

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

**September 20, 2024**  
**9:00 a.m.**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**MINUTES** Consider the minutes of August 16, 2024. (p. 2)

**CONSENT ITEMS – LEGISLATIVE**

**ITEM 1** A report and recommendation on the proposed dedication of a portion of E. Seymour Avenue right-of-way at 7100 Shona Drive in Roselawn. (Ferries-Rowe) (p. 11)

**ITEM 2** A report and recommendation on the proposed release of subway easements and the vacation of sewer lines along Harris Avenue in Norwood. (Gibbs) (p. 16)

**CONSENT ITEMS – QUASI-JUDICIAL**

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

**ITEM 3** A report and recommendation on a proposed Development Plan and Final Plat located at 5354 Indian Mound Avenue in Pleasant Ridge. (Urbancsik) (p. 21)

**DISCUSSION ITEM – LEGISLATIVE**

**ITEM 4** A report and recommendation on a proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #88 (PD-88), Three Oaks, in Oakley. (Burns) (p. 35)

**DISCUSSION ITEM – QUASI-JUDICIAL**

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

**ITEM 5** A report and recommendation on a proposed Final Development Plan for Planned Development #88 (PD-88), Three Oaks, in Oakley. (Burns) (p. 65)

**OTHER BUSINESS**

**ITEM 6** A report and recommendation on proposed fees for the Department of City Planning and Engagement. (Hoffman) (p. 100)

**DIRECTOR'S REPORT**

**ADJOURN**

# PROCEEDINGS OF THE CITY PLANNING COMMISSION

**August 16, 2024**

## **Regular Meeting**

A regular meeting of the Cincinnati City Planning Commission for Friday, August 16, 2024 was held in the Council Chambers of City Hall, 801 Plum Street, Cincinnati, Ohio 45202 and virtually on Zoom.

The manner of remote participation complied with all requirements of the Open Meetings Act. The meeting could be watched in real time on CitiCable or by livestreaming the meeting at [www.cincinnati-oh.gov/media](http://www.cincinnati-oh.gov/media). Members of the public were invited to participate in-person or by registering online to receive the Zoom link. Public comments and questions to be shared with the City Planning Commission could be submitted to the Department of City Planning and Engagement in advance of the meeting.

Present: Ms. Byron Stallworth, Chair  
Ms. Daniella Beltran, Commissioner  
Mr. John Eby, Commissioner (via Zoom)  
Vice Mayor Ms. Jan-Michele Lemon Kearney, Commissioner (via Zoom)  
Mr. Jacob Samad, Vice Chair  
Assistant City Manager, Mr. William “Billy” Weber, Commissioner

Excused: Ms. Anne Sesler, Commissioner

Staff Present: Ms. Katherine Keough-Jurs, City Planning & Engagement, Director  
Mr. David Sturkey, Law, Legal Counsel  
Ms. Stacey Hoffman, City Planning & Engagement, City Planning Division Manager  
Ms. Emily Burns, City Planning & Engagement, City Planner  
Ms. Gabrielle Couch, City Planning & Engagement, City Planner  
Ms. Maria Dienger, City Planning & Engagement, Senior City Planner  
Mx. Sophia Ferries-Rowe, City Planning & Engagement, City Planner  
Mr. Kyle Gibbs, City Planning & Engagement, City Planner  
Mr. Andrew Halt, City Planning & Engagement, Senior City Planner  
Mr. Jesse Urbancsik, City Planning & Engagement, Senior City Planner  
Ms. Ashlie Wilkson, City Planning & Engagement, Senior Administrative Specialist

*Mr. Stallworth called the meeting to order at 9:02 a.m. and asked that everyone join in the Pledge of Allegiance.*

**Minutes**

**Commission Action:**

Approved the minutes from the May 17, 2024 meeting.

Motion: Mr. Eby  
Second: Mr. Samad  
Ayes: Mr. Eby, Ms. Beltran, Mr. Samad, Mr. Stallworth, Mr. Weber  
Nays: None  
Absent: Ms. Kearney  
Excused: Ms. Sesler

**Commission Action:**

Approved the minutes from the June 21, 2024 meeting.

Motion: Mr. Samad  
Second: Mr. Weber  
Ayes: Mr. Eby, Mr. Samad, Mr. Stallworth, Mr. Weber  
Nays: None  
Abstained: Ms. Beltran  
Absent: Ms. Kearney  
Excused: Ms. Sesler

**Commission Action:**

Approved the minutes from the July 19, 2024 meeting.

Motion: Mr. Samad  
Second: Mr. Eby  
Ayes: Mr. Eby, Ms. Beltran, Mr. Samad, Mr. Stallworth, Mr. Weber  
Nays: None  
Absent: Ms. Kearney  
Excused: Ms. Sesler

**Consent Agenda – Legislative**

**ITEM 1**

A report and recommendation on a proposed lease amendment for Findlay Market in Over-the-Rhine. The Department of City Planning and Engagement staff recommended that the City Planning Commission:

**APPROVE** the proposed lease amendment for Findlay Market in Over-the-Rhine.

**Commission Action:**

Moved to approve the staff's recommendation for Item 1 on the Legislative Consent Agenda.

Motion: Mr. Samad  
Second: Mr. Weber  
Ayes: Mr. Eby, Ms. Beltran, Mr. Samad, Mr. Stallworth, Mr. Weber  
Nays: None  
Absent: Ms. Kearney  
Excused: Ms. Sesler

Mr. Stallworth addressed the Commission and stated Items 2 & 3 were related to the same proposed development and requested to hold discussion until after Item 3 was presented.

*Ms. Kearney joined the meeting at 9:09 a.m. and was recused from Items 2 & 3 and placed in the Zoom waiting room.*

### **Discussion Agenda – Legislative**

#### **ITEM 2**

Ms. Couch presented a report and recommendation on a proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #38 (PD-38), The Villages of Daybreak, in Bond Hill. The Department of City Planning and Engagement staff recommended that the City Planning Commission:

- 1) **ADOPT** the Department of City Planning and Engagement Findings as detailed in the staff report; and
- 2) **APPROVE** the Major Amendment to the Concept Plan and Development Program Statement for Planned Development #38 (PD-38), The Villages of Daybreak, as outlined in the staff report.

### **Discussion Agenda – Quasi-Judicial**

#### **ITEM 3**

Ms. Couch presented a report and recommendation on a proposed Final Development Plan for Planned Development #38 (PD-38), The Villages of Daybreak, in Bond Hill. The Department of City Planning and Engagement staff recommended that the City Planning Commission:

- 1) **ADOPT** the Department of City Planning and Engagement Findings as detailed in the staff report; and
- 2) **APPROVE** the proposed Final Development Plan for Planned Development #38 (PD-38), The Villages of Daybreak, in Bond Hill.

*Mr. Sturkey swore the speakers in as Item 3 was a quasi-judicial item.*

#### **Speakers and Discussion:**

Mr. Sean Suder, legal representative for the applicant, provided opening statements regarding the need for the development despite opposition from some residents. Mr. Suder explained that developing condominiums was not economically feasible and said the proposal was the product of neighborhood feedback and was compatible with the surrounding land uses. Mr. Suder concluded by introducing Mr. J.P. Burleigh, legal representative for the applicant, to conduct the remainder of the hearing.

Ms. Christi Lanier-Robinson, with LDG Development and a member of the applicant team, provided a brief history of LDG Development and their area of expertise. Ms. Lanier-Robinson explained the process of holding assets as an affordable housing developer and explained the

services that would be provided to the community. Mr. Samad asked about the growth of investment from the first development to new development in different cities and how the applicant grew their relationships with each city they were developing in. Ms. Lanier-Robinson stated each city had different needs and explained the applicant's community engagement approach to identify those needs to develop a product that would be safe, affordable, and economically beneficial. Mr. Stallworth asked if the applicant had experienced community backlash at any point. Ms. Lanier-Robinson stated there had been experiences of community backlash but confirmed that the applicant worked to resolve any issue. Mr. Stallworth asked about inclusionary goals. Ms. Lanier-Robinson emphasized the applicant's commitment to exceeding minority procurement goals in construction projects. Ms. Beltran asked if other neighbors that did not directly live at the development could make use of the services offered at the applicant's development. Ms. Lanier-Robinson confirmed that surrounding neighbors did use the services offered and stated the applicant encouraged neighborhood usage.

Mr. Jordan Chambers, Development Coordinator with LDG Development and a member of the applicant team, stated three community engagement meetings were held since the June 21, 2024 City Planning Commission meeting. Mr. Chambers stated all feedback was collected and individually responded to and confirmed the applicant was working with the Bond Hill Community Council on a community benefits agreement. Mr. Stallworth asked how the community felt about the proposed project after the additional community engagement meetings. Mr. Chambers stated he believed the meetings went well and were productive for both the applicant and the community. Ms. Beltran asked how the additional community engagement meetings were promoted and advertised to encourage community participation. Mr. Chambers stated individual letters were sent to surrounding properties along with letters to the Homeowners Association (HOA) President of The Villages of Daybreak.

Ms. Esther Wermer, Development Coordinator with LDG Development and a member of the applicant team, highlighted the changes made to the proposed design based on community feedback. Mr. Samad asked how many changes were made based on feedback in comparison to other projects. Ms. Wermer stated the applicant made changes to other projects, citing a Columbus development and stated the applicant was willing to make changes when necessary. Ms. Beltran asked why the applicant chose to reduce building one on the site plan. Ms. Wermer stated the applicant chose to reduce building one due to community concerns and explained the ease of reduction.

Mr. Steve Gagliardi, Architect with Berardi Partners and a member of the applicant team, addressed sustainability concerns, including water runoff and site accents, and noted how the parking additions would impact drain issues. Ms. Beltran asked if there were considerations of access to the playground and clubhouse surrounded by parking. Mr. Gagliardi confirmed considerations of access were made and said accessible spaces and walks to those specific sites were provided.

Mr. Jonathan Evans, Civil Engineer with Evans Engineering and a member of the applicant team, stated all concerns and comments from city departments and staff were addressed during the City's coordinated site review. Mr. Stallworth asked how the applicant would address water runoff from the proposed additional parking. Mr. Evans reassured similar management of storm water.

Mr. Todd Kinskey, with ZoneCo LLC and a witness for the applicant, stated that apartments were a good use for the subject site due to the nearby retail and mixed-use developments. Mr. Kinskey highlighted the compatibility of the proposed project with the surrounding land use patterns and stated he believed the project promoted quality, affordable housing in the City. Mr. Kinskey disputed claims that the new development would lower property values, citing Harvard University and the Urban Land Institute (ULI) studies, and stated the Low-Income Housing Tax Credit (LIHTC) investments were a leading indicator of a community on the rise, with no evidence to support decreased property values.

Mr. Rick Kimbler, current owner and a witness for the applicant, provided a brief history on how he acquired the property and stated the approved concept plan was not economically viable. Mr. Kimbler stated some developers expressed interest in developing assisted living but said the scale and financing concerns persisted. Mr. Stallworth asked if Mr. Kimbler attended any of the community engagement meetings. Mr. Kimbler confirmed he attended all the community engagement meetings.

Ms. Angela Howard, a resident of The Villages of Daybreak, expressed concerns about density and insufficient time for feedback on the proposed project. Ms. Howard stated the community had an abundance of affordable housing and said the community opposed the proposed development due to the lack of engagement and concerns about community morale, preparedness, and benefit. Ms. Howard said she would like to prioritize homeownership on the subject site and expressed community concerns about the land development plan.

Ms. LaKesha Walker, a resident of The Villages of Daybreak, stated she believed the applicant's community engagement was insufficient and said her property would be directly affected, as the development site was located behind her house. Ms. Walker expressed frustration and stated the community was promised the development of single-family homes or condos and shared her concern about her privacy.

Ms. Tara Harris, a resident of The Villages of Daybreak, stated she opposed the proposed project due to concerns about property values and living conditions. Ms. Harris also expressed concerns about overcrowding and lack of amenities in the neighborhood.

Mr. William Brown, a resident of The Villages of Daybreak, stated his concern of increased traffic due to the new development and said he opposed the proposed development, citing health and community risks.

Ms. Angelica Hardee, a Bond Hill resident and the Vice President of Community Impact at the American Heart Association, expressed opposition to the proposed development and highlighted health concerns in the community due to overcrowding.

Mr. Jason Dunn, a resident of The Villages of Daybreak, stated the promises made to the Bond Hill community and The Villages of Daybreak to develop single-family homes were not kept and said he believed that to be intentional. Mr. Dunn stated The Port Authority owned the largest parcel of land in the neighborhood and had not invested in or maintained it. Mr. Dunn stated he believed that modern-day redlining by area banks limited investment and perpetuated the community's underdevelopment.

Ms. Daphne Ware, a resident of The Villages of Daybreak, stated her concerns about increased traffic safety and safety due to the development.

Ms. Keeyana Avery, a resident of The Villages of Daybreak, stated she and her neighbors have concerns about the proposed development and expressed disappointment in the proposed apartment building, citing a lack of transparency and potential noise disturbance for her family. Ms. Avery also expressed frustration with the lack of community engagement in the proposed development.

Ms. Patricia Moore, property owner at 1861 Sunwalk Drive, expressed concern about the applicant's trustworthiness due to the lack of community support and profit-driven motives and said she opposed the proposed development because of the lack of affordable home ownership.

*Mr. Eby left the meeting at 11:20 a.m.*

***A recess was taken at 11:20 a.m. The session resumed at 11:29 a.m.***

Ms. Charlene Davis, a Board of Trustees member for The Villages of Daybreak, stated that the applicant's attorney falsely claimed efforts of community engagement, despite no follow-up meetings or consideration of homeowner's concerns. Ms. Davis also stated the homeowners and condominium owners near the development site were concerned about the discrepancies in the height of the buildings and potential violations and fiduciary responsibility of the conservation easement.

Ms. Mary Hall, a nearby resident, expressed concerns about the new development in her community, citing potential negative impacts on property values and long-term wealth. Ms. Hall

shared personal experiences with new neighbors and traffic concerns and highlighted the need for responsible development in the community.

Ms. Angie Quebman, real estate agent with Keller Williams and listing agent for the subject property, stated builders rejected the proposal to build 26 single-family homes on the subject site due to high costs and limited profit potential. Ms. Quebman stated there were 12 remaining single-family lots in The Villages of Daybreak that were sold at a deep discount and estimated that building single-family homes in The Villages of Daybreak would require a price point of around \$550,000 to \$650,000 per lot to recuperate the cost of construction given the current market conditions and infrastructure in place.

Mr. Burleigh called upon Ms. Lanier-Robinson to rebut statements regarding the applicant's reputation in other cities. Ms. Lanier-Robinson stated the applicant had a good reputation despite negative media reports and confirmed that once the applicant became aware of concerns, a new property management company was brought in. Mr. Burleigh asked if the applicant could make any further changes in density while making the proposed project feasible. Ms. Lanier-Robinson stated the number of units could not be reduced further without compromising the staff necessary to maintain the facility. Ms. Beltran asked how the management company involved in maintaining the facility was selected. Ms. Lanier-Robinson explained the general management company selection process and stated the requirement to meet the criteria of familiarity with the market with a solid track record of managing affordable housing developments.

Mr. Burleigh called upon Mr. Chambers to rebut statements regarding the suggestion that the applicant's community engagement meetings were not meaningful. Mr. Chambers stated the applicant made the decision to postpone the item for discussion at the July 19, 2024 City Planning Commission meeting due to resident feedback at the second community outreach meeting and instead, held a third community outreach meeting to make design changes based upon the feedback received. Mr. Burleigh asked if alternative sites were evaluated for the proposed development. Mr. Chambers confirmed that another site was evaluated for development but was owned by The Port, who confirmed there was no interest in residential development at the location.

Mr. Stallworth asked Mr. Kimbler how he was introduced to the applicant that was headquartered in Louisville, Kentucky. Mr. Kimbler stated the applicant connected with Ms. Quebman.

Mr. Burleigh provided closing statements and stated the proposed development was a \$45 million investment on a vacant site. Mr. Burleigh stated that although the residents preferred townhomes or single-family homes, the site was zoned for 10 buildings of five-unit attached condos. Mr. Burleigh also stated that reducing the unit count from 168 to 150 was significant for the developer's business and impacted the ability to provide housing for people in need. Mr. Burleigh reiterated testimony from Mr. Kinskey that suggested multifamily development was a good land use for the subject site despite concerns about property values. Mr. Burleigh also reiterated the changes the

applicant made to address residents' concerns by removing the initially proposed pool, moving the location of the clubhouse, and adding green space and said the proposed development would have less of an impact from a traffic perspective than the currently approved concept plan.

Mr. Weber acknowledged the concerns voiced regarding pedestrian and vehicular safety and stated the City Administration's commitment to working with City staff to address traffic calming measures. Ms. Beltran highlighted the intersection's potential as a key point for business revitalization.

**Commission Action:**

Moved to approve the staff's recommendations for Item 2 on the Legislative Discussion Agenda.

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

**Commission Action:**

Moved to approve the staff's recommendations for Item 3 on the Quasi-Judicial Discussion Agenda.

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

*Ms. Kearney returned to the meeting via Zoom.*

**Other Business**

**ITEM 4**

Ms. Keough-Jurs stated that Item 4 would be held until the next City Planning Commission meeting due to quorum issues.

**Director's Report**

Ms. Keough-Jurs thanked the City Planning Commission for their time and announced that the next City Planning Commission meeting might be cancelled due to the lack of items.

*The meeting adjourned at 12:27 p.m.*

**APPROVAL OF THE PROCEEDINGS OF THE CITY PLANNING COMMISSION**

**August 16, 2024**

The minutes for the August 16, 2024 Regular Meeting are approved as distributed.

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

\_\_\_\_\_  
Byron Stallworth, Chair  
City Planning Commission

Date: \_\_\_\_\_

Date: \_\_\_\_\_

September 20, 2024

Honorable City Planning Commission  
Cincinnati, Ohio

**SUBJECT:** A report and recommendation on the proposed dedication of a portion of E. Seymour Avenue right-of-way at 7100 Shona Drive in Roselawn.

**GENERAL INFORMATION:**

Location: 7100 Shona Drive, Cincinnati, OH 45237

Applicant/Owner: Siemens Medical Solutions USA, Inc., 40 Liberty Boulevard, Malvern, PA 19355

**EXHIBITS:**

Provided in addition to this report are the following exhibits:

- Exhibit A Location Map
- Exhibit B Dedication Plat

**BACKGROUND AND ANALYSIS:**

The City Planning Commission is being asked to consider the dedication of right-of-way for an additional 94 square feet (0.0021 acres) along the north side of Seymour Avenue at the southwest corner of 7100 Shona Drive, Cincinnati, OH 45237. The proposal would dedicate the right-of-way to the City of Cincinnati for public use as a street to fulfill a request made by the City at the time of project plan review. The dedication is associated with the construction of a commercial laboratory.

The proposed dedication was circulated to City departments and reviewing agencies through the Coordinated Report process. No objections exist; however, the Office of Environment and Sustainability shared additional requirements. All adjacent property owners and the Roselawn Community Council were notified of the City Planning Commission meeting. No correspondence has been received to date.

**CONSISTENCY WITH PLAN CINCINNATI (2012):**

The proposed Dedication Plat is consistent with the Connect Initiative Area of *Plan Cincinnati* (2012), particularly within the Strategy to “Plan, design and implement a safe and sustainable transportation system” (p. 135).

**RECOMMENDATION:**

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

**APPROVE** the proposed Dedication Plat of a portion of E. Seymour Avenue right-of-way at 7100 Shona Drive in Roselawn.

Respectfully submitted:



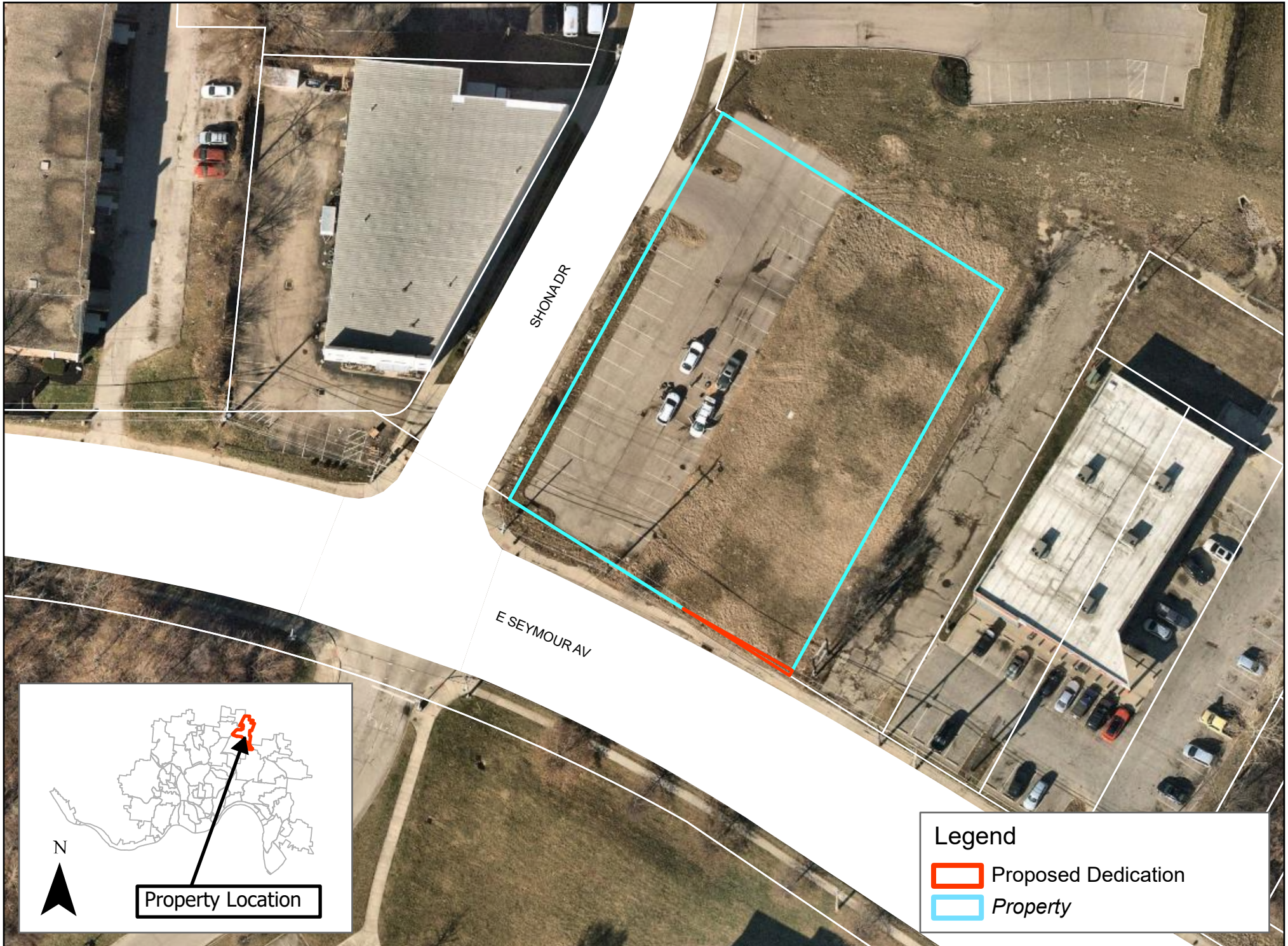
Sophia Ferries-Rowe, City Planner  
Department of City Planning and Engagement

Approved:



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

# Proposed Dedication of a Portion of 7100 Shona Drive in Roselawn



# Dedication Plat

## E. Seymour Avenue

Bearings:  
Based on Plat  
Book 489, Page 46.

**Shona Drive**  
(Variable Width Public R/W)

PC 1/28/20

S 58°57'00" E 83.00'

**E. Seymour Avenue**  
(Variable Width Public R/W)

R=765.51  
Δ=56.83  
Ch=61°33'51" E  
L=56.85

Area of Dedication  
0.0021 Acres  
(94 Sq. Ft.)

Part of  
Siemens Medical Solutions USA, Inc.  
D.E. 14547, Pg. 1513  
Parcel No. 117-0017-0098

POB

S 27°45'00" W 56.91'

S 27°45'00" W 2.59'

Metrol County Parcel No. 117-0017-0100  
D.E. 14547, Pg. 1513  
Parcel No. 117-0017-0100

No part of any driveway approach within the roadway right-of-way shall be installed closer than 5 feet to any inlet, utility pole, street light pole, traffic control device, guy wire anchor or fire hydrant.

The owners of all properties shown on this plat shall be subject to all applicable sewer charges, assessments, tap-in charges, or fees, which have been or may be established by the Board of County Commissioners, Hamilton County, Ohio

Approved by: \_\_\_\_\_  
Sewers Chief Engineer, Metropolitan Sewer District

Approved by: \_\_\_\_\_  
City of Cincinnati, Stormwater Management Utility Engineer

Approved by: \_\_\_\_\_  
City Engineer

Approved by the Planning Commission of the City of Cincinnati on the \_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_ Date \_\_\_\_\_  
Director of Department of City Planning and Engagement

Approved as to Form: \_\_\_\_\_  
Assistant City Solicitor

The dedication of the right-of-way tract depicted herein is accepted by Cincinnati City Council by Ordinance No. \_\_\_\_\_, passed by Cincinnati City Council on \_\_\_\_\_, 20\_\_\_\_.

Clerk of Cincinnati City Council \_\_\_\_\_

### Dedication and Acknowledgement

Property shown on this plat was conveyed to Siemens Medical Solutions USA, Inc. by deed recorded in Official Record 14547, Page 1513 of the Hamilton County Recorder's Office.

Siemens Medical Solutions USA, Inc., being the owner of the lands as indicated and herein described, does hereby adopt and confirm this plat of dedication and dedicate those portions of Seymour Avenue, as depicted hereon to public use for street purposes forever.

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

State of Ohio, S.S.  
County of Hamilton

Be it remembered on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a notary public in and for the State of Ohio, personally appeared \_\_\_\_\_ the \_\_\_\_\_ of Siemens Medical Solutions USA, Inc., who acknowledged the signing of the foregoing instrument to be his/her voluntary act and deed. In testimony whereof, I hereunto subscribe my name and affix my notary seal.

Notary Public \_\_\_\_\_

My Commission Expires \_\_\_\_\_

State of Ohio, S.S.  
County of Hamilton

Be it remembered on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a notary public in and for the State of Ohio, personally appeared \_\_\_\_\_ the \_\_\_\_\_ of Siemens Medical Solutions USA, Inc., who acknowledged the signing of the foregoing instrument to be his/her voluntary act and deed. In testimony whereof, I hereunto subscribe my name and affix my notary seal.

Notary Public \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Closure Report - 0.0021 Acre Dedication

Point#	Bearing	Distance	Northing	Easting
1	N 58°57'00" W	56.91	4922.63	10128.51
5			4951.99	10079.75
7	S 27°45'00" W	2.59	4924.92	10129.71

Radius: 765.51 Length: 56.83 Chord: 56.82 Delta: 0°41'51"  
 Chord BRS: S 61°33'50" E Rod-In: S 26°18'54" W Rod-Out:  
 S 30°54'07" W Rod-PC: S 42°53'09" E Rod-TO: S 28°43'  
 Dir: Right Tangent-In: S 63°41'06" E Tangent-Out: S 59°25'53" E  
 Non Tangential-In Non Tangential-Out

Closure Error Distance: 0.0002 Error Bearing: N 77°35'39" W  
 Closure Precision: 1 in 494031.4 Total Distance  
 Area: 0.0021 Acres (94 Sq. Ft.)

OCCUPATION  
As Shown On Plat

Dedication Plat

Survey Type  
Hixson  
E. Seymour Avenue

Section 6, Town 3, F.R. 2  
Mill Creek Township  
City of Cincinnati  
Hamilton County, Ohio

MML GJB 1" = 10'

Drawn By: \_\_\_\_\_ Checked By: \_\_\_\_\_ Drawing Date: 08/09/2023 Project Number: 22024



*Gerard J. Berding*  
Gerard J. Berding, P.S. - 6880  
berding@berdingsurveying.com  
02-21-2024  
Date



1. 2-21-24 DMP: Revised per comment  
Revisions



**Berding Surveying**

GPS Surveying • 3D Laser Scanning  
741 Main Street | Millard, OH 45150 | www.berdingsurveying.com  
937.831.6761 Fax | 937.831.5859 cell  
Copyright © 2024 G. J. Berding Surveying, Inc. All rights reserved.

—△— Indicates existing MAG Nail  
—●— Indicates set 5/8" x 30" Iron Pin and Cap  
—○— Indicates existing 5/8" Iron Pin, unless noted otherwise

Monument Legend

September 20, 2024

**Honorable City Planning Commission  
Cincinnati, Ohio**

**SUBJECT:** A report and recommendation on the proposed release of subway easements and the vacation of sewer lines along Harris Avenue in Norwood.

**GENERAL INFORMATION:**

Location: Along Harris Avenue in Norwood, Ohio (Exhibit A)  
Applicant/Owner: Terrex Harris Ave LLC, 3200 Madison Road, Cincinnati, OH 45209

**ATTACHMENTS:**

Provided in addition to this report are the following exhibits:

- Exhibit A – Location Map
- Exhibit B – Requests Map
- Exhibit C – Property Exhibit Plat
- Exhibit D – Utility Plan

**BACKGROUND AND ANALYSIS:**

Terrex Harris Ave LLC is asking the City Planning Commission to consider several real estate items. Specifically, they request that the City release two separate easements that were put in place to construct, maintain, and operate underground subway tunnels along Harris Avenue in Norwood, Ohio; release an easement granted by Duke Energy to the City for cross-access and maintenance of the retaining wall along the old subway line; vacation of the sanitary sewer lines located in the old subway tunnel; vacation of the sewer facilities on the west end of the site (all in Harris Avenue right-of-way); and the release of any rights the City may reserve in the Harris Avenue right-of-way.

The subway tunnel is currently abandoned and filled in. The existing sanitary sewers are believed to be compromised, and the applicant plans to install new storm and sanitary lines on site once they have identified an end user. Terrex Harris Ave LLC owns the subject properties for which the requests are being made and is in the process of having the Harris Avenue right-of-way vacated by the City of Norwood. The initial request was reviewed through the City's Coordinated Report process in 2017 and 2020 and has since been modified and resubmitted to comply with that feedback.

**CONSISTENCY WITH PLAN CINCINNATI (2012):**

The request is consistent with the "Sustain" Initiative Area of *Plan Cincinnati* (2012), through the goal to "Manage our financial resources" (p.199). It is in the City's interest to dispose of obsolete real estate items.

**RECOMMENDATION:**

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

**APPROVE** the proposed release of subway easements and the vacation of sewer lines along Harris Avenue in Norwood.

Respectfully submitted:



Kyle Gibbs, City Planner  
Department of City Planning & Engagement

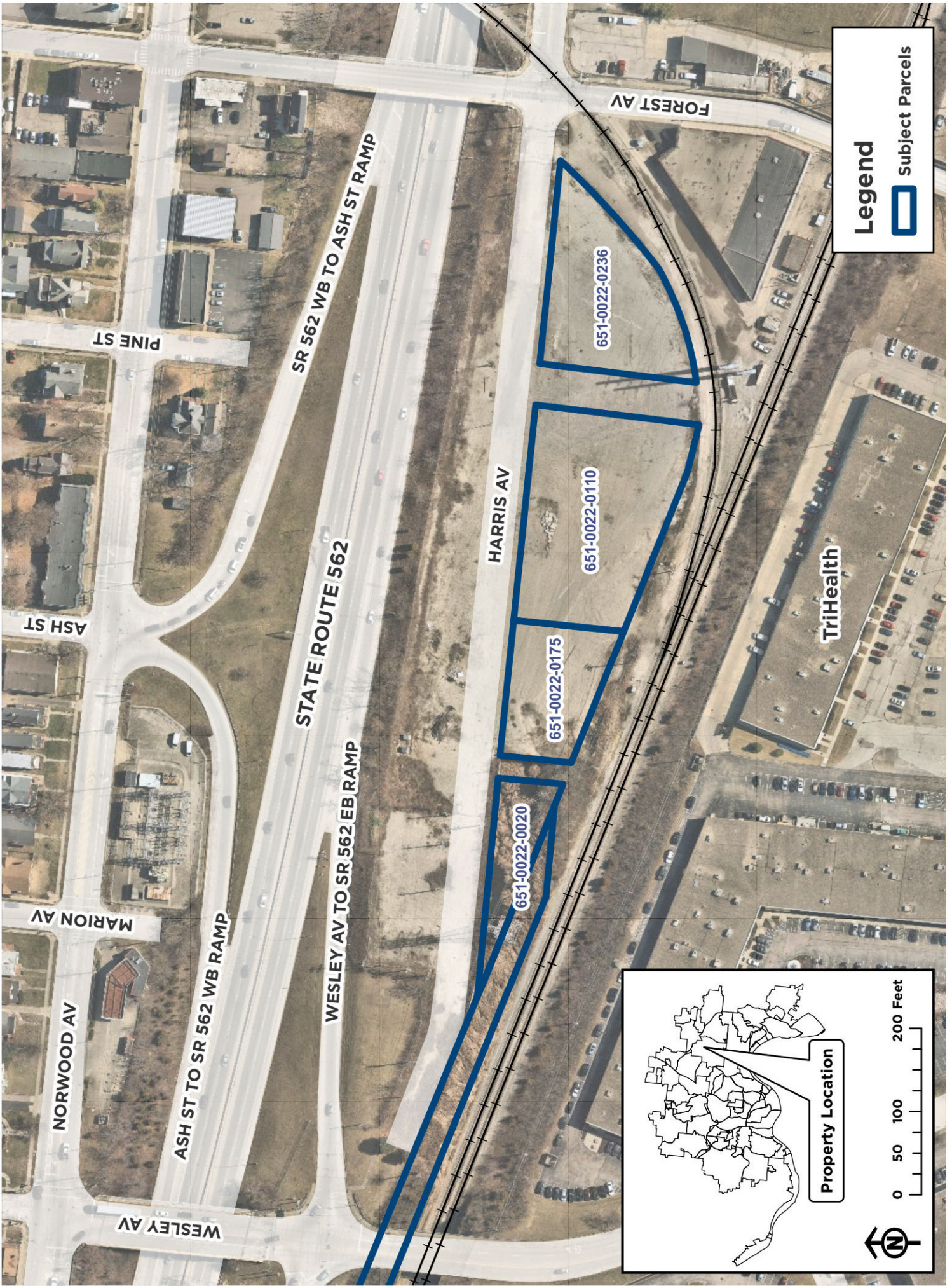
Approved:



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

# Location Map - 2339 Harris Avenue, Norwood, Ohio

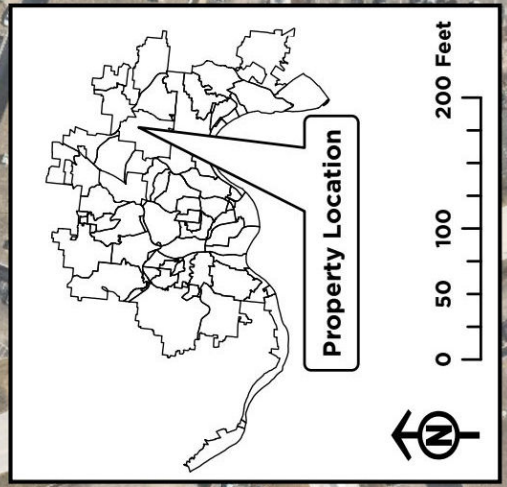
Exhibit A



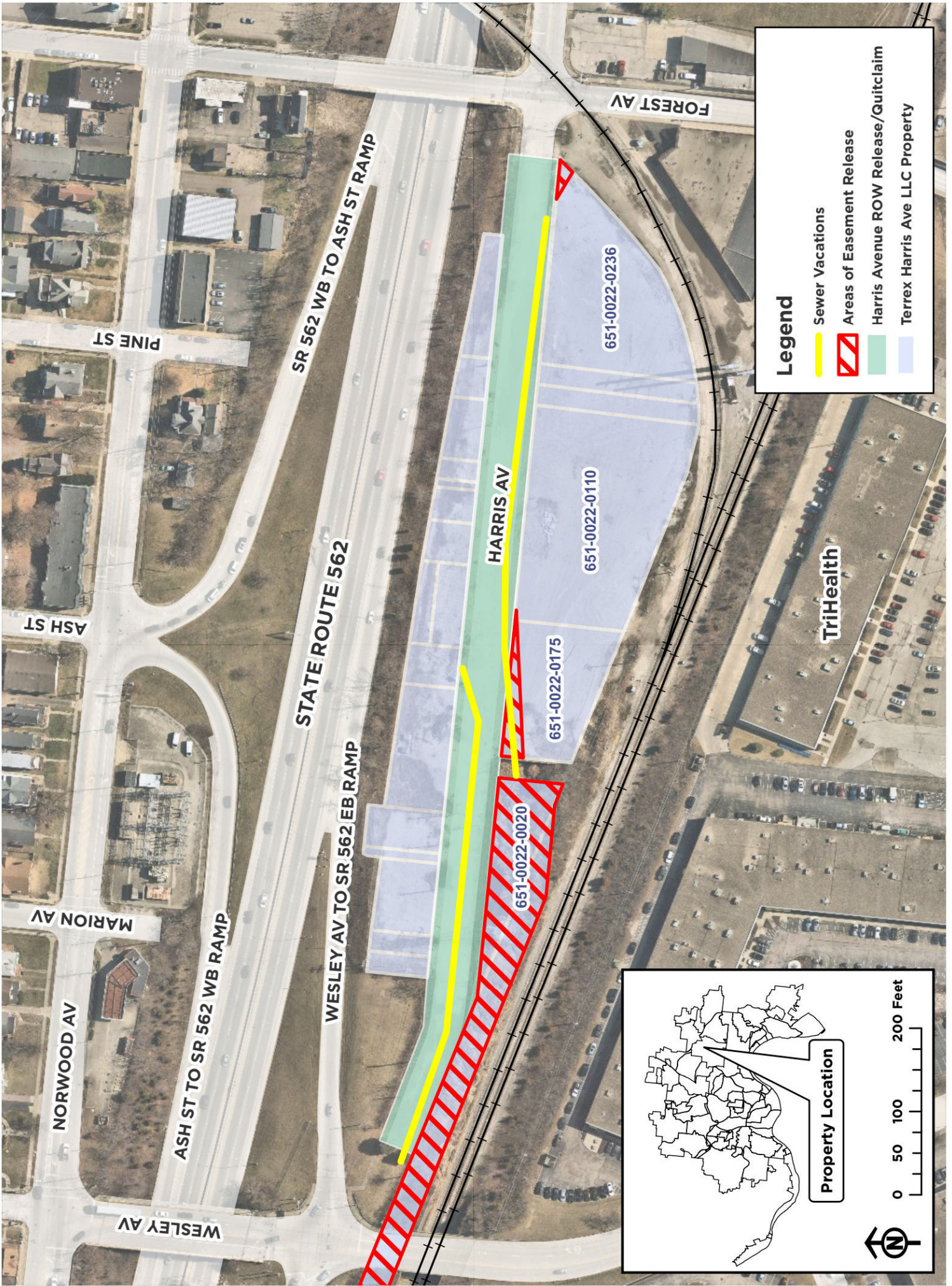
Legend

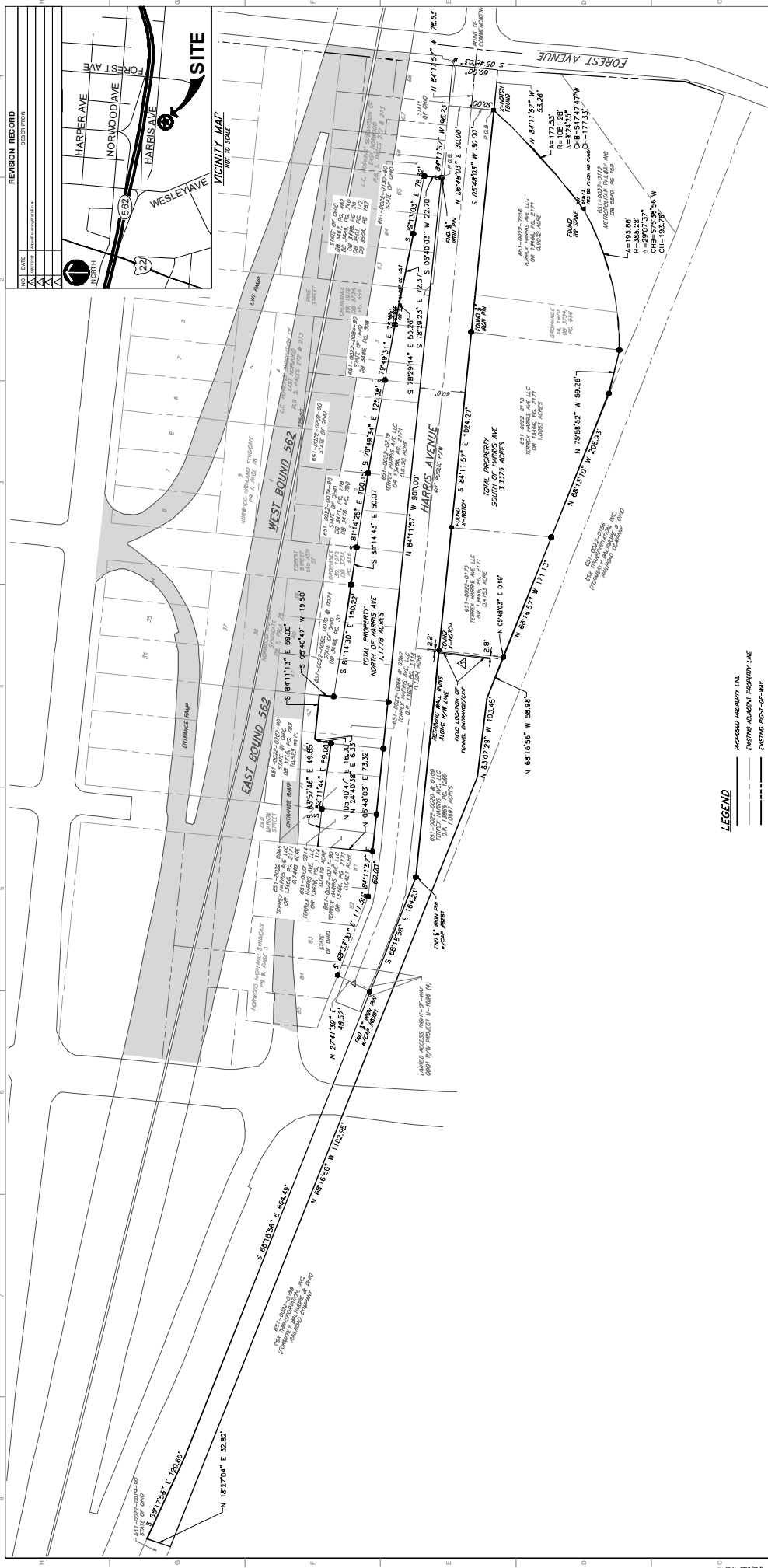


Subject Parcels



# Proposed Release of Easements and Vacation of Sewers along Harris Avenue in No. Exhibit B





**CEC**  
**Civil & Environmental Consultants, Inc.**  
 8880 Meridian Blvd., Cincinnati, OH 45240  
 Ph: 513-835-2200 Fax: 513-835-2201  
 www.cecinc.com

**PROPERTY EXHIBIT PLAT**  
 SECTION 34, TOWN 4, F.R. 2  
 MIAMI PURCHASE

CITY OF NORWOOD  
 HAMILTON COUNTY, OHIO  
 TERREX HARRIS AVE, LLC  
 2339 HARRIS AVENUE, CINCINNATI, OHIO

DATE: AUGUST 28, 2018 SCALE: 1" = 60' DRAWING NO: SW08  
 DRAWN BY: Z.J. CHECKED BY: [ ]  
 PROJECT NO: 172-041 APPROVED BY: [ ] DTD: [ ]

**SURVEYORS CERTIFICATION**  
 I hereby certify that this plat of survey is a correct representation of a field survey conducted in accordance with the laws of Ohio, and that I am a duly licensed surveyor under the laws of the State of Ohio. I am not providing any warranty, express or implied, for the accuracy of the information shown on this plat.

**DRAFT**

Scott T. Chappelow, R.S.  
 One Appleton Professional Surveyor #7128

DATE: \_\_\_\_\_

**LEGEND**

- PROPOSED PROPERTY LINE
- EXISTING ADJACENT PROPERTY LINE
- EXISTING EASEMENT
- EXISTING EASEMENT
- ADJACENT STATE ROAD
- ROAD P.M. BY CIP ADJ. ROAD
- CHISELED MARK FOUND
- MEAS. WITH P.M. SET & CIP
- CIP "X" SET
- ANG. INE. SET

**SURVEYORS NOTES:**  
 OCCUPANCY IN CONTROL MATCHED THE SURVEY  
 MONUMENTS FOUND ARE IN GOOD CONDITION UNLESS NOTED OTHERWISE  
 ALL STATE PLANS, MAPS, AND SURVEY DATA, EXCEPTED FROM A  
 SOURCE OF RECORD, AND NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN  
 CONSENT OF THE SURVEYOR.  
 SIZE PLATE COORDINATES MADE TO CORRESPOND TO GRID AND LATITUDE, LONGITUDE, AND  
 MEAN SEA LEVEL. PROJECT MEAS. 2011. GROUND SCALE FACTOR 1.00001306.  
 SOURCE DOCUMENTS USED AS SHOWN

NO.	DATE	DESCRIPTION
1	08/28/18	ISSUED FOR PERMIT
2	08/28/18	ISSUED FOR PERMIT
3	08/28/18	ISSUED FOR PERMIT
4	08/28/18	ISSUED FOR PERMIT
5	08/28/18	ISSUED FOR PERMIT
6	08/28/18	ISSUED FOR PERMIT
7	08/28/18	ISSUED FOR PERMIT
8	08/28/18	ISSUED FOR PERMIT
9	08/28/18	ISSUED FOR PERMIT
10	08/28/18	ISSUED FOR PERMIT
11	08/28/18	ISSUED FOR PERMIT
12	08/28/18	ISSUED FOR PERMIT
13	08/28/18	ISSUED FOR PERMIT
14	08/28/18	ISSUED FOR PERMIT
15	08/28/18	ISSUED FOR PERMIT
16	08/28/18	ISSUED FOR PERMIT
17	08/28/18	ISSUED FOR PERMIT
18	08/28/18	ISSUED FOR PERMIT
19	08/28/18	ISSUED FOR PERMIT
20	08/28/18	ISSUED FOR PERMIT
21	08/28/18	ISSUED FOR PERMIT
22	08/28/18	ISSUED FOR PERMIT
23	08/28/18	ISSUED FOR PERMIT
24	08/28/18	ISSUED FOR PERMIT
25	08/28/18	ISSUED FOR PERMIT
26	08/28/18	ISSUED FOR PERMIT
27	08/28/18	ISSUED FOR PERMIT
28	08/28/18	ISSUED FOR PERMIT
29	08/28/18	ISSUED FOR PERMIT
30	08/28/18	ISSUED FOR PERMIT
31	08/28/18	ISSUED FOR PERMIT
32	08/28/18	ISSUED FOR PERMIT
33	08/28/18	ISSUED FOR PERMIT
34	08/28/18	ISSUED FOR PERMIT
35	08/28/18	ISSUED FOR PERMIT
36	08/28/18	ISSUED FOR PERMIT
37	08/28/18	ISSUED FOR PERMIT
38	08/28/18	ISSUED FOR PERMIT
39	08/28/18	ISSUED FOR PERMIT
40	08/28/18	ISSUED FOR PERMIT
41	08/28/18	ISSUED FOR PERMIT
42	08/28/18	ISSUED FOR PERMIT
43	08/28/18	ISSUED FOR PERMIT
44	08/28/18	ISSUED FOR PERMIT
45	08/28/18	ISSUED FOR PERMIT
46	08/28/18	ISSUED FOR PERMIT
47	08/28/18	ISSUED FOR PERMIT
48	08/28/18	ISSUED FOR PERMIT
49	08/28/18	ISSUED FOR PERMIT
50	08/28/18	ISSUED FOR PERMIT
51	08/28/18	ISSUED FOR PERMIT
52	08/28/18	ISSUED FOR PERMIT
53	08/28/18	ISSUED FOR PERMIT
54	08/28/18	ISSUED FOR PERMIT
55	08/28/18	ISSUED FOR PERMIT
56	08/28/18	ISSUED FOR PERMIT
57	08/28/18	ISSUED FOR PERMIT
58	08/28/18	ISSUED FOR PERMIT
59	08/28/18	ISSUED FOR PERMIT
60	08/28/18	ISSUED FOR PERMIT
61	08/28/18	ISSUED FOR PERMIT
62	08/28/18	ISSUED FOR PERMIT
63	08/28/18	ISSUED FOR PERMIT
64	08/28/18	ISSUED FOR PERMIT
65	08/28/18	ISSUED FOR PERMIT
66	08/28/18	ISSUED FOR PERMIT
67	08/28/18	ISSUED FOR PERMIT
68	08/28/18	ISSUED FOR PERMIT
69	08/28/18	ISSUED FOR PERMIT
70	08/28/18	ISSUED FOR PERMIT
71	08/28/18	ISSUED FOR PERMIT
72	08/28/18	ISSUED FOR PERMIT
73	08/28/18	ISSUED FOR PERMIT
74	08/28/18	ISSUED FOR PERMIT
75	08/28/18	ISSUED FOR PERMIT
76	08/28/18	ISSUED FOR PERMIT
77	08/28/18	ISSUED FOR PERMIT
78	08/28/18	ISSUED FOR PERMIT
79	08/28/18	ISSUED FOR PERMIT
80	08/28/18	ISSUED FOR PERMIT
81	08/28/18	ISSUED FOR PERMIT
82	08/28/18	ISSUED FOR PERMIT
83	08/28/18	ISSUED FOR PERMIT
84	08/28/18	ISSUED FOR PERMIT
85	08/28/18	ISSUED FOR PERMIT
86	08/28/18	ISSUED FOR PERMIT
87	08/28/18	ISSUED FOR PERMIT
88	08/28/18	ISSUED FOR PERMIT
89	08/28/18	ISSUED FOR PERMIT
90	08/28/18	ISSUED FOR PERMIT
91	08/28/18	ISSUED FOR PERMIT
92	08/28/18	ISSUED FOR PERMIT
93	08/28/18	ISSUED FOR PERMIT
94	08/28/18	ISSUED FOR PERMIT
95	08/28/18	ISSUED FOR PERMIT
96	08/28/18	ISSUED FOR PERMIT
97	08/28/18	ISSUED FOR PERMIT
98	08/28/18	ISSUED FOR PERMIT
99	08/28/18	ISSUED FOR PERMIT
100	08/28/18	ISSUED FOR PERMIT



Honorable City Planning Commission  
Cincinnati, Ohio

**SUBJECT:** A report and recommendation on a proposed Development Plan and Final Plat located at 5354 Indian Mound Avenue in Pleasant Ridge.

**GENERAL INFORMATION:**

Location: 5354 Indian Mound Avenue, Cincinnati, OH 45219

Applicant/Property Owner: King Harvest Holdings LLC

Address: 2571 Little Dry Run Road, Cincinnati, OH 45244

**ATTACHMENTS:**

Provided in addition to this report are the following attachments:

- Exhibit A Location Map
- Exhibit B Application for a Division of Land
- Exhibit C Subdivision Plat
- Exhibit D Coordinated Site Review Letter

**BACKGROUND:**

The applicant, King Harvest Holdings LLC, is requesting a split of the subject property from one lot into two lots. The vacant property is 0.647 acres and is zoned RMX – Residential Mixed. The proposed division of land is considered a Major Subdivision per Section 200-01-S5 and 200-01-S6 of the Cincinnati Subdivision Regulations as the subject Development Plan and Final Plat includes “a request involving property subject to the provisions of Cincinnati Municipal Code Chapter 1433, “Hillside Overlay District.” The 0.0691 acres within the Indian Mound Ave. right-of-way will go through the Coordinated Review process and request to be dedicated in the future.

**CRITERIA/ANALYSIS – SUBDIVISION REGULATIONS:**

Section 200-01-S5 of the Cincinnati Subdivision Regulations establishes a Major Subdivision as any “subdivision of a parcel of land that does not meet the definition of a minor subdivision as defined by Section 200-01-S6.” Section 200-01-S6 defines a Minor Subdivision as a “subdivision of a parcel of land that abuts an existing improved public or private street into no more than three lots, but excluding subdivisions that propose or require one or more of the following features:”

(g) A request involving property subject to the provisions of Cincinnati Municipal Code Chapter 1433, “Hillside Overlay Districts”

Based upon the criteria above, the proposed subdivision meets the definition of a Major Subdivision. Section 300-09 of the Subdivision Regulations outlines the procedure for Major Subdivisions, which establishes that the City Planning Commission has the duty to hold a public hearing for Major Subdivision applications. According to Section 300-09 (a) (6) *Decision*, the City Planning Commission shall approve a Development Plan application when it finds:

Section 300-09 (a)(6) *Decision*.

(i) *City Plans*. The application is consistent with applicable city-adopted land use plans.

The proposed subdivision is consistent with the Live Initiative Area of *Plan Cincinnati* (2012). The proposed subdivision will allow for the future construction of a single-family home to be situated on their own separate lot. See “Consistency with Plans” of this staff report for more information.

*(ii) Planning Principles.* The application is consistent with the general intent and purposes of these subdivision regulations.

The proposed subdivision is generally consistent with the intent of the General Provision Purposes outlined in Section 100-03 of the Subdivision Regulations.

*(iii) City Administration Standards, Rules, and Regulations.* The application is consistent with applicable laws, rules, and regulations governing the proposed subdivision, including, but not limited to, subdivision lot standards set forth in these subdivision regulations, the Cincinnati Zoning Code, and the Flood Damage Reduction Chapter of the Cincinnati Building Code.

The proposed subdivision was reviewed through the City of Cincinnati’s Coordinated Site Review (CSR) process to ensure the proposal is consistent with the City’s applicable development-related standards, rules, and regulations. All reviewing agencies were amenable to the application proceeding to review by the City Planning Commission (Exhibit G). The applicant is not proposing any development with the lot split at this time but intends to build a single-family home on each lot respectively in the future.

*(iv) Design.* The subdivision is designed to minimize disturbance to natural topography, tree cover, and natural drainage ways to avoid adverse impacts on area stormwater drainage.

The subdivision will not have any adverse impacts to natural features. During the CSR process, departments such as Greater Cincinnati Waterworks, Metropolitan Sewer District, and the Office of Environment and Sustainability made the applicant team aware of future permits and processes.

*(v) Access and Public Service.* Existing or proposed streets, sidewalks, driveways, and utilities that will serve the subdivision are configured and designed to minimize adverse impacts related to traffic circulation and to ensure the efficient provisions of all public services, including emergency services.

The proposed subdivision has been reviewed by the appropriate City departments through the Coordinated Site Review (CSR) process (Exhibit D).

*(vi) Multiple Phases.* If applicable, the phasing plan will provide for an orderly and efficient development.

No development is being proposed at this time.

**COORDINATED SITE REVIEW:**

The proposed subdivision was reviewed by City departments through the Coordinated Site Review (CSR) process. The CSR team met with the applicant on March 26, 2024. No departments had objections, though several departments outlined the need for future permits and processes.

**PUBLIC COMMENT AND NOTIFICATION:**

Per Section 300-09(a)(3) of the Subdivision Regulations, notice of a complete application and the City Planning Commission meeting was sent to the applicant, property owners within 200-feet of the subject property, and the Pleasant Ridge Community Council.

Per Section 300-09 (a)(2) of the Subdivision Regulations, a sign was also posted on the subject property to notify the public that the application is under review by the City. There has been no additional correspondence received to date.

**CONSISTENCY WITH PLANS:**

*Plan Cincinnati (2012)*

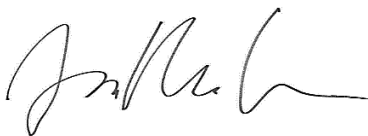
The proposed subdivision is consistent with the Live Initiative Area of *Plan Cincinnati*, specifically the Goal to, “Create a more livable community” through the Strategy to “Support and stabilize our neighborhoods” (p. 160). This proposal is additionally consistent with the Goal to “Provide a full spectrum of housing options, and improve housing quality and affordability” (p. 164) and the Strategy to “Offer housing options of varied sizes and types for residents at all stages of life” (p. 169) by creating two buildable lots.

**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 that the proposed division of land is generally consistent with the General Provision Purposes outlined in Section 100-03 of the Subdivision Regulations as detailed on pages 1-2 of this report; and
- 2) **APPROVE** the proposed Development Plan and Final Plat for 5354 Indian Mound Avenue in Pleasant Ridge.

Respectfully submitted:



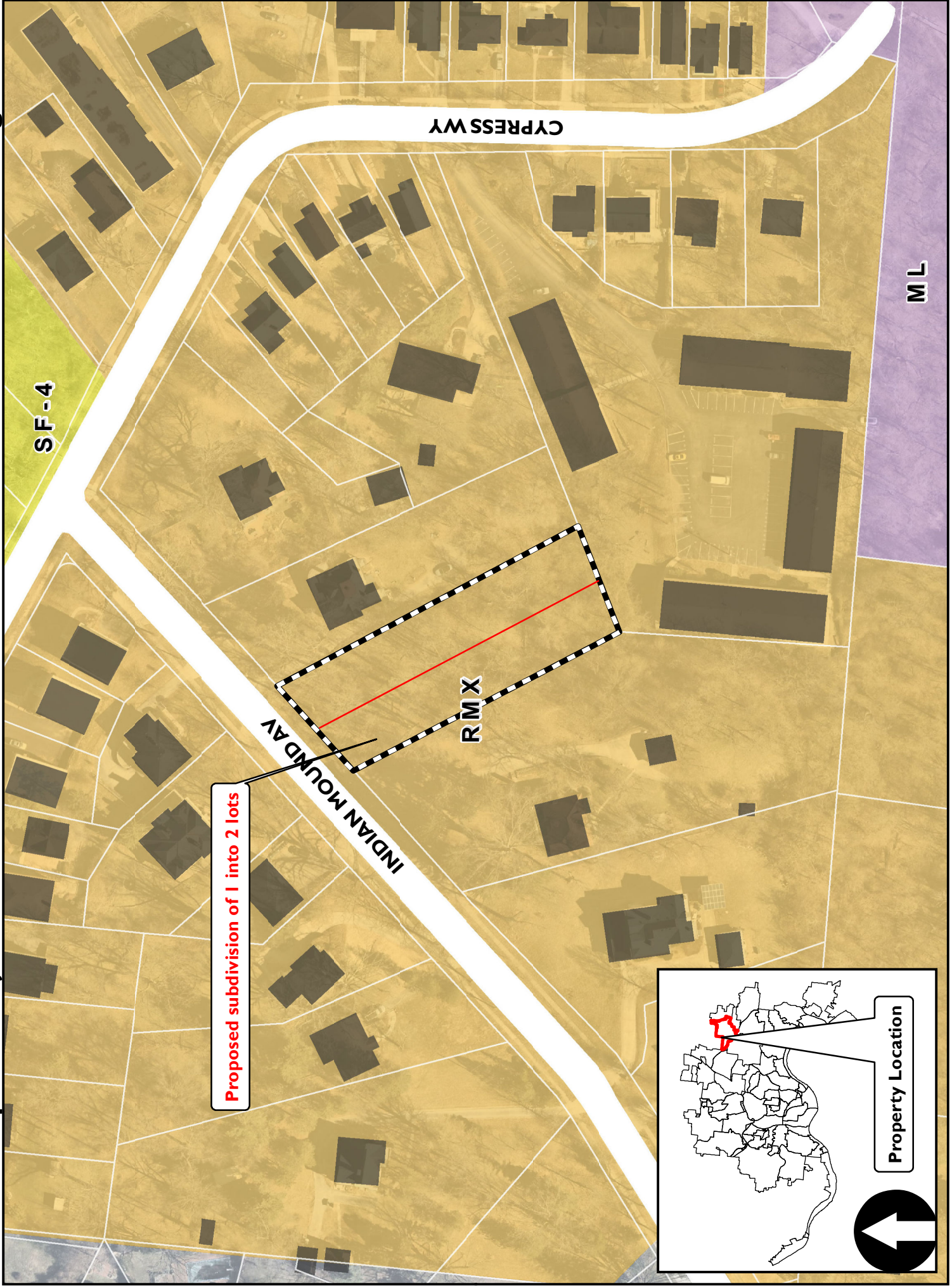
Jesse Urbancsik, Senior City Planner  
Department of City Planning and Engagement

Approved:



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

# Proposed Major Subdivision at 5354 Indian Mound Avenue in Pleasant Ridge



# APPLICATION FOR A DIVISION OF LAND

City Planning Commission  
Cincinnati, Ohio



Property Address: 5354 Inland Mountain Ave

Neighborhood: DEARBORN RD E Parcel ID: 121-0003-0020 Date of Application: \_\_\_\_\_

Request (Check all that apply):  Subdivision of Land (up to 3 lots created)  Final Plat  
 Subdivision of Land (4 or more lots created)  Other: \_\_\_\_\_  
 Subdivision Improvement Plan

Additional Information:  
Is the subject land located within a Hillside Overlay District?  Yes  No  
Is the subject land located within a Special Flood Hazard Area?  Yes  No  
Does the request include any rear lots (panhandle lots)?  Yes  No  
Does the request include any air lots?  Yes  No  
Does the request involve a street and/or utility extension/opening?  Yes  No  
Will the request require the removal/demolition of an existing structure?  Yes  No

Applicant/Grantee: Chris Chrisman Firm, Company, etc.: King Harvest Holdings LLC

Address: 7200 Montgomery Rd

Phone: 513-813-1000 Email: CChrisman63@gmail.com

Property Owner/Grantor (if different than applicant): \_\_\_\_\_

Firm, Company, etc.: \_\_\_\_\_

Property Owner Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### SUBMITTAL CHECKLIST

- Application will not be considered complete until all items are submitted:
- Submittal Requirements of the applicable request as established in Chapter 4 of the *Subdivision Regulations*
  - Proposed Plat showing information outlined in Sec. 400-03 of the *Subdivision Regulations*
  - Current Deed(s) for Existing Lots
  - Deed(s) for Proposed Lots
  - Legal Description(s)
  - Signed Requirements for Notice Sign for the *Subdivision of Land Agreement* – attached
  - Copy of Coordinated Site Review Application or Recommendation Letter (CPRE Letter) – Only Applies to Major Subdivisions

### AUTHORIZATION:

The applicant or agent undersigned does hereby certify that the information and statements given on the application, surveys, drawings, legal instruments, and inspections are to the best of their knowledge, true and correct. The undersigned further certifies their authorization to grant consent to the inspection by the employees of the City of Cincinnati of the described premise(s) before the Department of City Planning and Engagement or the Planning Commission takes action on this application. The undersigned acknowledges and affirms that the approval of this application shall not warrant or guarantee access to, or the availability of, utility service to the subject premise(s) of this application.

[Signature] 8-19-2024 [Signature] 8-19-2024  
Applicant/Grantee Signature Date Property Owner/Grantor Signature Date

### STAFF USE ONLY

#### APPLICATION REVIEW:

- Tracking/Composition Number: \_\_\_\_\_
- Zoning of Subject Land: \_\_\_\_\_
- Zoning Compliance Affirmed by: \_\_\_\_\_
- Tentative Hearing Date: \_\_\_\_\_
- Notes/Other Requirements: \_\_\_\_\_
- Plat prepared by surveyor?  Yes  No
- Consolidation Plat Required?  Yes  No
- Requires variance approval by CPC?  Yes  No

APPROVAL: Division of Land Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

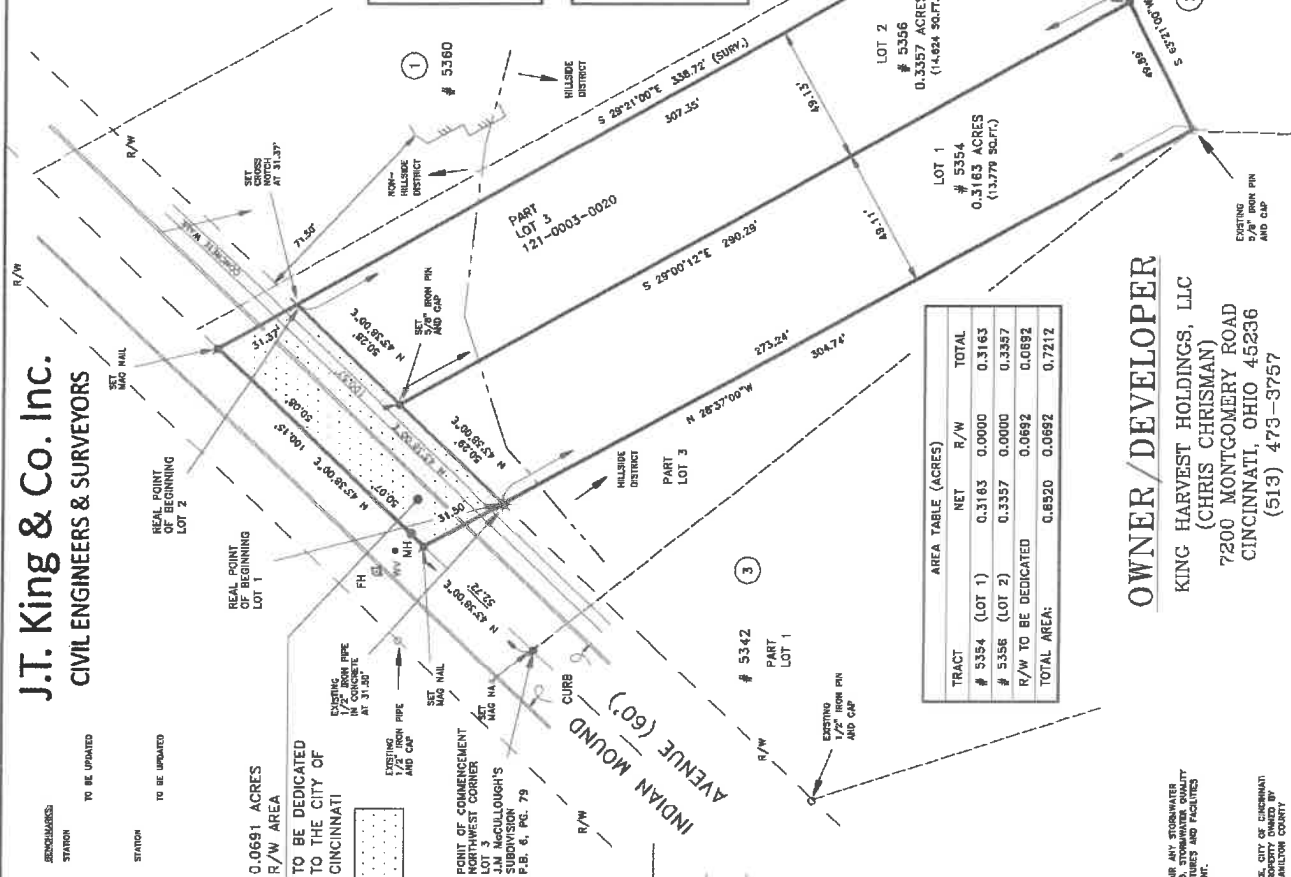
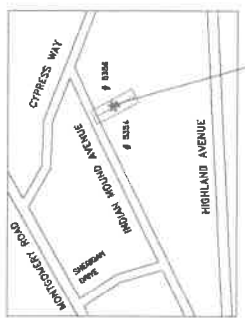
ISSUED

JUL 30 2024

J.T. King & Co. Inc. CIVIL ENGINEERS & SURVEYORS

Exhibit C

BOOK: 121 PAGE: 0003 PARCEL: 0020 BASIS OF BEARINGS: J.M. McCULLOUGH'S SUBDIVISION P.B. 6, PG. 79 DEED OF RECORD O.R. 15074, PG. 862



AREA TABLE (ACRES) with columns for TRACT, NET, R/W, and TOTAL. Rows include # 5354 (LOT 1), # 5356 (LOT 2), R/W TO BE DEDICATED, and TOTAL AREA.

OWNER/DEVELOPER KING HARVEST HOLDINGS, LLC (CHRIS CHRISMAN) 7200 MONTGOMERY ROAD CINCINNATI, OHIO 45236 (513) 473-3757

Delicitation: We, the undersigned, being the owners and lien holders, do hereby adopt and confirm this plat of subdivision and... OWNER: KING HARVEST HOLDINGS, LLC BY: CHRIS CHRISMAN, OWNER, KING HARVEST HOLDINGS, LLC

NOTARY PUBLIC: MY COMMISSION EXPIRES... DEPARTMENT OF CITY PLANNING... AT THE MEETING HELD ON THE... DAY OF... 20...

AREA TABLE (ACRES) table with columns for Tract, Net, R/W, and Total. Rows include # 5354 (LOT 1), # 5356 (LOT 2), R/W TO BE DEDICATED, and TOTAL AREA.

COVENANTS & RESTRICTIONS: NONE. DRAINAGE STATEMENT: THE CITY OF CINCINNATI ASSUMES NO LEGAL OBLIGATION TO MAINTAIN OR REPAIR ANY STORMWATER... DEED REFERENCE: HAMBURG IN SECTION 29, TOWN 4, RANGE 5, RANGE PURCHASE, CITY OF CINCINNATI...

BOOK: 121 PAGE: 0003 PARCEL: 0020 BASIS OF BEARINGS: J.M. McCULLOUGH'S SUBDIVISION P.B. 6, PG. 79 DEED OF RECORD O.R. 15074, PG. 862

OWNER: KING HARVEST HOLDINGS, LLC BY: CHRIS CHRISMAN, OWNER, KING HARVEST HOLDINGS, LLC

NOTARY PUBLIC: MY COMMISSION EXPIRES... DEPARTMENT OF CITY PLANNING... AT THE MEETING HELD ON THE... DAY OF... 20...

APPROVED BY: CITY ENGINEER... DEPARTMENT OF CITY PLANNING... AT THE MEETING HELD ON THE... DAY OF... 20...

APPROVED BY: CITY ENGINEER... DEPARTMENT OF CITY PLANNING... AT THE MEETING HELD ON THE... DAY OF... 20...

AREA TABLE (ACRES) table with columns for Tract, Net, R/W, and Total. Rows include # 5354 (LOT 1), # 5356 (LOT 2), R/W TO BE DEDICATED, and TOTAL AREA.

COVENANTS & RESTRICTIONS: NONE. DRAINAGE STATEMENT: THE CITY OF CINCINNATI ASSUMES NO LEGAL OBLIGATION TO MAINTAIN OR REPAIR ANY STORMWATER... DEED REFERENCE: HAMBURG IN SECTION 29, TOWN 4, RANGE 5, RANGE PURCHASE, CITY OF CINCINNATI...

Bottom section containing various notes, area tables, and legal references.

BOOK: 121 PAGE: 0003 PARCEL: 0020 BASIS OF BEARINGS: J.M. McCULLOUGH'S SUBDIVISION P.B. 6, PG. 79 DEED OF RECORD O.R. 15074, PG. 862

OWNER: KING HARVEST HOLDINGS, LLC BY: CHRIS CHRISMAN, OWNER, KING HARVEST HOLDINGS, LLC

NOTARY PUBLIC: MY COMMISSION EXPIRES... DEPARTMENT OF CITY PLANNING... AT THE MEETING HELD ON THE... DAY OF... 20...

APPROVED BY: CITY ENGINEER... DEPARTMENT OF CITY PLANNING... AT THE MEETING HELD ON THE... DAY OF... 20...

AREA TABLE (ACRES) table with columns for Tract, Net, R/W, and Total. Rows include # 5354 (LOT 1), # 5356 (LOT 2), R/W TO BE DEDICATED, and TOTAL AREA.

COVENANTS & RESTRICTIONS: NONE. DRAINAGE STATEMENT: THE CITY OF CINCINNATI ASSUMES NO LEGAL OBLIGATION TO MAINTAIN OR REPAIR ANY STORMWATER... DEED REFERENCE: HAMBURG IN SECTION 29, TOWN 4, RANGE 5, RANGE PURCHASE, CITY OF CINCINNATI...



June 4, 2024

Mr. Chris Chrisman  
7200 Montgomery Road  
Cincinnati, Ohio 45236

Re: 5354 & 5360 Indian Mound Avenue | Lot Split for two single-family homes (D) –  
**(CPRE240043) Final Recommendations**

Dear Mr. Chrisman,

This letter is to inform you that our CSR Advisory-TEAM and CSPRO Committee has reviewed your proposal to divide the existing lot into two parcels for two single-family homes. 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 **June 11, 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 is a Major Subdivision (Development Plan and Final Plat) because it meets the following criteria:
  - (g) A request involving property subject to the provisions of Cincinnati Municipal Code Chapter 1433, "Hillside Overlay Districts;" or

#### **Requirements to obtain permits:**

1. Final Plat must be recorded prior to the application of permits for each lot.

#### **Recommendations:**

1. It is highly recommended to reach out and share these plans with the adjacent property owners and the Pleasant Ridge Community Council.

#### **Contact:**

- **Jesse Urbancsik** | City Planning | 513-352-4843 | [jesse.urbancsik@cincinnati-oh.gov](mailto:jesse.urbancsik@cincinnati-oh.gov)

### **City Planning & Engagement – Zoning Division**

#### **Immediate Requirements to move the project forward:**

1. The proposed lots are at least 25ft wide and 2,500sf, and are thus compliant with the RMX requirements for a single-family home.

#### **Requirements to obtain permits:**

1. The properties are located within the Hillside Overlay District. For permitting, homes will need to demonstrate compliance with the Hillside District requirements, including:
  - § 1433-17. - Determination of Maximum Building Envelope.
  2. Each applicant must establish a maximum building volume area to determine the size of a structure that can be built on the site by calculating the following in accordance with the rules of measurement set forth in Chapter 1400:

- a. HS Rear Yard Setback. Average rear yard setback of abutting structures on both sides; or the required rear yard setback of the underlying district if no abutting structure(s) exists.
  - b. HS Side Yard Setback. Average side yard setback of abutting structures on both sides; or the required least width side yard setback of the underlying district if no abutting structure(s) exists.
  - c. HS Front Yard Setback. Average front yard setback of abutting structures on both sides; or the required front yard setback of the underlying district if no abutting structure(s) exists.
  - d. HS Height of Front. Maximum height of the front of the structure; either the maximum height of the underlying zoning district or the average height of the front of abutting structures having the same street frontage as measured from the finished grade of the front of each abutting structure, whichever is greater.
  - e. HS Height of Rear. Maximum height of the rear of the structure; either the maximum height of the underlying zoning district or the average height of the rear of abutting structures having the same street frontage as measured from the average grade, whichever is greater.
3. The maximum building envelope is the solid defined by vertical planes constructed at the HS rear, side and front yard setbacks and the plane between the HS height of front and the HS height of rear.

§ 1433-19. - Base Development Requirements.

4. An application subject to review must comply with the following requirements:
  - a. Maximum Building Envelope. A new building or a building alteration, addition or repair must be contained within the maximum building envelope.
  - b. Height Versus Width. Buildings proposed on top of the hillside must be taller than wider to accentuate the vertical dimension.
  - c. Stepping. Buildings proposed below or above the brow of the hill must be staggered or stepped in depth and width to match topography and slope.
  - d. Maximum Retaining Wall Height. Retaining walls may not exceed eight feet in height.
  - e. Rooftop Utilities. Rooftop utilities and mechanical equipment should be avoided. If rooftop utilities and mechanical equipment are necessary, screening and sound control must be provided to integrate them into the rooftop.
  - f. Landscaping of Pervious Surfaces. All pervious surfaces remaining after completion of construction must be landscaped in trees, shrubs, grass or other ground covers to promote hillside stability and reduce excessive water runoff.
  - g. Excavation and fills should not exceed eight feet in cumulative height. Excavation and/or fill of any height or cumulative amount that is not tied to a specific development is expressly prohibited. Regardless of height, documentation must be provided to show the excavation and/or fill is necessary to support a specific development and a staff review is required to determine conformance with all requirements of this chapter.

- h. The preliminary geotechnical evaluation should address relative hillside stability.
- 5. For permit review, please provide:
  - o Section drawings of the side elevations, including excavation for foundations/basements, showing the height at front and height at rear within the Maximum Building Envelope, as well as existing and proposed topography on the property. Please list heights Above Sea Level.
  - o Regrading plans showing the existing and proposed topography above sea level.
  - o Preliminary Geotechnical Report supporting the proposed construction methods on the subject properties.
- 6. Note that a Hillside Review Hearing will likely be required for new construction.
- 7. Please include the slope of the driveway on the site plan. Note that the maximum slope is 15%.

**Recommendations:**

- 1. Contact staff for a preliminary meeting to discuss the requirements of the Hillside Overlay District.

**Contact:**

- **Matt Lascheid** | ZPE | 513-352-3964 | [matthew.lascheid@cincinnati-oh.gov](mailto:matthew.lascheid@cincinnati-oh.gov)

**Metropolitan Sewer District (MSD)**

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

- None

**Requirements to obtain permits:**

- 1. An approved Request for Availability of Sewer Service will be required for this development.
- 2. The property accesses a sanitary-only sewer. Stormwater design will be reviewed by Stormwater Management Utility.

**Recommendations**

- None

**Contact:**

- **Rob Kern** | MSD | 513-244-5588 | [rob.kern@cincinnati-oh.gov](mailto:rob.kern@cincinnati-oh.gov)

**Stormwater Management Utility (SMU)**

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

- None

**Requirements to obtain permits:**

- 1. Utility Plan
  - o Label all pipes materials.
  - o Show Top & Invert elevations for all Appurtenances.
  - o Show slopes for all pipes.
  - o DIP to be used in the R/W, downspouts can daylight at curb with 3" DIP concrete encased at curblin.
- 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).
3. 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.
  4. Erosion & Sediment Control Plan is required. Refer to link: <https://cincinnati-oh.gov/stormwater/construction-and-design/standards/sediment-and-erosion-control/>
  5. 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/>
  6. 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.

**Recommendation:**

- None

**Contact:**

- **Kevin Gold** | SMU | 513-222-3643 | [kevin.gold@cincinnati-oh.gov](mailto:kevin.gold@cincinnati-oh.gov)

**Water Works**

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

- None

**Requirements to obtain permits:**

1. A stamped and recorded plat is required before any new branch(es), or meter(s) is sold.
2. Each parcel will need its own water service branch.
3. Water service branches cannot cross parcel lines.

**Recommendations:**

1. The Owner(s)/Developer(s) will need to hire a Greater Cincinnati Water Works certified licensed and bonded plumber to perform the private water service branch design work and installation.
2. The Owner(s)/Developer(s) must have a licensed 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@cincinnati-oh.gov](mailto:richard.roell@cincinnati-oh.gov)

**Fire Department**

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

1. The site plan should show the closest fire hydrants within 500 feet from all parts of the proposed structure.
2. The minimum fire flow requirements are 1,000 gallons/per/minutes (GPM) @ 20 pressure/per/square inch (psi) (138Kpa)..

**Requirements to obtain Permits:**

- None

**Recommendations:**

- None

**Contact:**

- **Gregory M. Phelia Jr.** | Fire Dept. | 513-357-7598 | [gregory.pheliajr@cincinnati-oh.gov](mailto:gregory.pheliajr@cincinnati-oh.gov)

**Office of Environment and Sustainability (OES)**

**Immediate Requirements to move forward with project:**

- None

**Requirements to obtain permits:**

1. No requirements for the lot split. If the site is developed into residential, the additional requirements below may be applicable, depending on the site design.
  - Commercial waste, including construction and demolition debris, generated during this development project must utilize a City franchised commercial waste collection service per Cincinnati Municipal Code Chapter 730. Additional information can be found at <https://www.cincinnati-oh.gov/oes/commercial-waste-hauler-program/>.
  - If offsite sourced fill is to be placed onsite, then it must receive OES environmental approval when it exceeds 500 cubic yards as per City Municipal Code Chapters 1101 and 1031. A current Phase I ESA performed to the ASTM Standard E1527-21 of the proposed offsite borrow source property must be submitted for review. Stockpiled soils that will be used as fill material from an offsite borrow source require environmental sampling and analysis and the results be submitted for review. Please contact OES for a recommended sampling plan.

**Recommendations:**

1. If the site is developed as residential, the following recommendations are based on adopted City of Cincinnati environmental and sustainability policies:
  - a. The development design should consider the locally increasing storm intensities and its detrimental effects on hillside stability. A City resilience goal is to have no increase in storm damage remediation costs.
  - b. The development goal should be to earn at a minimum the LEED Certified rating level.
  - c. Rooftop solar should be considered in the design as a renewable energy source.
  - d. Site parking should be wired for electric vehicle charging.
  - e. Site areas designated for trash carts should also have at least equal space designated for recycling carts.
  - f. The use of trees in the landscape design should be included to enhance urban forestry.
  - g. The use of pervious surfaces should be maximized to the extent practical in the design.

**Contact:**

- **Amanda Testerman** | OES | 513-352-5310 | [amanda.testerman@cincinnati-oh.gov](mailto:amanda.testerman@cincinnati-oh.gov)

### **Parks Department (Urban Forestry)**

#### **Immediate Requirements to move the project forward:**

1. No comments.

#### **Requirements to obtain permits:**

- None

#### **Recommendations:**

- None

#### **Contact:**

- **Marianne Prue** | Urban Forestry | 513-861-9070 | [marianne.prue@cincinnati-oh.gov](mailto:marianne.prue@cincinnati-oh.gov)

### **Department of Transportation & Engineering (DOTE)**

#### **Immediate Requirements to move the project forward:**

- None

#### **Requirements to obtain permits:**

1. The garage needs to be located at least 20' from the property line.
2. The sidewalk is the responsibility of the property owner.
3. Provide City DOTE standard concrete driveway apron.
4. Remove any unused drive apron and restore to City standards.
5. All work in the public right-of-way will require a separate DOTE permit.
6. The assigned addresses for the two lots are 5354 INDIAN MOUND AVE for Tract 'A' and 5356 INDIAN MOUND AVE for Tract 'B'. Once constructed, each home must have the address number posted and visible from the street. Contact [DTEaddress@cincinnati-oh.gov](mailto:DTEaddress@cincinnati-oh.gov) with questions.

#### **Recommendations:**

- None

#### **Contact:**

- **Morgan Kolks** | DOTE | 513-335-7322 | [morgan.kolks@cincinnati-oh.gov](mailto:morgan.kolks@cincinnati-oh.gov)

### **Buildings & Inspections – Buildings**

#### **Immediate Requirements to move the project forward:**

- None

#### **Requirements to obtain permits:**

1. Need to see house location on the lots for fire rating.
2. Will require a geo-tech report at time of permit submission.
3. Special Inspection required for foundation work.
4. Comments of the house design will occur at time of building permit review.

#### **Recommendations:**

- None

#### **Contact:**

- **Art Dahlberg** | B&I Plans Exam | 513-352-2424 | [art.dahlberg@cincinnati-oh.gov](mailto:art.dahlberg@cincinnati-oh.gov)

**Law Department**

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

1. No comment at this time.

**Requirements to obtain permits:**

- None

**Recommendations:**

- None

**Contact:**

- **Renee Bunch** | Law | 513-352-3338 | [renee.bunch@cincinnati-oh.gov](mailto:renee.bunch@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](mailto:roy.hackworth@cincinnati-oh.gov)

**Health Department**

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

- None

**Requirements to obtain permits:**

- No Need for Health to review project as proposed.

**Recommendations:**

- None

**Contact:**

- **Trisha Blake** | Health Dept. | 513-352-2447 | [trisha.blake@cincinnati-oh.gov](mailto:trisha.blake@cincinnati-oh.gov)

**Police Department**

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

- None currently.

**Requirements to obtain permits:**

- No comments.

**Recommendations:**

- None

**Contact:**

- **Katalin Howard** | Police Dept. | 513-352-3298 | [katalin.howard@cincinnati-oh.gov](mailto:katalin.howard@cincinnati-oh.gov)
- **Brandon Kyle** | Police Dept. | 513-564-1870 | [brandon.kyle@cincinnati-oh.gov](mailto:brandon.kyle@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 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

**SUBJECT:** A report and recommendation on a proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #88 (PD-88), Three Oaks, in Oakley.

**GENERAL INFORMATION:**

**Location:** 4477 34<sup>th</sup> Avenue, Cincinnati, OH 45209

**Petitioner:** Neyer Properties  
2135 Dana Avenue, Suite 200  
Cincinnati, OH 45207

**Owner:** Three Oaks Single Family, LLC  
2135 Dana Avenue, Suite 200  
Cincinnati, OH 45207

**Request:** The applicant is requesting approval of a proposed Major Amendment to the Concept Plan and Development Program Statement to Planned Development #88, Three Oaks, to add car condos as a permitted use.

**ATTACHMENTS:**

Provided in addition to this report are the following attachments:

- Exhibit A Location Map
- Exhibit B Zone Change Plat and Legal Description
- Exhibit C Amended Concept Plan
- Exhibit D Amended Development Program Statement
- Exhibit E Coordinated Site Review Letter
- Exhibit F Additional Correspondence

**BACKGROUND:**

On May 22, 2020, the City Planning Commission recommended approval of a change in zoning to City Council to create Planned Development #88 (PD-88), Three Oaks. The ordinance for the change in zoning was approved by City Council on June 24, 2020. The City Planning Commission also reviewed and approved a Final Development Plan for the entire site on June 17, 2022. On June 21, 2024, the City Planning Commission considered this proposed Major Amendment and voted to hold the item to allow for more time to discuss alternative residential uses on the subject site. The Commission requested that the applicant return at a future meeting and provide more information about why housing would not be feasible on the site.

The entire site is approximately 30.86 acres in size and originally included plans for single-family homes, townhomes, 4-story apartment buildings, and a 200-unit senior-living facility. The applicant is requesting a Major Amendment to the Concept Plan to add car condos as an allowed use in Tract A2, a 1.88-acre area in the northeast corner of the site roughly bounded by Iron Oak Avenue, 34<sup>th</sup> Avenue, 32<sup>nd</sup> Avenue, and the railroad tracks (Exhibit A); the current Concept Plan calls for single-

family homes to be built on this portion of the site. Car condos are similar to a luxury storage unit with a climate-controlled space geared toward storing vehicles. The car condos proposed also contain a mezzanine. The development is proposed to be called “Torque Car Condos.” This concept has not yet been introduced in Cincinnati, although other cities across the country have similar car condo developments.

**ADJACENT LAND USE AND ZONING:**

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

**North:**

Zoning: Manufacturing General (MG), Commercial General – Auto (CG-A), and Planned Development #94 (PD-94)

Existing Use: Railroad, commercial (storage facility), and proposed townhomes (PD-94)

**East:**

Zoning: Manufacturing General (MG)

Existing Use: Vacant building, light manufacturing and commercial

**South:**

Zoning: Single-Family 4 (SF-4), Commercial Neighborhood – Pedestrian (CN-P)

Existing Use: Low-density residential (single-family, duplexes)

**West:**

Zoning: Cincinnati boundary, Manufacturing General (MG)

Existing Use: I-71, commercial (storage facility)

**PROPOSED DEVELOPMENT AND CHANGES TO CONCEPT PLAN:**

The approved Concept Plan and Development Program Statement for PD-88 included a variety of residential building types, including single-family, townhomes, multi-family, and senior living units.

- 60-100 single-family residential homes
- 130-140 garden style multi-family residential units
- 55-65 townhome units
- 200-210 four story multi-family residential rental units
- 150-200 senior living units
- Public and private street network, sidewalks, and alleyways

The petitioner has requested a Major Amendment to the Concept Plan and Development Program Statement to add car condos, which are for-sale luxury garages primarily targeted at collectors, as a permitted use (Exhibit C and D). If approved, PD-88 would allow car condos in Tract A2, a 1.88-acre area in the northeast corner of the site abutting the railroad tracks, which was previously approved for 27 single-family homes. The applicant is instead proposing to build 31 car condos along a gated private drive accessed from 34<sup>th</sup> Avenue, with an emergency access gate on 32<sup>nd</sup> Avenue. The proposed Major Amendment has not changed from the proposal presented at the June 21, 2024, City Planning Commission meeting.

**BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:**

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

- a. **Minimum Area** – *The minimum area of a PD must be two contiguous acres.*
- The existing PD consists of 30.86 acres and no additional area is proposed to be added. The PD satisfies the minimum required area.
- b. **Ownership** – *Evidence that the applicant has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development are required.*
- The petitioner has submitted a deed indicating ownership of the property.
- c. **Multiple buildings on a lot** – *More than one building is permitted on a lot.*
- The submitted Major Amendment to the Concept Plan and Development Program Statement indicates five buildings on one lot. The north building will have 16 car condo units, three of the four south buildings will have 4 car condo units, and the last south building will have 3 car condo units.
- d. **Historic Landmarks and Districts** – *Whenever a Planned Development application is filed for a property wholly or partially located within a historic landmark, historic district, or involving a historic structure, the Historic Conversation Board shall advise the City Planning Commission relating to approval of the Final Development Plan.*
- No portion of the site is located within a Historic District, nor contains any historic landmark.
- e. **Hillside Overlay Districts** – *Whenever a Planned Development application is filed for a property wholly or partially located within a Hillside Overlay District, the City Planning Commission shall approve the Final Development Plan.*
- No portion of the site is located within a Hillside Overlay District.
- f. **Urban Design Overlay District** – *Whenever a Planned Development application is filed for a property wholly or partially located within an Urban Design Overlay District, the City Planning Commission shall approve the Final Development Plan.*
- No portion of the site is located within an Urban Design Overlay District.

**CONCEPT PLAN AND DEVELOPMENT PROGRAM STATEMENT:**

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

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

regarding proposed uses, building locations, street access, pedestrian circulation systems, and open space and landscaping.

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

The petitioner has submitted a deed indicating ownership of the property.

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

The petitioner has provided an approximate schedule for the Concept Plan, with construction in the fall of 2024 and continuing for an estimated 13 months. The development will be constructed in one phase.

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

The project has gone through a Development Design Review as part of the City's Coordinated Site Review Process (see "Coordinated Site Review" section below).

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

Density calculations are not applicable for the area impacted by the Major Amendment. Open space for trees and plantings is proposed along the perimeter of the buildings.

#### **§ 1429-12 MAJOR AMENDMENT:**

The Cincinnati Zoning Code (§ 1429-12) allows for amendments to the Concept Plan and Development Program Statement. Major Amendments must be approved by the City Planning Commission and City Council. A Major Amendment to the Concept Plan and Development Program Statement has been requested as the applicant wishes to change the permitted uses. The Major Amendment includes:

- Allowing car condos as a use to facilitate construction of 31 car condos in the northeast portion of the Planned Development.

#### **§ 1429-13 FINAL DEVELOPMENT PLAN:**

Pursuant to §1429-13 *Final Development Plan*, a Final Development Plan must be submitted for any portion of an approved Concept Plan that the petitioner wishes to develop following approval of the Concept Plan and Development Program Statement and the Planned Development (PD) designation by City Council. The Final Development Plan must substantially conform to the approved Concept Plan and Development Program Statement. The applicant has filed for a Final Development Plan, which is filed under a separate request and will be considered as Item 6 on the September 20, 2024, agenda.

#### **PUBLIC COMMENT AND NOTIFICATION:**

The Department of City Planning and Engagement held a virtual public staff conference on the proposed Major Amendment to the Concept Plan and Development Program Statement, and concurrently submitted a Final Development Plan, on May 29, 2024. Notices were sent to property owners within 400 feet of the subject property and the Oakley Community Council. Six members of

the public attended the meeting. Staff from the Department of City Planning and Engagement and the petitioner presented information regarding the current proposal and process for review. Members of the public had some questions about who would be using the car condos and how; for example, if any events would be hosted there and what the guidelines would be. Additionally, there was a question about what the community stands to gain from this development. The development team shared that the anticipated end users of the car condos are primarily car collectors.

Notice of the June 21, 2024, City Planning Commission meeting was also mailed out to property owners within 400 feet of the subject property and the Oakley Community Council. The same recipients were notified by mail of the September 20, 2024, City Planning Commission meeting. To date, staff has received a letter of support from the Oakley Community Council as well as 2 emails in opposition of the proposed Major Amendment to the Concept Plan and Development Program Statement (Exhibit F).

### **COORDINATED SITE REVIEW:**

The development was last reviewed through the Coordinated Site Review process as a Development Design Review in March of 2024. A meeting with the petitioner was held on March 26, 2024, to allow the development team the opportunity to discuss the comments outlined by each of the departments. The feedback letter outlined additional requirements needed to be met before permits are obtained (Exhibit E). The Office of Environment and Sustainability had concerns about the proposed car condo use not being reflected in the environmental agreements for the site. The environmental restrictive covenant will be updated to include car condos as a permitted use before permits are issued.

### **CONSISTENCY WITH PLANS:**

#### *Plan Cincinnati (2012)*

The proposed Major Amendment is consistent with *Plan Cincinnati* (2012) in the Compete Initiative Area, particularly within the Goal to “Cultivate our position as the most vibrant and economically healthiest part of our region” (pg. 114). The proposed car condo use would be the first in Cincinnati and among the first of its kind in the region.

#### *Oakley Master Plan (2019)*

The proposed Major Amendment is also consistent with the *Oakley Master Plan*, particularly with the Managing Our Future Growth Focus Area Goal 1 to “Assure that future growth is guided by zoning and planning that will preserve Oakley as a thriving, unique, and pedestrian-scaled urban neighborhood” (pg. 80). The Planned Development (PD) district can promote greater urban design than base zoning districts, and the proposed car condos would not be out-of-scale with the approved single-family homes to the south.

### **CITY PLANNING COMMISSION ACTION:**

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

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

The proposed use is compatible with the surrounding land use patterns and consistent with applicable plans as outlined in the *Consistency with Plans* section of this report. The proposal is also compatible with surrounding development as it provides a

transition between the railroad and the rest of the PD.

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

The amended Concept Plan, in addition to the previously approved residential buildings, proposes five multi-unit car condo buildings on currently vacant land, reactivating the site and providing a buffer between the railroad and the proposed single-family buildings. The multiple buildings allows for a staggered streetscape as opposed to one long structure, providing superior urban design.

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

The proposed multi-building development is not permitted under any zoning districts besides a PD. Amending the PD-88 Concept Plan and Development Program Statement to allow for car condos as a use would create a buffer between the railroad and the proposed single-family homes within the PD.

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

All aspects are covered in the submitted Concept Plan and Development Program Statement as submitted or will be detailed in the Final Development Plan. See *Proposed Development* section for more detail.

### **ANALYSIS:**

The staff of the Department of City Planning and Engagement supports the proposed Major Amendment to the Concept Plan and Development Program Statement to add car condos as a permitted use in Tract A2, which is in the northeast corner of the Three Oaks site roughly bounded by Iron Oak Avenue, 34<sup>th</sup> Avenue, 32<sup>nd</sup> Avenue, and the railroad tracks. The presence of the railroad makes adjacent single-family residential development unattractive, prompting the request for a Major Amendment to change the permitted uses. The new use will allow for the construction of car condos that complement the residential uses in the rest of the PD and provides a buffer between the planned single-family homes to the south and the railroad to the north.

### **FINDINGS:**

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

**RECOMMENDATION:**

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

1. **ADOPT** the Department of City Planning and Engagement Findings as detailed in this report; and
2. **APPROVE** the Major Amendment to the Concept Plan and Development Program Statement for Planned Development #88, Three Oaks, as amended and specified in this report.

Respectfully submitted:



Emily Burns, City Planner  
Department of City Planning and Engagement

Approved:



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

# Proposed Major Amendment and Final Development Plan for PD-88 in Oakley

EXHIBIT A

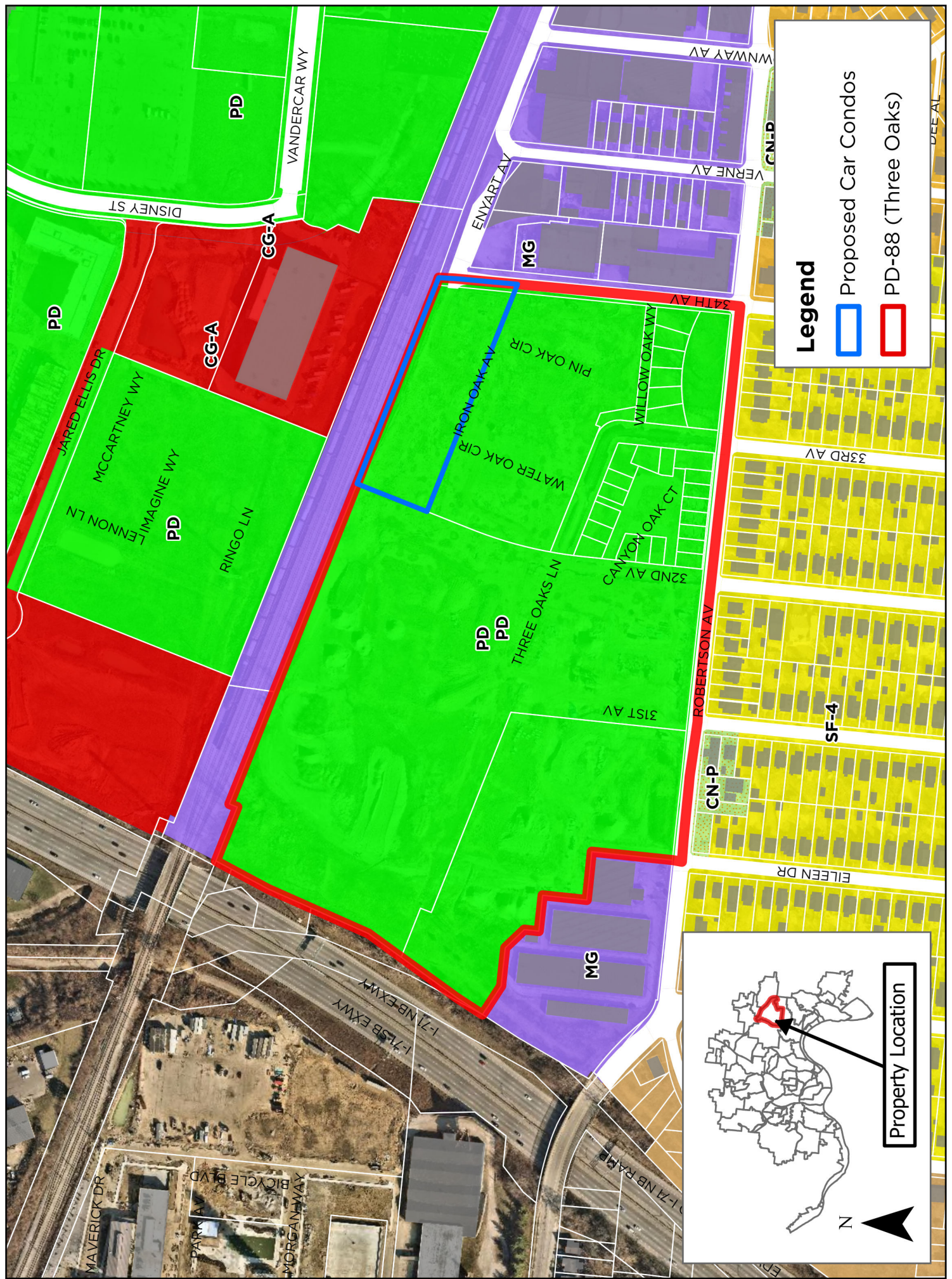


EXHIBIT B

OWNERS CONSENT AND DEDICATION
WE, THE UNDERSIGNED, BEING THE OWNERS AND LIEN HOLDERS OF THE LANDS HEREBY DESCRIBED, DO HEREBY ADOPT AND CONFIRM THIS PLAT OF SUBDIVISION AND DEDICATE THREE OAKS LANE, 3800 AVENUE, 3151 AVENUE AND 3152 AVENUE TO THE CITY OF CINCINNATI FOR PUBLIC USE AND PURPOSES FOREVER AND ESTABLISH BACKLINES AS SHOWN.

WE ALSO GRANT UNDER THE COUNTY OF HAMILTON, OHIO, ITS SUCCESSORS AND ASSIGNS, TO THE CITY OF CINCINNATI, HAMILTON COUNTY, OHIO, THE RIGHT TO CONSTRUCT, WITHIN AND OUTSIDE OF THE LIMITS OF THE SUBDIVISION AS SHOWN HEREON AND SUBJECT TO RESTRICTIONS OF PUBLIC WASTEWATER COLLECTION EASEMENTS AS DESCRIBED HEREON, WE ALSO HEREBY GRANT TO THE CITY OF CINCINNATI, HAMILTON COUNTY, OHIO, THE RIGHT TO AVAILABLE AND NO TAP FEES SHALL BE ISSUED OR OCCUPANCY PERMITS UNTIL THE WASTEWATER COLLECTION FACILITIES ARE COMPLETED. WE HEREBY AND ACCEPTED BY BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO, HEREBY GRANT TO THE CITY OF CINCINNATI, HAMILTON COUNTY, OHIO, ITS SUCCESSORS AND ASSIGNS, EASEMENTS FOR STORMWATER MANAGEMENT AND WATER SUPPLY FACILITIES.

WE, THE UNDERSIGNED, DO HEREBY CONFIRM AND ADOPT THIS PLAT OF LANDS, WE ALSO GUARANTEE THE PAYMENT OF ALL TAXES AND EASEMENTS THAT ARE A LIEN ON SAID PROPERTY ON THE DATE OF ACCEPTANCE.

OAKLEY YARDS LAND, LLC

OWNER/AGENT (SIGNED NAME) WITNESS (SIGNED NAME)

OWNER/AGENT (PRINTED NAME) WITNESS (PRINTED NAME)

WITNESS (SIGNED NAME)

WITNESS (PRINTED NAME)

STATE OF OHIO
COUNTY OF HAMILTON

BE IT REMEMBERED THAT ON THIS DAY OF 2021 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY CAME WHO, ON BEHALF OF SAID CORPORATION AND FOR THEMSELVES AS SUCH OFFICERS DULY AUTHORIZED BY ITS BOARD OF DIRECTORS ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT MENTIONED IN TESTIMONY WHEREOF I HEREBY SET MY HAND AND AFFIX MY NOTARIAL SEAL ON THE DAY AND DATE AFORESAID.

PLACE SEAL HERE
PRINTED NOTARY NAME (IF NOT ON SEAL)

NOTARY SIGNATURE

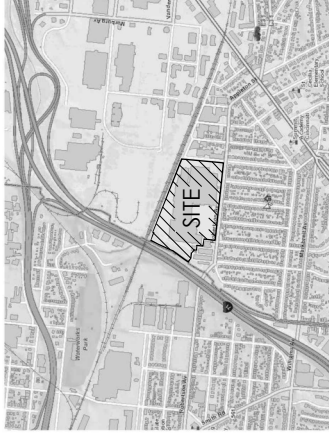
MY COMMISSION EXPIRES:

RESTRICTION ON SEWER EASEMENT

THREE OAKS SUBDIVISION
30.8608 ACRES
(1,344,282.810 S.F.)

SECTION 28, TOWN 4, FRACTIONAL RANGE 2, COLUMBIA TOWNSHIP, CITY OF CINCINNATI, HAMILTON COUNTY, OHIO

CLIENT AND OWNER
OAKLEY YARDS LAND, LLC
2135 DANA AVENUE - SUITE 200
CINCINNATI, OHIO 45207



ACREAGE TABLE

O.R. BOOK 14160, PG. 565 = 30.861 ACRES
5 TRACTS = 26.465 ACRES
R/W DEDICATED = 4.396 ACRES
TOTAL AREA = 30.861 ACRES

NOTES

- 1. OCCUPATION AS SHOWN
DATE OF SURVEY = DECEMBER 2020
NO PART OF ANY DRIVEWAY OR DRIVEWAY APPROACH WITHIN THE BOUNDARIES OF THIS PLAT IS TO BE USED FOR ANY PURPOSES OTHER THAN ANY INLET UTILITY POLE, STREET LIGHT POLE, TRAFFIC CONTROL DEVICE, GUY WIRE ANCHOR OR FIRE HYDRANT.

DEED REFERENCE

PROPERTY OWNED OR ACQUIRED BY OAKLEY YARDS LAND, LLC, BEING ALL OF THE LAND COMPREHEIVED BY A DEED RECORDED IN OFFICIAL RECORD BOOK 14160, PAGE 566 OF THE RECORDERS OFFICE OF HAMILTON COUNTY, OHIO

THIS RECORD OF PLAT IS RECORDED IN PLAT BOOK 479, PAGE(S) 84 OF THE RECORDERS OFFICE OF HAMILTON COUNTY, OHIO

REFERENCE DOCUMENTS

-AS SHOWN



NOTES
PRIVATE STREETS/DRIVES ARE NOT REVIEWED, INSPECTED, OR APPROVED BY THE HAMILTON COUNTY ENGINEER.
THE OWNERS/ SUBDIVIDER HEREBY AGREE TO CLEAN AND MAINTAIN THE STREETS AND DRIVEWAYS AND TO REPAIR ANY DAMAGES SUSTAINED BY THE COUNTY, THIS SHALL INCLUDE THE REMOVAL OF SNOW, ICE, MID, DEBRIS, TRASH, AND OTHER EXTRANEIOUS MATERIAL.

THE METROPOLITAN SEWER DISTRICT OF GREATER CINCINNATI THIS PLAT RECOMMENDED FOR APPROVAL

SEWERS CHIEF ENGINEER DATE

CITY OF CINCINNATI DEPARTMENT OF TRANSPORTATION AND ENGINEERING

THIS PLAT RECOMMENDED FOR APPROVAL

CITY ENGINEER DATE

CITY OF CINCINNATI STORMWATER MANAGEMENT UTILITY

THIS PLAT IS RECOMMENDED FOR APPROVAL

CHIEF ENGINEER DATE

CITY OF CINCINNATI PLANNING COMMISSION

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF CINCINNATI AT THE MEETING HELD THE DAY OF 2021.

APPROVED BY: KATHERINE KOUGH JURS
DIRECTOR, DEPARTMENT OF CITY PLANNING

SURVEYORS CERTIFICATION

I CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE SURVEY MADE UNDER MY SUPERVISION IN ACCORDANCE WITH OHIO REVISED CODE CHAPTER 711, CHAPTER 4752-37 OF THE OHIO ADMINISTRATIVE CODE AND HAMILTON COUNTY OHIOS ADMINISTRATIVE CODE. I HAVE CONDUCTED A VISUAL CHECK ON THIS DATE. I FURTHER CERTIFY THAT ALL MONUMENTS SHOWN ON THIS PLAT EXIST AND THAT THEIR LOCATION, TYPE AND SIZE ARE CORRECTLY SHOWN AND DESCRIBED.

THOMAS J. MACK, P.S. NO. S-7964 DATE

PROGRESS REVIEW
Issue For: 1-29-2021
Date:

THREE OAKS
SUBDIVISION
COVER SHEET

OAKLEY YARDS LAND, LLC

SITUATION: SECTION 28, TOWN 4, FRACTIONAL RANGE 2

COLUMBIA TOWNSHIP, CITY OF CINCINNATI, HAMILTON COUNTY, OHIO

Project No. 19102

Pg 1 of 7

**CLOSURE REPORT - TRACT A1**

North: 439778810' East: 1404072960  
North: 438375612.33'W length: 276.193' East: 1420133.147'  
Course: 1405103.53' S length: 229.299' North: 4376550736' East: 14201573499  
Length: 73.966' Radius: 97.000' East: 14201573499  
Chord: 182.912' Course: 119.014' 45.15'E  
North: 438375612.33'W length: 296.644' East: 1419864.144  
Course: 1405103.53' S length: 229.299' North: 4376550736' East: 14201573499  
Length: 73.966' Radius: 97.000' East: 14201573499  
Chord: 182.912' Course: 119.014' 45.15'E  
North: 439778810' East: 1404072960  
North: 438375612.33'W length: 276.193' East: 1420133.147'  
Course: 1405103.53' S length: 229.299' North: 4376550736' East: 14201573499  
Length: 73.966' Radius: 97.000' East: 14201573499  
Chord: 182.912' Course: 119.014' 45.15'E  
North: 438375612.33'W length: 296.644' East: 1419864.144  
Course: 1405103.53' S length: 229.299' North: 4376550736' East: 14201573499  
Length: 73.966' Radius: 97.000' East: 14201573499  
Chord: 182.912' Course: 119.014' 45.15'E

**CLOSURE REPORT - TRACT A2**

North: 4270328317' East: 1404413380  
Course: 148371729.83'W length: 303.248' East: 1419950.1029  
North: 4272749335' East: 14206557256  
Course: 1405103.53' S length: 229.299' North: 4376550736' East: 14201573499  
Length: 73.966' Radius: 97.000' East: 14201573499  
Chord: 182.912' Course: 119.014' 45.15'E  
North: 4270328317' East: 1404413380  
Course: 148371729.83'W length: 303.248' East: 1419950.1029  
North: 4272749335' East: 14206557256  
Course: 1405103.53' S length: 229.299' North: 4376550736' East: 14201573499  
Length: 73.966' Radius: 97.000' East: 14201573499  
Chord: 182.912' Course: 119.014' 45.15'E

**CLOSURE REPORT - TRACT A3**

North: 438327292' East: 1402079.4007  
Course: 148371729.83'W length: 275.998' East: 1419834.9967  
North: 4268170108' East: 1419834.9967  
Course: 1405103.53' S length: 229.299' North: 4376550736' East: 14201573499  
Length: 73.966' Radius: 97.000' East: 14201573499  
Chord: 182.912' Course: 119.014' 45.15'E  
North: 438327292' East: 1402079.4007  
Course: 148371729.83'W length: 275.998' East: 1419834.9967  
North: 4268170108' East: 1419834.9967  
Course: 1405103.53' S length: 229.299' North: 4376550736' East: 14201573499  
Length: 73.966' Radius: 97.000' East: 14201573499  
Chord: 182.912' Course: 119.014' 45.15'E

**CLOSURE REPORT - TRACT B**

North: 4272441229' East: 1419795.0257  
Course: 148371729.83'W length: 291.137' East: 1419254.5461  
North: 4277716402' East: 1419849.3331  
Course: 1405103.53' S length: 229.299' North: 4376550736' East: 14201573499  
Length: 73.966' Radius: 97.000' East: 14201573499  
Chord: 182.912' Course: 119.014' 45.15'E  
North: 4272441229' East: 1419795.0257  
Course: 148371729.83'W length: 291.137' East: 1419254.5461  
North: 4277716402' East: 1419849.3331  
Course: 1405103.53' S length: 229.299' North: 4376550736' East: 14201573499  
Length: 73.966' Radius: 97.000' East: 14201573499  
Chord: 182.912' Course: 119.014' 45.15'E

**CLOSURE REPORT - TRACT C**

North: 42746.2317' East: 1419477.0231  
North: 428375612.33'W length: 198.293' East: 1419035.9368  
Course: 1405103.53' S length: 200.000' North: 4275033466' East: 1419035.9368  
Length: 122.977' Radius: 142.000' East: 1419035.9368  
Chord: 263.915' Course: 119.014' 45.15'E  
North: 42746.2317' East: 1419477.0231  
North: 428375612.33'W length: 198.293' East: 1419035.9368  
Course: 1405103.53' S length: 200.000' North: 4275033466' East: 1419035.9368  
Length: 122.977' Radius: 142.000' East: 1419035.9368  
Chord: 263.915' Course: 119.014' 45.15'E  
North: 42746.2317' East: 1419477.0231  
North: 428375612.33'W length: 198.293' East: 1419035.9368  
Course: 1405103.53' S length: 200.000' North: 4275033466' East: 1419035.9368  
Length: 122.977' Radius: 142.000' East: 1419035.9368  
Chord: 263.915' Course: 119.014' 45.15'E

**CLOSURE REPORT - TRACT D**

North: 426827.4148' East: 1419751.2599  
Course: 148371729.83'W length: 276.000' North: 42689.6793' East: 1419416.8899  
North: 42729.58141' East: 1419159.1848  
Course: 1405103.53' S length: 200.000' North: 42729.58141' East: 1419159.1848  
Length: 33.446' Radius: 302.000' East: 1419159.1848  
Chord: 33.446' Course: 509.57' 49.85'E  
North: 426827.4148' East: 1419751.2599  
Course: 148371729.83'W length: 276.000' North: 42689.6793' East: 1419416.8899  
North: 42729.58141' East: 1419159.1848  
Course: 1405103.53' S length: 200.000' North: 42729.58141' East: 1419159.1848  
Length: 33.446' Radius: 302.000' East: 1419159.1848  
Chord: 33.446' Course: 509.57' 49.85'E

**CLOSURE REPORT - TRACT E**

North: 4269162.4714' East: 1419423.1419  
Course: 148371729.83'W length: 307.259' North: 42694.9334' East: 1419112.3322  
North: 42729.58141' East: 1419112.3322  
Course: 1405103.53' S length: 200.000' North: 42729.58141' East: 1419112.3322  
Length: 33.446' Radius: 302.000' East: 1419112.3322  
Chord: 33.446' Course: 509.57' 49.85'E  
North: 4269162.4714' East: 1419423.1419  
Course: 148371729.83'W length: 307.259' North: 42694.9334' East: 1419112.3322  
North: 42729.58141' East: 1419112.3322  
Course: 1405103.53' S length: 200.000' North: 42729.58141' East: 1419112.3322  
Length: 33.446' Radius: 302.000' East: 1419112.3322  
Chord: 33.446' Course: 509.57' 49.85'E

**CLOSURE REPORT - THREE OAKS LANE RIGHT-OF-WAY**

North: 426827.0544' East: 1420133.1479  
North: 428375612.33'W length: 54.000' North: 42682.7502' East: 1420079.5007  
Course: 1405103.53' S length: 229.295' North: 427026077.724' East: 1420103.6144  
Length: 3.293' Radius: 330.234' East: 1420079.5007  
Chord: 6.586' Course: 119.014' 45.15'E  
North: 426827.0544' East: 1420133.1479  
North: 428375612.33'W length: 54.000' North: 42682.7502' East: 1420079.5007  
Course: 1405103.53' S length: 229.295' North: 427026077.724' East: 1420103.6144  
Length: 3.293' Radius: 330.234' East: 1420079.5007  
Chord: 6.586' Course: 119.014' 45.15'E

**CLOSURE REPORT - 3RD AVENUE (SOUTH) RIGHT-OF-WAY**

North: 4270328317' East: 1419476.8399  
Course: 148371729.83'W length: 54.000' North: 42703.2817' East: 1419476.8399  
North: 4272749335' East: 1419476.8399  
Course: 1405103.53' S length: 229.299' North: 4272749335' East: 1419476.8399  
Length: 3.293' Radius: 330.234' East: 1419476.8399  
Chord: 6.586' Course: 119.014' 45.15'E  
North: 4270328317' East: 1419476.8399  
Course: 148371729.83'W length: 54.000' North: 42703.2817' East: 1419476.8399  
North: 4272749335' East: 1419476.8399  
Course: 1405103.53' S length: 229.299' North: 4272749335' East: 1419476.8399  
Length: 3.293' Radius: 330.234' East: 1419476.8399  
Chord: 6.586' Course: 119.014' 45.15'E

**CLOSURE REPORT - 3RD AVENUE (NORTH) RIGHT-OF-WAY**

North: 4273518064' Area: 26181.8154 Sq. Ft.  
Course: 148371729.83'W length: 45.000' North: 42735.1806' East: 1419402.7189  
North: 4277774612' East: 1419652.1944  
Course: 1405103.53' S length: 229.299' North: 4277774612' East: 1419652.1944  
Length: 4.683' Radius: 132.500' East: 1419652.1944  
Chord: 4.683' Course: 320.9' 42.585'W  
North: 4273518064' Area: 26181.8154 Sq. Ft.  
Course: 148371729.83'W length: 45.000' North: 42735.1806' East: 1419402.7189  
North: 4277774612' East: 1419652.1944  
Course: 1405103.53' S length: 229.299' North: 4277774612' East: 1419652.1944  
Length: 4.683' Radius: 132.500' East: 1419652.1944  
Chord: 4.683' Course: 320.9' 42.585'W

**CLOSURE REPORT - 3RD AVENUE (SOUTH) RIGHT-OF-WAY**

North: 4268191908' East: 1418964.9565  
Course: 148371729.83'W length: 54.000' North: 42681.9108' East: 1418964.9565  
North: 42729.58141' East: 1418964.9565  
Course: 1405103.53' S length: 200.000' North: 42729.58141' East: 1418964.9565  
Length: 33.446' Radius: 1027.000' East: 1418964.9565  
Chord: 33.446' Course: 109.57' 49.85'E  
North: 4268191908' East: 1418964.9565  
Course: 148371729.83'W length: 54.000' North: 42681.9108' East: 1418964.9565  
North: 42729.58141' East: 1418964.9565  
Course: 1405103.53' S length: 200.000' North: 42729.58141' East: 1418964.9565  
Length: 33.446' Radius: 1027.000' East: 1418964.9565  
Chord: 33.446' Course: 109.57' 49.85'E

**CLOSURE REPORT - 3RD AVENUE (NORTH) RIGHT-OF-WAY**

North: 4272323.7715' East: 1418646.1440  
Course: 148371729.83'W length: 55.000' North: 42724.1230' East: 1418646.1440  
North: 42723.7715' East: 1418646.1440  
Course: 1405103.53' S length: 229.299' North: 42723.7715' East: 1418646.1440  
Length: 193.797' Radius: 1027.000' East: 1418646.1440  
Chord: 193.797' Course: 119.014' 45.15'E  
North: 4272323.7715' East: 1418646.1440  
Course: 148371729.83'W length: 55.000' North: 42724.1230' East: 1418646.1440  
North: 42723.7715' East: 1418646.1440  
Course: 1405103.53' S length: 229.299' North: 42723.7715' East: 1418646.1440  
Length: 193.797' Radius: 1027.000' East: 1418646.1440  
Chord: 193.797' Course: 119.014' 45.15'E

**CLOSURE REPORT - IRON OAK AVENUE RIGHT-OF-WAY**

North: 4272749335' East: 1420655.7256  
North: 428375612.33'W length: 54.742' East: 1419903.1032  
Course: 1405103.53' S length: 54.742' North: 42728.2831' East: 1419903.1032  
Length: 3.585' Radius: 330.234' East: 1419903.1032  
Chord: 7.170' Course: 119.014' 45.15'E  
North: 4272749335' East: 1420655.7256  
North: 428375612.33'W length: 54.742' East: 1419903.1032  
Course: 1405103.53' S length: 54.742' North: 42728.2831' East: 1419903.1032  
Length: 3.585' Radius: 330.234' East: 1419903.1032  
Chord: 7.170' Course: 119.014' 45.15'E

**CLOSURE REPORT - 3RD AVENUE (SOUTH) RIGHT-OF-WAY**

North: 4270328317' East: 1419476.8399  
Course: 148371729.83'W length: 54.000' North: 42703.2817' East: 1419476.8399  
North: 4272749335' East: 1419476.8399  
Course: 1405103.53' S length: 229.299' North: 4272749335' East: 1419476.8399  
Length: 3.293' Radius: 330.234' East: 1419476.8399  
Chord: 6.586' Course: 119.014' 45.15'E  
North: 4270328317' East: 1419476.8399  
Course: 148371729.83'W length: 54.000' North: 42703.2817' East: 1419476.8399  
North: 4272749335' East: 1419476.8399  
Course: 1405103.53' S length: 229.299' North: 4272749335' East: 1419476.8399  
Length: 3.293' Radius: 330.234' East: 1419476.8399  
Chord: 6.586' Course: 119.014' 45.15'E

**CLOSURE REPORT - 3RD AVENUE (NORTH) RIGHT-OF-WAY**

North: 4273518064' Area: 26181.8154 Sq. Ft.  
Course: 148371729.83'W length: 45.000' North: 42735.1806' East: 1419402.7189  
North: 4277774612' East: 1419652.1944  
Course: 1405103.53' S length: 229.299' North: 4277774612' East: 1419652.1944  
Length: 4.683' Radius: 132.500' East: 1419652.1944  
Chord: 4.683' Course: 320.9' 42.585'W  
North: 4273518064' Area: 26181.8154 Sq. Ft.  
Course: 148371729.83'W length: 45.000' North: 42735.1806' East: 1419402.7189  
North: 4277774612' East: 1419652.1944  
Course: 1405103.53' S length: 229.299' North: 4277774612' East: 1419652.1944  
Length: 4.683' Radius: 132.500' East: 1419652.1944  
Chord: 4.683' Course: 320.9' 42.585'W

PROGRESS REVIEW  
Issue For  
Date: 1-29-2021

**THREE OAKS  
SUBDIVISION**

**CLOSURE REPORT SHEET**

**OAKLEY YARDS LAND, LLC**

SITUATION  
SECTION 28, TOWN 4,  
FRACTIONAL RANGE 2

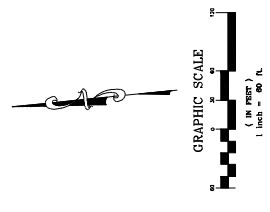
COLUMBIA TOWNSHIP, CITY OF  
CINCINNATI, HAMILTON COUNTY, OHIO

Project No.  
**19102**

Page  
**2 of 7**

**TRACT AREAS**

TRACT A1	6,279 AC	S.F.	1,800 AC
TRACT A2	81,813.145 AC	S.F.	20,132,778 AC
TRACT B	74,577.864 AC	S.F.	19,444,444 AC
TRACT C	135,247.726 AC	S.F.	34,567,890 AC
TRACT D	100,094.457 AC	S.F.	25,812,345 AC
TRACT E	240,394.600 AC	S.F.	61,456,789 AC
	1,150,772.873 AC	S.F.	294,123,456 AC
THREE OAKS LANE	78,775.860 AC	S.F.	20,132,778 AC
IRON OAKS AVE	30,132.778 AC	S.F.	7,712,345 AC
31ST AVE (NORTH)	20,629.400 AC	S.F.	5,281,234 AC
31ST AVE (SOUTH)	22,077.904 AC	S.F.	5,645,678 AC
32ND AVE (NORTH)	17,082.750 AC	S.F.	4,345,678 AC
32ND AVE (SOUTH)	17,082.750 AC	S.F.	4,345,678 AC
<b>GRAND TOTAL</b>	<b>1,344,287.255 AC</b>	<b>S.F.</b>	<b>344,567,890 AC</b>

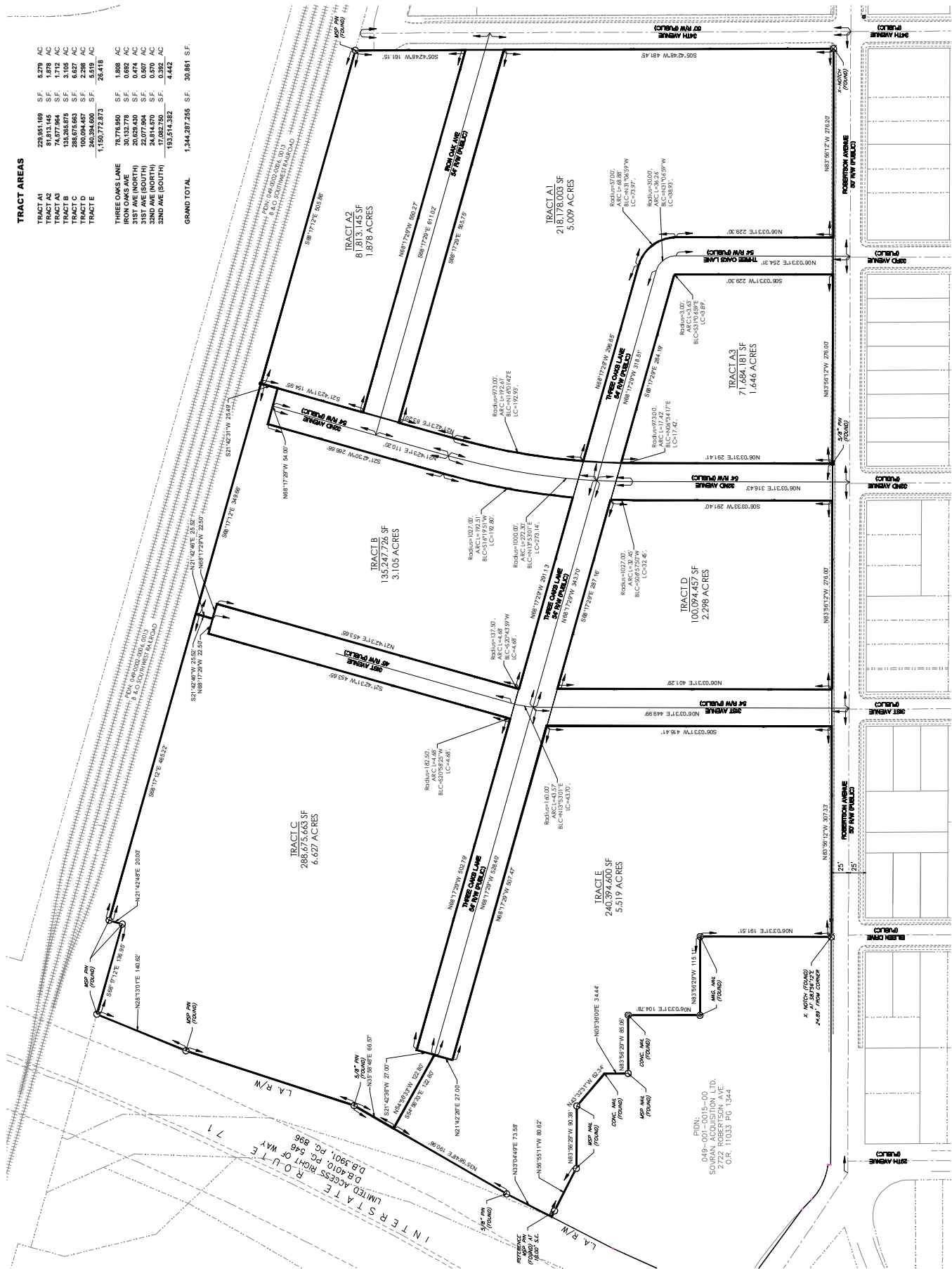


- LEGEND**
- FOUND SET
  - CROSS NOTCH
  - MAG SPIKE
  - 1/2" IRON PIN & CAP
  - MAG NAIL OR T.NAIL

PROGRESS REVIEW  
Issue For: 1-29-2021  
Date:

**THREE OAKS  
SUBDIVISION  
OVERALL SHEET**

OAKLEY YARDS LAND, LLC  
SITUATION  
SECTION 28, TOWN 4,  
FRACTIONAL RANGE 2  
COLUMBIA TOWNSHIP, CITY OF  
CINCINNATI, HAMILTON COUNTY, OHIO  
Project No. 19102  
Pg 3 of 7

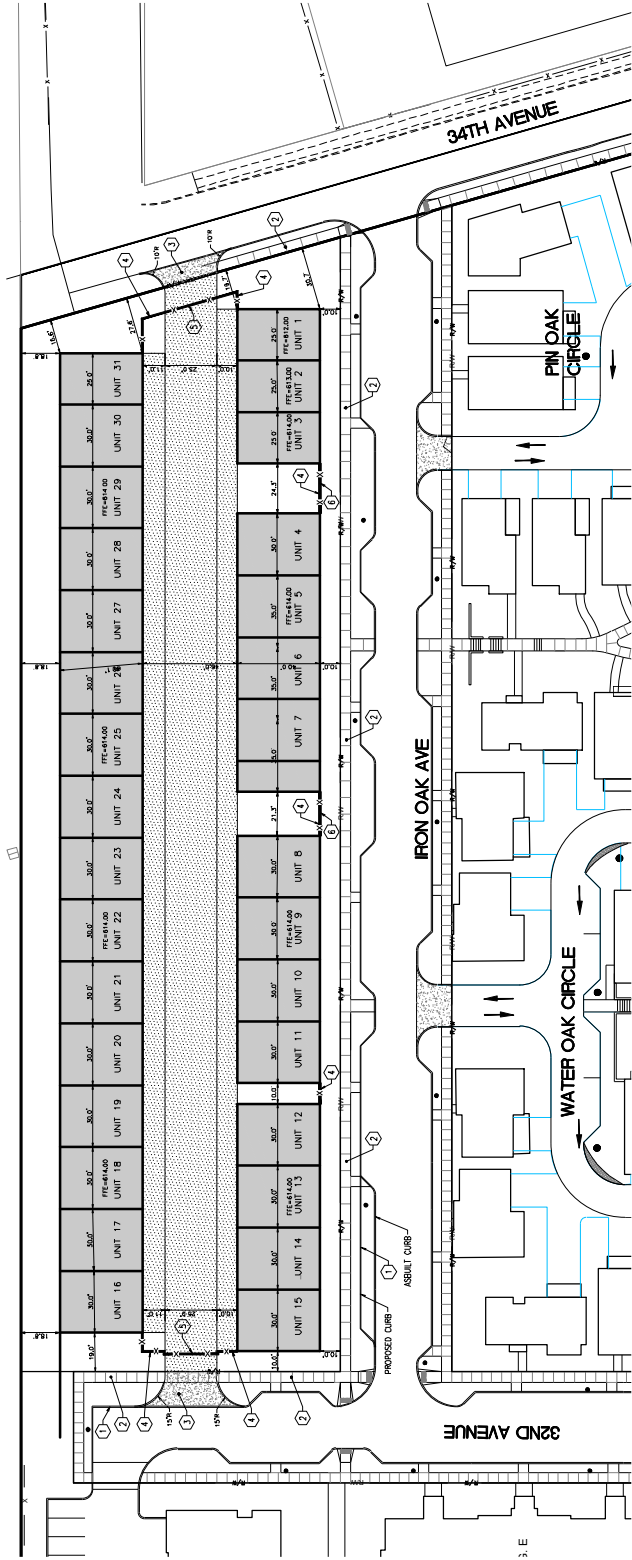


PLIN: 015-001015-00  
SOPLAN: 001015-00  
2722 ROBERTSON AVE.  
O.R. 11033 PG. 1344



BRANDSTETTER  
CARROLL INC  
200 WEST WASHINGTON AVENUE  
CINCINNATI, OH 45202  
P: 513.631.6241  
WWW.BRANDSTETTERCARROLL.COM

B + O SOUTHWEST RAIL ROAD



- NOTED NOTES**
- 1 HAZARD CURB TYPE S1
  - 2 CONCRETE SIDEWALK
  - 3 CONCRETE ASPHALT TO BE INSTALLED IN GROUND PER SECTION (CONCRETE MODIFIED COMMERCIAL DRIVEWAY ACC. 2885.1TH)
  - 4 6" TALL FENCE
  - 5 SLURRY GATE
  - 6 PEDESTRIAN GATE

ASPHALT PAVEMENT AREA  
SEE DETAIL THIS SHEET

Revisions:  
Issue Date: 1-14-2024

**THREE OAKS  
GARAGE AREA**

2850 ROBERSON AVENUE  
CINCINNATI, OHIO 45209

LAYOUT PLAN

Project No.

C-101

19102

# TORQUE CAR CONDOS

## TRACT A2 OF THREE OAKS SUBDIVISION (81,813,145 SF) 1.878 ACRES



COVER SHEET

SHEET 1 OF 7

PROPOSED  
TORQUE CAR CONDOS  
CINCINNATI, OH  
HAMILTON COUNTY



ISSUE DATE  
07/27/23 ZONING

**SITE INFORMATION**

**SUBJECT PROPERTY:**  
THREE OAKS SUBDIVISIONS  
IRON OAK 1 34TH AVE  
LOVELAND, OHIO, 45040  
(937) 487-9124

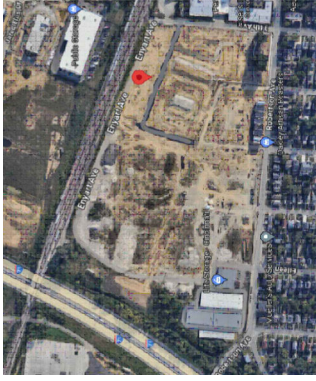
**PREPARED BY:**  
SABO DESIGN ASSOCIATES  
LOVELAND, OHIO, 45040  
(937) 487-9124

**OWNER:**  
NEVER PROPERTIES

**ZONING REQUIREMENTS:**  
PD-96  
MINIMUM LOTS: 3 UNITS  
PROPOSED UNITS: 3 UNITS

**ADDRESS:**  
235 DANA AVE  
CINCINNATI, OH 45201  
(513) 538-1955

**PROPOSED:**  
5 BUILDINGS SEPARATED INTO 31 STORAGE UNITS



VICINITY MAP  
N.T.S.



SUBDIVISION MAP  
N.T.S.



SOUTHEAST RENDERING  
N.T.S.







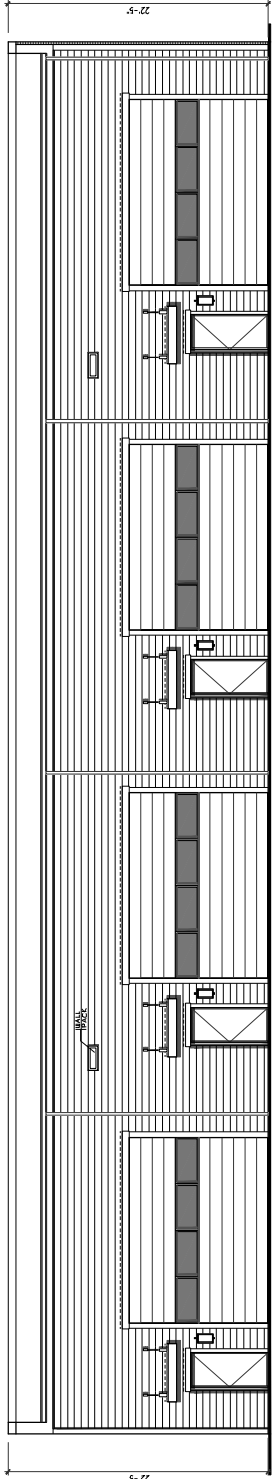
ELEVATIONS  
BUILDING 3&4  
SHEET: 4 OF 7

PROPOSED  
TORQUE CAR CONDOS  
HAMILTON COUNTY  
CINCINNATI, OH

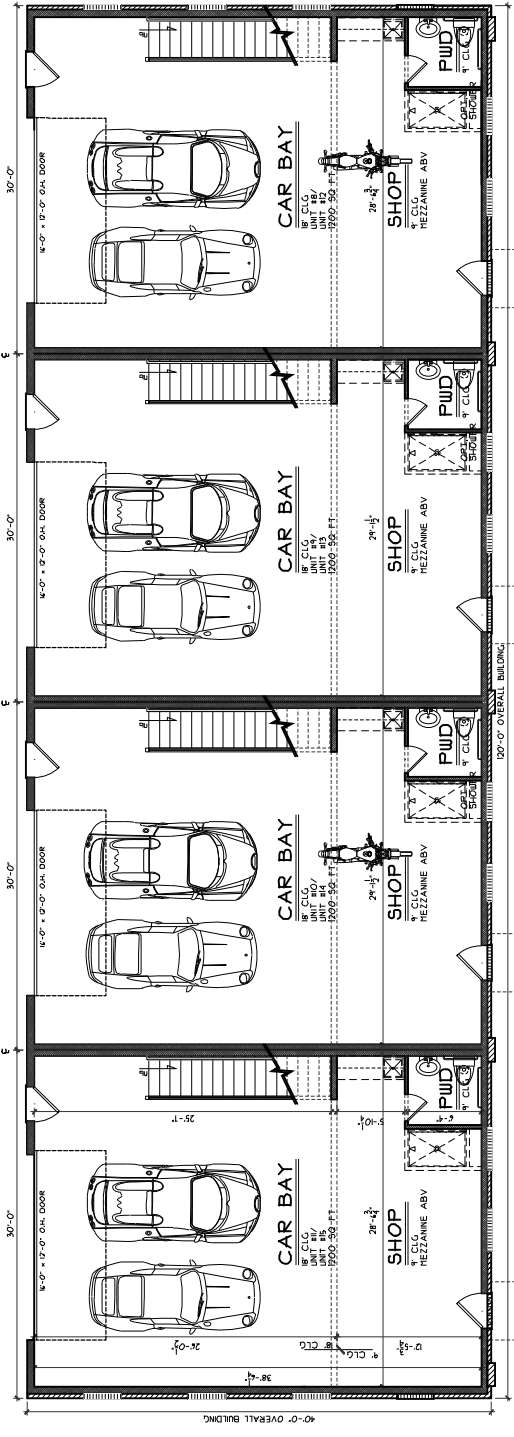


SDA SABO DESIGN ASSOCIATES  
310 West Geyer Road  
Loveland, Ohio 45140  
(513) 881-1218  
sdasabo.com

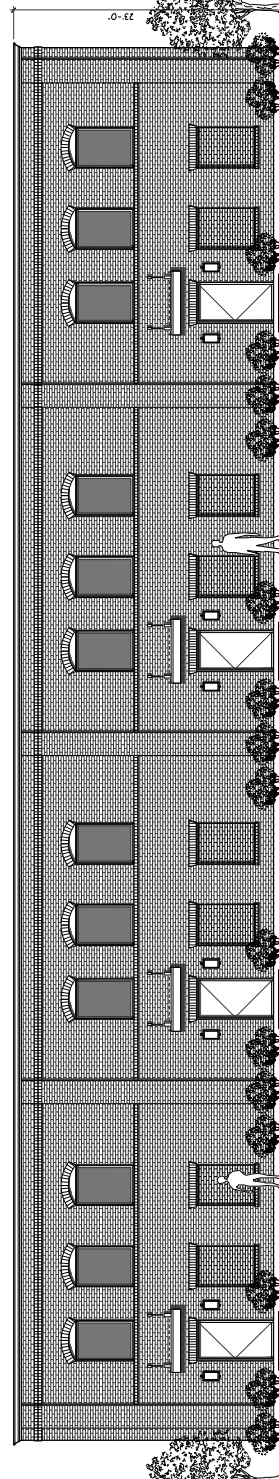
ISSUE DATE  
07/27/23



**NORTH ELEVATION**  
SCALE: 3/32" = 1'-0"  
BUILDING 3 & 4



**BUILDING '3&4' PLAN**  
SCALE: 3/32" = 1'-0"  
1,800 SQ. FT.



**SOUTH ELEVATION**  
SCALE: 3/32" = 1'-0"  
BUILDING 3 & 4



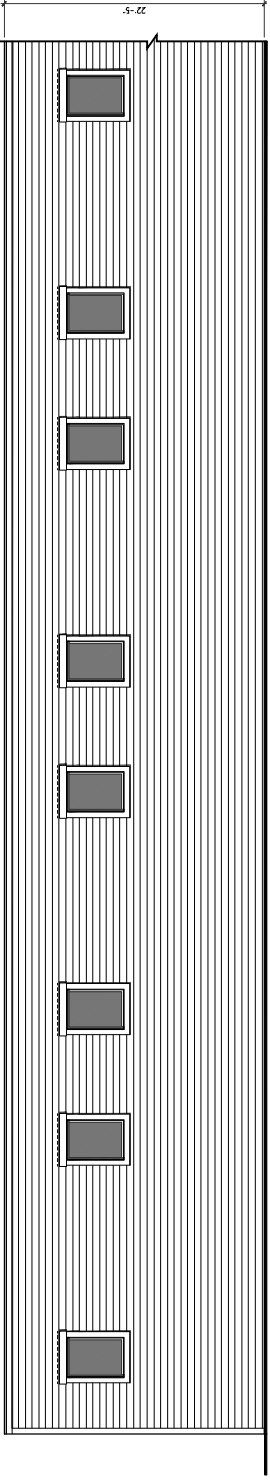
ELEVATIONS  
BUILDING 5  
SHEET: 5 OF 7

PROPOSED  
TORQUE CAR CONDOS  
HAMILTON COUNTY  
CINCINNATI, OH

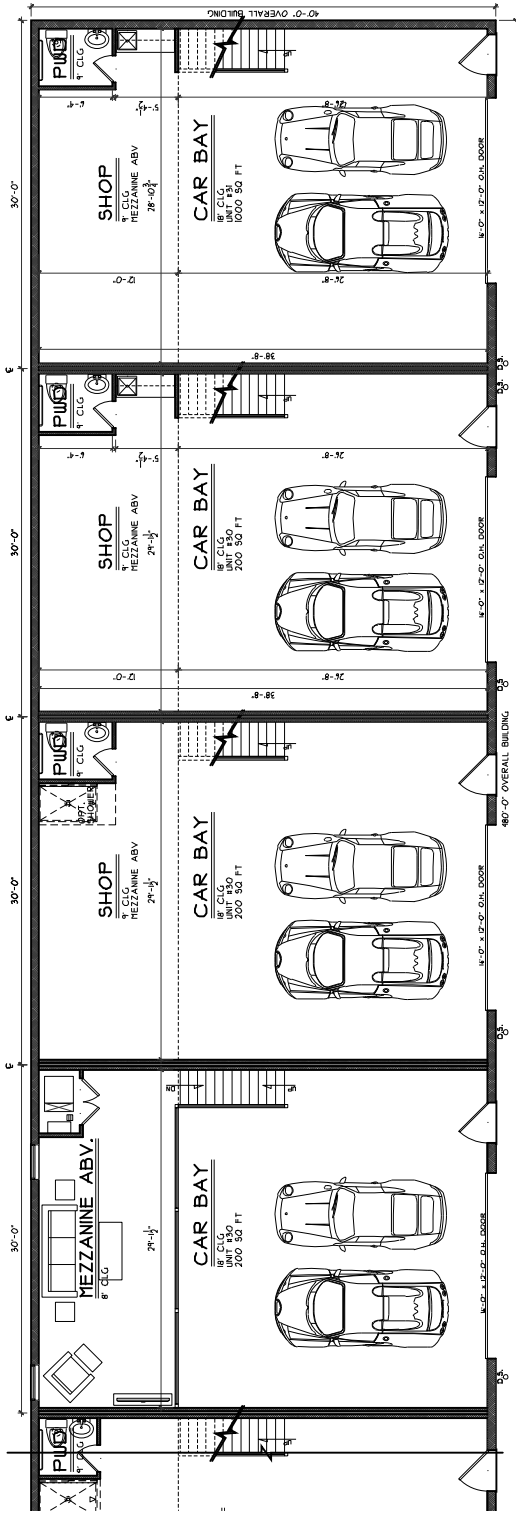


SDA SABO DESIGN ASSOCIATES  
310 West Geyer Road  
Loveland, Ohio 45140  
(513) 881-1218  
sdasabodesign.com

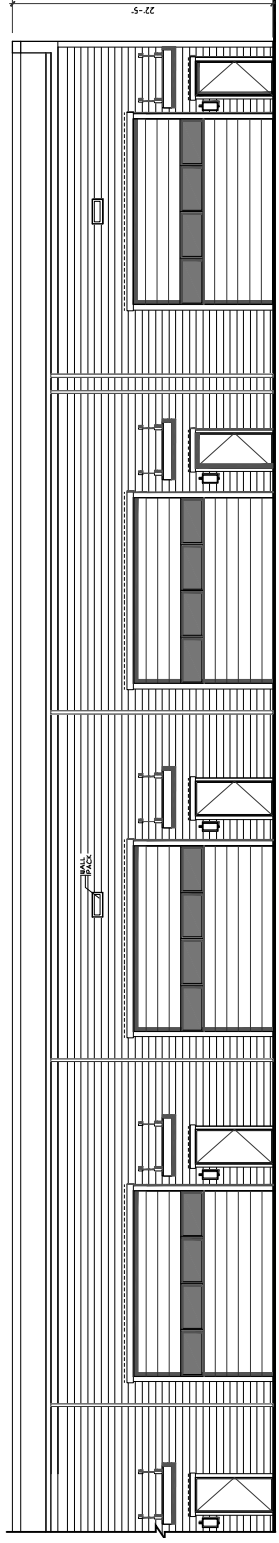
ISSUE DATE: 07/27/23  
ZONING: 0275.02



**NORTH ELEVATION**  
SCALE: 3/32" = 1'-0"  
BUILDING 5



**BUILDING '5' PLAN**  
SCALE: 3/32" = 1'-0"  
11,000 SQ. FT.



**SOUTH ELEVATION**  
SCALE: 3/32" = 1'-0"  
BUILDING 5





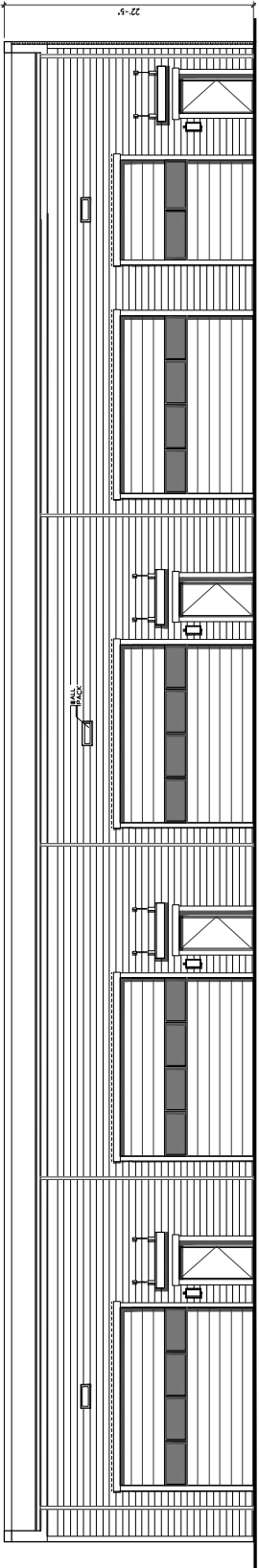
ELEVATIONS  
BUILDING 2  
SHEET 7 OF 7

PROPOSED  
TORQUE CAR CONDOS  
HAMILTON COUNTY  
CINCINNATI, OH

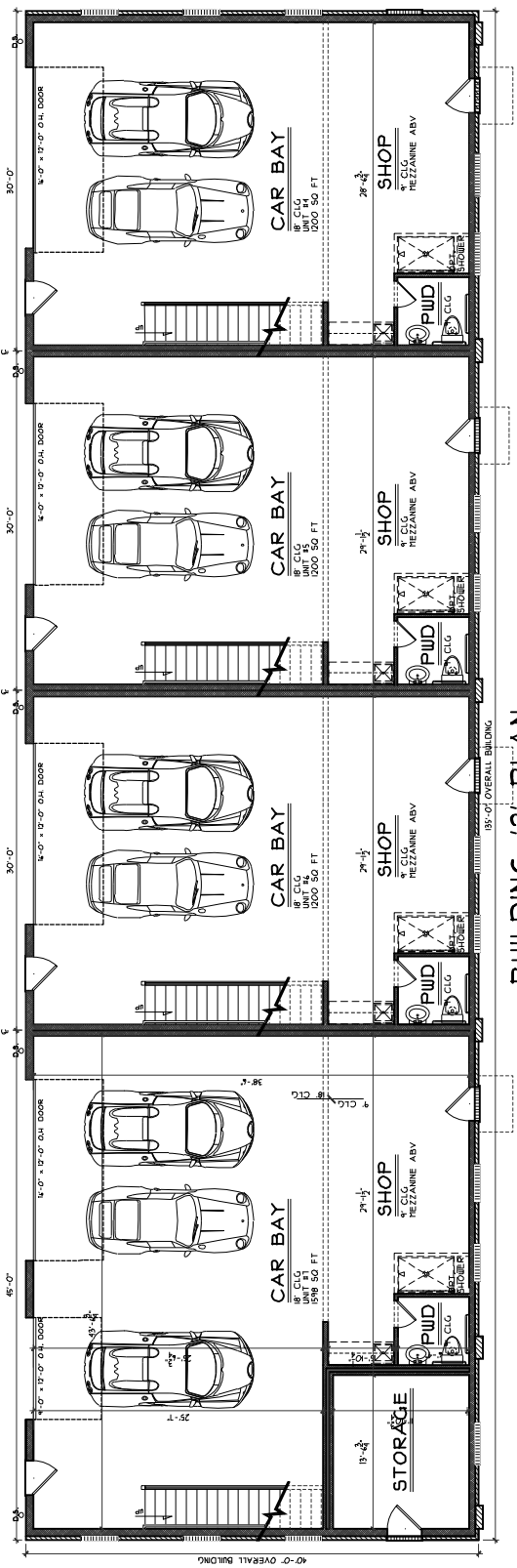


ISSUE DATE  
07/27/23  
07/27/23

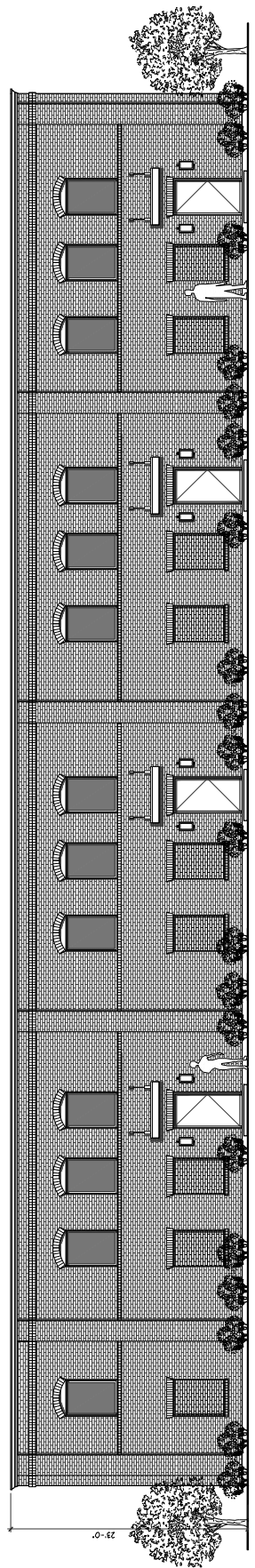
© COPYRIGHT 2023 SABO DESIGN ASSOCIATES



**NORTH ELEVATION**  
SCALE: 3/32" = 1'-0"  
BUILDING 2



**BUILDING '2' PLAN**  
SCALE: 3/32" = 1'-0"  
5'-00 50 FT.



**SOUTH ELEVATION**  
SCALE: 3/32" = 1'-0"  
BUILDING 2



---

**Three Oaks - Car Condos**  
Final Development Plan- Phase Schedule

Break Ground on Mass Excavation, Public Utility and Roadway Construction.....	Complete
Overall project infrastructure substantially complete.....	Complete
Break ground on car condos.....	08/01/2024
Car condos substantially complete.....	09/01/2025

---

*Enduring Vibrancy*

2135 Dana Ave. • Suite 200 • Cincinnati, OH 45207 • 513.563.7555 • [www.neyer1.com](http://www.neyer1.com)

March 24, 2024

Mr. Adam Rockel  
Three Oaks Single Family, LLC  
2135 Dana Avenue, Suite 200  
Cincinnati, Ohio 45207

Re: 2910 Iron Oak Avenue | Three Oaks Development Garage Area (D) – **(CPRE240016)** Final Recommendations

Dear Mr. Rockel,

This letter is to inform you that our CSR Advisory-TEAM and CSPRO Committee has reviewed your proposed construction of 5 buildings comprising 31 condos. The car condos have customizable interiors and will be for car enthusiasts to store their cars and socialize with other condo owners. The units are generally 30 feet wide and 40 feet long and are 22 feet tall to provide for mezzanines and / or car lifts for additional car storage. The car condos are not for car repairs. 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 **March 26, 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 will require a Major Amendment to the PD Concept Plan due to a change in use.
  - o Work with City Planning Staff to submit a revised Concept Plan and Program Statement. For a Major Amendment to a PD, a \$3,000 fee is also required.

#### **Requirements to obtain permits:**

1. Additional review and approval of the final development plan by City Planning Commission will be required.
2. If the units end up being on separate lots, a Major Subdivision will be required.

#### **Recommendations:**

1. It is highly recommended to reach out and share these plans with the adjacent property owners and the Oakley Community Council.

#### **Contact:**

- **Emily Burns** | City Planning | 513-352-4855 | [emily.burns@cincinnati-oh.gov](mailto:emily.burns@cincinnati-oh.gov)

### **City Planning & Engagement – Zoning Division**

#### **Immediate Requirements to move the project forward:**

1. Since this site is zoned PD, zoning staff does not have any specific comments because the City Planning staff handles the specific zoning/design review for use, height limits,

setbacks, density, landscaping, and parking etc. If the site was also zoned hillside or historic, then zoning staff would have more comments.

**Requirements to obtain permits:**

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

**Recommendations:**

- None

**Contact:**

- **Wes Munzel** | ZPE | 513-352-2442 | [weston.munzel@cincinnati-oh.gov](mailto:weston.munzel@cincinnati-oh.gov)

**Metropolitan Sewer District (MSD)**

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

- None

**Requirements to obtain permits:**

1. Tap permits will be required for each connection.
2. An updated Request for Availability will be required.

**Recommendations**

- None

**Contact:**

- **Rob Kern** | MSD | 513-244-5588 | [rob.kern@cincinnati-oh.gov](mailto:rob.kern@cincinnati-oh.gov)

**Stormwater Management Utility (SMU)**

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

- None

**Requirements to obtain permits:**

1. Submit following documents - storm water calculations for removal and additions to storm system.
2. Utility Plan
  - Verify existing SMU structures.
  - 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.
3. 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.
4. Erosion & Sediment Control Plan is required. Refer to link: <https://cincinnati-oh.gov/stormwater/construction-and-design/standards/sediment-and-erosion-control/>.

5. 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/>
6. 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.

**Recommendation:**

- None

**Contact:**

- **Kevin Gold** | SMU | 513-222-3643 | [kevin.gold@cincinnati-oh.gov](mailto:kevin.gold@cincinnati-oh.gov)

**Water Works**

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

1. A public water main abandonment will be required to abandon the public water main infrastructure valving and all abandoned appurtenances on English Oak Court and Smokey Oak Lane. These water mains will need to be abandoned by sleeving out the connections at Iron Oak Court and 34th Avenue.
2. Due to the gate and the fences surrounding the Condo area, you will not be able tap the water main on Smokey Oak as shown for the three condo buildings. The three taps will need to be moved outside of the fence line.
3. A quit claim will need to be processed for the existing public water main easements.
4. The owner/developer is responsible for the abandonment of the public water mains, appurtenances, and a quit claims for the existing public water main easements. The owner/developer will need to submit for the proposed GCWW Miscellaneous job. This will include plans, submittals, bond, and letter of intent. All work must be completed to GCWW satisfaction prior to any building permit approval or water service branches are sold. Coordinate with Phil Young at [Phillip.Young@gcww.cincinnati-oh.gov](mailto:Phillip.Young@gcww.cincinnati-oh.gov)

**Requirements to obtain permits:**

1. Each building will need its own water service branch.
2. The assumption is that this development is contained within one parcel, if any changes to that, will result in additional requirements for the branches.
3. The subject development property has the following 3/4" curb-only water service branches:
  - a. H-316350 thru H-316352, H-316354 thru H-316372
4. If the curb-only water service branches are not to remain they will need to physically be disconnected from the public water main in Iron Oak Avenue.
5. If the existing curb-only water service branch(es) for this project are not to be used for this development, they must be disconnected at the owner's / developer's expense. The discontinued branch(es) will require a drawing showing the branch(es) and branch number(s) that is to be physically disconnected from the main. Submit to [Phillip.Young@gcww.cincinnati-oh.gov](mailto:Phillip.Young@gcww.cincinnati-oh.gov). This could be part of the water main abandonment plans.
6. All new domestic water service branches can be connected to the existing 8-inch public water main in Iron Oak Avenue.

**Recommendations:**

1. The Owner(s)/Developer(s) will need to hire a Greater Cincinnati Water Works certified licensed and bonded fire protection company and plumber to perform the private water service branch design work and installation.
2. The Owner(s)/Developer(s) must have a licensed fire protection company and plumber that is bonded and certified with GCWW 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](mailto:richard.roell@gcww.cincinnati-oh.gov)

**Fire Department**

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

1. A site plan is needed showing 2 readily **accessible** Fire Hydrants within 400 feet of all sides of your project.
2. The minimum fire flow requirements for Commercial structures: 2,000 gallons/per/minutes (GPM) @ 20 pressure/per/square inch (psi) (138Kpa).
3. The Site Plan needs to show the location of the FDC and the distance in feet from the closest Fire Hydrant. FDC's are to be located within **50 feet** of a Fire Hydrant.
4. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet.
5. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

**Requirements to obtain Permits:**

- None

**Recommendations:**

- None

**Contact:**

- **Elton Britton** | Fire Dept. | 513-357-7596 | [elton.britton@cincinnati-oh.gov](mailto:elton.britton@cincinnati-oh.gov)

**Office of Environment and Sustainability (OES)**

**Immediate Requirements to move forward with project:**

1. **The proposed use of the site as car condos is not reflected in the environmental agreements for the site. The impact of this change on the environmental agreements and plan must be determined. This may need to be resolved before the project can proceed to planning commission. Please contact the Planning Department point of contact for further guidance.**

**Requirements to obtain permits:**

1. Commercial waste, including construction and demolition debris, generated during this development project must utilize a City franchised commercial waste collection service per Cincinnati Municipal Code Chapter 730. Additional information can be found at <https://www.cincinnati-oh.gov/oes/commercial-waste-hauler-program/>.
2. If offsite sourced fill is to be placed onsite, then it must receive OES environmental approval when it exceeds 1000 cubic yards as per City Municipal Code Chapters 1101 and 1031. A current Phase I ESA performed to the ASTM Standard E1527-21 of the proposed offsite borrow source property must be submitted for review. Stockpiled soils

that will be used as fill material from an offsite borrow source require environmental sampling and analysis and the results be submitted for review. Please contact OES for a recommended sampling plan.

**Recommendations:**

1. The following recommendations are based on adopted City of Cincinnati environmental and sustainability policies:
  - 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 be wired for electric vehicle charging.
  - d. The use of pervious surfaces should be maximized to the extent practical in the design. The use of trees in the landscape design should be included to enhance urban forestry.
  - e. Landscape design should consider the use of native species.
  - f. The use of heat reflective surfaces in paved parking areas should be considered to reduce the heat-island effect.

**Contact:**

- **Amanda Testerman** | OES | 513-352-5310 | [amanda.testerman@cincinnati-oh.gov](mailto:amanda.testerman@cincinnati-oh.gov)

**Parks Department (Urban Forestry)**

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

1. Urban Forestry has no issues or concerns.

**Requirements to obtain permits:**

- None

**Recommendations:**

- None

**Contact:**

- **Marianne Prue** | Urban Forestry | 513-861-9070 | [marianne.prue@cincinnati-oh.gov](mailto:marianne.prue@cincinnati-oh.gov)

**Department of Transportation & Engineering (DOTE)**

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

- None

**Requirements to obtain permits:**

1. The driveway on 32nd Ave is new to the project. The proposed driveway shows the removal of half the turnaround at the end of 32nd Ave. This needs to be addressed. There needs to be a turnaround that meets the City's standards.
2. All driveway aprons are to meet City standards.
3. Driveway width is to be 20' maximum.
4. If any gates are proposed, they must be located at least 20' from the right of way line.
5. All work in the public right-of-way will require a separate DOTE permit/subdivision permit.
6. Before applying for permits, contact [DTEaddress@cincinnati-oh.gov](mailto:DTEaddress@cincinnati-oh.gov) to have addresses assigned for each car condominium.

**Recommendations:**

- None

**Contact:**

- **Morgan Kolks** | DOTE | 513-335-7322 | [morgan.kolks@cincinnati-oh.gov](mailto:morgan.kolks@cincinnati-oh.gov)

**Buildings & Inspections – Buildings**

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

- None

**Requirements to obtain permits:**

1. Why does one space on (sheet 6 of 7) have “Shop” on the label if these spaces will not be for auto repair.
2. Need to know if every unit will have a sink and toilet.
3. The project will need a geo-technical report at time of submission.

**Recommendations:**

- None

**Contact:**

- **Art Dahlberg** | B&I Plans Exam | 513-352-2424 | [art.dahlberg@cincinnati-oh.gov](mailto:art.dahlberg@cincinnati-oh.gov)

**Law Department**

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

1. No comment at this time.

**Requirements to obtain permits:**

- None

**Recommendations:**

- None

**Contact:**

- **Charles Martinez** | Law | 513-352-3359 | [charles.martinez@cincinnati-oh.gov](mailto:charles.martinez@cincinnati-oh.gov)

**Department of Community & Economic Development (DCED)**

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

- None

**Requirements to obtain permits:**

- None

**Recommendations:**

1. The developer should meet with DCED to discuss amendments to the Development Agreement, including but not limited to additional incentive asks.

**Contact:**

- **Justin Halter** | DCED | 513-352-6241 | [justin.halter@cincinnati-oh.gov](mailto:justin.halter@cincinnati-oh.gov)

**Health Department**

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

- None

**Requirements to obtain permits:**

- No Need for Health to review project as proposed.

**Recommendations:**

- None

**Contact:**

- **Trisha Blake** | Health Dept. | 513-352-2447 | [trisha.blake@cincinnati-oh.gov](mailto:trisha.blake@cincinnati-oh.gov)

**Police Department**

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

- None currently.

**Requirements to obtain permits:**

- No comments.

**Recommendations:**

- None

**Contact:**

- **Katalin Howard** | Police Dept. | 513-352-3298 | [katalin.howard@cincinnati-oh.gov](mailto:katalin.howard@cincinnati-oh.gov)
- **Brandon Kyle** | Police Dept. | 513-564-1870 | [brandon.kyle@cincinnati-oh.gov](mailto:brandon.kyle@cincinnati-oh.gov)

---

FINAL ACTION: The CSR Advisory-TEAM and CSPRO Committee recommends that the proposed project plan move forward to City Planning Commission. However, there are still some concerns from the Office of Environmental and Sustainability regarding the “**environmental agreements for the site.**” **With this being the case, the City Planning and Engagement Department reserves the right to delay the Planning Commission meeting until environmental agreements have been addressed. This project must also follow the conditions listed below.**

- **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

**EXHIBIT F**



June, 11th, 2024

Ms. Emily Ahouse Zoning Administrator  
Department Zoning Administration City of Cincinnati  
Two Centennial Plaza  
805 Central Avenue, Suite 500  
Cincinnati, Ohio 45202  
**Emily.ahouse@cincinnati-oh.gov**

RE: Three Oaks Car Condos-Neyer Properties

Dear Ms. Ahouse:

At the April 2nd, 2024 meeting of the Oakley Community Council, representatives of Neyer Properties were present to request a letter of support for changes to their Three Oaks Development.

A motion to support the changes was made at the April 2nd, 2024 OCC meeting:

That the Oakley Community Council approves a letter of support for Neyer's request for a major amendment to the concept plan and development program statement of PD-88 to allow for the use of car condos in a lot adjacent to the railroad tracks, provided that they meet the conditions mentioned in the Consolidated Site Review

As reflected in our meeting minutes, the motion passed with eight yes votes with Colleen abstaining.

Thank you for your cooperation and assistance. If you need any further information or have any questions, I can be reached at [troy.mcandrews@oakleynow.com](mailto:troy.mcandrews@oakleynow.com)

Sincerely,

*Troy McAndrews*

Troy McAndrews  
Zoning Committee Chair  
OCC Trustee

CC: OCC File

PO Box 9244  
Cincinnati OH 45209  
oakleynow.com

## Burns, Emily

---

**From:** Robert E. Dochterman <redoc44@live.com>  
**Sent:** Tuesday, May 21, 2024 10:28 AM  
**To:** Burns, Emily  
**Subject:** [External Email] Oakley Three Oaks plus

You don't often get email from redoc44@live.com. [Learn why this is important](#)

### External Email Communication

As a resident of thirty-second Ave., I am totally against any changes in the project. I was opposed to the original plan & time has proved I was correct. This project has been going on nearly two years & has not gone anywhere. Plans have already changed without input. The developers cannot be trusted. It would appear they are running out of money to complete the original plan. This appears to be just a ploy to get above water. It also leaves itself open to all kinds of crime, being tucked away in a dark corner.

Oakley and this neighborhood are already overcrowded, with the worst yet to come. We have put up with the dust & dirt long enough. It's time for some common sense, something the city is very short of. There only vision is \$\$, not a very good way to take care of the citizens.

Robert E. Dochterman  
4315 32'ND Ave  
Cincinnati, Ohio 45209-1624

## Burns, Emily

---

**From:** steven Ruth <stevenlruth@yahoo.com>  
**Sent:** Monday, May 20, 2024 9:50 AM  
**To:** Burns, Emily  
**Cc:** Steven Ruth  
**Subject:** [External Email] A proposed Major Amendment and Final Development Plant for Planned Development #88 (PD-88), Three Oaks, in Oakley

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

### External Email Communication

I live in Oakley on 32nd Avenue and received a notice regarding the above subject. I am opposed to the proposed major amendment that would allow the property to be used for the construction of "Car Condos". Please feel free to contact me if you have any question.

Thank you.

**Honorable City Planning Commission  
Cincinnati, Ohio**

**SUBJECT:** A report and recommendation on a proposed Final Development Plan for Planned Development #88 (PD-88), Three Oaks, in Oakley.

**GENERAL INFORMATION:**

**Location:** 4477 34<sup>th</sup> Avenue, Cincinnati, OH 45209

**Petitioner:** Neyer Properties  
2135 Dana Avenue Suite 200  
Cincinnati, OH 45207

**Owner:** Three Oaks Single Family, LLC  
2135 Dana Avenue Suite 200  
Cincinnati, OH 45207

**Request:** The applicant is requesting approval of a proposed Final Development Plan for Tract A2 of Planned Development #88, Three Oaks, for the purpose of building 31 car condos along a gated private drive.

**ATTACHMENTS:**

Provided in addition to this report are:

- Exhibit A – Location Map
- Exhibit B – Plat
- Exhibit C – Architectural Plans
- Exhibit D – Site and Engineering Plans
- Exhibit E – Landscape Plans
- Exhibit F – Car Condo Owner’s Association Declaration Items
- Exhibit G – Coordinated Site Review Letter
- Exhibit H – Additional Correspondence

**BACKGROUND:**

On May 22, 2020, the City Planning Commission recommended approval of a change in zoning to City Council to create Planned Development #88 (PD-88), Three Oaks. The ordinance for the change in zoning was approved by City Council on June 24, 2020. The City Planning Commission also reviewed and approved a Final Development Plan for the entire site on June 17, 2022. In May of 2024, Neyer Properties submitted a proposed Major Amendment to the Concept Plan and Development Program Statement to add car condos as a permitted use. Neyer Properties concurrently submitted the proposed Final Development Plan to the Department of City Planning and Engagement. On June 21, 2024, the City Planning Commission considered this proposed Final Development Plan and voted to hold the item to allow for more time to discuss alternative residential uses on the subject site. The Commission requested that the applicant return at a future meeting and provide more information about why housing would not be feasible on the site.

The proposed Final Development Plan involves constructing car condos on Tract A2, a 1.88-acre portion in the northeast corner of the Three Oaks site adjacent to the railroad tracks (Exhibit B). The proposal includes 31 units on a private drive accessed from 34th Avenue, with an emergency access gate on 32nd Avenue. The development will be constructed in a single phase. The proposed Final Development Plan is substantially consistent with the amended 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: Manufacturing General (MG), Commercial General – Auto (CG-A), and Planned Development #94 (PD-94)  
Existing Use: Railroad, commercial (storage facility), and proposed townhomes (PD-94)

**East:**

Zoning: Manufacturing General (MG)  
Existing Use: Vacant building, light manufacturing and commercial

**South:**

Zoning: Single-Family 4 (SF-4), Commercial Neighborhood – Pedestrian (CN-P)  
Existing Use: Low-density residential (single-family, duplexes)

**West:**

Zoning: Cincinnati city boundary, Manufacturing General (MG)  
Existing Use: I-71, Norwood, commercial (storage facility)

**DESCRIPTION OF PROJECT:**

The proposed Final Development Plan encompasses Tract A2, the 1.88-acre portion of the Three Oaks site bounded by 34<sup>th</sup> Avenue, 32<sup>nd</sup> Avenue, Three Oaks Avenue, and the railroad for the purpose of building 31 car condos along a gated private drive.

**Buildings**

The development consists of five two-story tall buildings with flat roofs. The north building will have 16 car condo units, three of the four south buildings will have 4 car condo units, and the last south building will have 3 car condo units. The southern buildings will have a brick façade facing Iron Oak Avenue with cornice details, steel entry doors, black casement windows with arch trim, and black metal awnings; the elevation facing the private drive will be clad in fiber cement siding. The rest of the buildings will be clad in fiber cement siding on all four elevations. The total building footprint is 37,000 square feet and will cover approximately 45% of the specified tract area (Exhibit C).

**Parking and Circulation**

The car condos will be accessed by a gated private drive from 34th Avenue, with an emergency access gate on 32nd Avenue. The south buildings will also have gated pedestrian access off Iron Oak Avenue. The car condos themselves provide parking spaces, and there is additional space for parking in front of the units on the private drive.

**Open Space, Landscaping, and Buffering**

Final landscaping and buffering have been submitted as part of the Final Development Plan (Exhibit E). A buffer of green space with a variety of shade trees and shrubs will surround the proposed car condos on all sides and will be professionally landscaped and maintained. Outside of Tract A2, open space plans approved in a previous Final Development Plan remain unchanged.

The proposed Final Development Plan is substantially consistent with the amended Concept Plan with regard to number of units, parking spaces, minimum building setbacks, and maximum building height. The proposed Final Development Plan has not changed from the proposal presented and subsequently held at the June 21, 2024, City Planning Commission meeting.

**§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 (Exhibit D) shows the proposed buildings and private drive, which is substantially consistent with the approved Concept Plan.
- c) **Engineering Plans** – Engineering plans, including the Grading Plan and Site Utility Plan, are included as Exhibit D.
- d) **Open Space** – Approximately 25% of the building site will be preserved as open space. The proposed open space takes the form of space for trees and plantings proposed along the perimeter of the development.
- e) **Schematic Building Plans** – The schematic building plans (Exhibit B) are substantially consistent with the Concept Plan and Development Program Statement in size, location, and height. The structures are proposed to be constructed with a mix of materials including face brick, fiber cement siding, black coping, and glass. The front facade along Iron Oak Avenue will feature brick surfaces and black metal awnings.
- f) **Landscape Plans** – A landscape plan, complete with details on the proposed shade trees, shrubs, groundcover, and perennials, was submitted (Exhibit E).
- g) **Phased Schedule** – The proposed Final Development Plan is planned to be constructed in a single phase. A fourteen-month construction schedule is anticipated.
- h) **Ownership** - The property is owned by Three Oaks Single Family, LLC.
- i) **Statement of Uses** – The principal uses of this portion of the overall development are car condos with access from a gated private drive that will also be constructed. The uses are consistent with the concurrently submitted Major Amendment to the Concept Plan and Development Program Statement for Planned Development #88.

- j) **Future Ownership and Control** – Upon completion, the condos will be sold to future condo owners. The common areas will be owned and managed by the Car Condo Ownership Association (CCOA), of which the car condo owners will be members. For a list of items to be included in the CCOA declaration, see Exhibit F.
- k) **Restrictive Covenants** – There is an environmental covenant on the site that will be updated to allow for car condos as a use before permits are issued.
- l) **Other Information**

*Noise Levels*

Noise levels during the construction and use of the proposed Final Development Plan is pursuant to Cincinnati Municipal Code Chapter 909 and based on the requirements for the adjacent zoning district for the receiving property. The current approved Final Development Plan for the Planned Development set the noise levels of PD-88 to be based on residential district criteria. Due to that, the noise levels of the proposed Final Development Plan for Tract A2 are proposed to be consistent with the rest of PD-88 and be based on residential district criteria. The following permanent noise levels shall apply to the proposed Final Development Plan for PD-88:

<b>Table 1   Sunday through Wednesday</b>			
<b>Times</b>	7 a.m. to 7 p.m.	7 p.m. to 2 a.m.	2 a.m. to 7 a.m.
<b>Day</b>	Sunday through Wednesday	Sunday through Wednesday	Sunday through Thursday
<b>Noise Level</b>	60 dB	55 dB	55 dB

<b>Table 2   Thursday</b>			
<b>Times</b>	7 a.m. to 7 p.m.	7 p.m. to Midnight	Midnight to 7 a.m.
<b>Day</b>	Thursday	Thursday	Friday
<b>Noise Level</b>	60 dB	55 dB	55 dB

<b>Table 3   Friday through Saturday</b>			
<b>Times</b>	7 a.m. to 7 p.m.	7 p.m. to 2 a.m.	2 a.m. to 7 a.m.
<b>Day</b>	Friday through Saturday	Friday through Saturday	Saturday through Sunday
<b>Noise Level</b>	65 dB	60 dB	60 dB

*Signage*

The sign regulations that will apply to this Planned Development are within Chapter 1427-33 Sign Regulations of the Cincinnati Zoning Code. These regulations apply to all residential zoning districts (SF and RM). Any proposed signage will be reviewed by staff from the Department of City Planning and Engagement for compliance.

**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 provides for more creative development through flexibility in the design.
- (b) **Adequate Streets.** The existing public streets are adequate to serve the proposed mixed-use development. The units will be served by a gated private drive.
- (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. The civil plans are included as Exhibit D.
- (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 in an attempt 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. The common areas will be professionally landscaped and maintained.

**PUBLIC COMMENT AND NOTIFICATION:**

The Department of City Planning and Engagement held a virtual public staff conference on the proposed Final Development Plan, and concurrently submitted Major Amendment, on May 29, 2024. Notices were sent to property owners within 400 feet of the subject property and the Oakley Community Council. Six members of the public attended the meeting. City staff and the petitioner presented information regarding the current proposal and for review. Members of the public had some questions about who would be using the car condos, and how they would be used; for example, if any events would be hosted there and what the guidelines would be. Additionally, there was a question about what the community stands to gain from this development. The development team shared that the anticipated end users of the car condos are primarily car collectors.

Notice of the June 21, 2024, City Planning Commission meeting was also mailed out to property owners

within 400 feet of the subject property and the Oakley Community Council. The same recipients were notified by mail of the September 20, 2024, City Planning Commission meeting. To date, staff has received a letter of support from the Oakley Community Council as well as 2 emails in opposition of the proposed Major Amendment to the Concept Plan and Development Program Statement (Exhibit H).

**COORDINATED SITE REVIEW:**

The development was last reviewed by the Coordinated Site Review team as a Development Design Review in March of 2024. A meeting with the petitioner was held on March 26, 2024, to allow the development team the opportunity to discuss the comments outlined by each of the departments. The feedback letter outlined additional requirements needed to be met before permits are obtained. The Office of Environment and Sustainability (OES) had concerns about the proposed car condo use not being reflected in the environmental agreements for the site. The environmental restrictive covenant will be updated to include car condos as a permitted use before permits are issued.

**ANALYSIS:**

The staff of the Department of City Planning and Engagement supports the proposed Final Development Plan for Tract A2 of Planned Development #88 (PD-88). The proposed development will reactivate currently vacant land and provide a service complementary to surrounding residential uses, as well as a buffer between the approved single-family use to the south and the railroad tracks to the north.

The Planned Development process allows for continued public engagement through all phases of the development. The intended uses and scale of the development were set when the Concept Plan and Development Program Statement were approved. Any significant modifications to this would constitute a Major Amendment to the Concept Plan and Development Program Statement and would require public engagement and a public hearing process. The Final Development Plan is substantially consistent with the concurrently submitted Major Amendment to the Concept Plan and Development Program Statement. Approval of the Final Development Plan is contingent upon City Council’s approval of the Major Amendment without changes in accordance with §1429-16 of the Cincinnati Zoning Code.

**CONSISTENCY WITH PLANS:**

*Plan Cincinnati (2012)*

The proposed Final Development Plan is consistent with *Plan Cincinnati (2012)* in the Compete Initiative Area, particularly within the Goal to “Cultivate our position as the most vibrant and economically healthiest part of our region” (p. 114). The proposed car condo use would be the first in Cincinnati and among the first of its kind in the region.

*Oakley Master Plan (2019)*

The proposed Final Development Plan is also consistent with the *Oakley Master Plan*, particularly with the Managing Our Future Growth Focus Area Goal 1 to “Assure that future growth is guided by zoning and planning that will preserve Oakley as a thriving, unique, and pedestrian-scaled urban neighborhood” (p. 80). The Planned Development districts can promote greater urban design than base zoning districts, and the proposed car condos would not be out-of-scale with the approved single-family homes to the south.

**FINDINGS:**

It is the opinion of 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 concurrently submitted Major Amendment to the Concept Plan and Development Program Statement, contingent on City Council's approval.

**CONCLUSIONS:**

The staff of the Department of City Planning and Engagement supports the proposed Final Development Plan for Planned Development #88 for the following reasons:

1. The Final Development Plan is consistent with the proposed Major Amendment to the Concept Plan and Development Program Statement.
2. The proposed development will reactivate currently vacant or underutilized properties into a use that complements the adjacent residential use while also providing a buffer between the residential uses and the railroad tracks.
3. The Final Development Plan is consistent with goals in *Plan Cincinnati* (2012) and the *Oakley Master Plan* (2019).

**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 Planned Development #88 (PD-88), Three Oaks, in Oakley.

Respectfully submitted:



Emily Burns, City Planner  
Department of City Planning and Engagement

Approved:



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



**EXHIBIT B**

OWNERS, CONSENT AND DEDICATION  
WE, THE UNDERSIGNED, BEING THE OWNERS AND LIEN HOLDERS OF THE LANDS HEREBY DESCRIBED, DO HEREBY ADOPT AND CONFIRM THIS PLAT OF SUBDIVISION AND DEDICATE **THREE OAKS LANE, 3800 AVENUE, 31ST AVENUE** AND **31ST STREET** FOREVER AND ESTABLISH BACKLINES AS SHOWN.

WE ALSO GRANT UNDER THE COUNTY OF HAMILTON, OHIO, ITS SUCCESSORS AND ASSIGNS, TO THE CITY OF CINCINNATI, HAMILTON COUNTY, OHIO, THE CONSTRUCTION, WITHIN AND OUTSIDE OF THE LIMITS OF THE SUBDIVISION AS SHOWN HEREON AND SUBJECT TO RESTRICTIONS OF PUBLIC WASTEWATER COLLECTION EASEMENTS AS DESCRIBED HEREON, WE ALSO HEREBY AVAILABLE AND NO TAP FEES SHALL BE ISSUED OR OCCUPANCY PERMITTED UNTIL THE WASTEWATER COLLECTION FACILITIES ARE COMPLETED. WE HEREBY AND ACCEPTED BY BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO, TO THE CITY OF CINCINNATI, HAMILTON COUNTY, OHIO, ITS SUCCESSORS AND ASSIGNS, EASEMENTS FOR STORMWATER MANAGEMENT AND WATER SUPPLY FACILITIES.

WE, THE UNDERSIGNED, DO HEREBY CONFIRM AND ADOPT THIS PLAT OF LANDS, WE ALSO GUARANTEE THE PAYMENT OF ALL TAXES AND EASEMENTS THAT ARE A LIEN ON SAID PROPERTY ON THE DATE OF ACCEPTANCE.

OAKLEY YARDS LAND, LLC

OWNER/AGENT (SIGNED NAME) \_\_\_\_\_ WITNESS (SIGNED NAME) \_\_\_\_\_

OWNER/AGENT (PRINTED NAME) \_\_\_\_\_ WITNESS (PRINTED NAME) \_\_\_\_\_

WITNESS (SIGNED NAME) \_\_\_\_\_

WITNESS (PRINTED NAME) \_\_\_\_\_

STATE OF OHIO  
COUNTY OF HAMILTON

BE IT REMEMBERED THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALITY CAME \_\_\_\_\_ WHO, ON BEHALF OF SAID CORPORATION AND

FOR THEMSELVES AS SUCH OFFICERS DULY AUTHORIZED BY ITS BOARD OF DIRECTORS ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT MENTIONED IN TESTIMONY WHEREOF I HEREBY SET MY HAND AND AFFIX MY NOTARIAL SEAL ON THE DAY AND DATE AFORESAID.

PLACE SEAL HERE

PRINTED NOTARY NAME (IF NOT ON SEAL) \_\_\_\_\_

NOTARY SIGNATURE \_\_\_\_\_

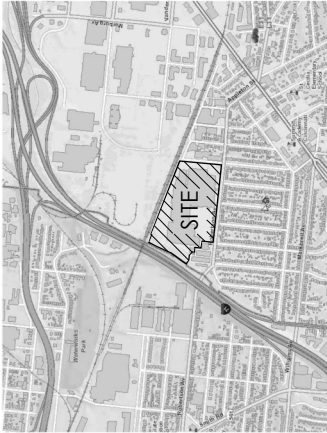
MY COMMISSION EXPIRES: \_\_\_\_\_

**RESTRICTION ON SEWER EASEMENT**

**THREE OAKS SUBDIVISION**  
**30.8608 ACRES**  
(1,344,282.810 S.F.)

SECTION 28, TOWN 4, FRACTIONAL RANGE 2, COLUMBIA TOWNSHIP, CITY OF CINCINNATI, HAMILTON COUNTY, OHIO

CLIENT AND OWNER  
**OAKLEY YARDS LAND, LLC**  
2135 DANA AVENUE - SUITE 200  
CINCINNATI, OHIO 45207



**ACREAGE TABLE**

O.R. BOOK 14160, PG. 565 = 30.861 ACRES  
5 TRACTS = 26.465 ACRES  
R/W DEDICATED = 4.396 ACRES  
TOTAL AREA = 30.861 ACRES

**NOTES**

- OCCUPATION AS SHOWN
- DATE OF SURVEY = DECEMBER 2020
- NO PART OF ANY DRIVEWAY OR DRIVEWAY APPROACH WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE USED FOR ANY PURPOSES OTHER THAN ANY INLET UTILITY POLE, STREET LIGHT POLE, TRAFFIC CONTROL DEVICE GUY WIRE ANCHOR OR FIRE HYDRANT.

**DEED REFERENCE**

PROPERTY OWNED OR ACQUIRED BY OAKLEY YARDS LAND, LLC, BEING ALL OF THE LAND COMPREYED BY A DEED RECORDED IN OFFICIAL RECORD BOOK 14160, PAGE 566 OF THE RECORDERS OFFICE OF HAMILTON COUNTY, OHIO

THIS RECORD OF PLAT IS RECORDED IN PLAT BOOK 479, PAGE(S) 84 OF THE RECORDERS OFFICE OF HAMILTON COUNTY, OHIO

**REFERENCE DOCUMENTS**

-AS SHOWN



**NOTES**  
PRIVATE STREETS/DRIVES ARE NOT REVIEWED, INSPECTED, OR APPROVED BY THE HAMILTON COUNTY ENGINEER.  
THE OWNERS/ SUBDIVIDER HEREBY AGREE TO CLEAN AND MAINTAIN THE STREETS AND DRIVEWAYS AND TO RELOCATE UTILITIES DURING THE PERIOD PRIOR TO ACCEPTANCE AS A PUBLIC STREET BY THE COUNTY. THIS SHALL INCLUDE THE REMOVAL OF SNOW, ICE, MID, DEBRIS, TRASH, AND OTHER EXTRANEOUS MATERIAL.

THE METROPOLITAN SEWER DISTRICT OF GREATER CINCINNATI THIS PLAT RECOMMENDED FOR APPROVAL

SEWERS CHIEF ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

CITY OF CINCINNATI DEPARTMENT OF TRANSPORTATION AND ENGINEERING

THIS PLAT RECOMMENDED FOR APPROVAL

CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

CITY OF CINCINNATI STORMWATER MANAGEMENT UTILITY

THIS PLAT IS RECOMMENDED FOR APPROVAL.

CHIEF ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

CITY OF CINCINNATI PLANNING COMMISSION

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF CINCINNATI AT THE MEETING HELD THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

APPROVED BY: \_\_\_\_\_  
KATHERINE KOUGH JURS  
DIRECTOR, DEPARTMENT OF CITY PLANNING

**SURVEYORS CERTIFICATION**

I CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE SURVEY MADE UNDER MY SUPERVISION IN ACCORDANCE WITH OHIO REVISED CODE CHAPTER 711, CHAPTER 4753-37 OF THE OHIO ADMINISTRATIVE CODE AND HAMILTON COUNTY OHIO'S ADMINISTRATIVE CODE. I HAVE CONDUCTED A VISUAL CHECK ON THIS DATE. I FURTHER CERTIFY THAT ALL MONUMENTS SHOWN ON THIS PLAT EXIST AND THAT THEIR LOCATION, TYPE AND SIZE ARE CORRECTLY SHOWN AND DESCRIBED.

THOMAS J. MACK, P.S. NO. S-7964 \_\_\_\_\_ DATE \_\_\_\_\_

PROGRESS REVIEW  
Issue For: \_\_\_\_\_  
Date: 1-29-2021

**THREE OAKS SUBDIVISION**

COVER SHEET

OAKLEY YARDS LAND, LLC

SITUATION  
SECTION 28, TOWN 4,  
FRACTIONAL RANGE 2

COLUMBIA TOWNSHIP, CITY OF  
CINCINNATI, HAMILTON COUNTY, OHIO

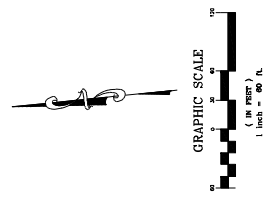
Project No. **19102**

Pg 1 of 7



**TRACT AREAS**

TRACT A1	6,279 AC	S.F.	1,800 AC
TRACT A2	81,813.145 AC	S.F.	20,132,778 AC
TRACT B	74,577.864 AC	S.F.	20,077,504 AC
TRACT C	135,247.726 AC	S.F.	31,035 AC
TRACT D	100,094.457 AC	S.F.	2,298 AC
TRACT E	240,394.600 AC	S.F.	5,519 AC
	1,150,772.873	S.F.	26,418 AC
THREE OAKS LANE	78,775.860	S.F.	1,800 AC
IRON OAKS AVE	30,132,778	S.F.	0.892 AC
31ST AVE (NORTH)	20,629,400	S.F.	0.474 AC
31ST AVE (SOUTH)	22,077,504	S.F.	0.607 AC
32ND AVE (NORTH)	17,082,750	S.F.	0.392 AC
32ND AVE (SOUTH)	183,514.382	S.F.	4.442 AC
<b>GRAND TOTAL</b>	<b>1,344,287,255</b>	<b>S.F.</b>	<b>30,881</b>



- LEGEND**
- FOUND SET
  - CROSS NOTCH
  - MAG SPIKE
  - 1/2" IRON PIN & CAP
  - MAG NAIL OR T.NAIL

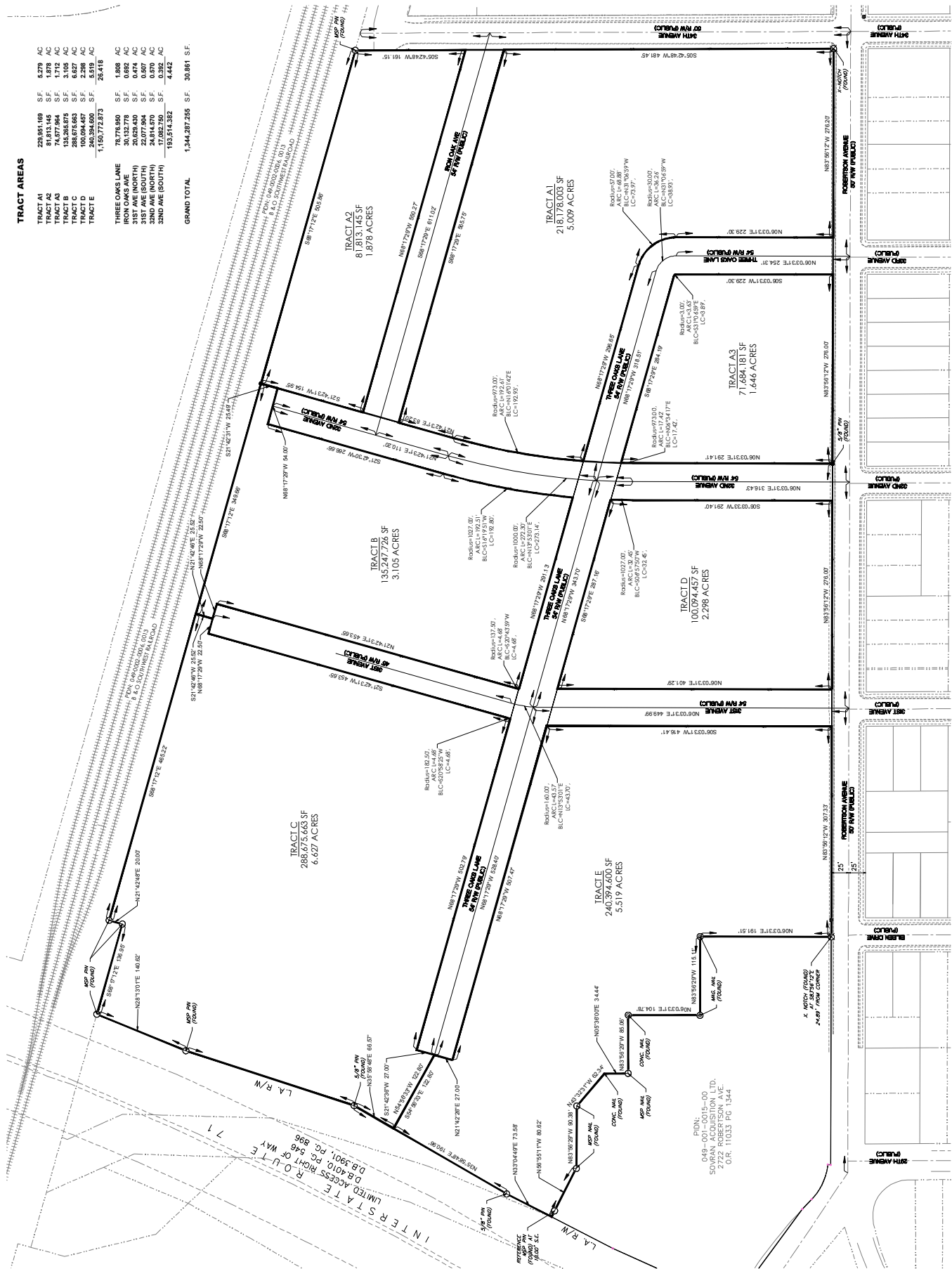
PROGRESS REVIEW  
Issue For: 1-29-2021  
Date:

**THREE OAKS  
SUBDIVISION**

OVERALL SHEET  
OAKLEY YARDS LAND, LLC

SITUATION  
SECTION 28, TOWN 4,  
FRACTIONAL RANGE 2,  
COLUMBIA TOWNSHIP, CITY OF  
CINCINNATI, HAMILTON COUNTY, OHIO

Project No. 19102  
Pg 3 of 7



# TORQUE CAR CONDOS

## TRACT A2 OF THREE OAKS SUBDIVISION

(81,813,145 SF)  
1.878 ACRES

**SITE INFORMATION**

**SUBJECT PROPERTY:**  
THREE OAKS SUBDIVISIONS  
IRON OAK 1 34TH AVE  
LOVELAND, OHIO, 45040  
(937) 487-9124

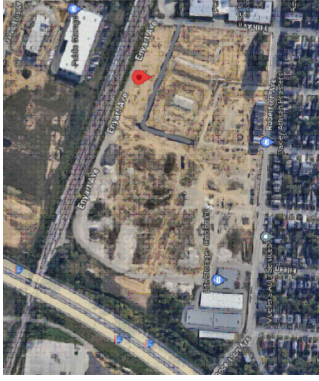
**ZONING REQUIREMENTS:**  
PD-96  
MINIMUM LOT AREA:  
31 UNITSPROPOSED UNITS:  
31 UNITS1593483-1555

**PREPARED BY:**  
SABO DESIGN ASSOCIATES  
3900 WOODLARK BLVD  
LOVELAND, OHIO, 45040  
(937) 487-9124

**OWNER:**  
NEYER PROPERTIES

**235 DANA AVE  
CINCINNATI, OH, 452011593483-1555**

**ENCLOSED:**  
5 BUILDINGS SEPARATED INTO 31 STORAGE UNITS



VICINITY MAP  
N.T.S.



SUBDIVISION MAP  
N.T.S.



SOUTHEAST RENDERING  
N.T.S.



COVER SHEET

SHEET 1 OF 7

PROPOSED  
TORQUE CAR CONDOS  
CINCINNATI, OH  
HAMILTON COUNTY

**SABO DESIGN ASSOCIATES**  
SABO DESIGN ASSOCIATES  
3900 WOODLARK BLVD  
LOVELAND, OHIO 45040  
(937) 487-1218  
sabo@designassociates.com

ISSUE DATE  
07/27/23 ZONING





ELEVATIONS  
BUILDING 1

SHEET: 3 OF 7

HAMILTON COUNTY



TORQUE CAR CONDOS

PROPOSED



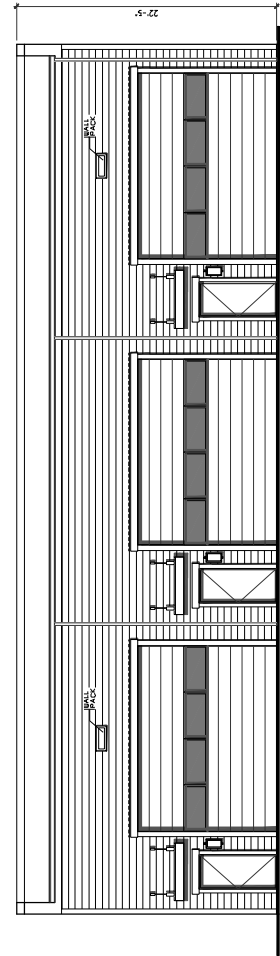
SDA  
SDA DESIGN ASSOCIATES  
519 West Center Road  
Loveland, Ohio 45140  
(513) 881-1218  
sda@sdaassociates.com

ISSUE DATE  
07/27/23

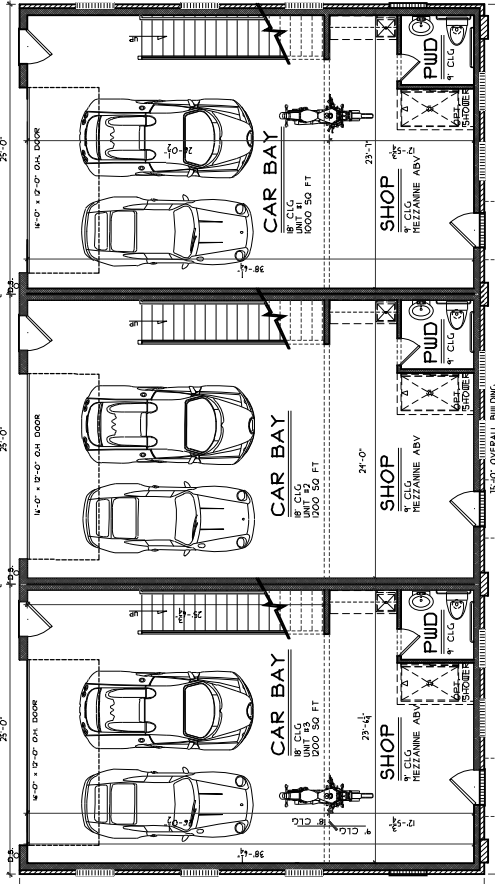
DATE  
07/27/23

DATE  
07/27/23

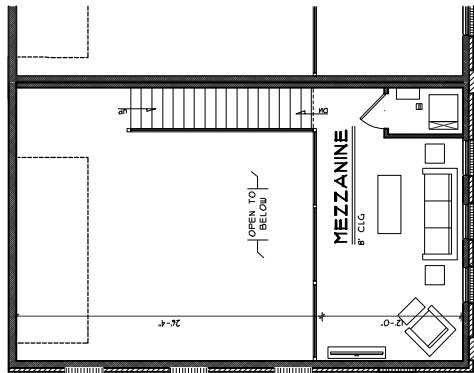
© COPYRIGHT 2023 SABO DESIGN ASSOCIATES



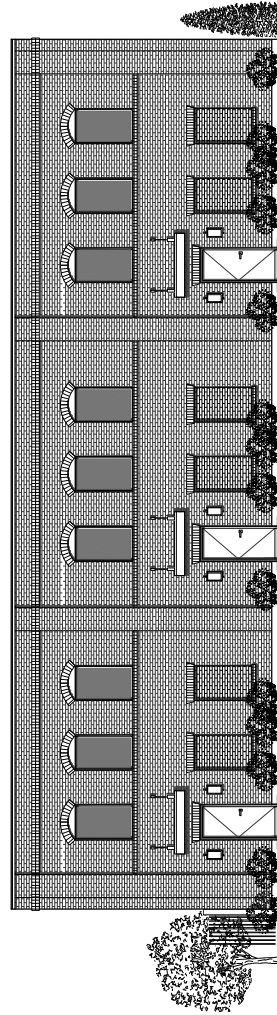
NORTH ELEVATION  
SCALE: 3/32\"/>



BUILDING '1' PLAN  
SCALE: 3/32\"/>



TYPICAL MEZZANINE PLAN  
SCALE: 3/32\"/>



SOUTH ELEVATION  
SCALE: 3/32\"/>



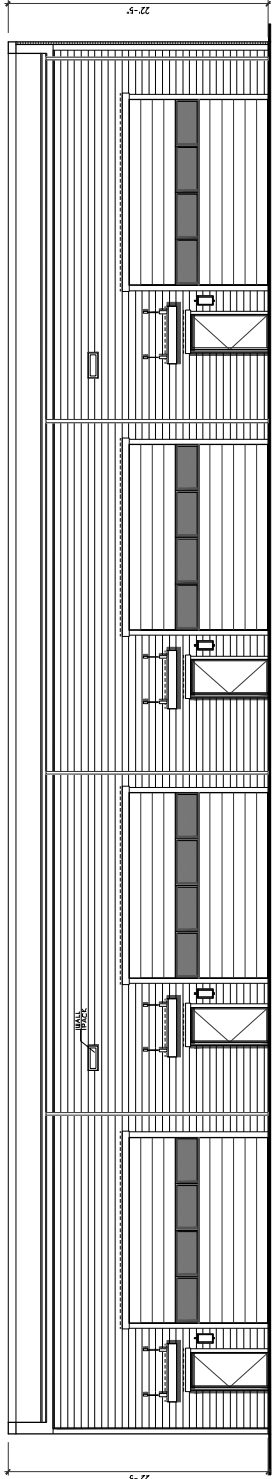
ELEVATIONS  
BUILDING 3&4  
SHEET: 4 OF 7

PROPOSED  
TORQUE CAR CONDOS  
HAMILTON COUNTY  
CINCINNATI, OH

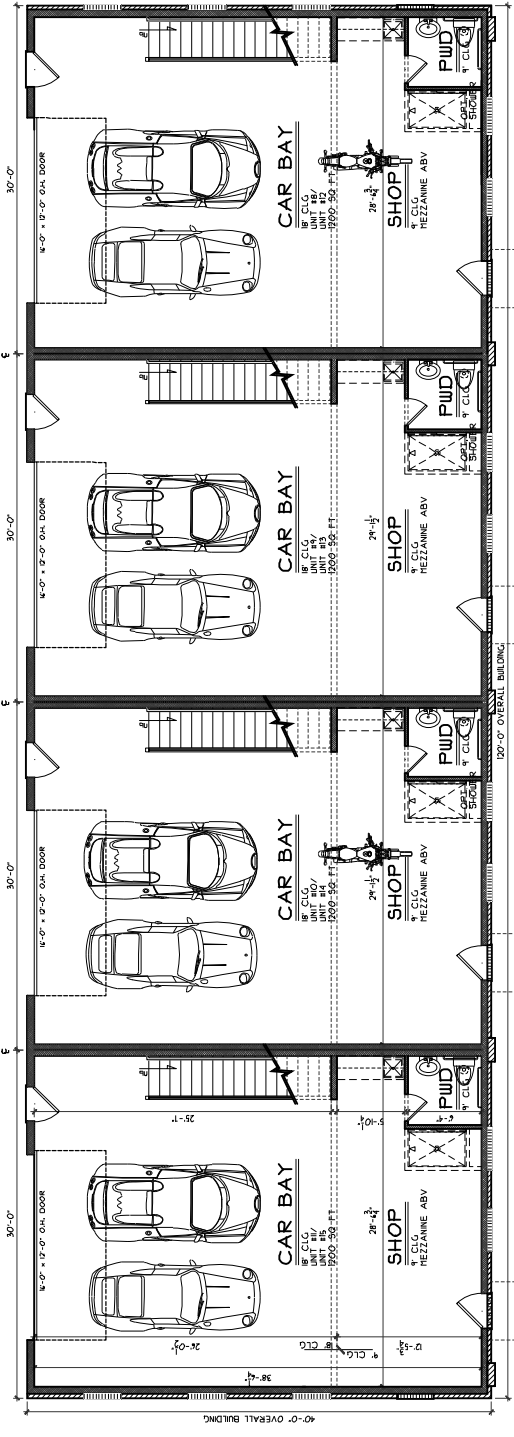


SDA SABO DESIGN ASSOCIATES  
310 West Geyer Road  
Loveland, Ohio 45140  
(513) 881-1218  
sdasabo.com

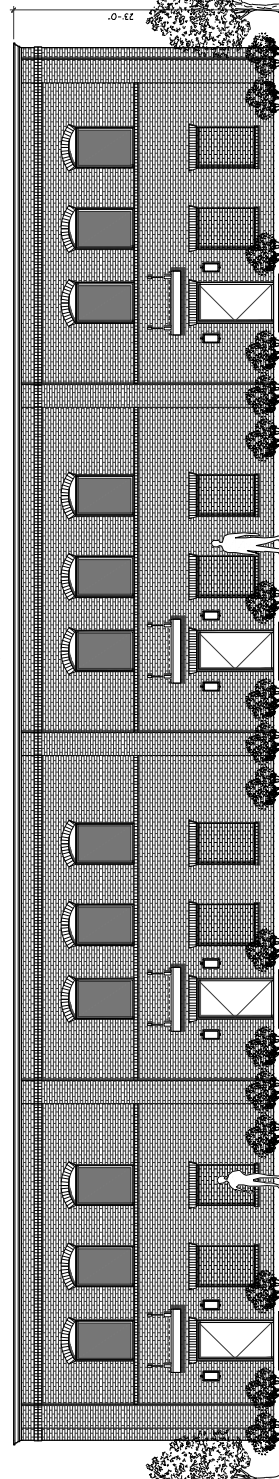
ISSUE DATE  
07/27/23



**NORTH ELEVATION**  
SCALE: 3/32" = 1'-0"  
BUILDING 3 & 4



**BUILDING '3&4' PLAN**  
SCALE: 3/32" = 1'-0"  
1,800 SQ. FT.



**SOUTH ELEVATION**  
SCALE: 3/32" = 1'-0"  
BUILDING 3 & 4



ELEVATIONS  
BUILDING 5

SHEET: 5 OF 7

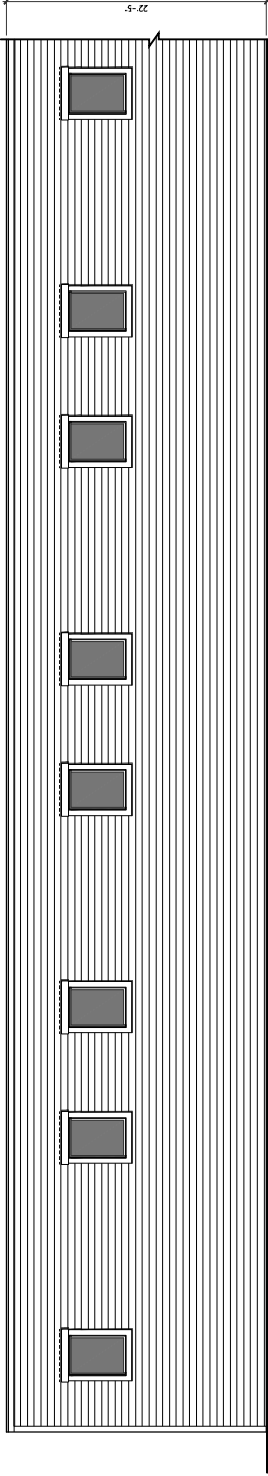
PROPOSED  
TORQUE CAR CONDOS  
HAMILTON COUNTY  
CINCINNATI, OH



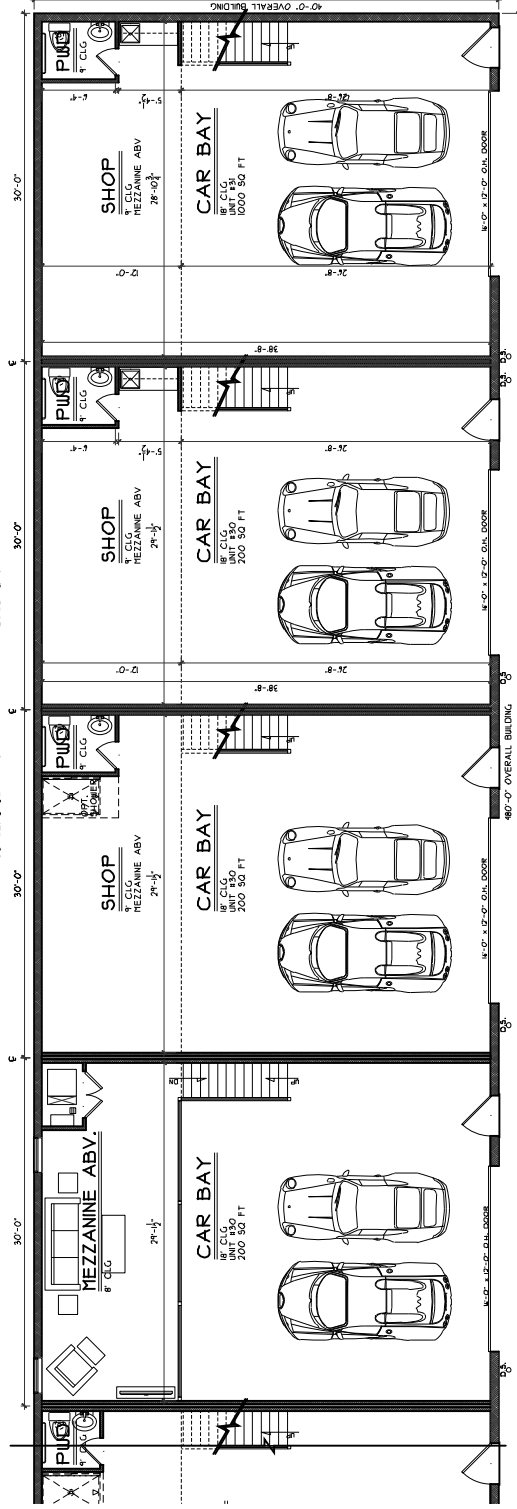
SDA  
300 DESIGN ASSOCIATES  
510 West Geyer Road  
Loveland, Ohio 45140  
(513) 881-1218  
sda@designassociates.com

ISSUE DATE  
07/27/23 ZONING

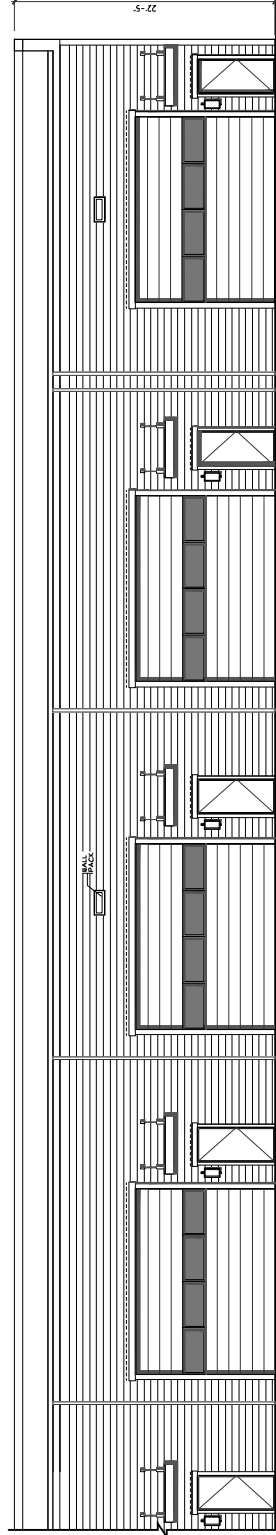
© COPYRIGHT 2023 SABA DESIGN ASSOCIATES



**NORTH ELEVATION**  
SCALE: 3/32" = 1'-0"  
BUILDING 5



**BUILDING '5' PLAN**  
SCALE: 3/32" = 1'-0"  
11,000 SQ. FT.



**SOUTH ELEVATION**  
SCALE: 3/32" = 1'-0"  
BUILDING 5

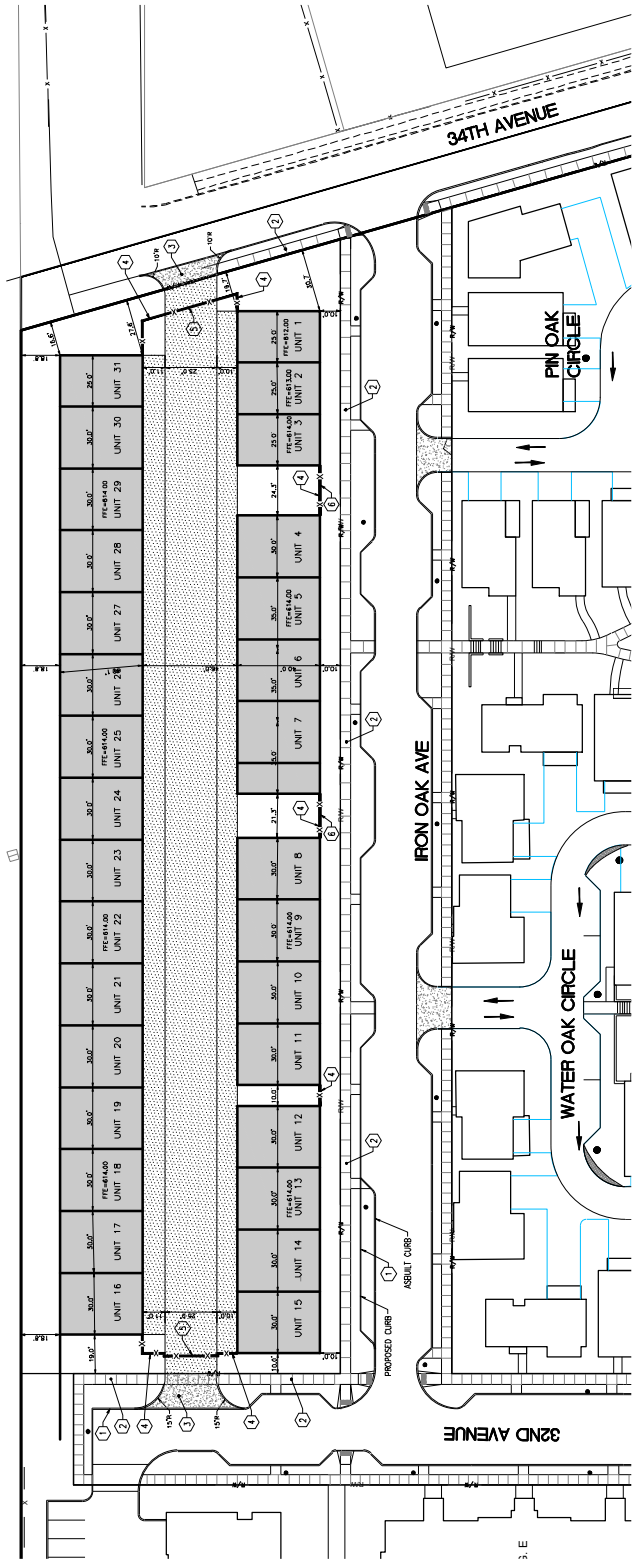






BRANDSTETTER  
CARROLL INC  
200 WEST WASHINGTON AVENUE  
CINCINNATI, OH 45202  
P: 513.631.6241  
WWW.BRANDSTETTERCARROLL.COM

B + O SOUTHWEST RAIL ROAD



- NOTED NOTES**
- 1 HAZARD CURB TYPE S1
  - 2 CONCRETE SIDEWALK
  - 3 CONCRETE ASPHALT TO BE INSTALLED IN GROUND PER SECTION (CONCRETE MODIFIED COMMERCIAL DRIVEWAY ACC. 2885 1TH)
  - 4 6" TALL FENCE
  - 5 SLURRY GATE
  - 6 PEDESTRIAN GATE

ASPHALT PAVEMENT AREA  
SEE DETAIL THIS SHEET

Revisions:  
Issue Date: 1-14-2024

**THREE OAKS  
GARAGE AREA**

2850 ROBERSON AVENUE  
CINCINNATI, OHIO 45209

LAYOUT PLAN

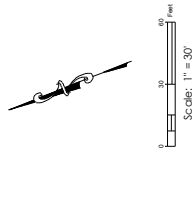
Project No.

C-101

19102



**BRANDSTETTER  
CARROLL INC**  
 2000 W. WILSON AVENUE, SUITE 200, OHIO 45229  
 P: 513.353.1824  
 WWW.BRANDSTETTERCARROLL.COM



- LEGEND**
- EX. XXXXX EX. SPOT ELEVATION
  - XXXXX PROPOSED SPOT ELEVATION
  - 593 EXISTING CONTOUR
  - 593 PROPOSED CONTOUR
  - DISBURSED LIMITS
  - PRE FLOW DIRECTION
  - SURFACE FLOW DIRECTION

Revisions:  
 Issue Date: 1-16-2024

**THREE OAKS  
GARAGE AREA**

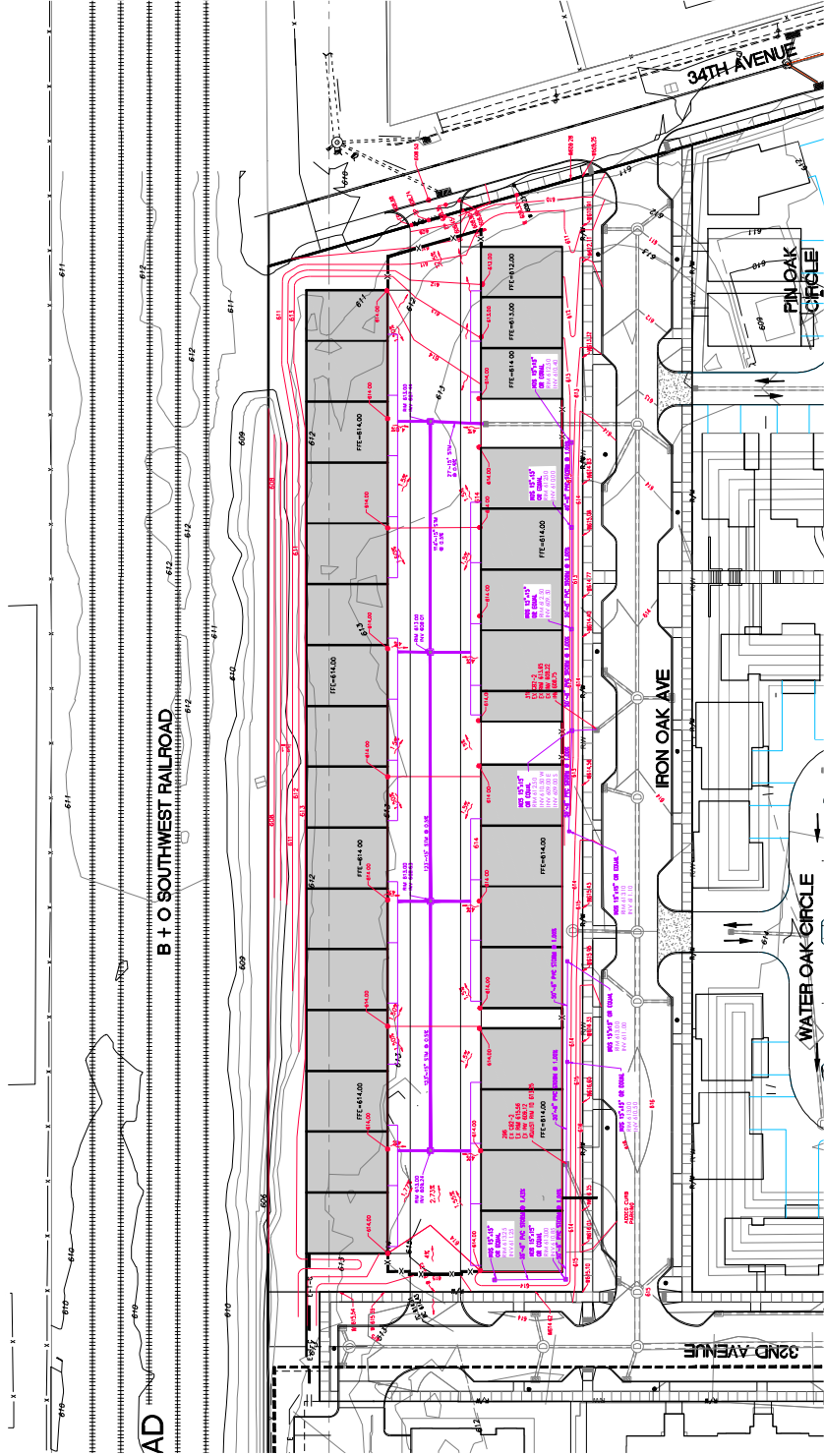
2850 ROBERTSON AVENUE  
 CINCINNATI, OHIO 45229

**GRADING PLAN**

Project No.

C-102

19102





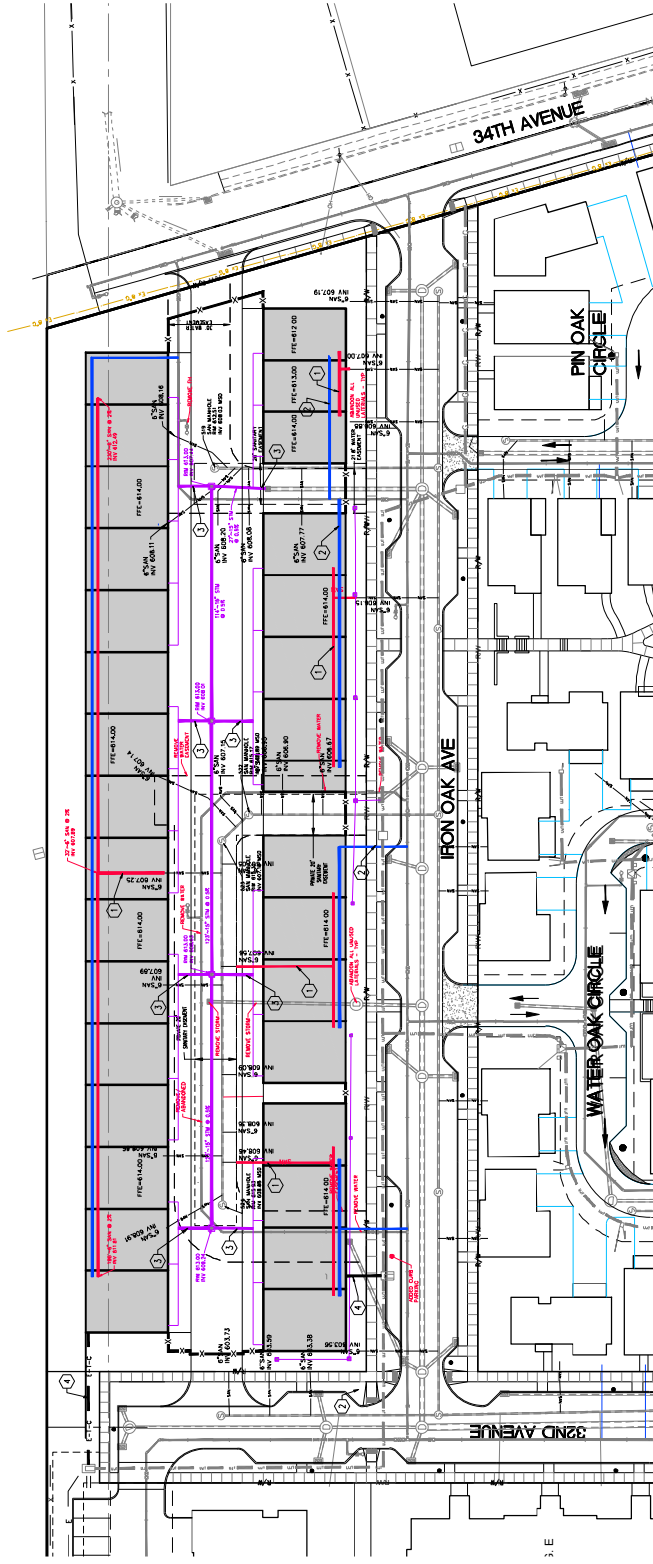
BRANDSTETTER  
CARROLL INC  
10000 W. WILSON AVENUE, SUITE 100  
CINCINNATI, OH 45240  
P: 513.833.1824  
M: 513.833.1824  
WWW.BRANDSTETTERCARROLL.COM



Scale: 1" = 30'

CAD

B + O SOUTHWEST RAIL ROAD



CODED NOTES

- ① 6" PVC SANITARY SERVICE A SLOPE TO BE A MIN. OF 2% PER MSD STANDARD.
- ② DOMESTIC WATER SERVICE
- ③ 8" PVC ROOF DRAIN
- ④ ELECTRIC SERVICE 2 EACH 4" PVC CONDUITS

THREE OAKS  
GARAGE AREA

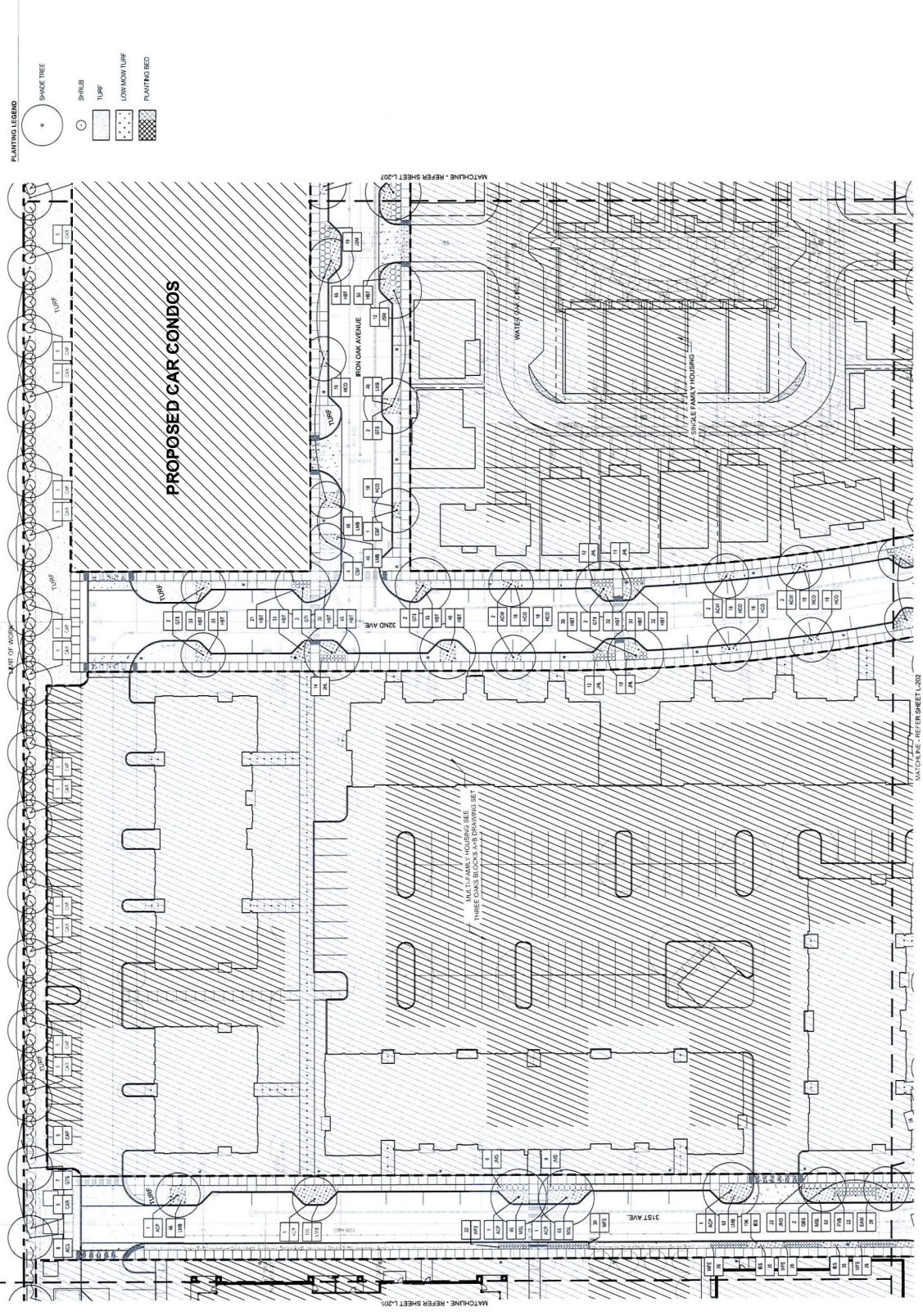
2850 ROBERTSON AVENUE  
CINCINNATI, OHIO 45229

UTILITY PLAN

Project No.

C-103

19102



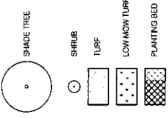
  


REVISIONS: 11/14/2022  
 11/14/2022  
**THREE OAKS**  
**PUBLIC R.O.W.**

CITY OF CLEVELAND  
 -AMERICAN COUNTY, OHIO- RESPP  
**PLANTING PLAN**  
 Project No.: 20603  
 L-206



PLANTING LEGEND



**MKSK**  
LANDSCAPE ARCHITECTS - URBAN, LANDSCAPE

1818 BROAD STREET  
ANN ARBOR, MI 48106  
313.763.4422  
WWW.MKSK.COM

Sheet Date: 01.14.2022  
Blue Date: 01.14.2022

**THREE OAKS  
PUBLIC R.O.W.**

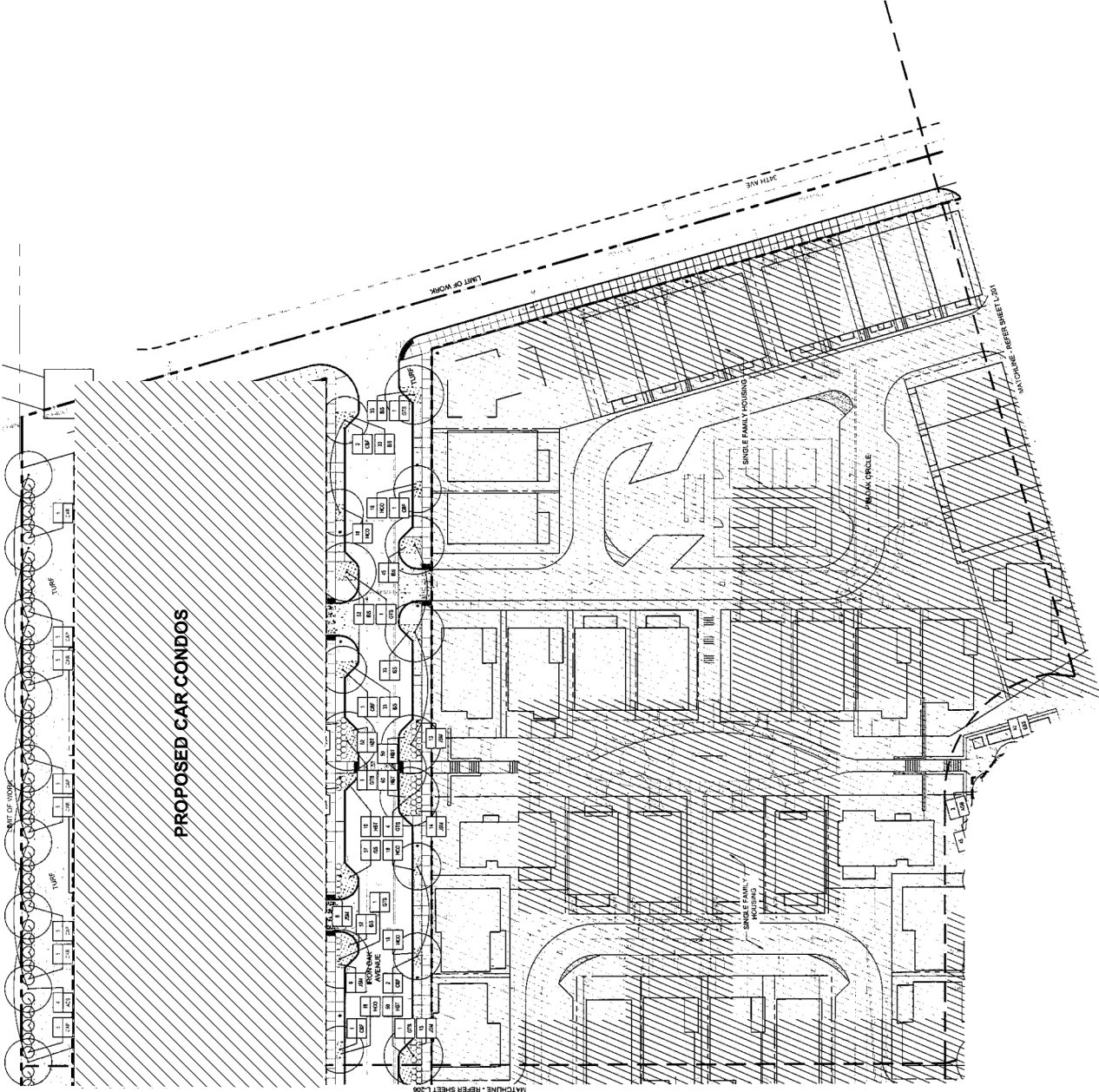
3000 W. BROADWAY  
ANN ARBOR, MI 48106  
PROJECT NO. 20603

PLANTING PLAN

Project No.

20603

L-207



**PROPOSED CAR CONDOS**





---

## Three Oaks - Car Condos

### Final Development Plan Attachment L

#### Items to be included in Car Condo Ownership Association Declaration

##### Quiet Hours:

- All unit owners and guests must observe Quiet Hours from 10pm – 8am
- Quiet Hours restrict any activity that causes noise that is heard outside of the Condominium Property
- Each unit shall ensure all exterior doors to the unit are closed during the hours of 10pm – 8am other than temporarily opening the door to enter or exit the unit
- No unit shall operate a vehicle that has excessive noise (ie. unmuffled engine) during the hours of 9pm – 8am
- Common areas: shall be kept free and clear of garbage, rubbish, debris and other unsightly materials.

##### Prohibited Activities:

- Other than the construction and completed of the permanent improvements, no unit owner may paint the exterior of their units.
- No welding, fusing or brazing of any metals involving open flames or arcing of metals shall be permitted
- Heavy repairs and maintenance may not be performed
- No manufacturing, retail selling or construction may be performed in or around the units.
- Units may not display professional or advertising signage.
- There shall be no overnight parking in excess of 72 hours
- The condominium property shall not be used for overnight accommodations, as residential housing or to facilitate transient living

##### Signage:

Sign drawings and locations will be included in future drawings that will be reviewed by the Department of City Planning and Engagement through the permitting process. All signage will be compliant with the sign guidelines for PD-88 Three Oaks.

##### Fencing:

Fencing and gates will be compliant with the fence guidelines for PD-88 Three Oaks.



March 24, 2024

Mr. Adam Rockel  
Three Oaks Single Family, LLC  
2135 Dana Avenue, Suite 200  
Cincinnati, Ohio 45207

Re: 2910 Iron Oak Avenue | Three Oaks Development Garage Area (D) – **(CPRE240016)** Final Recommendations

Dear Mr. Rockel,

This letter is to inform you that our CSR Advisory-TEAM and CSPRO Committee has reviewed your proposed construction of 5 buildings comprising 31 condos. The car condos have customizable interiors and will be for car enthusiasts to store their cars and socialize with other condo owners. The units are generally 30 feet wide and 40 feet long and are 22 feet tall to provide for mezzanines and / or car lifts for additional car storage. The car condos are not for car repairs. 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 **March 26, 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 will require a Major Amendment to the PD Concept Plan due to a change in use.
  - o Work with City Planning Staff to submit a revised Concept Plan and Program Statement. For a Major Amendment to a PD, a \$3,000 fee is also required.

**Requirements to obtain permits:**

- 1. Additional review and approval of the final development plan by City Planning Commission will be required.
- 2. If the units end up being on separate lots, a Major Subdivision will be required.

**Recommendations:**

- 1. It is highly recommended to reach out and share these plans with the adjacent property owners and the Oakley Community Council.

**Contact:**

- **Emily Burns** | City Planning | 513-352-4855 | [emily.burns@cincinnati-oh.gov](mailto:emily.burns@cincinnati-oh.gov)

**City Planning & Engagement – Zoning Division**

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

- 1. Since this site is zoned PD, zoning staff does not have any specific comments because the City Planning staff handles the specific zoning/design review for use, height limits,

setbacks, density, landscaping, and parking etc. If the site was also zoned hillside or historic, then zoning staff would have more comments.

**Requirements to obtain permits:**

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

**Recommendations:**

- None

**Contact:**

- **Wes Munzel** | ZPE | 513-352-2442 | [weston.munzel@cincinnati-oh.gov](mailto:weston.munzel@cincinnati-oh.gov)

**Metropolitan Sewer District (MSD)**

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

- None

**Requirements to obtain permits:**

1. Tap permits will be required for each connection.
2. An updated Request for Availability will be required.

**Recommendations**

- None

**Contact:**

- **Rob Kern** | MSD | 513-244-5588 | [rob.kern@cincinnati-oh.gov](mailto:rob.kern@cincinnati-oh.gov)

**Stormwater Management Utility (SMU)**

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

- None

**Requirements to obtain permits:**

1. Submit following documents - storm water calculations for removal and additions to storm system.
2. Utility Plan
  - Verify existing SMU structures.
  - 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.
3. 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.
4. Erosion & Sediment Control Plan is required. Refer to link: <https://cincinnati-oh.gov/stormwater/construction-and-design/standards/sediment-and-erosion-control/>.

5. 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/>
6. 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.

**Recommendation:**

- None

**Contact:**

- **Kevin Gold** | SMU | 513-222-3643 | [kevin.gold@cincinnati-oh.gov](mailto:kevin.gold@cincinnati-oh.gov)

**Water Works**

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

1. A public water main abandonment will be required to abandon the public water main infrastructure valving and all abandoned appurtenances on English Oak Court and Smokey Oak Lane. These water mains will need to be abandoned by sleeving out the connections at Iron Oak Court and 34th Avenue.
2. Due to the gate and the fences surrounding the Condo area, you will not be able tap the water main on Smokey Oak as shown for the three condo buildings. The three taps will need to be moved outside of the fence line.
3. A quit claim will need to be processed for the existing public water main easements.
4. The owner/developer is responsible for the abandonment of the public water mains, appurtenances, and a quit claims for the existing public water main easements. The owner/developer will need to submit for the proposed GCWW Miscellaneous job. This will include plans, submittals, bond, and letter of intent. All work must be completed to GCWW satisfaction prior to any building permit approval or water service branches are sold. Coordinate with Phil Young at [Phillip.Young@gcww.cincinnati-oh.gov](mailto:Phillip.Young@gcww.cincinnati-oh.gov)

**Requirements to obtain permits:**

1. Each building will need its own water service branch.
2. The assumption is that this development is contained within one parcel, if any changes to that, will result in additional requirements for the branches.
3. The subject development property has the following 3/4" curb-only water service branches:
  - a. H-316350 thru H-316352, H-316354 thru H-316372
4. If the curb-only water service branches are not to remain they will need to physically be disconnected from the public water main in Iron Oak Avenue.
5. If the existing curb-only water service branch(es) for this project are not to be used for this development, they must be disconnected at the owner's / developer's expense. The discontinued branch(es) will require a drawing showing the branch(es) and branch number(s) that is to be physically disconnected from the main. Submit to [Phillip.Young@gcww.cincinnati-oh.gov](mailto:Phillip.Young@gcww.cincinnati-oh.gov). This could be part of the water main abandonment plans.
6. All new domestic water service branches can be connected to the existing 8-inch public water main in Iron Oak Avenue.

**Recommendations:**

1. The Owner(s)/Developer(s) will need to hire a Greater Cincinnati Water Works certified licensed and bonded fire protection company and plumber to perform the private water service branch design work and installation.
2. The Owner(s)/Developer(s) must have a licensed fire protection company and plumber that is bonded and certified with GCWW 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](mailto:richard.roell@gcww.cincinnati-oh.gov)

**Fire Department**

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

1. A site plan is needed showing 2 readily **accessible** Fire Hydrants within 400 feet of all sides of your project.
2. The minimum fire flow requirements for Commercial structures: 2,000 gallons/per/minutes (GPM) @ 20 pressure/per/square inch (psi) (138Kpa).
3. The Site Plan needs to show the location of the FDC and the distance in feet from the closest Fire Hydrant. FDC's are to be located within **50 feet** of a Fire Hydrant.
4. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet.
5. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

**Requirements to obtain Permits:**

- None

**Recommendations:**

- None

**Contact:**

- **Elton Britton** | Fire Dept. | 513-357-7596 | [elton.britton@cincinnati-oh.gov](mailto:elton.britton@cincinnati-oh.gov)

**Office of Environment and Sustainability (OES)**

**Immediate Requirements to move forward with project:**

1. **The proposed use of the site as car condos is not reflected in the environmental agreements for the site. The impact of this change on the environmental agreements and plan must be determined. This may need to be resolved before the project can proceed to planning commission. Please contact the Planning Department point of contact for further guidance.**

**Requirements to obtain permits:**

1. Commercial waste, including construction and demolition debris, generated during this development project must utilize a City franchised commercial waste collection service per Cincinnati Municipal Code Chapter 730. Additional information can be found at <https://www.cincinnati-oh.gov/oes/commercial-waste-hauler-program/>.
2. If offsite sourced fill is to be placed onsite, then it must receive OES environmental approval when it exceeds 1000 cubic yards as per City Municipal Code Chapters 1101 and 1031. A current Phase I ESA performed to the ASTM Standard E1527-21 of the proposed offsite borrow source property must be submitted for review. Stockpiled soils

that will be used as fill material from an offsite borrow source require environmental sampling and analysis and the results be submitted for review. Please contact OES for a recommended sampling plan.

**Recommendations:**

1. The following recommendations are based on adopted City of Cincinnati environmental and sustainability policies:
  - 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 be wired for electric vehicle charging.
  - d. The use of pervious surfaces should be maximized to the extent practical in the design. The use of trees in the landscape design should be included to enhance urban forestry.
  - e. Landscape design should consider the use of native species.
  - f. The use of heat reflective surfaces in paved parking areas should be considered to reduce the heat-island effect.

**Contact:**

- **Amanda Testerman** | OES | 513-352-5310 | [amanda.testerman@cincinnati-oh.gov](mailto:amanda.testerman@cincinnati-oh.gov)

**Parks Department (Urban Forestry)**

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

1. Urban Forestry has no issues or concerns.

**Requirements to obtain permits:**

- None

**Recommendations:**

- None

**Contact:**

- **Marianne Prue** | Urban Forestry | 513-861-9070 | [marianne.prue@cincinnati-oh.gov](mailto:marianne.prue@cincinnati-oh.gov)

**Department of Transportation & Engineering (DOTE)**

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

- None

**Requirements to obtain permits:**

1. The driveway on 32nd Ave is new to the project. The proposed driveway shows the removal of half the turnaround at the end of 32nd Ave. This needs to be addressed. There needs to be a turnaround that meets the City's standards.
2. All driveway aprons are to meet City standards.
3. Driveway width is to be 20' maximum.
4. If any gates are proposed, they must be located at least 20' from the right of way line.
5. All work in the public right-of-way will require a separate DOTE permit/subdivision permit.
6. Before applying for permits, contact [DTEaddress@cincinnati-oh.gov](mailto:DTEaddress@cincinnati-oh.gov) to have addresses assigned for each car condominium.

**Recommendations:**

- None

**Contact:**

- **Morgan Kolks** | DOTE | 513-335-7322 | [morgan.kolks@cincinnati-oh.gov](mailto:morgan.kolks@cincinnati-oh.gov)

**Buildings & Inspections – Buildings**

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

- None

**Requirements to obtain permits:**

1. Why does one space on (sheet 6 of 7) have “Shop” on the label if these spaces will not be for auto repair.
2. Need to know if every unit will have a sink and toilet.
3. The project will need a geo-technical report at time of submission.

**Recommendations:**

- None

**Contact:**

- **Art Dahlberg** | B&I Plans Exam | 513-352-2424 | [art.dahlberg@cincinnati-oh.gov](mailto:art.dahlberg@cincinnati-oh.gov)

**Law Department**

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

1. No comment at this time.

**Requirements to obtain permits:**

- None

**Recommendations:**

- None

**Contact:**

- **Charles Martinez** | Law | 513-352-3359 | [charles.martinez@cincinnati-oh.gov](mailto:charles.martinez@cincinnati-oh.gov)

**Department of Community & Economic Development (DCED)**

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

- None

**Requirements to obtain permits:**

- None

**Recommendations:**

1. The developer should meet with DCED to discuss amendments to the Development Agreement, including but not limited to additional incentive asks.

**Contact:**

- **Justin Halter** | DCED | 513-352-6241 | [justin.halter@cincinnati-oh.gov](mailto:justin.halter@cincinnati-oh.gov)

**Health Department**

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

- None

**Requirements to obtain permits:**

- No Need for Health to review project as proposed.

**Recommendations:**

- None

**Contact:**

- **Trisha Blake** | Health Dept. | 513-352-2447 | [trisha.blake@cincinnati-oh.gov](mailto:trisha.blake@cincinnati-oh.gov)

**Police Department**

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

- None currently.

**Requirements to obtain permits:**

- No comments.

**Recommendations:**

- None

**Contact:**

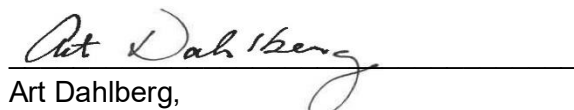
- **Katalin Howard** | Police Dept. | 513-352-3298 | [katalin.howard@cincinnati-oh.gov](mailto:katalin.howard@cincinnati-oh.gov)
- **Brandon Kyle** | Police Dept. | 513-564-1870 | [brandon.kyle@cincinnati-oh.gov](mailto:brandon.kyle@cincinnati-oh.gov)

---

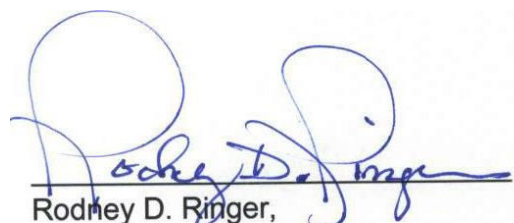
FINAL ACTION: The CSR Advisory-TEAM and CSPRO Committee recommends that the proposed project plan move forward to City Planning Commission. However, there are still some concerns from the Office of Environmental and Sustainability regarding the “**environmental agreements for the site.**” **With this being the case, the City Planning and Engagement Department reserves the right to delay the Planning Commission meeting until environmental agreements have been addressed. This project must also follow the conditions listed below.**

- **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

## EXHIBIT H



June, 11th, 2024

Ms. Emily Ahouse Zoning Administrator  
Department Zoning Administration City of Cincinnati  
Two Centennial Plaza  
805 Central Avenue, Suite 500  
Cincinnati, Ohio 45202  
**Emily.ahouse@cincinnati-oh.gov**

RE: Three Oaks Car Condos-Neyer Properties

Dear Ms. Ahouse:

At the April 2nd, 2024 meeting of the Oakley Community Council, representatives of Neyer Properties were present to request a letter of support for changes to their Three Oaks Development.

A motion to support the changes was made at the April 2nd, 2024 OCC meeting:

That the Oakley Community Council approves a letter of support for Neyer's request for a major amendment to the concept plan and development program statement of PD-88 to allow for the use of car condos in a lot adjacent to the railroad tracks, provided that they meet the conditions mentioned in the Consolidated Site Review

As reflected in our meeting minutes, the motion passed with eight yes votes with Colleen abstaining.

Thank you for your cooperation and assistance. If you need any further information or have any questions, I can be reached at [troy.mcandrews@oakleynow.com](mailto:troy.mcandrews@oakleynow.com)

Sincerely,

*Troy McAndrews*

Troy McAndrews  
Zoning Committee Chair  
OCC Trustee

CC: OCC File

PO Box 9244  
Cincinnati OH 45209  
oakleynow.com

## Burns, Emily

---

**From:** Robert E. Dochterman <redoc44@live.com>  
**Sent:** Tuesday, May 21, 2024 10:28 AM  
**To:** Burns, Emily  
**Subject:** [External Email] Oakley Three Oaks plus

You don't often get email from redoc44@live.com. [Learn why this is important](#)

### External Email Communication

As a resident of thirty-second Ave., I am totally against any changes in the project. I was opposed to the original plan & time has proved I was correct. This project has been going on nearly two years & has not gone anywhere. Plans have already changed without input. The developers cannot be trusted. It would appear they are running out of money to complete the original plan. This appears to be just a ploy to get above water. It also leaves itself open to all kinds of crime, being tucked away in a dark corner.

Oakley and this neighborhood are already overcrowded, with the worst yet to come. We have put up with the dust & dirt long enough. It's time for some common sense, something the city is very short of. There only vision is \$\$, not a very good way to take care of the citizens.

Robert E. Dochterman  
4315 32'ND Ave  
Cincinnati, Ohio 45209-1624

## Burns, Emily

---

**From:** steven Ruth <stevenlruth@yahoo.com>  
**Sent:** Monday, May 20, 2024 9:50 AM  
**To:** Burns, Emily  
**Cc:** Steven Ruth  
**Subject:** [External Email] A proposed Major Amendment and Final Development Plant for Planned Development #88 (PD-88), Three Oaks, in Oakley

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

### External Email Communication

I live in Oakley on 32nd Avenue and received a notice regarding the above subject. I am opposed to the proposed major amendment that would allow the property to be used for the construction of "Car Condos". Please feel free to contact me if you have any question.

Thank you.

**Honorable City Planning Commission  
Cincinnati, Ohio**

**ITEM 6  
September 20, 2024**

**SUBJECT:** A report and recommendation on proposed fees for the Department of City Planning and Engagement.

**BACKGROUND:**

The Department of City Planning and Engagement (DCPE) charges fees for certain planning- and zoning-related services in performing city planning-related functions in administering the Cincinnati Zoning Code and Subdivision Regulations. The current fees have not been adjusted since 2014 and a fee for Major Amendments to Planned Development Concept Plans was added in 2015. Some fees require City Planning Commission approval while others require approval by City Council.

**ANALYSIS:**

The Department of City Planning and Engagement (DCPE) conducted an analysis of its current fees, fees charged by other cities, the cost of staff time for each of our fees, and an increase in fees in light of inflation. Based on this study we are proposing to raise most of our fees by 50-70%.

We found that the comparison with other cities was like comparing apples to oranges, given that everyone’s processes and application types are a bit different. The proposed fee increases are largely based on inflation. Proposed new fees and increases are shown in yellow columns below. In most cases, the percentage of increase is between 50% and 67%. The one outlier is the Notwithstanding Ordinance (150%), which we felt was appropriate to price at the same cost as a zone change.

<b>Activity/Service</b>	<b>Fees Set By</b>	<b>Amount Charged</b>	<b><i>Proposed New Fee</i></b>	<b><i>Proposed Dollar Increase</i></b>	<b><i>Proposed Percentage Increase</i></b>
Minor Subdivision Deed Review & Stamping	CPC	\$150/deed	\$250	\$100	67%
Major Subdivision or Subdivision Improvement Plan	CPC	\$500/lot	\$800	\$300	60%
Zoning Map or Text Amendment	Council	\$1,500	\$2,500	\$1,000	67%
Planned Development Establishment/Concept Plan	Council	\$3,000	\$5,000	\$2,000	67%
Planned Development Major Amendment	Council	\$3,000	\$5,000	\$2,000	67%
Planned Development Final Development Plan	CPC	\$1,500	\$2,500	\$1,000	67%
Notwithstanding Ordinance	Council	\$1,000	\$2,500	\$1,500	150%
Mapping Services	CPC	\$100/hour	\$150	\$50	50%
Copies (8.5x11 or 11x17)	CPC	\$0.05	\$0.08	\$0.03	60%

DCPE worked closely with the City Manager’s Office in addition to staff from the Budget and Law Departments in making recommendations for some changes. Although the proposed fees do not fully cover the cost of staff time, the modest increases will allow the department to recoup a higher portion of its costs each year for planning and zoning services.

The City Planning Commission is being asked to make a decision on the proposed fee increases for Minor Subdivisions, Major Subdivisions, Final Development Plan, Mapping Services, and Copies. Fee changes that need City Council approval (Zoning Map or Text Amendments, Map Amendment to Planned Development, Planned Development Major Amendment, and Notwithstanding Ordinance) will be considered by City Council at a later date. The fees for Minor Subdivisions, Major Subdivisions, Final Development Plans, Mapping Services, and Copies will go into effect concurrent with the date the City Council-established fees go into effect.

**RECOMMENDATION:**

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

**APPROVE** the proposed Department of City Planning and Engagement fees for Minor Subdivisions, Major Subdivisions, Final Development Plans, Mapping Services, and Copies to be changed concurrent with the date the City Council-established fees go into effect.

Respectfully submitted:



Stacey Hoffman, City Planning Division Manager  
Department of City Planning and Engagement

Approved:



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