

**Dingler-Marshall, Ashlee**

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**From:** Trevor Tollett <ttollett@fountainresidential.com>  
**Sent:** Thursday, January 13, 2022 1:50 PM  
**To:** Dingler-Marshall, Ashlee; Spoor, Richard C.; David VonderBrink  
**Cc:** Weaver, James; Michael Seeger; Stuart Roosth; Tepe, Thomas M., Jr.; Kreider, Kenneth P.; Brent Little  
**Subject:** RE: [External Email] 1001 Marshall Avenue Planned Development Staff Conference [IWOV-IMANAGE.FID1433324]

Thank you. Understood.

Please see my below response to construction schedule in **RED**. Let me know if you need additional information on the construction schedule aspect of this application.

Regards,

**Trevor C. Tollett**  
Executive Vice President  
**Fountain Residential Partners**  
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Dallas, Texas 75204  
Main 972.861.5080  
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**From:** Dingler-Marshall, Ashlee <ashlee.dingler-marshall@cincinnati-oh.gov>  
**Sent:** Thursday, January 13, 2022 12:41 PM  
**To:** Trevor Tollett <ttollett@fountainresidential.com>; Spoor, Richard C. <rcspoor@kmklaw.com>; David VonderBrink <dvonderbrink@elevar.com>  
**Cc:** Weaver, James <James.Weaver@cincinnati-oh.gov>; Michael Seeger <mls@choiceoneengineering.com>; Stuart Roosth <stuart@roostharch.com>; Tepe, Thomas M., Jr. <TTEPE@KMKLAW.com>; Kreider, Kenneth P. <KPKreider@KMKLAW.com>; Brent Little <blittle@fountainresidential.com>  
**Subject:** RE: [External Email] 1001 Marshall Avenue Planned Development Staff Conference [IWOV-IMANAGE.FID1433324]

Trevor,

Thanks for your email.

Mailed notice of the City Planning Commission meeting would go out on 1/21/22 by noon. We would hope you would be able to address the outstanding issues for your Concept Plan before that date.

For your submissions, our understanding from the Law Department is that you could update your Concept Plan to be general, as long as your submitted documents that meet the requirements outlined in Chapter 1429 "Planned Development Districts" of the Cincinnati Zoning Code. Again, as a friendly reminder, if there is a major amendment to an approved Concept Plan (Section 1429-12 of the Cincinnati Zoning Code), this will trigger a subsequent zoning process that would require additional legislation. Along with your Concept Plan, you could also choose to proceed with the Hallmar Avenue vacation and sale with conditions.

Ideally, we recommend that you would resolve the concerns from MSD, DOTE, and Law regarding the slope and sewer easements, as well as the outstanding issues with the vacation of Hallmar Avenue before we take it all to CPC. We have CPC meetings the first and third Friday of each month. At this time, we don't want to commit to a date until we have reviewed any new and/or updated documents that you may plan on submitting to us.

Lastly, as indicated in the email I sent yesterday in response to Richard Spoor, we still need construction schedule information for the Concept Plan requirement (Section 1429-09, Cincinnati Zoning Code)

1. 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 total site is to be developed in one phase. The concept plan – the architectural and engineering site plans that we are submitting – will be built at one time. The construction start date will be determined by the date on which we (hopefully) get approved by City Council. We will then start producing permit level drawings. The goal is to have a certificate of occupancy and resident move in come August 2024. Ideally, we would get starting with construction on this project in late summer, or early fall 2022.**

a. When do you plan to start and finish construction of Phase 1?

b. When are you scheduling Phase II (if there is one)? **We do not currently have a Phase II that is in the works. We have concept plans that we have begun battling around, but nothing definitive. We will not be submitting any additional plans, for any additional properties in the area, for at least until after this current plan is approved.**

Please let me know if you have any questions.

Best regards,

Ashlee Dingler-Marshall | City Planner

City of Cincinnati | Department of City Planning and Engagement  
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**From:** Trevor Tollett <[ttollett@fountainresidential.com](mailto:ttollett@fountainresidential.com)>

**Sent:** Wednesday, January 12, 2022 6:36 PM

**To:** Spoor, Richard C. <[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)>; Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>; David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>

**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>; Michael Seeger <[mls@choiceoneengineering.com](mailto:mls@choiceoneengineering.com)>; Stuart Roosth <[stuart@roostharch.com](mailto:stuart@roostharch.com)>; Tepe, Thomas M., Jr. <[TTEPE@KMKLAW.com](mailto:TTEPE@KMKLAW.com)>; Kreider, Kenneth P. <[KPKreider@KMKLAW.com](mailto:KPKreider@KMKLAW.com)>; Brent Little <[blittle@fountainresidential.com](mailto:blittle@fountainresidential.com)>

**Subject:** RE: [External Email] 1001 Marshall Avenue Planned Development Staff Conference [IWOV-IMANAGE.FID1433324]

Ashlee –

What is the cutoff date that we need to hit for us to make the February 4<sup>th</sup> Planning Commission hearing? We are on a short timeframe for development approvals.

We have been working diligently to get these two remaining comments to you. We have a call with the City's law department and DOT this Friday. It has been difficult to pin the correct folks down to discuss the slope easement.

We will be working with MSD this week and next to propose our new sewer outlay. Our engineers have done the required diligence, so this should not be an issue, but obviously we do not want to fully engineer/design the system until we have planning approvals.

It is our understanding that these two issues are the only comments remaining that are withholding us from the Planning Commission hearing on January 21<sup>st</sup>.

We very much appreciate all your work and communication.

Regards,

**Trevor C. Tollett**

Executive Vice President

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**From:** Spoor, Richard C. <[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)>

**Sent:** Wednesday, January 12, 2022 2:16 PM

**To:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>; Trevor Tollett <[ttollett@fountainresidential.com](mailto:ttollett@fountainresidential.com)>; David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>

**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>; Michael Seeger <[mls@choiceoneengineering.com](mailto:mls@choiceoneengineering.com)>; Stuart Roosth <[stuart@roostharch.com](mailto:stuart@roostharch.com)>; Tepe, Thomas M., Jr. <[TTEPE@KMKLAW.com](mailto:TTEPE@KMKLAW.com)>; Kreider, Kenneth P. <[KPKreider@KMKLAW.com](mailto:KPKreider@KMKLAW.com)>

**Subject:** RE: [External Email] 1001 Marshall Avenue Planned Development Staff Conference [IWOV-IMANAGE.FID1433324]

Ashlee,

Thanks for following up on the meeting on the 21<sup>st</sup>. The applicant team understands and appreciates the Department's recommendation in this matter. We will continue to work through those issues and hope to present the proposal before Planning Commission at its meeting on February the 4<sup>th</sup>.

We will be in touch shortly with updates on the relevant issues outlined in your email. If you have any questions for me at this time, please let me know.

Thanks,

Richard

**Richard C. Spoor**

Associate

[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)

# KMK | Law

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**From:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>

**Sent:** Wednesday, January 12, 2022 9:59 AM

**To:** Spoor, Richard C. <[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)>; Trevor Tollett <[ttollett@fountainresidential.com](mailto:ttollett@fountainresidential.com)>; David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>

**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>; Michael Seeger <[mils@choiceoneengineering.com](mailto:mils@choiceoneengineering.com)>; Stuart Roosth <[stuart@roostharch.com](mailto:stuart@roostharch.com)>; Tepe, Thomas M., Jr. <[TTEPE@KMKLAW.com](mailto:TTEPE@KMKLAW.com)>; Kreider, Kenneth P. <[KPKreider@KMKLAW.com](mailto:KPKreider@KMKLAW.com)>

**Subject:** RE: [External Email] 1001 Marshall Avenue Planned Development Staff Conference

Applicant Team,

You applied for concurrent review of a proposed Zone Change to Planned Development, Concept Plan, Development Statement, and Final Development Plan for 1001 Marshall Avenue. However, we understand that you would like to move forward with the Concept Plan, Development Statement, and proposed Zone Change, only, for review at the 1/21/22 City Planning Commission meeting. Our plan is to assist you through that process, but I am sharing the risks associated with moving forward with the Concept Plan at this point, rather than resolving the following prior to a City Planning Commission review. The outstanding issues for your Concept Plan include:

- All conditions related to the coordinated report for the Hallmar vacation haven't been satisfied. Some conditions could impact a PD concept plan (building location, setbacks, open space, etc.), which is important because you would need a major amendment to the concept plan if you need to move the locations of buildings closer to property lines due to an inability to resolve the issues below.
  - A sewer easement runs through the center of their site on both sides of Central Parkway, which would need to be rerouted and abandoned.
- Slope easements encumber the property along McMicken, Hallmar, and Marshall, among other locations.
  - The slopes and walls protect and support the streets and underground utilities in the area and could impact building location and setbacks, as well.

The Department of City Planning and Engagement would honor the request to move forward but does not recommend it at this time. If there is a major amendment to an approved Concept Plan (Section 1429-12 of the Cincinnati Zoning Code), due to any of the above, this will trigger a subsequent zoning process that would require additional legislation, including:

1. \$3,000 fee for an amended Concept Plan request
2. Coordinated Site Review for amended Concept Plan
3. Staff Conference for amended Concept Plan

We recommend you address these issues before going before City Planning Commission. If you should decide to move forward with your current application for the Zone Change, Concept, Plan and Development Statement, I will submit the general Site Plan that was submitted as the Concept Plan. Additionally, pursuant Section 1429-09 of the Cincinnati Zoning Code, **I am still in need of the following for your Concept Plan application:**

1. 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.
  - a. When do you plan to start and finish construction of Phase 1?
  - b. When are you scheduling Phase II (if there is one)?

Please let me know if you have any questions.

Best regards,

Ashlee Dingler-Marshall | City Planner

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**From:** Spoor, Richard C. <[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)>

**Sent:** Monday, January 10, 2022 4:55 PM

**To:** Trevor Tollett <[ttollett@fountainresidential.com](mailto:ttollett@fountainresidential.com)>; Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>; David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>

**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>; Michael Seeger <[mls@choiceoneengineering.com](mailto:mls@choiceoneengineering.com)>; Stuart Roosth <[stuart@roostharch.com](mailto:stuart@roostharch.com)>; Tepe, Thomas M., Jr. <[TTEPE@KMKLAW.com](mailto:TTEPE@KMKLAW.com)>; Kreider, Kenneth P. <[KPKreider@KMKLAW.com](mailto:KPKreider@KMKLAW.com)>

**Subject:** RE: [External Email] 1001 Marshall Avenue Planned Development Staff Conference

Ashlee,

I hope you had a nice weekend. I wanted to follow up on this communication from Trevor to verify that the concept plan and conditional approval are going to be on the agenda for Planning Commission this month. Please let me know at your convenience.

Best,

Richard

**Richard C. Spoor**

Associate

[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)

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**From:** Trevor Tollett <[ttollett@fountainresidential.com](mailto:ttollett@fountainresidential.com)>

**Sent:** Friday, January 7, 2022 10:46 AM

**To:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>; Spoor, Richard C. <[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)>; David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>

**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>; Michael Seeger <[mls@choiceoneengineering.com](mailto:mls@choiceoneengineering.com)>; Stuart Roosth <[stuart@roostharch.com](mailto:stuart@roostharch.com)>; Tepe, Thomas M., Jr. <[TTEPE@KMKLAW.com](mailto:TTEPE@KMKLAW.com)>; Kreider, Kenneth P. <[KPKreider@KMKLAW.com](mailto:KPKreider@KMKLAW.com)>

**Subject:** RE: [External Email] 1001 Marshall Avenue Planned Development Staff Conference

**Importance:** High

I am OK with the conditions.

Michael, we need to hear from you on the utility plans.

**Trevor C. Tollett**

Executive Vice President

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**From:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>

**Sent:** Friday, January 7, 2022 8:56 AM

**To:** Spoor, Richard C. <[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)>; David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>

**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>; Michael Seeger <[mls@choiceoneengineering.com](mailto:mls@choiceoneengineering.com)>; Trevor Tollett <[ttollett@fountainresidential.com](mailto:ttollett@fountainresidential.com)>; Stuart Roosth <[stuart@roostharch.com](mailto:stuart@roostharch.com)>; Tepe, Thomas M., Jr. <[TTEPE@KMKLAW.com](mailto:TTEPE@KMKLAW.com)>; Kreider, Kenneth P. <[KPKreider@KMKLAW.com](mailto:KPKreider@KMKLAW.com)>

**Subject:** RE: [External Email] 1001 Marshall Avenue Planned Development Staff Conference

Richard,

I am required to mail 14 days' notice of a City Planning Commission meeting with your item on the agenda. The deadline for notice is this morning, and I cannot send it unless I can confirm the following:

Law shared that they spoke to you yesterday afternoon about moving the concept plan approval **and** vacation forward to Planning Commission on January 21, with appropriate conditions to address City concerns re: the vacation.

I need to know **ASAP** if the applicant is fine with those conditions or if they would prefer to hold everything for a later date.

Additionally, I heard from Trevor, and I am awaiting a response from Micheal for a utility plan that includes sewer for my staff report – my deadline for staff report is next Tuesday.

Best regards,

Ashlee Dingler-Marshall | City Planner



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**From:** Spoor, Richard C. <[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)>  
**Sent:** Thursday, January 6, 2022 9:57 AM  
**To:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>; David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>  
**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>; Michael Seeger <[mils@choiceoneengineering.com](mailto:mils@choiceoneengineering.com)>; Trevor Tollett <[ttollett@fountainresidential.com](mailto:ttollett@fountainresidential.com)>; Stuart Roosth <[stuart@roostharch.com](mailto:stuart@roostharch.com)>; Tepe, Thomas M., Jr. <[TTEPE@KMKLAW.com](mailto:TTEPE@KMKLAW.com)>; Kreider, Kenneth P. <[KPKreider@KMKLAW.com](mailto:KPKreider@KMKLAW.com)>  
**Subject:** RE: [External Email] 1001 Marshall Avenue Planned Development Staff Conference

Thanks, Ashlee. I have reached out to Law and will again today.

**Richard C. Spoor**  
Associate  
[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)

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**From:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>  
**Sent:** Thursday, January 6, 2022 9:55 AM  
**To:** Spoor, Richard C. <[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)>; David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>  
**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>; Michael Seeger <[mils@choiceoneengineering.com](mailto:mils@choiceoneengineering.com)>; Trevor Tollett <[ttollett@fountainresidential.com](mailto:ttollett@fountainresidential.com)>; Stuart Roosth <[stuart@roostharch.com](mailto:stuart@roostharch.com)>; Tepe, Thomas M., Jr. <[TTEPE@KMKLAW.com](mailto:TTEPE@KMKLAW.com)>; Kreider, Kenneth P. <[KPKreider@KMKLAW.com](mailto:KPKreider@KMKLAW.com)>  
**Subject:** RE: [External Email] 1001 Marshall Avenue Planned Development Staff Conference [IWOV-IMANAGE.FID1433324]

Richard,

Thanks for your response.

As you mentioned in your plan of action for moving forward, the applicant must reach out to Real Estate, directly. Once the CR process is complete, Real Estate will tell us we can proceed with the proposed vacation of Hallmar, which should happen before proceeding with the Final Development Plan. If we can get that firmed up by Friday, 1/7/22, then we can keep the Final Development Plan on the agenda and add the vacation of Hallmar as a separate item on the same

agenda. If the vacation is not ready to go, we will need to hold off on the Final Development Plan until it is ready, but the zone change to Planned Development could still proceed.

Please let me know if you have any questions.

Best regards,

Ashlee Dingler-Marshall | City Planner

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**From:** Spoor, Richard C. <[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)>  
**Sent:** Tuesday, January 4, 2022 2:03 PM  
**To:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>; David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>  
**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>; Michael Seeger <[mls@choiceoneengineering.com](mailto:mls@choiceoneengineering.com)>; Trevor Tollett <[ttollett@fountainresidential.com](mailto:ttollett@fountainresidential.com)>; Stuart Roosth <[stuart@roostharch.com](mailto:stuart@roostharch.com)>; Tepe, Thomas M., Jr. <[TTEPE@KMKLAW.com](mailto:TTEPE@KMKLAW.com)>; Kreider, Kenneth P. <[KPKreider@KMKLAW.com](mailto:KPKreider@KMKLAW.com)>  
**Subject:** RE: [External Email] 1001 Marshall Avenue Planned Development Staff Conference [IWOV-IMANAGE.FID1433324]

Thanks, Ashlee.

Michael can give more details on his discussions with the various departments in addressing their responses to the CR. To give an overview, however, Michael and the team have been in touch with DOTE, MSD, and GCWW in connection with their CR conditions. In response to MSD, Michael and the team have been inspecting to the sewer on the property to fully map it out. In response to GCWW, we are waiting for flow numbers from an MEP engineer in connection with establishing a mainline extension route. In response to DOTE, we have received comments on the traffic study and should be returning a report shortly.

I will give Charles Martinez in law a call to discuss the on-going CR condition responses. I am hopeful that we can memorialize these conditions in the vacation documentation and clear the way for Planning Commission, since progress is being made on them and they were not objections. All the same, I will touch base with Law and circle back.

Best,

Richard

**Richard C. Spoor**



Associate

[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)

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**From:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>

**Sent:** Tuesday, January 4, 2022 1:46 PM

**To:** David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>

**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>; Michael Seeger <[mls@choiceoneengineering.com](mailto:mls@choiceoneengineering.com)>; Spoor, Richard C. <[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)>; Trevor Tollett <[ttollett@fountainresidential.com](mailto:ttollett@fountainresidential.com)>; Stuart Roosth <[stuart@roostharch.com](mailto:stuart@roostharch.com)>

**Subject:** RE: [External Email] RE: 1001 Marshall Avenue Planned Development Staff Conference

Thanks, Dave and Richard.

In the event that Coordinated Report Process for Hallmar Avenue is not completed, my understanding is that we can move forward with the Zone Change review, Concept Plan, and Development Statement at the 1/21 City Planning Commission meeting, but we would have to prepare the Final Development Plan review for a later meeting date (based on when the Coordinated Report process is completed).

Best regards,

Ashlee Dingler-Marshall | City Planner

City of Cincinnati | Department of City Planning and Engagement

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**From:** David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>

**Sent:** Tuesday, January 4, 2022 1:35 PM

**To:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>

**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>; Michael Seeger <[mls@choiceoneengineering.com](mailto:mls@choiceoneengineering.com)>; Spoor, Richard C. <[rcspoor@kmklaw.com](mailto:rcspoor@kmklaw.com)>; Trevor Tollett <[ttollett@fountainresidential.com](mailto:ttollett@fountainresidential.com)>; Stuart Roosth <[stuart@roostharch.com](mailto:stuart@roostharch.com)>

**Subject:** RE: [External Email] RE: 1001 Marshall Avenue Planned Development Staff Conference

Thanks Ashlee, and will do.

I am looping in the ownership and design team into this email. I was incorrect in assuming that Michael Seeger with Choice One was handling this. Richard Spoor with KMK Law should be able to chime in, if he sees these emails and is available to respond.

Thanks!

**David VonderBrink, RA | Senior Architect**  
**Elevar Design Group Cincinnati**  
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**From:** Dingler-Marshall, Ashlee [<mailto:ashlee.dingler-marshall@cincinnati-oh.gov>]  
**Sent:** Tuesday, January 04, 2022 1:25 PM  
**To:** David VonderBrink  
**Cc:** Weaver, James  
**Subject:** RE: [External Email] RE: 1001 Marshall Avenue Planned Development Staff Conference

Thanks, Dave. Please get back to me about this as soon as you can.

I have received a note from the Legal Department, regarding the 1/21/22 City Planning Commission date:

*"Please provide an update on the status of the Hallmar vacation. Since there is the intent for a concurrent Concept/FDP the applicant needs to show appropriate property control."*

Best regards,

**Ashlee Dingler-Marshall | City Planner**

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**From:** David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>  
**Sent:** Tuesday, January 4, 2022 10:30 AM  
**To:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>  
**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>  
**Subject:** RE: [External Email] RE: 1001 Marshall Avenue Planned Development Staff Conference

Hi Ashlee,

Let me look into that and get back to you. I believe Michael Seeger with Choice One Engineering (Civil) has been leading that conversation, but I will confirm.

Thanks!

**David VonderBrink, RA | Senior Architect**  
**Elevar Design Group Cincinnati**  
555 Carr St.  
Cincinnati, OH 45203  
O: (513) 721-0600  
D: (513) 745-6715  
F: (513) 721-0611

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**From:** Dingler-Marshall, Ashlee [<mailto:ashlee.dingler-marshall@cincinnati-oh.gov>]  
**Sent:** Tuesday, January 04, 2022 10:28 AM  
**To:** David VonderBrink  
**Cc:** Weaver, James  
**Subject:** RE: [External Email] RE: 1001 Marshall Avenue Planned Development Staff Conference

Dave,

Where are you all with the Coordinated Site Process for the vacation of Hallmar Avenue? Are you planning to have that reviewed at the 1/21 City Planning Commission, as well, or at a future date?

Ashlee

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**From:** David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>  
**Sent:** Tuesday, December 21, 2021 10:50 AM  
**To:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>; Greg Otis <[gotis@elevar.com](mailto:gotis@elevar.com)>  
**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>  
**Subject:** RE: [External Email] RE: 1001 Marshall Avenue Planned Development Staff Conference

Hi Ashlee and James,

It's a pleasure to meet you (at least virtually). Greg mentioned that you would like to attend the next CUFNA meeting? This is scheduled for Tuesday, January 4<sup>th</sup> at 7:00pm. I plan to attend in person but I believe a virtual meeting will be available. If for some reason it is not already setup, I will setup a virtual meeting and send out an invite so that those who cannot attend in person can be a part of the discussion.

In the meantime, please let me know if you need anything else from me or the ownership team.

Thanks!

**David VonderBrink, RA | Senior Architect**  
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D: (513) 745-6715  
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**From:** Dingler-Marshall, Ashlee [<mailto:ashlee.dingler-marshall@cincinnati-oh.gov>]  
**Sent:** Tuesday, December 21, 2021 8:50 AM  
**To:** Greg Otis

**Cc:** Weaver, James; David VonderBrink

**Subject:** RE: [External Email] RE: 1001 Marshall Avenue Planned Development Staff Conference

Greg,

Thank you for the update, and it has been a pleasure working with you! I wish you the best of luck in your endeavors. I look forward to connecting with Dave for future updates.

Best regards,

**Ashlee Dingler - Marshall** | City Planner

City of Cincinnati | Department of City Planning and Engagement

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**From:** Greg Otis <[gotis@elevar.com](mailto:gotis@elevar.com)>

**Sent:** Friday, December 17, 2021 11:10 AM

**To:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>

**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>; David VonderBrink <[dvonderbrink@elevar.com](mailto:dvonderbrink@elevar.com)>

**Subject:** RE: [External Email] RE: 1001 Marshall Avenue Planned Development Staff Conference

Ashlee:

Thank you for this schedule clarification. You will have building materials and revised landscape documents well in advance of 1/7. I will drop by a flash drive with the video we discussed regarding the new parking lot screen hedgerow. The developer has assured us that he will gladly speak to both the construction value and anticipated rental rate range during the upcoming hearings.

Additionally, I'd like to inform you and James that I will be leaving Elevar effective 12/31. The application is now in the very capable hands of Dave VonderBrink (copied here), who is also well known to the Planning staff and familiar with the PD approval process. Dave and Trevor Tollett (Fountain Residential Partners) will be meeting with CUFNA in January to further the pursuit of alignment with them in advance of the Planning Commission hearing.

Cheers to you both for the holidays and into the New Year.

**Greg Otis, AIA | Senior Vice President- Strategic Planning  
Elevar Design Group Cincinnati**

555 Carr St.

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**From:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>  
**Sent:** Friday, December 17, 2021 10:22 AM  
**To:** Greg Otis <[gotis@elevar.com](mailto:gotis@elevar.com)>  
**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>  
**Subject:** RE: [External Email] RE: 1001 Marshall Avenue Planned Development Staff Conference

Greg,

Thanks for your call today. I forgot to mention one thing - if your PD application goes to the 1/21 City Planning Commission meeting (this is what we anticipate), I send mailed notice of the meeting two weeks prior to the meeting date – in this case, 1/7. We would like to have those outstanding materials (highlighted) we discussed for the Final Development Plan before that date for the concurrent application:

(e) Schematic Building Plans. Plans showing building footprints, schematic floor plans and exterior elevations and **types of building materials**. - for updated design submission (updated elevation drawings and some written indication about the change in building materials for clarity)

(f) Landscape Plans. Landscaping plans showing the placement of trees, shrubs, ground cover and associated structures and improvements, including **specifications, species and quantities**. – Updated Landscape plan with specifications, species, and quantities for updated hedges/shrubs to mask surface parking

While it is not required, we appreciate your willingness to provide a construction value (reflective of the final development plan), that may be included with the application for the staff report.

Please let me know if you have any questions.

Best regards,

Ashlee Dingler-Marshall | City Planner

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**From:** Greg Otis <[gotis@elevar.com](mailto:gotis@elevar.com)>  
**Sent:** Wednesday, December 8, 2021 1:28 PM  
**To:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>  
**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>  
**Subject:** [External Email] RE: 1001 Marshall Avenue Planned Development Staff Conference

External Email Communication

Ashlee/James:

I've mentioned to you both and Katherine that we have been proactive in our outreach to CUFNA and Camp Wash Community Council. More so with CUFNA. During meetings CUFNA has raised pretty strong objection to the developer's Architect's "band-board," faux Italianate style that is currently in the renderings. The developer has engage Elevar to redesign the facades to bring authenticity and integrity to the design than simply an "old-west stage set" (their words).

I know CUFNA has no design-approval authority, but we *are* advancing a new exterior design that does not change the site or interior design in any way. Nor does it change the % of material usage on the facades.

My intention here is to make you aware of the effort, and to highlight the design of the exterior of the buildings are representative, not final.

**Greg Otis, AIA | Senior Vice President- Strategic Planning  
Elevar Design Group Cincinnati**

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**From:** Dingler-Marshall, Ashlee <[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov)>

**Sent:** Wednesday, December 8, 2021 11:09 AM

**To:** Greg Otis <[gotis@elevar.com](mailto:gotis@elevar.com)>

**Cc:** Weaver, James <[James.Weaver@cincinnati-oh.gov](mailto:James.Weaver@cincinnati-oh.gov)>

**Subject:** RE: 1001 Marshall Avenue Planned Development Staff Conference

Greg,

Please see the attached presentation. Change in presentation plans – I will run through slides 1-11 (process stuff) and, if it is okay with you, please take slides 12-20. Your slides cover the development details. I'll wrap it up with next steps and my contact information.

Thank you.

Best regards,

**Ashlee Dingler-Marshall | City Planner**

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Ashlee

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**From:** Dingler-Marshall, Ashlee  
**Sent:** Thursday, December 2, 2021 12:07 PM  
**To:** 'gotis@elevar.com' <[gotis@elevar.com](mailto:gotis@elevar.com)>  
**Subject:** 1001 Marshall Avenue Planned Development Staff Conference

Greg,

You are receiving this email because you requested to join an upcoming Public Staff Conference. Please use the information in this email, below, to access the meeting. Please do not share the link. If you know someone that is interested in participating in the meeting, please have them email me at [ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov) to RSVP no later than 24 hours before the meeting start time.

Thank you!

Best regards,

Ashlee Dingler-Marshall | City Planner

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In accordance with orders issued by state and local officials and applicable guidance concerning COVID-19, this Public Staff Conference will be conducted using video-conferencing technology. This meeting will be closed to in-person attendance to comply with social distancing requirements. The link below will allow you to join this meeting using the Zoom website. Please note that you will be muted when you join the meeting. Department of City Planning staff will facilitate and unmute participants throughout the meeting. It is important that each participant familiarize themselves with the Zoom video-conferencing technology BEFORE joining the meeting. Participants are strongly encouraged to visit the following link to join a test Zoom meeting - <https://zoom.us/test>. The test Zoom meeting will allow participants to ensure that all audio and video components are working properly on your computer or device. All desktop/laptop computers, tablets, and smartphones with internet access can join and participate in the hearing. Participants may also visit the Zoom Support Center to learn more about Zoom video-conferencing – <https://support.zoom.us/hc/en-us>.

[ashlee.dingler-marshall@cincinnati-oh.gov](mailto:ashlee.dingler-marshall@cincinnati-oh.gov) is inviting you to a scheduled Zoom meeting.

Topic: 1001 Marshall Planned Development Staff Conference  
Time: Dec 8, 2021 03:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://cincinnati-oh.zoom.us/j/87973463868?pwd=QllYUjBENkpwYjdGTXp0cWRRMXlVQT09>

Meeting ID: 879 7346 3868

Passcode: 596878

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+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 879 7346 3868

Find your local number: <https://cincinnati-oh.zoom.us/j/87973463868>

Best regards,

Ashlee Dingler-Marshall | City Planner

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