

AUTHORIZING the installation of permanent signage on the real property located at 101 W. 5th Street in the Downtown neighborhood, **NOTWITHSTANDING** the signage regulations contained in Section 1411-39, “Signs,” of Cincinnati Municipal Code Chapter 1411, “Downtown Development Districts.”

WHEREAS, 101 West Fifth LLC (“Owner”) owns certain real property located at 101 W. 5th Street in the Central Business District (“Property”), which property is presently zoned DD, “Downtown Development”; and

WHEREAS, the former Saks-Fifth Avenue anchored building on the Property has been vacant for several years and is currently being redeveloped as a two-story mixed-use structure that will include office space on the second floor and retail and restaurant space on the first floor; and

WHEREAS, the development will serve as a catalyst for economic development in the area by reinvigorating an important property in downtown Cincinnati positioned between the Convention Center and Fountain Square; and

WHEREAS, Paycor, which is moving its headquarters to Cincinnati from Norwood, OH, and Salazar restaurant are among the tenants who have taken space in the development; and

WHEREAS, the Owner wishes to install several signs on the exterior of the building to identify building tenants (“Signage Improvements”); and

WHEREAS, the Owner has requested authorization to install the Signage Improvements, notwithstanding certain zoning code provisions that would otherwise prevent the installation of several of the proposed signs; and

WHEREAS, reasonable deviations from zoning code provisions that would otherwise prevent the installation of the proposed signage on the Property will provide substantial public benefits by creating an inviting and marketable space for tenants through the reinvention of a key downtown property as a modern mixed-use development; and

WHEREAS, the City Planning Commission, at its regularly scheduled meeting on October 3, 2025, upon considering the factors set forth in Cincinnati Municipal Code (“CMC”) Section 111-5, recommended the adoption of a notwithstanding ordinance authorizing the Signage Improvements, subject to certain conditions; and

WHEREAS, a committee of Council held a public hearing to consider the passage of this ordinance following due and proper notice pursuant to CMC Section 111-5, and upon considering the factors in CMC Section 111-5 and the recommendation of the City Planning Commission, the committee approved the ordinance, finding that authorizing the Signage Improvements notwithstanding the zoning code provisions that would otherwise restrict them will not have an

adverse effect on the character of the area or the public health, safety, and welfare, and further finding that permitting the Signage Improvements to proceed is consistent with the purposes of the CMC and the zoning district in which the Property is located; and

WHEREAS, authorizing the Signage Improvements are consistent with the Cincinnati 2000 Comprehensive Development Plan for Downtown (1986), which specifically envisions mixed use development in the western portion of the core of the Central Business District (page 21); and

WHEREAS, authorizing the Signage Improvements are further consistent with Plan Cincinnati (2012) in the Compete Initiative Area, specifically the strategy to “[t]arget investment to geographic areas where there is already economic activity” (page 81) and the Live Initiative Area goal to “[b]uild a robust public life” (page 149); and

WHEREAS, the Council finds that the Signage Improvements will preserve the quality and character of the neighborhood by improving and rehabilitating an existing building that will fit within the context of the Downtown Development zoning district; and

WHEREAS, the Council additionally finds that permitting the Signage Improvements will not have an adverse effect on the character of the area or the public health, safety, and welfare; and

WHEREAS, the Council finally finds that the deviations from applicable zoning code provisions related to signage will not have an adverse effect on the character of the area or the public health, safety, and welfare, and that they are in the best interests of the City and the public’s health, safety, morals, and general welfare; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That, after its own independent review and consideration, the City Council incorporates the foregoing recitals as if fully rewritten herein, and it hereby confirms that the criteria set forth in Section 111-5 of the Cincinnati Municipal Code are satisfied in all respects.

Section 2. That the Council specifically finds that authorizing the installation of several signs on the exterior of the building to identify building tenants (“Signage Improvements”) in connection with the renovation of the building located at 101 W. 5th Street in the Central Business District, which property is depicted on the map attached hereto as Attachment A and incorporated herein by reference, will not have an adverse effect on the character of the surrounding area or the public’s health, safety, and general welfare, and are consistent with the purposes of the Cincinnati Municipal Code and the zoning district within which the property is located.

Section 3. That the Council authorizes the construction of the Signage Improvements, subject to the terms and conditions set forth in this ordinance. This authorization is granted notwithstanding the signage limitations contained in the provisions of Section 1411-39, "Signs," Chapter 1411, "Downtown Development Districts," of the Cincinnati Municipal Code; and any other applicable zoning regulations that would restrict their construction.

Section 4. That the Council authorizes the Signage Improvements subject to the following conditions:

- a. That the Signage Improvements must substantially conform to the plans attached hereto as Attachment B and incorporated herein by reference.
- b. That the proposed outdoor digital display screen shall be moved to the interior of the building and at least two feet from any window if it is installed.
- c. That this ordinance does not provide a deviation from any other laws of the City of Cincinnati, and the property shall remain subject to all other provisions of the Cincinnati Municipal Code and the DD, "Downtown Development," zoning district.

Section 5. That the City Manager and the appropriate City officials are authorized to take all necessary and proper actions to implement this ordinance, including by issuing building permits and related approvals provided they conform to applicable building codes, housing codes, accessibility laws, or other laws, rules, or regulations.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

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