

April 19, 2023

To: Mayor and Members of City Council 202301201
From: Sheryl M. M. Long, City Manager
Subject: Ordinance – Proposed Amendments to the OTR Local Historic District Guidelines

Transmitted is an Ordinance captioned:

AMENDING certain provisions of the Over-the-Rhine Local Historic District Conservation Guidelines governing the conservation and development of the Over-the-Rhine Local Historic District in the Over-the-Rhine, Pendleton, and Mt. Auburn neighborhoods.

Summary

The Over-the-Rhine Foundation (OTRF), a non-profit organization dedicated to the preservation of the Over-the-Rhine (OTR) neighborhood, began work in 2014 on a proposal to revise the Over-the-Rhine Local Historic District Conservation Guidelines to incorporate more detailed rules for new construction. The current guidelines were adopted in 2003 and have been utilized to guide development in the OTR Local Historic District since that time.

The OTRF's revised proposal was presented to the Historic Conservation Board (HCB) on August 3, 2020. Following an extended discussion, the HCB recommended adoption of the proposal with certain conditions recommended by the City's Urban Conservator, including that further review and revision to the proposal occur (specifically regarding the provisions around height) prior to its submission to the City Planning Commission for consideration.

On September 24, 2020, the City Planning Commission (CPC) reviewed a proposal to revise the Over-the-Rhine (OTR) Local Historic District Guidelines New Construction Section. This proposal was tabled with instruction for the Department of City Planning and Engagement (DCPE) staff to conduct additional community engagement prior to returning to the CPC with their revised proposal.

The revised submission from OTRF was submitted on November 18, 2022, and was subsequently scheduled for the City Planning Commission on December 2, 2022.

CITY PLANNING COMMISSION ACTION ON DECEMBER 2, 2022:

At the City Planning Commission meeting on December 2, 2022, representatives of the OTRF steering committee and historic preservationists spoke in favor of the OTRF's proposed revisions to the OTR New Construction guidelines. In addition, numerous architects, developers, contractors, consultants and the Department of Community and Economic Development Department (DCED) spoke in favor of DCPE staff's recommendation. After extensive testimony from both sides, the City Planning Commission voted in favor of staff's recommendation to:

PROVISIONALLY APPROVE the proposed New Construction Infill Guidelines on the condition that staff for the Department of City Planning and Engagement prepare and present the following documents to the City Planning Commission for final approval:

- a. A set of New Construction Infill Guidelines that incorporates the staff's proposed revisions reflected on Attachment O (Recommended Changes on 11/18/2022 submittal and new language for

- conditional approval), Attachment P (Revised Monumental Building List), and Attachment Q (Revised Glossary List); and
- b. A set of the existing Over-the-Rhine Local Historic District Guidelines modified to address guidelines that are obsolete or will be inconsistent with the New Construction Infill Guidelines upon their adoption.

The vote was as follows:

Moved to approve the staff's recommendation on the Legislative Discussion Agenda.

Motion:	Mr. Weber
Second:	Ms. Sesler
Ayes:	Mr. Eby, Ms. Sesler, Mr. Weber
Nays:	Mr. Samad, Ms. Smitherman
Absent:	Ms. Kearney
Excused:	Mr. Stallworth

DCPE staff and the applicants made the revisions approved by the City Planning Commission. The Law Department and the Urban Conservator have reviewed and amended the original existing historic guidelines by replacing the former new construction section with an incorporated reference to the approved new construction guidelines document. In addition, there were some other minor housekeeping adjustments made to the existing guidelines.

On April 7, 2023, the City Planning Commission voted unanimously to take the following actions:

1. ACCEPT the revisions made to the Over-the-Rhine Local Historic District New Construction Guidelines made by Department of City Planning and Engagement staff as directed by the City Planning Commission's motion at the meeting dated December 2, 2022; and
2. CONFIRM the approval of the New Construction Guidelines, as so revised by Department of City Planning and Engagement staff, as more particularly detailed in Attachment A; and
3. APPROVE the revisions made by Department of City Planning and Engagement staff to the Over-the-Rhine Local Historic District Guidelines, as more particularly detailed in Attachment B.

On April 7, 2023, the City Planning Commission voted unanimously to recommend approval of the amendments to the OTR Local Historic District Guidelines to City Council.

cc: Katherine Keough-Jurs, FAICP, Director, Department of City Planning and Engagement