights; pedestrian circulation systems and open space or other facilities; and proposed topography, drainage, landscaping and buffer plantings.*
The petitioner has submitted a proposed Major Amendment to the Concept Plan and Development Program Statement that includes sufficient information regarding proposed uses, building locations, street access, pedestrian circulation systems, and open space and landscaping, as shown in Exhibit B and its Appendices.

- b. **Ownership** – Evidence that the petitioner has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development.

The petitioner has provided proof of ownership.

- c. **Schedule** – Time schedule of projected development, if the total site is to be developed in phases or if construction is to extend beyond a two-year time period.

The developments are anticipated to be completed in phases over the next 10-15 years.

- d. **Preliminary Reviews** – A preliminary review of geo-technical, sewage, water, drainage and refuse collection.

The project has been reviewed through the City’s Coordinated Site Review Process (see the “Coordinated Site Review” section below).

- e. **Density and Open Space** – Calculations of density and open space area.

The overall site will be approximately 86.3 acres with the inclusion of Lot 4. Approximately 34 acres (or 39%) is open space, including areas such as Smale Riverfront Park.

MAJOR AMENDMENT:

The Cincinnati Zoning Code §1429-12 allows for amendments to the Concept Plan and Development Program Statement. Major Amendments must be approved by the City Planning Commission and City Council. A Major Amendment to the Concept Plan and Development Program Statement has been requested for PD-43 because the petitioner wants to expand the boundaries of PD-43, set the development parameters for Lot 4, and reset and restate the development parameters of the remainder of the Development Lots.

FINAL DEVELOPMENT PLAN:

Pursuant to §1429-13 of the Cincinnati Zoning Code, a Final Development Plan shall be submitted to the City Planning Commission for any portion of an approved Concept Plan that the petitioner wishes to develop following approval of the Concept Plan and Development Program Statement and the Planned Development designation by City Council. The Final Development Plan must substantially conform to the approved Concept Plan and Development Program Statement.

COORDINATED SITE REVIEW:

The proposed changes to the Concept Plan and Development Program Statement were reviewed by City departments through the Coordinated Site Review process. The Coordinated Site Review Advisory Team met with the petitioner in March 2026 and issued a letter with their comments (Exhibit D). There were no objections, but various departments did state that any development would potentially need to upgrade and extend sewer, water, stormwater, and/or other infrastructure.

PUBLIC COMMENT AND NOTIFICATION:

A combined notice for the April 30, 2026, Public Staff Conference and May 15, 2026, City Planning Commission meeting was sent to all property owners both within PD-43 and within 400 feet of the PD boundary, as well as the Downtown Residents Council. The petitioner team also attended a meeting of the Downtown Residents Council on April 14, 2026, to provide information on and answer questions about *The Banks Urban Design Plan Update*.

The Department of City Planning and Engagement held a virtual Public Staff Conference on April 30, 2026, for the proposed Major Amendment to the Concept Plan and Development Program Statement. Members of City staff and the petitioner team were present, and three members of the public attended. Members of the public asked

questions related to what decisions have already been made for the proposed development, whether any of the proposed housing would be for low-to-moderate income residents, and what the structures would be put in place for accountability and success over time.

Additional questions were submitted by one of the attendees of the Public Staff Conference, and they are included in Exhibit E. No other correspondence has been received.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed Major Amendment to the Concept Plan and Development Program Statement is consistent with multiple Initiative Areas of *Plan Cincinnati (2012)*. It is consistent with the Compete Initiative Area goals to “Cultivate our position as the most vibrant and economically healthiest part of our region” (p. 114) and to “Become nationally and internationally recognized as a vibrant and unique City” (p. 121). It’s also consistent with the Live Initiative Area of *Plan Cincinnati (2012)*, including the goal to “Provide a full spectrum of housing options, and improve housing quality and affordability” (p. 164). The proposed Major Amendment will add vibrancy to The Banks so that it is a regional, national, and international attraction, as well as add needed housing.

The Banks Urban Design Plan Update (2026)

The Banks Public Partnership released *The Banks Urban Design Plan Update* in April 2026 after over a year of work, and the plan update is being considered concurrently with this Major Amendment for approval by the City Planning Commission and City Council. As the updated plan directly informed the Major Amendment development parameters, the Major Amendment is substantially consistent with much of the updated plan. Specifically, the Major Amendment is consistent with the three “District Drivers” stated in the plan’s District Vision (p. 49):

- 1) A Banks District that is Bigger and Bolder
- 2) A Quality District that Drives Value
- 3) A Riverfront Built for Game Day, Designed for Everyday

The Major Amendment’s changes to PD-43 to allow for a diverse mixture of uses, as well as a significant amount of residential development, will help to implement all three parts of the plan’s District Vision. District Driver #2 specifically provides information on potential development square footage (p. 55) that was incorporated into this Major Amendment parameters for uses.

Additionally, the updated plan includes a section on Design Guidelines. This Major Amendment incorporates many of the guidelines, such as those related to heights and sightlines (p. 84-85) and the podium parking standards (p. 91).

It is important to note that this Major Amendment does not incorporate all parts of the updated plan nor all the design guidelines, and only the aspects of the updated plan specifically stated in this Major Amendment are included in the updated PD-43 regulations. While features such as a new signature plaza or the closing of certain streets are not part of this Major Amendment, they could be part of future Major Amendments.

CITY PLANNING COMMISSION ACTION:

According to Section §1429-11(a) of the Cincinnati Zoning Code, City Planning Commission may recommend approval or conditional approval, with restrictions on the establishment of a PD District on finding that all of the following circumstances apply:

1. *The PD concept plan and development program statement are consistent with applicable plans and policies and is compatible with surrounding development;*

Since the Major Amendment proposal is a direct result of *The Banks Urban Design Plan Update* and incorporates many of its features, it is consistent with the plan (see “Consistency with Plans”). The proposed changes are also compatible with surrounding development, both within PD-43 and in the surrounding Central Business District.

2. *The PD concept plan and development program statement enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved;*

The proposal enhances the potential for superior urban design by developing large vacant lots at The Banks, since those lots harm the pedestrian experience. The proposal also provides design standards for how above-grade structure parking garages should be incorporated.

3. *Deviations from the base district regulations applicable to the property at the time of the PD application are justified by compensating benefits of the PD concept plan and development program statement;*

The proposal is a Major Amendment to the existing PD-43 Concept Plan and Development Program Statement, so the proposed base zoning is consistent with the existing PD-43 regulations. While the petitioner is proposing to add Lot 4 to PD-43, and Lot 4 is currently in the DD zoning district, the changes in the proposed Major Amendment are similar to and compatible with the existing regulations within both PD-43 and the DD zoning district.

4. *The PD Concept Plan and Development Program Statement includes adequate provisions for utility services, refuse collection, open space, landscaping and buffering, pedestrian circulation, traffic circulation, building design and building location.*

The proposed Major Amendment to the Concept Plan and Development Program Statement went through the Coordinated Site Review process, which outlined the necessary steps to add utility service for any proposed developments. The proposed Major Amendment also provides adequate provisions for refuse collection, open space, landscaping and buffering, pedestrian circulation, traffic circulation, building design, and building location. The details of each of these areas will be provided during future Final Development Plan submissions.

ANALYSIS:

The proposed Major Amendment to the Concept Plan and Development Program Statement for PD-43 provides updated development parameters that match the new vision of *The Banks Urban Design Plan Update*. These updated development parameters, ranging from expanded uses to adding allowable square footage to increasing maximum building heights, will allow for The Banks to become a more vibrant district at all times of the year, rather than just on gamedays. If the vision set in *The Banks Urban Design Plan Update* comes to fruition, there could be up to 1,300 new residential units, 100-150 new hotel rooms, and 60,000-80,000 square feet of new neighborhood-serving retail. Development at this scale would make The Banks not only a neighborhood, but a mixed-use entertainment district that attracts people from across the region and country. The proposed Major Amendment will modify the PD-43 regulations to allow this level of construction to occur, if willing development partners are identified.

FINDINGS:

It is the opinion of staff of the Department of City Planning and Engagement that the proposed Major Amendment to the Concept Plan and Development Program Statement is beneficial for PD-43, The Banks. The project is an asset to Cincinnati and the regional community because it will spur new development and create a more vibrant district.

It is the opinion of staff of the Department of City Planning and Engagement that the proposed Major Amendment to the Concept Plan and Development Program Statement is in compliance with §1429-12, *Amendments to a Planned Development Concept Plan*. The proposal is consistent with the purpose of the Planned Development District Regulations, and the petitioner has successfully met all basic requirements of the Planned Development District. The Major Amendment will not negatively impact the existing character of the surrounding area.

RECOMMENDATION:

The staff of the Department of City Planning and Engagement recommends that the City Planning Commission take the following actions:

1. **ADOPT** the Department of City Planning and Engagement Findings as detailed in this report; and
2. **APPROVE** the proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #43 (PD-43), The Banks, in the Central Business District as outlined in this report.

Respectfully submitted:



Andrew Halt, AICP, PE, Senior City Planner
Department of City Planning & Engagement

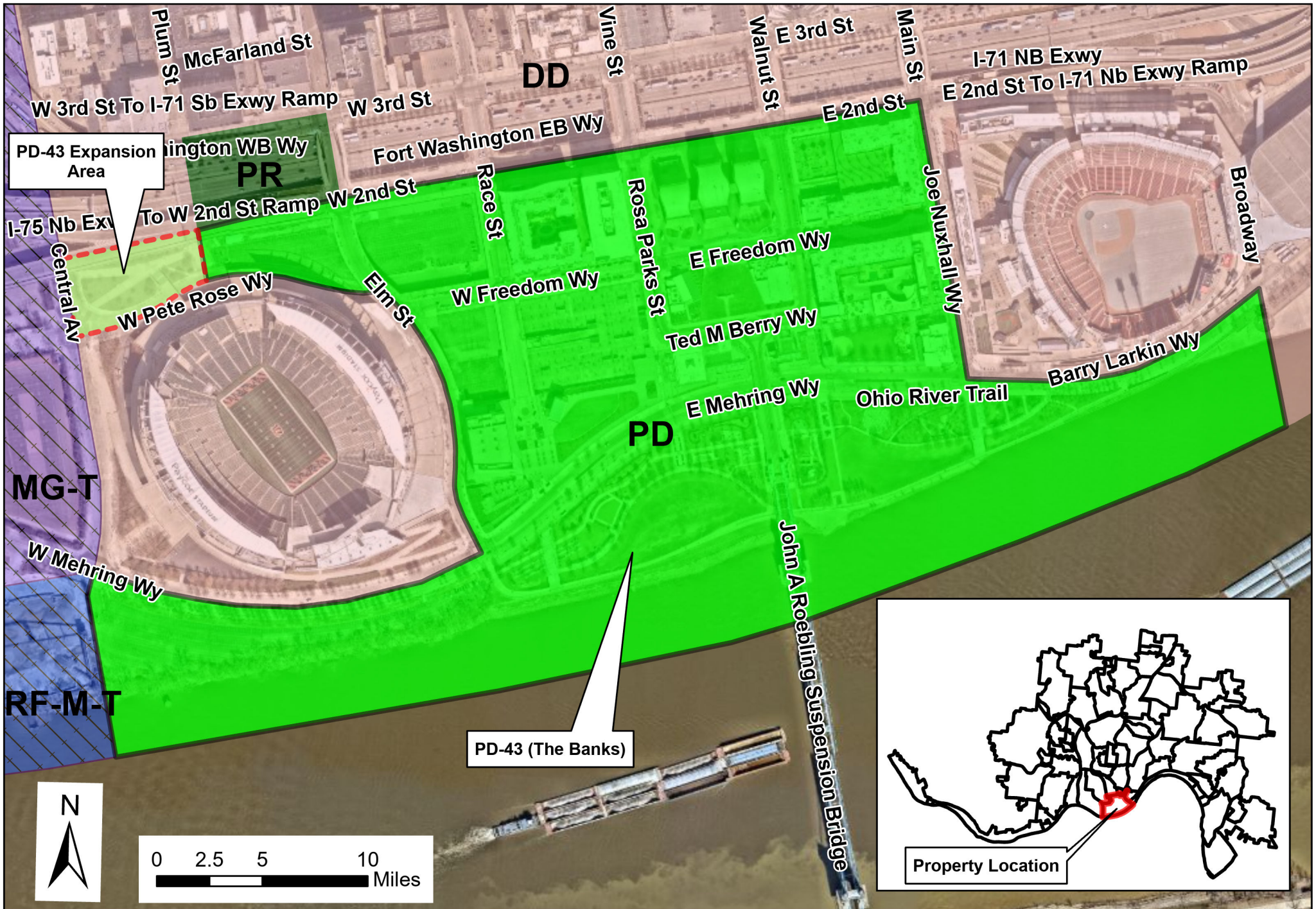
Approved:



Katherine Keough-Jurs, FAICP, Director
Department of City Planning & Engagement

A Proposed Major Amendment to The Concept Plan and Development Program Statement for PD-43 (The Banks)

Exhibit A





**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:

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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 25¹ 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

¹ 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 B-2.....Lot 4 Detail

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Appendix E.....Proposed Use Categories Table

Appendix F-1.....Proposed Uses

Appendix F-2.....Prohibited Uses

Appendix G.....Projected Lot Coverages and Intensity

Appendix H.....Re-Zoning Plat

Appendix I.....Re-Zoning Legal Description

Appendix J-1.....Consolidated PD-43 District Index

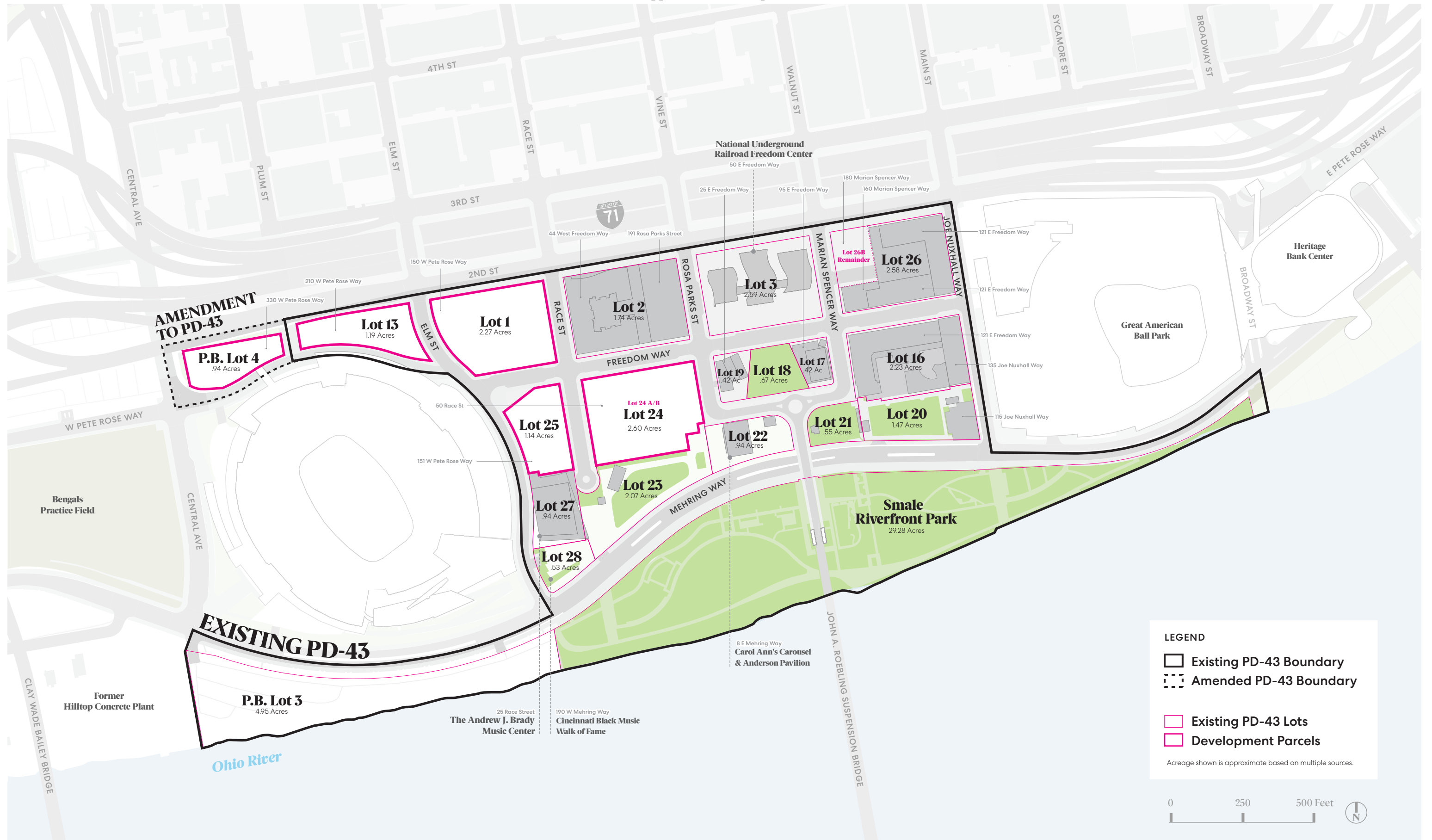
Appendix J-2.....Consolidated PD-43 Development Summary

APPENDIX A

Concept Plan

See attached.

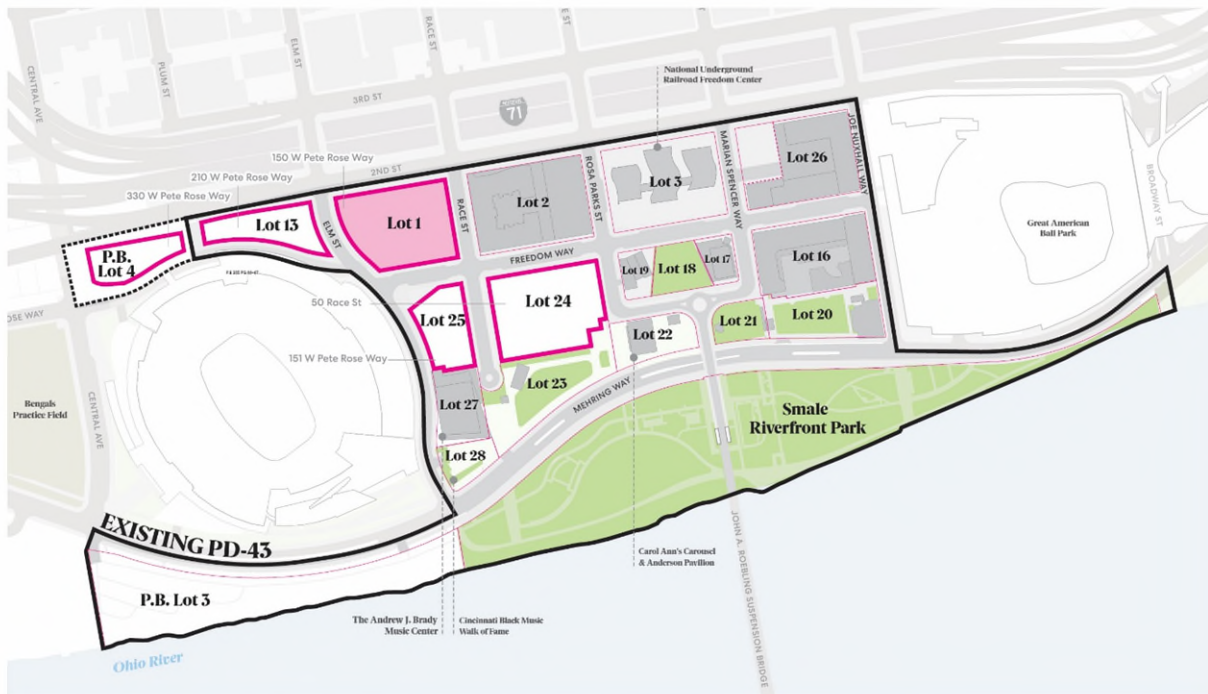
Appendix A - Concept Plan¹



¹The 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

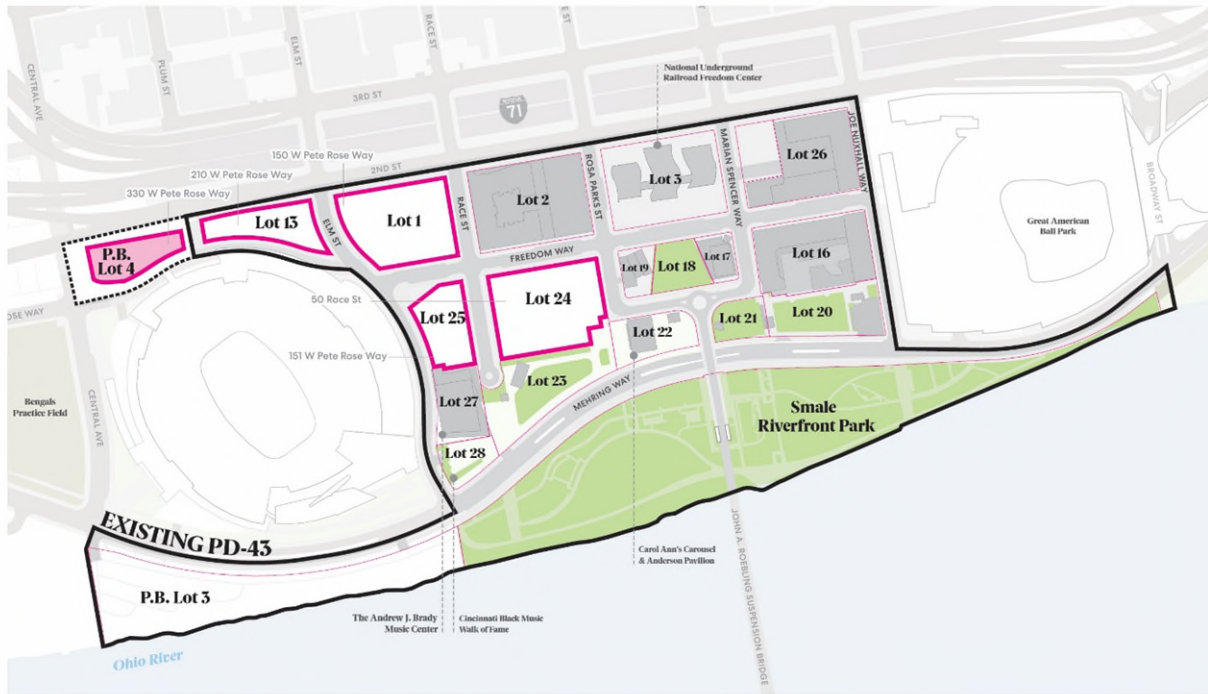


The schedule of proposed uses on Lot 1 is generally categorized in Appendix E and summarized below. The particular proposed uses and prohibited uses for Lot 1 are identified on Appendices F-1 and F-2, respectively.

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

APPENDIX B-2

Lot 4 Detail

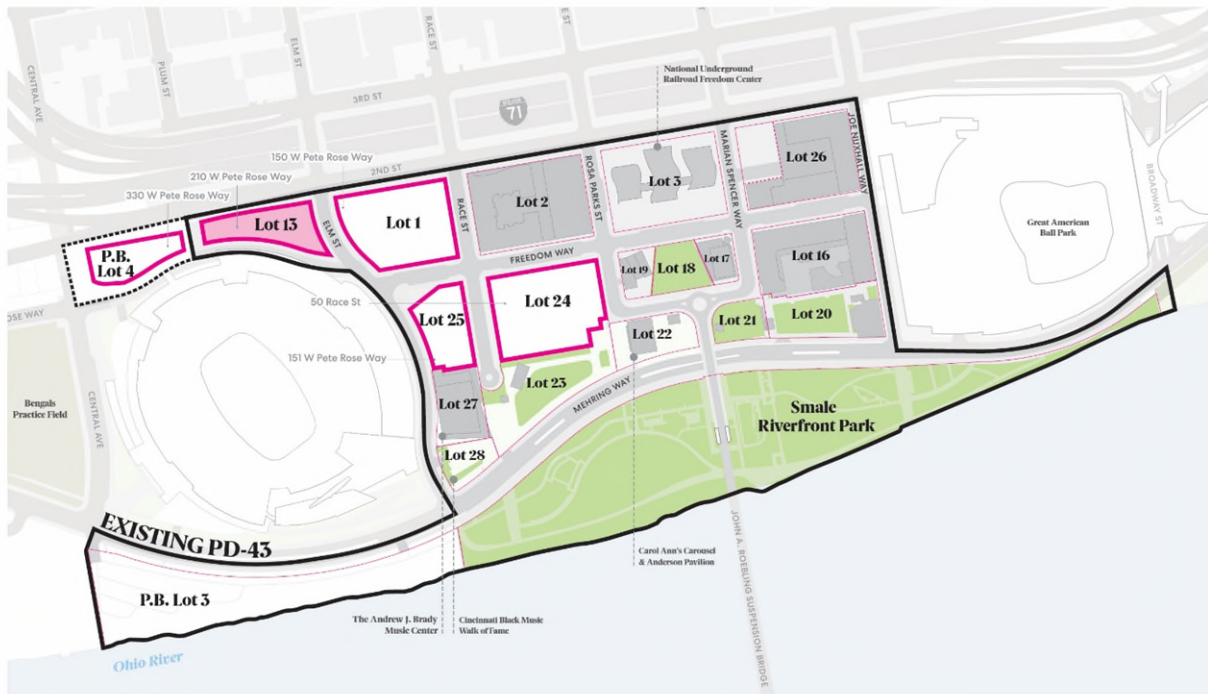


The schedule of proposed uses on Lot 4 is generally categorized in Appendix E and summarized below. The particular proposed uses and prohibited uses for Lot 4 are identified on Appendices F-1 and F-2, respectively.

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

APPENDIX B-3

Lot 13 Detail

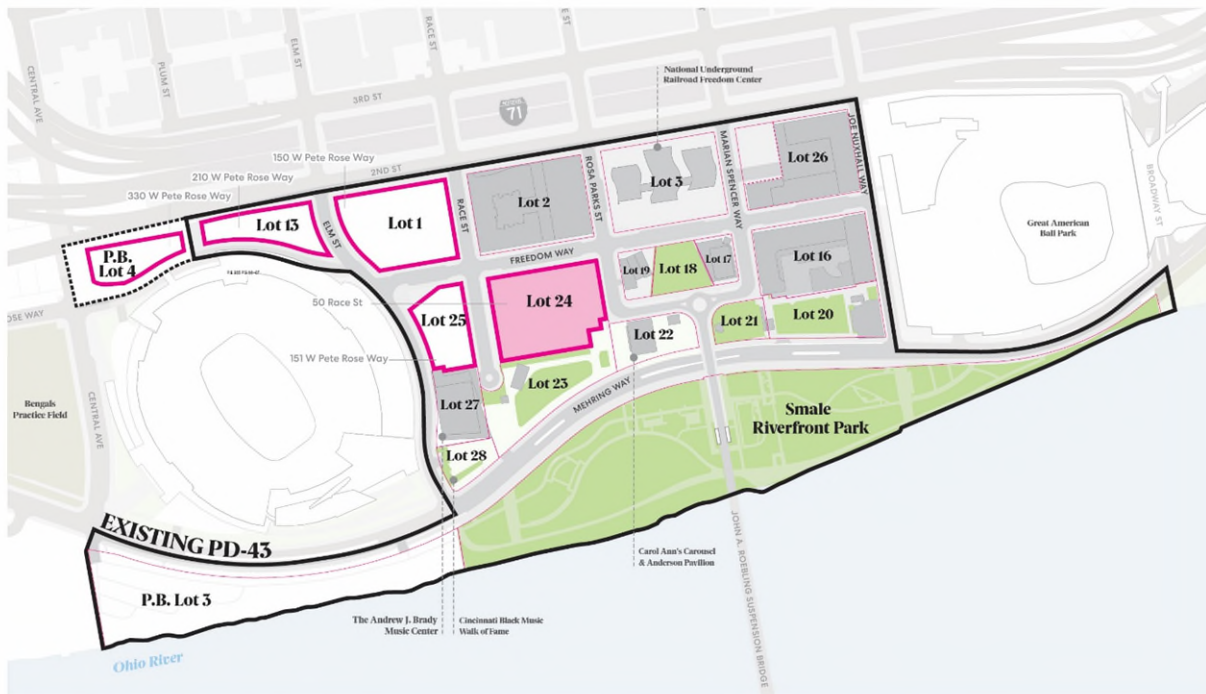


The schedule of proposed uses on Lot 13 is generally categorized in Appendix E and summarized below. The particular proposed uses and prohibited uses for Lot 13 are identified on Appendices F-1 and F-2, respectively.

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

APPENDIX B-4

Lot 24 Detail

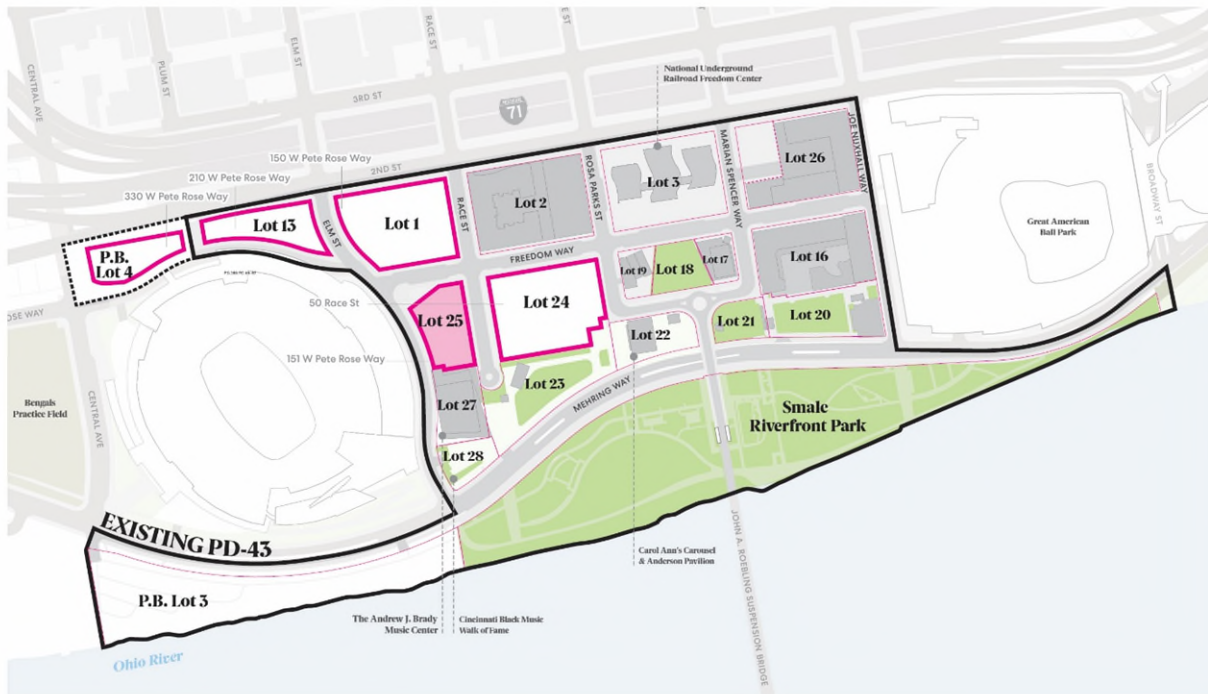


The schedule of proposed uses on Lot 24 is generally categorized in Appendix E and summarized below. The particular proposed uses and prohibited uses for Lot 24 are identified on Appendices F-1 and F-2, respectively.

- 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

CURRENT LOT OVERVIEW					
Data	LOTS²				
	1	4³	13	24 (A&B)⁴	25⁵
Acreeage	2.27	0.94	1.19	2.60	1.14
Ham. Ctny. PINS	8300070001	820A020001 ⁶ (historic 820A020004)	8300070009	8300070071 & 8300070072	8300070067; 8300070077 & 8300070089
Square Footage	98,881	40,946	51,836	113,256	50,094
Subdivision Ref.	Banks Subd. Phase II	Paul Brown Subdivision	Banks Subd. Phase II	Banks Subd. Phase IX	Banks Subd. Phase II
Title Ownership	City of Cincinnati	Hamilton County	City of Cincinnati	Hamilton County	Hamilton County
R.O.W Frontage	North: W. 2 nd St. South: W. Pete Rose Way East: Race St. West: Elm St.	North: W. 2 nd St. South: W. Pete Rose Way East: Plum Street West: Central Ave.	North: W 2 nd 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.
Podium Status	No Supports; No Podium	No Supports; No Podium	No Supports; No Podium	Supports Built; No Podium	No Supports; No Podium
Proj. Building Ground Level⁷	515' DATUM	515' DATUM	515' DATUM	515' DATUM	515' DATUM
Existing Conditions	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')

² 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.

³ 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.

⁴ 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.

⁵ 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).

⁶ 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.

⁷ 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°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°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°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°39'57", and a chord bearing of North 47°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°34'28", and a chord bearing of North 29°24'43" West, 221.07 feet
3. North 9°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



APPENDIX D-2

Lot 4 Legal Description⁸

See Appendix I.

⁸ 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 Description⁹

See attached.

⁹ 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

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3700 Park 42 Drive ■ Suite 190B ■ Cincinnati, Ohio ■ 45241-2097
513.759.0004 ■ Fax 513.563.7099 ■ 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



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

¹⁰ 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.

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

¹² 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 ¹³						
Projected Standards ¹⁴	LOTS					
	1	4	13	24	25	TOTAL ¹⁵
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 ¹⁶	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) ¹⁷	285'	185'	145'	285'	135'	-
Min. Setbacks (all sides)	0'	0'	0'	0'	0'	-

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

¹⁴ 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.

¹⁵ 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.

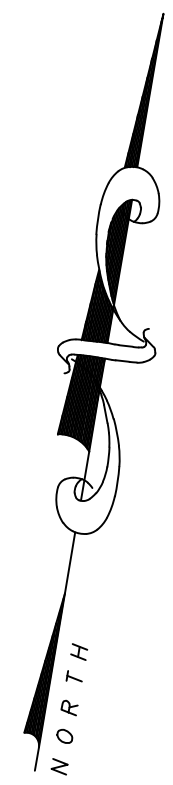
¹⁶ Projected Build-To Alignments are preliminary and as depicted on the Ground Level Regulating Plans and Tower Footprint Regulating Plans for each Lot, as applicable, contained in the Plan (pg's 95, 99, 101, 103, 105 & 107). Buildings should be constructed along 80 to 100 percent of the build-to line 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.

¹⁷ 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

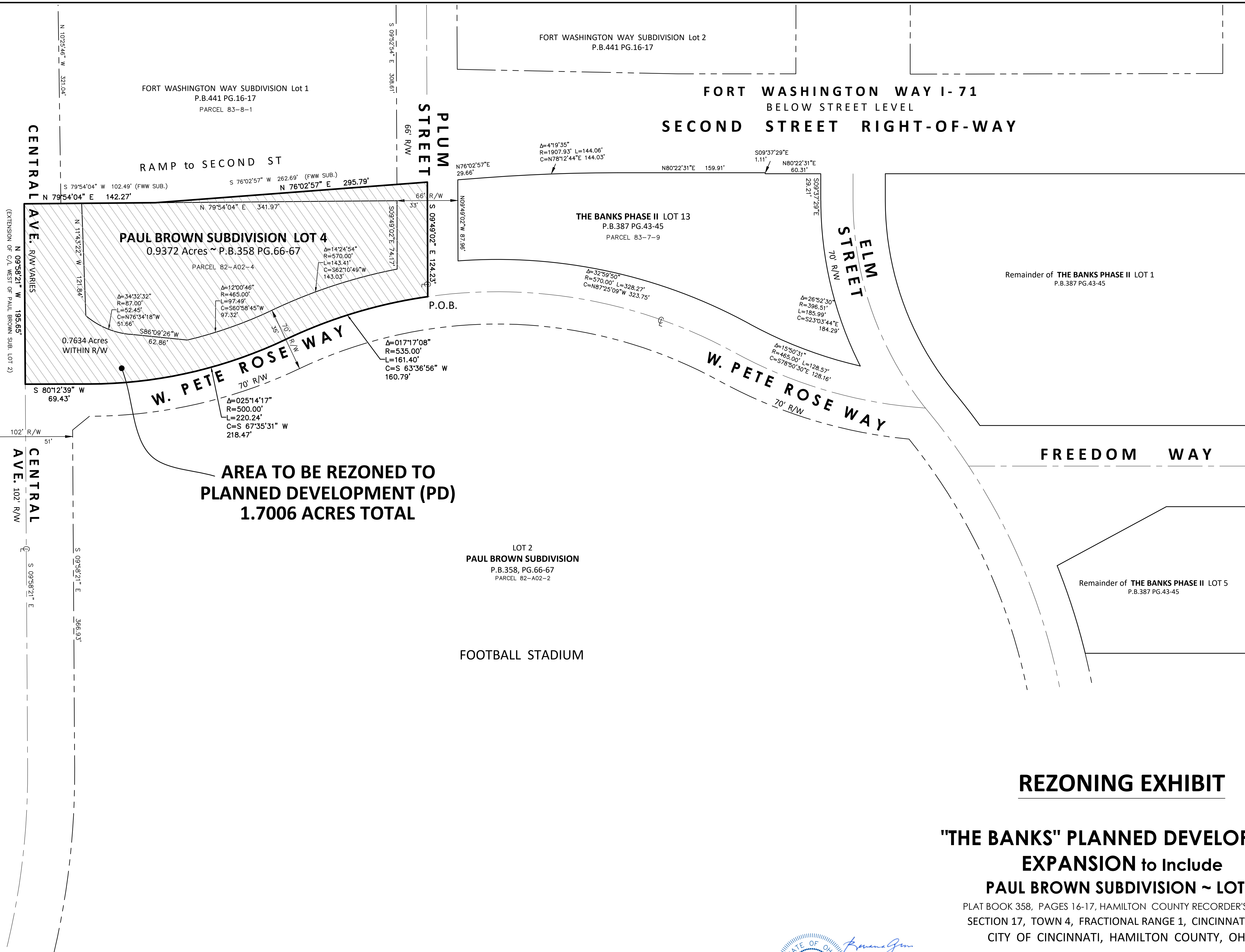
See attached.



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**

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 190B
Cincinnati OH 45241
Phone 513.759.0004
www.mspdesign.com

P:\SDSKPRO\099327103-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

99327103-CL1-LEG-REZONE-Lot4.docx



APPENDIX J-1

Consolidated PD-43 District Index

See attached.

CONSOLIDATED PD-43 DISTRICT INDEX

Lot No:	Legacy Block Numbers ¹⁸	Subdivision Name:	Elevation ¹⁹ :	Subdivision Phase No. (if applicable)	Plat Recording Reference
P.B. Lot 3	N.A.	Lot 3 of Paul Brown Subdivision	N.A.	N.A	P.B. 358 PG. 66-67
P.B. Lot 4	N.A.	Lot 4 of Paul Brown Subdivision	N.A	N.A	P.B. 358 PG. 66-67
Lot 1²⁰	Block 1	Remainder of Lot 1 of The Banks	N.A	Phase Two	P.B. 387 PG. 43-45
Lot 2	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
Lot 3	Block 3	Lot 3 of The Banks	N.A.	Phase One	P.B. 361 PG. 62-63
Lot 13	Block 13	Lot 13 of The Banks	N.A.	Phase Two	P.B. 387 PG. 43-45
Lot 16	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
Lot 17	Block 7	Lot 17 of The Banks	N.A.	Phase Four	P.B. 417 PG. 3-4
Lot 18	Block 7	Lot 18 of The Banks	N.A.	Phase Four	P.B. 417 PG. 3-4
Lot 19	Block 7	Lot 19 of The Banks	N.A.	Phase Four	P.B. 417 PG. 3-4
Lot 20	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
Lot 21	N.A.	Lot 21 of The Banks	N.A.	Phase Four	P.B. 417 PG. 3-4
Lot 22²¹	N.A.	Remainder of Lot 11 of The Banks	N.A.	Phase Two	P.B. 387 PG. 43-45
Lot 23	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
Lot 24	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
Lot 25²²	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
Lot 26	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
Residual Lot 26B	Block 4	Remainder of Lot 26B of The Banks	Above Ground Level	Phase Four	P.B. 417 PG. 3-4
Lot 27	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
Lot 28	Block 5/10	Lot 28A of The Banks	N.A.	Phase Eleven	P.B. 506 PG. 97-98

¹⁸ 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.

¹⁹ 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).

²⁰ 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."

²¹ 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).

²² 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 SUMMARY²³

Lot No:	Approx. Lot Area (Acres)	Approx. Lot Area (ft ²)	Current Permitted Use Categories (Zoning)	Current Uses	Parking	Height Limits	Build Height
Smale Riverfront Park ²⁴	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)	-

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

²⁴ 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.

Honorable City Planning Commission
Cincinnati, Ohio

February 19, 2010

SUBJECT: A report and recommendation on the signage regulations for Phase I of Planned Development District #43 (PD-43) known as *The Banks*.

BACKGROUND

On January 8, 2010, the Banks Developers submitted signage regulations for Phase I of PD-43. The Developers selected the Downtown Development District signage ordinance as the most applicable regulations for the Banks development. They also requested exceptions and additional sign types as well. Planning staff had recommended seven changes to the Developers original signage request. At the January 8, 2010 City Planning Commission meeting, the Commission directed staff to discuss the signage regulations with the Developers and return to the City Planning Commission for approval of the final language regarding the signage regulations for Phase I of PD-43. Both the Developers and Planning staff agreed upon the following language.

On February 5, 2010, the City Planning Commission discussed and tabled the signage regulations for Phase I of PD-43. The Commission directed staff to have the City's Law Department look over the entire document, especially any signage with the potential to be in the right-of-way, before the Commission would approve. The following language has been reviewed by Allison Davidson in the City's Law Department and has been approved as to compliance with Cincinnati Municipal Code, Chapter 723 – Streets and Sidewalks, Use Regulations – and language has been added to cover regulations for signage located in the public right-of-way.

SIGNAGE REGULATIONS FOR PHASE I OF PLANNED DEVELOPMENT DISTRICT #43, THE BANKS

Signs.

Signs located in Planned Development District #43, *The Banks*, Phase 1 must comply with the following regulations and with Chapter 718, Revocable Street Privileges, of the Municipal Code. Every sign erected, constructed, painted or maintained for which a permit is required, must be plainly marked with the name of the person erecting, painting and maintaining such sign, and must have affixed the number corresponding to the permit issued for the sign. The absence of a reference to a permit number is prima facie evidence that the sign or advertising structure is being displayed in violation of this section. **Any signage to be located in the public right-of-way is subject to requirements and regulations by Chapter 723 – Streets and Sidewalks, Use Regulations – of the Cincinnati Municipal Code.**

A. Prohibited Signs. The following signs are prohibited in PD-43:

- (1) Outdoor advertising signs.
- (2) Roof signs.
- (3) Projecting signs higher than the parapet of a building are prohibited, unless integrated with the architectural design of the building.

B. Exempt Signs: The following signs are exempt from the permit requirements of this Chapter and are permitted in any zoning district:

- (1) Street address numbers displayed in accordance with Section 723-65, Displaying House Numbers, of the Cincinnati Municipal Code.

(2) Public Information, identification, special event, directional, and other signs erected by a government agency.

(3) Notices posted by a public utility or other quasi-public agent in the performance of a public duty.

(4) City entry, community or district identification signs not exceeding 20 square feet in area and eight feet in height.

(a) **Neighborhood Identification Sign:** Signage in the form of a logo or message that is implemented throughout the Banks District as a way to identify the area. The identification can be mounted to wall surfaces. (See Exhibits L1 and L2).

(5) Names of buildings, dates of erection, commemorative tablets and the like, when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type material.

(a) **Building Marker Signs.** A sign indicating the name of a building and date and incidental information about its construction, when cut into a masonry surface or made of bronze or other permanent material and not exceeding 16 square feet. (See Exhibit D).

(6) Credit card, trading stamp, or trade association signs not exceeding one-half square foot each and not exceeding ten per establishment.

(7) Flags not exceeding 72 square feet each. A flag may be displayed on a pole not exceeding 35 feet in height or the height of the principal structure on the site, whichever is less. No more than 4 flags or flagpoles are permitted per site.

(8) One Identification Sign per dwelling unit or per business, not exceeding one square foot each. (See Exhibit C).

(9) Instructional On-Site Signs provided that such signs are limited to a maximum of six square feet in area. If constructed as a ground mounted sign the maximum is four feet. "Instructional Sign" means an on-site sign designed to be visible on-site or immediately adjacent to the site by pedestrians and motorists and that conveys instructions with respect to the premises on which it is maintained. Examples of such signs include a sign designating the entrance to or exit from a parking area, trespassing sign, a danger sign, entry or exit signs, directional signs, service entrance signs, and informational on-site signs.

(10) Temporary Open House Signs provided that they are limited in number to a maximum of four per event, limited in size to a maximum of 12 square feet in area and located at least 12 feet from the edge of the street pavement. An open house sign may only be installed the day before the open house and must be removed the same day of the open house after its conclusion. In no case shall an open house sign be installed for more than 48 continuous hours.

(11) Real Estate Sign:

(a) For all zoning districts, only one such sign is allowed per site per street frontage, and is limited in size to a maximum total sign face area of 24 square feet and 12 square feet for any single sign face.

(b) The sign may be a ground sign, a window sign, or a wall sign.

(c) All signs must be removed within 14 days after the sale, lease, or rental has occurred. These signs may only be installed on the property to which they refer.

(12) Noncommercial Signs as regulated by Section 1427-15.

(13) Any sign inside a building.

(14) Holiday lights and holiday decorations with no commercial message.

(15) Parking deck identification signs.

C. Permitted Signs.

(a) **Projecting Signs.** (Refer to Figure 1411-39-A of the Cincinnati Zoning Code). Projecting signs must comply with the following:

(1) *Location:* No higher than the third story of a building unless a variance is granted and extends from the building façade. Projecting signs higher than the parapet of a building are prohibited unless integrated with the architecture of the building.

(2) *Maximum Width:* 3.5 feet.

(3) *Maximum Height:* sixteen feet unless the sign is integrated into the approved architectural design.

(4) *Required Clearance:* A ten-foot clearance above the sidewalk must be maintained.

(5) *Lighting:* Lighting should be integrated with the sign design and must complement the building. Non-lit projecting signs may be externally lit via sconces, down lights, and/or accent lighting.

(6) Signs may not conceal any ornamental architectural elements.

(7) A revocable street privilege is required for signs projecting into the public right-of-way.

(b) **Street-Level Wall Signs.** (Refer to Figure 1411-39-B). Street-level wall signs must comply with the following:

(1) *Maximum Width:* contained within the horizontal limits of the business premises.

- (2) *Maximum Height:* 3.5 feet.
 - (3) *Maximum Display Area:* 1-square foot for each one-foot of business frontage on the street to be faced by the sign.
 - (4) Awning signs are considered street level wall signs included in (3) above, unless conditional use approval is obtained.
 - (5) Awning signs may not exceed 12 square feet of total surface area and letters may not exceed 12 inches in height.
 - (6) The sign may not conceal any ornamental architectural elements and may not project above a parapet.
 - (7) Signs painted on buildings and structures are deemed street-level wall signs.
- (c) **Ground Signs.** Ground signs must comply with the following:
- (1) *Applicability:* A building setback from the public right-of-way by more than 25 feet may be served by one ground sign; otherwise, a ground sign is not permitted.
 - (2) *Maximum Height:* 16 feet.
 - (3) *Maximum Area:* 60 square feet or one-half square foot for each front foot of the building, whichever is lesser.
- (d) **Building Identification Signs.** Building identification signs must comply with the following:
- (1) One trademark or building identification sign identifying the principal occupant as determined by the building owner of a building is allowed for each building facade, with a maximum of four signs for the building.
 - (2) The trademark or the letters comprising the occupant name must be affixed directly to the building facade.
 - (3) The building facade underlying the trademark or name may not be painted or otherwise differentiated from the remainder of the building facade merely to draw attention to the sign.
 - (4) The top of the sign may not project above the parapet, nor may the parapet be enlarged to accommodate a sign.
 - (5) The sign may be illuminated, but may not be a flashing sign.
 - (6) The maximum size of the sign cannot exceed the width of the wall on which the sign is attached multiplied by one foot for each 30 feet the top of the sign is located above street grade or 1,800 square feet, whichever is less. For example, a sign whose top is 400 feet above street grade is proposed to be located on a

wall that is 150 feet in width where the sign is to be located. The maximum size equals the lesser of $13 \times 150 = 1,950$ and 1,800. The maximum size is 1,800.

- (e) **Marquee Signs.** Marquee signs must comply with the following:
- (1) The sign must be accessory to a large-scale recreation and entertainment use, hotels, or retail use.
 - (2) The sign may not be attached to a roof structure and must be integrated architecturally into the primary structure. Retail tenants marquees may be added so long as they are compatible with the overall look and feel of the project.
 - (3) The sign may contain copy or other images announcing on-premise events only.
 - (4) The copy may be permitted to flash, move or otherwise change at intervals of no more than once every six seconds.
 - (5) The size and design of a marquee is subject to review and approval of the Director of the Department of City Planning and Buildings prior to issuance of a building permit.
 - (6) A revocable street privilege is required for any marquee sign that extends into the public right-of-way.
- (f) **Murals.** Murals are regarded as a work of art and must demonstrate an artistic quality or theme as opposed to direct or indirect illustrative advertising. Murals must comply with the following:
- (1) Advertising copy and trademarks are prohibited.
- (g) **Subdivision Real Estate or Construction Signs or Windscreen Signs:** Temporary windscreen that wraps fencing around the perimeter of the project site. Signage will be decorated with colors, graphics, symbols, writing, or other visual presentations. (See Exhibit I). Subdivision real estate or construction signs or windscreen signs must comply with the following:
- (1) Construction site fence wraps are permitted during construction of the projects in PD-43.
 - (2) A maximum of one sign for every street frontage.
 - (3) Construction site fence wraps must be removed within 24 hours of the completion of the construction activity.
- (h) **Temporary Message Sign** (including banners) – (See Exhibits K1, K2, K3, K4, K5, and K6). Temporary message signs must comply with the following:
- (1) Be made of cloth or other light fabric.

- (2) May not exceed 24 feet in any of its dimensions.
 - (3) The message must pertain only to the business, commodity, service or entertainment conducted, sold or offered on the same premises as where the sign is maintained.
 - (4) Temporary message signs may be installed for a period not to exceed 30 days for a maximum of four times for every calendar year with at least seven days between installations. However, leasing banners on new multi-family buildings may be maintained until 90% of the units are leased or sold.
 - (5) Temporary message signs may not cover any building openings such as windows and doors.
 - (6) Banners or temporary message signs intended to be a temporary treatment for party walls against buildings that have not been constructed are permitted and may only advertise businesses or future development in PD-43.
 - (7) Temporary retail storefront signs are permitted to hang in the opening of a storefront advertising a future retail tenant in that specific space. These signs may fill the entire opening, but must be removed within 24 hours of the opening of the store. (See Exhibits J1 and J2).
 - (8) Banners in the right-of-way require a revocable street privilege granted by the Department of Transportation and Engineering. (See Exhibits B1 and B2).
- (i) **Flashing/Animated Signs.** A flashing or animated sign uses movement or change to depict action or create a special effect or scene and are required to obtain Conditional Use Approval. (See Exhibit A).
- (j) **Changing Sign:** A sign that is capable of changing the visible display of words, numbers, symbols, graphics and/or position or format of word messages or other displays when such changes are actuated by any type of remote control or automatic mechanism rather than manually. Changing signs shall include mechanically operated devices which change the message through rotation of any type of panel and signs which are illuminated partially or entirely by a matrix of electric lamps, movable discs, movable panels, light apertures, the use of light emitting diodes, back lighting, or any other light source that is electronically changed. Any changing sign that includes both mechanical and electronic elements shall be regulated as an electronically changed sign. A sign that changes no more frequently than once every 24 hours shall not be considered a changing sign. Changing signs used for advertising purposes may only advertise for businesses or future development within PD-43. (See Exhibit E). Changing signs must comply with the following:
- (1) Each message displayed on any changing sign display shall remain static for at least ten seconds following the completion of its transition from the previous message.
 - (2) When a message is changed electronically, the transition between a complete static

display of the previous message and a complete static display of the next message shall be accomplished in two seconds or less.

- (3) All signs shall appropriately adjust display brightness as ambient light levels change so that the brightness of the display does not cause a glare or other condition that impairs the vision of the driver of any motor vehicle or which otherwise interferes with the safe operation of a motor vehicle.
- (k) **Incidental Instructional Signs.** An informational sign that has a purpose secondary to the use of the lot on which it is located. Incidental signs shall include: a sign that contains information or a directive, such as "no parking," "entrance," "loading only," "telephone," but that contains no commercial message; a sign, such as a menu-board, that may contain a commercial message but that is not easily legible from the public right-of-way; outdoor table umbrellas; or signs incidental and integral to lawfully-located and operated vending machines, newspaper racks, telephone booths, or similar devices. (See Exhibits F1 and F2).
- (l) **Portable Sign (A-frame or T-frame):** A sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, including, but not limited to: signs designed to be transported by means of wheels; signs made as A-frames or T-frames; balloons used as signs; beacons; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business. This definition shall not be construed to include signs contained on umbrellas, carry bags, or similar objects ordinarily carried or held by pedestrians. (See Exhibit H). Portable signs must comply with the following:
- (1) Only one portable sign is permitted per retail business or service.
 - (2) Such a sign shall be displayed only during business hours of the establishment.
- (m) **Wall Sign:** A sign painted on or fastened to the wall of a building or structure in a plane parallel or approximately parallel to the plane of said wall and affixed in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign. The following regulations apply to wall signs:
- a. A wall sign may not project above a roofline.
 - b. A wall sign may not be installed more than the permissible maximum height above grade as established per zoning district, as measured to the top of the sign.
 - c. Each individual wall sign face counts against the maximum total sign area (See Section 1427-21) permitted for all signs on a site and against the total area permitted for a wall sign as allowed in each district.

Planning Staff Recommended Changes:

1. Outdoor advertising signs as defined and regulated in Chapter 895 of the Cincinnati Municipal Code should not be permitted in this PD.
2. Skywalk-level Wall signs are not applicable to Phase 1A of PD-43 and therefore have been removed from the signage regulations.
3. Temporary message signs including banners on multi-family buildings should not be allowed to cover windows or doors of any unoccupied units because it will detract from the design and character of the building, it will not enhance the quality of the City's appearance, it is excessive and will not enhance the overall appearance of the built environment.
4. Flashing and animated signs have the potential to create safety concerns. They also have the potential to add excitement to the development. Flashing and animated signs are subject to Conditional Use approval to ensure that they are located and designed to maintain a safe and orderly pedestrian and vehicular environment.
5. Building Identification Signs are permitted by right in all zoning districts and therefore the extra regulations are not needed for PD-43.
6. Large Screen Video Display (LSVD) Signs utilizes full motion video technology such as for a television and are prohibited (See all in Exhibit G). The applicant proposes LSVD sign up to 520 square feet. These signs have the potential to negatively impact the proposed residential development as well as vehicular traffic. Furthermore, several developments have been pressuring the City to allow LSVD signs. This would set a precedent for permitting this signage type throughout the City. However, LED signs are considered walls signs and are acceptable under the sign regulations of "wall signs" and/or "changing signs" but cannot change message more than once every ten seconds. LED signs are covered in the above sections describing "wall signs" and "changing signs" and are subject to those regulations.
7. Banners intended to be a temporary treatment for party walls against buildings that have not been constructed are permitted and may only advertise businesses, or future development in PD-43. Commercial offsite advertising is not allowed.



Exhibit A: Flashing and Animated Sign



Exhibit B1: Banner Sign



Exhibit B2: Banner Sign



Exhibit C: Building Identification Sign



Exhibit D: Building Marker



Exhibit E1A: Changing Sign



Exhibit E1B: Changing Sign



Exhibit E1C: Changing Sign



Exhibit F1: Incidental Sign



Exhibit F2: Incidental Sign

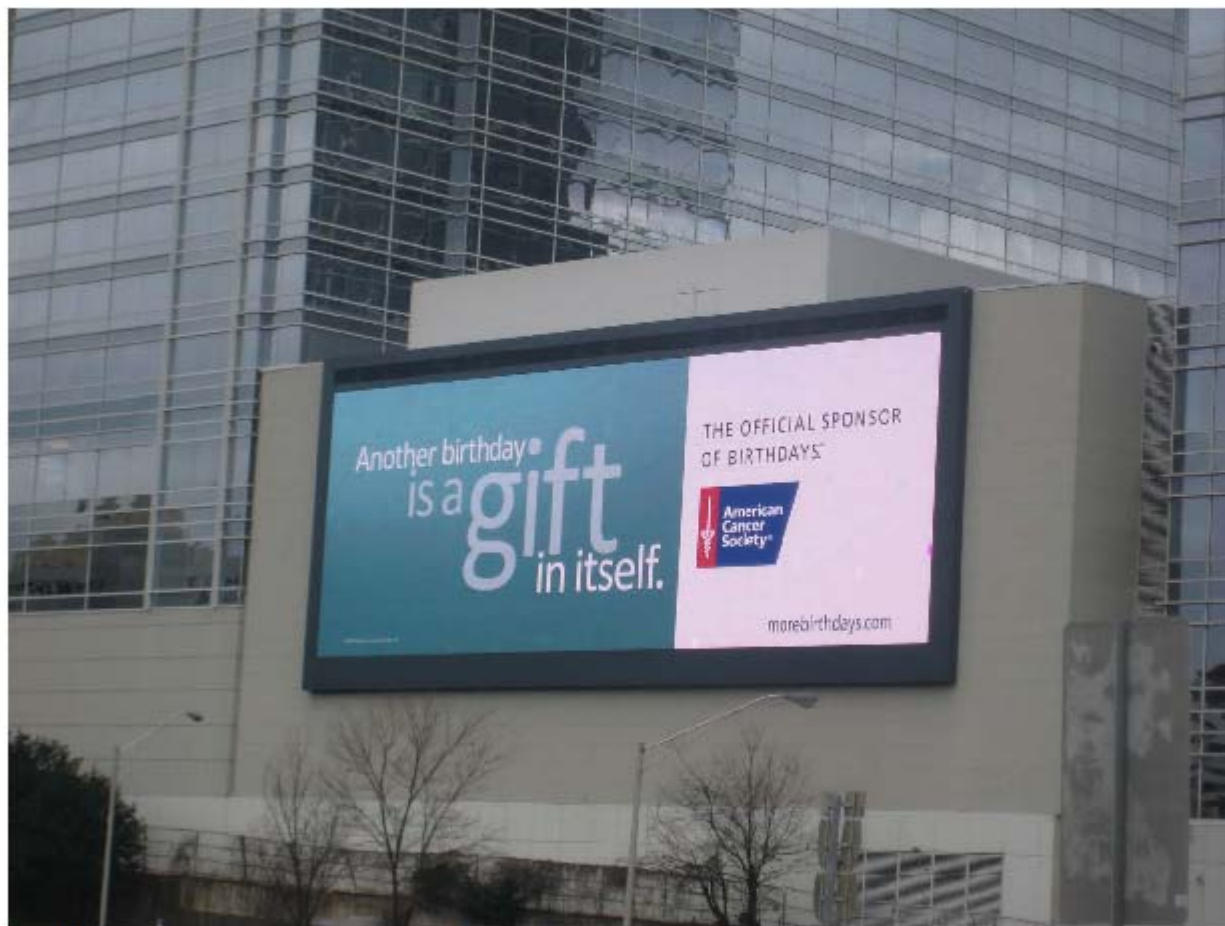


Exhibit G1A: Large Screen Video Display



Exhibit G1B: Large Screen Video Display

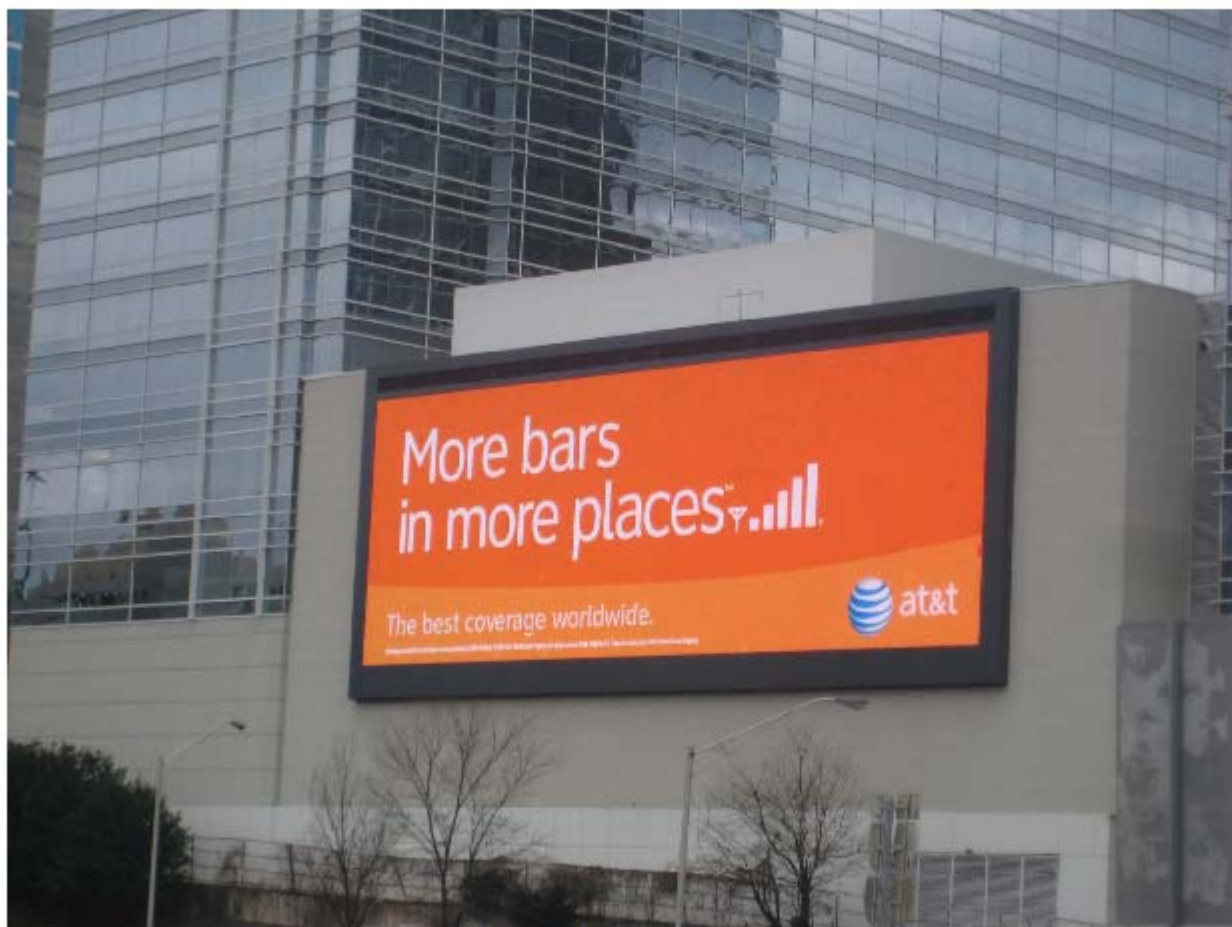


Exhibit G1C: Large Screen Video Display



Exhibit G2A: Large Screen Video Display



Exhibit G2B: Large Screen Video Display



Exhibit H: Portable Sign

Exhibit I: Subdivision Real Estate or Construction or Windscreen Signs



A to B: 27' x 3"

9 quantity: 30' x 3' panels (would leave 1'-3" uncovered; or we could make one more short one). These are only 3' high because of the 3'-high "jersey barriers" placed outside the 6' chain-link fence on the east & west sides. The mesh signs would be attached to the top of the chain-link fence; the bottom of the mesh signs would reach the top of the jersey barriers.



B to C: 380' x 3"

13 quantity: 30' x 6' panels. These are 6' high because there's no "jersey barriers" on this side. The mesh signs on this side would simply completely cover the 6' chain-link fence that's there.



C to D: 27' x 3"

9 quantity: 30' x 3' panels (would leave 1'-3" uncovered; or we could make one more short one). These are only 3' high because of the 3'-high "jersey barriers" placed outside the 6' chain-link fence on the east & west sides. The mesh signs would be attached to the top of the chain-link fence; the bottom of the mesh signs would reach the top of the jersey barriers.



3-D Signs - renderings attached to plywood, placed at B and C (northwest and northeast corners of site): 12' x 8'





Exhibit J1: Temporary Storefront



Exhibit J2: Temporary Storefront Signage

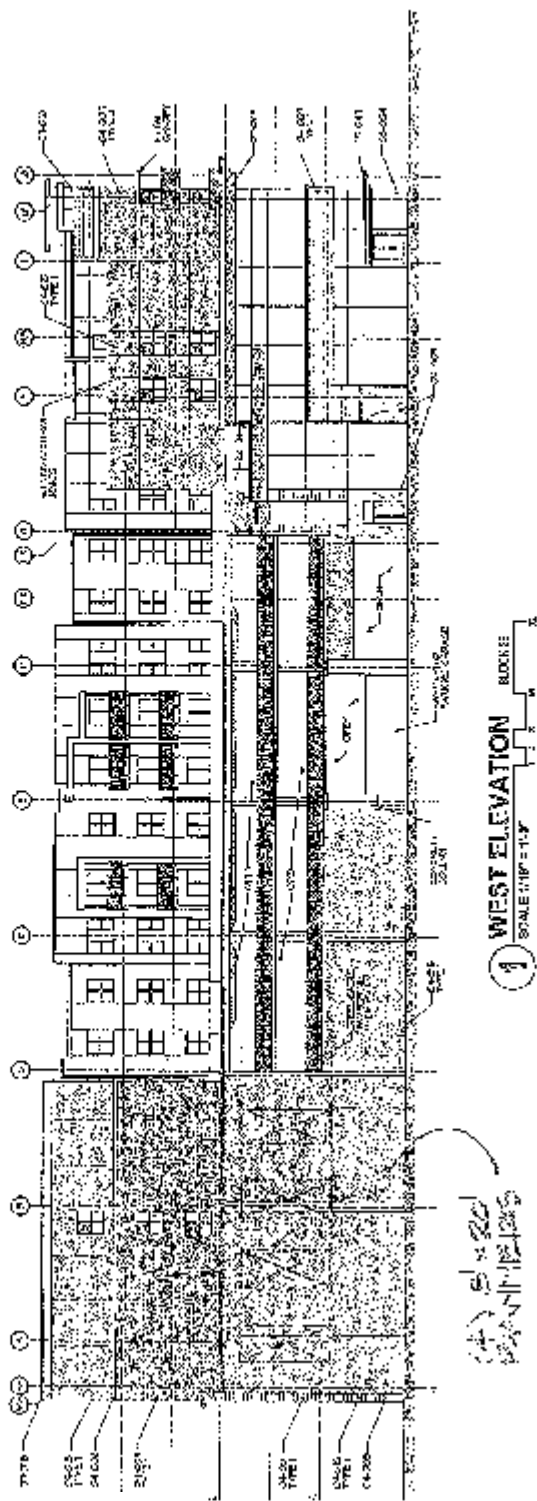
New Title for Exhibit K1 (page 28), K2 (page 29), K3 (page 30), K4 (page 31), K5 (page 32), K6 (page 33): Temporary Message Sign (including banners)



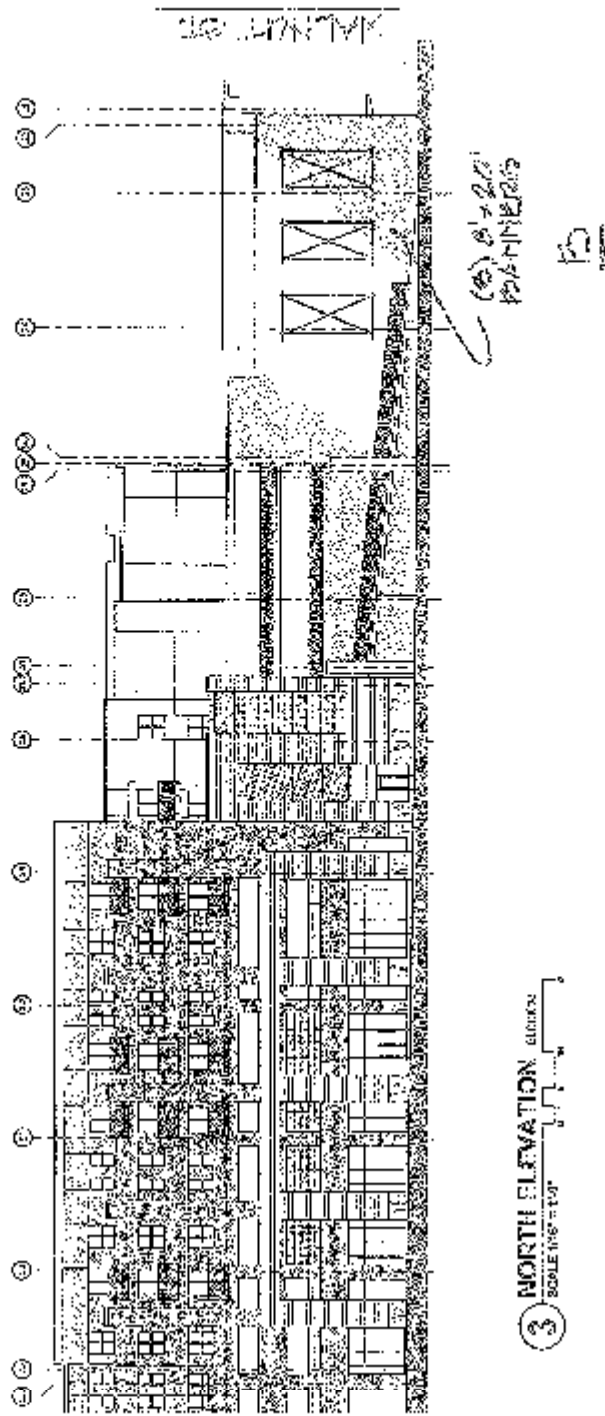
Exhibit K1: Advertising Mural



Exhibit K2: Advertising Mural



A



3 NORTH ELEVATION
SCALE 1/8" = 1'-0"

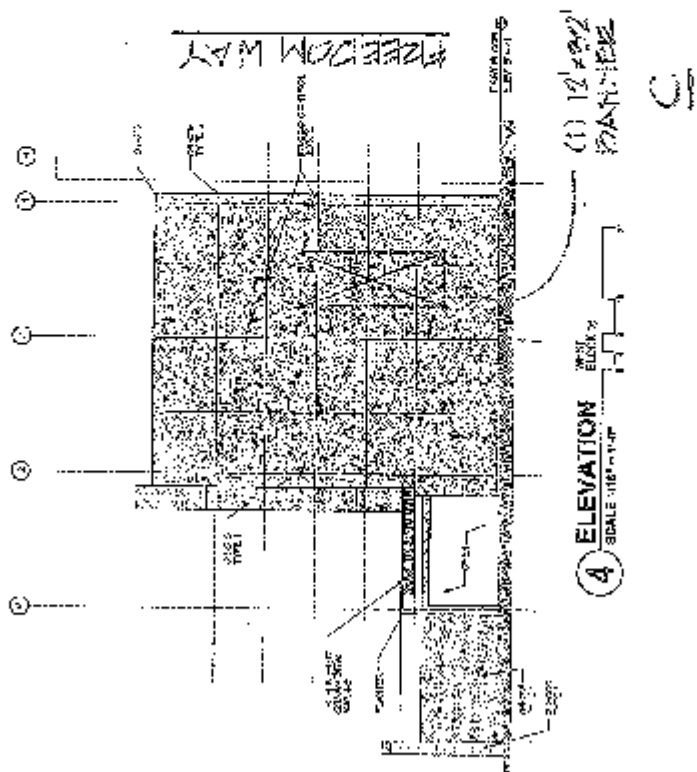




Exhibit L1: Neighborhood Identification




Exhibit L2: Neighborhood Identification

RECOMMENDATION

The staff of the Department of City Planning and Buildings recommends that City Planning Commission take the following action:

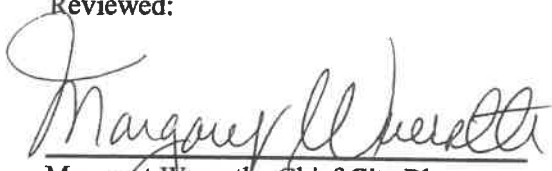
APPROVE the updated signage regulations for Phase I of PD-43, *The Banks*.

Respectfully Submitted:




Alex Peppers, Intern
Department of City Planning & Buildings

Reviewed:



Margaret Wuerstle, Chief City Planner
Department of City Planning & Buildings

Approved:



Charles C. Graves III, Director
Department of City Planning & Buildings

Approved as to Compliance with Cincinnati Municipal Code, Chapter 723:



Allison Davidson
Law Department



March 27, 2026

Richard B. Tranter
Dinsmore & Shohl LLP
255 E. Fifth Street
Suite 1900
Cincinnati, OH 45202

Re: 50 RACE ST, CINCINNATI, OH 45202 | The Banks Urban Design Plan Update | **26CIN-CSR-000013** |
Development Design Review | Final Recommendations

Dear Richard B. Tranter,

This letter is to inform you that our CSR Advisory-TEAM and CSPRO Committee has reviewed your proposed project at **50 RACE ST, CINCINNATI, OH 45202** in the Community of Downtown. It is my understanding that this application is the first step in Hamilton County's process for preparation of Requests for Proposal with prospective developers for the various undeveloped lots at The Banks. The information provided is the recommendations of the City of Cincinnati and must be followed as you move forward with your project. As a reminder, we will have a **Teams conference call meeting** with you on **March 31, 2026 @ 10:00 AM** to discuss this information. Please see the feedback listed below. Thank you for developing within the City of Cincinnati.

City Planning & Engagement (Planning Division)

Immediate Requirements to move forward with project:

1. The proposal is located with Planned Development #43 (PD-43, The Banks) and will require a Major Amendment to the Concept Plan and Development Program Statement. A Major Amendment requires a Public Staff Conference and approval by both the City Planning Commission and City Council. Please continue to work with staff on required materials needed for submission, as well as the projected timeline for hearings.

Requirements to obtain Permits:

None.

Recommendations:

1. It is strongly advised that the applicant engages with the Downtown Residents Council and adjacent property owners regarding the proposed project.
2. Contact information for community councils can be found here: <https://bit.ly/CommunityCouncilContacts>.

Contact:

Andrew Halt | Subdivision Supervisor | (513) 352-4854 | andrew.halt@cincinnati-oh.gov

City Planning & Engagement (Zoning Division)

Immediate Requirements to move forward with project:

1. Since this site is zoned PD, zoning staff does not have any specific comments- because the City Planning and Engagement Planning Division staff handles the specific zoning/design review for use, height limits, setbacks, density, landscaping and parking etc.

Requirements to obtain Permits:

None.

Recommendations:

1. Work with City Planning and Engagement Planning Division staff on site design, massing and other site design parameters.

Contact:

Wes Munzel | Zoning Plan Examiner | (513) 352-2442 | weston.munzel@cincinnati-oh.gov

Metropolitan Sewer District (MSD)

Immediate Requirements to move forward with project:

None.

Requirements to obtain Permits:

None.

Recommendations:

1. Lot 1 & 4 does have access to sewers.
2. Lot 24, 25, & 13 may require extension of the public sewer.

Contact:

Anthony Palmore | MSD - Tap Permits | (513) 352-3224 | anthony.palmore@cincinnati-oh.gov

Stormwater Management Utility (SMU)

Immediate Requirements to move forward with project:

None.

Requirements to obtain Permits:

1. Detention Requirements:
 - a. Show if detention is required by SMU standards and include all relevant information Chapter 3 of SMU's Stormwater Management Rules and Regulations Part 1 Technical Reference Manual, refer to link: [https://www.cincinnati-oh.gov/sites/stormwater/assets/File/smu_rules_and_regs\(1\).pdf](https://www.cincinnati-oh.gov/sites/stormwater/assets/File/smu_rules_and_regs(1).pdf)
 - b. If detention and or a water quality device is required, an SMU O&M plan and inspection checklist will be required before the Certificate of Occupancy will be approved. They can be found at: <https://www.cincinnati-oh.gov/stormwater/construction-and-design/detention/>
2. Water Quality Requirements:
 - a. Sites have drains in parking lots that drain directly to the river. These drains if covered and take no storm flow shall be turned into sanitary lines and taken to a sanitary sewer. New roof and area drains shall be connected to the storm system.
3. Storm Requirements:
 - a. Calculations for storm water conveyance system 25 yr storms (pipe and inlet sizes) and major storm calculations / 100-yr flow/flood routing are required
4. Utility Plan Requirements:
 - a. Downspouts shall be shown routing to the approved location
 - b. Curb cuts/driveway aprons at min. 5' away from SMU inlets
 - c. Ties into Curb inlets are NOT PERMITTED.
 - d. Only SMU approved pipe material and infrastructure, that is storm only is permitted in the public R/W: <https://www.cincinnati-oh.gov/stormwater/construction-and-design/standards/>
 - e. Show Top, Invert, and Depth elevations and callout slope, size, and material for all Stormwater Appurtenances
 - f. Trees shall be no closer than 15ft to an SMU inlet unless protection is provided
5. Grading Plan Requirements:
 - a. Runoff from all impervious surfaces over 800sqft must be captured and conveyed to the stormwater system. Only 800sqft of pavement may sheet flow to the public R/W. Impervious surfaces are NOT permitted to drain towards adjacent properties.
6. Erosion & Sediment Control Plan is required - Refer to link: <https://cincinnati-oh.gov/stormwater/construction-and-design/standards/sediment-and-erosion-control/>
 - a. If the disturbance is an acre or over and will discharge to a natural waterway the SWPPP that is submitted to the Ohio EPA must also be submitted with the building permit. Refer to the following links; <https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/storm-water-discharges-from-small-and-large-construction-activities--general-permit> ; <https://www.epa.gov/npdes/construction-general-permit-flow-chart-do-i-need-permit>

- b. Show the pre-construction and post-construction surface material
- c. If post-construction slope is greater than 3 horizontal to 1 vertical, a geotechnical engineer shall approve the plans with proper final surface material and erosion control
- 7. SMU Standard Plan Notes are required - Refer to link: <https://www.cincinnati-oh.gov/stormwater/construction-and-design/standards/>
- 8. As-Built Survey Requirements shall be required at the end of construction and include the following information:
 - a. State Plane Coordinates (N, E) for all MH's and Catch Basins
 - b. Inverts, Top, and Depth elevations and callout slope, size, and material for all Stormwater Appurtenances
 - c. Site plan with utilities, right-of-way, and any public or private easements

Recommendations:

None.

Contact:

Joe Roberts | Stormwater Management Utility | (513) 283-2564 | joe.roberts@cincinnati-oh.gov

Water Works

Immediate Requirements to move forward with project:

- 1. Depending on the developer's needs, GCWW may require water main extensions and easements, flow tests for fire demands, and water service branch easements.
- 2. GCWW may need 3D renderings of the utility plans for the development, if the water mains, hydrants and services will be required at different street levels.
- 3. Any air-lot parcels will need specific covenants for domestic and fire services. Please contact Maria Meyer at 513-591-6823 or via email Maria.Meyer@gcww.cincinnati-oh.gov as early as possible to discuss the water services to the airtlots and the covenant process.

Requirements to obtain Permits:

- 1. Each air-lot must receive separate domestic water service branch(es). GCWW will allow only the fire service branch to be shared between air lots. The water service branch(es) must be metered upon leaving the right-of-way and an air lot covenant will be required before any new water service branch(es) may be sold. Please be advised there is an additional 6 months for the air-lot covenant process.
- 2. The subject development has active water service lines at the following property:

Address	Branch #	Size	Meter #	Size	Notes
1. 205 E. Central Av.	H-288599	3/4"	288599	3/4"	Lot 4
2. 3 W Freedom Wy.	H-310917	8"	DC4166	5/8"	Lot 24
3. 3 W Freedom Wy.	H-310917	2"	310917	2"	Lot 24
4. 210 W Pete Rose Wy.	H-308392	3/4"	308392	3/4"	Lot 13

- 3. If the water service branch(es) are not to remain, the owner would be required to fill out the online Discontinuance Form (FOD) at <https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/fod/> authorizing the discontinuance of the account associated with the existing water service branch(es). This process must be completed before any new water service branch(es) can be sold.
- 4. If the existing water service branch(es) for this project is not to be used for this development, it must be disconnected at the owner's / developer's expense. The discontinued branch(es) will require a drawing showing the branch(es) and branch number(s) that is to be physically disconnected from the main. Submit to Phil Young at Phillip.Young@gcww.cincinnati-oh.gov.

Recommendations:

- 1. The Owner(s)/Developer(s) will need to hire a Greater Cincinnati Water Works certified licensed and bonded

fire protection company and plumber to perform the private water service branch design work and installation.

2. The Owner(s)/Developer(s) must have a licensed fire protection company and plumber that is bonded and certified with GCWW fill out the Online Branch application:

<https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/> for water service.

Contact:

Richard Roell | GCWW - Building Permits | (513) 591-7858 | richard.roell@gcww.cincinnati-oh.gov

Floodplain Review

Immediate Requirements to move forward with project:

None.

Requirements to obtain Permits:

1. This project is in the AE FEMA Flood Hazard Zone. On the flood application and drawings, provide:
 - a. An application for a floodplain development permit shall be required for all development activities located wholly within, partially within, or in contact with an identified special flood hazard area.
 - b. The Elevation of area of proposed work in feet above sea level (ASL) can be placed on the flood drawings.
 - c. Show limits of the Floodplain on the site drawings.
 - d. Show the BFE and FPE on the site plan and elevations.
2. All construction below the FPR (flood protection level) of 498.5 FASL for Lot 1, 4 and 3 and 499 FASL for Lot 25 & 24 will need to meet the requirements of Chapter 1109 - FLOOD DAMAGE REDUCTION.

Recommendations:

None.

Contact:

Walt Moeller | Floodplain Manager | (513) 352-4697 | walter.moeller@cincinnati-oh.gov

Fire Department

Immediate Requirements to move forward with project:

1. Provide a site plan confirming that there are at least 2 readily accessible fire hydrants within 400 feet from all parts of each structure.
2. The minimum fire flow requirements are 2000 gallons/per/minute (GPM) 20 pressure/per/square inch (psi) (138Kpa).
3. FDCs are to be within 50 feet of a hydrant.

Requirements to obtain Permits:

1. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet.
2. Dead-end fire apparatus access roads in excess of 150' in length shall be provided with an approved area for turning around fire apparatus.
3. Access Streets, Roadways or Driveways. (b) The surface shall be of sufficient strength and type to adequately support any fire division apparatus under any weather conditions.
4. Emergency Responder Radio Coverage is Required in:
 1. New or existing building 20,000 square feet or greater
 2. New and existing building with lower level extending 2 or more stories below grade plane; or
 3. New or existing building with a total basement or parking area 10,000 square feet or greater; or
 4. New and existing buildings 5 or more stories above grade plane.
 5. Assure that a temporary standpipe is installed after you reach the 4th floor if the building is greater than 5 floors or more.
5. Fire Command Center will be required for high rise buildings.
6. For high-rise buildings, 2 or more remote FDCs are required for each zone.
7. FDC's are to be located within 50 feet of a Fire Hydrant.

- Allow Cincinnati Fire Department Companies and CFD members to periodically inspect the site to ensure that adherence to fire codes is being achieved.

Recommendations:

The weight of our apparatus is as follow:

Apparatus	Width	Length	Height	Weight	Front axle	Rear axle	Turn radius inside/outside
Ladder	10'	41'10"	11' 9"	70,000	21,600	48,000	35.45/39.25
Engine	10'	31'6"	9'5"	44,000	20,000	24,000	34'6"/41'6"
Ambulance	9' 4"	22'2"	9' 2"	18,500			34'/41'

Contact:

Gregory M Phelia Jr | Fire Prevention | (513) 357-7598 | gregory.pheliajr@cincinnati-oh.gov

Parks Department (Urban Forestry)

Immediate Requirements to move forward with project:

None.

Requirements to obtain Permits:

- There are currently street trees along W. Pete Rose Way, Elm St, Race St., & W. Freedom Way. As such, Tree protection standards must be incorporated into the project specifications with tree protection zones established around any existing public trees adjacent to, or within the construction limits, of the project that could be impacted. These standards can be found under the SUPPLEMENT TO STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIAL SPECIFICATIONS, SEC. 105.072.
- If existing public trees need to be removed during the course of this project, or if excavation is to occur within 15' of a public tree, or if any new public trees are to be planted within the ROW, a public tree work permit must be issued to the developer by Urban Forestry before the work can proceed as is covered under CMC 743-19. The developer shall also reimburse the city for the valuation of any public trees that are removed or damaged due to this project. Permit can be obtained by contacting the Urban Forester for the South District, Doug Fritsch, at doug.fritsch@cincinnati-OH.gov.

Recommendations:

- The Cincinnati Park Board and the Urban Forestry Program encourages developers to integrate the addition of new street trees into any sidewalk repairs or replacements if possible, and to consider landscape plans which include tree plantings to create more sustainable and attractive urban spaces. The inclusion of new trees helps to advance the City's Climate Safe Neighborhoods initiative and elements of the *Green Cincinnati Plan*. Trees are vital city infrastructure which help to improve air quality, reduce the urban heat island, and enhance the aesthetics and livability of our city while also boosting property values and supporting economic activity. The urban forestry department can also provide recommendations for species selection or review site plans to assist with tree placement.

Contact:

Garrett Dienno | Parks - Urban Forestry | (513) 861-9070 | garrett.dienno@cincinnati-oh.gov

Office of Environmental Sustainability (OES)

Immediate Requirements to move forward with project:

None.

Requirements to obtain Permits:

- Commercial waste, including construction and demolition debris, generated during this development project must utilize a City franchised commercial waste collection service per Cincinnati Municipal Code Chapter 730. Additional information can be found at: <https://www.cincinnati-oh.gov/oes/commercial-waste-hauler-program/>.

2. Projects which require excavation and fill will have the following requirements:
 - a. If site plans require excavation or fill of quantities above 500 cy, an environmental review will be required by OES. When completing the excavation and fill permit, identify the disposal and borrow site locations for all material. "TBD" will not be accepted. Specify if fill material will be soil or engineered fill, such as sand or gravel.
 - b. If offsite sourced fill is to be placed onsite which exceeds 500 cy, then it must receive OES environmental approval as per City Municipal Code Chapters 1101 and 1031. A current (less than 1 year old) Phase I ESA performed to the ASTM Standard E1527-21 of the proposed offsite borrow source property must be submitted for review. Stockpiled soils that will be used as fill material from an offsite borrow source require environmental sampling and analysis and the results be submitted for review. Please contact OES for a recommended sampling plan.

Recommendations:

1. The following recommendations are based on adopted City of Cincinnati environmental and sustainability policies in support of the *Green Cincinnati Plan*:
 - a) The development goal should be to earn at a minimum the LEED Certified rating level.
 - b) Rooftop solar should be considered in the design as a renewable energy source.
 - c) Site parking should include electric vehicle charging stations.
 - d) Site areas designated for trash dumpsters should also have at least equal space designated for recycling dumpsters.
 - e) The use of trees in the landscape design should be included to enhance urban forestry.
 - f) The use of pervious surfaces should be maximized to the extent practical in the design.
 - g) Landscape design should consider the use of native species.
 - h) The use of heat reflective surfaces in paved parking areas should be considered to reduce the heat-island effect.

Contact:

Amanda Testerman | OES | (513) 352-5310 | amanda.testerman@cincinnati-oh.gov

Department of Transportation & Engineering (DOTE - Addressing)

Immediate Requirements to move forward with project:

None.

Requirements to obtain Permits:

1. Currently, the assigned addresses are:
 - 150 W Pete Rose Wy (Lot 1)
 - 330 W Pete Rose Wy (Lot 4)
 - 210 W Pete Rose Wy (Lot 13)
 - 50 Race St (Lot 24)
 - 151 W Pete Rose Wy (Lot 25)
2. Before applying for building permits, contact DTEaddress@cincinnati-oh.gov to have addresses updated based on the development plans. The updated address(es) should then be included on the drawings and used on any permit applications.

Recommendations:

None.

Contact:

Jessica Truman | DOTE - Addressing | 513-368-1613 | jessica.truman@cincinnati-oh.gov

Department of Transportation & Engineering (DOTe - Development Review)

Immediate Requirements to move forward with project:

None.

Requirements to obtain Permits:

1. DOTe will need to review and approve any existing and proposed vehicular access points.
2. Sidewalk widths need to meet existing widths and streetscape design. Consider wider sidewalks for proposed outdoor dining or any other activities.
3. If a plaza is to extend over Pete Rose way, work with DOTe and Law on what is permitted and the proper permission needed.
4. The pedestrian connection from Pete Rose Way to 3rd St is right of way and will need to be addressed.

Recommendations:

1. All the streets in The Banks development remain to be accepted and dedicated.

Contact:

Morgan Kolks | DOTe - Development | (513) 335-7322 | morgan.kolks@cincinnati-oh.gov

Buildings & Inspections (Building Plans Examiners)

Immediate Requirements to move forward with project:

None.

Requirements to obtain Permits:

1. This project will need to be mindful of potential floodplain requirements.
2. No additional comments at this time.

Recommendations:

None.

Contact:

Rodney Ringer | Building Development Services | (513) 352-4847 | rodney.ringer@cincinnati-oh.gov

Law Department

Immediate Requirements to move forward with project:

None.

Requirements to obtain Permits:

None.

Recommendations:

1. No requirements or recommendations at this time.
2. If this development were to create an encroachment in City right of way or City property, a permanent change in the use of City right of way or City property or would require additional right of way to be dedicated, a Coordinated Report will be required. Application for Coordinated Report can be requested at real.estate@cincinnati-oh.gov.

Contact:

Renee Luttrell | Law - Real Estate | (513) 352-3338 | renee.luttrell@cincinnati-oh.gov

Department of Community & Economic Development (DCED)

Immediate Requirements to move forward with project:

None.

Requirements to obtain Permits:

None.

Recommendations:

None.

Contact:

Roy Hackworth | DCED | (513) 352-6119 | roy.hackworth@cincinnati-oh.gov

Health Department (Food Service)

Immediate Requirements to move forward with project:

None.

Requirements to obtain Permits:

1. A food facility plan review by the Cincinnati Health Department (CHD) will be required if future or current commercial space (or tenant) is licensable (or is currently licensed) as a food service operation (FSO) or retail food establishment (RFE). If licensable, plumbing will not issue permits until CHD has completed the food facility review and approved the project.

Recommendations:

None.

Contact:

Trisha Blake | Health - Food Safety | (513) 352-2447 | trisha.blake@cincinnati-oh.gov

FINAL ACTION: The CSR Advisory-TEAM and CSPRO Committee believes that the proposed project plans are moving in the appropriate direction and recommend that the project move forward to the City Planning Commission subject to the following condition.

- **The subject development must follow the requirements listed above to ensure that the development meets the requirements of all agencies as they apply for all permits.**

Sincerely,



Art Dahlberg
Director, Department of Buildings and
Inspections, Chief Building Official & CSPRO
Committee Chair



Jesse Urbancsik
Development Manager

Mishawn Styles
1081 Cutter Street
Cincinnati, OH 45203

May 1, 2026

City Planning Commission
City of Cincinnati
Cincinnati City Hall
801 Plum Street, 3rd Floor
Cincinnati, Ohio 45202

Department of City Planning and Engagement Staff
Department of City Planning and Engagement
City of Cincinnati

Re: PD-43 Amendment – The Banks Development (Formal Public Comment)

Dear Members of the City Planning Commission:

I am submitting this letter as a formal written public comment in advance of the May 15, 2026 City Planning Commission Hearing regarding the Major Amendment to the Concept Plan for PD-43 (The Banks). I am a resident of City West and the owner of Styles HR, a business located at the intersection of several concurrent major development pressures; FC Cincinnati, the Linn Street I-75 overpass corridor, and The Banks which directly inform my perspective on the questions raised below.

I have reviewed the Major Amendment packet in full, including all Appendices A through J-2. While the application is carefully prepared, a close reading reveals a number of material questions that the document itself opens but leaves unresolved. Each question below is directed to the specific party: the Commission, City Planning Staff, or Phil Beck as Applicant who has the authority and responsibility to answer it.

I respectfully request that this letter be formally entered into the public record for this application, and that written responses be prepared and made available to the public before the Commission votes

I. Questions Arising Directly From the Application Packet

The following questions are raised by ambiguities, omissions, and internal inconsistencies within the application packet itself. They are directed to the specific party with the authority and knowledge to answer each one.

1. Legal Status of Lot 25

Reference: Footnote 22; Appendix D-5; Appendix J-1

Footnote 22 and the Consolidated PD-43 District Index acknowledge that Lot 25 does not yet exist as a legal parcel. It currently comprises three separate parcels remainders of Lots 5 and 10 from Banks Subdivision Phase II, plus a vacated portion of Theodore M. Berry Way which the document states are anticipated to be consolidated and re-subdivided. No timeline or confirmed mechanism for this action is provided.

Directed to City Planning Staff and the City Attorney's Office: Staff accepted this application with zoning standards, height limits, and use categories applied to a parcel that does not yet legally exist. What is Staff's legal basis for doing so, has the City Attorney's Office confirmed that zoning conditions can attach to Lot 25 prior to its formal creation, and is the formal creation of Lot 25 a condition precedent to this amendment becoming effective?

2. Enforceability of the 5% Variation Threshold

Reference: Appendix G, Footnote 14

Appendix G states that square footages may be varied by prospective developers during the Final Development Plan process, provided the variation does not exceed 5% of projected gross square footage. However, the projected gross square footage column for each individual lot is left blank with dashes. Only aggregate totals across all lots are provided.

Directed to City Planning Staff: Staff will administer the Final Development Plan process where this threshold must be applied. Without per-lot baseline figures, how does Staff intend to calculate and enforce the 5% variation cap on a lot-by-lot basis? Will the Commission require per-lot projections to be established as part of this approval?

3. Conflict Between Absolute Height Limits and the 22.5-Degree Massing Plane

Reference: Appendix G, Footnote 17

Appendix G establishes absolute maximum heights measured from the 515' DATUM: 285' for Lots 1 and 24, 185' for Lot 4, 145' for Lot 13, and 135' for Lot 25. Footnote 17 then adds an additional constraint: no occupied structure shall exceed the 22.5-degree plane depicted in the Plan's District Massing Framework East-West Section. Depending on the position of a structure on a given lot, these two standards could directly conflict.

Directed to Phil Beck as Applicant and City Planning Staff jointly: Appendix G establishes absolute maximum heights by lot, while Footnote 17 introduces a separate 22.5-degree massing plane constraint drawn from the Urban Design Plan. The UDP states explicitly: "where conflicts occur between narrative standards and the regulating diagrams, the diagrams shall govern." Depending on a structure's position on a given lot, these two standards could produce different outcomes for the same building. Which standard takes legal precedence in the event of a conflict?

4. Cincinnati Bengals Pedestrian Access Impacts on Lot 4

Reference: Appendix C; Appendix B-2

Appendix C confirms that Lot 4 currently contains a pavilion with walking paths serving as primary pedestrian access to and from Paycor Stadium. The amendment proposes absorbing Lot 4 into PD-43 for hotel or mixed-use development. No reference is made to notification or coordination with the Cincinnati Bengals regarding displacement of this infrastructure.

Directed to Phil Beck on behalf of Hamilton County: Hamilton County owns Lot 4 and Phil Beck represents Hamilton County in this application. What coordination, if any, has Hamilton County conducted with the Cincinnati Bengals regarding the elimination or relocation of the pedestrian pavilion and walking paths on Lot 4? Is any Bengals consent or coordination agreement required as a condition of this amendment, and if so, is that documentation on file with Staff?

5. Central Riverfront Garage Access - Conditionality and Capacity

Reference: Pages 6–7; Appendix G

The document states multiple times that future developers of Lots 24 and 25 “may utilize existing below-grade Central Riverfront Garage parking spaces to support building occupants, subject to availability via applicable private agreements.” The words “may,” “subject to availability,” and “applicable private agreements” introduce material uncertainty into the development viability of the two largest undeveloped riverfront parcels in the district. The UDP calls the Central Riverfront Garage “the infrastructure investment that unlocked the redevelopment of Cincinnati’s Riverfront” and describes it as essential to making development on Lots 24 and 25 financially viable.

Directed to Phil Beck on behalf of Hamilton County: Hamilton County controls the Central Riverfront Garage. What is the current capacity utilization of the CRG? What is the status of the private agreements referenced in this application? Has the development viability of Lots 24 and 25 been formally evaluated against the scenario where CRG access cannot be secured, and has that analysis been shared with City Planning Staff?

6. Removal of Clubs/Bars and Gambling from Prohibited Uses

Reference: Appendix F-2, Final Note

The final line of Appendix F-2 states: “Note that Applicant has removed Certain Clubs/Bars and Gambling uses from this Appendix F-2.” This means uses previously prohibited within PD-43 are now being made permissible by this amendment. No definition of the specific uses removed is provided, no rationale is offered, and no public discussion of this substantive policy change appears anywhere in the packet.

Directed to Phil Beck as Applicant: Phil Beck’s team made the deliberate decision to remove these use prohibitions. What specific use types have been removed from the prohibited list? What is the Applicant’s rationale for this change? And given the proximity of these lots to Paycor Stadium and future residential development, what impact analysis, if any, was conducted before making this change?

7. Legal Binding Effect of the Unadopted Urban Design Plan

Reference: Introduction; Multiple Sections Throughout

The Development Program Statement defers to the Perkins & Will Urban Design Plan as the governing standard for setbacks, heights, streetscapes, parking, landscaping, and design in more than a dozen provisions. The Introduction confirms the Plan is being submitted concurrently with this amendment for City Council review meaning it has not yet been adopted as of this filing.

Directed to City Planning Staff and the City Attorney's Office: If the Plan has not been adopted, what is the legally enforceable design standard governing this amendment today? What is the City Attorney's position on whether design commitments referencing an unadopted plan are binding? And what happens to the design commitments in this application if the Plan is subsequently modified or rejected by City Council?

8. Absence of Geotechnical and Floodplain Data

Reference: Pages 5–6; Appendix G

The Geotechnical section states that analysis will only be completed at the Final Development Plan stage and explicitly notes that plan modeling is based on market assumptions only and is not representative of engineering standards. The parking section separately acknowledges that full wrapping may be infeasible due to floodplain constraints, yet no floodplain analysis is included in the packet.

Directed to City Planning Staff: Staff accepted this application without geotechnical or floodplain data. What is Staff's threshold for requiring such analysis prior to zoning approval on a riverfront site of this scale? The UDP's own design guidelines for Lots 24 and 25 reference that parking "may be infeasible due to floodplain constraints" meaning the applicant already knows the floodplain is a real constraint on the project's core parking strategy.

Has FEMA floodplain mapping been formally reviewed as part of the Coordinated Site Review? Please include said documentation to be made public before the vote. And what recourse exists if engineering data at the Final Development Plan stage reveals that the projections in Appendix G are structurally or hydrologically unachievable?

9. Currency of Signage Standards

Reference: Page 8

The Signage section states that applicable standards will follow PD-43 signage regulations as approved on February 19, 2010 sixteen years ago, predating the majority of the existing Banks development and the entirety of the new construction proposed in this amendment.

Directed to City Planning Staff: Has Staff reviewed whether the 2010 signage regulations adequately address digital signage, stadium-facing signage, large-format hotel and mixed-use building signage, and riverfront visibility for buildings at the heights contemplated in Appendix G? If not, will updated signage standards be developed as a condition of this approval?

II. Broader Community Questions Directed to the City Planning Commission

The following questions are not raised by the document itself but represent material community interests that the zoning process alone is unlikely to resolve. They are directed to the Commission because the Commission has the authority to condition approval on community benefit commitments...authority that is most effectively exercised before approval is granted, not after.

10. Affordability and Housing Access

Directed to the City Planning Commission: The Commission has authority to condition approval of this amendment on community benefit requirements. This application contemplates up to 1.5 million square feet of residential space on publicly owned land with no affordability commitments, inclusionary zoning requirements, or community benefit language of any kind. Given that Hamilton County and the City are the landowners here, will the Commission require affordability commitments as a condition of ground lease execution? If not, what is the Commission's position on the complete absence of affordability language in this application?

11. Local Hiring, Workforce Development, and MBE Participation

Directed to the City Planning Commission and Phil Beck jointly: The Commission can condition approval and Phil Beck's team structures the ground lease negotiations. As the owner of Styles HR, I am directly attentive to workforce implications. A development of this scale will generate substantial construction and permanent employment.

Given that Hamilton County and the City retain ownership of these lots until ground leases are executed, and given that the City of Cincinnati has established MBE/WBE participation goals for City-contracted work, will the Commission require that MBE participation standards, local hiring commitments, and first-source hiring agreements be incorporated as binding terms in any ground lease executed for development on these lots and will those terms be made public before execution?

12. Connectivity to City West and Adjacent Neighborhoods

Directed to the City Planning Commission and City Planning Staff: The Commission conditions approvals and Staff prepare recommendations. The Banks has historically functioned as a destination accessible primarily by car rather than as a connected extension of surrounding urban neighborhoods. This amendment adds significant residential and commercial density. At the Final Development Plan stage, what binding requirements not conceptual plans will be imposed to ensure pedestrian connectivity, transit access, and physical linkage between The Banks and the West End?

Given the ongoing investment in the Brent Spence Bridge corridor, how is this development being coordinated with regional infrastructure improvements to ensure continuous pedestrian and green space connectivity along the riverfront and into adjacent neighborhoods, including Lower Price Hill?

State on the record whether the City Planning Commission intend to condition approval on any binding connectivity requirement, or whether they are relying entirely on non-regulatory design guidance to achieve neighborhood connection.

13. Development Timeline and Anti-Speculation Provisions

Directed to the City Planning Commission: The Banks has multiple parcels within PD-43 that have remained undeveloped for extended periods, most notably the highly visible site between the National Underground Railroad Freedom Center and the Andrew J. Brady Music Center (commonly referred to as Lot 24 and adjacent parcels). Despite being among the most valuable and prominent riverfront sites, these lots have sat vacant for years under existing entitlements.

This amendment, as proposed, includes no phasing commitments, no construction timelines, and no anti-speculation provisions.

Given that history, what specific, binding timeline and performance requirements will the Commission attach to this approval to ensure that granted entitlements translate into actual construction rather than prolonged land holding?

Additionally:

- Will approvals include development milestones (e.g., site control, financing, groundbreaking, vertical construction)?
- Will entitlements be subject to expiration or reversion if those milestones are not met?
- What enforcement mechanisms will be used across multiple developers to ensure consistency?
- And critically, what remedy exists if a developer secures approvals but does not build, as has occurred on these parcels in the past?

14. Public Investment Disclosure

Directed to the City Planning Commission: The UDP states directly that the proposed \$750–800 million in private development "will require public investment to be financially feasible." The amendment contains no reference to what public investment is anticipated, who will bear it, how it will be appropriated, or whether the Commission has been briefed on the City's and County's financial exposure.

What public infrastructure investment is contemplated to make this development financially feasible, what is the estimated cost to public entities, and has that analysis been shared with the Commission before it votes on entitlements?

15. Ground Lease Public Disclosure

Directed to the City Planning Commission: Every lot in this amendment is publicly owned. Development proceeds through ground leases. The amendment grants zoning entitlements now, but the ground leases where affordability terms, MBE requirements, revenue sharing, clawback provisions, and anti-speculation clauses would actually live will be negotiated and executed later, potentially without additional public hearing.

Will ground lease terms be subject to public notice and comment before execution, and will the Commission condition this approval on a commitment that ground leases for these publicly owned lots will not be executed without public disclosure of their material terms?

III. Request for Response and Entry Into the Public Record

I respectfully request that City Planning Staff and Phil Beck, as Applicant on behalf of Hamilton County and the City of Cincinnati, prepare written responses to the questions raised in Section I above, and that those responses be made available to the public prior to the May 15, 2026 City Planning Commission Hearing. I further request that the questions directed to the City Planning Commission in Section II be formally received and considered by the Commission at the May 15th hearing before a vote is taken on this amendment.

I also request that this letter and any written responses be formally entered into the public record for this application in their entirety.

The Banks represents a generational opportunity for Cincinnati. The questions raised here are offered in that spirit not as opposition to development, but as an effort to ensure that the commitments made now are clear, enforceable, and equitable for the residents and businesses of the communities that will live alongside this project for decades to come. As a City West resident and business owner at the crossroads of this development, I have a direct and lasting stake in getting these answers right.

Thank you for your time and consideration of this submission.

Respectfully submitted,

Mishawn Styles

Mishawn Styles

Additional Correspondence

President
Stephanie Summerow Dumas
Phone: 513-946-4410

Vice President
Alicia Reece
Phone: 513-946-4401

Commissioner
Denise Driehaus
Phone: 513-946-4406

Administrator
Jeffrey W. Aluotto
Phone: 513-946-4436

Clerk of the Board
Kristie Reschel, Interim
Phone: 513-946-4453

May 13, 2026

Cincinnati Planning Commission
805 Central Avenue
Cincinnati, OH 45202

To the Cincinnati Planning Commission,

This is an exciting time for The Banks project. In nearly three decades, our region has built approximately 60% of the district, resulting in \$2.5 billion in annual economic impact, 28,124 jobs, world-class sports venues and cultural destinations, and a transformational park. As great as this is, the full potential of Cincinnati's central riverfront is yet to come.

As evidenced to date, our future success depends on a high level of coordination among the City of Cincinnati, Hamilton County, private developers, venue operators, cultural institutions, existing tenants, philanthropic and community partners all moving forward with shared purpose and synchronized action.

Each stakeholder controls critical pieces - land, infrastructure, programming, investment capital, regulatory approvals, and operational expertise. Only through deliberate alignment can we transform isolated assets into a cohesive, premier mixed-use entertainment district.

Starting with The Banks Public Partnership of the City and County, The Banks will become the region's signature destination - a place where residential density meets world-class entertainment, where families and visitors extend their stays, where our riverfront finally connects to our city. It will unlock \$750-800 million in private development, generate substantial new tax revenue, and establish Cincinnati as a model for urban waterfront development.

Please accept this letter in support of both The Banks Urban Design Plan Update dated April 2026 and the Major Amendment to the Concept Plan for PD-43 (The Banks) dated April 2026 as a request that the Cincinnati Planning Commission approve this stage of the process on May 15, 2026.

If you have any questions, or need any additional information, please let me know.

Sincerely,



Jeffrey W. Aluotto
County Administrator

May 14, 2026

City of Cincinnati Planning Commission
Cincinnati City Council
801 Plum Street
Cincinnati, OH 45202



Re: DRC Support for the Banks Urban Design Plan

Dear Members of the City of Cincinnati Planning Commission,

On behalf of the Downtown Residents' Council (DRC), I am writing to express our support for the proposed Banks Urban Design Plan update. As presented at our general meeting, this visionary plan for The Banks offers a generational opportunity to see new housing, retail, commercial, and leisure space downtown. As The Banks currently stands, it is an underwhelming gateway to our city with unfinished or empty parcels. The DRC strongly believes this project will contribute to the vitality and economic growth of our urban core. We appreciate the time Phil Beck, Katherine Keough-Jurs, Andrew Halt, and the external consulting team shared with us to present this vision with our community council.

At the same time, our support is contingent on the continuation of meaningful community engagement throughout the planning process. Concerns were raised about this project such as questions on connectivity to transit, the heavy cost of structured parking and reliance on public financing. Ultimately, Downtown Residents' Council voted in support as we align with the larger vision for this area of downtown. We look forward to continued collaboration with the planning team and future developers of these parcels.

Thank you for your leadership in advancing this transformative project.

Sincerely,

Andrew S. Naab

Andrew S. Naab
President, Downtown Residents Council

116 WEST THIRD STREET LLC 2199 VICTORY PARKWAY CINCINNATI OH 45206	302 WEST THIRD TEI INVESTORDS LLC 55 FIFTH AVE 15TH NEW YORK NY 10003	310 RACE STREET PARTNERS LLC 7700 OLD GEORGETOWN RD STE 700 BETHESDA MD 20814
312 ELM STREET OWNER LLC 312 ELM ST CINCINNATI OH 45202	312 PLUM STREET OWNER LLC 312 PLUM ST CINCINNATI OH 45202	312 WALNUT LLC 312 WALNUT STREET SUITE #1510 CINCINNATI OH 45202
3M GARAGE LLC 1008 MARSHALL AVE STE 2 CINCINNATI OH 45225	9 FILSON PLACE LLC 318 W 3RD ST CINCINNATI OH 45202	ANTAEUS INC 305 SYCAMORE ST CINCINNATI OH 45202
ARENA MANAGEMENT HOLDINGS LLC 805 OAKWOOD DR SUITE # 275 ROCHESTER MI 48307	ATRIUM TOWER ONE LP 222 463 MOUNTAIN VIEW DR COLCHESTER VT 05446	BANZ STUDIOS LLC 1033 CELESTIAL ST CINCINNATI OH 45202
BLUE GRASS DEVELOPMENT OF OHIO LLC 8190 BEECHMONT AVE SUITE # 355 CINCINNATI OH 45255	BRENDANO LLC & LADISA CORP 2945 ALPINE TERRACE CINCINNATI OH 45208	BUCKEYE POWER FUNDING COMPANY LLC 155 NORTH WACKER DR SUITE 4250 CHICAGO IL 60606
CARELL OHIO LLC 95 WHITE BRIDGE RD STE # 514 NASHVILLE TN 37205	CH BANKS COMMERCIAL ACQUISITION LLC 6640 RIVERSIDE DR STE 500 DUBLIN OH 43017	CINCINNATI GAS & ELECTRIC CO 400 S TRYON ST CHARLOTTE NC 28285
CLC 300 MAIN STREET LLC 655 PLUM ST CINCINNATI OH 45202	CURRENT ACQUISITION LLC 6640 RIVERSIDE DR STE 500 DUBLIN OH 43017	DIXIE TERMINAL CORPORATION 49 E FOURTH ST STE 200 CINCINNATI OH 45202-3801
FORT WASH HILLS LLC 310 CULVERT ST STE 500 CINCINNATI OH 45202	FOURTH NATIONAL REALTY LLC 2199 VICTORY PKWY CINCINNATI OH 45206	HAMILTON COUNTY BOARD OF COMMRS 138 E COURT ST ROOM 603 CINCINNATI OH 45202
MAIN HOSPITALITY HOLDINGS LLC 400 BROADWAY CINCINNATI OH 45202	NAP WILLIAMS OFFICE BUILDING LLC 212 E THIRD ST STE 300 CINCINNATI OH 45202	NATIONAL UNDERGROUND RAILROAD FREEDOM CENTER 50 E FREEDOM WAY CINCINNATI OH 45202
NIC LOT 19 LLC 3825 EDWARDS SUITE 200 CINCINNATI OH 45209	PORT OF GREATER CINCINNATI DEVELOPMENT AUTHORITY 3 E 4TH ST STE 300 CINCINNATI OH 45202	RADIUS ACQUISITION LLC 6640 RIVERSIDE DR SUITE 500 DUBLIN OH 43017

ROYAL WALNUT LLC
8111 DOUGLAS AVE
STE 600
DALLAS TX 75225

SPIRIT MASTER FUNDING X LLC
11995 EL CAMINO REAL
ATTN PM DEPT 15522
SAN DIEGO CA 92130

STATE OF OHIO
505 S STATE ROUTE 741
LEBANON OH 45036

SYCAMORE & THIRD REALTY LLC
212 E THIRD ST
CINCINNATI OH 45202

TORRENCE INVESTMENT
COMPANY LTD
PO BOX 621137
CINCINNATI OH 45262-1137

WATSON WILLIAM LLOYD
218 WEST THIRD ST
CINCINNATI OH 45202

ZUSSMAN ASSOCIATES LLC
4695 LAKE FOREST DR
SUITE 100
CINCINNATI OH 45242

DOWNTOWN RESIDENTS
COUNCIL
PO Box 868
CINCINNATI OH 45201

Cincinnati Center City
Development Corporation
1203 Walnut Street
4th Floor
CINCINNATI OH 45202