

February 26, 2021

Mr. Paul Schirmer  
PO Box 9833  
Cincinnati, Ohio 45209

Re: 3530-3536 Linwood Avenue | Linwood 23-Lot Single-family Subdivision (P) –  
**(CPRE210020) Initial Comments and Recommendations**

Dear Mr. Schirmer,

This **Preliminary Design Review** letter informs you that our Advisory-TEAM has reviewed your proposed project at **3530-3536 Linwood Avenue** in the Community of Hyde Park. This project must returned to us for either a Development Design Review or Technical Design Review before you apply for your permits. Please see our initial feedback listed below. Thank you for developing within the City of Cincinnati.

### **City Planning Department**

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

1. **The proposal is considered a Major Subdivision per Section 200-01-S6 (a)(b)(e) and (g) of the Subdivision Regulations. This will require Development Plan, Subdivision Improvement Plan, and Final Plat approval through the City Planning Commission.**
2. A Development Plan and Subdivision Improvement Plan shall be applied for first, following Development Design Review level of the Coordinated Site Review Process.
3. **Applicant shall submit in writing demonstration that the proposed rear lots (panhandles) meet the review criteria established by Section 800-03 (c) of the City's Subdivision Regulations.**

#### **Requirements to obtain Permits:**

1. Subdivision Improvement Plan shall be approved by the City Planning Commission prior to obtaining permits for any infrastructure work (utilities, streets, etc.)
2. Once infrastructure improvements have been made and approved by the appropriate City Department(s), the Final Plat can be submitted for consideration by the City Planning Commission.
3. Final Plat must be recorded prior to the application of permits for each lot.

#### **Recommendations:**

1. Applicant shall engage with the Mount Lookout Community Council regarding the proposal prior to the Department of City Planning scheduling a hearing date for the City Planning Commission's consideration.

#### **Contact:**

- **Andy Juengling** | City Planning | 513-352-4840 | [andy.juengling@cincinnati-oh.gov](mailto:andy.juengling@cincinnati-oh.gov)

## **Buildings & Inspections – Zoning**

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

1. A variance for cut/fill across the entire site is needed. This site is entirely in the hillside overlay. The hillside overlay limits the cumulative cut/fill to 8 feet. Based on the topo and site plan, it appears that a cut of approximately 75' would be made across the site (from approx. 645 ASL at lot B5 down to the bottom of the basement of lot A5 at approx. 570 ASL = 75' cut). The fills for the road are up to the 10' to 15' range in spots. It is unknown what the potential fills are for each lot and for the common driveways. This is an extreme amount of cut and fill. Due to the close proximity of the proposed homes and the steep topography, it appears that a mass grading of the site would occur with the cuts used to fill for building pads. However, this should be confirmed with the applicant. Mass grading methods may not be appropriate for a hillside overlay location.
2. Several lots do not appear to meet either the definition of a panhandle lot or the 50' lot width required. Section 1401-01-L16 (Lot. Panhandle) requires at least a 60' distance between the frontage and the building site and that this section be less than 30 feet. Lots B5, B6, B9, B10 appear to need variances for this. Also, these four lots may need a front setback variance depending on if they are panhandle lots or not. A viable hardship to justify the variances would need to be identified so as to allow this configuration for those four lots.
3. Lots B11 and B12 may need front setback variances since these appear to be panhandle lots, but the building site shown does not provide enough distance from when the panhandle ends to the proposed house location to conform to the 25' front setback.
4. The plans do not show any retaining walls for the road or any driveways etc. It appears that based on the design/topography, that retaining walls would be needed along driveways if a house is uphill from the street and also if a house is downhill from the street (for example Lots A2 thru A5 and the shared driveway in the rear and building site downhill from the driveway). It is unknown but appears probable that variances for retaining wall height and cut/fill for individual lots may be needed for the driveways. As noted previously, a hardship would need to be identified to justify any retaining wall variances.
5. Front yard averaging (section 1421-21) should be followed for lots A1 thru A5 based on the average front yard setback of the other homes on the east side of Linwood between Sheffield Ave. and Beverly Hill Drive. 11 homes are in within 300' of the sites on the same block and zoning district.
6. Specific home design and height etc. have not been provided and thus comments are not applicable.

### **Requirements to obtain Permits:**

1. Note: If the homes are built piecemeal over time, then that would impact the setbacks as the hillside averaging would be required.

### **Recommendations:**

1. **Since the applicant is starting with a blank site and thus has no hardships to justify any variances, a site design avoiding or minimizing the cut/fill and other variances and more respectful of the hillside overlay policy should be presented- as the proposed project has an extreme cut and fill across the site and numerous other variances that may not be supportable by zoning staff without viable hardships.**

**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 forward with project:**

- None

**Requirements to obtain Permits:**

1. A PTI from the OEPA will be required for sewer extension. Please contact Steve Parker at 513-244-1351 or [steven.parker@cincinnati-oh.gov](mailto:steven.parker@cincinnati-oh.gov) for assistance.
2. Your project may change flow to a sewer overflow. Please complete the Request for Availability of Sewer Service Form online. The link to the online form can be found at [http://www.msdc.org/customer\\_care/development\\_services/index.html](http://www.msdc.org/customer_care/development_services/index.html)
3. Detention will be reviewed by Jeff Chen at [jeff.chen@cincinnati-oh.gov](mailto:jeff.chen@cincinnati-oh.gov) or 513-244-1357 per Section 303 of the MSD Rules and Regulations. For additional site storm water requirements within the City of Cincinnati, contact the Stormwater Management Utility (SMU) at 513.591.5050.
4. An approved site utility plan will be required for each residence to receive approved permit.

**Recommendations:**

1. MSD is replacing the public sewer on the site with a new combined sewer in the street. The CIP Project is scheduled to start around August 2022. There is no way for us to know how accurate that might be. Emmanuel Ojo is listed as the Project Manager so they should talk to him directly. Contact him at 513-557-5931 or at [emmanuel.ojo@cincinnati-oh.gov](mailto:emmanuel.ojo@cincinnati-oh.gov)

**Contact:**

- **Jim Wood** | MSD | 513-352-4311 | [jim.wood@cincinnati-oh.gov](mailto:jim.wood@cincinnati-oh.gov)

**Stormwater Management Utility (SMU)**

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

- None

**Requirements to obtain Permits:**

1. Detention requirements: SMU will require a detention system for the site per section. Use MSD 303 rules.
2. Submit detention details and calculations.
3. Utility Plan:
4. Label all proposed storm lines' size and material.
5. Show downspouts ties to the sewer system. Add note "All downspouts to tie to the sewer system".
6. Submit a grading plan. 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.

7. Submit an Erosion/Sediments control plan.
8. Include SMU standard Plans Notes

**Recommendation:**

1. FYI, if the Stormwater system ties into public sewers, SMU will require an As-Built survey at the end of construction.

**Contact:**

- **Josh Snow** | SMU | 513-591-5050 | [joshua.snow@cincinnati-oh.gov](mailto:joshua.snow@cincinnati-oh.gov)

**Water Works**

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

1. According to the site plan submitted for this development the following will need to take place before the development can receive approval from the Greater Cincinnati Water Works. The owner(s) / developer(s) civil engineer will need to submit a Greater Cincinnati Water Works Preliminary Application for the installation of new public water mains within the development at the owner(s) / developer(s) expense. The Preliminary Application - Cincinnati is available at <https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/>

**Requirements to obtain Permits:**

1. Greater Cincinnati Water Works will not approve any new building permits and water service branch(es) until this new public water main is in service.
2. Flow test will be required: flowing the first fire hydrant south of Beverly Hill Drive on the west side of Linwood Avenue and gauge the first fire hydrant east of Linwood Avenue on Beverly Hill Drive at the owner(s)/developer(s) expense.
3. Must have a stamped and recorded plat before any building permits will be approved or water service branches sold.
4. The development is receiving water service from the 8" public water main in Linwood Avenue with the following addresses and branches:

Address	Branch No.	Branch Size
3530 Linwood Ave		H-102498 3/4"
3534 Linwood Ave	Lead Private	H-85384 3/4"
3536 Linwood Ave	Lead Private	H-84498 3/4"
3538 Linwood Ave	Lead private	H-86016 3/4"
3542 Linwood Ave	Lead private	H-88198 3/4"
3544 Linwood Ave	Lead Private	H-84472 3/4"
3546 Linwood Ave	Lead Private	H-69103 3/4"

5. Please note that there are known health risk with lead service lines. Greater Cincinnati Water Works records indicate the existing private side of the water service lines (H-85384, H-84498, H-86016, H-88198, H-84472, H-69103) at this site are a Lead Service line. In accordance with CMC Chapter 401 Division M, should be replaced with copper service line if these are to remain. Please contact the GCWW Lead Service Line

Replacement Coordinator Kathleen Frey at (513) 591-5068. Please call 513-651-5323 and/or refer to <http://www.cincinnati-oh.gov/water/lead-information/>.

6. Any existing water service branch(es) for this project that are not to be used for this development, the owner would be required to fill out the online Discontinuance Form (FOD) at <https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/fod/> authorizing removal of any existing water service branch before any new water service can be sold. Any questions contact 513-591-7837.
7. Abandoned branches will require a drawing showing which branches are to be physically removed from the main. Each branch will need to show the branch number. Submit to Shawn Wagner at [Shawn.Wagner@gcww.cincinnati-oh.gov](mailto:Shawn.Wagner@gcww.cincinnati-oh.gov)

**Recommendations:**

1. Greater Cincinnati Water Works recommends connecting to the 8" public water main in Linwood Avenue.
2. Owner(s)/Developer(s) will need to hire a civil engineering company to perform the public water main design work to submit to Shawn Wagner, Greater Cincinnati Water Works
3. 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.
4. 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.
5. For water main extension questions contact Shawn Wagner.
6. For general questions contact Rick Roell.

**Contact:**

- **Rick Roell** | WaterWorks | 513-591-7858 | [richard.roell@gcww.cincinnati-oh.gov](mailto:richard.roell@gcww.cincinnati-oh.gov)
- **Shawn Wagner** | WaterWorks | 513-591-7877 | [shawn.wagner@gcww.cincinnati-oh.gov](mailto:shawn.wagner@gcww.cincinnati-oh.gov)

**Fire Department**

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

1. All dwellings should not be more than 500 feet from one readily accessible public or private fire hydrant.
2. The minimum fire flow requirements for Residential structures (1, 2 and 3) family dwelling are **1000 gallons/per/minute (GPM) @ 20 pressure/per/square inch (psi)** (138Kpa).
3. The two closest Fire Hydrants are located at **3542 Linwood Avenue and 3511 Linwood Avenue.** An additional Fire Hydrant may be required on the new road.

**Requirements to obtain Permits:**

1. The size of the cul-de-sac may need adjustment to accommodate
2. the turning around of Fire Apparatus.

**Recommendations:**

- None

**Contact:**

- **Robert Hart** | Fire Dept. | 513-357-7597 | [robert.hart@cincinnati-oh.gov](mailto:robert.hart@cincinnati-oh.gov)

**Office of Environmental Sustainability (OES)**

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

- None

**Requirements to obtain permits:**

1. If this project will receive City qualified incentives, then it must receive OES environmental approval as per Administrative Regulation 30.
2. If this project will need to include a new City public right-of-way and/or new permanent public easement (i.e., water and/or sewer), then these must receive OES environmental approval as per Administrative Regulation 30.  
If offsite sourced fill is to be placed onsite, then it must receive OES environmental approval when it exceeds 500 cubic yards in a residential area as per City Municipal Code Chapter 1031.
3. Commercial waste, including construction and demolition debris, generated during the construction of the new site structures as part of this development project must utilize a City franchised commercial waste collection service per Cincinnati Municipal Code Chapter 730. Current franchise holders include Rumpke of Ohio, Republic Services of Ohio, Best Way of Indiana, and Bavarian Trucking Company.

**Recommendations:**

1. **The developer should exercise caution in developing this hillside. Increasing storm intensity and its detrimental effects on hillside stability are well documented in the project area. Standards, requirements, and adopted recommended mitigation of these hazards are also well documented and the project should meet or exceed these mitigation measures. The developer should ensure the hillside will remain stable under extreme storm conditions.**
2. The development goal should be to earn at a minimum the LEED Certified rating level.
3. Rooftop solar should be considered in the design as a renewable energy source.
4. Site parking should be wired for and/or include electric vehicle charging stations.
5. Site areas designated for trash carts should also have at least equal space designated for recycling carts.
6. The use of trees in the landscape design should be included to enhance urban forestry.
7. The use of pervious surfaces should be maximized to the extent practical in the design.

**Contact:**

- **Howard Miller** | OES | 513-352-6999 | [howard.miller@cincinnati-oh.gov](mailto:howard.miller@cincinnati-oh.gov)

**Police Department**

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

- None at this time.

**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. | [brandon.kyle@cincinnati-oh.gov](mailto:brandon.kyle@cincinnati-oh.gov)

### **Health Department**

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

- None

#### **Requirements to obtain Permits:**

1. 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)

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

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

- None

#### **Requirements to obtain Permits:**

1. Must meet the requirements in the DOTE Subdivision and Development Streets Manual.
2. The proposed new street needs to be minimum 20' wide with a 5' tree lawn and 5' walk on both sides. Include dimensions on future plans.
3. Linwood needs to include 5' tree lawn and 5' walk.
4. Linwood will need to be restriped to create a left turn lane into the new street. This will require the removal of on-street parking on one side of the street. Work with Mt. Lookout Community Council and the neighbors to determine which side will need to be removed.
5. Proposed street name must be approved. Contact Caroline Kellam at 352-4842.
6. Existing driveway aprons no longer used shall be removed and replaced with vertical curb and sidewalk.
7. Work with Duke Energy for wood utility pole relocation at proposed access road/driveway. Maintain 10 feet of clearance from curb cut/driveway flare.
8. A DOTE Subdivision Permit is needed for all work in the future right of way.
9. A DOTE permit is needed for all work in the right of way.
10. Will the common drives be named?
11. Street names must be determined before addresses can be assigned. Addresses to be assigned by [DTEaddress@cincinnati-oh.gov](mailto:DTEaddress@cincinnati-oh.gov) prior to submitting permit applications.

#### **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 forward with project:**

- None

#### **Requirements to obtain Permits:**

1. The type of guardrail required depends on the use of the space. Refer to section 1015.4 2017 OBC.
2. No other issues at this time.

**Recommendations:**

- None

**Contact:**

- **Bob Martin** | B&I Plans Exam | 513-352-2456 | [robert.martin@cincinnati-oh.gov](mailto:robert.martin@cincinnati-oh.gov)

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

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

- None

**Requirements to obtain Permits:**

- None

**Recommendations:**

- None

**Contact:**

- **Roy Hackworth** | DCED | 513-352-6119 | [roy.hackworth@cincinnati-oh.gov](mailto:roy.hackworth@cincinnati-oh.gov)

**Law Department**

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

- No comment at this time.

**Requirements to obtain Permits:**

- None

**Recommendations:**

- None

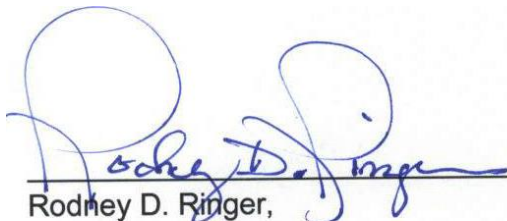
**Contact:**

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

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*This letter is not intended as the City's final approval of your project, but rather as an initial review and consultation to provide feedback from the City's various departments and to better coordinate between the City and developer. We hope you find this process both forthcoming and helpful.*

Sincerely,



Rodney D. Ringer,  
Development Manager

RDR: rdr