

ZONING COMMISSION APPLICATION			
FEES:			
ZONE CHANGE	\$1,000	MINOR ADJUSTMENT TO A PUD	\$200
PUD I	\$1,000	MAJOR ADJUSTMENT TO A PUD	\$1,000
PUD II	\$1,200	MINOR ADJUSTMENT TO LASR	\$200
LASR	\$1,000	MAJOR ADJUSTMENT TO LASR	\$1,000
THERE SHALL BE NO REFUND OR PART THEREOF ONCE PUBLIC NOTICE HAS BEEN GIVEN			

APPLICATION NUMBER
2023-06MA
DO NOT WRITE IN THIS SPACE

1. PROJECT ADDRESS: 7700-7724 Montgomery Road ZIP CODE: 45236

2. NAME	STREET ADDRESS	CITY	ST	ZIP	PHONE NUMBER
OWNER	RCG-Cincinnati, LLC	Atlanta	GA	30305	(404) 665-1127
CONTRACTOR					
DESIGNER	N/A				
APPLICANT	KMK Law	Cincinnati	OH	45202	(513) 579-6592
APPLICANTS E-MAIL ADDRESS	ttepe@kmklaw.com				

3. ZONING COMMISSION ACTION REQUESTED: ZONE CHANGE FROM ZONE _____ TO ZONE _____
 PUD I PUD II LASR
 MAJOR ADJUSTMENT TO A PUD MINOR ADJUSTMENT TO A PUD
 MAJOR ADJUSTMENT TO A LASR MINOR ADJUSTMENT TO A LASR

4. STATE IN DETAIL ALL EXISTING & PROPOSED USES OF THIS BUILDING OR PREMISES:
See narrative included in the attached letter.

5. SQUARE FEET: _____ 6. USE: _____ 7. HEIGHT: _____

8. EST. START DATE: Upon Approval 9. EST. FINISH DATE: TBD 10. # OF SIGNS: _____

THE DEPARTMENT OF PLANNING & ZONING IS DEDICATED TO THE CONTINUING PROSPERITY OF SYCAMORE TOWNSHIP. WE PROMOTE HIGH STANDARDS FOR DEVELOPMENT AND QUALITY PROJECTS. WE LOOK FORWARD TO SERVING OUR CITIZENS AND BUSINESS COMMUNITY TO MAKE SYCAMORE TOWNSHIP THE BEST IT CAN BE.

The owner of this project and undersigned do hereby certify that all of the information and statements given on this application, drawings and specifications are to the best of their knowledge, true and correct. The applicant and owner of the real property agree to grant Sycamore Township access to the property for review and inspection related to this Zoning Commission application.

NOTE: FILING THIS APPLICATION DOES NOT CONSTITUTE PERMISSION TO BEGIN WORK.

[Signature] 5/15/23
 APPLICANT'S SIGNATURE DATE
[Signature] 5/15/23
 PROPERTY OWNER'S SIGNATURE DATE



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

May 15, 2023

Sycamore Township Zoning Commission
Mr. Roger Friedmann, Chairman
Mr. Rich Barrick, Vice Chairman
Ms. Anne Flanagan
Mr. Bill Mees
Mr. Steve Roos
Mr. Bill Swanson

c/o Mr. Jeff Uckotter
Planning and Zoning Administrator
8540 Kenwood Road
Sycamore Township, OH 45236

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

Dear Commissioners:

This firm and the undersigned represent the property owner, RCG-Cincinnati, LLC (the "Owner") (the undersigned and Owner collectively, the "Applicant") with respect to property at Parcel Nos. 60002110040, 60002110039, 60002110038, 69992110638, 60002110543, and 60002110558, 7700-7724 Montgomery Rd., Cincinnati, Ohio 45236, commonly known as the Shoppes at Kenwood (the "Property"). This correspondence is submitted as a part of the Application (the "Application") for Major Adjustment to a PUD (the "Major Adjustment") as provided under the Sycamore Township Zoning Resolution. For the reasons stated below, the Applicant submits that the proposed Major Adjustment is harmonious and supportive of the Sycamore Township citizens and business community.

Enclosed as **Exhibit A** are metes and bounds descriptions for the property, and additional applicable platting and surveying information to assist this Commission in reviewing this Application for Major Amendment pursuant to the PUD Application Completion Checklist.

I. Existing Conditions and Zoning

The Shoppes at Kenwood is an approximately 130,000 sq. ft. community retail center located off Montgomery Road, and in the heart of the Kenwood retail submarket, Cincinnati's premier retail trade center. The Property consists of a three-story building housing McAlister's Deli as its floor-level tenant, as well as additional tenant spaces constructed in 1991 and 2003. The Property contains a variety of tenants, including Sherwin Williams, Sally's Beauty Supply, Buffalo Wild Wings, Gordon Food Service, Dollar General, the UPS Store, and Children's Medical Center, among others. Identification of the current tenants at the Property is included in the site plan

Keating Muething & Klekamp PLL

Attorneys at Law

One East Fourth Street | Suite 1400 | Cincinnati, Ohio 45202

P: 513.579.6400 | F: 513.579.6457 | kmlaw.com

attached as **Exhibit B**. The Property was zoned from “O” Office and “B” Residence to “EE” Planned Business District in 2000 through Sycamore Township Resolution No. 2000-13. Resolution No. 2000-13 included a list of conditions for the Shoppes of Kenwood expansion, as modified relating to restaurant space pursuant to the attached **Exhibit C**. The conditions as modified provide that all restaurant uses located at the Property would not exceed 13,500 sq. ft. net, and that appropriate filtering systems would be utilized in connection with any restaurant use. These conditions have been maintained, as currently there is approximately 10,613 sq. ft. of restaurant space in use, and all industry standard and health-code compliant measures are being utilized by the restaurants. The current restaurant use is not only zoning compliant with Resolution 2000-13 as amended, it is also harmonious with the neighborhood as evidenced by the fact that the Owner has never received a complaint from neighboring properties relating to the restaurant use.

The surrounding land uses adjacent to the Property provide a number of unique and high-end retail centers that make the area a major shopping destination for the Cincinnati area, featuring properties such as Kenwood Towne Centre and the Kenwood Collection. Immediately adjacent to the Property at the northeast are additional retail properties and the St. Vincent Ferrer Church campus, and to the south and east are condominiums and other single-family residences.

The improvements on the Property were constructed 20+ years ago, and the Owner has operated the Property since 2014. The Applicant submits this Application with the purpose of accomplishing the following:

1. Identify the ways in which the Owner is investing in rejuvenating and beautifying the Property following the approval of this Application. The Applicant is currently soliciting bids for this work, as discussed in Section II below;
2. Implement a minor change in business hours of operation, to accommodate two early-morning tenants offering breakfast and fitness services; and
3. Professionally clean the improvements at the Property, including the dumpsters, to meet the requirements of Resolution No. 2000-13 and harmoniously meet the needs of the tenants at the Property.

These modest requests to modify the PUD will support the Property as it stands today, improve the overall appearance of the Property and surrounding neighborhood, and support the Sycamore Township community overall. The modification to the permitted business hours of operation will not impact the neighboring community, and, in fact, provide services to Sycamore Township that are otherwise unavailable (namely an early-morning breakfast establishment, 6’N the Mornin’, and a CrossFit studio). The rejuvenation of the Property is helpful as additional work and painting will improve the overall aesthetic of the Property. And finally, Resolution No. 2000-13 provides that dumpsters are permitted except in the east access lane. *See* Resolution No. 2000-13 at Condition 4. The location of the dumpsters will continue to satisfy this requirement.

II. Proposed Development

As noted above, this Application seeks to address three items at the Property. First, the Owner is undergoing significant efforts to beautify the Property, including through the use of power washing the buildings, painting the exterior of the buildings, and repairing fencing as well as replacing landscaping at the Property. Enclosed as **Exhibit D** are estimates and proposals from vendors the Applicant has solicited to undertake these beautification efforts at the Property. The Applicant is currently receiving bids for the work at the Property. Therefore, the proposal attached from JTF Construction, Inc. identifies the work that will be performed at the Property, while it is possible the Applicant will use a different vendor for this work. Additionally, the Owner has already repaired exterior façade degradation at the Property, which was caused by a motor vehicle accident. As a result of these beautification endeavors, the overall appearance of the Property will increase substantially. Specifically, upon approval of this Application, the Owner will improve the following:

- **Landscaping.** Sycamore Township staff has identified a concern that 16 evergreen buffering landscaping trees are missing from the Property. The Applicant will replace these 16 evergreen trees, and work with experienced landscaping professionals to improve the overall aesthetic of the Property. The Owner is working to identify a vendor who can provide the specific type of tree required at the Property, and the Owner will supplement this Application when a vendor is identified. Fencing repair is also underway with Baha Facilities MGT. These improvements will improve the landscaping at the Property, and satisfy the requirements of Resolution No. 2000-13.
- **Professional Cleaning & Façade Replacement.** The Owner is receiving bids from qualified vendors who can perform significant work on power washing, repainting, and masonry work at the Property. This includes façade power washing and painting of the clock tower, power washing of the lower façade and columns at the Property, power washing sidewalks and curbing, professionally cleaning all dumpsters, masonry to improve the mortar joints at the Property, and repainting at the Property. The attached bid from JTF Construction, Inc. demonstrates the work that the Applicant will perform at the Property, and the Applicant will finalize its selection of the vendor to perform this work shortly.

In total, the Owner intends to invest significantly in improvements to the Property upon approval of the PUD modification, as reflected in the attached Exhibit D, with estimated costs in these investments being currently quoted at well over \$75,000. The Owner is also currently coordinating with experienced landscaping professionals to source the appropriate trees for the Property. These changes are certain to improve the appearance and overall attractiveness of the Property and support the surrounding area as well.

One item that has been addressed by the Township is the handling of trash at the Property, and the storage of carts and a POD at the Property. The Owner is working with the tenants to put

systems into place to ensure that trash is properly addressed, and to police the property so that inappropriate storage is not occurring.

In addition to these measures, the Applicant is requesting a modification to the hours of operation permitted at the Property. Currently, business operations are prohibited between 1:00 a.m. to 7:00 a.m. Two tenants at the Property—the breakfast establishment and the CrossFit studio—currently desire to operate starting at 5:30 a.m. in the morning. As the Owner has been working with Sycamore Township, the Township has been gracious in permitting these tenants to continue operation while this Application is pending. During this time, the two tenants have been operating harmoniously with the community, and they will continue to operate harmoniously with the Property going forward. The tenants and the Owner have every intention of being considerate neighbors in the Sycamore Township community, and operating peaceful, respectful businesses.

Finally, as the attached Existing Features site plan reflects, the Owner proposes to maintain dumpsters at the Property at the locations listed. Resolution No. 2000-13 specifically outlines that dumpsters are permitted anywhere at the Property outside of the east access lane, and this requirement will continue to be honored. Given the specific structure of the Property as including a number of tenants, it is necessary for tenants to be provided access to trash that is convenient to the specific store and efficient for the maintenance of the Property. It would not be efficient or prudent to require a store employee to walk a great distance to arrive at a dumpster enclosure. This could result in spills and negatively impact the environment, particularly as the Property houses restaurants and a paint store. Moreover, the space provided for dumpster enclosures behind stores is at a premium, requiring strategic placement of dumpsters. With all that said, the current utilization of dumpster enclosures at the Property fully complies with the zoning imposed under Resolution No. 2000-13.

Township staff has requested that the CrossFit cease rear entry at the facility. This is not required under Resolution No. 2000-13, nor is it feasible. The CrossFit studio does not face the Montgomery Road entrance of the structure, and is adjacent to a separate leased facility. As a result, the CrossFit studio must continue to provide access through its rear entrance.

III. Impact and Compatibility with Surrounding Area

As previously discussed, the relief sought by the Applicant involves a modest modification to the conditions imposed by Resolution No. 2000-13, as well as significant investment in the beautification of the Property. For the reasons discussed below, the proposal herein will have a positive impact on the surrounding area.

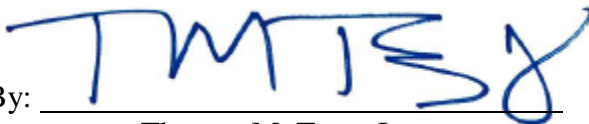
- a. *Community Objectives and Plans.* The vision of Sycamore Township is to provide a high-quality residential and business community, to enhance the quality of life for its residents and maintain a healthy and positive climate for its businesses. The proposal sought here does precisely that, by offering additional business facilities for Sycamore's early birds, and by increasing and beautifying the Property. This will support the health and climate of the business area, and enhance the neighborhood for the residents.

- b. *Character of the Immediate Area.* The Property is located adjacent to a variety of retail, non-profit, and residential areas. The modifications sought herein will not substantially change the use, and will enhance the Property overall to the benefit of the entire community.
- c. *Effect on Adjacent Property.* The proposal sought herein will have little practical impact on the adjacent properties, as the tenants have been operating starting at 5:30 a.m. as part of the accommodation of Sycamore Township. The dumpster enclosures will remain as they have been, and the significant improvements to the beatification of the Property will improve the overall neighborhood and community immensely. Significantly, the Owner intends to invest significantly in cleaning, painting, and renovating the exterior of the Property, as well as updating the landscaping.
- d. *Public Facilities and Services.* It serves the community to have the proposed tenants operate prior to 7:00 a.m. Kenwood is conveniently located between a number of retail and office centers in the Cincinnati region. It is helpful to the community to have a breakfast location where people can meet for business as early as 5:30 in the morning, and it is also helpful to have an exercise facility where people can exercise before the workday starts. The dumpster enclosures support the public facilities as they have been harmonious with the community for over 20 years since Resolution No. 2000-13 was implemented.

Through this Application, the Applicant believes that the interests of Sycamore Township is served, as well as the small businesses that are operating at the Property, the locally-owned CrossFit studio and 6'N the Mornin'. RCG-Cincinnati, LLC respectfully requests that this Commission approve this Application for Major Modification. Please let us know if you have any questions regarding the contents of this Application, and if we can provide any additional information. Thank you for your consideration of this matter.

Sincerely,

KEATING MUETHING & KLEKAMP PLL

By: 

Thomas M. Tepe, Jr.

cc: Mr. Lawrence E. Barbieri, Esq.

Exhibit A

LEGEND OF SYMBOLS & ABBREVIATIONS

- | | | |
|--|--|--|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |



Lot 4
Stagge, John B.
O.R. 5882, Pg 1404

Lot 3
Kreitinger, Thomas A.
O.R. 6439, Pg 380

Lot 8
Carey, Susan
P.N. 600-0211-0554-00

Lot 1
Hanley, Michael W.
P.N. 600-0211-0547-00

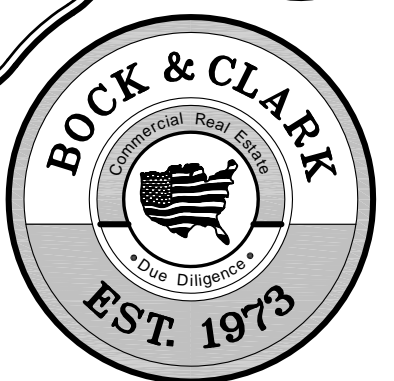
Joseph E. & Lilian Ann Marasco
O.R. 6002, Pg. 798

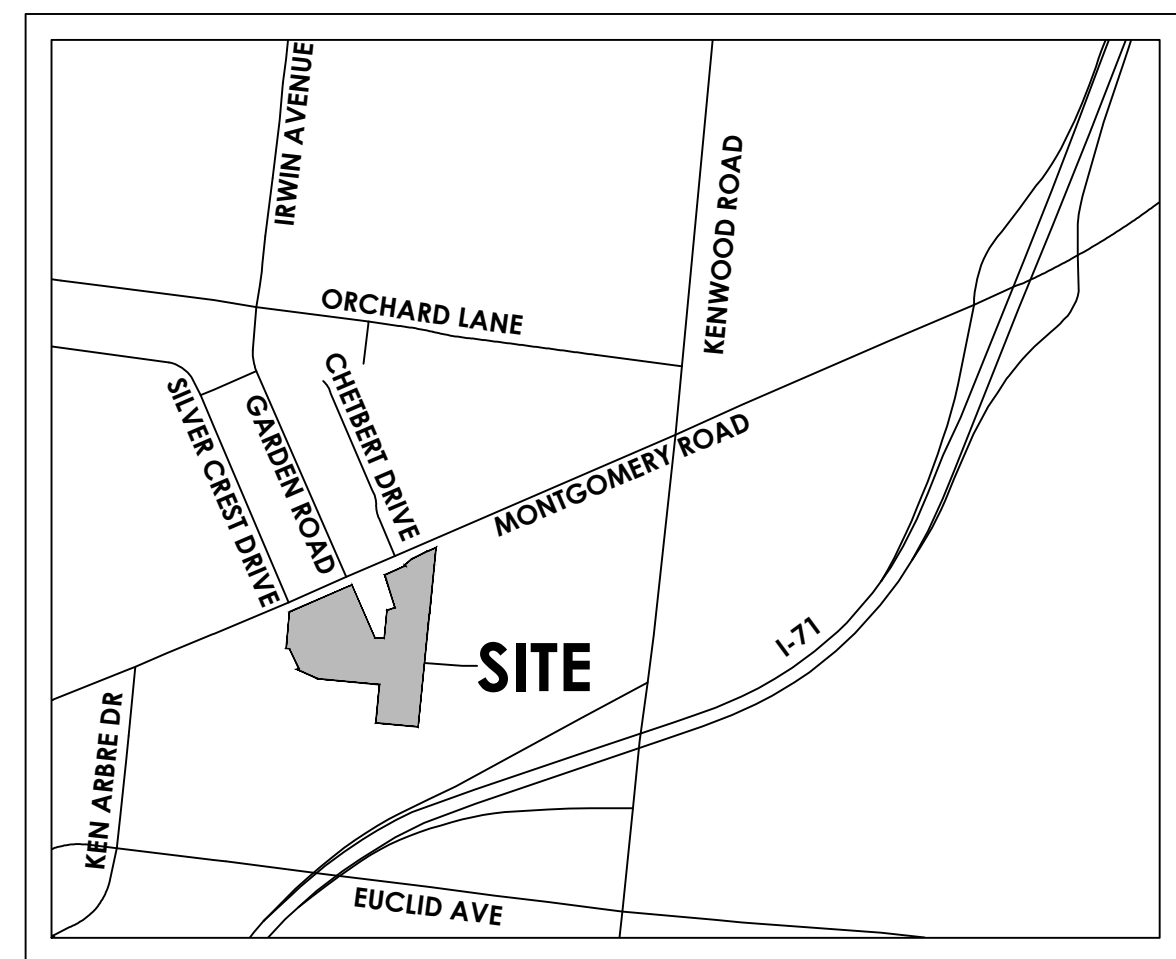
Jeanne Jordan, Trustee
Vol. 6637, Pg. 254

SCALE: 1" = 40'

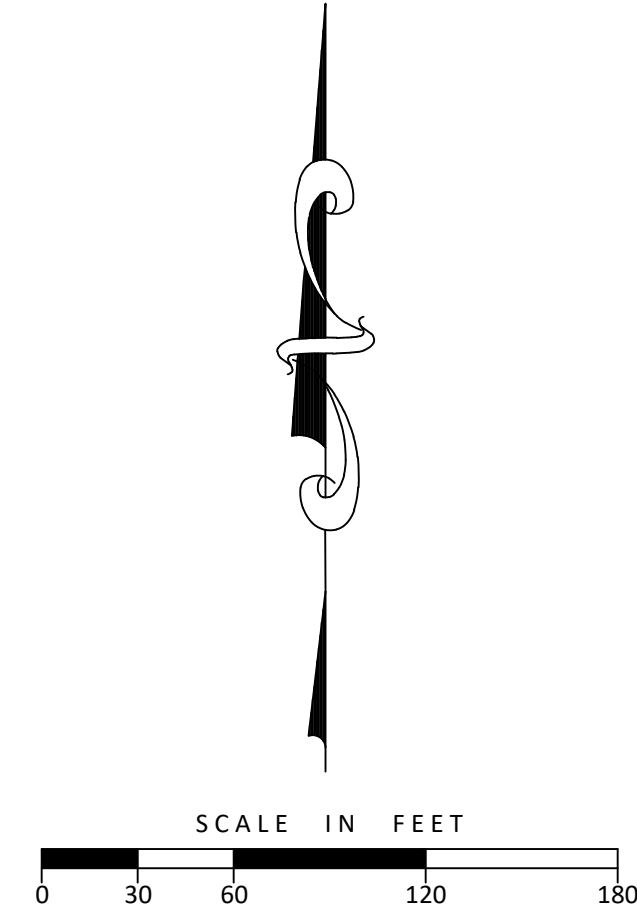
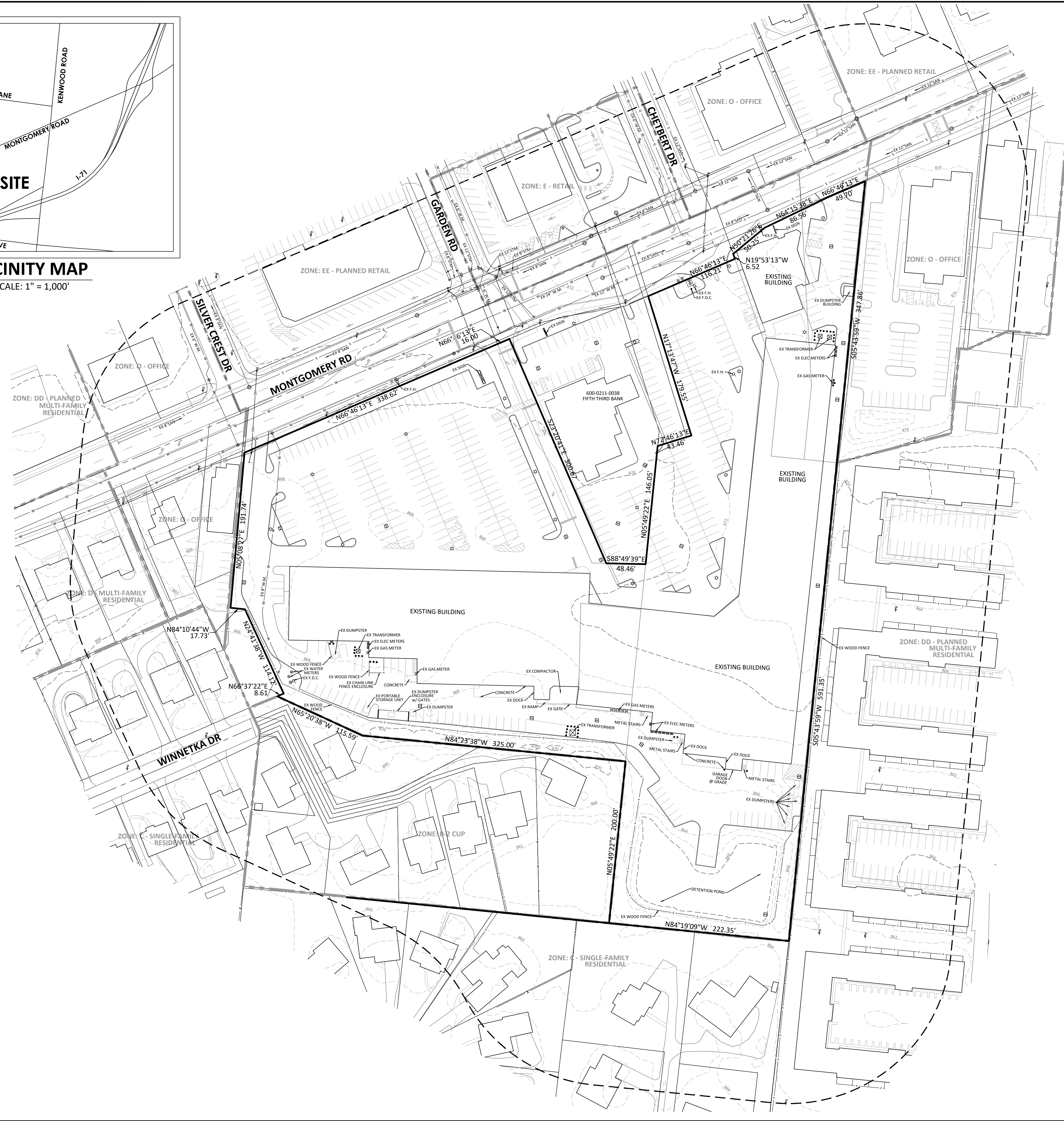
ALTA/ACSM LAND TITLE SURVEY
 PREPARED FOR:
Kenwood Shoppes Project
 DATE: June 17, 2014
 NETWORK PROJECT NO. 201401669-1 SHEET 2 OF 2

Bock & Clark's National Surveyors Network
 National Coordinators of ALTA/ACSM Land Title Surveys
 537 North Cleveland-Massillon Road, Akron, Ohio 44333
 Phone: (800) SURVEYS (787-8397), Fax: (330) 666-3608 www.bockandclark.com





VICINITY MAP
SCALE: 1" = 1,000'



- LEGEND**
- EX LIGHT POLE & BASE
 - EX TRANSFORMER
 - ⊕ EX UTILITY POLE
 - ⊗ EX WATER METER/VALVE
 - ⊘ EX FIRE HYDRANT
 - ⊙ EX GAS METER/VALVE
 - EX BOLLARD
 - ⊠ EX CATCH BASIN

GENERAL NOTES

PARCEL NUMBERS:
600-0211-0038, 0039, 0040, 0543, 0558, 0563, 0638

OWNER:
RCG-CINCINNATI LLC
3080 PEACHTREE RD
ATLANTA, GA 30305

EXISTING ZONING: EE - PLANNED RETAIL
BOUNDARY BASED ON DEEDS & SURVEYS OF RECORD

LOCATIONS OF UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON EARLIER SITE PLANS, GIS RECORDS, AND UTILITY SERVICE RECORDS. THEY ARE NOT THE RESULT OF A FIELD SURVEY.

NO GUARANTEE IS MADE THAT UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES ON THE PREMISES, EITHER IN SERVICE OR ABANDONED.

CONTOURS TAKEN FROM CINCINNATI AREA GEOGRAPHIC INFORMATION SYSTEM (CAGIS).
CONTOUR INTERVAL IS 2'.
PROJECT SITE IS LOCATED OUTSIDE OF ANY FEMA FLOODWAY OR FLOOD ZONE PER THE CURRENT FEMA FIRM MAP No. 39061C0234E, DATED 02/17/2010.

**PROPOSED MODIFICATION TO THE
EXISTING PLANNED RETAIL
7712 MONTGOMERY ROAD
SYCAMORE TOWNSHIP
HAMILTON COUNTY, OHIO**

Project Manager RLA
Drawn By BCC
DWG 23472004-GIS
X-Ref(s) ---

Issue/Revision	No.	Date

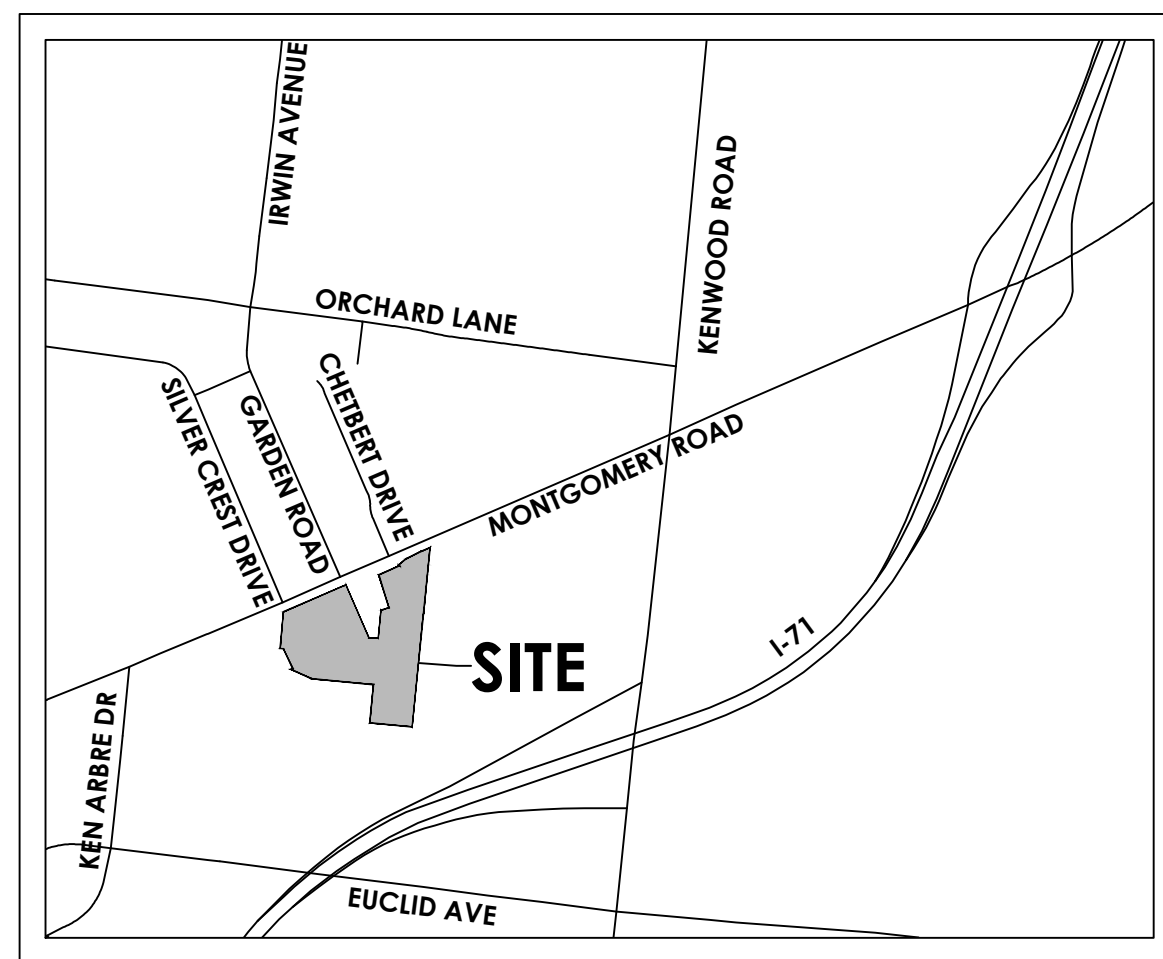
© Copyright 2023, MCGILL SMITH PUNSHON, INC.

Sheet Title

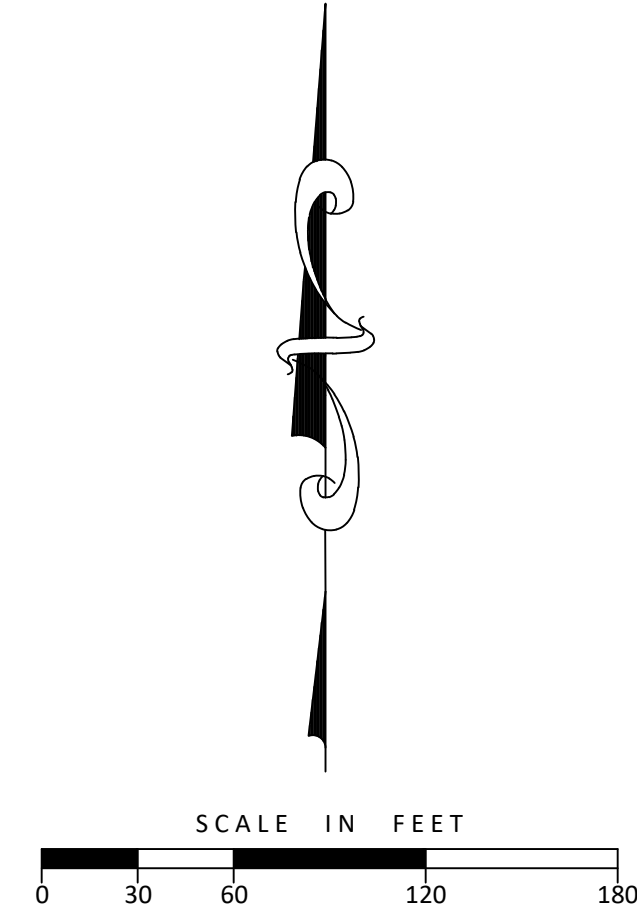
EXISTING FEATURES

Project Number 23472.00
Drawing Scale AS NOTED
Sheet Number 1 / 1
File Number 23472

N:\land projects\23000\23472\23472004-GIS.dwg, BASE, 5/11/2023 2:37:09 PM, branc



VICINITY MAP
SCALE: 1" = 1,000'



- LEGEND**
- EX LIGHT POLE & BASE
 - EX TRANSFORMER
 - ⊕ EX UTILITY POLE
 - ⊗ EX WATER METER/VALVE
 - ⊕ EX FIRE HYDRANT
 - ⊗ EX GAS METER/VALVE
 - EX BOLLARD
 - ⊠ EX CATCH BASIN

GENERAL NOTES

PARCEL NUMBERS:
600-0211-0038, 0039, 0040, 0543, 0558, 0563, 0638

OWNER:
RCG-CINCINNATI LLC
3080 PEACHTREE RD
ATLANTA, GA 30305

EXISTING ZONING: EE - PLANNED RETAIL
BOUNDARY BASED ON DEEDS & SURVEYS OF RECORD

LOCATIONS OF UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON EARLIER SITE PLANS, GIS RECORDS, AND UTILITY SERVICE RECORDS. THEY ARE NOT THE RESULT OF A FIELD SURVEY.

NO GUARANTEE IS MADE THAT UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES ON THE PREMISES, EITHER IN SERVICE OR ABANDONED.

CONTOURS TAKEN FROM CINCINNATI AREA GEOGRAPHIC INFORMATION SYSTEM (CAGIS).
CONTOUR INTERVAL IS 2'.
PROJECT SITE IS LOCATED OUTSIDE OF ANY FEMA FLOODWAY OR FLOOD ZONE PER THE CURRENT FEMA FIRM MAP No. 39061C0234E, DATED 02/17/2010.

**PROPOSED MODIFICATION TO THE
EXISTING PLANNED RETAIL
7712 MONTGOMERY ROAD
SYCAMORE TOWNSHIP
HAMILTON COUNTY, OHIO**

Issue/Revision	No.	Date

Project Number	23472.00
Drawing Scale	AS NOTED
Sheet Number	1 / 1
File Number	23472

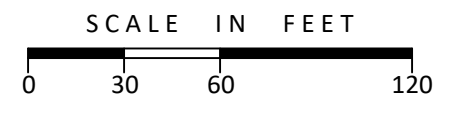
Project Manager RLA
 Drawn By BCC
 DWG 23472004-GIS
 X-Ref(s) ---

Issue/Revision	No.	Date

© Copyright 2023, MCGILL SMITH PUNSHON, INC.

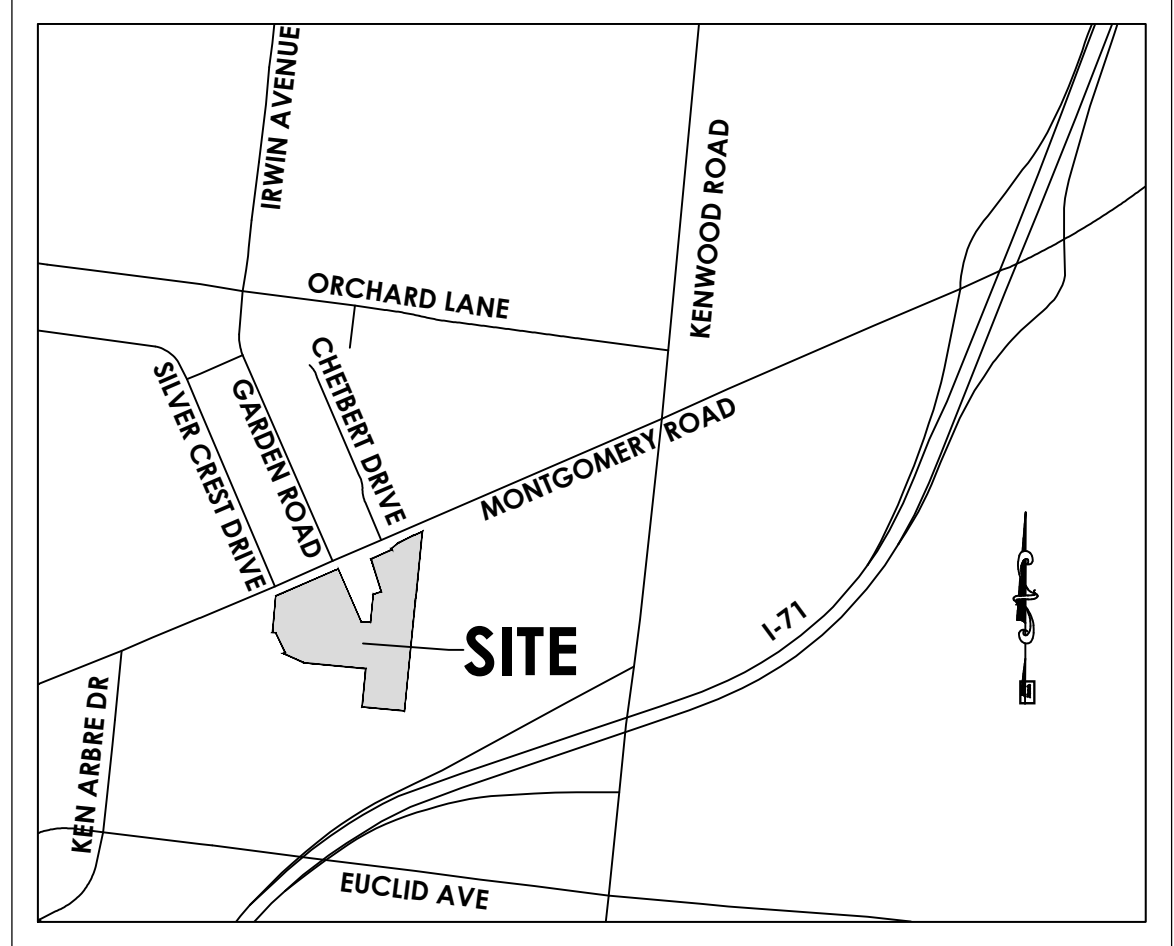
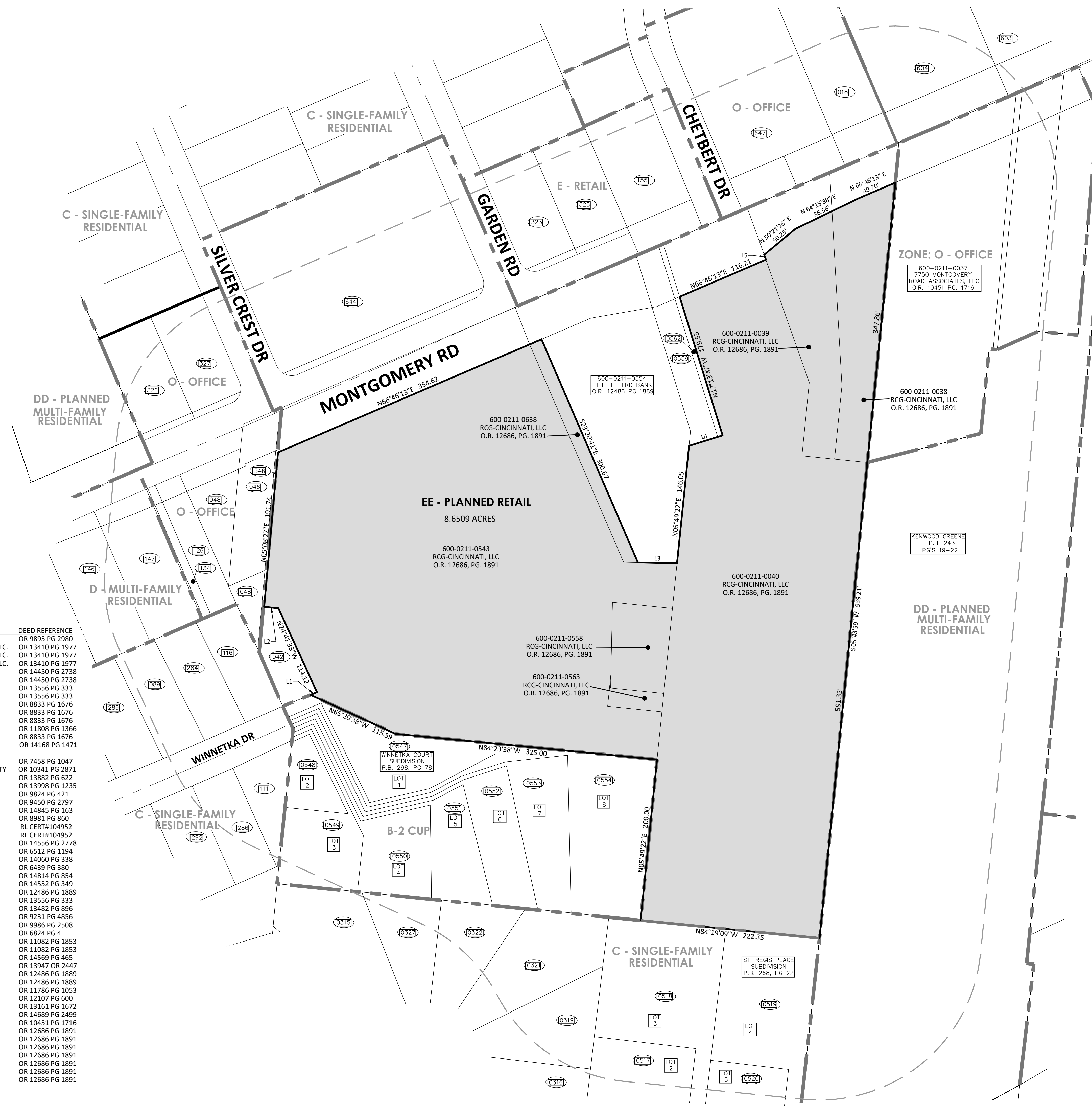
N:\land projects\23000\23472\23472004-GIS.dwg, BASE, 5/11/2023 2:38:15 PM, branc

- LEGEND**
 MONUMENTS
 (UNLESS NOTED OTHERWISE)
 ○ EX. 5/8" IRON PIN
 ✕ EX. SPIKE
 ✕ EX. NOTCH
 ✕ EX. NAIL
 △ EX. STONE
 □ EX. CONC. MON.
 --- EX. FENCE LINE
 ● 5/8" IRON PIN SET
 ○ 1" IRON PIN SET
 ✕ SPIKE SET
 ✕ NOTCH SET
 ✕ NAIL SET
 ■ CONC. MON. SET



Line #	Length	Direction
L1	8.61	N66°37'22"E
L2	17.73	N84°10'44"W
L3	48.46	S88°49'39"E
L4	43.46	N72°46'13"E
L5	6.52	N19°53'13"W

PARCEL I.D. #	PROPERTY OWNER	DEED REFERENCE
600-0211-0018	MDR HOLDINGS	OR 9895 PG 2980
600-0211-0036	VIGRAN TENTH ST. & 7750 MONTGOMERY RD., LLC.	OR 13410 PG 1977
600-0211-0091	VIGRAN TENTH ST. & 7750 MONTGOMERY RD., LLC.	OR 13410 PG 1977
600-0211-0368	VIGRAN TENTH ST. & 7750 MONTGOMERY RD., LLC.	OR 14450 PG 2738
600-0211-0042	SAMUEL DERGE	OR 14450 PG 2738
600-0211-0116	SHANGHAI INVESTMENTS, LLC	OR 13556 PG 333
600-0211-0048	SHANGHAI INVESTMENTS, LLC.	OR 13556 PG 333
600-0211-0047	RADISCH COMPANY, LLC.	OR 8833 PG 1676
600-0211-0126	RADISCH COMPANY, LLC.	OR 8833 PG 1676
600-0211-0134	RADISCH COMPANY, LLC.	OR 8833 PG 1676
600-0211-0065	OHIO VALLEY RESIDENTIAL SERVICES, INC	OR 11808 PG 1366
600-0211-0147	OHIO VALLEY RESIDENTIAL SERVICES, INC.	OR 8833 PG 1676
600-0211-0089	EQUITY TRUST COMPANY CUSTODIAN FBO ACCOUNT 200404560 IRA	OR 14168 PG 1471
600-0211-0111	MARY & CHARLES VEBABLE	OR 7458 PG 1047
600-0211-0146	CINCINNATI METROPOLITAN HOUSING AUTHORITY	OR 10341 PG 2871
600-0211-0155	L & P COMPANY	OR 13882 PG 622
600-0211-0284	1627 ROCKHURST, LLC.	OR 13998 PG 1235
600-0211-0289	HILDA ROSENBERG	OR 9824 PG 421
600-0211-0316	DEBORAH K. GAINES	OR 9450 PG 2797
600-0211-0321	BARRIE ANN MARTEN	OR 14845 PG 163
600-0211-0322	ANYI LI AND QUIFEN LIANG	OR 8981 PG 860
600-0211-0323	L & P COMPANY	RI CERT#104952
600-0211-0325	L & P COMPANY	RI CERT#104952
600-0211-0326	SILVERCREST HOLDINGS, LLC.	OR 14556 PG 2778
600-0211-0327	ANN POE REMMY	OR 6512 PG 1194
600-0211-0517	ANTHONY B. HARRIS	OR 14060 PG 338
600-0211-0518	THOMAS & PATRICIA KREITTINGER	OR 6439 PG 380
600-0211-0519	KEVJO PROPERTIES, LLC.	OR 14814 PG 854
600-0211-0520	NICOLE TAYLOR	OR 14552 PG 349
600-0211-0544	FIFTH THIRD BANK	OR 12486 PG 1889
600-0211-0546	SHANGHAI INVESTMENTS, LLC.	OR 13556 PG 333
600-0211-0547	BRADFORD & ABIGAIL FITTES	OR 13482 PG 896
600-0211-0548	MICHAEL & ANDREA BENEDIC	OR 9231 PG 4856
600-0211-0549	PATRICIA L. WHITE, TR.	OR 9986 PG 2508
600-0211-0550	BRIAN & KATHI RICHARD	OR 6824 PG 4
600-0211-0551	CAROLYN M. TUPLER, TR.	OR 11082 PG 1853
600-0211-0552	ROSE A. PALMIERI, TR.	OR 11082 PG 1853
600-0211-0553	YIU SHIH	OR 14569 PG 465
600-0211-0554	SUSAN J. CAREY, TR.	OR 13947 OR 2447
600-0211-0559	FIFTH THIRD BANK	OR 12486 PG 1889
600-0211-0562	FIFTH THIRD BANK	OR 12486 PG 1889
600-0211-0603	FIRST FINANCIAL BANK	OR 11786 PG 1053
600-0211-0604	US BANK NATIONAL ASSOCIATION	OR 12107 PG 600
600-0211-0644	MONTGOMERY ROAD CENTER, LLC.	OR 13161 PG 1672
600-0211-0647	BSM ONSITE, LLC.	OR 14689 PG 2499
600-0211-0037	7730 MONTGOMERY ROAD ASSOCIATES, LLC.	OR 10451 PG 1716
600-0211-0038	RCG-CINCINNATI, LLC.	OR 12686 PG 1891
600-0211-0039	RCG-CINCINNATI, LLC.	OR 12686 PG 1891
600-0211-0040	RCG-CINCINNATI, LLC.	OR 12686 PG 1891
600-0211-0543	RCG-CINCINNATI, LLC.	OR 12686 PG 1891
600-0211-0558	RCG-CINCINNATI, LLC.	OR 12686 PG 1891
600-0211-0563	RCG-CINCINNATI, LLC.	OR 12686 PG 1891
600-0211-0638	RCG-CINCINNATI, LLC.	OR 12686 PG 1891



VICINITY MAP
 SCALE: 1" = 1,000'



GENERAL NOTES

- BOUNDARY BASED ON DEEDS & SURVEYS OF RECORD
- BASIS OF BEARING: O.R. VOLUME 12686, PAGE 1891
- EXISTING ZONE: EE-PLANNED RETAIL
- MODIFICATION: 8.6509 ACRES

OWNERS

RCG-CINCINNATI LLC
 3080 PEACHTREE RD
 ATLANTA, GA 30305

**PROPOSED
 MODIFICATION TO THE
 EE-PLANNED RETAIL
 PLAT**
 SECTION 13, TOWN 4, RANGE 1,
 SYCAMORE TOWNSHIP
 HAMILTON COUNTY, OHIO

Date	05/11/23
Scale	1"=60'
Drawn By	LJH
Proj. Mgr.	RLA
Survey Database	
DWG	23472003-ZON-00
X-Ref(s)	
Project Number	23472.00
File No.	23472
Sheet No.	1 / 1

MSP
 DESIGN
 McGill Smith Punshon

Architecture 3700 Park 42 Drive
 Engineering Suite 190B
 Landscape Architecture Cincinnati OH 45241
 Planning Phone 513.759.0004
 Surveying www.mspdesign.com

C:\Users\ljohnson\OneDrive\Documents\23472003-ZON-00.dwg, Zoning, Change, 5/11/2023, 2:59:41 PM, Auto

DESCRIPTION FOR: RCG-CINCINNATI, LLC

LOCATION: Montgomery Road
8.6509 Acres
Area Zoned E-E Planned Retail

Situate in Section 13, Town 4, Entire Range 1, Sycamore Township, Hamilton County, Ohio, and being part of lands conveyed to RGC-Cincinnati, LLC by deed recorded in O.R. Volume 12686, Page 1891, Hamilton County, Ohio Recorder's Office (parcel No. 600-0211-0038, 600-0211-0039, 600-0211-0040, 600-0211-0543, 600-0211-0563, 600-0211-0558, 600-0211-0638) and being more particularly described as follows:

Beginning at the southeast corner of Lot 8 of Winnetka Court Subdivision as recorded in Plat Book 298, Page 78, Hamilton County, Ohio Recorder's Office;

Thence with existing zoning lines and lines of said Winnetka Court Subdivision for the following three (3) courses and distances:

- 1) North 05°49'22" East, 200.00 feet to a point;
- 2) North 84°23'38" West, 325.00 feet to a point;
- 3) North 65°20'38" West, 115.59 feet to a point in the south line of a 0.118 acre tract as conveyed to Samuel Degre by deed recorded in O.R. Volume 14450, Page 2738, Hamilton County, Ohio Recorder's Office;

Thence with existing zoning lines and lines of said 0.118 acre tract for the following three (3) courses and distances:

- 1) North 66°37'22" East, 8.61 feet to a point;
- 2) North 24°41'38" West, 114.12 feet to a point;
- 3) North 84°10'44" West, 17.73 feet to a point in the east line of a 0.0134 acre tract as conveyed to Shanghai Investments, LLC by deed recorded in O.R. Volume 13556, Page 333, Hamilton County, Ohio Recorder's Office;

Thence with existing zoning line and the east line of said 0.0134 acre tract, North 05°08'27" East, 191.74 feet to a point in the south right of way line of Montgomery Road;

Thence with existing zoning line and the south line of said Montgomery Road, North 66°46'13" East, 354.62 feet to the northwest corner of lands conveyed to Fifth Third Bank by deed recorded in O.R. Volume 12486, Page 1889, Hamilton County, Ohio Recorder's Office;

Thence with existing zoning lines and lines of said Fifth Third Bank lands for the following five (5) courses and distances:

- 1) South 23°20'41" East, 300.67 feet to a point;
- 2) South 88°49'39" East, 48.46 feet to a point;
- 3) North 05°49'22" East, 146.05 feet to a point;
- 4) North 72°46'13" East, 43.46 feet to a point;
- 5) North 17°13'47" West, 179.55 feet to a point in the south right of way line of said Montgomery Road;

Thence with existing zoning lines and the south line of said Montgomery Road for the following five (5) courses and distances:

- 1) North 66°46'13" East, 116.21 feet to a point;
- 2) North 19°53'13" West, 6.52 feet to a point;
- 3) North 50°21'26" East, 50.25 feet to a point;
- 4) North 64°15'38" East, 86.56 feet to a point;
- 5) North 66°46'13" East, 49.70 feet to the northwest corner of a 1.1138 acre tract as conveyed to 7750 Montgomery Road Associates, LLC by deed recorded in O.R. Volume 10451, Page 1716, Hamilton County, Ohio Recorder's Office;

Thence existing zoning line and the west line of said 1.1138 acre tract and the extension, South 05°43'59" West, 939.21 feet to the northeast corner of St. Regis Place Subdivision as recorded in Plat Book 268, Page 22, Hamilton County, Ohio Recorder's Office;

Thence with existing zoning line and the north line of said St. Regis Place Subdivision, North 84°19'09" West, 222.35 feet to the POINT of BEGINNING.

Containing 8.6509 acres of land more or less.

The above description was prepared from a Zoning Plat by McGill Smith Punshon, Inc. dated May 11, 2023. Bearings are based on O.R. Volume 12686, Page 1891

I hereby certify that the above description is a complete, proper and legal description of the property to be re-classified herein. The above description is based on existing deeds and plats of record and is not based on an actual field survey. Said description is to be used for the purpose of re-classification only, and is not to be used for the transfer of property.


05/11/23
Louis J Hanser P.S. #7843

Prepared by: McGill Smith Punshon, Inc.
Date: May 11, 2023
MSP No.: 23472.00

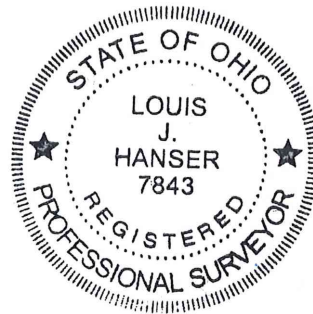


Exhibit B

Shoppes At Kenwood

7670-7720 Montgomery Road, Cincinnati, OH 45236



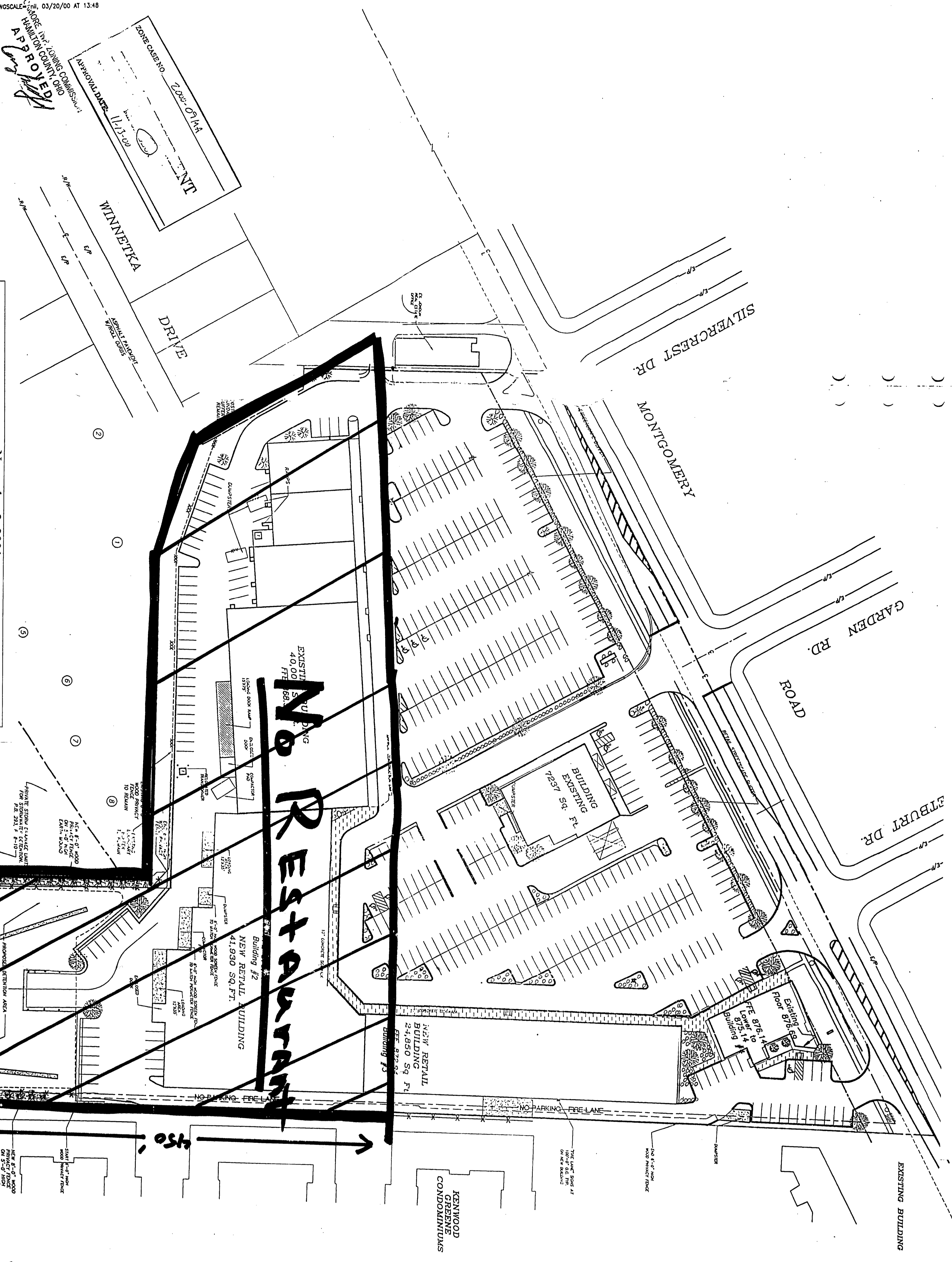
TENANT ROSTER		
SUITE	TENANT	SIZE
7720	McAlister's Deli	4,400 SF
7720A	Available	2,008 SF
7720B	Hyde Park Pediatrics	2,808 SF
7720C	Available	4,766 SF
7714A/B	Swimville	3,628 SF
7714C	Available	1,519 SF
7714D	Buffalo Wild Wings	5,013 SF
7714F	Available	1,650 SF
7714G	Sally Beauty Supply	1,500 SF
7714H	6 'N the Mornin"	1,200 SF
7714I	Diva Eyebrows	1,200 SF
7714J	Essence Nails	2,700 SF
7714M	Club Champion	2,308 SF
7714N	CosmoProf	2,850 SF
7712A	Sherwin Williams	5,000 SF
7712B	Available	5,845 SF
7712C	CrossFit	4,745 SF
7712D/G	Discount Furniture Warehouse	13,612 SF
7712I	Home Care Associates	1,603 SF
7710A	SVS Vision	1,685 SF
7710B	Foster Hearing	1,493 SF
7710E	Available	7,835 SF
7696	GFS	16,105 SF
7694	Dollar General	10,290 SF
7690	Children's Medical Center	6,000 SF
7680	CheckSmart	2,800 SF
7672	The UPS Store	1,200 SF
7670	Montgomery Animal Hospital	4,000 SF
7708	Fifth Third Bank	Outparcel
TOTAL		119,763 SF

	LEASED
	AVAILABLE
	NOT OWNED

The UPS Store

Exhibit C

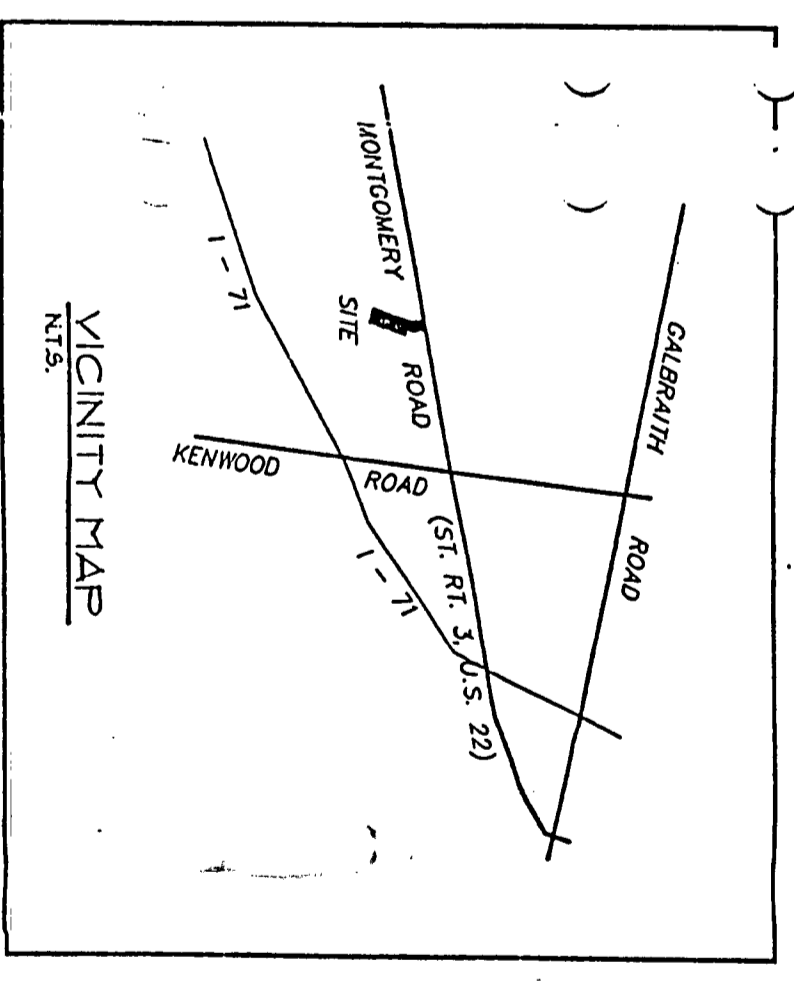
RESTAURANT MODIFICATION PLAN FOR ZONING COMPLIANCE



November 2, 2001

The Restaurant/Bar/Deli/Cafe/Bakery or any other food service use, other than prepackaged food items sold at retail for consumption off the premises, as stated in the Sycamore Township Zoning Resolution shall not exceed 13,500 square feet, net leasable area, in the entire development which shall include any existing or proposed structures. Any such use shall not be located within the area designated "No Restaurant" on this rendering. This amendment shall replace all prior requirements, restrictions and conditions regarding square footage of food service operations on the entire property, including, but not limited to, any square footage of restaurant uses in the existing buildings. All other provisions of the Resolution approving the zoning on these parcels not amended hereby shall remain in full force and effect.

OWNER:	HAUCK HOLDINGS, LTD.
DEVELOPER:	HAUCK HOLDINGS, LTD.
APPLICANT:	BRANDSTETTER CARROLL, INC.



SUMMARY TABLE

PROPOSED USE - RETAIL SHOPPING CENTER / OFFICE	
TOTAL LOT AREA	1,071,429 SQ. FT.
TOTAL COVERED AREA	103,469 SQ. FT.
TOTAL GROSS AREA	194,469 SQ. FT.

1 BUSINESS DISTRICT	
2 DOWNTOWN AREA	11,331 SQ. FT.
3 GROSS AREA	10,931 SQ. FT.
4 LOT AREA	10,931 SQ. FT.
5 GROSS AREA	10,931 SQ. FT.
6 LOT AREA	10,931 SQ. FT.
7 GROSS AREA	10,931 SQ. FT.
8 LOT AREA	10,931 SQ. FT.
9 GROSS AREA	10,931 SQ. FT.
10 LOT AREA	10,931 SQ. FT.
11 GROSS AREA	10,931 SQ. FT.
12 LOT AREA	10,931 SQ. FT.

LEGEND

- 1 EXISTING LIGHT POLE
- 2 NEW LIGHT POLE (SEE LIGHT POLE PLAN)
- 3 RECORDS TREE - SEE LANDSCAPE PLAN
- 4 SHREEN - SEE LANDSCAPE PLAN
- 5 SIGNS - SEE LANDSCAPE PLAN
- 6 2" HIGH WOOD FENCE

DEED OF ACCEPTANCE

I, THE UNDERSIGNED DO HEREBY ADOPT AND CONSENT THE PLAN OF DEVELOPMENT AND CONSTRUCTION FOR THE PROPOSED RESTAURANT MODIFICATION PLAN FOR ZONING COMPLIANCE AS A PART OF THE ZONING RESOLUTION AND CONDITIONS INCLUDED AS A PART OF THE ZONING RESOLUTION.

THE PLAN OF LAND AND SHOWN HEREON IS BEING DEVELOPED UNDER A RESOLUTION ADOPTED

SAYED ENTIRE TRACT OF LAND AND ALL IMPROVEMENTS THEREON SHALL BE BOUND IN A SINGLE CONDEMNATION AND NO OTHER PART OF THE TRACT SHALL BE BOUND IN ANOTHER CONDEMNATION. THE UNDERSIGNED SHALL BE BOUND BY THE TERMS AND CONDITIONS OF SAID RESOLUTION AS LONG AS SAID RESTAURANT MODIFICATION PLAN FOR ZONING COMPLIANCE IS IN FULL FORCE AND EFFECT.

STATE OF OHIO
COUNTY OF SHELTON 95

I, THE UNDERSIGNED, PUBLIC N AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PLAN IS A TRUE AND CORRECT COPY OF THE PLAN AS APPROVED BY THE ZONING COMMISSION AND THAT THE UNDERSIGNED IS A MEMBER OF SAID COMMISSION.

DATE: 11-5-01

WITNESSES:

SHOPPES OF KENWOOD
FOR HAUCK HOLDINGS, LTD.
7700 MONTGOMERY ROAD
SYCAMORE TOWNSHIP

REVISED SITE PLAN

Brandstetter Carroll Inc.
ARCHITECTS ENGINEERS PLANNERS

2363 Chauvin Dr., Lexington, Kentucky 40517 (606) 268-1933
424 Feet Fourth Street, Cincinnati, Ohio 45202 (513) 651-4224

99121 Project No.
AAZ/KEL Drawn By
MEC/JWM Checked By
2/1/00 Date

Revisions

MADE UP OF MICHAEL CARROLL ARCHITECTS REGISTERED ARCHITECT

Exhibit D



JTF CONSTRUCTION, INC.
 4235 MUHLHAUSER ROAD
 FAIRFIELD, OHIO 45014
 PHONE: 513-860-9835 FAX: 513-860-9845
 www.jtfconstruction.com

PROJECT: SHOPPES OF KENWOOD
 POWER WASHING
 ADDRESS: CINCINNATI, OH

TO: ANGELA CHAPMAN
 ATTN: RCG VENTURES

DATE: 4/17/2023

QTY.	UNITS	DESCRIPTION	AMOUNT	TOTAL
<u>FACADE POWER WASHING</u>				
1	LS	POWER WASH UPPER FACADE AND REPLACE ROTTED CLOCK TOWER WOOD W/ NEW. PAINT WITH EXTRIOR GRADE PAINT TO MATCH EXISTING (INCLUDES COST FOR LIFT)	\$	10,440.00
1	LS	POWER WASH LOWER FACADE & COLUMNS	\$	3,714.00
1	LS	POWER WASH SIDEWALKS AND CURBING	\$	3,714.00
			TOTAL:	\$ 17,868.00
<u>EXCLUSIONS:</u>				
* UNEXPOSED ROOFING & ROOFING ACCESSORIES				
* TENANT SIGNAGE				
* LIGHTING & WALL/SOFFIT-MOUNTED EQUIPMENT				
* STOREFRONT				
* REPAIRS OF ANY KIND UNLESS OTHERWISE NOTED ABOVE				
* TRASHCANS				
* REPAINTING OF FACADE UNLESS OTHERWISE NOTED ABOVE				
<u>CLARIFICATIONS</u>				
* POWER WASHING TO ONLY INCLUDE FRONT BUILDING FAÇADE. EXCLUDES SIDES & BACK OF BUILDINGS				
* UPPER FAÇADE = WALL/ROOF SURFACES ABOVE SOFFIT				
* LOWER FAÇADE = SOFFITT & WALL SURFACES BELOW SOFFITT				
ALL WORK TO BE PERFORMED DURING NORMAL BUSINESS HOURS, UNLESS NOTED OTHERWISE.				
PROPOSAL SUBMITTED BY: ANDREW BLANCK				
<u>TERMS AND CONDITIONS:</u>				
In the event Purchaser breaches or defaults under the terms and provisions of this Agreement, the Purchaser shall be responsible for the costs of collection, including reasonable attorneys' fees. There shall be a 1 1/2% service charge per month for all payments due and owing after specified due date. (Agreements are contingent upon strikes, accidents, or delays beyond JTF Construction, Inc. control.)				
ACCEPTANCE: Terms, Price, and specifications on all pages of this proposal are hereby accepted and the work authorized.				
Purchaser: _____				
Signature: _____ Title: _____ Date of Acceptance: _____				



JTF CONSTRUCTION, INC.
 4235 MUHLHAUSER ROAD
 FAIRFIELD, OHIO 45014
 PHONE: 513-860-9835 FAX: 513-860-9845
 www.jtfconstruction.com

PROJECT: SHOPPES OF KENWOOD
 REAR WALL PAINTING
 ADDRESS: CINCINNATI, OH

TO: ANGELA CHAPMAN
 ATTN: RCG VENTURES

DATE: 1/11/2023

QTY.	UNITS	DESCRIPTION	AMOUNT	TOTAL
GENERAL CONDITIONS				
1	LS	PHASE 1: DUMPSTER, FINAL CLEANING	\$	1,200.00
1	LS	PHASE 2: DUMPSTER, FINAL CLEANING	\$	1,200.00
1	LS	PHASE 1: EQUIPMENT RENTAL	\$	1,860.00
1	LS	PHASE 2: EQUIPMENT RENTAL	\$	3,220.00
MASONRY				
1	LS	PHASE 1: GRIND MODERATE TO SEVERELY DETERIORATED MORTAR JOINTS TO A DEPTH OF 3/4" & TUCKPOINT. REPLACE MODERATE TO SEVERELY DETERIORATED BLOCK FACE SHELLS AS NEEDED	\$	8,703.00
1	LS	PHASE 2: GRIND MODERATE TO SEVERELY DETERIORATED MORTAR JOINTS TO A DEPTH OF 3/4" & TUCKPOINT. REPLACE MODERATE TO SEVERELY DETERIORATED BLOCK FACE SHELLS AS NEEDED	\$	12,399.00
PAINTING				
1	LS	PHASE 1: POWER WASH EXTERIOR FACE OF CMU WALL & EXPOSED FOUNDATION WALL & APPLY 1 COAT OF LOXON XP ACRYLIC COATING	\$	19,370.00
1	LS	PHASE 2: POWER WASH EXTERIOR FACE OF CMU WALL & EXPOSED FOUNDATION WALL & APPLY 1 COAT OF LOXON XP ACRYLIC COATING	\$	31,750.00
			TOTAL:	\$ 79,702.00

EXCLUSIONS:

- * REMOVAL & REPLACEMENT OF BUILDING EXPANSION/CONTROL JOINT SEALANT
- REPAIR/REPLACEMENT OF GUTTER & DOWNSPOUTS, ELECTRICAL, & MECHANICAL COMPONENTS
- PATCHING & PAINTING OF MASONRY TENANT DEMISING WALLS BEYOND ROOF EDGE

CLARIFICATIONS

- * INCLUDES MINIMAL TRAFFIC CONTROL (CONING OFF WORK AREAS)
- INCLUDES PAINTING OF STEEL MAN DOORS, GUTTERS & DOWNSPOUTS, & PREVIOUSLY PAINTED MECHANICAL / ELECTRICAL COMPONENTS

ALL WORK TO BE PERFORMED DURING NORMAL BUSINESS HOURS, UNLESS NOTED OTHERWISE.

PROPOSAL SUBMITTED BY: ANDREW BLANCK

TERMS AND CONDITIONS:

In the event Purchaser breaches or defaults under the terms and provisions of this Agreement, the Purchaser shall be responsible for the costs of collection, including reasonable attorneys' fees. There shall be a 1 1/2% service charge per month for all payments due and owing after specified due date. (Agreements are contingent upon strikes, accidents, or delays beyond JTF Construction, Inc. control.)

ACCEPTANCE: Terms, Price, and specifications on all pages of this proposal are hereby accepted and the work authorized.

Purchaser: _____

Signature: _____ Title: _____ Date of Acceptance: _____



Baha Facilities MGT

300 E. Business Way Suite 200
Sharonville, OH 45241
(513) 238-5278

Proposal

Quote for

RCG Ventures

Shoppes of Kenwood
7714 Montgomery Rd
Cincinnati, OH 45236

Project
Fence Repair

Description	Qty	Unit price	Total price
Install 6 4x4 posts to support			\$0.00
posts that are failing - Labor			\$1,150.00
			\$0.00
4x4x8 posts	6	\$47.99	\$287.94
galvanized lag bolts	12	\$15.97	\$191.64
quickset concrete bags	10	\$6.71	\$67.10
material tax			\$38.27
Notes:		Subtotal	\$1,696.68

\$1,734.95