

***** AGENDA *****
CITY PLANNING COMMISSION
CITY HALL
COUNCIL CHAMBERS, ROOM 300
801 PLUM STREET
CINCINNATI, OHIO 45202
OR VIRTUALLY VIA ZOOM

August 15, 2025
9:00 a.m.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

DISCUSSION ITEMS – QUASI-JUDICIAL

Governed by Section 5 F.[G.] of the City Planning Commission Rules: <http://tinyurl.com/CPCprocedures>

- ITEM 1** A report and recommendation on a proposed Final Development Plan for Planned Development #73 (PD-73), Medpace, for outdoor dining at Building 400, additional covered walkways, and a retaining wall in Madisonville. (Dienger)
- ITEM 2** A report and recommendation on a proposed Final Development Plan for Lot G of the Oregon Street and Baum Street Planned Development at 310 Oregon Street in Mt. Adams. (Halt)

OTHER BUSINESS

DIRECTOR'S REPORT

ADJOURN

**Honorable City Planning Commission
Cincinnati, Ohio**

SUBJECT: A report and recommendation on a proposed Final Development Plan for Planned Development #73 (PD-73), MedPace, for outdoor dining at Building 400, additional covered walkways, and a retaining wall in Madisonville.

GENERAL INFORMATION:

Location: 5350 MedPace Way
Cincinnati, Ohio 45227

Applicant: Joe Dillon on behalf of Brandstetter Carroll Inc.
308 East 8th Street
Cincinnati, OH, 45202

Owner: 200 MedPace Way LLC, N300 MedPace Way LLC, and 400 MedPace Way LLC
5375 MedPace Way
Cincinnati, OH, 45227

Request: The applicant is requesting approval of a proposed Final Development Plan for Lots 1A, 1B, G3, 3, 4A/13, and 5 of MedPace (PD-73) for the construction of outdoor dining for two restaurants in Building 400, an extension to the covered walkway from Building 300 to the East Garage, and for a retaining wall at the corner of the Summit Hotel at the Building 300 Plaza.

ATTACHMENTS:

Provided in addition to this report are:

- Exhibit A – Location Map and Concept Plan
- Exhibit B – Statement of Uses
- Exhibit C – Site Plans, Elevations, and Materials

BACKGROUND:

On July 17, 2015, the City Planning Commission recommended approval for a zone change, including a Concept Plan and Development Program Statement, for the area generally bound by Red Bank Expressway to the west, Hetzel Street and Covington Street to the south, Stewart Avenue and Armada Place to the east, and Madison Road and the Saint Paul Village Senior Apartments to the north in Madisonville. The previous zoning of the site was Residential Mixed (RMX), Commercial Community – Auto-Oriented (CC-A), and Manufacturing General (MG). The zoning designation was changed to Planned Development #73 (PD-73) “MedPace” on October 7, 2015, when City Council approved the zone change, Concept Plan, and Development Program Statement as Ordinance 320-2015.

Between May 2016 and November 2024, a Final Development Plan was filed for each portion of the approved Concept Plan that the petitioner proposed to construct. Since the establishment of the Planned Development, the City Planning Commission reviewed and approved nine Final Development Plans. Additionally, four Major Amendments to the Concept Plan and Development Program Statement were approved which added an additional 3.001 acres to PD-73 and revised the signage standards. In November 2023, City Council approved a Major Amendment to add 1.859 acres of property to PD-73 (35.9 acres total) and to amend the Concept Plan and Development Program Statement to construct office Building 600 (70,000 square feet), rebuild a larger

office Building 300 (485,000 square feet) and new plaza, approve a future 1,300 space parking garage on Lot G3, and remove fuel sales as a permitted use.

On July 18, 2025, Brandstetter Carroll, Inc. on behalf of MedPace, Inc., submitted the proposed Final Development Plan to the Department of City Planning and Engagement (DCPE) for construction of outdoor dining for two restaurants in Building 400, an extension to the covered walkway from Building 300 to the East Garage, and for a retaining wall at the corner of the Summit Hotel at the Building 300 Plaza. The proposed Final Development Plan is substantially consistent with the Concept Plan and Development Program Statement.

ADJACENT LAND USE AND ZONING:

The existing zoning and land use surrounding the subject site is as follows:

North:

Zoning: Residential Multi-Family 1,200 sf – Transportation Corridor (RM-1.2 – T)
Existing Use: Saint Paul Village Senior Apartments and Church

East:

Zoning: T3 Neighborhood (TN3)
Existing Use: Residential – low-density

South:

Zoning: T3 Neighborhood (TN3) and Manufacturing General (MG)
Existing Use: Residential – Low-density, transformer manufacturing

West:

Zoning: Commercial General – Auto-oriented (CG-A)
Existing Use: Commercial, retail, office, and medical services

DESCRIPTION OF PROJECT:

The Final Development Plan is for outdoor dining for two restaurants in Building 400 on Lots 1A and 1B, an extension to the covered walkway from Building 300 to the East Garage on Lots 3, 4A/13 and G3, and a retaining wall at the corner of the Summit Hotel at the Building 300 Plaza on Lot 5 of PD-73 (Exhibits B and C).

Building 400 Outdoor Dining

The proposed outdoor dining is located on the south side of Building 400 for two new restaurants called Suzu and Zingaro. Suzu will be located in the southeast corner of Building 400 and the outdoor dining will include three stand-alone structures directly in front of the building with a sidewalk in between. The outdoor dining will have three permanent trellis and canopy structures with white aluminum posts and beams, wood slat screening walls, and retractable fabric awnings as illustrated in Exhibit C. There will also be non-permanent planters wrapping around the outer edge of the structures.

The Zingaro outdoor seating will be located on the south and southwest sides of the building and will consist of one attached all-season room. The exterior materials will include a combination of reclaimed and composite wood and decorative metal fencing with integrated planters with an existing retractable canopy as illustrated in Exhibit C.

Extended Covered Walkway

The proposed covered walkway would start at the north side of Building 300 Plaza area, extend across the north side of Building 200, then terminate at the west side of the East Garage. The covered walkway structures will

have painted steel tube section columns and beams with an aluminum frame canopy structure and translucent polycarbonate glazing, as shown in Exhibit C. These materials are consistent with the existing covered canopy attached to the food hall on Lot 1A of PD-73

Retaining Wall

The proposed retaining wall will be located at the corner of the Summit Hotel and the new Building 300 in the Plaza Area on Lot 5 of PD-73. Due to site conditions, a retaining wall with a decorative façade is required. The materials will match the existing black brick of the Summit Hotel with a decorative façade and will have a green roof as shown in Exhibit C.

The proposed Final Development Plan is substantially consistent with the Concept Plan and Development Program Statement that was approved by City Council in November 2023.

§1429-13 FINAL DEVELOPMENT PLAN:

Following approval of a PD District with a Concept Plan and Development Program Statement, a Final Development Plan must be submitted to the City Planning Commission (§1429-13). A Final Development Plan must be filed for any portion of an approved Concept Plan that the petitioner wishes to develop, and this plan must conform substantially to the approved Concept Plan and Development Program Statement.

Consistent with the provisions of Section 1429-13, the following information was provided and attached to this report:

- a) **Survey** – A survey showing the boundary of the site, topography, and existing utilities is included as Exhibit C.
- b) **Site Plan** – The site plan shows the proposed outdoor seating, covered walkway, and retaining wall which is consistent with the approved Concept Plan and Development Program Statement included as Exhibit C.
- c) **Engineering Plans** – Engineering plans, including the Existing Conditions, Site Layout Plan, Grading Plan, and Utility Plan, are included in the overall site plan set as Exhibit C.
- d) **Open Space** – All three elements of the proposed Final Development Plan include elements that will contribute to or enhance the existing open space plan for the entire MedPace campus. The provided site plans in Exhibit C include landscaped outdoor seating, an enhanced walkway experience from the East Garage to Building 300, and landscaped retaining wall with green roofs.
- e) **Schematic Building Plans** – The schematic building plans are included in the overall Site Plans in Exhibit C and are consistent with the Concept Plan and Development Program Statement. All proposed structures will include materials consistent with adjacent buildings or the overall campus materials, including white aluminum supports, masonry matching existing buildings, and wood and metal screening.
- f) **Landscape Plans** – A landscape plan is included in the overall site plan included as Exhibit C. Integrated and free-standing planters are included in the outdoor seating plan and a green roof is included in the retaining wall plan.
- g) **Phased Schedule** – The proposed Final Development Plan will be constructed in a single phase (Exhibit B).
- h) **Ownership** - The property is currently owned by 200 MedPace Way LLC, N300 MedPace Way LLC, and 400 MedPace Way LLC, as stated in Exhibit B.
- i) **Statement of Uses** – The proposed Final Development Plan does not include any changes to the uses in the approved Concept Plan and Development Program Statement for Lots 1A, 1B, 3, 4A/13, 5, and G3 for the MedPace Planned Development, as stated in Exhibit B.
- j) **Future Ownership and Control** – There are no anticipated changes in ownership.
- k) **Restrictive Covenants** – There are no restrictive covenants included in this proposal.

- l) **Other Information** – There is no additional information included in this proposal.

PLANNING COMMISSION APPROVAL OF FINAL DEVELOPMENT PLAN:

The City Planning Commission may approve a Final Development Plan for a development in a PD District (§ 1429-15) on consideration of the following:

- (a) **Consistency.** The Final Development Plan is consistent with the purpose of the Planned Development District Regulations; specifically:
 - It encourages creativity in developments by allowing greater flexibility in access, light, open space and amenities.
 - It encourages common open space and provide for its maintenance.
- (b) **Adequate Streets.** The existing public streets are adequate to serve the proposed development. No new streets are being proposed. **Adequate Infrastructure.** The existing infrastructure is adequate to serve the proposed development.
- (c) **Covenant.** The Department of City Planning and Engagement must require covenants by the owner of the property that all streets, common areas, common utilities and other common facilities remain in common ownership by all owners of any interest in the land or buildings in the Planned Development other than a leasehold interest of less than five years. The applicant will need to provide any necessary covenants in accordance with §1429-15 in connection with submission of building permits. There are no covenants anticipated for this proposal.
- (d) **Release of Covenants.** The City Manager, on receipt of a recommendation from the Director of City Planning and Engagement, may recommend the covenant be terminated in the following instances: the particular use requiring a covenant is no longer necessary and the building permits have been terminated, or the condition or conditions requiring such covenant are no longer applicable.
- (e) **Compatibility.** The proposed uses, location and arrangement of structures, lots, parking areas, walks, open spaces, landscaping, lighting and appurtenant facilities are compatible with the surrounding land uses. The design of the proposed structures will match the building materials of the other MedPace campus buildings and will enhance the uses and structures that are already established.
- (f) **Sufficiency of Legal Documents.** Proposed easements and other provisions meet development standards.
- (g) **Sufficiency of Provisions for Maintenance of Common Areas.** The proposed project includes planters which will be maintained by the owner.

PUBLIC COMMENT AND NOTIFICATION:

On July 21, 2025, notice of the Public Staff Conference and City Planning Commission meeting was sent to all property owners within 400’ of the boundary of PD-73, as well as the Madisonville Community Council (MCC), and the Madisonville Community Urban Redevelopment Corporation (MCURC). DCPE held a virtual public staff conference on August 4, 2025. There were no members of the public in attendance. No additional correspondence has been received.

A webpage has been maintained on the Department of City Planning and Engagement’s website with information regarding the proposed Final Development Plan, upcoming meetings, and contact information related to the proposal.

ANALYSIS:

The staff of DCPE supports the proposed Final Development Plan for outdoor dining for two restaurants in Building 400, a covered walkway connecting Building 300, Building 200, and the East Garage, and a retaining wall at the corner of the Summit Hotel and future Building 300 of PD-73, MedPace. The proposal is consistent with the approved Concept Plan and Development Program Statement for the overall MedPace campus as it

would not change any uses. Furthermore, it will enhance the open space and circulation networks by providing outdoor seating in an existing restaurant and retail node of the PD, improve the sidewalk network by providing a covered canopy to protect against the elements, and stabilize the existing hotel structure with a well-designed retaining wall.

All necessary covenants, easements, and property maintenance will be carried out in accordance with the Cincinnati Zoning Code requirements.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed Final Development Plan is consistent with the Compete Initiative Area of *Plan Cincinnati* (2012), particularly within the Goal to “Cultivate our position as the most vibrant and economically healthiest part of our region” (page 114), specifically the strategy to “Strategically select areas for new growth” and the Action Step to “Implement the GO Cincinnati Plan recommendations in the Madison Road, South Mill Creek, and Reading Road corridors” (page 118). It is also consistent with the Live Initiative Area Goal to “Create a more livable community” (page 156) and the Strategy to “Become more walkable” (page 157). The proposal will support a vibrant commercial node within the PD and improve the circulation network between several buildings on the MedPace campus.

GO Cincinnati: Growth and Opportunities Study for the City of Cincinnati (2009)

The proposed Final Development Plan is consistent with portions of the *GO Cincinnati (2009)*, particularly with the “Madison Road Corridor GO Cincinnati Development Area” Major Objectives to “Actively compete for modern office demand; provide land and development support” and “simultaneously encourage walkable urban development and drivable suburban development” (page 3), which directly identifies MedPace as a project to support. The proposal will support continued growth and development of the MedPace campus by providing more walkable elements to the overall MedPace campus.

FINDINGS:

It is the opinion of staff of DCPE that the Final Development Plan is in compliance with §1429-15 “Planning Commission Approval of Final Development Plan” as outlined on pages 4 of this report. Further, the proposal substantially conforms with the previously approved Concept Plan and Development Program Statement.

CONCLUSIONS:

The staff of DCPE supports the proposed Final Development Plan for outdoor dining at Building 400, additional covered walkways, and a retaining wall of PD-73, MedPace, for the following reasons:

1. The Final Development Plan is consistent with the approved Concept Plan and Development Program Statement.
2. The development proposal is compatible with adjacent structures and the materials and design of other buildings throughout the MedPace campus and will enhance the pedestrian experience.
3. The Final Development Plan is consistent with goals in *Plan Cincinnati* (2012) and the *GO Cincinnati: Growth and opportunities Study for the City of Cincinnati (2009)*.

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 on page 5 of this report.

2. **APPROVE** the Final Development Plan for Planned Development #73 (PD-73), Medpace, for outdoor dining at Building 400, additional covered walkways, and a retaining wall in Madisonville

Respectfully submitted:



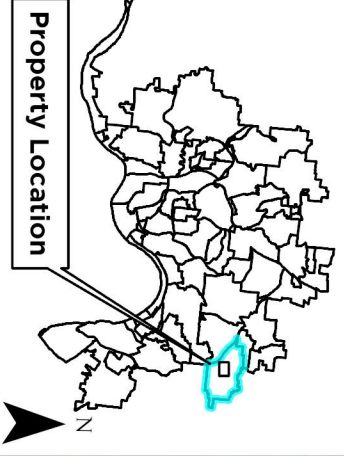
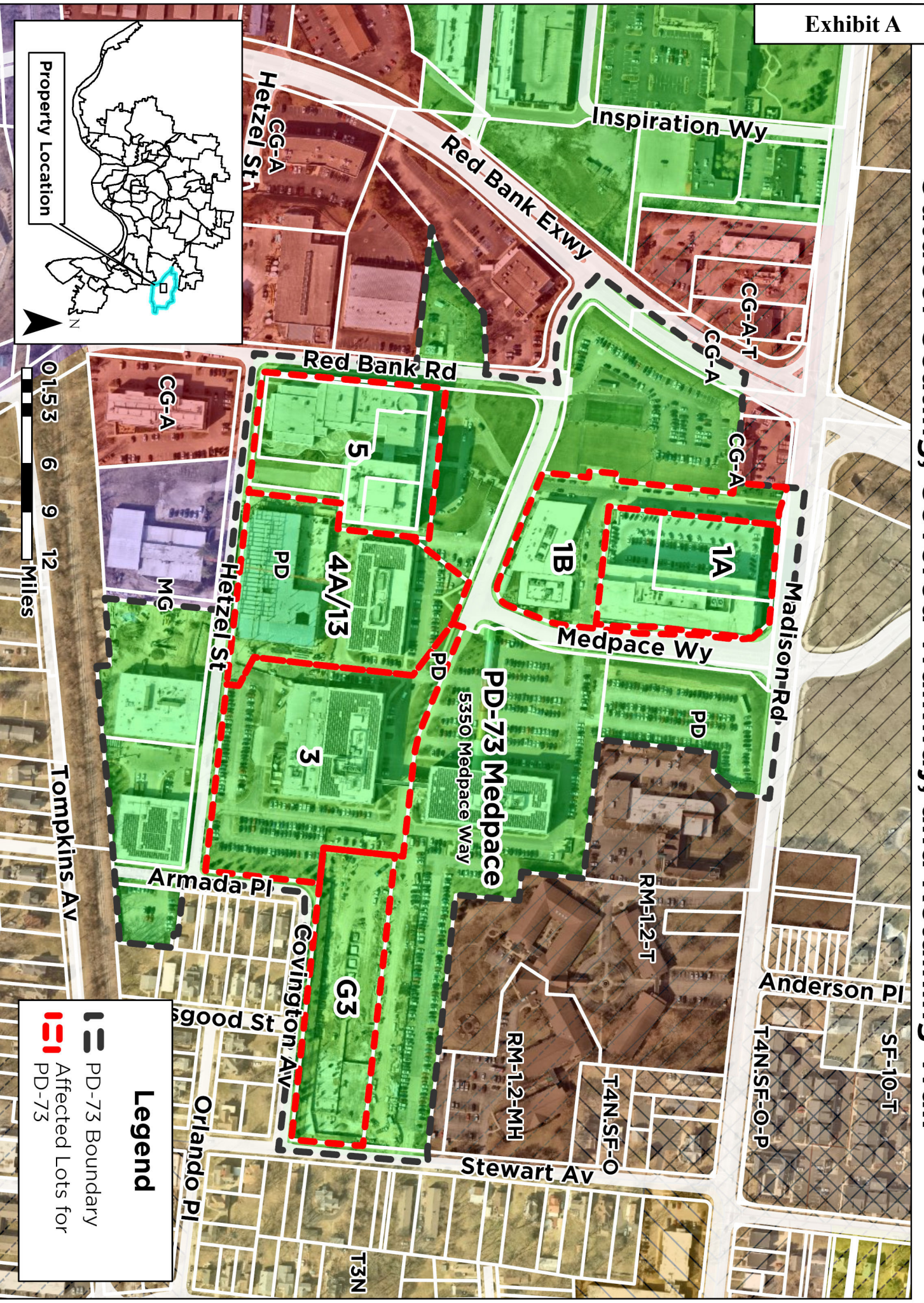
Maria Dienger, Senior City Planner
Department of City Planning and Engagement

Approved:





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

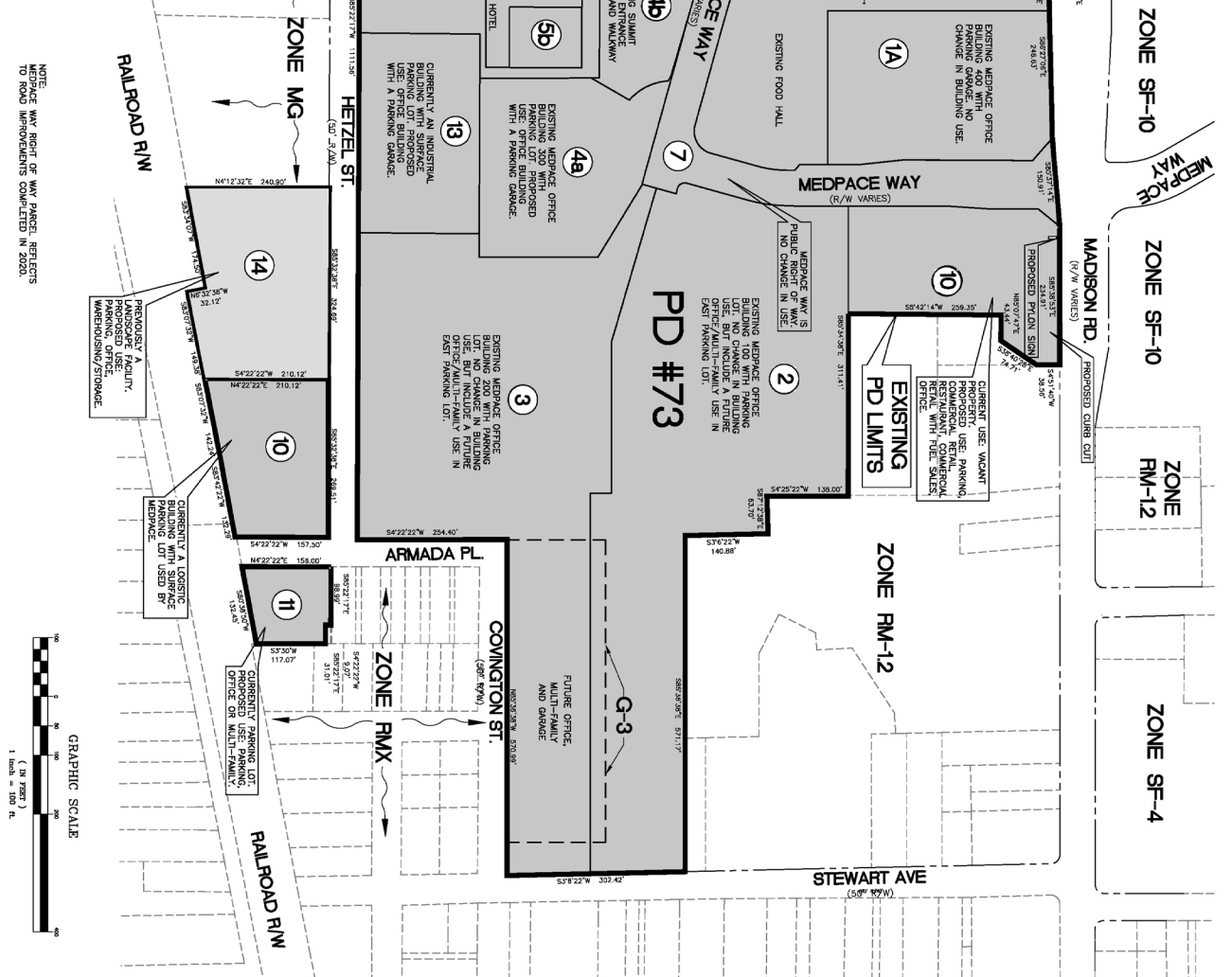
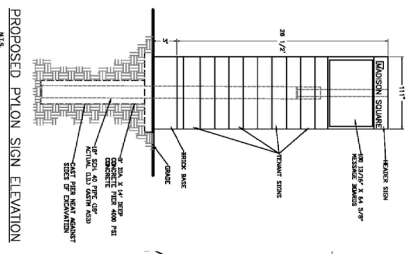
Proposed Final Development Plan for PD-73 Medpace for Outdoor Seating, Covered Walkway, and Retaining Wall



Legend

-  PD-73 Boundary
-  Affected Lots for PD-73

Plan ID #	Parcel ID	Record Document	Name	Area (Ac)
1A	036-0001-0323 (ground)	O.R. 11275 Pg. 1564	Port of Greater Cincinnati Development Authority	2.21
1B	036-0001-0326	O.R. 12403 PG. 2303	400 Medpace Way LLC	3.56
2	036-0001-0321	O.R. 11551 Pg. 1447	400 Medpace Way LLC	7.06
3	036-0001-0309	O.R. 11742 Pg. 1329	200 Medpace Way LLC	6.914
4a	036-0001-0309	O.R. 11742 Pg. 1329	300 Medpace Way LLC	1.850
4b	036-0001-0310	O.R. 13119 Pg. 1716	Port of Greater Cincinnati Development Authority	1.659
5a	036-0001-0319 (garage)	O.R. 13119 Pg. 1716	700 Medpace Way LLC	0.287
5b	036-0001-0311 (hotel)	O.R. 13119 Pg. 1716	Port of Greater Cincinnati Development Authority	0.87
5c	036-0001-0313 (ground)	O.R. 13119 Pg. 1716	Port of Greater Cincinnati Development Authority	0.213
6	036-0001-0308	O.R. 12275 Pg. 1564	400 Medpace Way LLC	1.941
7	036-0001-0332	(Portion of Medpace Way R/W*)	400 Medpace Way LLC	0.239
8	036-0001-0329	Pat Book 350 Pg. 92	Medpace Inc	0.605
9	036-0001-0328	Pat Book 11 Pg. 56	Medpace Inc	1.165
10	036-0001-0327	Pat Book 11 Pg. 56	Medpace Inc	0.41
11	036-0001-0322	O.R. 13579 Pg. 1693	Madison Road Real Estate LLC	1.659
12	036-0001-0008	O.R. 13243 Pg. 2785	Madison Road Real Estate LLC	1.528
13	036-0001-0013	Endless Earth Enterprises LLC	1.672	
Total				35.913



5-15-2023	11-11-2022
7-13-2022	8-25-2021
8-25-2021	9-16-2016
9-16-2016	

Revisions: 9-16-2016
Issue Date: 9-7-2016

RBM DEVELOPMENT

CINCINNATI, OHIO

PROPERTY AND ZONING MAP

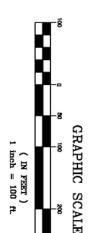
PROJECT NO. 13100

LEGEND

- EXISTING PD AREA
- PROPOSED UPDATES TO PD

NOTE: Pylon sign to match existing sign on opposite north-south driveway at Madison Road

BRANDSTETTER CARROLL INC.
ARCHITECTS-ENGINEERS-PLANNERS
10000 W. WOODBURN AVE., SUITE 1000
CINCINNATI, OHIO 45241-1000
PH: 513.952.2222 FAX: 513.952.2222
WWW.BRANDSTETTERCARROLL.COM



July 3, 2025

LEXINGTON
859.268.1933

CINCINNATI
513.651.4224

CLEVELAND
216.241.4480

DALLAS
469.941.4926

DENTON
940.387.8182

NORMAN
405.360.0810

City of Cincinnati Planning and Engagement Department
Two Centennial Plaza
805 Central Avenue, Suite 720
Cincinnati, Ohio, 45202

Attn: Stacey Hoffman- City Planning Division Manager

RE: RBM Madison Square - PD# 73_Final Planned Development Submittal

Dear Ms. Hoffman:

Brandstetter Carroll Inc. (BCI) is pleased to submit an update to the Planned Development (PD) # 73 on the campus of Medpace. This update includes four different areas of the Campus for a new Final Development Plan. The areas are described below, and an overall Location Map is included in the package:

- Building 400 – Suzu Restaurant, at the southeast corner of this building. This entails outside improvements including seasonal dining and trellis /canopies directly in front of the restaurant.
- Building 400 – Zingaro Restaurant, at the south and southwest sides of the building. This entails outside improvements including the storefront and seasonal dining including an all-season room directly in front of the restaurant.
- Covered Walkway Extension - This would start at the north side of Building 300 Plaza area, then across the north side of Building 200, then it terminates at the west side of the East Garage.
- Summit Retaining Wall - The corner of the Summit Hotel and the new Building 300 in the Plaza Area. Due to site conditions, a retaining wall with a decorative façade is required.

The Building 400 items are a part of the 400 Medpace Way LLC Tract. The Covered Walkway alignment is along N300 Medpace Way, LLC, 200 Medpace Way, LLC, and 200 Medpace Way Parking Garage Subdivision. The Summit Wall is along the RBM Hotel and Conference Center Subdivision 200 Medpace Way.

The following information is our response to the City Zoning regulation from Section 1429 Planned Development Districts (**Response In Bold Font**):



Section 1429-13:

LEXINGTON
859.268.1933

CINCINNATI
513.651.4224

CLEVELAND
216.241.4480

DALLAS
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DENTON
940.387.8182

NORMAN
405.360.0810

- a. *Survey.* Plan or survey of the parcel to be developed showing existing and proposed physical features, including: topography, drainage, open space areas and landscaping; and streets, easements and utility lines. **This information can be seen on the attached overall site plan.**
- b. *Site Plan.* A site plan showing the location and arrangement of all existing and proposed structures, including building pads, the proposed internal and external traffic circulation pattern, the areas to be developed for parking, the relationship of abutting land uses and zoning districts, proposed lot lines, building setbacks, proposed sidewalks and pedestrian walkways and proposed public or common open space or other public facilities. **This information is reflected on the Overall Site Plan set. This information can be seen on the attached overall site plan. Note that the four areas required very little grading/disturbance.**
- c. *Engineering Plans.* Engineering plans, including: site grading; street improvements; drainage and utility improvements and extensions as necessary. **Same as (b), This information is reflected on the site plan set.**
- d. *Open Space.* A statement of the anticipated open space, gross density and net density. **These four areas are part of a Campus wide plan for pedestrian walkways and for Open spaces including outdoor dining. The new Building 300 will have a plaza area that will be used for the entire Campus.**
- e. *Schematic Building Plans.* Plans showing building footprints, schematic floor plans and exterior elevations and types of building materials. **This information is attached and is on the architectural plan sets.**
- f. *Landscape Plans.* Landscaping plans show the placement of trees, shrubs, ground cover and associated structures and improvements, including specifications, species and quantities. **No major change as a result of this FDP.**
- g. *Phase Schedule.* A schedule for the development of such phases must be submitted when a development is to be constructed in phases. The schedule is:
 - **All four projects are planned to start as soon as the approval is received.**
- h. *Ownership.* Evidence that the applicant has sufficient control over the tract to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development. **All existing property ownerships.**
- i. *Statement of Uses.* A statement identifying the principal uses that are to be included in the proposed development. **The principal uses incorporated into this update to PD #73: do not change.**
- j. *Future Ownership and Control.* Statement on the present and future ownership and control of the development delineating responsibilities of maintenance and upkeep of the buildings, streets, drives, parking areas, utilities, common



**BRANDSTETTER
CARROLL INC**
ARCHITECTS + ENGINEERS + PLANNERS

Exhibit B

308 E. 8th Street
Cincinnati, OH 45202

areas and common facilities. **No changes to the current ownership. The Medpace Way roadway is in the final stages of being privatized.**

- k. *Restrictive Covenants.* Copies of any restrictive covenants that are to be recorded with respect to property included in the PD District. **None at this time.**

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859.268.1933

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513.651.4224

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940.387.8182

NORMAN
405.360.0810

Sincerely,
Brandstetter Carroll Inc.

Joseph P. Dillon, P.E., LEED AP
Managing Principal

Cc: Seth Barnard Sitement, LLC
LC Greer; BCI

Enclosed: Submittal documents

JPD/smt

Exhibit C

Revisions:
 Issue Date: 7-3-2025
 MEDPACE CAMPUS
 FINAL DEVELOPMENT
 PLAN SUBMITTAL

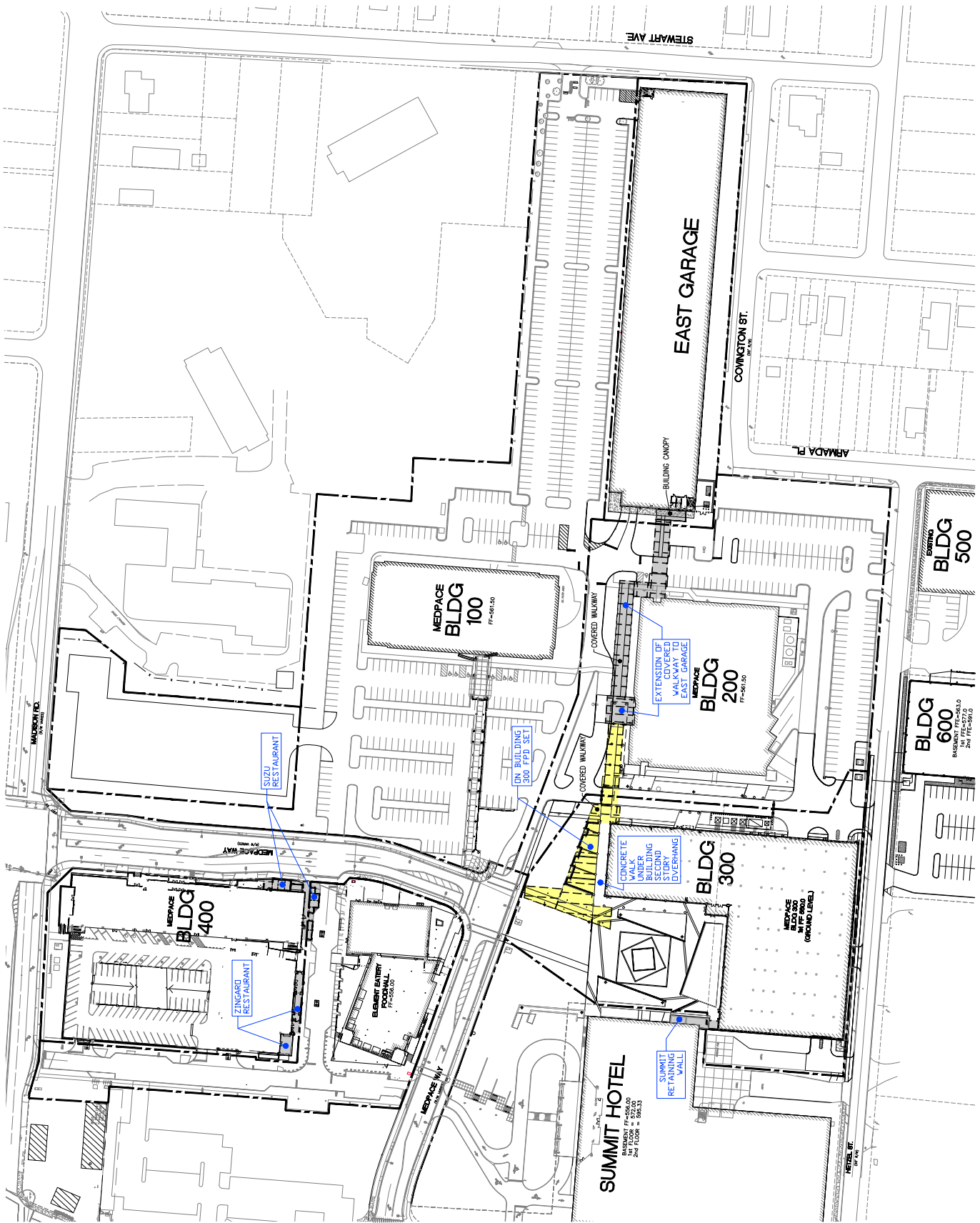
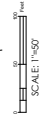
Cincinnati, OH 45227

FDP LOCATION MAP

Project No.

22096

EX-1



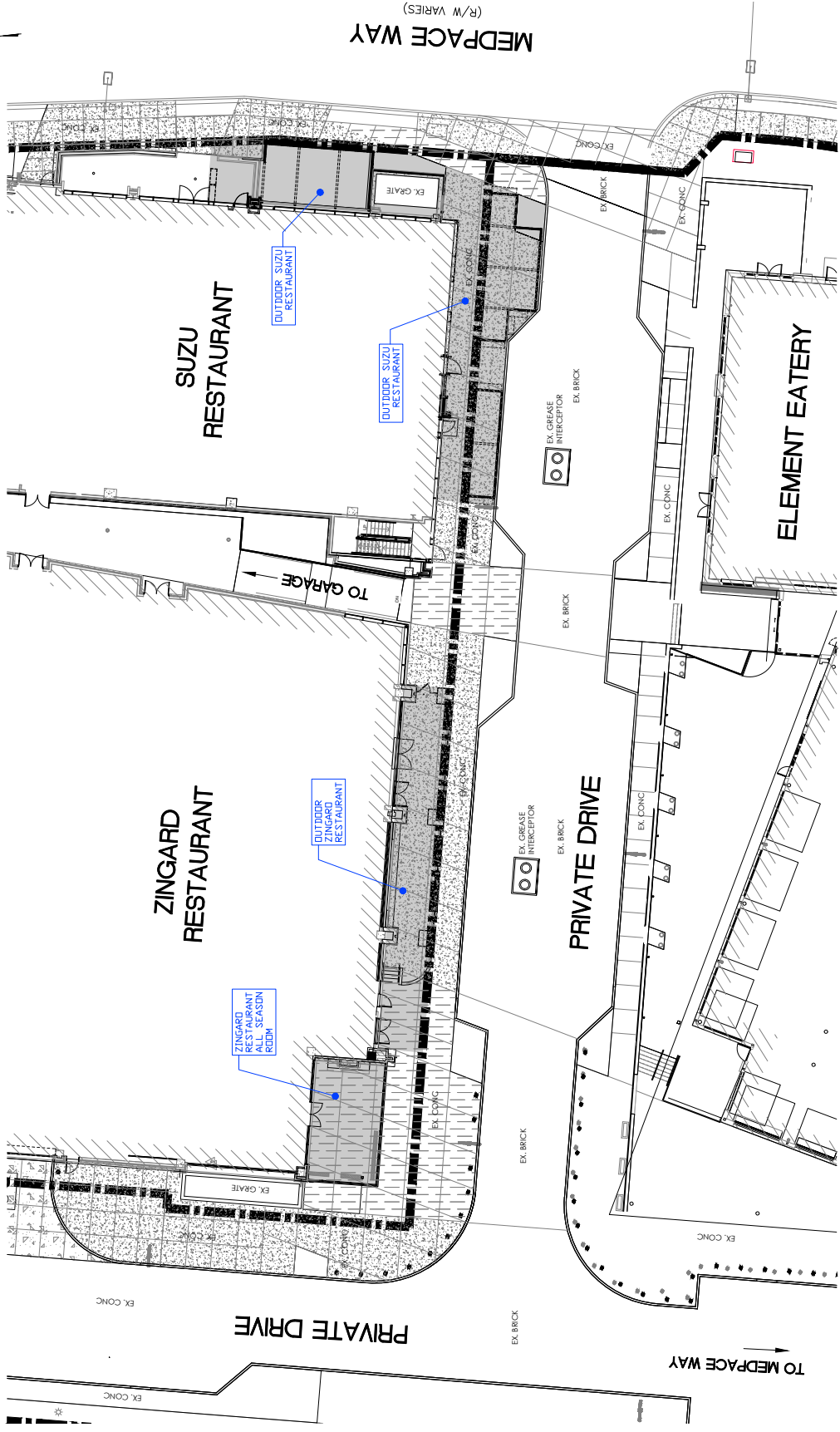
BRANDSTETTER
 CARROLL INC.
 ARCHITECTURAL SERVICES
 10000 WILSON AVENUE
 SUITE 100
 CINCINNATI, OH 45241

Exhibit C

Revisions: Issue Date: 7-3-2025 MEDPACE CAMPUS FINAL DEVELOPMENT PLAN SUBMITTAL	Cincinnati, OH 45227 BUILDING 400 BLOWUP VIEW Project No.	22096 EX-2
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SEE ARCH STUDIO FOR SUZU RESTAURANT PLANS.
 -SEE BARKER/NESTOR, INC FOR ZINGARD RESTAURANT PLANS.



MEDPACE WAY (R/W VARIES)

PRIVATE DRIVE

TO MEDPACE WAY

ZINGARD RESTAURANT

SUZU RESTAURANT

ELEMENT EATERY

PRIVATE DRIVE

OUTDOOR SUZU RESTAURANT

OUTDOOR SUZU RESTAURANT

OUTDOOR ZINGARD RESTAURANT

ZINGARD RESTAURANT ALL SEASON RSDN

EX. GREASE INTERCEPTOR

EX. GREASE INTERCEPTOR

EX. GATE

EX. GATE

TO GARAGE

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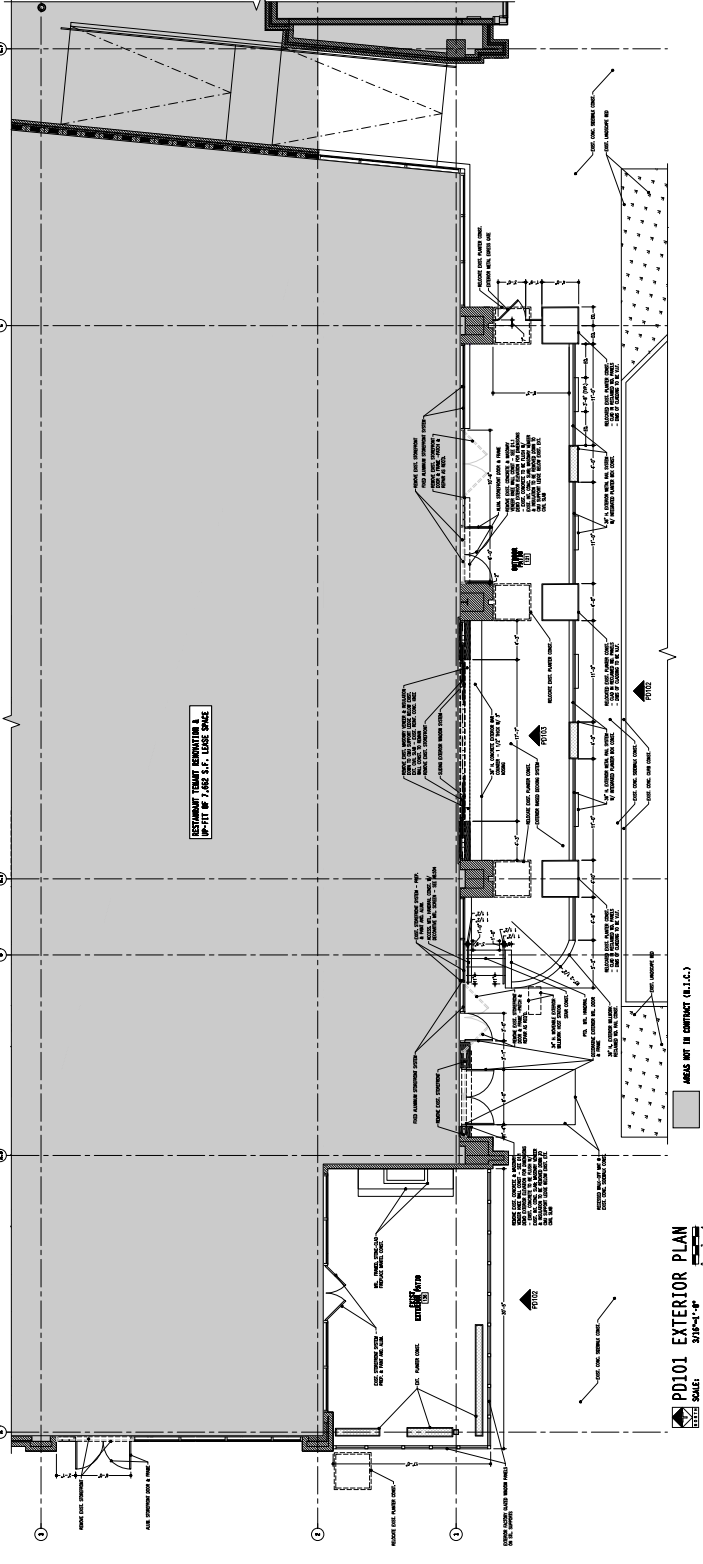
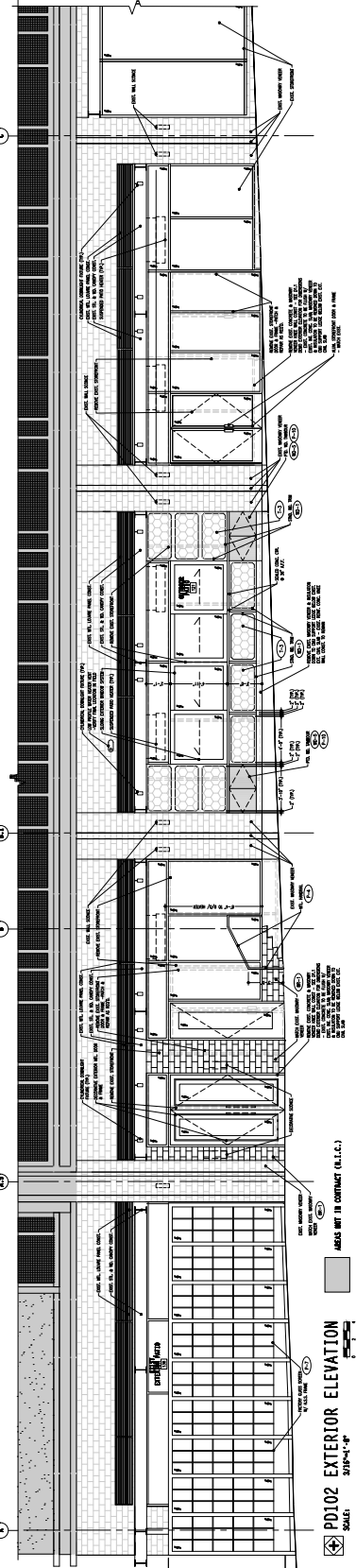
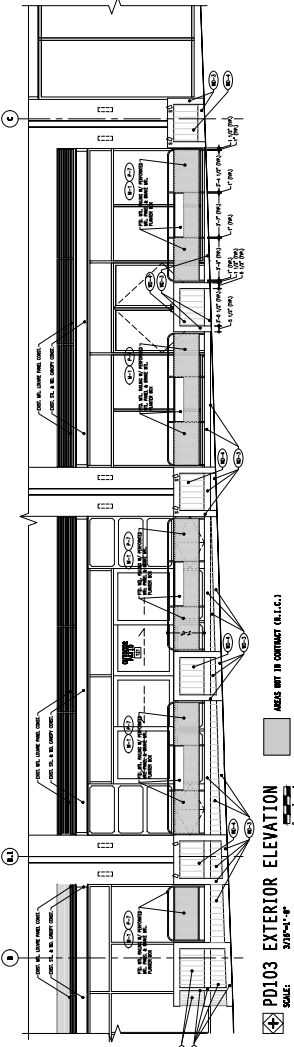
RESTAURANT & BAR

PROCESSED TRAVEL BUILD-OUT & RENOVATION PLAN:
 5000 SWITH WALKER ST., DALLAS, TX 75208
 FABIO VIATTINI HOSPITALITY
 ARCHITECTURE & DESIGN
 2000 SWITH WALKER ST., DALLAS, TX 75208
 2021 PLY CROSS BARRING
 45 SOUTH

03 MAY 25	ISSUED FOR PLY CROSS BARRING
07 MAY 25	ISSUED FOR PERMIT REVIEW
14 MAY 25	ISSUED FOR PERMIT REVIEW
22 MAY 25	ISSUED FOR PERMIT REVIEW
29 MAY 25	ISSUED FOR PERMIT REVIEW
05 JUN 25	ISSUED FOR PERMIT REVIEW
12 JUN 25	ISSUED FOR PERMIT REVIEW
19 JUN 25	ISSUED FOR PERMIT REVIEW
26 JUN 25	ISSUED FOR PERMIT REVIEW
03 JUL 25	ISSUED FOR PERMIT REVIEW

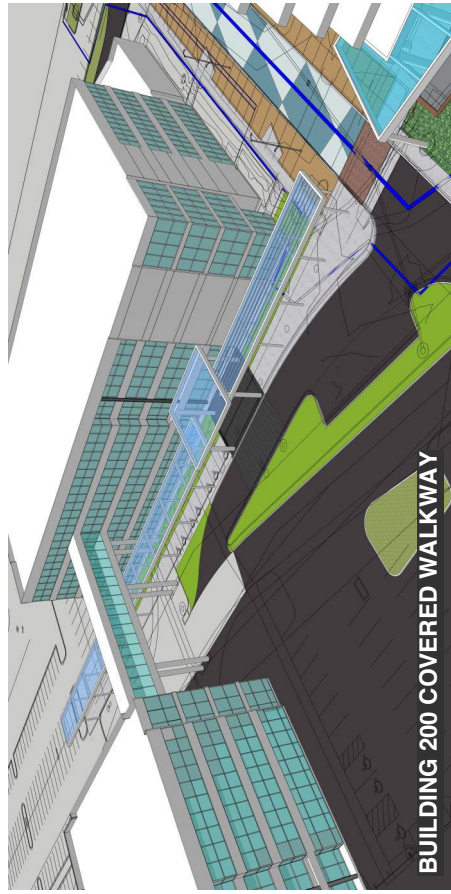
MATERIAL & FINISH SYMBOL LEGEND

(S1)	BRICK, COMMON, 2 1/2" x 3 1/2" x 8"
(S2)	BRICK, GLAZED, 2 1/2" x 3 1/2" x 8"
(S3)	BRICK, PERFORATED, 2 1/2" x 3 1/2" x 8"
(S4)	BRICK, RANDOM, 2 1/2" x 3 1/2" x 8"
(S5)	BRICK, RANDOM, 2 1/2" x 3 1/2" x 8"
(S6)	BRICK, RANDOM, 2 1/2" x 3 1/2" x 8"
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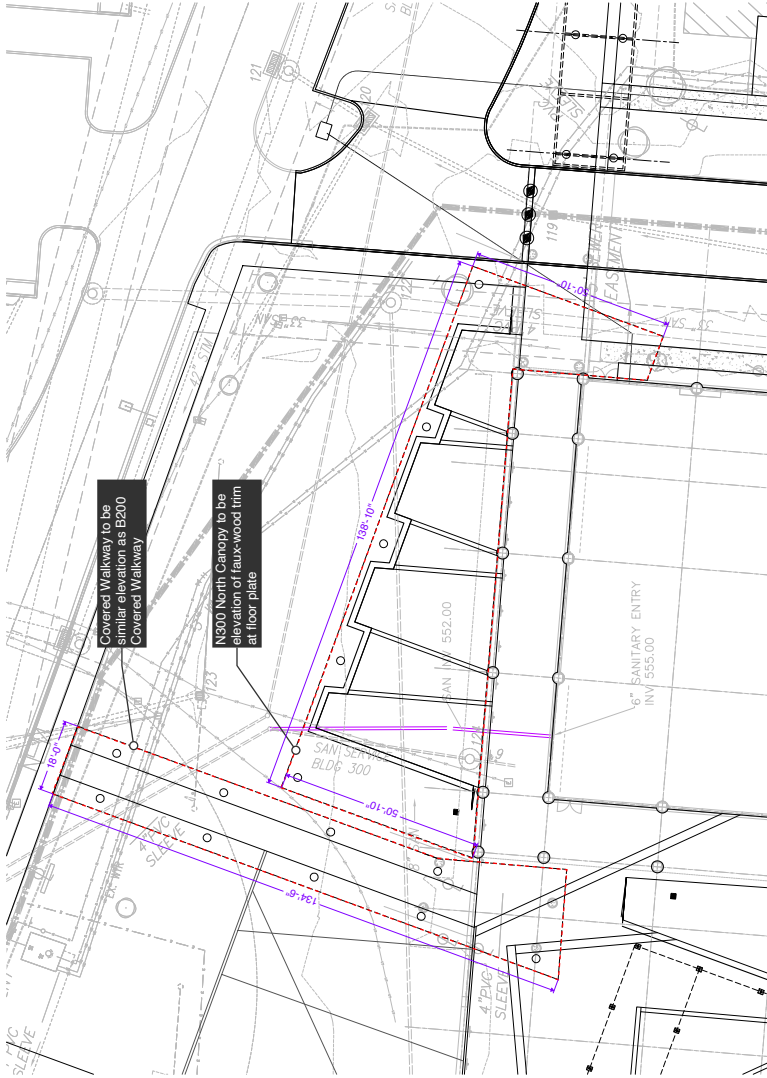




NORTH CANOPY & N300 COVERED WALKWAY



BUILDING 200 COVERED WALKWAY



Covered Walkway to be similar elevation as B200 Covered Walkway

N300 North Canopy to be elevation of faux-wood trim at floor plate

1 300 CANOPY PLAN LAYOUT DRAFT

SCALE: 1/2" = 1'-0"

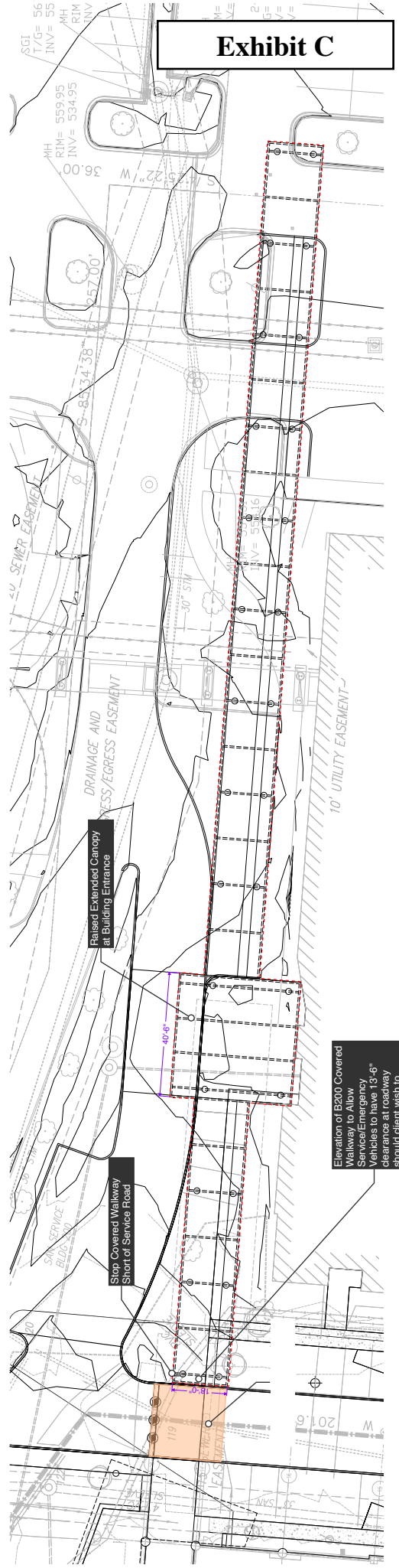


Exhibit C

Raised Exterior Canopy at Building Entrance

Stop Covered Walkway Short of Service Flood

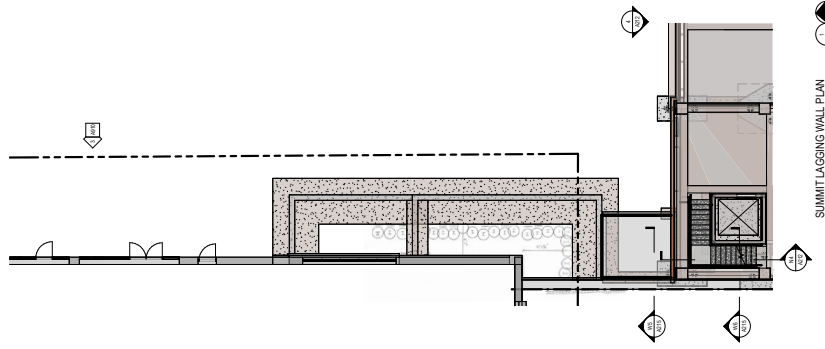
Elevation of B200 Covered Walkway to Allow Service/Emergency Vehicles to have 13'-6" clearance at roadway should client wish to extend canopy to N300

2 200 CANOPY PLAN LAYOUT DRAFT

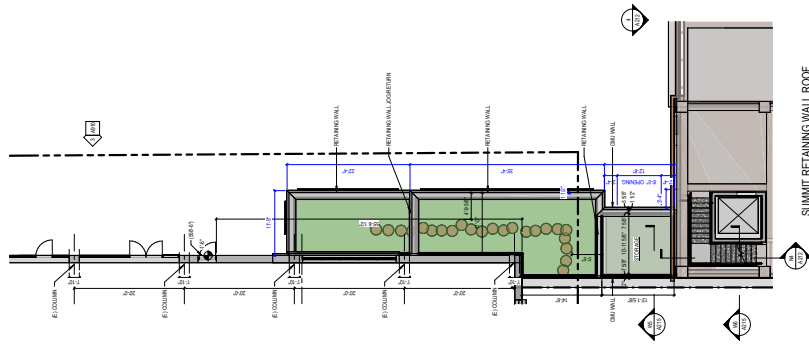
SCALE: 1/2" = 1'-0"



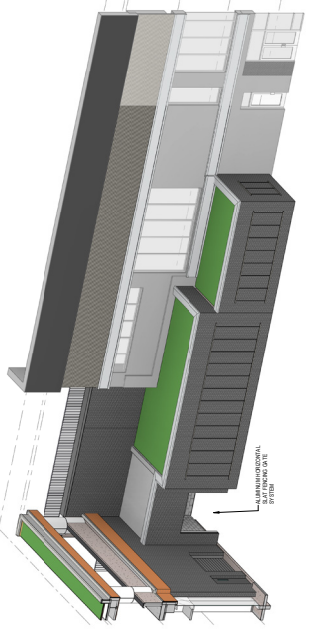
SUMMIT LAGGING WALL PLAN
SCALE: 1/8" = 1'-0"



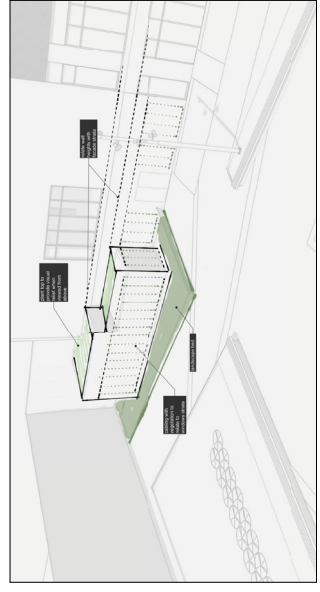
SUMMIT RETAINING WALL ROOF
SCALE: 1/8" = 1'-0"



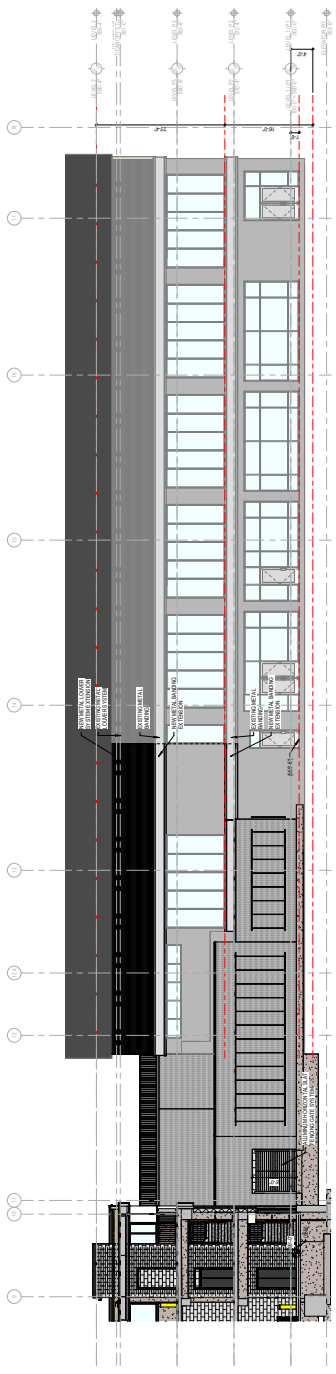
SUMMIT RETAINING WALL AXONOMETRIC
SCALE

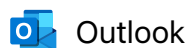


INITIAL CONCEPT SKETCH



SUMMIT RETAINING WALL ELEVATION
SCALE: 1/8" = 1'-0"





[External Email] Fwd: PD-73 B FDP Review for B400 Outdoor Seating, Walkway and Retaining Wall

From Seth Barnhard <sethbarnhard@gmail.com>
Date Tue 8/5/2025 12:15 PM
To Dienger, Maria <maria.dienger@cincinnati-oh.gov>
Cc Joe Dillon <jdillon@bciaep.com>

External Email Communication

Maria:

See below from the architect.
Does this provide what you need?

Thanks, Seth

----- Forwarded message -----

From: **David VonderBrink** <dvonderbrink@elevar.com>
Date: Tue, Aug 5, 2025 at 12:00 PM
Subject: RE: PD-73 B FDP Review for B400 Outdoor Seating, Walkway and Retaining Wall
To: Seth Barnhard <sethbarnhard@gmail.com>
Cc: Joe Dillon <jdillon@bciaep.com>

Seth,

The covered walkways for both B300 and B200 are planned to be painted steel tube section columns and beams, with the Kingspan Roof Structure, which is an aluminum frame and translucent polycarbonate glazing. Which means, it will look a lot like this, from the Kingspan Briteway product website:

Exhibit C

Thanks,

David VonderBrink, RA | Senior Architect

VP - Market Development

Elevar Design Group Cincinnati

555 Carr St.

Cincinnati, OH 45203

O: (513) 721-0600

D: (513) 745-6715

F: (513) 721-0611

www.elevar.com

August 15, 2025

Honorable City Planning Commission
Cincinnati, Ohio

SUBJECT: A report and recommendation on a proposed Final Development Plan for Lot G of the Oregon Street and Baum Street Planned Development at 310 Oregon Street in Mt. Adams.

GENERAL INFORMATION:

Location: 310 Oregon Street, Cincinnati, OH 45202

Petitioner: Greg Tilsley, Tilsley Architects
1140 Gregory Street
Cincinnati, OH 45202

Owner: Charles Postow
3867 Blackwood Court
Cincinnati, OH 45236

Request: The applicant is requesting approval of a Final Development Plan for Lot G of the Oregon Street and Baum Street Planned Development at 310 Oregon Street in Mt. Adams for the purpose of building a 3-unit condominium building.

ATTACHMENTS:

Provided in addition to this report are:

- Exhibit A – Location Map
- Exhibit B – 2002 Hearing Examiner PUD Decision
- Exhibit C – Oregon and Baum Street Planned Development Maps
- Exhibit D – Site Plans and Renderings
- Exhibit E – Application Information
- Exhibit F – Preliminary Geotechnical Letter
- Exhibit G – Coordinated Site Review Letter
- Exhibit H – Correspondence from Public

BACKGROUND:

The owner is requesting approval of a Final Development Plan to build a three-unit condominium building with parking located in a first-floor garage at 310 Oregon Street in Mt. Adams, the location of which is shown in Exhibit A. The lot is approximately 0.13 acres, is currently vacant, and is in the Cincinnati Hillside Overlay District. The development at Lot G will be completed in a single phase, and the condominiums will be priced at market rates.

The Cincinnati Zoning Map does not show this site as a Planned Development (PD), because it's located on Lot G of the overall Oregon Street and Baum Street PD. This PD has legacy "Planned Unit Development" (PUD) zoning rights that were determined by the City before the Zoning Code was updated in 2004. The PUD at Oregon Street and Baum Street was established on August 2, 2002, when the Hearing Examiner for the City of Cincinnati approved a PUD application for the overall 3.1-acre site, and the Hearing Examiner's decision is shown in Exhibit B. The applicant, Charles Postow, planned

a total of 44 residential units to be completed in phases across nine groups of townhomes and condominium buildings, the maps of which are shown in Exhibit C (note that “Building N” was not part of the PUD). The applicant proceeded to construct residential units on the established PUD before the Cincinnati Zoning Code was updated in 2004. The new zoning map did not reflect the existing PUD at Oregon and Baum Street. Instead, the zoning map showed a residential multifamily district and not the new PD designation. Despite the map not reflecting the PD status, the land continued to have legacy PUD rights to build on the property. City Administration determined with the applicant team to process this item under the PD regulations, with the original 2002 PUD approval acting as the Concept Plan. To date, six of the nine buildings have been constructed, with the proposed 310 Oregon Street being the seventh.

ADJACENT LAND USE AND ZONING:

The existing zoning and land use surrounding the subject site is as follows:

North:

Zoning: Residential Multi-Family – Middle Housing (RM 2.0-MH)
Existing Use: Single-family and multi-family residential

East:

Zoning: Downtown Development District (DD) and Parks and Recreation (PR)
Existing Use: US-50 (Columbia Parkway)

South:

Zoning: Residential Multi-Family – Transportation Corridor (RM 2.0-T)
Existing Use: Single-family and multi-family residential

West:

Zoning: Residential Multi-Family – Transportation Corridor (RM 2.0-T)
Existing Use: Single-family and multi-family residential, and vacant land

DESCRIPTION OF PROJECT:

The proposed Final Development Plan is located at the approximately 0.13-acre “Lot G” site on Oregon Street, for the purpose of building a 3-unit condominium building with parking located in a first-floor garage.

Building

The proposed development consists of one structure with three (3) stories above an enclosed first-floor garage, and a roof deck on top of the building. The first-floor garage will include a trash room, space for mechanical equipment, and a lobby, in addition to parking spaces. There will be one residential unit on each floor, which can be accessed by either stairs or an elevator. The building will be approximately 53 feet 6 inches tall from the street, or 678 feet 10.25 inches from sea level, which is below the maximum approved elevation of 679 feet 4 inches above sea level from the 2002 Hearing Examiner decision. Additionally, the applicant conducted a site survey which determined that the lower level of the adjacent 915 Riverview Place building was 691 feet 6 inches above sea level, meaning the proposal would not block the existing views from the building. The proposed building will have a brick veneer and include glass guard railings. See Exhibit D for more information.

Parking and Circulation

The first-floor parking garage will include 7 total parking spaces that can be accessed via a short driveway from Oregon Street.

Open Space, Landscaping, and Buffering

Landscaping and buffering have been submitted as part of the Final Development Plan (Exhibit D). Kentucky Bluegrass will surround the building, and five arborvitae “emerald green” trees will be planted adjacent to the building. A large planter with seasonal flowers will be located next to the building entrance.

The proposed Final Development Plan is substantially consistent with the plans approved in the 2002 Hearings Examiner PUD decision, which acts as the Concept Plan, regarding minimum building setbacks and maximum building height.

	Concept Plan	Final Development Plan
Minimum Setback (North)	15 ft	15 ft
Minimum Setback (East)	5 ft	5 ft
Maximum Building Height (above sea level)	679 feet 4 inches	678 feet 10.25 inches

§1429-13 FINAL DEVELOPMENT PLAN:

Following approval of a PD District with a Concept Plan and Development Program Statement, a Final Development Plan must be submitted to the City Planning Commission (§1429-13). A Final Development Plan must be filed for any portion of an approved Concept Plan that the petitioner wishes to develop, and this plan must conform substantially to the approved Concept Plan and Development Program Statement.

Consistent with the provisions of §1429-13, the following information was provided and attached to this report:

- a) **Survey** – A survey showing the boundary of the site, topography, and existing utilities is included as Exhibit D.
- b) **Site Plan** – The site plan (Exhibit D) shows the proposed building, which is substantially consistent with the approved Concept Plan.
- c) **Engineering Plans** – Relevant engineering plans, including Utility Improvements, are included as Exhibit D. Additionally, since the site is in the Hillside Overlay District, it will required additional approvals. The preliminary geotechnical letter is shown in Exhibit F.
- d) **Open Space** – Approximately 35% of the building site will be dedicated to various types of open space, including common and private as defined in Section 1401-01-04, “Open Space, Common and Private.” The proposed open space takes the form of space for trees, plantings, and grass outside of the building area.
- e) **Schematic Building Plans** – The schematic building plans (Exhibit D) are substantially consistent with the approved Concept Plan and Development Program Statement in size, location, and height.

- f)* **Landscape Plans** – A landscape plan, complete with details on the proposed trees, grass, and plating areas, was submitted (Exhibit D).
- g)* **Phased Schedule** – The proposed Final Development Plan is planned to be constructed in a single phase.
- h)* **Ownership** – An LLC controlled by the applicant owns the property.
- i)* **Statement of Uses** – The principal use of this development is multi-family residential with supporting residential amenities. The uses are consistent with the approved Concept Plan.
- j)* **Future Ownership and Control** – Upon completion, the owner will sell the individual condominiums, and common spaces will be controlled by the owners.
- k)* **Restrictive Covenants** – None.
- l)* **Other Information** – None.

PLANNING COMMISSION APPROVAL OF FINAL DEVELOPMENT PLAN:

The City Planning Commission may approve a Final Development Plan for a development in a PD District (§1429-15) on consideration of the following:

- (a) **Consistency.** The Final Development Plan is consistent with the purpose of the Planned Development District Regulations; specifically:
 - It allows for a more efficient and economically feasible development of property.
 - It ensures an orderly and thorough planning and review, which has produced quality design and development.
 - It encourages common open space and provide for its maintenance.
- (b) **Adequate Streets.** The existing public streets are adequate to serve the proposed housing development.
- (c) **Adequate Infrastructure.** The petitioner continues to coordinate with City permitting agencies and departments to address requirements and ensure that the proposed infrastructure and utilities are adequate to serve the site and properly interconnect with existing public facilities. This project went through the Coordinated Site Review process (Exhibit G), and no major concerns were identified.
- (d) **Covenant.** The Department of City Planning and Engagement must require covenants by the owner of the property that all streets, common areas, common utilities and other common facilities remain in common ownership by all owners of any interest in the land or buildings in the Planned Development other than a leasehold interest of less than five years. The applicant will need to provide any necessary covenants in accordance with §1429-15 in connection with submission of building permits.
- (e) **Release of Covenants.** The City Manager, on receipt of a recommendation from the Director of City Planning and Engagement, may recommend the covenant be terminated in the following instances: the particular use requiring a covenant is no longer necessary and the building permits have been terminated, or the condition or conditions requiring such covenant are no longer applicable.

- (f) **Compatibility.** The proposed uses, location and arrangement of structures and landscaping are compatible with the surrounding land uses. The design takes appropriate steps to scale and integrate the property to the adjoining streets and land uses.
- (g) **Sufficiency of Legal Documents.** Proposed covenants, easement, and other provisions meet development standards.
- (h) **Sufficiency of Provisions for Maintenance of Common Areas.** The proposed project includes green space around the perimeter of the site, which will be maintained.

COORDINATED SITE REVIEW:

The proposed development was reviewed by the Coordinated Site Review (CSR) team in April of 2025. A meeting with the petitioner was held on April 8, 2025, to allow the development team the opportunity to discuss the comments outlined by each of the departments. There were no objections. The feedback letter outlined additional requirements needed to be met before permits are obtained, and is shown in Exhibit G.

PUBLIC COMMENT AND NOTIFICATION:

The Department of City Planning and Engagement held a virtual public staff conference on the proposed Final Development Plan on July 23, 2025. Notices were sent to property owners within 400 feet of the subject property and the Mt. Adams Civic Association. Fifteen members of the public attended the meeting. City staff and the petitioner presented information regarding the proposed Final Development Plan. Attendees mainly had questions related to the height of the proposal, and whether it would obstruct the views of the Cincinnati skyline from other buildings. The applicant responded by saying the new building would not obstruct views, and that the proposal is in compliance with the height limit approved in the 2002 Hearing Examiner decision. To provide clarity in response to the questions about views, after the meeting the applicant updated the project’s site sections to accurately reflect the elevation of 915 Riverview Place in relation to the proposal, and that updated section is shown in Exhibit D.

Another attendee asked detailed questions regarding the City approval process for this development, since they were unsure if it was being reviewed under the 2002 Hearing Examiner Decision or the current Zoning Code. The attendee also had questions regarding the difference between “building count” and “unit count” under the 2002 Hearing Examiner Decision for the overall PD. The applicant stated that they were complying with the Decision, and staff directed those with further detailed legal questions to contact the Law Department.

Notice of the August 15, 2025, City Planning Commission meeting was also mailed out to property owners within 400 feet of the subject property and the Mt. Adams Civic Association. Staff received an email from two residents with concerns about the project blocking downtown views, as well as a letter from the Mount Adams Civic Association requesting clarification regarding the approval process. Both can be found in Exhibit H.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed Final Development Plan is consistent with the Goal in the Live Initiative Area of *Plan Cincinnati (2012)* to “Provide a full spectrum of housing options, and improve housing quality and affordability” (p. 164) and the corresponding Strategy to “Offer housing options of varied sizes and types

for residents at all stages of life” (p. 169). The proposed development would provide additional market-rate housing that is more accessible to those who are elderly or have disabilities, as it has elevators.

Mt. Adams Neighborhood Strategic Plan (2009)

The proposed Final Development Plan is consistent with the *Mt. Adams Neighborhood Strategic Plan (2009)* Objective to “Maintain the existing atmosphere and character of the neighborhood” (p. 27) by building housing that is similar in size and scale to other nearby buildings. Additionally, this development fits within the “Defined Areas and Character” description for the Oregon/Baum/Kilgour/Van Meter/Elsinore/Monastery Hillside Face District. This area is described as having “Dense detached and attached residential development ranging from two and three stories to six or eight stories in height, great variety in architectural styles, ranging from Italianate and Victorian to faux Victorian to very contemporary, and a relatively even mix of wood frame and brick construction” (p. 31). As the proposed development is approximately four stories and has a contemporary architectural style with exterior brick, it fits the description in the plan.

ANALYSIS:

The staff of the Department of City Planning and Engagement supports the proposed Final Development Plan for 310 Oregon Street. The proposal will replace a vacant lot with market-rate housing with a built form compatible with surrounding development. The proposal meets the requirements set during the 2002 Hearing Examiner decision and is consistent with relevant plans.

FINDINGS:

It is the opinion of the staff of the Department of City Planning and Engagement that the Final Development Plan is in compliance with §1429-15 “Planning Commission Approval of Final Development Plan” as outlined in this report. Further, the proposal substantially conforms with the approved 2002 Hearing Examiner Decision, which acts as the Concept Plan.

CONCLUSIONS:

The staff of the Department of City Planning and Engagement supports the proposed Final Development Plan for the following reasons:

1. The Final Development Plan is consistent with the 2002 Hearing Examiner Decision, which acts as the Concept Plan.
2. The Final Development Plan will replace vacant land with housing that is compatible with surrounding development.
3. The Final Development Plan is consistent with goals in *Plan Cincinnati* (2012) and the *Mt. Adams Neighborhood Strategic Plan (2009)*.

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 Final Development Plan for Lot G of the Oregon Street and Baum Street Planned Development at 310 Oregon Street in Mt. Adams.

Respectfully submitted:



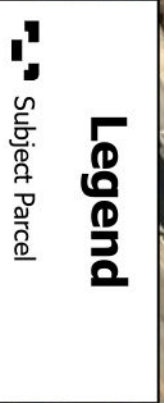
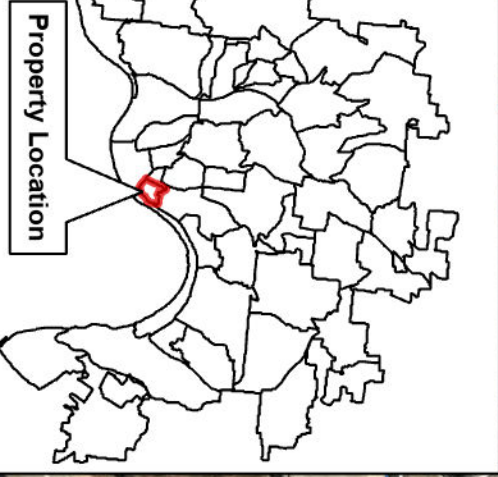
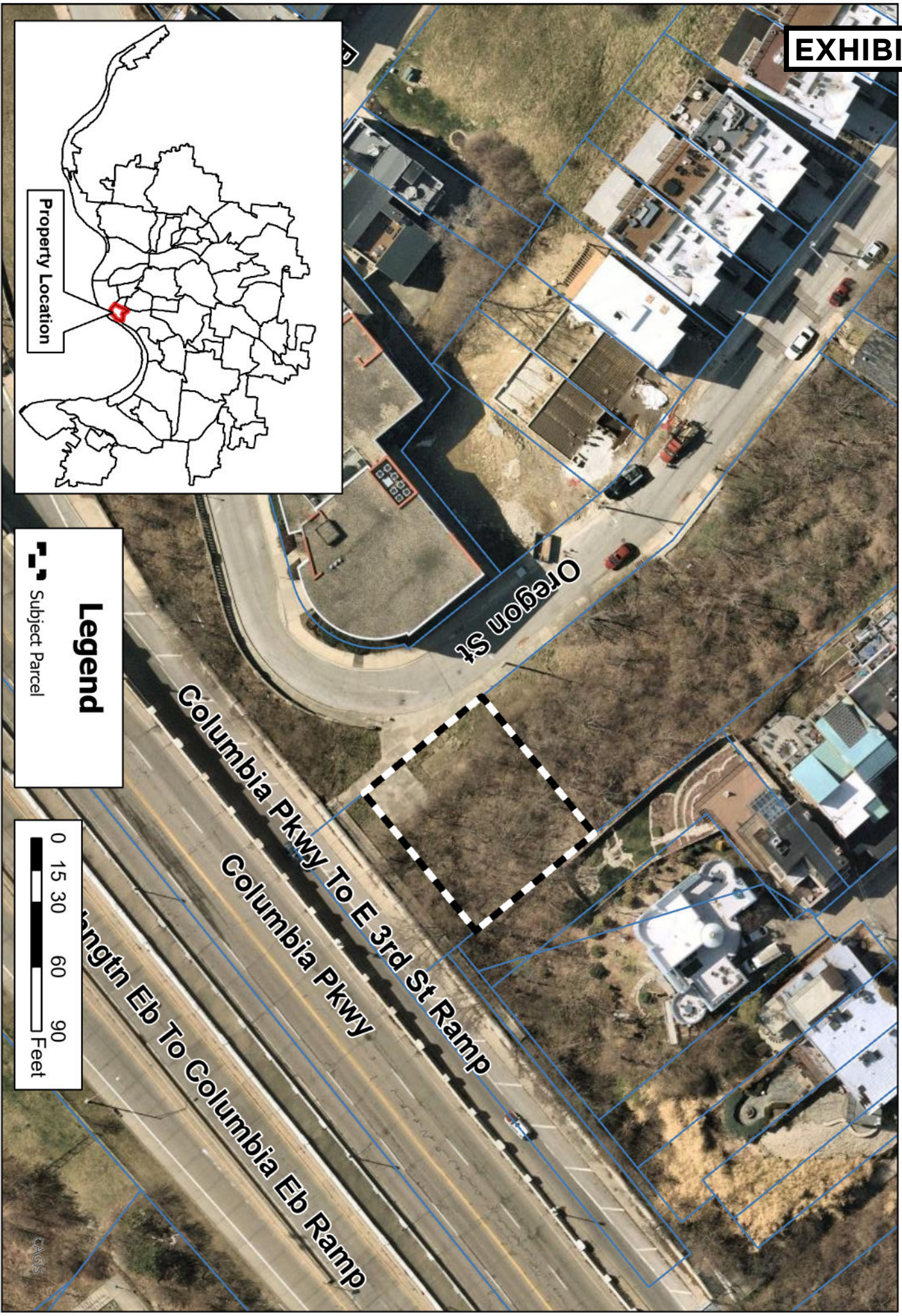
Andrew Halt, AICP, PE, Senior City Planner
Department of City Planning and Engagement

Approved:



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

**A Proposed Final Development Plan for Lot G of the Planned
Development at 310 Oregon Street in Mt. Adams**



**OFFICE OF THE HEARING EXAMINER
CITY OF CINCINNATI
REPORT AND DECISION**

Date of Decision: August 2, 2002

APPLICANT: Charles J. Postow
Suite 400
150 E. Fourth Street
Cincinnati, OH 45202-4018

FILE NO.: EQ-HS. 4; 006-02
CASE NO.: 613.234
RE: 3.1 Acres of Land
between Oregon
and Baum Streets

SUMMARY OF REQUEST

This application is also considered a Planned Unit Development as defined in Chapter 1467 of the Cincinnati Zoning Code.

The property owner is proposing a modified residential project to be built on the west face of Mt. Adams between Oregon and Baum Streets. The original EQ application was case No. 613.26; EQ-HS-4; 001-91. The project consisted of the development of 150 condominium units to be built in 13 multi-story buildings. The current proposal is more modest in scope. It is significantly smaller and less dense than the 1991 proposal in order to blend with the small scale neighborhood context of Mt. Adams.

The property where the project will be developed is currently vacant and is located between Oregon and Baum Street, as shown on the attached site plan. The site contains 3.1 acres.

The project will consist of a total of 44 residential units in nine buildings. The units will be composed of a mix of townhouse style residences with interior stairways (and possibly interior elevators) and single-floor flat residences. The final number of each type of residence will be determined as market conditions dictate. Each residence will be approximately 2,500 square feet in size and will be marketed in the \$475,000 to \$775,000 price range. Each home will have two or three bedrooms and will have two side-by-side garage parking spaces.

The H.C. Nutting Company previously prepared extensive geotechnical evaluations for the site. The project site contains a number of old retaining and foundation walls that range in condition from stable to severely distressed.

Historically, the area was densely populated but currently has few residents. A review of historic photographs and records indicates a series of deep narrow buildings, three to five stories in height. The project design continues the historic Mt. Adams residential character in a contemporary context.

PHYSICAL LAND CHARACTERISTICS:

Generally, the subject site contains open field vegetation, low shrubbery, a few small trees, old foundations and debris.

The property owner has retained the services of H.C. Nutting Co. to advise with respect to geotechnical matters related to the project. Nutting has performed extensive geotechnical research, including without limitation, the drilling of various test borings, as they deemed necessary and appropriate for the development of the project. The H.C. Nutting geotechnical reports have been delivered to the City as part of the original EQ application and are incorporated herein by reference. The geotechnical reports indicate that the project can be safely developed and built and that the integrity of the hillside will not be compromised.

The building will be built at or near grade and will require minimal grading and excavation. All excess dirt that will be cut from the site in order to accommodate development will be removed and disposed of appropriately. Snow fencing and erosion control measures will be utilized as necessary. All cut and fill ordinances will be strictly followed.

As in the past, the property owner will work with the City's geotechnical engineers to establish appropriate monitoring controls such as inclinometer readings and monuments to measure and anticipate any earth movement.

SUMMARY OF RECOMMENDATION AND DECISION

Staff Reviewing Authority--Approval with Conditions
Hearing Examiner--Approved with Conditions

REVIEWING AUTHORITY REPORT

Received by the Hearing Examiner on July 23, 2002.

PUBLIC HEARING

After reviewing the Staff Reviewing Authority's report, examining available information on file with the application, and visiting the subject property and surrounding area, the Hearing Examiner, Robert H. Richardson, AIA, as required by Section 1459-408 of the Zoning Code, Chapter 113 of the Cincinnati Municipal Code, conducted a public hearing on the application, prior notice of the time and place of the hearing having been publicized in The City Bulletin and mailed to the applicant/petitioner and owner in this application and to all abutting property owners and other interested parties. The hearing was opened on Wednesday, July 24, 2002, at 9:00 A.M.

SUMMARY OF MINUTES

After explaining the hearing process and affirming the persons wishing to testify, the Hearing Examiner asked Mr. Stephen Briggs, of the City Planning Department, to summarize the staff report. Mr. Briggs reviewed the issues and recommended approval. Mr. Charles Postow, applicant, described the project. Mr. Jerry Foote, Architect, explained the plans and the changes from the original 1991 application. He walked through the specifics of each proposed building and the roof heights as currently proposed as compared to the original plan. Mr. Foote also discussed the

relationship between the existing residences above the site and the heights of the proposed roof lines of the project. Mr. George Web, N.C. Nutting Co., described the geotechnical issues including the test borings and pits.

Several people asked questions about the proposal including: Ms. Barbara Wiethe, 118 W. Sixth St.; Evelyn Banzhof McCord, 1033 Celestial Street; and Rick Menke, 1053 Celestial Street.

Mr. Menke and Ms. Wiethe also spoke in support of the application. No one spoke in opposition. The Hearing Examiner suggested that the applicant team meet with any abutting property owners that had further questions or issues about the project at their earliest convenience. The applicants agreed to the suggestion. The Hearing Examiner then closed the hearing

GENERAL INFORMATION

1. Owner: ASF, LLC
Suite 400
150 E. Fourth Street
Cincinnati, OH 45202-4018
2. Location: The site is located on the north and south side of Oregon Street and the north side of Baum Street within the neighborhood of Mt. Adams.
3. Property: The property has substantial frontage along Oregon and Baum Streets. Oregon Street divides a portion of the site. The property owned by Mid-American totals 3.1 acres.
4. Category: Category II, the pre-hearing conference for this development was held on Monday, July 8, 2002.
5. Notification: Advertisement for the Hearing Examiner's hearing was in the June 25, 2002 City Bulletin.
6. Purpose: To improve vacant hillside property.
7. History of Zoning:
 1. 1933 to 1963: Zoned Residence "C"
 2. 1963 to present: Zoned R-6, Multi-Family High-Density
 3. EQ-HS No. 4 applied 11/15/78 per Ordinance No. 467-1978
8. As previously mentioned in the Summary of the Request, this new proposal replaces the previous one approved in 1991. The number of units is reduced from 150 to 44.

FINDINGS

1. Section 1401-200(a) of the Zoning Code and map designates the property in question to be in Environmental Quality Hillside District No. 4 (EQ-HS-4).
2. The City Planning Department, reported the issues, findings of facts, and departmental recommendations in this matter and that report is hereby attached as Exhibit A and incorporated in this report by reference as if set forth in full herein.
3. It should be noted that no opposing correspondence or phone calls were received and no one spoke in opposition at the hearing.
4. The existing zoning is R-6, Multi-Family High-Density.
5. The R-6 zone district designation would permit a density of between 168 to 135 dwelling units on the property.
6. Building 'N' is not a part of the PUD application; this was previously approved and constructed as Phase One of the Incline Condominium Development (Reference EQ-HS Case No. 613.126).
7. **Buildings Heights – Table 1**

	Previously Approved Building Heights (Reference EQ-HS Case No. 613.126)	New Building Heights
Building A	735'	726' 8"
Building B	725'	708'
Building C	705'	694'4"
Building D	691'	686"
Building E	700'	696'4"
Building G	681'	679'4"
Building M	675'	660'
Building K	695'	654'
Building J	691'	668'6"

As noted above, the massing and height of the buildings have all been reduced to enhance views. The residents on Filson and Riverview Place have lower floor elevations which are above the top of the roofs of the planned buildings. The buildings (Buildings E and G) on Oregon Street have also been moved closer to Oregon Street, thereby further reducing any view impact. The new buildings, with metal roofs, will become a part of the view as contemplated by the Cincinnati Hillside Development Guidelines.

8. Front Yard Setback: Pursuant to Section 1467-405(b), the PUD regulations require a uniform setback from the street line and the property line equal to the front yard required for principal buildings in the R-6 zone district. The required front yard setback in the R-6 zone district is 20 feet.

- 9. The proposed front yard setback is five feet along Baum and Oregon Streets for Buildings A, B, C, D, E, G, K, and M. Building J, as a corner building, has a proposed setback on Baum Street and a proposed five to ten foot setback from Oregon Street.
- 10. Distance Between Buildings: Pursuant to Section 1467-405(c), the distance between buildings should be the sum of the minimum side yards. The required side yard minimum in an R-6 zone district is five feet; therefore, the distance between buildings should be ten feet.

Distance Between Buildings – Table 2

	REQUIRED	PROPOSED	MODIFICATION
Building A and B	10'	5'*	Yes
Building B and C	10'	10'	No
Building C and D	10'	6'*	Yes
Building D and J	10'	7'*	Yes
Building E and G	10'	10'	No
Building K and C	10'	70'	No
Building M and A	10'	75'	No

* Closest Point, average distance greater

- 11. The setback between adjoining property line pursuant to Section 1467-405(b) requires a front yard setback of 20 feet.

Adjoining Property Line Setback – Table 3

	Yard	REQUIRED	PROPOSED	MODIFICATION
Building A	West	20'	5'	Yes
Building E	West	20'	20'	No
Building E	North	20'	32'	No
Building G	North	20'	15'	Yes
Building G	East	20'	5'	Yes
Building K	East	20'	15'	Yes
Building K	West	20'	8'/18'	Yes
Building J	West	20'	5'	Yes
Building M	East	20'	25'	No
Building M	West	20'	5'	Yes

- 12. It is the opinion of the Hearing Examiner that the proposed development is in conformance with the General Guidelines (GG) as set forth in the report entitled "Cincinnati Hillside Development Guidelines" (City Planning Commission, December 1975) and the Specific Guidelines (SG) as outlined in the EQ-HS No. 9, Ordinance No. 29-84.
- 13. It is the opinion of the Hearing Examiner that the proposed development will not have a negative impact upon the surrounding environment.

14. Additional Information:

A. Project Phasing – Table 3

BUILDING	START CONSTRUCTION
Building M	10/01/02
Building A	10/01/03
Building B	10/01/04
Building C	10/01/05
Building D	10/01/06
Building E	10/01/07
Building G	10/01/08
Building J	10/01/09
Building K	10/01/10

The start of construction for the various buildings may vary depending upon market conditions. For example, if market conditions dictate, Buildings A and G may be constructed prior to Buildings A and B. However, the phasing schedule set forth above is the applicant's present phasing schedule for the project.

B. At the pre-hearing conference, Mr. Rich Pohana, P.E., Engineering Geologist, Department of Transportation and Engineering, indicated a need for a retaining wall along Baum Street so as to facilitate the clearing and opening of the sidewalk along Baum Street. The location of this wall would be approximately along the Building K frontage. It was suggested that this wall should be a modular design, thus, potentially reusable, and range in height from four to six feet. The modular design would closely match similar walls previously constructed.

C. The proposed landscaping plan illustrates ornamental white flowering and red flowering crab apple trees as the prominent landscape elements. Individual townhomes are proposed to contain low growth Wilton Juniper along the driveways in addition to annual plantings within pre-cast concrete planters.

15. The proposal to construct forty-four condominium units as a Planned Unit Development complies with Section 1459-406 of the Zoning Code; Modification of Underlying District Regulations. The proposal will result in the following conditions:

- (a) Provision will be made for substantial usable open space where the slope does not exceed ten percent (10%) for the use of the occupants of the area;
- (b) Usable open space will be created for the public by the dedication of public areas or space;
- (c) The restoration of plant materials will be accomplished by the planting of trees, shrubs, and ground covers;

- (d) Utility and other service distribution lines will be placed underground;
 - (e) An improvement in public safety will result; and
 - (g) The use of creative site planning and urban design in order to provide efficient use of land an improved urban environment.
16. After the day of the hearing, the applicant team met with five owners of the Riverview Place condominiums, Mr. Rick Menke, property owner on Baum and Oregon Streets and Mr. Larry McCord, 1033 Celestial Street, to clarify proposed building heights as compared to the existing elevations of their properties. In terms of the Riverview Place condominium, the applicants toured each of the units and took additional elevations to establish the lower level of each residence. The applicants then proposed to reduce the roof pitch of the peaks on Building E so that the top of the peaks would not exceed the lower level elevations of the Riverview Place condominiums. They prepared a letter and a new drawing reflecting the roof changes. They reached an agreement with the condominium owners, which is a one-page hand written document. (EXHIBIT C)

In terms of the other two property owners, the applicants prepared a letter describing their specific discussion which resulted in clarification rather than any design change. (EXHIBIT D)

CONCLUSIONS

It is the opinion of the Hearing Examiner that approval of the application for development is in accordance with the applicable provision's of Section 1459-201 and Section 1401-200(a) of the Zoning Code and that approval would be neither contrary to the public interest or the intent and purpose of the code, nor would it be injurious to the properties in EQ-HS-4 or the vicinity of the premises in question.

DECISION

Therefore, it is the decision of the Hearing Examiner, as empowered by Section 1459-408 of the Zoning Code, to approve the application for the proposed Planned Unit Development (PUD) containing 44 dwelling units in 9 buildings as a revised and improved plan located along Oregon Street and north of Baum Street in the neighborhood of Mt. Adams, and to authorize the issuance of the applicable certificates and/or permits.

SUBJECT TO THE FOLLOWING CONDITIONS

1. This recommendation is provided so that the proposed improvements are built substantially in accord with the plans as transmitted by the Hearing Examiner. The final building plans are subject to all the applicable regulations; administered by the Department of Building and Inspections and to any other applicable regulation or ordinance not herein described.
2. The applicant has up to two years or until August 2, 2004 to apply for the building permit.

3. That the proposed development meets all applicable codes and regulations of the City of Cincinnati.
4. That all building heights be capped as detailed in the Building Heights – Table 1 of this report and modified by EXHIBIT C (height of Building E).
5. That the distance between the proposed buildings match the setbacks as detailed in the Distance Between Buildings – Table 2 of this report.
6. That the proposed buildings that are adjacent to the adjoining property lines match the setbacks as detailed in the Adjoining Property Line Setback – Table 3.
7. That the project phasing as detailed in the Project Phasing – Table 4 be followed.
8. That the landscaping plan be approved.
9. That as outlined in a report from Richard E. Pohana, P.E., Engineering Geologist, DOTE, a temporary stabilization of the hillside along Baum Street across the proposed Building K frontage shall be erected. This wall should be composed of modular block. Building K is scheduled to be constructed last in the project-phasing scenario. The stabilization activity shall occur concurrently with the Phase I construction of Building M scheduled for 10/01/02.
10. That pursuant to Section 1467-501, Covenants, the applicant/owner shall file with the Department of Buildings and Inspections, a covenant in a form acceptable to the City Solicitor to be recorded indicating that the open spaces, parking areas, walks and drives as shown on the plan will not be used for any other purpose. The owner shall further covenant that all streets, common areas, common utilities and other common facilities shall remain in common ownership by all owners of interest in the land or buildings in the PUD.
11. That pursuant to Section 1467-406, Deferred Plan Approval, this Planned Unit Development be approved in concept but that the specific architectural and engineering plans for each building and /or phase be submitted and approved by the staff reviewing authority and the Hearing Examiner before a building permit is issued. That the detailed design and plans of each building and site be reviewed at that point in terms of proportion, scale, site work, materials, color, fenestration, landscaping and details etc. It is recommended that the specific design be submitted as preliminary design documents and that the final contract documents not be prepared until approval is final.
12. That the revised elevation drawing for Building J (J1) be approved as opposed to the original elevation for Building J.
13. That a more detailed site and 'courtyard plan' plan be submitted and approved by the staff reviewing authority and the Hearing Examiner before a building permit is issued. This plan should depict in much more detail, the sidewalk, retaining walls, grade changes, plantings, landscaping, site lighting, gardens, walkways, etc.
14. That all utility and other service distribution lines be placed underground within the site as well as the connections to the utility service in the street right-of-way.

PROCEDURE FOR FILING AN APPEAL

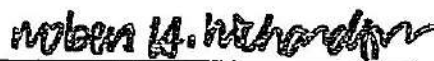
Following the close of a hearing the Hearing Examiner has ten days to make a decision.

The decision is mailed by certified mail to the applicant. All other persons wishing to receive a copy of the decision will receive a copy through the regular mail, provided they advise the staff of the desire to receive a copy of the decision.

The decision of the hearing examiner is subject to appeal. Only those persons who have standing (Section 1477-501 of Zoning Code) can appeal. A person who has standing is one who testifies at the hearing or who has written a letter, which is read into the record at the hearing. There are two ways in which a decision can be appealed.

1. Any person affected by my decision who expressed a position prior to the Public Hearing may request reconsideration. The request shall be filed in writing to me within seven (7) days of the date of mailing of the original decision and set forth with particularity the alleged errors. The party requesting reconsideration shall serve copies of the request upon all other parties of record. I then have 30 days to reconsider.
2. Persons may also appeal to the Zoning Board of Appeals pursuant to Section 1477-501(d) of the Zoning Code. Notice of Appeal shall be filed with the secretary of the Zoning Board of Appeals within 30 days of the date of mailing of the decision. Pursuant to Section 1477-502(c) of the Zoning Code within 21 days of the filing of the notice of appeal, the appellant shall prepare a complete record of all testimony. The appellant shall bear the cost of transcription, which could be expensive depending upon the length of the hearing. With each appeal the appellant shall pay a fee of \$100.
3. The date of the decision is the date written on the first page of the report and identified as date of decision. The length of time for an appeal starts one day after the date **NOT** when an interested party or applicant receives the report by mail. (Example Date of Decision March 16, 1990 the 17th of March would be the 1st day of the appeal period.)

ORDERED THIS 2nd day of August 2002



Robert H. Richardson, AIA
Hearing Examiner

TRANSMITTED THIS 2nd day of August 2002, by certified mail to:

Charles J. Postow
Suite 400
150 E. Fourth Street
Cincinnati, OH 45202-4018

TRANSMITTED THIS 2nd day of August 2002, by interdepartmental mail to:

Clerk of Council
City Planning Department
Neighborhood Services
BCI Division
Zoning Administration
William L. Spurling, P.E., Plan Examination Section

City of Cincinnati



Date 23-Jul-02

To Robert H. Richardson, Hearing Examiner
From Stephen C. Briggs, Staff Reviewing Authority, City Planning Department

A handwritten signature in black ink, appearing to be "SB", located to the right of the "From" field.

Copies to

Subject **AN ADVISORY REPORT TO THE HEARING EXAMINER ON AN APPLICATION
UPON 3.1 ACRES OF LAND BETWEEN OREGON AND BAUM STREETS
(EQ-HS NO. 4 - MT. ADAMS)**

Date of Hearing Examiner's Hearing: Wednesday, July 24, 2002 at 9:00 A.M.
Two Centennial Plaza
805 Central Avenue, Suite 700
J. Martin Griesel Conference Room
Cincinnati, Ohio 45202

Applicant: Charles J. Postow
150 E. Fourth Street, Suite 400
Cincinnati, Ohio 45202-4018

File No.: EQ-HS No. 4; 006-02**Case No.:** 613.234

This application is also considered a Planning Unit Development as defined in Chapter 1467 of the Cincinnati Zoning Code.

- A. **Summary of Request:** The property owner is proposing a modified residential project to be built on the west face of Mt. Adams. The existing approvals for the project (as set forth in EQ-HS-4 001-91 Case No. 613.126) provides for the development of 150 condominium units to be built in 13 multi-story buildings. In an effort to make the project more in keeping with the nature of the smaller residences and townhomes that make up most of the housing stock in Mt. Adams, the significantly smaller and less dense project for the site.

The property where the project will be developed is currently vacant and is located between Oregon and Baum Street, as shown on the attached site plan. The site contains 3.1 acres.

The project will consist of a total of 44 residential units in nine buildings. The units will consist of a mix of townhouse style residences with interior stairways (and possibly interior elevators) and single-floor flat residences. The final number of each type of residence will be determined as market conditions dictate. Each residence will be approximately 2,500 square feet in size and will be marketed in

the \$475,000 to \$775,000 price range. Each home will have two or three bedrooms and will have two side-by-side garage parking spaces.

H.C. Nutting Company previously prepared extensive geotechnical evaluations for the site. The project site contains a number of old retaining and foundation walls that range in condition from stable to severely distressed.

Historically, the area was densely populated but currently has few residents. A review of historic photographs and records indicates a series of deep narrow buildings, three to five stories in height. Our project design continues the historic Mt. Adams residential sense in a contemporary context.

B. General Information:

1. **Owner:** ASF, LLC
150 E. Fourth Street, Suite 400
Cincinnati, Ohio 45202-4018
2. **Location:** The site is located on the north and south side of Oregon Street and the north side of Baum Street within the neighborhood of Mt. Adams.
3. **Access:** Oregon and Baum Streets
4. **Property:** The property has substantial frontage along Oregon and Baum Streets. Oregon Street divides a portion of the site. The property owned by Mid-American totals 3.1 acres.
5. **Zoning:** R-6, Multi-Family High-Density
6. **Category:** Category II, the pre-hearing conference for this development was held on Monday, July 8, 2002.

Comment: Generally, the proposal was positively received in regards to materials, heights and siting of buildings.

7. **Notification:** Advertisement for the hearing examiner's hearing was in the June 25, 2002 *City Bulletin*. Attached are names and addresses of all those notified by regular mail prior to the pre-hearing meeting.

C. Purpose: To improve vacant hillside property.

D. History of Zoning:

1. 1933 to 1963: Zoned Residence "C"
2. 1963 to present: Zoned R-6, Multi-Family High-Density
3. EQ-HS No. 4 applied 11/15/78 per Ordinance No. 467-1978

E. Physical Land Characteristics:

Generally, the subject site contains open field vegetation, low shrubbery, a few small trees, old foundations and debris.

The property owner has retained the services of H.C. Nutting Co. to advise with respect to geotechnical matters related to the project. Nutting has performed extensive geotechnical research, including without limitation, the drilling of various test borings, as Nutting deemed necessary and appropriate for the development of the project. The Nutting geotechnical reports have been delivered to the city as part of the original EQ application and are incorporated herein by reference. The geotechnical reports indicate that the project can be safely developed and built and that the integrity of the hillside will not be compromised.

The buildings will be built at or near grade and will require minimal grading and excavation. All excess dirt that will be cut from the site in order to accommodate development will be removed and disposed of appropriately. Snow fencing and erosion control measures will be utilized as necessary. All cut and fill ordinances will be strictly followed.

As in the past, the property owner will work with the city's geotechnical engineers to establish appropriate monitoring controls such as inclinometer readings and monuments to measure and anticipate any earth movement.

F. Sections of the Code:

1. The existing zoning is R-6, Multi-Family High-Density
2. The site development is being reviewed as a Planned Unit Development pursuant to Chapter 1467 of the Cincinnati Zoning Code.
3. Pursuant to Section 1467.301, the Environmental Quality District Hearing Examiner assumes the role of Director of City Planning exercise the authority granted in Chapter 1467, Planned Unit Development Regulations.
4. The site development plan illustrates 3.1 acres.
5. The R-6 zone district designation would permit a density of between 168 to 135 dwelling units on the property.
6. Building 'N' is not a part of this PUD application; this was previously approved and constructed as Phase One of the Incline Condominium Development (Reference EQ-HS Case No. 613.126).

7. Buildings Heights – Table 1

	Previously Approved Building Heights <small>(Reference EQ-HS Case No. 813.126)</small>	New Building Heights
Building A	735'	726' 8"
Building B	725'	708'
Building C	705'	694' 4"
Building E	700'	696' 4"
Building G	681'	679' 4"
Building M	675'	660'
Building K	695'	654'
Building J	691'	668' 6"

As noted above, the massing and height of the building have all been reduced to enhance views. The residents on Filson Place and Riverview have elevations which exceed the top of the roofs of the planned buildings. The buildings (Buildings E and G) on Oregon Street have also been moved closer to Oregon Street, thereby further reducing any view impact. The new buildings, with metal roofs, will become a part of the view as contemplated by the Cincinnati Hillside Development Guidelines.

8. **Front Yard Setback:** Pursuant to Section 1467-405(b), the PUD regulations require a uniform setback from the street line and the property line equal to the front yard required for principal buildings in the R-6 zone district. The required front yard setback in the R-6 zone district is 20 feet.
9. The proposed front yard setback is five feet along Baum Street and Oregon Street for Buildings A, B, C, D, E, G, K and M. Building J, as a corner building, has an eight-foot setback on Baum Street and a five to ten foot setback from Oregon Street.
10. **Distance Between Buildings:** Pursuant to Section 1467-405(c), the distance between buildings should be the sum of the minimum side yards. The required side yard minimum in an R-6 zone district is five feet; therefore, the distance between buildings should be ten feet.

Distance Between Buildings – Table 2

	REQUIRED	PROPOSED	MODIFICATION
Building A and B	10'	5'	Yes
Building B and C	10'	10'	No
Building C and J	10'	5'	Yes
Building E and G	10'	10'	No
Building K and C	10'	70'	No
Building M and A	10'	75'	No

- 11. Setback between adjoining property line pursuant to Section 1467-405 (b) requires a front yard setback of 20 feet.

Adjoining Property Line Setback – Table 3

	YARD	REQUIRED	PROPOSED	MODIFICATION
Building A	West	20'	5'	Yes
Building E	West	20'	20'	No
Building E	North	20'	32'	No
Building G	North	20'	15'	Yes
Building G	East	20'	5'	Yes
Building K	East	20'	15'	Yes
Building K	West	20'	8'/18'	Yes
Building J	West	20'	5'	Yes
Building M	East	20'	25'	No
Building M	West	20'	5'	Yes

G. **Applicable Guidelines:** It is the opinion of the staff reviewing authority that the proposed development will not conflict with the general guidelines as set forth in the report entitled "Cincinnati Hillside Development Guidelines" (City Planning Commission, 1975) or the specific guidelines for EQ-HS No. 9 per Ord. No. 29-84.

H. **Impact on the Environment:** It is the opinion of the staff reviewing authority that the proposed development will not have a negative impact upon the environment.

I. **Additional Information:**

- 1. Project Phasing – Table 3

The current phasing schedule (depending upon market conditions) for the project is as follows:

BUILDING	START CONSTRUCTION
Building M	10/1/02
Building A	10/1/03
Building B	10/1/04
Building C	10/1/05
Building D	10/1/06
Building E	10/1/07
Building G	10/1/08
Building J	10/1/09
Building K	10/1/10

The start of construction for the various buildings may vary depending upon market conditions. For example, if market conditions dictate, Buildings E and G may be constructed prior to Buildings A and B. However, the phasing schedule set forth above is the applicant's present phasing schedule for the project.

- 2. At the pre-hearing conference, Mr. Rich Pohana, P.E., Engineering Geologist, Department of Transportation and Engineering, indicated a need for a

retaining wall along Baum Street so as to facilitate the clearing and opening of the sidewalk along Baum Street. The location of this wall would be approximately along the Building K frontage. It was suggested that this wall should be of modular design, thus, potentially reusable, and range in height from four to six feet. The modular design would closely match similar walls previously constructed.

3. The proposed landscaping plan illustrates ornamental White Flowering and Red Flowering Crab Apple Trees as the prominent landscape elements. Individual townhomes are proposed to contain low growth Wilton Juniper along the driveways in addition to annual plantings within pre-cast concrete planters.
- J. **Departmental Recommendation:** The staff reviewing authority recommends that the hearing examiner give his approval to the proposed Planned Unit Development (PUD) containing 44 dwelling units in 9 buildings as a revised and improved plan located along Oregon Street and north of Baum street in the neighborhood of Mt. Adams, EQ-HS District No. 4, with the following conditions:
1. That all building heights be capped as detailed in the Building Heights - Table 1 of this report, and
 2. That the distance between the proposed buildings match the setbacks as detailed in the Distance Between Buildings - Table 2 of this report; and
 3. That the proposed buildings that are adjacent to the adjoining property lines match the setbacks as detailed in the Adjoining Property Line Setback - Table 3; and
 4. That the project phasing as detailed in the Project Phasing - Table 4 be followed; and
 5. That the landscaping plan be approved; and
 6. That as outlined in a report from Richard E. Pohana, P.E., Engineering Geologist, DOTE, a temporary stabilization of the hillside along Baum Street across the proposed Building K frontage be erected. Building K is scheduled to be constructed last in the project-phasing scenario. A modular wall is suggested. It is recommended that this stabilization activity occur concurrently with the Phase I construction of Building M scheduled for 10/1/02; and
 7. That pursuant to Section 1467-501, Covenants, the applicant/owner shall file with the Department of Buildings and Inspections, a covenant in a form acceptable to the City Solicitor to be recorded indicating that the open spaces, parking areas, walks and drives as shown on the plan will not be used for any other purpose. The owner shall further covenant that all streets, common areas, common utilities and other common facilities shall remain in

common ownership by all owners of interest in the land or buildings in the PUD; and

8. That all utility and other service distribution lines be placed underground; and
9. That pursuant to Section 1467-406, Deferred Plan Approval, once the applicant has obtained approval of the overall site development plan, the applicant shall obtain approval of the specific plans for Buildings A, B, C, D, E, G, J, K and M from the hearing examiner and staff reviewing authority prior to applying for a building permit inclusive of elevation designs, materials and floor plans.

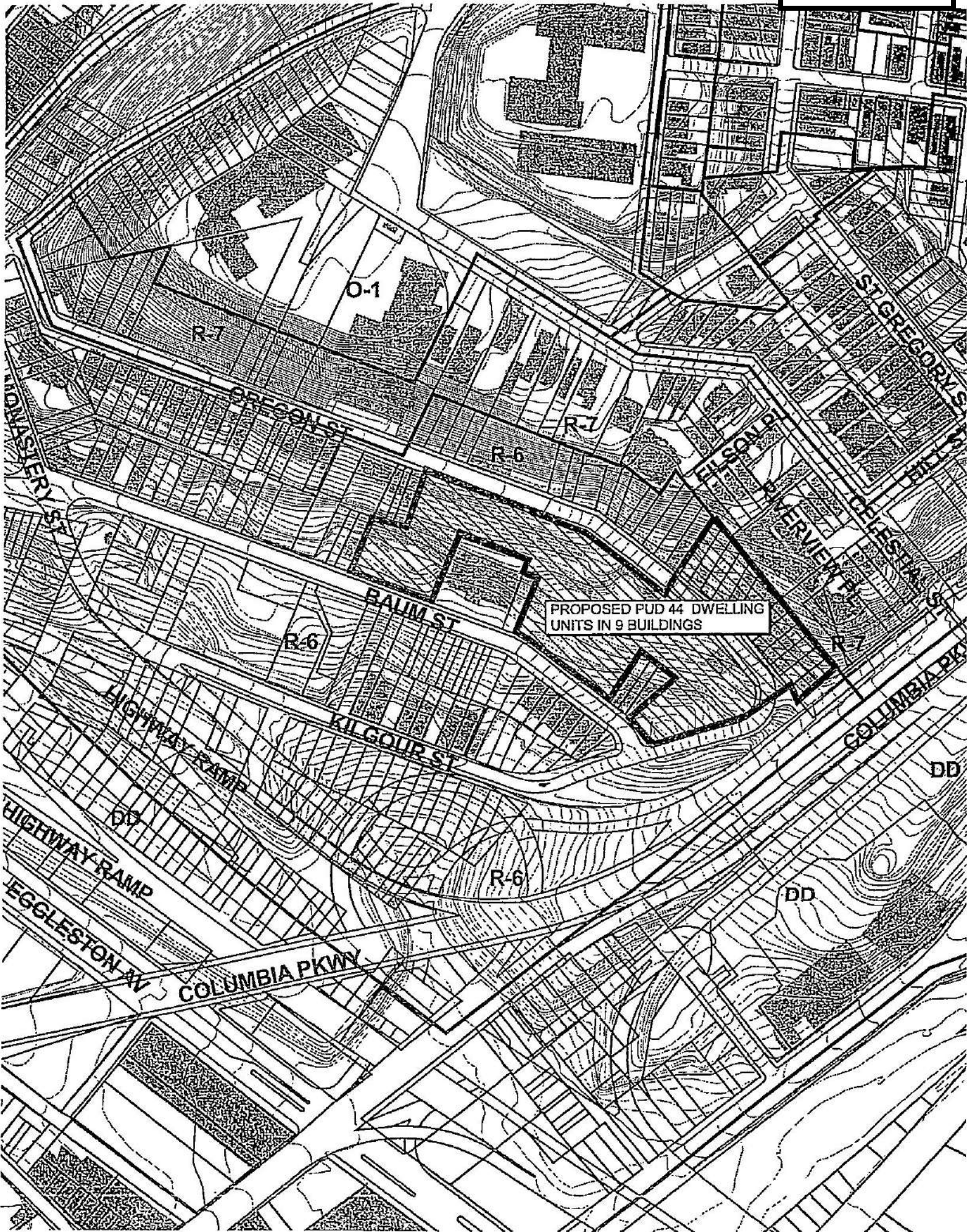
This recommendation is provided so that the proposed improvements are built substantially in accordance with the plans as transmitted by the staff reviewing authority. The final building plans are subject to all the applicable regulations administered by the Department of Buildings and Inspections and to any other applicable regulations or ordinance not herein described.

K. Attachments:

1. Existing topographical map
2. Existing zoning map
3. Notice of hearing examiner's hearing
4. Attendance list for pre-hearing conference
5. Notice of pre-hearing conference
6. Notification list for hearing examiner's hearing
7. Coordinated Report form
8. Application for Development Permission in EQ Districts
9. Various correspondence

SCB:sml

EXHIBIT B



**REVISED
Notice of a Public Hearing**

Scheduled Before the Hearing Examiner

Wednesday, July 24, 2002 at 9:00 A.M.

**Two Centennial Plaza
805 Central Avenue, Suite 700
J. Martin Griesel Conference Room
Cincinnati, Ohio 45202**

An application to develop a Planned Unit Development consisting of 44 dwelling units in nine buildings on 3.1 acres in the vicinity of Baum and Oregon Streets in Environmental Quality Hillside District #4 (Mt. Adams).

This hearing is being held pursuant to Section 1459-408, Chapter 1459, Environmental Quality District Regulations of the Zoning Code and Chapter 113 of the Municipal Code of the City of Cincinnati.

Any written comments, findings, and/or communications from interested parties should be filed by Tuesday, July 23, 2002.

Individuals with disabilities requiring special accommodations to participate in or attend this meeting should call Steve Briggs at 352-4840 seven days prior to the meeting.

Information, requests and communications should be directed to the office listed below.

Stephen C. Briggs, Senior City Planner
City Planning Department
Land Use Management
Two Centennial Plaza
805 Central Avenue, Suite 720
Cincinnati, Ohio 45202

513-352-4840 (Phone)
513-352-4853 (FAX)
steve.briggs@rcc.org (E-Mail)

Notice of a Public Hearing**Scheduled Before the Hearing Examiner****Wednesday, July 24, 2002 at 9:00 A.M.****One Centennial Plaza
705 Central Avenue, Suite 405
Cincinnati, Ohio 45202**

An application to develop a Planned Unit Development consisting of 44 dwelling units in nine buildings on 3.1 acres in the vicinity of Baum and Oregon Streets in Environmental Quality Hillside District #4 (Mt. Adams).

This hearing is being held pursuant to Section 1459-408, Chapter 1459, Environmental Quality District Regulations of the Zoning Code and Chapter 113 of the Municipal Code of the City of Cincinnati.

Any written comments, findings, and/or communications from interested parties should be filed by Tuesday, July 23, 2002.

Individuals with disabilities requiring special accommodations to participate in or attend this meeting should call Steve Briggs at 352-4840 seven days prior to the meeting.

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Stephen C. Briggs, Senior City Planner
City Planning Department
Land Use Management
Two Centennial Plaza
805 Central Avenue, Suite 720
Cincinnati, Ohio 45202

513-352--4840 (Phone)
513-352-4853 (FAX)
steve.briggs@rcc.org (E-Mail)

Pre-hearing Date 7.08.02

Case No. _____ EQ-HS No. 4 Location: BAUM & OREGON ST.

Owner: ASF, L.L.C. Applicant: POSTOWN

Proposed Use: PUD - TOWNHOUSES & FLATS 44 DU 9 BLDGS

PLEASE PRINT YOUR NAME AND ADDRESS CLEARLY - ATTENDANCE SHEET

1. MARGARET WALKER 2 FILSON PL #1
2. KAREN KHARHAN 1043 CELESTIAL ST.
3. Mary J. Schneider 903 Riverview Pl.
4. Dr. Stanley Kaplan 702 Riverview Pl
5. Tom Kemmer 909 RIVERVIEW PL. Ci. Oz. 45202
6. Jim & Nancy Beauregard 380 BAUM ST #4A
7. BOB SCHNEIDER 903 RIVERVIEW PL 45202
8. Debra Henning 403 Oregon
9. JERRY FOOTE 9467 MONTGOMERY RD 45247
10. Charlie Foulon 1506 4th Street 45202
11. KENNETH SEGAL 1433 E McMillan St 45206
12. Missy De Bullis 1433 E McMillan St 45206
13. Rich Pohana Rm 410 City Hall 45202
14. Lee Robinson 2722 Observatory Ave 45208
15. ~~Donald~~ Meyers 1041 Celestial St 45202
16. JOHN R SALSALONE ONE FILSON PL 3A 45202
17. _____
18. _____
19. _____
20. _____
21. _____
22. _____

(E.Q. – H.S.)

A notice of a pre-hearing conference concerning a proposal to develop a Planned Unit Development consisting of 44 dwelling units in nine buildings on 3.1 acres in the vicinity of Baum and Oregon Streets in Environmental Quality Hillside District #4 (Mt. Adams).

You are invited to participate in a pre-hearing conference to study and discuss a proposed development at the above location. This conference will be held on Monday, July 8, 2002, in the J. Martin Griesel Conference Room, Two Centennial Plaza, 805 Central Avenue, Suite 710 at 10:00 A.M..

The reason for this conference is that the property in question is in an Environmental Quality District, which requires special procedures in advance of a building permit application. These procedures include a pre-hearing conference and a hearing by a Hearing Examiner, which will be held on Wednesday, July 24, 2002.

The purpose of the pre-hearing conference is to bring the applicant, adjoining property owners and other interested parties together to determine whether any features of the proposed development should be revised, which might benefit all concerned parties.

Individuals with disabilities requiring special accommodations to participate in or attend this meeting should call Steve Briggs at 352-4840 seven days prior to the meeting.

If you have any questions concerning the above matter, please call the office listed below.

Stephen C. Briggs, Senior City Planner
City Planning Department
Land Use Management
Two Centennial Plaza
805 Central Avenue, Suite 720
Cincinnati, Ohio 45202

513-352-4840 (Phone)
513-352-4853 (FAX)
steve.briggs@rcc.org (E-Mail)

**Notification List for Vicinity of Baum and Oregon Streets
EQ-HS No. 4 -- Mt. Adams**

Owner: ASF, LLC
150 E. Fourth Street, Suite 400
Cincinnati, Ohio 45202-4018

Applicant: Charles J. Postow
150 E. Fourth Street, Suite 400
Cincinnati, Ohio 45202-4018

Community Organization(s):

Mt. Adams Civic Association
Malcolm Bernstein, President
1046 St. Paul Place
Cincinnati, Ohio 45202

City Departments:

Robert Richardson	Hearing Examiner
Melissa Autry	Clerk of Council
Don Rosemeyer	Transportation and Engineering
Martha Kelly	Traffic Engineering
Dan Johns	MSD
Tom Schwiers	MSD
William Spurling	Buildings and Inspections
Bill Langevin	Buildings and Inspections
Robert Wright	Fire Division, 430 Central Avenue
Peg Moertl	Community Development
Valerie Lemmie	City Manager
Steve Kurtz	City Planning
Tim Jamison	Engineering, Structures
Richard Pohana	Engineering, Structures
Steve Schuckman	Park Planner
Becky Calder	Water Works

Advisory Council:

Karl Graham Office of Environmental Management

Hillside Trust: P.O. Box 8625, Cincinnati, Ohio 45208

Surrounding Property Owners: Attached

SCB:smf

**MAILING LIST
VICINITY OF BAUM AND OREGON STREETS
6/21/02**

**GERRY DONAHUE
319 BAUM STREET
CINCINNATI OH 45202**

**BRIAN D SCHOMAEKER &
ALISON M CAMPBELL
321 BAUM STREET
CINCINNATI OH 45202**

**HALE J JOSEPH JR &
LINDA DAYHUFF HALL
368 BAUM STREET
CINCINNATI OH 45202**

**JOSEPH & NANCY W OTTAVIANI
380 BAUM STREET #1A
CINCINNATI OH 45202**

**JAMES & W JEAN SUSTAR
280 BAUM STREET #2A
CINCINNATI OH 45202**

**JEROME F & JOANNE NEUMANN
380 BAUM STREET 3B
CINCINNATI OH 45202**

**EDWARD J & ANNIE W STERN
380 BAUM STREET UNIT 1B
CINCINNATI OH 45202**

**SUSAN G LANDAU
380 BAUM STREET UNIT 2B
CINCINNATI OH 45202**

**MICHAEL R & KAREN F ZEDEK
380 BAUM STREET UNIT 3A
CINCINNATI OH
45202**

**JAMES F & NANCY P BEAUREGARD
380 BAUM STREET UNIT 4A
CINCINNATI OH 45202**

**JAMES J & DOLORES A AMANN
380 BAUM STREET UNIT 4B
CINCINNATI OH 45202**

**TERRY LEE
380 BAUM STREET UNIT 5B
CINCINNATI OH 45202**

**ROOKWOOD HIGHLAND TOWER
INVESTMENTS
1071 CELESTIAL
CINCINNATI OH 45202**

**JACQUELINE MEYERS
1041 CELESTIAL STREET
CINCINNATI OH 45202-1627**

**EDNA A & KAREN A KOHRMAN TRS
1043 CELESTIAL STREET
CINCINNATI OH 45202-1627**

**CRAIG E LIEBEL
1045 CELESTIAL STREET
CINCINNATI OH 45202**

**VERE E GAYNOR
1055 CELESTIAL STREET
CINCINNATI OH 45202-1627**

**GLEN J WISSEMEIER
9610 CROSLY FARM DR APT 1
CINCINNATI OH 45251**

**BRUCE E NIEMEYER &
DAVID W COVINGTON
20 E CENTRAL PARKWAY
CINCINNATI OH 45210**

**ASF LLC
150 E FOURTH STREET SUITE 400
CINCINNATI OH 45202-4018**

**CHARLES J POSTOW
150 E FOURTH STREET SUITE 400
CINCINNATI OH 45202-4018**

**TRILOGY PROPERTIES LLC
1433 E MCMILLAN
CINCINNATI OH 45206**

**KENNETH C SEGAL
1433 E MCMILLAN STREET
CINCINNATI OH 45206**

**ERICH KUNZEL JR
1241 ELM STREET
CINCINNATI OH 45210**

**ANNA MARIE EVANS
3939 ERIE AVENUE #514
CINCINNATI OH 45208-1915**

**PHILIP R GLOTFELTY III
4 FILSON PLACE
CINCINNATI OH 45202**

**THOMAS S HELDMAN TR
7 FILSON PLACE
CINCINNATI OH 45202-1612**

PEGGY L BRUEGGEMANN
8 FILSON PLACE
CINCINNATI OH 45202-1612

ROBERT MCDONAL GRAY
9 FILSON PLACE
CINCINNATI OH 45202-1612

KENNETH T PARKER &
ANGELA ADAMS
2 FILSON PLACE #3
CINCINNATI OH 45202

JOHN GABRIEL CO-TR &
BANJAMIN R GETTLER CO-TR
1 FILSON PLACE UNIT #4
CINCINNATI OH 45202

TOBY A & JOYCE E GRIFFIN
1 FILSON PLACE UNIT 1
CINCINNATI OH 45202-1612

WILLIAM & MARGARET A GIACALONE
2 FILSON PLACE UNIT 1
CINCINNATI OH 45202

LEON H LOEWENSTINE TR
1 FILSON PLACE UNIT 2
CINCINNATI OH 45202

JUDITH M RUTHVEN TR
2 FILSON PLACE UNIT 2
CINCINNATI OH 45202

ERIC JENKINS
1 FILSON PLACE UNIT 313
CINCINNATI OH 45202

JOHN R SANSALONE TR
1008 MARSHALL AVENUE
CINCINNATI OH 45225-2381

LEE ROBINSON
2726 OBSERVATORY AVENUE
CINCINNATI OH 45208

JOHN R MURRAY TR
330 OREGON STREET
CINCINNATI OH 45202-1619

JOHN W STUCK
371 OREGON STREET
CINCINNATI OH 45202

GEORGE R & BEVERLY ANN WOLF
387 OREGON STREET
CINCINNATI OH 45202-1618

CITY VIEW TAVERN INC
403 OREGON STREET
CINCINNATI OH 45202

ROBERT E & MARY J SCHNEIDER
903 RIVERVIEW PLACE
CINCINNATI OH 45202-1622

J THOMAS HEMMER &
KATHY HAMM
909 RIVERVIEW PLACE
CINCINNATI OH 45202

LYNNE M GORDON
915 RIVERVIEW PLACE
CINCINNATI OH 45202

STANLEY M KAPLAN
897 RIVERVIEW PLACE UNIT 3
CINCINNATI OH 45202

RODERICK J & SANDRA J SOMMER
899 RIVERVIEW PLACE UNIT 4
CINCINNATI OH 45202

THOMAS L DEARDORFF
901 RIVERVIEW PLACE UNIT 5
CINCINNATI OH 45202

CHRISTOPHER OHLINGER
905 RIVERVIEW PLACE UNIT 7
CINCINNATI OH 45202

SUSAN G & JACK C LOUISO
907 RIVERVIEW PLACE UNIT 8
CINCINNATI OH 45202

MT ADAMS CIV ASSOCIATION
MALCOLM BERNSTEIN PRESIDENT
1046 ST PAUL PLACE
CINCINNATI OH 45202

GAYLE L MCCAFFERTY
1475 SYLVED LANE
CINCINNATI OH 45238

FRANCES JONES POETKER TR
2368 VICTORY PARKWAY SUITE 100
CINCINNATI OH 45206-2810

BARBARA R WIETHE
118 W EIGHTH STREET
CINCINNATI OH 45202

BRYAN M MOELLER
1201 ELM STREET SUITE 400
DALLAS TX 75270

DAVID J OVERBECK
PO BOX 18537
FAIRFIELD OH 45018

STATE OF OHIO
505 S STATE ROUTE 741
LEBANON OH 45036

EXHIBIT B

**DAVID G BERWAGNER
17197 NO LAUREL PARK #221
LIVONIA MI 48152-7900**

**NORMA L GOULD TR
7344 POINTS OF ROCKS ROAD
SARASOTA FL 34242**

**CHRISTOPHER R OHLINGER
10751 BIG BONE CHURCH ROAD
UNION KY 41091**

**MARY ANN PIETROMONACO
1133 CARPENTER TRACE
VILLA HILLS KY 41017**



CITY OF CINCINNATI

EQ- _____
ZONE _____

APPLICATION FOR DEVELOPMENT PERMISSION IN EQ DISTRICTS

In accordance with SEC. 1457-404 of the Zoning Code, development permission shall be obtained in all cases, except where exempted by SEC. 1459-404, where a building, curb-cut driveway, excavation or fill permit is intended to be sought. The review process shall be in accord with SEC. 1459-405. Submit application in Room 328 of City Hall.

A. APPLICATION INFORMATION

1. Address of premises in question Oregon and Baum Streets Zip Code 45202
If no address is known, fill out (a) and (b) Cincinnati, Ohio
 - (a) N S E W side of See Site Plan and ALTA Survey attached
 - (b) _____ feet, N S E W , from intersection of _____
2. Purpose of permit Residential development
3. Existing use Residential 4. Proposed use Residential
5. Date application filed _____ 6. Category I II
7. Applicant ASF, LLC Address 150 E. Fourth Street Cincinnati, Ohio 45202 Phone 629-9492 984-1050
8. Owner ASF, LLC Address 150 E. Fourth Street Cincinnati, Ohio 45202 Phone 629-9492 984-1050
9. Relationship of applicant to owner: Lessee Attorney Architect Engineer
Other (Specify) _____

Per Section 113-9 Cincinnati Municipal Code: Applicant shall post notice of hearing on subject property (Item A.1. above)

B. INFORMATION REQUIRED (All material shall be submitted in triplicate)

An application for development permission for a Category I permit shall include, according to SEC 1459-404(a) of the Zoning Code, the following information which shall be provided by applicant hereto:

- (1) Existing Conditions Report - written statement to show existing conditions and use of property involved; said report may include statistical data, drawings, photographs or maps
- (2) Physical Improvements Report - written statement, maps, drawings, renderings, or elevations sufficient to show proposed constructions, alterations, repairs, or change in use.
- (3) Other information as may be requested by the Department receiving this application.

CITY OF CINCINNATI

ZONE _____
ZONE MAP _____

AN APPLICATION FORM FOR PLANNED UNIT DEVELOPMENT (PUD) PERMISSION

In accordance with SEC. 1467-400 of the Zoning Code, development permission shall be obtained in all cases where the Planned Unit Development uses, as specified in SEC. 1467-200(a) are desired by the applicant. The review process shall be in accord with SEC. 1467-400 through 1467-407 and with appeals in accord with SEC. 1467-408.

A. APPLICATION INFORMATION

1. Address of premises in question Baum and Oregon Streets Zip Code 45202

If no address is known, fill out (a) and (b)

(a) N S E W side of Baum and Oregon Streets. See Survey

(b) _____ feet, N S E W, from intersection of _____

2. Area contained in property 3.05 acres See Survey _____

3. Existing use Vacant. Existing approval File No. EO-HS-4001-91;

Case No. 613.126

4. Proposed use Multi-family residential condominium project.

5. Date application filed June 18, 2002 6. Date accepted _____

7. Applicant Charles J. Postow Phone (513) 621-2120

Address 150 E. Fourth Street, Suite 400, Cincinnati, OH 45202-4018

8. Owner ASF, LLC Phone (513) 621-2120

Address 150 E. Fourth Street, Suite 400, Cincinnati, OH 45202-4018

9. Relationship of applicant to owner: Lessee _____ Attorney X Architect _____ Engineer _____

Other (Specify) _____

B. INFORMATION REQUIRED

SEC. 1467-400. APPLICATION SUBMITTAL. Twelve copies of a PUD application shall be filed with the director. The application shall include all the plans and statements required by paragraphs (a) through (m) as follows. However, an application for approval of a site improvement plan may be made and the submission of the information required by paragraph (m) deferred.

THE INCLINE RESIDENCES/UNIQUELY MT. ADAMS

ASF, LLC, an Ohio limited liability company ("ASF"), is proposing a modified residential project to be built on the west face of Mt. Adams. The existing approvals for the project (as set forth in EQ-HS-4 001-91 Case No. 613.126) provides for the development of 150 condominium units to be built in 13 multi-story buildings. In an effort to make the project more in keeping with the nature of the smaller residences and townhomes that make up most of the housing stock in Mt. Adams, ASF is proposing a significantly smaller and less dense project for the site.

The property where the project will be developed is currently vacant and is located between Oregon and Baum Street, as shown on the attached site plan.

The project will consist of a total of 44 residential units. The units will consist of a mix of townhouse style residences, with interior stairways (and possibly interior elevators) and single-floor flat residences. The final number of each type of residence will be determined as market conditions dictate. Each residence will be approximately 2,500 square feet in size and will be marketed in \$475,000 to \$775,000 price range. Each home will have two or three bedrooms and will have two side-by-side garage parking spaces.

H.C. Nutting Company ("Nutting") previously prepared a Phase One Environmental Report for the site. The report indicates that there are no toxic wastes, environmental hazards, or endangered animal species located at the site. The project site contains a number of old retaining and foundation walls that range in condition from stable to severely distressed.

Historically, the area was densely populated but currently has few residents. A review of historic photographs and records indicates a series of deep narrow buildings, three to five stories in height. Our project design continues the historic Mt. Adams residential sense in a contemporary context.

As we proceed with construction, we will, within the limits of safety, permit archaeology research on the site. We will also share with the Historical Society any artifacts that are discovered.

GEOTECHNICAL MATTERS

ASF has retained the services of Nutting to advise with respect to geotechnical matters related to the project. Nutting has performed extensive geotechnical research, including, without limitation, the drilling of various test borings, as Nutting deemed necessary and appropriate for the development of the project. The Nutting geotechnical reports have been delivered to the City as part of the original EQ application and are incorporated herein by reference. The geotechnical reports indicate that the project can be safely developed and built and that the integrity of the hillside will not be compromised.

The buildings will be built at or near grade and will require minimal grading and excavation. All excess dirt that will be cut from the site in order to accommodate development will be removed and disposed of appropriately. Snow fencing and erosion control measures will be utilized, as necessary. All cut and fill ordinances will be strictly followed.

As in the past, ASF will work with the City's geotechnical engineers to establish appropriate monitoring controls such as inclinometer readings and monuments to measure and anticipate any earth movement.

UTILITY AND PUBLIC IMPROVEMENTS

Telephone, electric, and cable lines will be installed underground. Storm water runoff will utilize the existing storm sewer system. In addition, the sanitary sewers are adequate to handle sewerage as the site was previously densely developed and heavily populated.

Because this is an urban renewal district and because ASF is not seeking public funding for acquisition or site development we are requesting that the City provide infrastructure improvements necessary to help make the project a success. We are requesting the following improvements:

1. Repair and upgrade underground water and sewer systems.
2. Repair and upgrade streets, curbs, and sidewalks. Oregon Street needs to be rebuilt and repaved with a surface compatible with the existing surface. Brick sidewalks should be built along Oregon and Baum Streets in lieu of the existing deteriorated concrete sidewalks.
3. Trees should be planted along Oregon and Baum Streets and new street lighting, compatible with the neighborhood and the proposed project, should be installed.

CINCINNATI HILLSIDES DEVELOPMENT GUIDELINES AND MT. ADAMS GUIDELINES

The following narrative, read in conjunction with the submitted drawings, shows how the proposed project satisfies the Guidelines. The following numbered paragraphs correspond numerically to the numbered paragraphs contained in the Guidelines.

1. The site is located in an urban setting with few trees. As the project is developed, trees, shrubbery, and other vegetation, will be planted. We will be reflecting the scale of the trees and the feeling of historic Mt. Adams by developing residential housing along street frontages leaving the center of the site green, thus reintroducing traditional horizontal greenery to the site as is evident in old photographs of Mt. Adams. The highly articulated buildings together with the proposed landscaping show how the proposed project satisfies this Guideline.

2. The proposed buildings are designed with articulated rooflines and irregular architectural edges that interlock with the hillside vegetation. The project will also use garden walls and plazas to further interlock the buildings with the hillside vegetation and to promote a firm hillside base.

3. As depicted on the attached drawings, the proposed development fits the visual composition of the hillside wall and the historic residential development of the hillside.

4. This Guideline was not written with the hillside we will be working on in mind. All the previous studies "A Hillside Study", "Cincinnati Urban Natural Areas Study" discuss the Mt. Adams Hillside as being unique to the City's hillsides in that it is a very densely developed urban space and not part of the "green hillside walls". However, the proposed project which is substantially less dense than the current approvals permit, does not exceed the equilibrium in the structure-vegetation relationship.

5. We are working within the constraints of existing streets.

6. We are not changing existing streets nor are we building new roads or streets. Therefore, there will be no cutting and filling for roads and streets.

7. The boundaries are emphasized with greenspace and trees where aesthetically desirable.
8. We have clustered the development and placed parking at street grade and as a part of the proposed buildings in order to minimize changes in the existing topography.
9. Not Applicable.
10. The proposed development has been carefully designed to provide a strong sense of place within a limitless space. The scale of the buildings matches the scale of the surrounding terrain.
11. The proposed residences have been designed to respect and complement the profile of the existing hillside. The natural slope lines of the hillside profile have been retained and vegetation will be reintroduced to the site to help convey the natural slope lines.
12. The proposed buildings have been carefully designed to fit into the existing hillside and the historic nature of Mt. Adams. The buildings are at street grade level with the back yards providing grade transition and open space.
13. The proposed project is well below the brow of the hill.
14. Not Applicable.
15. Not Applicable.
16. Not Applicable.
17. Individually and collectively the buildings present a sense of height as opposed to width.
18. The project has been designed to maintain and enhance the hillside sense of verticality. The design of the buildings, including the design of the articulated rooflines and the exterior treatment of the buildings, emphasize a sense of verticality.
19. The buildings are staggered and are stepped into the existing topography of the hillside.
20. Not applicable.
21. The buildings have been carefully sited and massed so as to not only provide views for our residents but also to protect the views of neighbors. The buildings are smaller and significantly less high than allowed by the current EQ approvals. The project also provides public viewing areas and view portals through the buildings. A public park is being developed along Baum Street that will provide the community with various public viewing places.
22. See response 21 above.
23. The project does not contain any high-rise or high bulk buildings. Conversely, the project, consisting of a mix of residential townhouses and low-rise one-level residences, has been designed to emphasize intimacy and privacy.
24. The project area is currently devoid of significant hillside vegetation and landscaping. The proposed residential community, nicely landscaped, will enhance the small-scale sense of the project.

25. Garage parking is at street grade and is designed to be an integral part of each building.
26. Each residential unit will contain two individual garage parking spaces.
27. As set forth in responses 25 and 26 above, parking for the residents will be at street grade and in garages that will be a physical part of each building. As applicable, the residences along Oregon Street will have parking on the uphill side of the buildings.
28. There will be no rooftop-mounted utilities.
29. Although Oregon and Baum Streets are not major roads, the site is visible from many major roads. The project has been designed to enhance the views of the hillside.
30. Not Applicable.
31. We designed the proposed buildings to be part of the urban fabric of Mt. Adams and to fit comfortably with its neighbors. We worked with the Mt. Adams Guidelines to develop a high-end project of significant importance to the entire City. Contemporary heights, widths, materials were utilized to further blend the contemporary with the traditional in Mt. Adams.
32. Not Applicable.
33. The project is designed so that portions of the buildings will be visible from beyond the brow or profile of the hill when viewed from major roads.
34. Not Applicable.
35. Internal walkways will be as steep as technically feasible.
36. We are providing vertical detailing along the roads. The garden walls, stairs, trees, and buildings all have a vertical orientation.
37. We have worked extensively with Nutting to design a project that will address the geotechnical issues of the site.
38. The project will help stabilize the hillside. The foundations for the buildings will be constructed using piers or other suitable foundation systems that will be anchored in bedrock underlying the soft overburden. The construction will help stabilize the hillside and will help prevent landslides.
39. During construction, we will use machines and techniques that match the grain and scale of the hillside.
40. Hillside vegetation will only be disturbed at the actual construction site. The project will be developed in phases and there will be no disruption to existing hillside vegetation (which is currently minimal) until construction is begun for a particular phase. After completion of construction the developed area will be tastefully landscaped.
41. Existing landscaping will be respected and will only be removed when the particular site is under construction.
42. See responses 40 and 41 above.

43. The project respects and utilizes the natural hillside and site features in an aesthetically pleasing way. The project will blend in nicely within the existing hillside and will be in keeping with the residential nature of Mt. Adams.

44. We have created a variety of architectural solutions for the project. The rooflines are highly articulated and different facades may be used in construction.

45. & 46. We will work with the Hearing Examiner to arrive at a palette of colors that can be used on the buildings to create subtle variations in color and shading that will emphasize their multi-faceted quality.

47. As the project is developed, the site will be appropriately landscaped with planting that will show strong seasonal change.

48. There are no existing buildings or other structures currently at the site.

49. The terraces and sidewalks plus the unique urban environment provide a habitat full of personal and sensorial contact.

MT. ADAMS HILLSIDE URBAN DESIGN AND RENEWAL PLAN

As we designed the Incline Residences we used the Mt. Adams Hillside Urban Design Guidelines as a touchstone to ensure excellence of our project. We have also consulted with the immediate neighbors and the community as a whole. Our project conforms to the spirit of these Guidelines.

GUIDELINES FOR NEW CONSTRUCTION

1. Our new development complements the existing building in height and width by breaking down the buildings vertically and horizontally with steps, setbacks and subtle variations in color and texture.

2. The new residential development blends into the visual urban fabric. While the buildings have a strong vertical component taken individually, the overall context of the proposal has a strong horizontal massing. The strong horizontal nature of the street, the low walls, and the strong breaks between the buildings facing the street add to this concept. Open space is a much sought after amenity in Mt Adams; by placing the parking under the buildings, we have been able to provide ample parking as well as an exceptionally large open space.

3. Our project is solely a residential development. Experience has taught us that people living in a community such as this do not want swimming pools, tennis courts, or clubhouses. Easily maintained open space with lush landscaping is what the residents want; therefore, this is what we are providing.

4. All utilities will be located underground.

5. All units will be owner occupied residences. Each unit has been carefully designed to maintain an environmental fit with the rest of the community.

6a. We have clustered the buildings and used garage parking as a part of the residences to maximize the amount of open space. Figure 9, attached to the Mt. Adams Hillside Urban Design And Renewal Plan, was used extensively in the design of the proposed development.

6b. While the configuration of the site limits the siting possibilities, we feel that their location will reduce the audio and visual impact for the residents above us. We will also be using sound reducing glass in the windows facing the expressway system.

6c. We have carefully sited the buildings to protect the views of our neighbors.

6d. Not applicable.

6e. The existing retaining walls will be retained until new buildings are built.

6f. The Mt. Adams Incline did not border or pass through our site. However, our name and design graphics will acknowledge the Incline.

7a. Parking will be provided within each building:

7b. Because we are providing adequate resident parking and also have significant street frontage and in many areas our project occupies both sides of the street, we think the best solution to guest parking is on the street. It maintains the feel of Mt. Adams without the desperate search for parking all too frequent. Therefore guest parking will be distributed more equitably around the entire site.

7c. There will be garage parking for two cars per residence. The garages will be a part of each building.

7d. As noted above, each residence will have two garage parking spaces as a part of their building.

8a. The existing EQ approvals would permit us to construct a total of 140 additional units at the site. We have reduced that number of units to be constructed to 44.

9a. As discussed our development is considerably lower than the existing EQ approvals permit. Further, our proposed development is not as tall as the recommended building heights as shown on Figure 10 of the Mt. Adams Hillside Urban Design And Renewal Plan. The massing has been articulated to provide visual variety and reduced scale. The ratio of solid to void is more solid than void and all the windows are vertical. The rooflines are pitched.

9b. We are proposing primarily brick buildings with some exterior stucco. We are planning to use subtle variations in color of brick on the same building to emphasize the articulated steps in them. The colors will reflect traditional Mt. Adams.

9c. The open space issues have been previously discussed.

STRAUSS & TROY
A Legal Professional Association

Founded in 1953

THE FEDERAL RESERVE BUILDING
150 EAST FOURTH STREET
CINCINNATI, OHIO 45202-4018

Telephone: 513-621-2120
Facsimile: 513-241-8259
www.strauss-troy.com

NORTHERN KENTUCKY OFFICE
50 EAST RIVERCENTER BOULEVARD
SUITE 1400
COVINGTON, KENTUCKY 41011

LUCIEN G. STRAUSS (1900-1982)
ORVILLE A. TROY (1896-1967)
KENNETH D. TROY (1918-1993)
ALAN C. ROSSER (1946-2001)

January 3, 2002

MARK H. BERLIANT
WILLIAM V. STRAUSS
LARRY A. NEUMAN*
WILLIAM S. ABERNETHY, JR.
THOMAS C. RINK
FRANKLIN A. KLAINE, JR.*
WILLIAM R. JACOBS
DANIEL H. DEMMERLE, II*
JAMES G. HELDMAN
CHARLES J. POSTOW**
STUART C. BRINN*

MARTIN C. BUTLER*
R. GUY TAFT
ANN W. GERWIN
RICHARD S. WAYNE
PAUL B. CALICO*
ANDREW M. SHOTT
CLAUDIA G. ALLEN
TIMOTHY B. THEISSEN*
WILLIAM K. FLYNN*
CHARLES C. ASHDOWN
MARILYN J. MAAG
THOMAS L. STACHLER

ANTHONY M. BARLOW
MARSHALL K. DOSKER*
SHAWN M. YOUNG
STEVEN E. STUHLBARG
AUGUST T. JANSZEN*
THOMAS P. GLASS*
PETE A. SMITH*
MICHAEL A. RUH, JR.*
JOSEPH J. BRAUN
STEPHANIE A. DILL
LORI A. ROSS*
SARA E. MILLS

- OF COUNSEL -
SAMUEL M. ALLEN*
GORDON H. HOOD*
CHARLES G. ATKINS*
MITCHELL B. GOLDBERG
LEON L. WOLF
PAUL J. THEISSEN*
DIANE SCHNEIDERMAN
CHARLES H. MELVILLE
JOHN G. PARNELL
PHILOMENA S. ASHDOWN

*Also Admitted in Kentucky
**Also Admitted in Florida

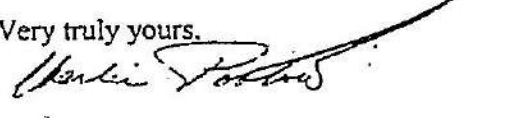
Mr. Steve Briggs
The City of Cincinnati
805 Central Avenue
Centennial Two Plaza
Suite 720
Cincinnati, Ohio 45202

Re: ASF, LLC/Mt. Adams EQ Application

Dear Steve:

I am enclosing the original and two copies of a letter I received from H. C. Nutting, with respect to the above-referenced EQ Application. Jerry Foote delivered the original EQ Application and accompanying documents and drawings this past Friday, December 28, 2001. The enclosed correspondence from H. C. Nutting should be included as a part of the EQ Application.

Should you have any questions, please let me know.

Very truly yours,


Charles J. Postow

CJP/tw
encl.

cc: Mr. Jerry Foote (w/encl.)
355757_1.DOC

**H. C. NUTTING COMPANY**

EMPLOYEE OWNED

GEOTECHNICAL, ENVIRONMENTAL AND TESTING ENGINEERS
SINCE 1921CORPORATE CENTER
611 LUNKEN PARK DRIVE
CINCINNATI, OHIO 45226
(513) 321-5816
FAX (513) 321-0294December 31, 2001
W. O. 10783.022 crkMr. Steve Briggs
City Planning Department
805 Central Ave. (Centennial II)
Room 720
Cincinnati, Ohio 45202

Phone: 352-4840

**Re: Geotechnical Letter of Intent
Proposed Oregon St. / Baum St. Development
Mt. Adams, Cincinnati, Ohio**

Dear Mr. Briggs:

The purpose of this letter is to advise that the H.C. Nutting Company has been retained by Mid-American Development to provide geotechnical engineering design and construction services for the proposed single family housing development which is planned on Oregon and Baum Streets in Mt. Adams.

Based on the current set of drawings (received on Friday, December 14, 2001), eight structures are planned on the eastern extremity of Oregon and Baum Streets. Eight building types are planned which will house seven single family rowhouse type flats and thirty-six townhomes. Each flat and townhome will encompass approximately 2500 sf and provide for parking of 2 cars within or under the unit. Each unit will front on Oregon and Baum Streets and will extend from 47 to 87 ft. behind the street curb. This building size will allow the new construction to take advantage of the existing retaining walls on Baum Street.

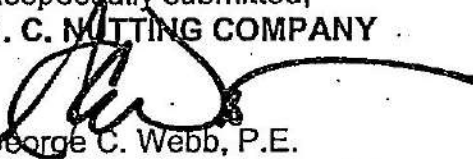
Numerous test borings, test pits and field reconnaissance have been performed on this site by both the H.C. Nutting Co. and G.J. Thelen and Associates. We have copies of the test boring and test pit logs which have been completed on this site. In addition, we have the top of rock elevations which were recorded by Thelen at each drilled pier for the retaining wall behind (north) of 380 Baum Street. Further, we have been involved with the construction of the existing building at 380 Baum St., as well as with the design of the originally planned multistory building due west of 380 Baum St. Thus, there is a wealth of existing subsurface data available which is available and will be used for the planned construction. We have shown on the attached site plan the location of all test borings and test pit which have been completed in this area. Each test boring and test pit has extended to shale bedrock.

The initial phase of design and construction will be due west of 380 Baum St, consisting of four single family units. Nutting will provide a geotechnical report for this construction as well as reports for each additional phase of construction. At this time, it is planned for each structure to be supported on stable shale bedrock. Further, some upslope retaining walls will likely be required to maintain slope stability during and after construction, especially north of Oregon Street. Discussions with Mr. Charles Postow and Mr. Gerry Foote have indicated that the Nutting recommendations will be incorporated into the structure design and associated grading requirements.

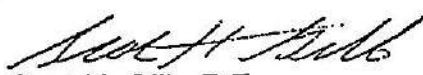
We are available to meet with you and your staff to discuss the proposed construction and its impact on the site geology. Please contact the writer if you have any comments concerning this letter or if you would like to schedule a meeting.

Thank you for your consideration.

Respectfully submitted,
H. C. NUTTING COMPANY



George C. Webb, P.E.
Vice President - Engineering



Scot H. Gilb, P.E.
Senior Geotechnical Engineer

Attachments

CC: Mr. Charles J. Postow, Esq.
Mr. Gerry Foote, Architect

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A Legal Professional Association

Founded in 1953

**THE FEDERAL RESERVE BUILDING
150 EAST FOURTH STREET
CINCINNATI, OHIO 45202-4018**

Telephone: 513-621-2120
Facsimile: 513-241-8259

www.strauss-troy.com

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50 EAST RIVERCENTER BOULEVARD
SUITE 1400
COVINGTON, KENTUCKY 41011

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ORVILLE A. TROY (1896-1967)
KENNETH D. TROY (1918-1993)
ALAN C. ROSSER (1946-2001)

July 1, 2002

- MARK H. BELLANT
- WILLIAM V. STRAUSS
- LARRY A. NEUMAN*
- WILLIAM S. ABERNETHY, JR.
- THOMAS C. RINK
- FRANKLIN A. KLAINÉ, JR.*
- WILLIAM R. JACOBS
- DANIEL H. DEMMERLE, II*
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- CHARLES J. POSTOW**
- STUART C. BRINN*
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- SARA E. MILLS
- JEREMY A. HAYDEN***

- OF COUNSEL -
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- CHARLES H. MELVILLE
- JOHN G. FARNELL
- PHILOMENA S. ASHDOWN
- *Also Admitted in Kentucky
- **Also Admitted in Florida
- ***Admitted Only in Kentucky

Mr. Steve Briggs
City of Cincinnati
805 Central Avenue
Centennial Two Plaza, Suite 720
Cincinnati, Ohio 45202

Re: The Incline Residences
ASF,LLC/Mt. Adams EQ Application

Dear Steve:

As you requested, I am enclosing three additional copies of the drawings prepared by P. Gerald Foote and Associates (as revised from the drawings submitted in December 2001).

Jerry Foote will be delivering requisite drawings showing the dimensions and rear elevations as you requested. Jerry indicated that he will be delivering these drawings to you by Tuesday, July 2, 2002.

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

Very truly yours,



Charles J. Postow

CJP/tw
encl.

cc: P. Gerald Foote (via facsimile)
371637_1.DOC

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WILLIAM K. FLYNN*
CHARLES C. ASHDOWN
MARILYN J. MAAG
THOMAS L. STACHLER

June 18, 2002

VIA HAND-DELIVERY

Mr. Steve Briggs
The City of Cincinnati
805 Central Avenue
Centennial Two Plaza, Suite 720
Cincinnati, Ohio 45202

Re: The Incline Residences
ASF, LLC/Mt. Adams EQ Application

Dear Steve:

In accordance with our recent meeting, I am enclosing the following items:

1. Architectural drawings prepared by P. Gerald Foote & Associates (as revised from the drawings submitted in December 2001);
12 sets are 11 x 17
3 sets are 24 x 36
2. Three sets of the EQ Application as filed with the City of Cincinnati on December 28, 2001;
3. Three sets of the H.C. Nutting Company materials, which I submitted on January 3, 2002;
4. Copy of letter dated January 7, 2002, detailing the individuals involved with the project;
5. Boundary line survey for the property prepared by Savage Walker & Associates; and
6. Twelve copies of the PUD Application.

Should you have any questions, please let me know.

Very truly yours,

STRAUSS & TROY



Charles J. Postow

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A Legal Professional Association

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CHARLES C. ASHDOWN
MARILYN J. MAAG
THOMAS L. STACHLER

January 7, 2002

Mr. Steve Briggs
The City of Cincinnati
805 Central Avenue
Centennial Two Plaza
Suite 720
Cincinnati, Ohio 45202

Re: The Incline Residences
ASF, LLC/Mt. Adams EQ Application

Dear Steve:

I am writing to give you additional information as to the above-referenced EQ Application. The owner of the subject real estate is ASF, LLC, an Ohio limited liability company ("ASF"). ASF is the successor in title to Mid American Development Limited Partnership ("Mid American"). ASF is actually owned by many of the same principals that were the owners of Mid American (i.e., members of the Samawi family). Accordingly, all of the Mt. Adams property that was previously owned by Mid American is now owned by ASF.

The following is a list of the various people that will be involved in the project:

Charles J. Postow
Strauss & Troy
The Federal Reserve Building
150 East Fourth Street
Cincinnati, Ohio 45202
(513) 629-9492
(513) 241-1521 (facsimile)

Attorney and Owners' Representative

P. Gerald Foote
P. Gerald Foote & Associates
9467 Montgomery Road
Cincinnati, Ohio 45242
(513) 984-1050
(513) 984-0237 (facsimile)

Project Architect

STRAUSS & TROY
A Legal Professional Association

Mr. Steve Briggs
January 7, 2002
Page 2

Mr. Carl Walker
Savage Walker & Associates
10880 Indeco Drive
Blue Ash, Ohio 45241
(513) 793-7410
(513) 793-7431 (facsimile)

Civil and Structural Engineer

Mr. George Webb
H.C. Nutting & Co.
611 Lunken Park Drive
Cincinnati, Ohio 45226
(513) 321-5816
(513) 321-4540 (facsimile)

Geotechnical Consultant

Should you have any questions or need any additional information, please let us know.

Very truly yours,



Charles J. Postow

CJP/tw

cc: P. Gerald Foote

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PHILOMENA S. ASHDOWN

*Also Admitted in Kentucky
**Also Admitted in Florida

July 19, 2002

VIA HAND DELIVERY

Mr. Steve Briggs
The City of Cincinnati
805 Central Avenue
Centennial Two Plaza
Suite 720
Cincinnati, OH 45202

Re: ASF, LLC/Mt. Adams EQ Application
Oregon and Baum Street

Dear Mr. Briggs:

We are writing with respect to the above-referenced matter in order to clarify a few relevant matters.

As previously indicated, the prior EQ approval for the site allowed for the development of 150 residential units in various mid-rise buildings. The revised project, as set forth in the new EQ application, contemplates only 44 residential units; 20 townhouses and 24 single-level condominium units.

In planning the project careful attention was paid to the heights of the buildings so as to respect the views of the neighbors. As more fully depicted on the architectural drawings submitted by P. Gerald Foote & Associates, a comparison of the heights of the proposed buildings with the heights of the buildings as contained in the existing EQ approval is as follows:

Mr. Steve Briggs
July 19, 2002
Page 2

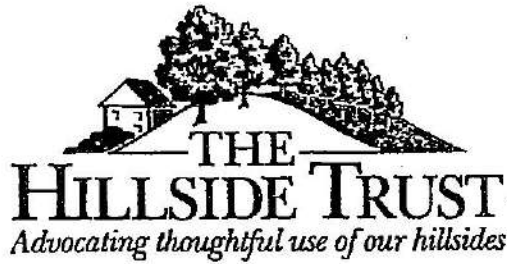
	<u>Previously Approved Building Heights</u>	<u>New Building Heights</u>
Building A	735'	726'8"
Building B	725'	708'
Building C	705'	694'4"
Building E	700'	696'4"
Building G	681'	679'4"
Building M	675'	660'
Building K	695'	654'
Building J	691'	668'6"

As noted above, the massing and height of the building have all been reduced to enhance views. The residents on Filson Place and Riverview have elevations which exceed the top of the roofs of the planned buildings. The buildings (Buildings E and G) on Oregon Street have also been moved closer to Oregon Street thereby further reducing any view impact. The new buildings, with metal roofs, will become a part of the view, as contemplated by the Cincinnati Hillside Development Guidelines.

The current phasing schedule (depending upon market conditions) for the project is as follows:

<u>Building</u>	<u>Start Construction</u>
Building M	10/1/02
Building A	10/1/03
Building B	10/1/04
Building C	10/1/05
Building D	10/1/06
Building E	10/1/07
Building G	10/1/08
Building J	10/1/09
Building K	10/1/10

The start of construction for the various buildings may vary depending upon market conditions. For example, if market conditions dictate, Buildings E and G may be constructed prior to Buildings A and B. However, the phasing schedule set forth above is the applicant's present phasing schedule for the project.



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BRENDA SCHEER, AIA

RICHARD D. SPOOR, ESQ.

EXECUTIVE DIRECTOR

ERIC RUSSO

July 8, 2002

Mr. Steve Briggs
Cincinnati City Planning
805 Central Ave Ste 720
Cincinnati, OH 45202

Dear Steve:

The Hillside Trust Land Use Advisory Committee has reviewed the Incline Residences plan for Mt. Adams. We offer the following comments.

The Hillside Trust supports the development of this prominent part of the Mt. Adams hillside with buildings that enhance its visual and historic character. It is the Trust's position that the plan accomplishes this through the proposed style, siting, and heights of the buildings. Clearly, this plan is superior to that of its predecessor some 12 years ago.

Having said that, there is one fundamental aspect to this development that needs to be determined. The Incline Residences, and for that matter all existing structures on the slope, are only as stable as the massive retaining wall that supports the hillside below Kilgour Street.

Can the City verify that this wall is durable, that it is stabilizing the hillside, and that it will support what will become a significant and important reinvestment on the hillside? If so, then The Hillside Trust endorses the project.

Sincerely,

Eric Russo
Executive Director

Briggs, Steve

From: Walker, Peggy [pwalker@nuco.com]
Sent: Tuesday, July 09, 2002 2:58 PM
To: steve.briggs@rca.org
Subject: Baum & Oregon Streets Planned Development

Dear Steve, I attended the pre-hearing yesterday on the Planned Unit Development in the vicinity of Baum & Oregon Streets in Mt. Adams. Generally, I think the development, as proposed and outlined yesterday, will be a valuable addition to the Mt. Adams community.

As owner of the condominium on the first two floors of 2 Filson Place, I have a serious concern that the heights of Buildings E, F and G not exceed what was proposed yesterday. As I understand the proposal, Building E will have an elevation at its highest peak of 696' 4", Building F will be at 676' 3" and Building G will be at 679' 4". These are slightly below the original elevations agreed to in the 1990s according to the architect.

I also understand that you said these heights would be capped and no variances would be granted on that.

Mr. Foot, the architect, also appeared to be sympathetic to the encroachment of our views by any trees that will be planted. He suggested that dogwoods and other "like scale" trees would be planted initially. He also recommended that language be written into the agreement that would require the Homeowners Association(s) of these buildings to work cooperatively with the homeowners on Filson Place, River View and Phillips Place to ensure that no soaring trees be planted in the future and that trees be maintained at a height that respects our views.

Because I will not be able to attend the hearing on the 24th of July, I wanted to make sure that my concerns became a permanent part of the record.

If there is anything in this that I have misunderstood, I would appreciate being advised. Thank you.

Margaret (Peggy) Walker
 2 Filson Place, Unit #1
 Cincinnati, OH 45202
 Home: 513-621-1944
 Phone: 859-692-2168
 Fax: 859-692-2246
 pwalker@nuco.com

***** Message scanned for viruses with Mail Essentials 2000 *****

PARADROME SQUARE

Real Estate Management & Development

1433 E. McMillan Street

Cincinnati, Ohio 45206

(513) 861-1000

July 8, 2002

Mr. Steven Briggs
City Planning Department
Two Centennial Plaza
805 Central Avenue, Suite 720
Cincinnati, OH 45202

In Re: Baum/Oregon Street development

Dear Steven,

First and foremost I feel that the development as proposed is exciting and will have the most positive impact of any development project that I have seen in Mt. Adams in the last 30 years:

- I believe the development as proposed greatly helps to stabilize the hillside. The area is currently a collection of scrub bushes and weeds that do little to reduce slippage. Working in conjunction with the proper geo-technical specialists will help to reduce the potential slippage.
- I was a part of the committee that wrote the guidelines overseeing the development of the hillside. These guidelines provide that new projects respect the view of its neighbors. Altering the view is acceptable and somewhat expected. By reducing the density of the units, lowering the rooflines, and remaining out of direct lines of sight, the development is respectful to the neighbors on Filson Place and Riverview Place.
- By pulling the buildings back from neighboring buildings, the new structures become part of the view – they do not obstruct anyone's lines of sight.

JOHN R. SANSALONE & COMPANY
CIVIL ENGINEERS, PLANNERS AND SURVEYORS

1008 MARSHALL AVENUE
CINCINNATI, OHIO 45225

PHONE 559-1150
FAX 559-1154

July 9, 2002

Mr. Stephen C. Briggs, Senior City Planner
City Planning Department, Land Use
Two Centennial Plaza
805 Central Avenue, Suite 720
Cincinnati, OH 45202

Re: PUD Baum & Oregon
Mount Adams

Dear Steve:

Subsequent to review of the Preliminary Plan and the presentation at the Public Hearing held on July 8, 2002 of the proposed PUD along Baum and Oregon Streets in Mount Adams, I have the following comments for myself and on behalf of the residents of One Filson Place Condominium:

1. We are in general agreement with the preliminary plan as presented at the Public Hearing and as outlined in the summary of that Hearing, attached hereto.
2. We understand that a hearing will be held on July 24, 2002 to complete the planning process, at which time a number of restrictions (as required under the EQ-HS District) will become a part of the final approval, some of which are as follows:
 - a) The developer will adhere to the site plan, landscape plan, architecture elevations, building design, building materials as presented and shown on the Preliminary Development Plan.
 - b) The top roof elevations will be strictly followed and capped as presented and generally as follows:
(Bldg A @ 722.8 to 726.8; Bldg B @ 708; Bldg C @ 694.5; Bldg D @ 682 to 686; Bldg E @ 676.3 to 696.3; Bldg G @ 679.4; Bldg J @ 655.5 to 668.5; Bldg K @ 654; Bldg M @ 660)
 - c) Geotechnical report being prepared by H C Nutting Company is to be reviewed and followed to assure that the hillside remains stable. Proper insurance is to be carried by the developer to cover any hillside problems that might occur because of the proposed development.

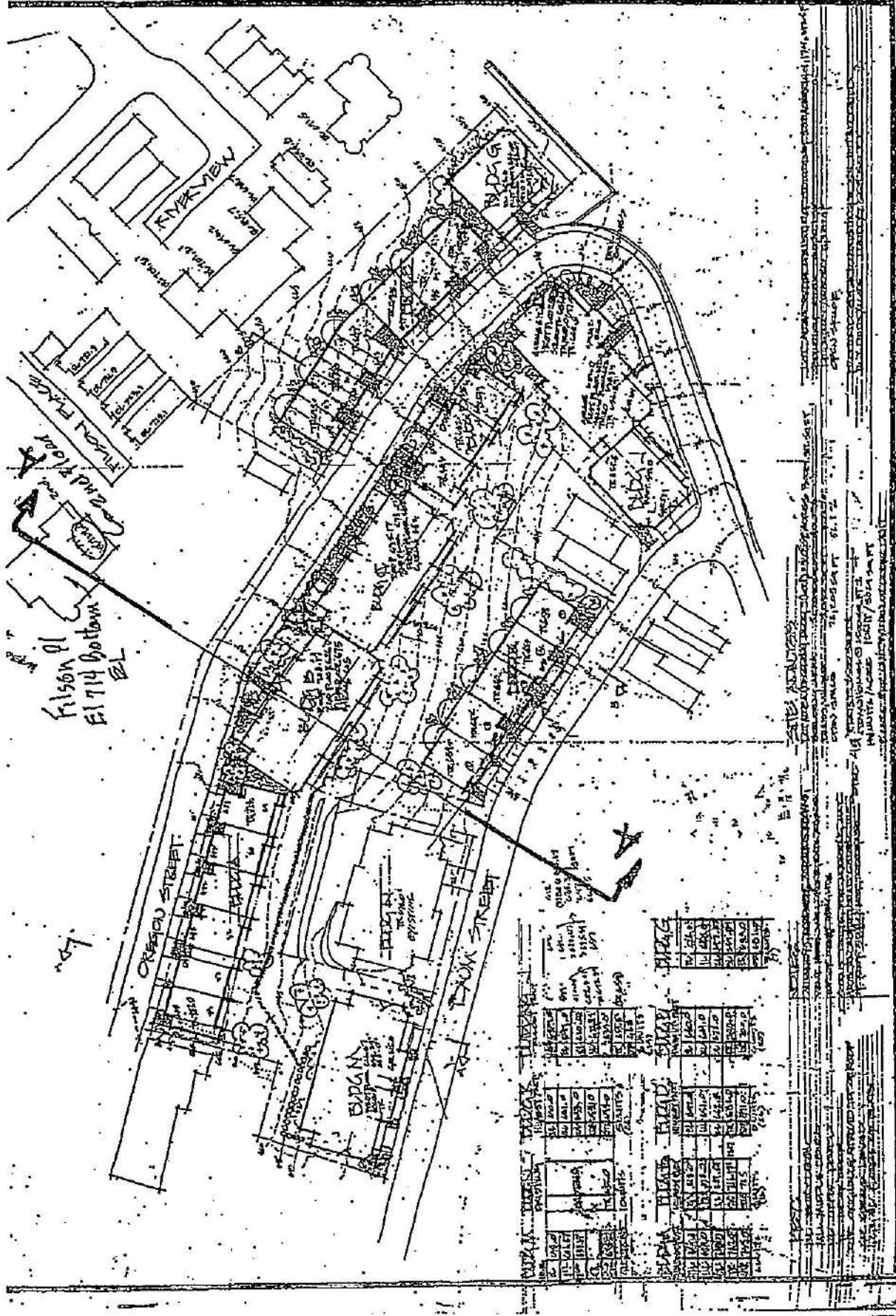
Steve Briggs (Sr Planner) 352 4853 2 sheets

EXHIBIT B

John Sausala

July 8, 02

P. GERALD FOOTE & ASSOCIATES



Filson Pl
El 714 Bottom
EL

paradigm
associates, inc.

May 22, 2002

Mr. Steve Briggs
The City of Cincinnati
805 Central Avenue
Centennial Two Plaza
Suite 720
Cincinnati, Ohio 45202

Re: ASF, LLC/Mt. Adams EQ Application
Oregon and Baum Street

Dear Mr. Briggs:

We have reviewed the various drawings and materials ASF, LLC has submitted with respect to its revised Mt. Adams project to be developed on Baum and Oregon Streets. We find the proposed project to be extremely well conceived and in keeping with the character and nature of the Mt. Adams neighborhood.

The project is significantly less dense than the existing approved project and the buildings are shorter as well. Generally, we feel the project will be a major enhancement to the Mt. Adams neighborhood and the entire City of Cincinnati.

We enthusiastically support ASF's EQ application.

Very truly yours,

NAME

James F. Pranyard

Unit #

380 Baum St. #4A



THE MT. ADAMS CIVIC ASSOCIATION ZONING COMMITTEE**MAZC****5-15-'02****REGARDING:****A.S.F. L.L.C. / E.Q. APPLICATION, MT. ADAMS
OREGON AND BAUM ST. DEVELOPMENT**

The Zoning Committee and the Civic Association of Mt. Adams have no objection to the development as presented to the groups by Mr. Postow and Mr. Foote and as indicated in drawings left with the Committee. The Committee understands these to be the basis of the developers upcoming E.Q. application and looks forward to articulating its understanding of the project and the projects impact on Mt. Adams at this hearing.

ZONING CHAIR
LUKE ROBINSON**CC: STEPHEN BRIGGS
CHARLES POSTOW**

DAMS CIVIC ASSOCIATION ZONING COMMITTEE, CHARTERED IN 1998 HAS AS ITS PURPOSE TO REVIEW AND RECOMMEND ACTION TO THE CIVIC ASSOCIATION ON BUILDING PROJECTS, PROPERTY DEVELOPMENT PLANS AND ZONING IN THE NEIGHBORHOOD OF MT. ADAMS. THE COMMITTEE MEETS THE LAST TUESDAY OF THE MONTH AT IMACULATA PARISH CENTER, GUIDO ST. LUKE G. ROBINSON: CHAIRMAN, 1023 CELESTIAL ST. CINCINNATI, OHIO 45202 (621-1023)



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8, 505 South S.R. 741, Lebanon, OHIO 45036-9518
(513) 932-3030 or 1-800-831-2142

July 19, 2002

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JUL 23 2002

Mr. Stephen C. Briggs
Senior City Planner
Land Use Management
Two Centennial Plaza
805 Central Avenue, Suite 720
Cincinnati, Ohio 45202

CITY PLANNING DEPARTMENT
BY _____

Re: Ham-IR 471/US 50

Proposed PUD consisting of 44 Dwelling Units
in 9 buildings on 3.1 acres in the vicinity of
Baum and Oregon Streets in Environmental
Quality Hillside District #4 (Mt. Adams)

Dear Mr. Briggs,

This letter is in response to your Notice of Public Hearing for the subject PUD located in Mt. Adams in the vicinity of Baum and Oregon Streets.

Please be advised that we have reviewed the notice and offer the following comment and concern.

ODOT believes that the hillside should not be subjected to development. We strongly urge the City of Cincinnati Planning Department to consider the protection of the Slope Stability System, and to limit exposure to further liability due to hillside instability.

Attached is a letter addressed to Mr Timothy Jamison, City of Cincinnati Department of Transportation and Engineering, dated December 1, 2000, also expressing this concern regarding proposed development for the same vicinity in Mt. Adams.

Respectfully,

Andrew J. Fluegemann
Andrew J. Fluegemann, P.E.
Transportation Engineer

c: Fluegemann
Reading File



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8, 505 South S.R. 741, Lebanon, OHIO 45036-9518
(513) 932-3030 or 1-800-831-2142

December 1, 2000

Mr. Timothy Jamison
City of Cincinnati
Department of Transportation and Engineering
Room 440 City Hall
801 Plum Street
Cincinnati, Ohio 45202

**RE: Comments on Proposed
Development 325 Baum St.**

Dear Mr. Jamison:

In answer to your inquiry on the proposed development in the vicinity of 325 Baum St., we wish to advise you of our position. We do not believe the hillside should be subjected to development in the areas between Baum and Kilgour Streets. The area between these two streets contains part of the original 'Slide A'. This location continues to show incremental movement, and has been placed on an increased monitoring level.

Although the Department objects to the construction of new buildings in this area, we are not in a position to oppose the proposed construction. We strongly urge the City to consider the protection of the Slope Stability System, and to limit exposure to further liability due to hillside instability.

If you have any questions, please contact Stefan Spinoso at 513-932-3030 ext. 446.

Respectfully,

Michael C. Flynn, P.E., P.S.
District Deputy Director

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JUL 23 2002

CITY PLANNING DEPARTMENT
BY _____

MCF:scs

cc: file

Briggs, Steve

From: Niemeier, Steve
Sent: Friday, June 28, 2002 9:41 AM
To: Briggs, Steve
Cc: Kelly, Martha; Conn, Kim; Pohana, Rich
Subject: EQ for PUD at Baum and Oregon

Steve:

The Transportation Planning Section has reviewed the proposed PUD and have no objections from a traffic standpoint. The development will generate approximately 37 trips to and from the development during the afternoon peak traffic hour, which can be adequately handled within the existing street network. On-street parking is always an issue within Mt. Adams. However, this condition is adequately addressed since each unit will have two off-street parking spaces.

Our Structures Section may want to comment with regard to any hillside issues. (Kim/Rich...I have plans if you need them)

Steve Niemeier, P.E.
Cincinnati DOT&E
513/352-3738
steve.niemeier@rcc.org

Briggs, Steve

From: Schwiers, Thomas
Sent: Friday, July 12, 2002 7:00 AM
To: Briggs, Steve
Cc: Johns, Dan
Subject: Baum and Oregon Streets

Steve:

Sorry for not getting back to you before the 7-8--02 date but I just received the data for the 44 unit PUD on Mt. Adams. Baum and Oregon.

We are requesting separate sewers.

Detention will be required.

CSO located downstream which will require credits that can be obtained by excess detention.

We need to know flow values for the development. These can be determined once we know the number of bedrooms per unit.

Tom Schwiers
MSD Wastewater Engineering

City of Cincinnati



Date: July 22, 2002

To: Stephen Briggs, Senior City Planner, City Planning Department

From: Richard E. Pohana, P.E., Engineering Geologist, DOTE *REP*

Copies: K.S. Conn/T.M. Jamison/R.E. Pohana, Structures; W. Spurling, B&I; M. Niswonger, Right-of-Way; Admin. File; Div. File

Subject: PROPOSED PUD BAUM AND OREGON STREETS IN EQHS #4
MT. ADAMS

The geotechnical staff has reviewed the preliminary plans for the proposed PUD project in Mt. Adams and has no objections from a geotechnical standpoint. The staff will work with the Department of Buildings and Inspections and review the detailed plans and reports for each specific phase of the project when they are submitted to the Plans Examiners. Detailed recommendations concerning geotechnical issues will be given at that time.

The existing sidewalk east of existing Building N, in the area of proposed Building K has been covered by the toe of an existing landslide since prior to construction of Building N. The DOTE did not require removal of the slide debris since future development of the area would incorporate stabilization of the landslide. In 2002, DOTE received complaints concerning the slide debris covering the sidewalk. Soil in this area also moved into the gutter on several occasions. At the pre-hearing, the applicant stated that the construction of Building K will most likely be the last phase and may not occur until at least four years. Given this scenario DOTE met with Mr. Charles Postow and Mr. Gerald Foote to discuss the opening of the sidewalk along this section of Baum Street. Mr. Postow and Mr. Foote verbally agreed to temporally stabilize the hillside and reopen the sidewalk. Official orders to reopen the sidewalk have not been issued.

The temporary stabilization of the hillside must be done according to the recommendations of the applicant's geotechnical engineer. A permit issued by the Department of Buildings and Inspections must be obtained for the stabilization project. It is anticipated that a retaining wall will be necessary to stabilize the landslide. Although analyses have not been performed, a modular block retaining structure is expected to be able to provide sufficient retention of the hillside. The Right-of-Way Management Section of DOTE will require that the sidewalk meet all of the sidewalk standards. The City is responsible for a section of sidewalk immediately east of Building N and will coordinate the repair or reconstruction of this section with the activity of the applicant.

(EXHIBIT)

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July 29, 2002

ANTHONY M. BARLOW
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SHAWN M. YOUNG
AUGUST T. JANSZEN*
PETE A. SMITH*
STEVEN F. STUHLBARG
THOMAS P. GLASS*
MICHAEL A. RUH, JR.*
JOSEPH J. BRAUN
STEPHANIE A. DILL
LORI A. ROSS*
SARA E. MILLS
JEREMY A. HAYDEN***

- OF COUNSEL -
SAMUEL M. ALLEN*
GORDON H. HOOD*
CHARLES G. ATKINS*
MITCHELL B. GOLDBERG
LEON L. WOLF
PAUL J. THEISSEN*
DIANE SCHNEIDERMAN
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THOMAS L. STACHLER

VIA HAND DELIVERY

Mr. Steve Briggs
The City of Cincinnati
805 Central Avenue
Centennial Two Plaza
Suite 720
Cincinnati, Ohio 45202

Re: The Incline Residences
ASF, LLC/Mt. Adams EQ Application

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JUL 30 2002

CITY PLANNING DEPARTMENT
BY _____

Dear Steve:

After the July 24, 2002, hearing before Hearing Examiner, Mr. Richardson, we made arrangements to meet with the individuals who expressed concern about the proposed project.

Specifically, we met with the following residents of the Riverview Place Condominiums:

- 1) Dr. Stanley Kaplan - 897 Riverview Place;
- 2) Dr. Tom Deardorff - 901 Riverview Place;
- 3) Mr. and Mrs. Robert Schneider - 903 Riverview Place;
- 4) Mr. and Mrs. Jack Louiso - 907 Riverview Place; and
- 5) Mr. and Mrs. Rod Sommer - 899 Riverview Place.

We toured each individual unit and Jerry Foote took additional measurements to establish the lower level elevations of each residence. The only floor level where there was any view impact was the lower level floor elevations.

In the spirit of cooperation and compromise we proposed that we would reduce the pitch of the peaks on Building E so that the top of the peaks would not exceed the lower level elevations of the Riverview Place Condominiums. A brief hand-written note was prepared acknowledging the agreement which note is attached to this letter. The Riverview Place Condominium residents seemed pleased with the meeting and the compromise that was reached.

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A Legal Professional Association

Mr. Steve Briggs
July 29, 2002
Page 2

Accordingly, we have agreed that the top of the various peaks of Building E will be reduced so that the highest point of each peak will not exceed the lower level floor elevation of the corresponding Riverview Place Condominium unit behind Building E. We are enclosing a drawing prepared by Jerry Foote depicting how the new roof line of Building E will look in connection with the Riverview Place Condominiums as well as a new site plan showing the new top of the roof of Building E at 692' 4".

Should you have any questions, please let me know.

Very truly yours,



Charles J. Postow

CJP/tw
encl.

cc: Dr. Stanley Kaplan
Dr. Tom Deardorff
Mr. and Mrs. Robert Schneider
Mr. and Mrs. Jack Louiso
Mr. and Mrs. Rod Sommer

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BUILDING ELEVATIONS

Building A	
Building B	726' 8"
Building C	708'
Building E*	694' 4"
Building G	692' 4"
Building M	679' 4"
Building K	660'
Building J	654'
	668' 6"

*The various peaks of Building E shall not exceed the lower level floor elevations of the Riverview Place Condominium units to the rear of Building E.

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7/27/02

Bldg ~~E~~ top of peaked roofs
to be reduced so that the highest
point of the peak will not
exceed the ~~floor~~ ^{lower level} floor elevations
of the Riverview Condominium

901 Riverview Pl

LL 687.9

PKS 688.4 & 685.4 (L)

OK [Signature] 7/27/02

903 Riverview

PL LL 687.9

PKS 688.4 & 685.4 (L)

OK [Signature] 7/27/02

897 Riverview

LL 692.8

Peak 692.4

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BY _____

907 RIVERVIEW

LL 683.0

PKS R-682.4

& L 676.4

FL 672.4

OK [Signature] 7/27/02

899 RIVERVIEW

ACTUAL LL 690-8

AGREED TR

(1) 692-4

(2) 688-4

(3)

[Signature] 28 July 02

Agreed: [Signature]
[Signature]

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VIA HAND DELIVERY

Mr. Steve Briggs
The City of Cincinnati
805 Central Avenue
Centennial Two Plaza
Suite 720
Cincinnati, Ohio 45202

Re: The Incline Residences
ASF, LLC/Mt. Adams EQ Application

Dear Steve:

As promised, we met with Mr. Rick Menke, on Saturday, July 27, 2002, with respect to the above-captioned project. Mr. Menke acknowledged that he is not the owner of any property near the proposed Oregon and Baum Street project, but that he is a contract vendee of certain property on Oregon Street. Mr. Menke indicated that he supports our project. We agreed to talk to Mr. Menke in the future when and if his Oregon Street project becomes a reality. Mr. Menke was satisfied with the results of our meeting.

We also met with Mr. Larry McCord, who is purchasing the property at 1033 Celestial Street, on land contract. Jerry Foote took measurements at the rear of the residence with the following results:

- 1) First floor elevation - 753' 6";
- 2) Basement elevation - 745' 6".

It was pointed out that the first floor elevation at 1033 Celestial Street is approximately 27 feet higher than the top of the peak of Building A and approximately 46 feet higher than the peak of Building B. The basement elevation at 1033 Celestial Street is approximately 17 feet higher than the top of the

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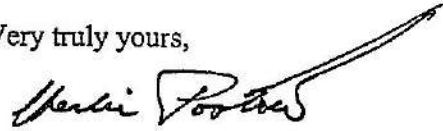
CITY PLANNING DEPARTMENT
BY _____

Mr. Steve Briggs
July 29, 2002
Page 2

peak of Building A and approximately 37 feet higher than the peak of Building B. Further, it was noted that the residence at 1033 Celestial Street is a considerable distance from proposed Buildings A and B and should not be impacted by the proposed project.

Should you have any questions, please let me know.

Very truly yours,



Charles J. Postow

CJP/tw
encl.

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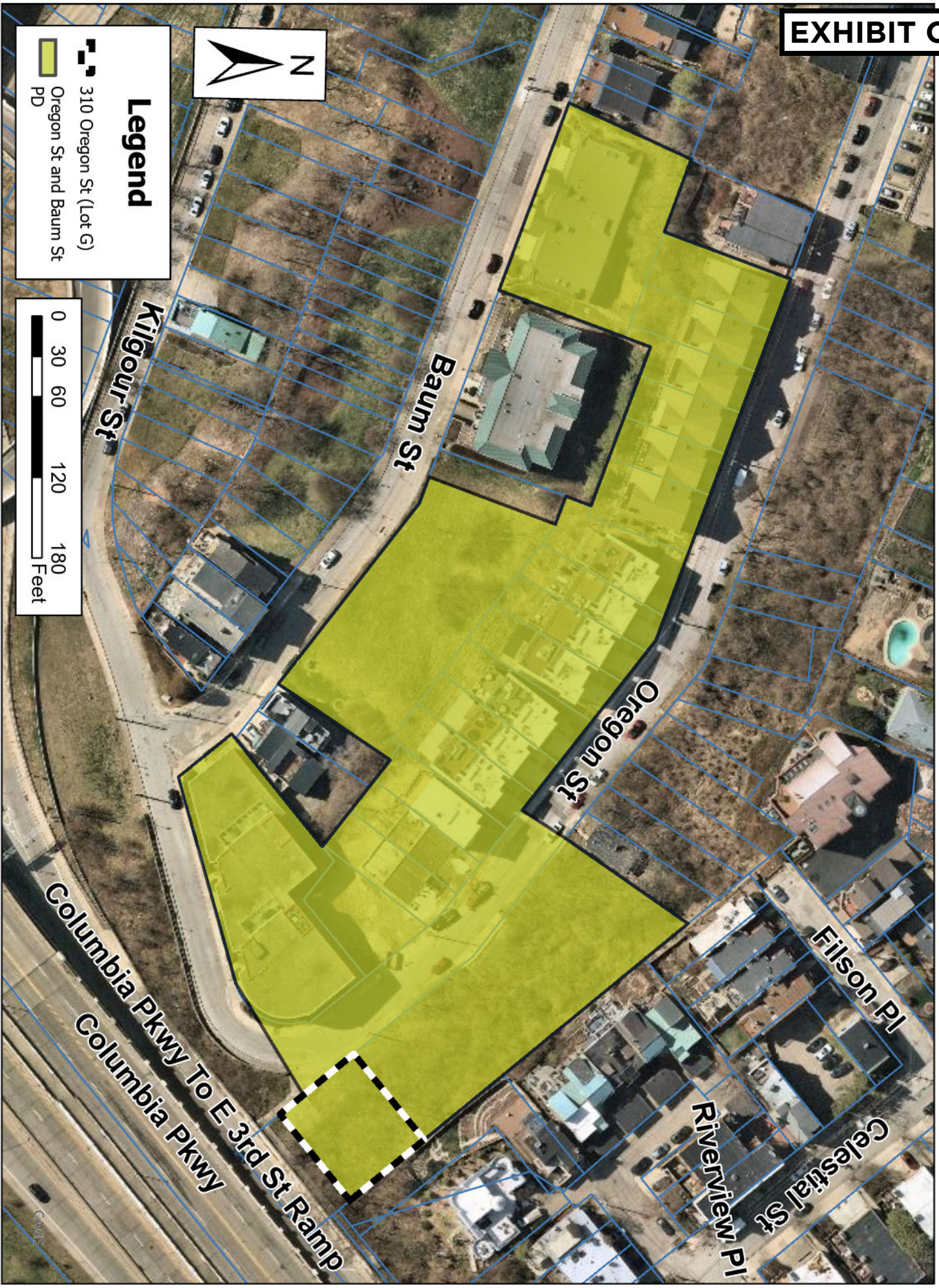
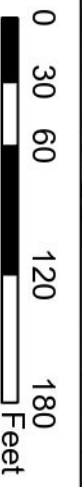
CITY PLANNING DEPARTMENT
BY _____

Oregon Street and Baum Street Planned Development



Legend

-  310 Oregon St. (Lot G)
-  Oregon St and Baum St PD

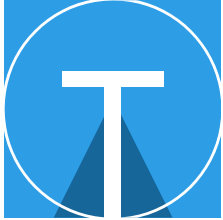


Final Development Plan Application

Project Information	
Application Name	310 Oregon St Final Development Plan
Address	310 Oregon St, Cincinnati, OH 45202
Parcel No.	007900060315
Current Zone(s)	Planned Development (PD)
Property Area	0.13 acres
Current Use	Vacant Lot
Proposed Use	3-unit condominium building with parking
Petitioner Information	
Petitioner	Greg Tilsley, Tilsley Architects
Petitioner Address	1140 St. Gregory Street, Cincinnati, OH 45202
Petitioner E-mail	gpt@tilsleyarchitects.com
Owner	Charles Postow
Owner Address	3867 Blackwood Court, Cincinnati, OH 45236
Owner E-mail	charlie.postow@gmail.com

June 2, 2025

City of Cincinnati
Department of Planning and Engagement
Two Centennial Plaza
805 Central Avenue, Suite 720
Cincinnati, OH 45202



TILSLEY
ARCHITECTS

Attn: Stacey Richardson
Re: Drawing submittal for
Oregon Street Development – Lot G
Planning Commission Approval

Dear Stacey,

Per our previous conversations and correspondence, we would like to submit drawings for a new three-story residential project located on Lot G of the previously approved PUD, File No. EQ-HS. 4; 066-02, Case No. ,613.234. The PUD was approved on August 2, 2002 for 3.1 acres of land between Oregon Street and Baum Street. Since that time, the Developer has been executing the plan according to the PUD decision letter and Lot G represents the next phase of the development. Attached is a copy of the PUD Decision letter w/ background material for reference.

This new building will follow all the guidelines as outlined in the decision letter for this property and is not seeking any variances or exceptions. The proposed building will be three stories tall plus a basement that will accommodate 6 cars. There will be 3 units, (one per floor) and are being designed to cater to the upscale luxury market.

The structure will be supported by a pier and grade beam foundation system that will be designed and engineered by Civil Solutions Engineers. They were the engineers for previous phases of the PUD and have a detailed understanding of the geotechnical conditions of this Hillside. Soil borings will be performed once the Planning Commission has approved our plans so that we can begin foundation engineering and hillside stabilization measures. The design and services will be executed to the standards, rules and guidelines of the City of Cincinnati and all other authorities having jurisdiction over this property.

Tilsley and Associates met with the Mt. Adams Civic Association zoning committee to present the proposed building to them and we did not receive any objections to the proposed project.

Attached are the following drawings and information for review:

1. Survey of the property
2. Site plan with proposed improvements including utility locations, building setbacks, sidewalks, driveways, retaining wall locations, landscaping and other misc. site improvements.
3. Statement from Geotechnical engineer.
4. Site section showing the relationship to other neighboring structures.
5. Schematic Building Plans and Sections.
6. Renderings of the exterior illustrating the proposed look of the building.
7. The owner of the property is Aspen Properties Building G LLC

8. There are no restrictive covenants for the property at this time however a Condo Association will be formed upon completion of the project that will spell out the covenants for the property.

Stacey, we believe that this letter, attached documents and drawings clearly satisfy the requirements for Planning Commission review and approval, however if there are any additional items needed, please let us know and we will provide those to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory P. Tilsley". The signature is fluid and cursive, with the first name "Gregory" being more legible than the last name "Tilsley".

Gregory P. Tilsley, AIA



June 24, 2025

Tilsley & Associates Architect, LLC
1140 St Gregory St, Cincinnati, OH 45202

Attn: Greg Tilsley
Architect
P: 513-651-4300
E: gpt@tilsleyarchitects.com

**Re: Preliminary Geotechnical Report
Lot G Oregon Street
Cincinnati, OH 45202
Project No. 25-1087**

To Whom It May Concern:

Civil Solutions Associates, Inc. has been engaged by Tilsley & Associates Architect, LLC, to provide geotechnical engineering services for the proposed multifamily residential development located at Lot G on Oregon Street in the City of Cincinnati. The subject property is situated within the Hillside Overlay District and, as such, is subject to specialized hillside stability and geotechnical design requirements under the City's Hillside Regulations.

At this preliminary stage, we offer the following geotechnical considerations. The site is expected to comprise fill overlying colluvium and bedrock. Groundwater seepage or perched water may be present along stratified zones, which is typical of hillside conditions in this area. The site will likely require deep foundations, such as drilled piers, due to the variable thickness of fill and colluvium. A complete slope stability analysis will be conducted as part of the detailed geotechnical investigation. Controlled site grading will be essential for ensuring a safe development. A retaining wall is proposed along the eastern boundary of the site, and the specific type of wall will be selected based on detailed subsurface conditions.

Our firm will be responsible for providing all geotechnical services necessary to support the design, permitting, and construction of the proposed development. This includes—but is not limited to—the following:

- Performing a comprehensive geotechnical field investigation, including soil borings.
- Preparing a detailed geotechnical report that includes slope stability analysis, site preparation guidelines, and recommendations for foundation systems and retaining structures.
- Providing engineered design drawings for drilled pier foundations, grade beams, and reinforced cast-in-place concrete basement walls.
- Providing design of a site retaining wall proposed along the eastern boundary of the site, including wall type selection based on subsurface conditions and preparation of engineered construction drawings.

Preliminary Geotechnical Report
Lot G Oregon Street ■ Cincinnati, OH 45202
June 24, 2025 ■ Project No. 25-1087



We have completed similar scopes of work for several adjacent hillside properties on Oregon Street and are familiar with the subsurface conditions and regulatory expectations in this area.

At this time, we are prepared to proceed with the geotechnical investigation and design activities as soon as the proposed project receives zoning approval. All work will be performed in accordance with the City of Cincinnati's applicable codes and hillside development standards.

Please accept this letter as formal confirmation of our engagement on the project. Should the City require additional information or documentation regarding our proposed services, we would be pleased to provide it upon request.

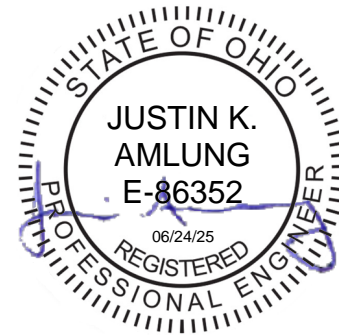
Sincerely,
Civil Solutions

A handwritten signature in blue ink that reads "Emily Richardson".

Emily Richardson, P.E.
Project Engineer

A handwritten signature in blue ink that reads "Justin Amlung".

Justin Amlung, P.E.
Geotechnical Engineer





April 4, 2025

Mr. Gregory Tilsley
Tilsley & Associates
1140 St. Gregory Street
Cincinnati, Ohio 45202

Re: 310 Oregon Street | 3-Unit Condo Building (D) – **(25CIN-CSR-000016)** Final
Recommendations

Dear Mr. Tilsley,

This letter is to inform you that our CSR Advisory-TEAM and CSPRO Committee has reviewed your proposed 3-Unit Condo Building with lower level parking below units. 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 **Microsoft Teams conference call meeting** with you on **April 8, 2024 @ 10 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 the project forward:

1. This property has legacy “Planned Unit Development” (PUD) zoning rights that were determined by the City before the zoning code was updated in 2004.
2. **A Final Development Plan is required. Please apply for the Final Development Plan review; the application must include all materials outlined in Section 1429-13 of the Cincinnati Zoning Code.**
3. It is anticipated that the Hillside Review will occur at the same time as the City Planning Commission’s review of the Final Development Plan.

Requirements to obtain permits:

- None

Recommendations:

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

Contact:

- **Andrew Halt** | City Planning | 513-352-4853 | andrew.halt@cincinnati-oh.gov

City Planning & Engagement – Zoning Division**Immediate Requirements to move the project forward:**

1. The lot is in the hillside overlay and the following relief will be needed based on the plan submitted. Excavation and fill relief as per Section 1433-19 part G of the zoning code for a cumulative excavation of approximately 18' from the existing grade of 644 ASL at the rear where the retaining wall is located down to the 626 ASL at the driveway and garage level which is hillside relief of 10' from the 8' limit. The top of the retaining wall is noted as 644 ASL by applicant section drawing. Note: The height, setbacks and other zoning related parameters are being reviewed by the Planning Commission due to the legacy PUD zoning rights that were determined by the City. Note: All exterior light sources on private property, including canopy, perimeter, and flood, must be energy-efficient, stationary, and shielded or recessed within the roof canopy to ensure that all light is directed away from adjacent properties and public rights-of-way. The maximum height may not exceed 20 feet above grade.

Requirements to obtain permits:

- None

Recommendations:

- None

Contact:

- **Wes Munzel** | ZPE | 513-352-2442 | weston.munzel@cincinnati-oh.gov

Metropolitan Sewer District (MSD)**Immediate Requirements to move the project forward:**

1. An approved Request for Availability of Sewer Service is required. Apply online at MSDGC.org/development.

Requirements to obtain permits:

1. Detention requirement will be determined with Availability review.

Recommendations

1. Refer to Site Utility Plan Checklist at MSDGC.org/development for site plan requirements.

Contact:

- **Rob Kern** | MSD | 513-244-5588 | rob.kern@cincinnati-oh.gov

Stormwater Management Utility (SMU)**Immediate Requirements to move the project forward:**

1. If detention is required by MSD, provide SMU with a copy of the following items:
Approved detention calculations, drainage map, detailed drawing of detention control structure with elevations.
2. Storm Requirements: Submit following documents – Calculations for storm water conveyance system, major storm calculations / flood routing.

Requirements to obtain permits:

1. Utility Plan:

Label all pipes materials.

- In the public R/W, pipes to be DIP or RCP.
 - Show Top & Invert elevations for all Appurtenances.
 - Show slopes for all pipes.
 - Show how downspouts tie to the underground sewer system.
2. Grading Plan:
- Grading must show existing and proposed contours. Impervious surfaces are NOT permitted to drain towards adjacent properties.
 - Contours changes are NOT allowed to push more runoff towards adjacent properties (as compared to pre-development conditions).
 - Runoff from all pavements must be captured and conveyed to the stormwater system. Only 800 sf of pavement may sheet flow to the public R/W.
2. Erosion & Sediment Control Plan is required. Refer to link: <https://cincinnati-oh.gov/stormwater/construction-and-design/standards/sediment-and-erosion-control/>
3. SMU Standards Plans Notes is required. Refer to link: <https://www.cincinnati-oh.gov/stormwater/construction-and-design/standards/smu-standard-plan-notes-april-2022/>
4. As-Built Survey Requirements: SMU will require an As-Built survey at the end of construction. The survey should include the following information:
- State Plane Coordinates (N,E) for all MH's and Catch Basins.
 - Inverts and Top elevations for all MHs and Catch Basins.
 - Slopes, sizes, and materials for all storm lines.

Contact:

- **Kevin Gold** | SMU | 513-222-3643 | kevin.gold@cincinnati-oh.gov

Water Works

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. The proposed water service branch needs to be shown on the site utility plan.
2. GCWW requires an outside meter setting followed by a backflow preventer in a heated structure. in the event the position of the building prevents an outside meter setting, any deviation will require GCWW's permission.
3. If permission is granted for an inside meter setting, the site utility plan must show where the proposed water service branch will enter the building. It must be located at the point of entry into a water room large enough to accommodate the meter setting and backflow device. This room must be located along the outside wall closest to the street and should be shown on the floor plan drawing as the water meter room.

Recommendations:

1. To request GCWW infrastructure information contact GCWW Records department at Records.Request@gcww.cincinnati-oh.gov.



2. 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.
3. The Owner(s)/Developer(s) must have a licensed fire protection company and plumber that is bonded and certified with GCWW and fill out the Online Branch application <https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/> for water service.

Contact:

- **Rick Roell** | WaterWorks | 513-591-7858 | richard.roell@gcww.cincinnati-oh.gov

Fire Department**Immediate Requirements to move the project forward:**

- None

Requirements to obtain Permits:

- None

Recommendations:

- None

Contact:

- **Elton Britton** | Fire Dept. | 513-357-7596 | elton.britton@cincinnati-oh.gov

Office of Environment and Sustainability (OES)**Immediate Requirements to move forward with project:**

- None

Requirements to obtain permits:

1. 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.

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) Landscape design should consider the use of native species.

Contact:

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

Parks Department (Urban Forestry)**Immediate Requirements to move the project forward:**

- None

Requirements to obtain permits:

1. If any new public trees are to be planted as part of this project, 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 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:

1. The Cincinnati Park Board and the Urban Forestry Program encourage the developers to integrate street trees and landscape plans which include tree plantings to create more sustainable and attractive urban spaces. The inclusion of new street trees would help to advance the City's Climate Safe Neighborhoods initiative and elements of the Green Cincinnati Plan. Trees improve air quality, reduce the urban heat island, and enhance the aesthetics and livability of streets, while also boosting property values and supporting economic activity.

Contact:

- **Garrett Dienno** | Urban Forestry | 513-484-4573 | garrett.dienno@cincinnati-oh.gov

Department of Transportation & Engineering (DOTe)**Immediate Requirements to move the project forward:**

- None

Requirements to obtain permits:

1. New curb height needs to have 6" reveal and the cross slope of the sidewalk is to be 2%.
2. No encroachments are permitted in the right of way (i.e., foundations, walls, steps, planters, etc.)
3. Any damaged curb and walk during construction will need to be restored.
4. Remove unused driveway aprons and replace them to meet City standards.
5. Provide DOTe City standard concrete driveway apron and meet driveway requirements for design and clearance.
6. All work in the public right-of-way will require a separate DOTe permit.

Recommendations:

- None

Contact:

- **Morgan Kolks** | DOTe | 513-335-7322 | morgan.kolks@cincinnati-oh.gov

Department of Transportation & Engineering (DOT-Addressing)**Immediate Requirements to move the project forward:**

- None

Requirements to obtain permits:

1. Based on the plans provided, the assigned address for the proposed condominiums are:
 - a. 310 Oregon St, Unit A
 - b. 310 Oregon St, Unit B
 - c. 310 Oregon St, Unit C
2. Per the Cincinnati Municipal Code and Ohio Fire Code, once constructed, the address number is required to be posted and visible from the street.

Recommendations:

- None

Contact:

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

Buildings & Inspections – Buildings**Immediate Requirements to move the project forward:**

- None

Requirements to obtain permits:

1. At building permit time, provide a detailed code analysis.
2. A geotechnical report will be required at time of building permit submission.
3. Separate permits will be required for retaining walls.
4. This building will require a fire sprinkler system.

Recommendations:

- None

Contact:

- **Art Dahlberg** | B&I Plans Exam | 513-352-2424 | art.dahlberg@cincinnati-oh.gov

Law Department**Immediate Requirements to move the project forward:**

- None

Requirements to obtain permits:

- None

Recommendations:

1. If this development were to create an encroachment in City right of way or 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 | 513-352-3338 | renee.luttrell@cincinnati-oh.gov



Department of Community & Economic Development (DCED)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

- None

Recommendations:

- None

Contact:

- **Roy Hackworth** | DCED | 513-352-6119 | roy.hackworth@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 recommends 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 of Buildings and Inspections Department
& CSPRO Committee Chair



Rodney D. Ringer,
Development Manager

AD:RDR:hs

[External Email] 310 Oregon Development Plan - impact on view from Riverview Place

From Karen Muldrow <karenm0@me.com>
Date Wed 7/23/2025 2:38 PM
To Halt, Andrew <andrew.halt@cincinnati-oh.gov>
Cc Ken Muldrow <kenm0@me.com>

You don't often get email from karenm0@me.com. [Learn why this is important](#)

External Email Communication

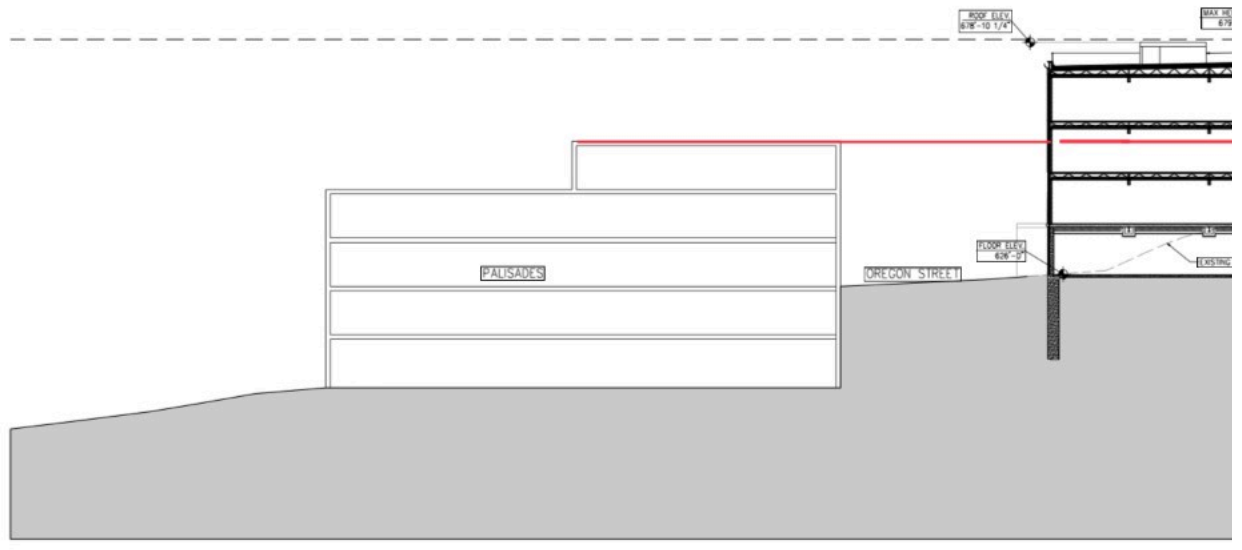
Good afternoon,

We are the owners of 915 Riverview Place. We recently received notification of the Virtual Conference on the proposed final development plan for 310 Oregon St. As a matter of record, *we had not been notified of any development plans prior to receipt of the conference notice.*

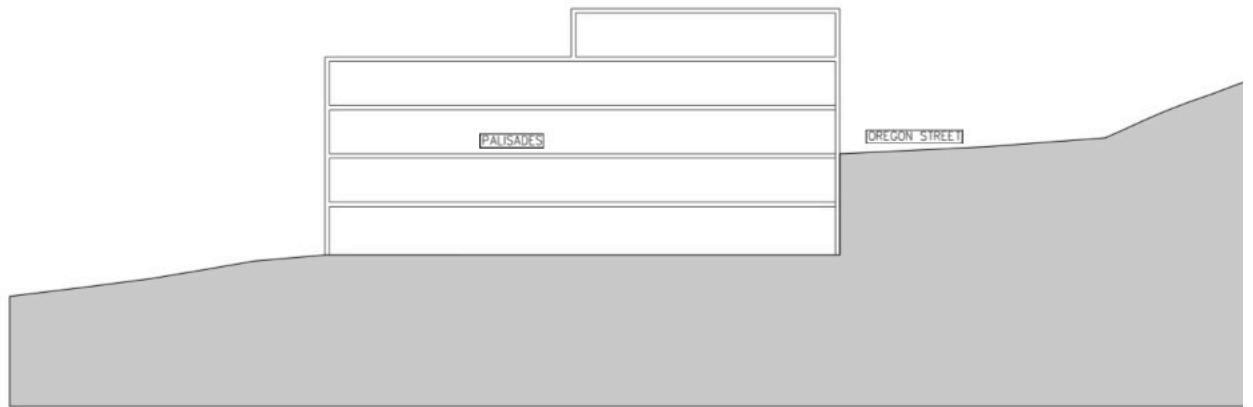
When we purchased our home (915 Riverview Place) in September of 2019, we were assured that no new structure beginning on Lot G of Oregon Street would exceed the height of the Palisades building. We were subsequently told (and see on page 4 of the August 2, 2002, PD Establishment documents) that no structure would exceed the elevation of the lower levels of the properties on Riverview Place. The current proposal is clearly not in compliance with those guarantees. Not only is the proposed building significantly taller than Palisades, but the view from our Lower Level is dramatically impacted.

The Developer's Proposal considers the main level of our home - to be at 700 ft, and states in the text that the rooftop of the proposed building will be approximately 680 ft, which suggests that the rooftop would be below our lower level. However, as illustrated in the developer's hillside elevation, the proposed rooftop reaches the middle of our lower level. We understand the floor of our main level to be closer to 680 ft (gps), which means the proposed building would completely obstruct our lower level, as well dramatically impact the view from our main level.

We are also very much concerned regarding planning for the adjacent structures in reference to what is built on lot G. If building's on Oregon St. (east side) are allowed to be more than a full story higher than Oregon (west side), and each planned unit of building E is allowed to be three feet taller than it's neighbor to reach 696' 4" (as implied in the PD Establishment Documents), then our main level view to the west, and much of downtown will be effectively blocked.



NEW SITE SECTION 1
1/16" = 1'-0" A1.1



EXISTING SITE SECTION 2
1/16" = 1'-0" A1.1

Current Main Floor View 915 Riverview Place



Sincerely,

Karen and Ken Muldrow
915 Riverview Place

Sent from my iPad

MOUNT ADAMS CIVIC ASSOCIATION

July 28, 2025

Mr. Kevin Tidd
Chief Counsel – Land Use & Infrastructure
Law Department, City of Cincinnati
801 Plum St, Rm 226
Cincinnati, Ohio 45202

Re: 310 Oregon Street | 3-Unit Condo Building

Dear Kevin,

On behalf of the Mount Adams Civic Association, I attended the Staff Conference regarding the referenced project hosted by Andrew Halt of the Department of Buildings and Engagement on July 23, 2025. During that meeting I asked Andrew to confirm whether the application was to be analyzed under Chapter 1467 of the Cincinnati Municipal Code as in force in 2002 or under Section 1429 of the current Municipal Code. Andrew was uncertain and asked me to contact you for clarification.

When you and I discussed this application in May you indicated that the application was to be analyzed as a “Legacy Planned Unit Development”. I demurred because no information was provided to us about a Legacy PUD concept, nor was there publicly available evidence that the referenced project was in fact part of a PUD (as the City’s zoning map does not show a PUD exists in Mount Adams).

I have investigated this matter further and have developed the following information. Ohio law does recognize the concept of a legacy PUD (akin to a vested right). The base precedent is the Ohio Supreme Court’s decision in *Gray v. Trustees, Monclova Township*, 38 Ohio St. 2nd 310, 313 N.E.2d 366 (1974). The holding is based on the principle that a PUD adopted pursuant to the zoning provisions then in effect works an amendment of the municipality’s zoning code and continues to govern development of the affected properties even if the zoning code is subsequently amended. The next step in our review was to determine whether there had been a PUD adopted regarding the “Oregon/Baum development”. You had previously provided me with a copy of the Hearing Examiner Report and Decision dated August 2, 2002 (the “Decision”), which referenced it was adopted pursuant to Chapter 1467 of the Cincinnati Zoning Code (“PUD Planned Unit Development Regulations”). The last step in my legal journey was to find the text of Section 1467 as that provision was removed in the revision of the Cincinnati Zoning Code in 2004. Andrew was unable to provide me with a copy. (It is curious that the Planning Department does not have before it the law that governs the application.) I was able, however, to obtain

a copy of Section 1467 from the Clerk of the City Council last Tuesday (and forwarded a copy to Andrew).

It appears from the information I have developed that your position is correct. The Oregon/Baum project is a PUD and development of that PUD is governed by the Decision, which effected an amendment to the Cincinnati Municipal Code. Therefore, the current application is to be analyzed and governed by the "Conditions" set forth at pages 7 and 8 of the Decision. Please review, in particular, Condition 11, which provides in relevant part: "[T]he specific architectural and engineering plans for each building and/or phase be submitted and approved by the staff reviewing authority and the Hearing Examiner before a building permit is issued."

There is no legal basis for the City to require a "Final Development Plan" under Section 1429 of the current zoning ordinance, which is inapplicable to the Legacy Oregon/Baum PUD. Any additional planning documents required for production for the record are to be produced as a Condition 11 requirement. The City cannot cherry pick what provisions of the former or present Municipal Codes apply. Requiring a "Final Development Plan" introduces significant confusion to our planning regime. This is an either/or question. Either Section 1467 of the Municipal Code as in effect in 2002 governs. Or the City may take the position that the 2002 PUD has expired and the referenced project is governed by *all* applicable provisions of the Municipal Code as presently in effect. (Emphasis added)

We would be grateful if you could confirm whether this is a Section 1467 or a Section 1429 proceeding.

Sincerely,



Stephen F. Vogel

Mount Adams Civic Association

email: svoges1953@gmail.com; cell: 513.888.7930

Cc: Andrew Halt

Charles J. Postow