



Thomas M. Tepe, Jr.
D: 513.639.3947
ttepe@kmklaw.com

September 18, 2023

Mr. Jeff Uckotter
Planning & Zoning Administrator
Sycamore Township
8540 Kenwood Road
Sycamore Township, OH 45236
juckotter@sycamoretownship.org

Re: **7700-7724 Montgomery Rd., Application for Major Adjustment to PUD**

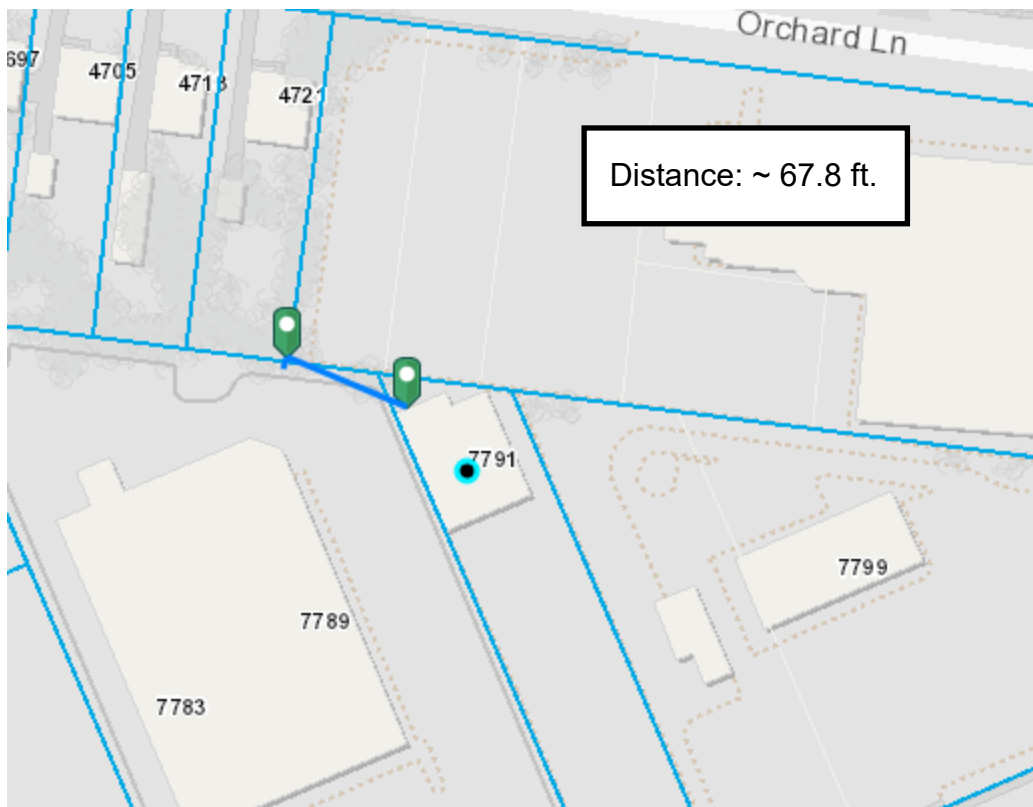
Dear Mr. Uckotter:

This correspondence supplements the Application submitted by RCG-Cincinnati, LLC. Thank you for the opportunity to present regarding this matter. As we seek to have our HomeGrown Strength & Conditioning tenant operate from 5:30 a.m., we would like to highlight how this starting time is harmonious and consistent with a number of exercise facilities in the Township. This includes the following exercise and gym facilities that open at 5:30 a.m. or earlier:

1. Anchor Wellness Center opens at **5:30 a.m.**;
2. Crunch Fitness Kenwood opens at **5:00 a.m.**;
3. Cyclebar opens at **5:30 a.m.**; and
4. Terry Bryan Fitness opens at **5:00 a.m.**

Documentation relating to these start times is attached hereto for your convenience. 5:30 a.m.—and even earlier—is the start time for many fitness locations throughout Sycamore Township.

Additionally, the property boundary of Terry Bryan Fitness is less than 68 feet away from an adjacent residential property, as demonstrated by the following measurement from the Cincinnati Area Geographic System:



Overall, the requested start time for HomeGrown Strength & Conditioning is consistent with the start times of other related gyms in the Kenwood area, including similarly-situated gyms such as Terry Bryan Fitness. The Applicant respectfully requests the opportunity to be treated in like kind. This is a wonderful tenant that provides vital health services for the Kenwood and surrounding communities.

Additionally, we have obtained the professional opinion of Keith B. Hall, AIA, Managing Principal/Owner with MSA Design, enclosed for your consideration. Mr. Hall has opined that the current odor filtration system at the Property is the optimal system for the type of use of the tenants here.

Thank you for your continued time and assistance in this matter.

Sincerely,

KEATING MUETHING & KLEKAMP PLL

By: 

Thomas M. Tepe, Jr.

cc: Mr. Lawrence E. Barbieri, Esq. (via email - lbarbieri@smbplaw.com)



FREE

TRIAL

MEMBER

LOCATIONS

CLASSES

HIITZONE

TRAINING

THE

LOGIN

TRIAL

KENWOOD

5901 E Galbraith Rd,
Cincinnati, OH 45236
+1 513.984.0348

WE'RE OPEN. [CLICK HERE FOR A FREE 3 DAY TRIAL.](#)

[CONTACT](#)

[HOURS](#)

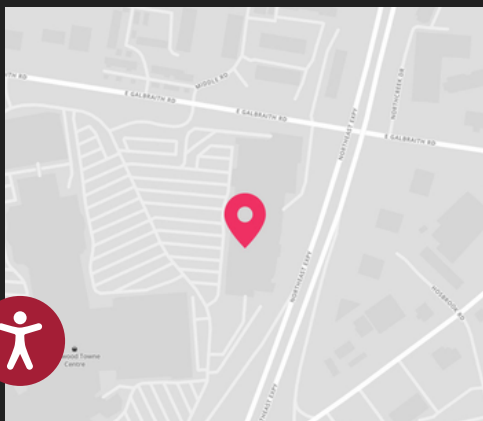
[CLASSES](#)

Hours of Fun

Mon - Thu: 5:00am - 12:00am

Friday: 5:00am - 11:00pm

Sat - Sun: 7:00am - 9:00pm

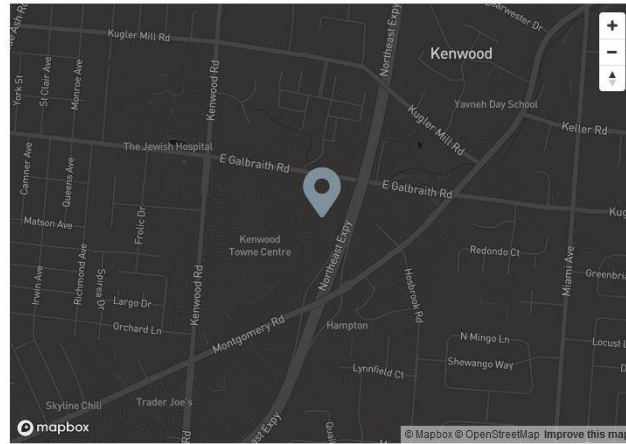


5901 E. Galbraith Road, Suite 235
Kenwood, OH 45236

+1 (513) 312-5785

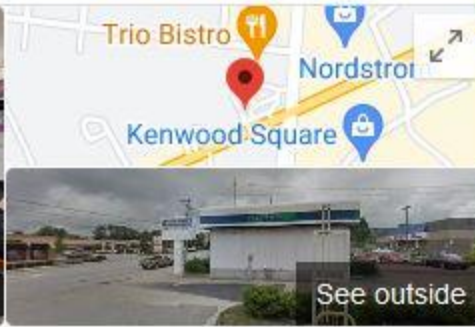
kenwood@cyclebar.com

Mon & Wed & Thu: 5:30am-8:30pm
Tue: 5am-8:30pm
Fri: 5:30am-6:30pm
Sat & Sun: 7:30am-3pm





[See photos](#)



[See outside](#)

Terry Bryan Fitness



[Website](#)

[Directions](#)

[Save](#)

4.9 ★★★★★ 19 Google reviews

Personal trainer in Cincinnati, Ohio

Address: 7791 Montgomery Rd, Cincinnati, OH 45236

Areas served: Cincinnati and nearby areas

Hours: Monday 5 AM–8 PM
Tuesday 5 AM–8 PM
Wednesday 5 AM–8 PM
Thursday 5 AM–8 PM
Friday 9 AM–8 PM
Saturday 8 AM–12 AM
Sunday 9 AM–12 AM

Confirmed by phone call 8 weeks ago

[Suggest new hours](#)

Phone: (513) 407-7272

[Suggest an edit](#) · [Own this business?](#)

ter, Montgomery Road, Cincinnati, OH



Anchor Wellness Center

5.0 ★★★★★ (124)

Wellness center

Overview

Reviews

About



Directions



Save



Nearby



Send to
phone



Share



Get online care · bit.ly



8044 Montgomery Rd Suite 160, Cincinnati, OH
45236

Floor 1 · 8044 Montgomery



Open now ^

Monday 5:30 AM–7 PM

Tuesday 5:30 AM–7 PM

Wednesday 5:30 AM–7 PM

Thursday 5:30 AM–7 PM

Friday 5:30 AM–7 PM

Saturday 5:30 AM–5 PM

Sunday Closed

From: Keith Hall <khall@msaarch.com>
Sent: Monday, September 11, 2023 4:52 PM
To: Tepe, Thomas M., Jr. <TTEPE@KMKLAW.com>
Subject: RE: Odor

Tom:

Sufficient “odor” mitigation could be achieved in one of two ways:

1. With a Pollution Control Unit (or scrubber). These units are designed to remove grease particles, smoke and odor before being exhausted. They utilize a system of filters to perform. There are several manufactures of these units, below is one from Greenheck.

[Grease Trapper ESP | Greenheck](#)

I’ve typically had to utilize these types of systems in retail areas where there is a high concentration of restaurants and pedestrians or if exhausting horizontally to a public way (i.e. sidewalk with pedestrians). These types of systems are utilized to mitigate odors from a cooking exhaust system. Odors from cooking vary depending on the product being cooked as well as how much product is being cooked. Furthermore, the closer someone is to the exhaust coming from a cooking exhaust system the more likely they are to notice the smell. Cooking exhaust odors tend to move with the open air and break down pretty quickly for normal situations. BBQ and sometimes Asian foods tend to have odors that will linger and travel further.

2. With a standard, kitchen exhaust, exhausting vertically on an open roof of a building. Ultimately, this is the best way as roofs are above any pedestrian areas and the fan is typically designed to push the air flow straight up. Most exhaust systems utilize this approach as it is always best practice to exhaust to the roof vs a sidewall.

Looking at the 7700 Montgomery road site and the restaurants located in that center. I believe the exhaust system(s) as they are located for the restaurants in question provide odor “mitigation” simply through being located on the open roof in areas far away from any pedestrians or neighboring residential areas. Seem like “odor mitigation” should have been specifically defined if the intent was for PCU’s to be installed. In addition, I think that if PCU’s were installed there would be no added value or even additional “mitigation” from them.

Hopefully, this helps. Let me know if you have additional questions.

KEITH B. HALL, AIA, NCARB

Managing Principal/Owner | Columbus Studio
C 513.615.0177 | O 614-300-3357



GOLD MEDAL FIRM – AIA OHIO





September 06, 2023

2023 PROPOSAL

Job No. - 35452

RCG Ventures, LLC

Angela Chapman
3060 Peachtree Rd NW
Atlanta, 30305

Shoppes of Kenwood 1

7720 Montgomery Road
Cincinnati, OH 45236

Description of the work to be performed:

This is an agreement between **Fredericks Landscaping** (a branch of Schill Grounds Management), 301 S. Cooper Avenue, Cincinnati, Ohio 45215, and RCG Ventures, LLC ("Client"), for the property located at 7720 Montgomery Road, Cincinnati, Ohio 45236.

In the retention area behind the shopping center we will plant 18 new 6' Spring Grove Arborvitaes. These evergreens will be great at screening as they will provide more width than previously proposed Emerald Green Arborvitaes. Each tree will have a tree ring underneath. We will use pine straw in lieu of mulch to prevent mulch from washing out down the hill and into the retention drainage swale.

Arborvitae planting locations are as followed on attached design:



On the southwestern corner of the building, by the vets office, we will plant a columnar Armstrong Gold Maple. These have a mature height of 40' but only a mature width of 12'. This will help from impeding the parking lot once these trees reach mature height. We will cut new tree rings and mulch with black dyed mulch.



New Planting Around Retention Area

\$12,151.61

Sale: \$12,151.61
Sales Tax: \$947.83
Total: **\$13,099.44**

By Josh King
 Josh King

Date 9/6/2023
Fredericks Landscaping

By _____

Date _____
Shoppes of Kenwood 1



May 04, 2023

2023 PROPOSAL

Job No. - 35636

RCG Ventures, LLC

Angela Chapman
3060 Peachtree Rd NW
Atlanta, 30305

Shoppes of Kenwood 1

7720 Montgomery Road
Cincinnati, OH 45236

Description of the work to be performed:

This is an agreement between **Fredericks Landscaping** (a branch of Schill Grounds Management), 301 S. Cooper Avenue, Cincinnati, Ohio 45215, and RCG Ventures, LLC ("Client"), for the property located at 7720 Montgomery Road, Cincinnati, Ohio 45236.

Planting of 16 2.5" deciduous trees throughout the property. The location of these trees will be determined at a later date. This ticket provides a cost for reference.

We will also plant two new sweetbay magnolias and replace one crabapple that was removed.

We will fill in the gaps in the current landscape with new shrubs including Gold Mop Cypress and Double Knockout Roses.

Locations will be determined after a meeting with the city.

2023 Tree Planting

\$12,738.33

4.00 - hr - LE Travel
8.00 - 2.5" - Fastigiata Hornbeam - Includes Install - 2.5"
8.00 - 2.5" - Autumn Blaze Maple - 2.5" (Kit)
4.00 - yds - Dyed Mulch
2.00 - 5'-6' - Sweetbay Magnolia - Includes Install - 5' - 6'
1.00 - 20 gal - Royal Raindrops Crabapple - Includes Install - #20
10.00 - 3 gallon - Knockout - Includes Install - #2 and #3
9.00 - 5 gallon - Gold Mops Cypress - Includes Install - #5 and 7 gal

Sale: \$12,738.33
Sales Tax: \$935.09
Total: **\$13,673.42**

Landscaping Conditions

1. All landscape plant material is guaranteed to be healthy and in good condition upon delivery and installation.
2. Ward+Thornton Landscapes will water plant material at the time of installation if the customer provides reasonable access to water. All watering thereafter is the sole responsibility of the customer. Ward+Thornton Landscapes recommends that plant material is watered at a rate and frequency that will insure that the soil surrounding the plant remains moist to a depth of six (6) inches.
3. All applications of fertilizer, insecticide, etc. is the sole responsibility of the customer.
4. Ward+Thornton Landscapes is not responsible for marking irrigation heads and valves prior to renovation or installation. Ward+Thornton Landscapes bears no responsibility for shallow gas, water, telephone, cable, landscape lighting, or irrigation lines. The customer shall be responsible for damage to lines buried less than 2" and not marked.

Fredericks Landscaping • 301 S. Cooper Avenue • Cincinnati, OH 45215
Phone 513-821-9407 • Fax 513-679-4141

Page 1/2

5. All landscape plant material rated for Zone 6a or lower ** shall be guaranteed for one (1) year from the installation pending:
- Proper care (watering, fertilization, insecticide, etc)
 - Insect or fungus problems.
 - Acts of God (strong wind, lightning, flood, etc)

All guarantees shall be void if the plant material is not cared for properly.

6. The landscape design is the property of Ward+Thornton Landscapes. Any copies, reproductions, duplications or other replicas of ideas expressed must have the written authorization of Ward+Thornton Landscapes. Any ideas, designs or drawings executed without proper consent will be subject to legal proceedings in accordance with local, state and federal laws.
7. A 2% Fuel Surcharge could be added to all invoices if gasoline prices go above \$4.00 per gallon. This is due to the erratic and ever-increasing price of fuel.

** Only plants rated by the USDA Plant Hardiness Zone Map for Zone 6a or below can be warranted in our area.

How would you like us to send correspondence to you?

Email OR Regular Mail *(please circle one)*

If Email was chosen, please provide a current email address: *(please print)*

Upon approval of this proposal, we require a valid credit card number to put your job on the schedule.

At the time of completion of the work, you can either:

pay by _____ credit card or pay by _____ check
(please place a check mark next to your payment preference)

_____ Visa _____ MasterCard _____ Discover

Name on the credit card _____

Card Number _____

Expiration Date _____ 3 digit code _____

NOTE: If you have chosen to pay by Credit Card and this Work Order is more than \$2,999.99 then there will be a 3% Credit Card Processing Fee added to the final invoice.

NOTE: In the event that your account goes unpaid, your credit card will be charged for the full amount owed to Ward+Thornton Landscapes.

By 
Josh King

Date 5/4/2023
Fredericks Landscaping

By _____

Date _____
Shoppes of Kenwood 1



Always a Better Plan

100 Camelot Drive
Fond du Lac, WI 54935
920-926-9800
excelengineer.com

PROJECT INFORMATION

PROPOSED DUMPSTER ENCLOSURE FOR:
RCG VENTURES
7712 MONTGOMERY RD. • CINCINNATI, OH 45236

PROFESSIONAL SEAL

SHEET DATES

SHEET ISSUE AUG. 4, 2023

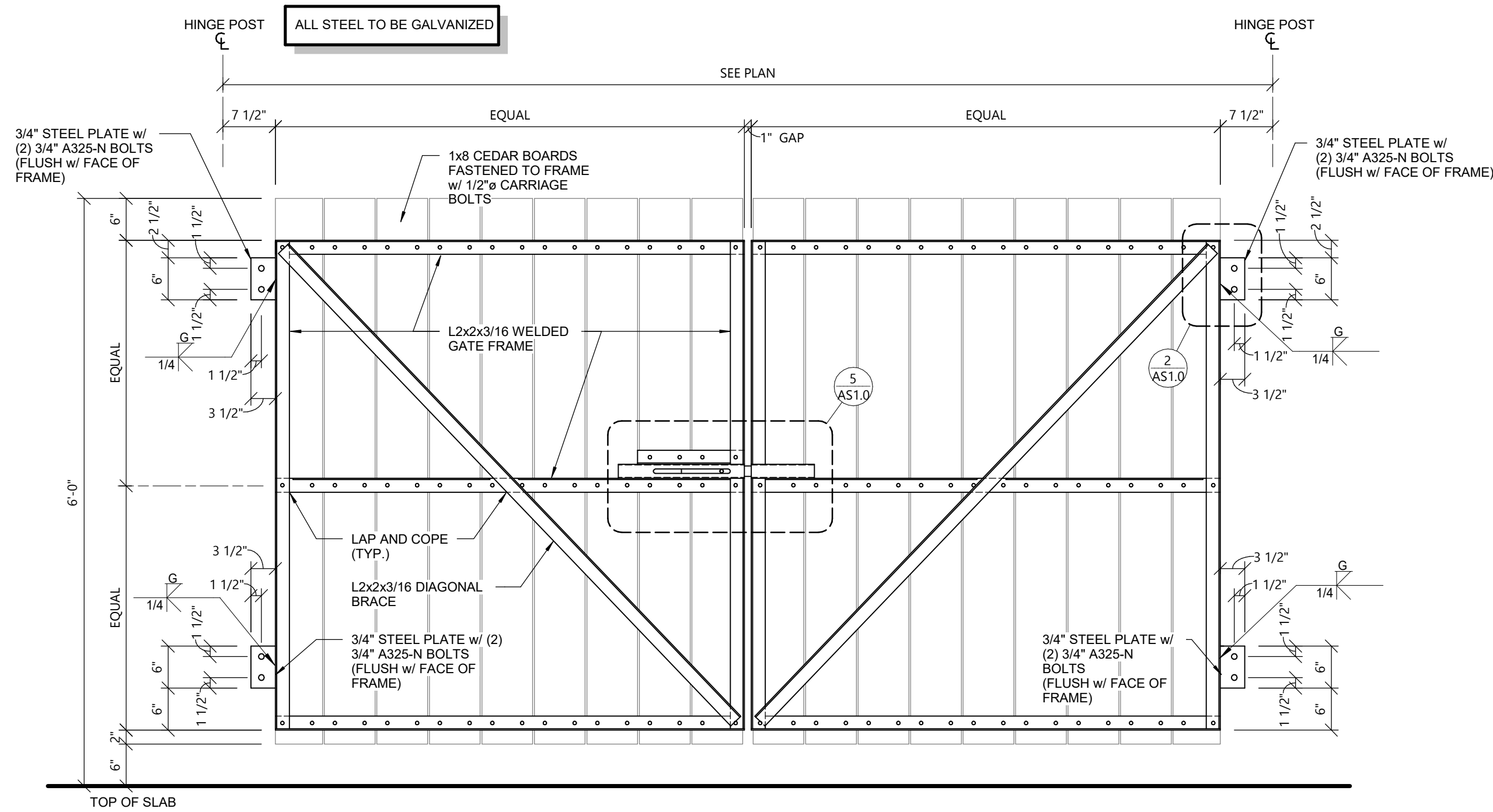
REVISIONS

JOB NUMBER

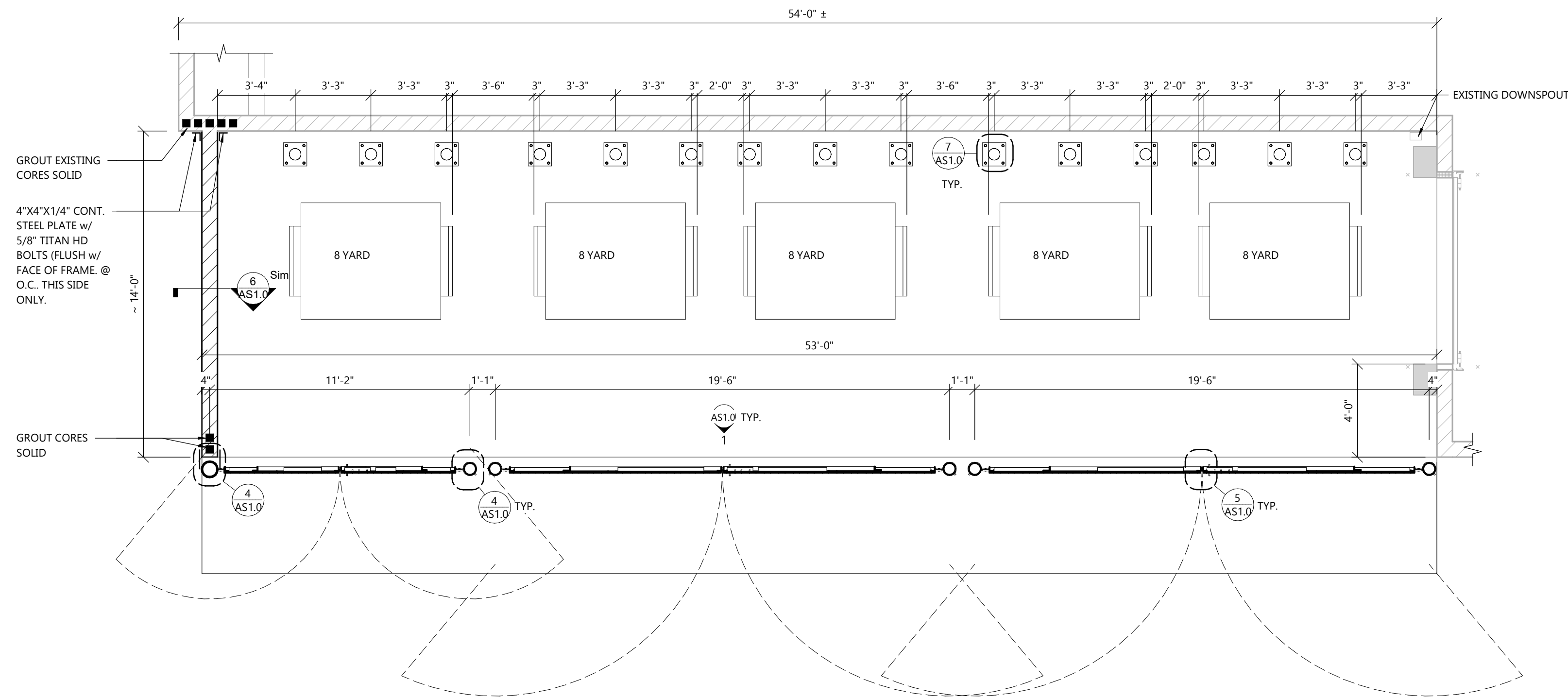
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SHEET NUMBER

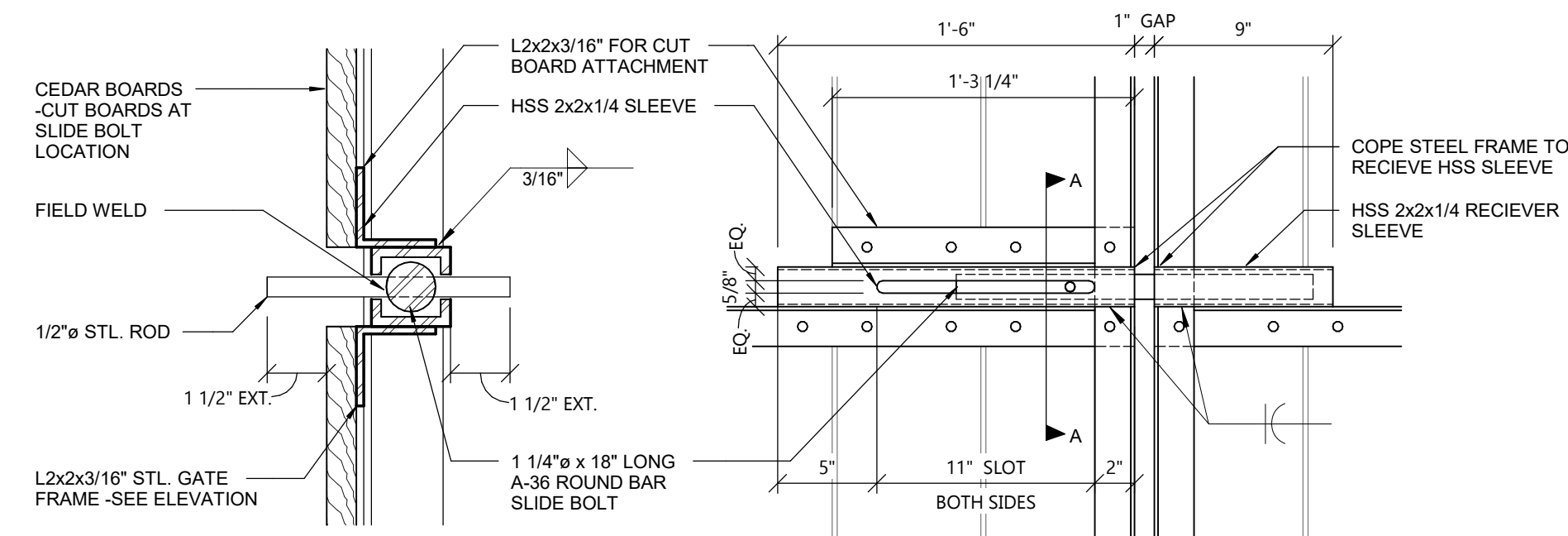
AS1.0



1 DUMPSTER GATE ELEVATION
SCALE: 3/4" = 1'-0"

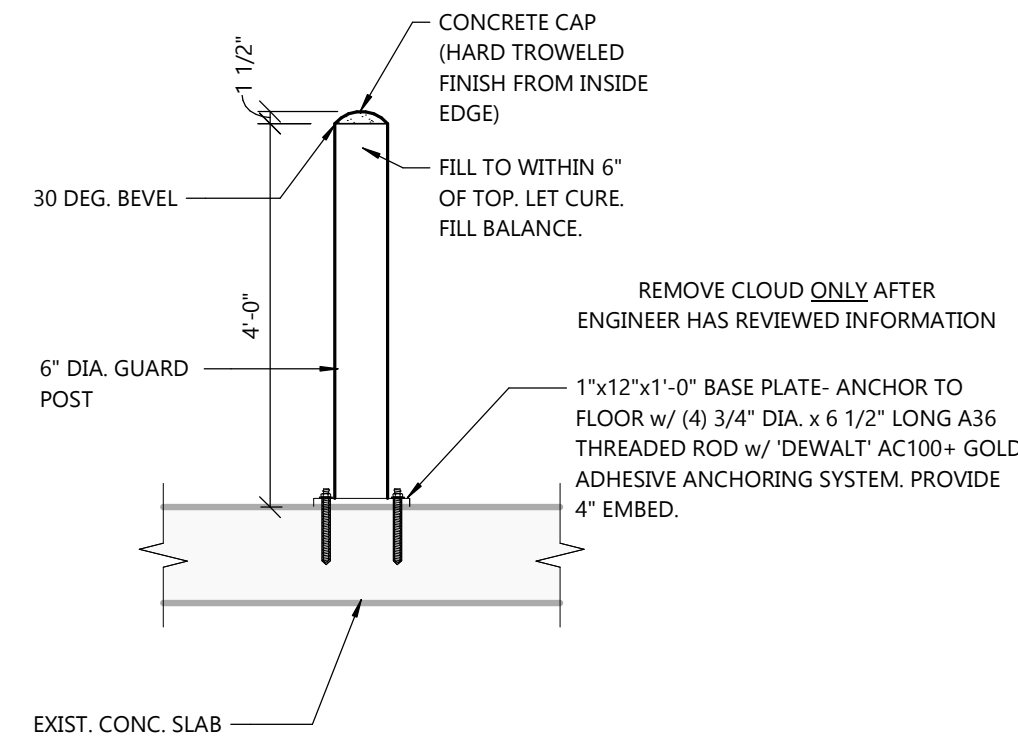


DUMPSTER PLAN
SCALE: 1/8" = 1'-0"



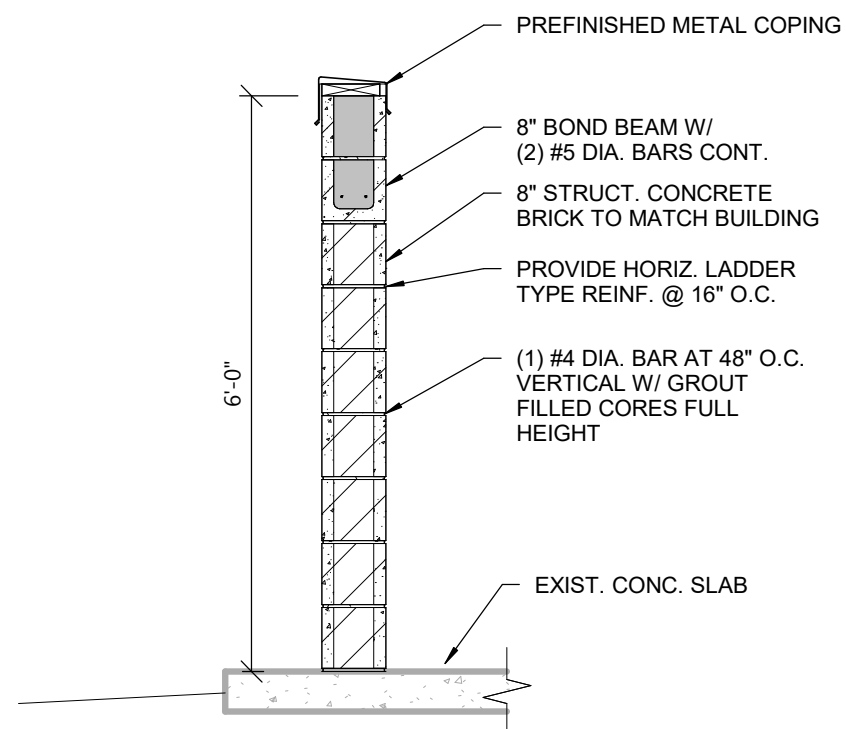
SECTION A-A
N.T.S. ALL STEEL TO BE GALVANIZED ELEVATION

5 GATE SLIDE BOLT
SCALE: 1 1/2" = 1'-0"

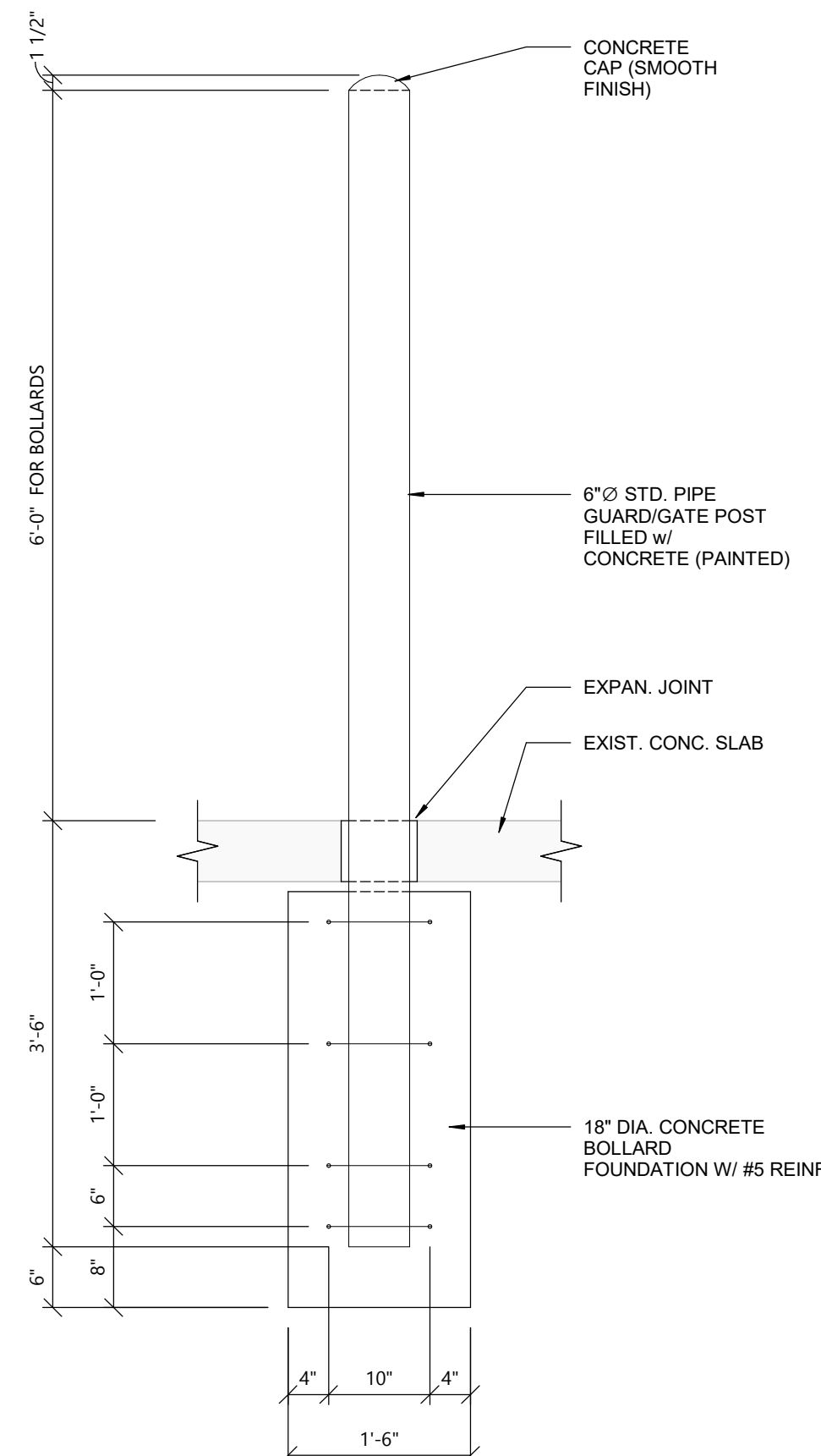


GUARD POST NOTES:
• ONE COAT PRIMER AND TWO COATS OF FINISH PAINT. VERIFY COLOR WITH OWNER.

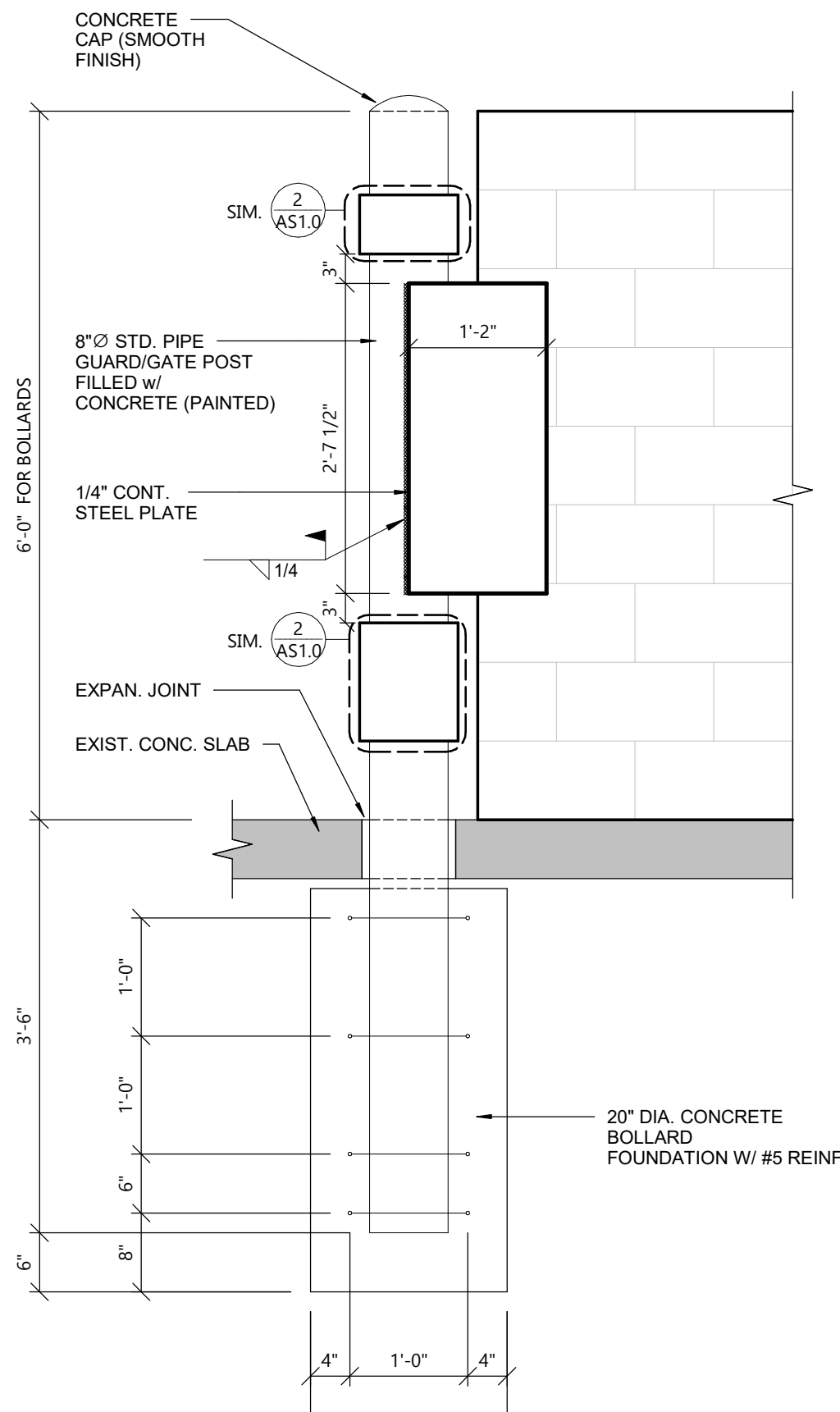
7 GUARD POST CONNECTION
SCALE: 1/2" = 1'-0"



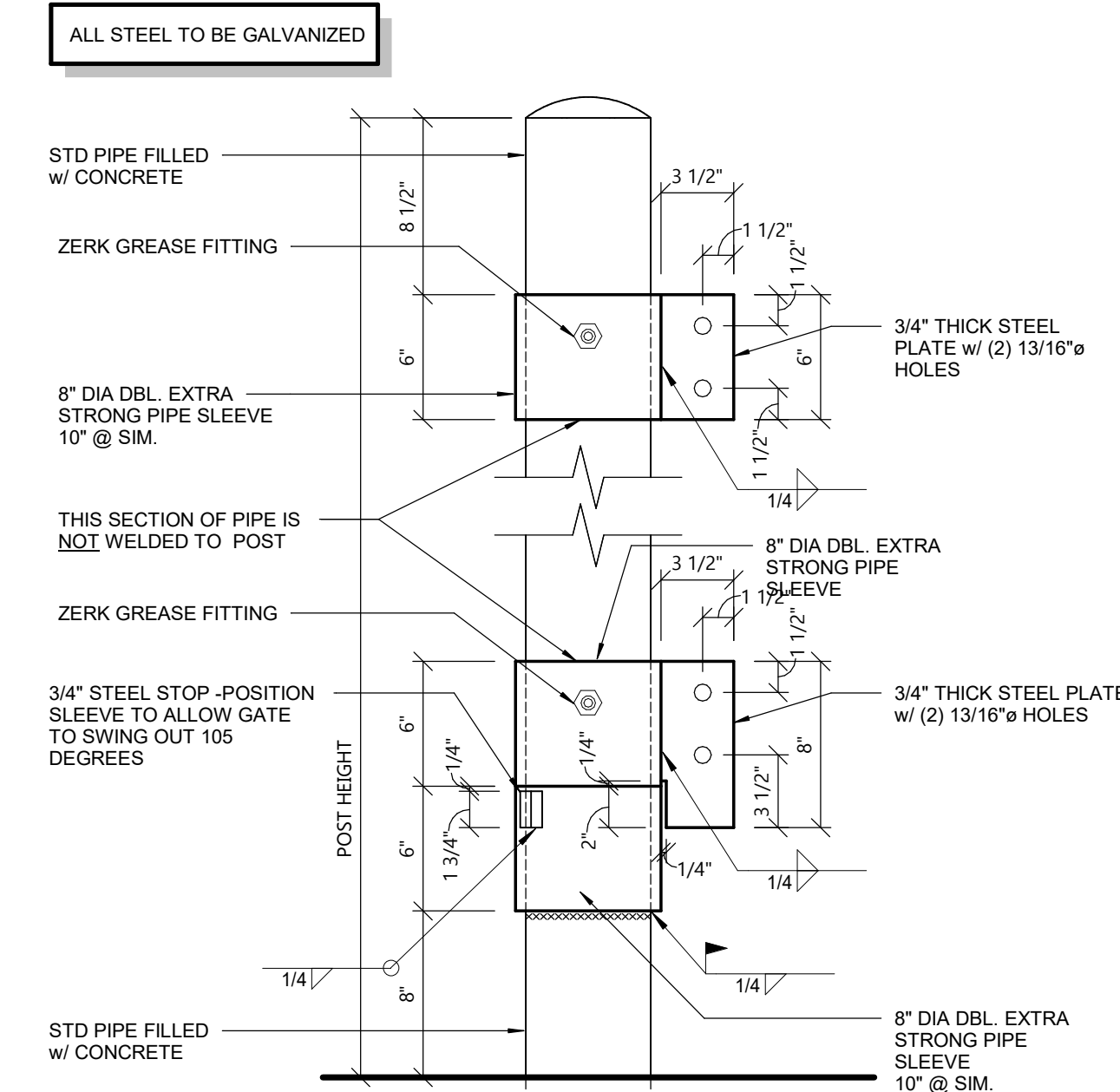
6 DUMPSTER WALL SECTION
SCALE: 1/2" = 1'-0"



4 6\"/>



3 8\"/>



2 GATE HINGE DETAIL
SCALE: 1 1/2" = 1'-0"

ARCHITECTURAL FIRST FLOOR PLAN



SECURITY
313-441-1770

