



Staff Report, Case# 1-24-Z:

NATURE OF REQUEST

The Applicant has applied for a Zoning Map Amendment, requesting that five (5) parcels (PIN #s referenced below) totaling 4.0 acres be rezoned from Single-Family Detached Structure Residential (R-1 and R-2) and Planned Development (PD) to Planned Development (PD)—to allow a series of commercial uses including retail, restaurant, and entertainment.

LOCATION

The subject property, owned by Union Township, Clermont County CIC, Inc., is located on the west side of Gleneste-Withamsville Road between the intersections of Grovesnor Square Drive (to the south) and Kennedys Landing (to the north). PIN #s #413104A204., #413104A201., #413104A118., 413104A200., and 413104A085.

ZONING

The southern-most 2 parcels involved with this request are currently zoned Single-Family Detached Structure Residential (R-1). The 2 parcels immediately west of Burgoyne Drive are both currently zoned Single-Family Detached Structure Residential (R-2). The northern-most parcel involved with this request is zoned Planned Development (PD). The aforementioned, affected property is bordered to the east and southeast by Single-Family Detached Structure Residential (R-1 and R-2) zoning. To the north, south, northeast, and west the adjoining property is zoned Planned Development (PD).

RELATIONSHIP TO THE UNION TOWNSHIP COMPREHENSIVE PLAN

The Horizon 2030: Union Township Comprehensive Land Use Plan indicates that the proposal is located within the Ivy Pointe Mixed Use Corridor, which identifies this particular area as being appropriate for mixed-use developments—*including entertainment uses, small-scale retail, restaurant, and lodging and convention-type uses, with “...an eye toward creating synergy among land uses.”* The Plan also calls for design strategies aimed at fostering a sense of place, high quality façade design, pedestrian connectivity and accessibility, and parking oriented towards the rear of structures, with buildings oriented toward the public street—and with building orientation to be designed to create and foster a “streetscape” appearance to streets and / or access drives. Additionally, the Plan calls for high quality landscaping, monument signage, and identifies the Planned Development (PD) District as the most appropriate zoning classification to achieve the stated goals and objectives within the designated corridor.

Gleneste-Withamsville Road is a Major Collector 2-lane roadway that transitions to a 4-lane roadway with additional turn lanes approximately 500-600 feet north of the site, with a traffic volume of approximately 11,000 average daily trips (ADT) in the area south of the Clepper Lane intersection (to the north). Clepper Lane is primarily a Major Collector 2-lane roadway (with additional turn lanes at the Gleneste-Withamsville intersection), with a traffic volume of approximately 4,400 average daily trips (ADT) in the area of the intersection—*prior to recent road construction activities.*

RELATIONSHIP TO THE UNION TOWNSHIP ZONING RESOLUTION

Please refer to Article 6, Sections 680-684 and Section 687 of the Union Township Zoning Resolution with respect to “PD” Planned Development District regulations:

680. “PD” Planned Development District.

The “PD” District’s purpose is to provide sites for business or mixed business/residential developments at appropriate locations in relation to existing and potential land uses; to afford an attractive setting for developments; and to harmonize proposed developments with surrounding land uses. These regulations are established pursuant to authorization under Ohio Revised Code Chapter 519 (2001), as amended, for townships to adopt Planned-unit Development zoning.

681. Regulation Conflict.

If a conflict arises between these “PD” regulations or an approved “PD” plan and other sections of this resolution, the “PD” regulations and approved plan shall prevail for land zoned Planned Development District.

682. Approved Plan Governs Use.

Land use for any property in the “PD” District shall be consistent with the use, design, and details contained in the approved “PD” plan for that property and any conditions of approval. Other applicable regulations from this resolution, such as nuisance regulations, also apply to “PD” property. Pursuant to an approved plan, allowed uses in the “PD” District may include those stated in the “B-1” and “M-1” Districts, or substantially similar uses as determined by the Zoning Commission and Board of Trustees. Integrated residential use with commercial development may be considered for approval in the “PD” District, with residential density not to exceed that of the “R-1” District.

683. Procedure to Rezone Property to “PD.”

1. The property owner may submit an application for a zone change to “PD” Planned Development District to the Union Township Planning & Zoning Department. The application shall contain fifteen (15) copies of the completed form, attachments, a site plan conforming to the “site plan requirements” below, and the required fee.
2. The application shall be processed in accordance with Ohio Revised Code Chapter 519 (2001), as amended.

684. “PD” Plan Requirements.

1. All site plans shall contain the elements stated in [Section 1131](#). In addition, the following shall be included on the plan:
 - a. Building lot area coverage percentage.
 - b. Residential density, if applicable.
 - c. Detailed description of façade materials for all proposed structures.
2. The site plan shall contain on the cover the following signature lines to be signed by the property owner and Planning & Zoning Director before a zoning certificate is issued...
3. A separate landscaping page shall be included in the plan, illustrating the following:
 - a. Landscaping over ten percent of the lot area. Detention/retention areas are not considered part of the ten percent requirement.
 - b. Location and description of landscape plantings, groundcover, and specific treatment of any other open spaces
 - c. A ten-foot landscaped buffer yard along any public right-of-way or private street easement. A continuous three-foot grass (or other plant covered) berm or continuous row of three-foot-tall (at planting) shrubs, setback at least three feet from the right-of-way or easement line, shall be provided within the buffer yard.
 - d. A twenty-foot landscaped buffer yard along any adjoining residential zone. The buffer yard must also contain one of the following screening mechanisms:
 - (1) A continuous wood privacy fence at least six feet high and at least one tree four feet tall (at planting) spaced every ten feet on the neighbor’s side of the fence; or
 - (2) A continuous row of evergreens at least six feet tall (at planting), spaced no more than five feet; or
 - (3) A continuous grass (or other plant covered) berm at least five feet tall and at least one tree four feet tall (at planting) spaced every ten feet along the berm crest.
 - (4) If existing natural vegetation is proposed as screening, the landscape plan must provide detail of existing conditions sufficient to show screening equivalent to the above exists, and with sufficient detail for future zoning enforcement purposes.
 - e. Buffer yards must be landscaped and may not contain any other uses. Landscaped detention/retention may be placed in the buffer yard provided it does not interfere with the adjoining property.
 - f. In addition to the ten percent general landscaping requirement, internal planting islands equal to five percent of the entire parking lot area shall be placed within parking lots. The islands shall be dispersed so to break up the pavement expanse. Internal planting islands shall be curbed, and contain a minimum area of one hundred twenty square feet and eight feet of width. At least one shade-type tree a minimum of eight feet tall at installation shall be included for each two hundred square feet of internal planting area. Developments with twenty or fewer total parking spaces are exempt from this requirement.

687. **Supplemental Provisions.**

1. Signage shall be consistent with the nature and scope of the development exclusive of Article 9.
2. Buffer yards, screening, landscaping, vegetation, and all other plan elements shall be in place by the time the Union Township Planning & Zoning Department issues a certificate of occupancy, or at such time as construction substantially ceases, whichever occurs first.
3. The failure to maintain open spaces, hard surfaces, and landscaping in good condition is a violation of the "PD" plan.
4. Forty feet of right-of-way shall be dedicated for all properties fronting on public streets. The forty feet of right-of-way is "half" right-of-way, i.e., measured from the center of the road. By specific motion, the Zoning Commission or Board of Trustees may exempt a development from this requirement if appropriate. If total right-of-way equals eighty feet or more, no additional right-of-way shall be required unless necessary for special circumstances or improvements.
5. Prior to issuance of a zoning certificate, the property owner shall provide to the Planning & Zoning Department copies of executed and recorded cross easements to all adjoining property owners that share a common street frontage (public or private) with the "PD" property. The cross easements shall allow, at a minimum, use by automobile and delivery vehicle traffic. The general location of the cross connections shall be shown on the "PD" plan. By specific motion, the Zoning Commission or Board of Trustees may waive this requirement if appropriate. The requirement is waived automatically if a publicly dedicated frontage road serves both the development and adjoining properties.
6. Prior to issuance of a zoning certificate, the Applicant shall record all necessary plats consolidating, dividing, and dedicating right-of-way consistent with the boundaries represented on the "PD" plan and/or conditions or approval.
7. Any exterior pole lighting, canopy lighting, or similar lighting shall be flat lens design and shielded so that all light is down directed. Sag lens lighting is prohibited. Where the "PD" property adjoins or is within one hundred fifty feet of a residential zone, lighting shall be directed away from the residential property. Any building mounted lighting shall contain shields directing lighting downward preventing spillover onto adjoining property. If within fifty feet of a residential zone, building mounted lighting facing the residential property (other than recessed soffit mounted lights) shall be installed no higher than four feet from grade.
8. Parking requirements shall comply with Article 8, Off-Street Parking and Loading Regulations, unless otherwise modified in the plan. A justification note shall accompany any modification on the plan.
9. Building lot area coverage may not exceed thirty-five percent and building height may not exceed seventy-five feet.
10. Minimum building separation shall be maintained in accordance with fire and building codes. The number of buildings per lot, minimum setbacks (except for residential and right-of-way buffer yards), and minimum lot size are otherwise variable for the "PD" District.
11. The Applicant shall make available in advance of any hearing by the Zoning Commission the results of any site distance or traffic study requested by the Clermont County Engineer. The Applicant shall also provide confirmation from the appropriate governmental agency showing resolution of any issues raised pertaining to the development. Failure to provide this information in adequate time or advance review by Zoning Commission members may be grounds for denial of the application.
12. The standards and conditions stated in these regulations are minimums. The Planning & Zoning Director, Zoning Commission, and Board of Trustees may impose higher standards if warranted based upon the unique circumstances of a given development.
13. No construction shall proceed prior to the issuance of a zoning certificate. No property shall be used or occupied prior to issuance of a certificate of occupancy endorsement from the Union Township Planning & Zoning Department.
14. The Board of Zoning Appeals is without authority to alter or amend "PD" plans.

STAFF REVIEW & ANALYSIS

The Applicant acquired the five (5) subject parcels from October of 2016 to December of 2020. In April of 1995, the Retail Land Limited Partnership rezoned the northern-most parcel to Planned Development (PD)—in accordance with a concept plan submittal—to provide an additional landscaping buffer as well as more commercial land to the existing Planned Development to the north (which includes Sam’s Club, Steak-n-Shake, Aldi, etc.). The current, proposed plan for the northern-most parcel is for commercial uses and will also involve significant landscaping / buffers (so the proposed uses would essentially remain the same); however, this parcel would become part of a new Planned Development (PD) District to the south, if approved. **Please refer to the Applicant’s statements, plans, and other application enclosures for more information regarding this application / request.*

The Applicant’s proposal meets the objectives of the Horizon 2030: Union Township Comprehensive Land Use Plan’s Future Land Use Policies and Recommendations for the Ivy Pointe Mixed Use Corridor. This proposal will establish a mixed-use site with an entertainment use, small-scale retail, a restaurant, and an amphitheater gathering space—and will involve the consolidation of fragmented and underutilized parcels. The vegetative buffering provided on the plan will result in the enhancement of the overall condition of the site and surrounding area. Furthermore, as mentioned earlier in this report, the utilization of Planned Development (PD) District is the precise mechanism to achieve planning goals. Most importantly, the Applicant’s current plans and renderings for the site illustrate that all of the Plan’s major (applicable) Policies and Recommendations for this portion of the Ivy Pointe Mixed Use Corridor will be achieved: the use of high-quality design and building materials, the provision of pedestrian connectivity and accessibility, locating parking towards the rear of the proposed structures, with buildings oriented toward the public street—and *fostering a streetscape appearance and creating a firm sense of place that will help synergize the land uses in the area.*

At present, the current remaining technical questions and issues are set forth in the “Recommended Modifications” section of this report.

ZONING COMMISSION RECOMMENDATION:

The Union Township Zoning Commission met on July 24th, 2024 to review this request for a zoning map amendment. At that time, the Zoning Commission voted (unanimously) to approval of the Applicants’ request to the Board of Trustees, with respect to a rezone of the subject property from *Single-Family Detached Structure Residential (R-1 and R-2) and Planned Development (PD) to Planned Development (PD)*. There recommended modifications to this proposal forwarded to the Board of Trustees are as noted below, consistent with staff’s recommended modifications in its report. **Please refer to the “MOTION FOR CASE # 1-24-Z”, which is included as an attachment to the end of this report.*

MOTION FOR CASE # 1-24-Z

Union Township Zoning Commission – July 24th, 2024

Motion from Mr. Louis:

Regarding Case 1-24-Z, involving Applicant Union Township Clermont County CIC Incorporated, and Parcel numbers 413104A204, 413104A201, 413104A118, 413104A200, 413104A085: The Zoning Commission finds that the submitted PD application and zone change request is consistent with the Horizon 2030 Land Use Plan but does not meet all of the plan development application requirements of a PD district plan. Therefore, this Commission recommends a submitted plan be approved contingent upon adherence to the noted modifications as specified in this motion. All required supplemental information and plan modifications must be completed and submitted to the Planning Director no later than one week prior to the Trustees hearing of this case. First on the recommended list is of Findings of Fact, these properties lie in two focus areas. The Central Retail State Route 32 Commercial Corridor and the Ivy Pointe Mixed Use Commercial Corridor. Both districts call for monument style signage as preferred signage style used and that multi-tenant consolidated signage shall be encouraged. Development patterns should be organized into blocks and building configurations of an appropriate scale with development oriented as to foster strong streetscape impressions sidewalks and / or shared use pathways shall be installed with all public street frontages for developing properties and all sites shall provide for pedestrian access from the street. Now for the modification list, the Board references the eight (8) recommended modifications listed in the staff report that are listed on page 6. All eight (8) of those will be incorporated into this motion. As an additional item, number nine (9), the Board recommends a sound study for the amphitheater to be provided, to minimize sound infiltration from the amphitheater into the residential neighborhood across the street. This Commission finds that the amphitheater should be rotated 180 degrees. Mr. Wing seconds.

Roll Call Mr. Lewis, aye; Mr. Wing, aye; Mr. Shannon, aye; Mr. Outrich, aye; Mr. Toft, aye.

Motion passes.

RECOMMENDED MODIFICATIONS

If the Board should choose to forward a favorable recommendation to this PD Zone Map Amendment request, staff recommends that these additional items be modified and / or otherwise be adequately addressed prior to final Township action:

- 1) The Applicant will need to address any concerns of the County Engineer, Clermont County Water & Sewer District, Clermont County Building Department, the Union Township Fire Department, and / or other regulatory agencies having jurisdiction over the proposed development prior to any final Township action.
- 2) The Applicant should explore the feasibility of creating a cross-access easement and collective/joint parking easements with the adjoining property to the south.
- 3) The Applicant will ultimately need to provide additional details for the proposed landscaping plan. *The landscaping plan must include elements for a decorative streetscape appearance and shall also include street trees. Additionally, all landscaping buffers should be marked as preservation areas, and any vegetation disturbed should be repaired, supplemented, or replaced.* This is an item that can be addressed administratively by staff.
- 4) The Applicant shall finalize all renderings and proposed building materials, which shall be subject to administrative review and approval by staff. Traditional building materials such as brick, stone, and other architectural enhancements shall be consistent with the proposed renderings, as to present a cohesive design.
- 5) A signage plan will ultimately need to be submitted. All free-standing signage should be limited to monument signage, capped at a height of not more than 10' from finished grade, subject to administrative review and approval.
- 6) A lighting or photometric plan will ultimately need to be submitted. All lighting will need to be downward directed, dark-sky compliant and of sufficient intensity to illuminate without projecting onto the adjoining residential property. *Details / specs of proposed lighting would be necessary; however, this is an item that can be addressed administratively by staff.
- 7) Ultimately, a new survey and legal description of all consolidated acreage will need to be provided, prior to any final action. This is an item that can be addressed administratively by staff.
- 8) A Site Plan that meets all of the requirements set forth in Article 11, Section 1131 of the Union Township Zoning Resolution would also ultimately need to be submitted and approved, prior to the issuance of a subsequent (commercial) zoning certificate by Township staff. *This is an item that could be addressed administratively by staff.*
- 9) The Zoning Commission recommended that a sound study for the amphitheater (ultimately) be provided, to minimize sound infiltration from the amphitheater into the residential neighborhood across the street. *The Zoning Commission finds that the amphitheater should be rotated 180 degrees.*

ACTION REQUIRED

In accordance with Sections 680-687 of the Zoning Resolution, the Board of Trustees' role in this process is to either enter a motion to recommend approval, approval with some modification(s), or denial of the Applicants' request to rezone the subject property, as submitted—and / or with any further modifications as deemed appropriate.

Application to the
UNION TOWNSHIP
ZONING COMMISSION
4350 Aicholtz Road
Cincinnati, OH 45245
(513) 753-2300

Case# _____

Date _____

**APPLICATIONS CONTAINING INCOMPLETE INFORMATION WILL BE RETURNED.
PLEASE SUBMIT 15 COPIES OF THE APPLICATION & ALL SUPPORTING DOCUMENTS (ORIGINAL SET + 14)**

I. PROPERTY INFORMATION

Property located at* 4351, 4355, 4359, 4363 & 4367 Gleneste-Withamsville Road

*State full address if assigned, otherwise, describe location specifically.

Clermont County Auditor's Tax Parcel Number (PIN#) 413 - 104 - A - 085

Additional parcel numbers (if applicable)* 413-104-A-200, 413-104-A-118

413-104-A-201, 413-104-A-204

*If rezoned, all parcels comprising the development must be consolidated before a zoning certificate will be issued.

II. APPLICANT INFORMATION

A. Name* Union Township Clermont County CIC, INC Phone _____
Mailing Address 4350 Aicholtz Road, Cincinnati, OH 45245

*Applicant must be the owner or lessee of the property (R.C. 519.12(A)). An original affidavit contained in Section V below must be executed and submitted by least one owner or lessee of each parcel contained in this application.

B. Contact Person Jordan Mefford Phone 859-475-6946
Company Mefford Contracting, LLC
Relationship to Applicant Applicant/Consultant/Potential Owner
Mailing Address 109 Fieldview Drive, Versailles, KY 40383

III. AMENDMENT INFORMATION

A. If the amendment proposes to alter the text of the Zoning Resolution, attach:
1. Typed description of why the amendment is appropriate.
2. Typed copy of the text as it would appear in the Resolution (also identifying

stricken language).

3. Application fee as established by the Township Trustees.
- B. If the amendment proposes to alter the zoning map, attach:
 1. List, for each parcel to be rezoned, the owner's name as it appears on the Clermont County auditor's current tax list, the Clermont County auditor's tax parcel number, and the property address.
 2. List of adjacent property owners (see attached form).
 3. Photocopy of tax map with subject property highlighted.
 4. Legal description of property (see deed).
 5. Development plans.
 6. Application fee as established by the Township Trustees.

IV. SUPPORTING INFORMATION

A. Existing Zoning District 2 - R1, 2- R2, 1 - PD
Existing Land Use 620-E, 630-E, 620-E, 600-E, 620-E
Proposed Zoning District All PD
Proposed Land Use 400-C

B. Does the proposed zoning district conform to the Union Township Land Development Plan?
X YES NO

C. If the proposed zoning district **DOES NOT** conform to the Union Township Land Development Plan, what physical, social, economic, and/or other changes have occurred that were not anticipated when the Union Township Land Development Plan was adopted? (Attach factual data to support the arguments).

D. How is the proposed zoning district appropriate considering surrounding zoning and land use?

The 5 lots in our submittal hold 3 different zoning designations. 1 is PD, 2 are R-1, 2 are R-2.
The intent of all PD in this area is to accomodate a Retail / Restaurant / Entertainment use.

We intend to begin construction by the end of 2024 and complete construction by the end of 2025.

V. AFFIDAVIT

I hereby depose and say that I have familiarized myself with the rules and regulations of the Union Township Zoning Resolution with respect to preparing this application. I hereby certify that I have read the foregoing document and supplements attached thereto and that I have answered all questions fully and to the best of my ability. I hereby attest to the truth and exactness of the information supplied herewith and that I am the owner or lessee of the property to be rezoned.


Applicant*

*If the property is owned by a corporation or partnership, signator must be an authorized officer or partner.

STATE OF Kentucky
COUNTY OF Woodford

Subscribed and sworn to before me this 24th day of June, of this year
2024.

Amy L. Richards
Notary Public

AMY L. RICHARDS
NOTARY PUBLIC
STATE AT LARGE
KENTUCKY
ID. # KYNP77520
MY COMMISSION EXPIRES 08/14/2027

My commission expires 8-14-2027

VI. ADJACENT PROPERTY OWNERS

The following are the individuals, entities, or corporations and their mailing addresses as they appear in the county auditor's tax list as owners of property adjacent to the subject property. **Adjacent property owners include those across streets and touching the property in any manner.** (Use additional sheets if necessary).

1. Name See Attached Sheet of Contacts Parcel ID# _____

2. Mailing Address _____ Parcel ID# _____

3. _____ Parcel ID# _____

4. _____ Parcel ID# _____

5. _____ Parcel ID# _____

6. _____ Parcel ID# _____

7. _____ Parcel ID# _____

8. _____ Parcel ID# _____

9. _____ Parcel ID# _____

10. _____ Parcel ID# _____

11. _____ Parcel ID# _____

12. _____ Parcel ID# _____

13. _____ Parcel ID# _____

PIN	OWN1	OWN2	ADDR1	ADDR2	ADDR3	Full Address	x	y
414223.002.	LAUTENSLAGER, CAROLYN M		960 BURGOMINE DRIVE		CINCINNATI OH 45245	960 BURGOMINE DR		
414223.001.	WILSON, MONTEL		961 BURGOMINE DRIVE		CINCINNATI OH 45245	961 BURGOMINE DR		
4131024111.	GRAN HAROLD P & SUE C		4250 GLEN ESTE WITHAMSVL		CINCINNATI OH 45245	4250 GLEN ESTE WITHAMSVL RD		
4131024115.	COMMONS OF EASTGATE CONDO		1054 CRUSHFIELD DR		CINCINNATI OH 45245	GLENESTE WITHAMSVL RD		
4131024001.	4131044204."		4131044200.	4131044201.	UNION TOWNSHIP CLERMONT COUNTY CIC INC			
4131044218.			4131044215.		AUDI INC			
			4131044117.		KENNETH KLERKAMP INC ETAL			
			4131044205.	4131044087.	ECHELON APARTMENTS LLC			
			4131044043.		NICOBELAUS MARK			
			4131044218.		KENNEDYS LANDING ONE LTD			
			4131044209.		ZORN, ERIC S AS MANAGING TRUSTEE			
			4131044044.		SHOPS AT KENNEDYS LANDING LTD			
					SAMS REAL ESTATE BUSINESS TRUST			
					983 KENNEDYS LANDING			
						4350 AUCHOLTZ ROAD	CINCINNATI OH 45245	
						PO BOX 460049 DEPT 501	HOUSTON TX 77056	
						2950 HERRON PARK DRIVE	HEBBON KY 41048	
						5905 EGALBARTH ROAD	SUITE 4100	
						4343 GLEN ESTE WITHAMSVL RD	CINCINNATI OH 45245	
						933 KENNEDYS LANDING	CINCINNATI OH 45245	
						960 KENNEDYS LANDING	BENTONVILLE AR 72716-0555	
							CINCINNATI OH 45245	

This Conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code.

Purchase Price: \$0.00

Transfer #4283 Transfer Fee: \$0.50

Conveyance Fee: \$0.00

Filed with the office of

Linda L. Fraley

08/11/2020

BY: SMICHAEL

08/11/2020
Legal Description
APPROVED

Clermont County, OH Engineer
Jeremy P. Evans, P.E., P.S.
BY: ALEACH
413104A085.

E-RECORDING
202000020973
Filed for Record in Clermont County, Ohio
Deborah Hall Clepper, Recorder
08/11/2020 02:37 PM Recording Fees: \$34.00
DEED OR 2847 / p4606 - p4607

2020-1877Q-C

General Warranty Deed

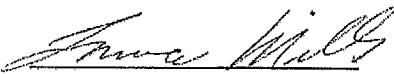
KNOW ALL MEN BY THESE PRESENTS, Rowe Realty LTD, an Ohio limited liability company, ("Grantor"), for One Dollar and other good and valuable consideration paid, does hereby grant, bargain, sell, and convey with General Warranty covenants to the said Union Township, Clermont County CIC, Inc. ("Grantee"), whose tax mailing address is: 4360 Archlne Road, Cincinnati, OH 45245, the following described real estate:

EXHIBIT "A" IS ATTACHED HERETO AND MADE A PART HERETO

Commonly known as 4351 Glen Este-Withamsville Road, Cincinnati, OH 45245
Prior Deed Reference: Book 1539 Page 21; Clermont County, Ohio
Parcel No. 41-31-04A-085

The said Grantor has hereunto set its hands this 7 day of August, 2020.

Rowe Realty LTD

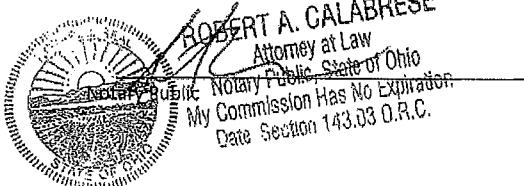


By: Anna Mills, executrix of the estate of Tina R. Mills, Sole Member

STATE OF Ohio, COUNTY OF Hamilton, SS:

The foregoing instrument was acknowledged before me this 7 day of August, 2020, by Anna Mills, executrix of the estate of Tina R. Mills, Sole Member of Rowe Realty LTD, on behalf of the company.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



This instrument was prepared by:
Robert A. Calabrese Esq.
7365 E. Kemper Rd. Suite B
Cincinnati, OH 45249

Exhibit A
Property Description

SITUATED IN THE COUNTY OF CLERMONT, STATE OF OHIO, TOWNSHIP OF UNION AND IN PAYTON'S SURVEY NO. 3856 AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A RR SPIKE IN THE CENTER OF GLEN ESTATE WITHAMSVILLE ROAD, SAID SPIKE BEING NE 355' FROM MS #3856; THENCE NORTH 80° 55' WEST 248.15 FEET TO A STAKE; THENCE NORTH 3° 37' EAST 220.47 FEET TO A POST; THENCE SOUTH 86° 20' EAST 278.62 FEET TO A SPIKE IN THE CENTER OF GLEN ESTE WITHAMSVILLE ROAD; THENCE SOUTH 11° 00' WEST WITH THE CENTER OF GLEN ESTE WITHAMSVILLE ROAD 245.90 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.39 ACRES, MORE OR LESS. SUBJECT TO LEGAL HIGHWAYS.

THE PROPERTY IS CONVEYED SUBJECT TO AND THERE ARE HEREBY EXCEPTED FROM THE GENERAL WARRANTY COVENANTS ALL EASEMENTS AND RESTRICTIONS OF RECORD, ESTABLISHED EASEMENTS, ZONING ORDINANCES.

Parcel ID: 41-31-04A-085

More Commonly Known As: 4351 Glen Este-Withamsville Road, Cincinnati, OH 45245

File #: 2020-18772-C

2

This conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code	
Purchase Price \$ 10,000.00	
Transfer # 5944	Transfer Fee \$.50
Conveyance Fee \$.00	
Filed with the office of Date 10/28/16 By: MN	

201600024895
Filed for Record in
CLERMONT COUNTY, OH
DEBORAH HALL CLEPPER
10-28-2016 At 09:43 AM.
DEED 28.00
OR Book 2670 Page 478 - 479



BK: 2670 PG: 478

16-02786

GENERAL WARRANTY DEED*

Corporation Deed

GS = **GS**

Von Bailey Investments, LLC, an Ohio Limited Liability Company, for valuable consideration paid, grant(s) with general warranty covenants, to Union Township Clermont County CIC, Inc., an Ohio not-for-profit Corporation whose mailing address is 4359 Gleneste-Withamsville Road, Cincinnati, Ohio 45245, the real property described in Exhibit A, attached.

The above described real estate being subject to Easements and Restrictions of record, Matters of Zoning, Real Estate Taxes and Assessments not yet due and payable, and all Legal Highways.

Prior Instrument Reference: Official Record Book 2076, Page 1365.

Official Records of Clermont County, Ohio.

Executed this 20th day of October, 2016, by David H. Vonderstrasse, Managing Partner/^{*} of Von Bailey Investments, LLC, an Ohio Limited Liability Company.

Von Bailey Investments, LLC, an Ohio Limited
Liability Company
BY: David H. Vonderstrasse (member)
David H. Vonderstrasse
Managing Partner/Member

* Member

STATE OF Ohio	}
	} SS:
COUNTY OF Clermont	}

The foregoing instrument was acknowledged before me this 20th day of October, 2016, by David H. Vonderstrasse, Managing Partner/^{*} of Von Bailey Investments, LLC, an Ohio Limited Liability Company, on behalf of the corporation.

* Member



Patrick R. Conners
Notary Public, State of Ohio
My Commission Expires Sept. 22, 2019

Notary Public

This document prepared by, Dan R. Orner, Attorney at Law
Dan R. Orner Co., L.P.A. • 11085 Montgomery Road, Suite 250 • Montgomery, Ohio 45249
(513) 772-1140

*See Sections 5302.05 and 5302.06 Ohio Revised Code.



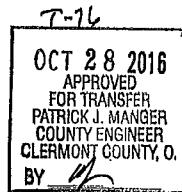
BK: 2670 PG: 479

Exhibit 'A'

Situated in Union Township, Clermont County, Ohio, in Military Survey No. 3856, and being a part of a 30-acre tract owned by Josephine Williams as per deed recorded in Deed Book 285, Page 86, of the Clermont County, Ohio Deed Records, more particularly described as follows: Beginning at a spike in the center of the Withamsville-Glen Este Road at the northeast corner of within described property, which point of beginning is South 12 deg. 12 min, West 1108.91 feet from a point at the intersection of the North line of Military Survey No. 3856 with the center line of the Withamsville-Glen Este Road; thence still with the center line of said road South 12 deg. 12 min. West 66.66 feet to a point corner to land of Walter and Betty Clepper; thence with the line of Clepper North 85 deg. West 383 feet to a stake; thence North 12 deg. 12 min. East 66.66 feet to a stake; thence South 85 deg. East, 383 feet to the beginning in the center line of Withamsville-Glen Este Road. Containing 0.58 Acre more or less.
Subject to legal highways.

Parcel No. 41-31-04A-118

D H ✓



TD 41 BK 31 PG 04A PAR 118.

0.58 Acre

04/09/2020

This Conveyance has been examined

Legal Description

and the Grantor has complied with

APPROVED

Section 319.202 of the Revised Code.

Clermont County, OH Engineer

Purchase Price: \$142,000.00

Jeremy P. Evans, P.E., P.S.

Transfer #1717 Transfer Fee: \$0.60

BY: ALEACH

Conveyance Fee: \$568.00

413104A204. 0.87 AC 3M-161

Filed with the office of

Linda L. Fraley

04/09/2020

BY: smurray

E-RECORDING

202000008468

Filed for Record in Clermont County, Ohio

Deborah Hall Clepper, Recorder

04/09/2020 01:36 PM

Recording Fees: \$34.00

DEED OR 2835 / p1317 - p1318

GENERAL WARRANTY DEED

20-00324

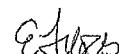
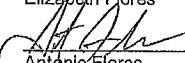
Elizabeth Flores and Antonio Flores, wife and husband, for valuable consideration paid, grant(s) with general warranty covenants, to Union Township Clermont County CIC, Inc., an Ohio not-for-profit corporation, whose mailing address is 4350 Alcholtz Road, Cincinnati, Ohio 45245, the real property described in

Exhibit A, attached.

The above described real estate being subject to Easements and Restrictions of record, Matters of Zoning, Real Estate Taxes and Assessments not yet due and payable, and all Legal Highways.

Prior Instrument Reference: Official Record Book 2656, Page 2016
Official Records of Clermont County, Ohio

Executed this 9th day of April, 2020, by Elizabeth Flores and Antonio Flores, wife and husband.

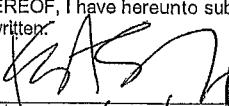

Elizabeth Flores

Antonio Flores

STATE OF OHIO

COUNTY OF HAMILTON

BE IT REMEMBERED, that on this 9th of April, 2020, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Elizabeth Flores and Antonio Flores who acknowledged the signing of the foregoing instrument, and the same is their voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year first above written.

Notary Public: My Commission Expires: 6/26/23

K. BRENT SCHULZE
Notary Public, State of Ohio
My Commission Expires
June 26, 2023

This document prepared by: Dan R. Orner, Attorney at Law
Dan R. Orner Co., L.P.A. - 11085 Montgomery Road, Ste. 250, Montgomery, OH 45249
(513)612-7144

*See Sections 5302.05 and 5302.06 Ohio Revised Code.

EXHIBIT "A"

Situated in Union Township, Clermont County, Ohio and being a part of Frank Peyton's Survey No. 3856 and more particularly described as follows: Beginning at a point in the center of Withamsville Glen Este Road, which point is South 12 deg. 12 min. West 942.25 feet from the intersection of the center line of the Withamsville Glen Este Road, where the same is intersected by the Frank Peyton Survey Line No. 3856; thence continuing along the center line of the Withamsville Glen Este Road South 12 deg. 12 min. West 100 feet; thence North 85 deg. West 383 feet to a point; thence North 12 deg. 21 min. East 100 feet to a point; thence South 85 deg. East 383 feet to a point in the center line of Withamsville Glen Este Road, and the place of beginning. Containing, 87 acres, more or less.

Parcel No. 41-31-04A-204

12/08/2020

Legal Description

APPROVED

Clermont County, OH Engineer

Jeremy P. Evans, P.E., P.S.

BY: ALEACH

413104A200. 0.58 AC

This Conveyance has been examined

and the Grantor has complied with

Section 319.202 of the Revised Code.

Purchase Price: \$166,000.00

Transfer #7083 Transfer Fee: \$0.60

Conveyance Fee: \$620.00

Filed with the office of

Linda L. Fraley

12/08/2020

BY: smurray

E-RECORDING

202000034900

Filed for Record in Clermont County, Ohio

Deborah Hall Clepper, Recorder

12/08/2020 01:01 PM Recording Fees: \$34.00

DEED OR 2861 / p4531 - p4532

GENERAL WARRANTY DEED

20-02357

Charel J. Adams, an unmarried woman, for valuable consideration paid, grant(s) with general warranty covenants, to Union Township Clermont County CIC, Inc., an Ohio not-for-profit corporation, whose mailing address is 4350 Alchitz Road, Cincinnati, OH 45245, the real property described in

Exhibit A, attached.

The above described real estate being subject to Easements and Restrictions of record, Matters of Zoning, Real Estate Taxes and Assessments not yet due and payable, and all Legal Highways.

Prior Instrument Reference: Official Record Book 615, Page 475
Official Records of Clermont County, Ohio

Executed this 4th day of December, 2020, by Charel J. Adams, an unmarried woman.

Charel J. Adams
Charel J. Adams

STATE OF OHIO

COUNTY OF HAMILTON

BE IT REMEMBERED, that on this 4th of December, 2020, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Charel J. Adams who acknowledged the signing of the foregoing instrument, and the same is his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year first above written.

Notary Public:

My Commission Expires:



Alicia Murphy
Notary Public, State of Ohio
My Commission Expires
May 15, 2021

This document prepared by: Dan R. Orner, Attorney at Law
Dan R. Orner Co., L.P.A. - 11085 Montgomery Road, Ste. 250, Montgomery, OH 45249
(513)612-7144

*See Sections 5302.05 and 5302.06 Ohio Revised Code.

2

This conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code	
Purchase Price \$	892,000.00
Transfer #	820
Conveyance Fee \$	300.00
Filed with the office of Linda L. Fraley	
Date	02/15/18 By: DR

201800003443
Filed for Record in
CLERMONT COUNTY, OH
DEBORAH HALL CLEPPER
02-15-2018 At 11:00 am.
DEED 28.00
OR Book 2754 Page 2304 - 2305

GENERAL WARRANTY DEED

File No.: 18-00049

Timothy John Rossmann, an unmarried man, for valuable consideration paid, grant(s) with general warranty covenants, to Union Township Clermont County CIC, Inc., an Ohio not-for-profit corporation, whose mailing address is 4363 Gleneste-Wilmotsville Road, Cincinnati, OH 45245, the real property described in

Exhibit A, attached.

The above described real estate being subject to Easements and Restrictions of record, Matters of Zoning, Real Estate Taxes and Assessments not yet due and payable, and all Legal Highways.

Prior Instrument Reference: Official Record Book 2490, Page 1158
Official Records of Clermont County, Ohio

Executed this 15th day of February, 2018, by Timothy John Rossmann, an unmarried man.

Timothy John Rossmann
Timothy John Rossmann



BK: 2754 PG: 2304

STATE OF OHIO

COUNTY OF CLERMONT

BE IT REMEMBERED, that on this 15th of February, 2018, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Timothy John Rossmann who acknowledged the signing of the foregoing instrument, and the same is his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year first above written.

Notary Public: Patrick R. Connors

My Commission Expires: Sept. 22, 2019



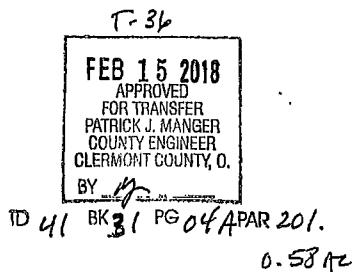
Patrick R. Connors
Notary Public, State of Ohio
My Commission Expires Sept. 22, 2019

This document prepared by: Dan R. Orner, Attorney at Law
Dan R. Orner Co., L.P.A. - 11085 Montgomery Road, Ste. 250, Montgomery, OH 45249
(513)612-7144
*See Sections 5302.05 and 5302.06 Ohio Revised Code.

EXHIBIT "A"

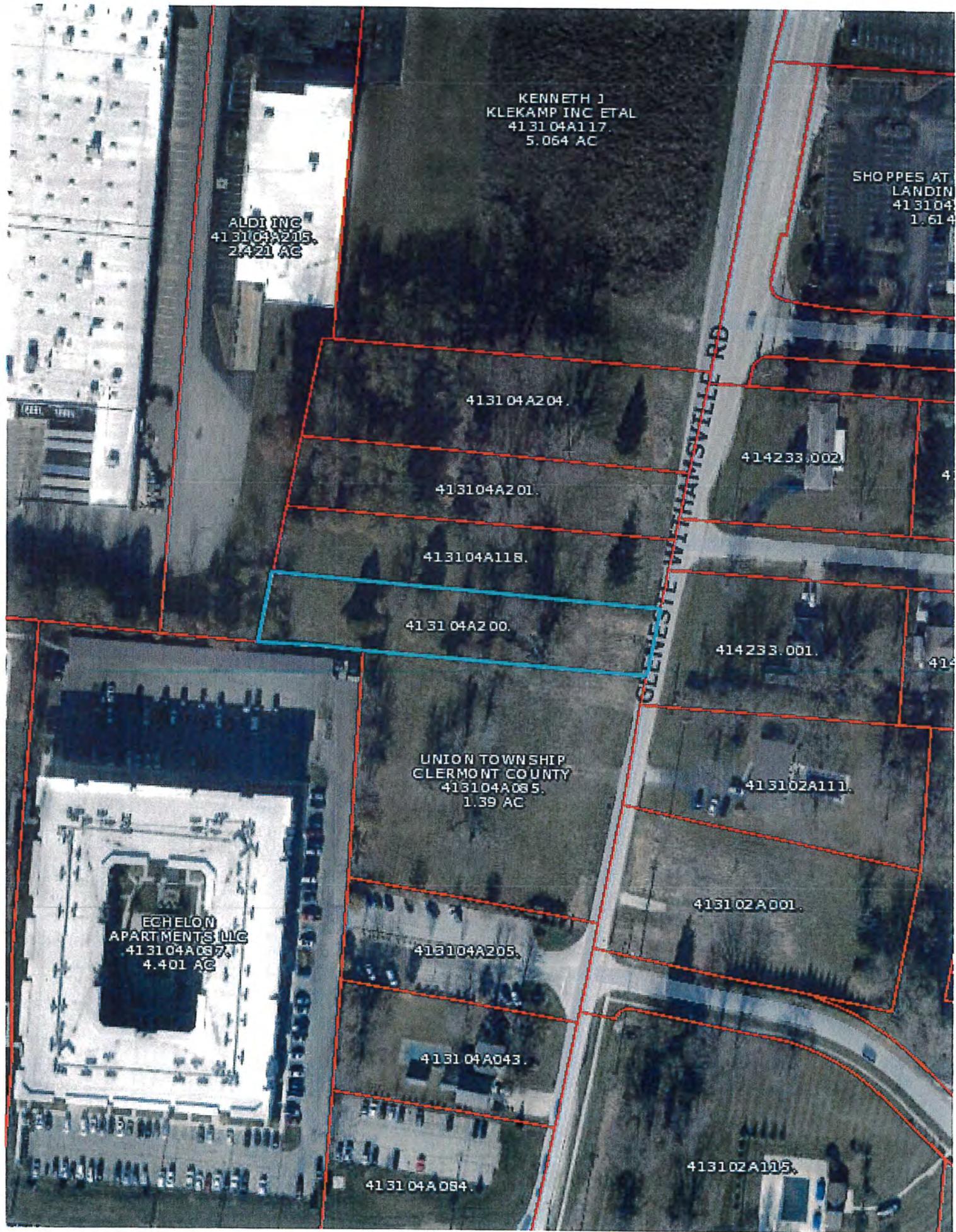
The following real estate situated in Union Township, Clermont County, Ohio in Military Survey No. 3856 and being a part of a 30 acre tract owned by Josephine Williams as per deed recorded in Deed Book 285, Page 86 Clermont County, Ohio Deed Records, more particularly bounded and described as follows: Beginning at a spike in the center of the Withamsville and Glen Este Road at the northeast corner of the within described premises which point of beginning is south 12 deg. 12 min. West 1042.25 feet from a point at the intersection of the north line of Military Survey No. 3856 with the center line of the Withamsville and Glen Este Road, thence still with the center line of said road south 12 deg. 12 min. west 66.66 feet to a spike; thence leaving said road north 85 deg. west 383 feet to a stake, thence north 12 deg. 12 min. East 66.66 feet to a stake, thence south 85 deg. East 383 feet to the beginning, containing 0.58 of an acre of land subject to all legal highways.

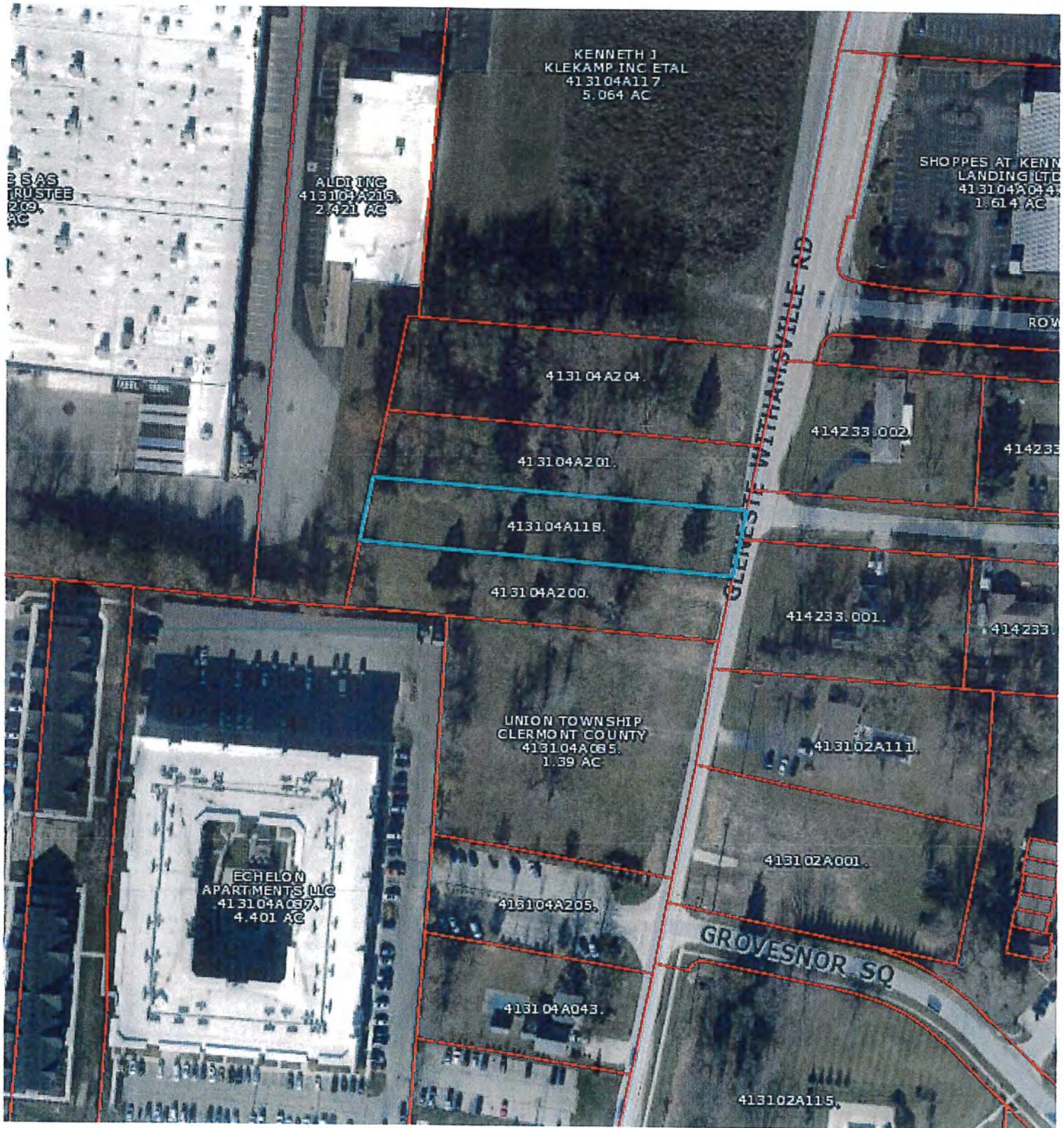
Parcel No. 41-31-04A-201

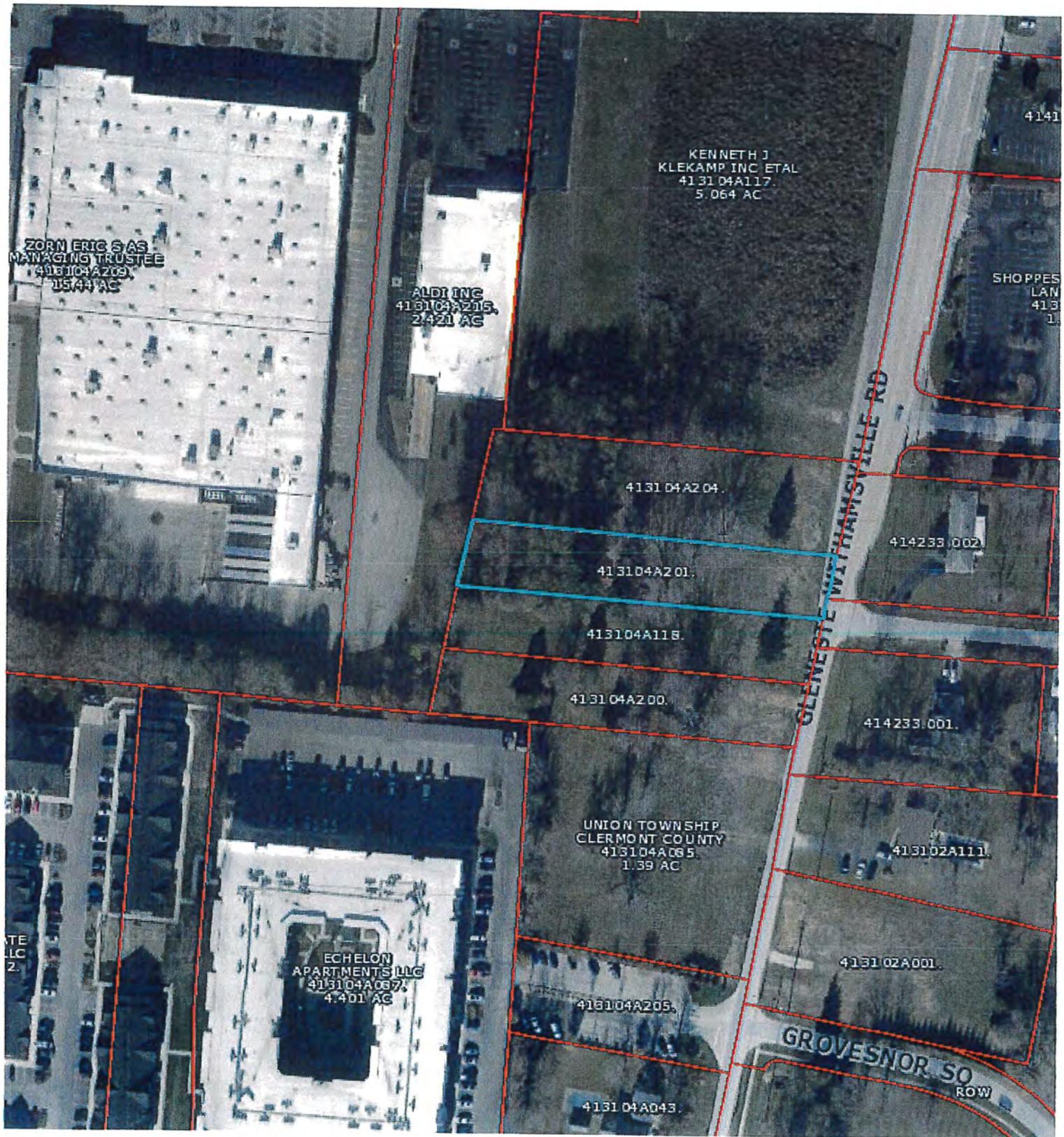


BK: 2754 PG: 2305













Mefford Contracting, LLC
109 Fieldview Drive
Versailles, KY 40383
Attn: Jordan Mefford

6/23/24

To Whomever it May Concern:

We, Union Township Clermont County CIC, INC, Sizemore Holding, LLC and Mefford Contracting, LLC, wish to waive the 30 Day Requirement for Trustee Meeting Approval of our Rezoning Request for Parcels 413-104-A-085, 413-104-A-200, 413-104-A-118, 413-104-A-201 and 413-104-A-204 due to a meeting conflict.

Please reach out to Jordan Mefford with Mefford Contracting, LLC if you need any assistance on this matter.

Thank You For Your Consideration

Jordan Mefford
jmefford@meffcon.com
859-475-6946

TROJAN TRACE DEVELOPMENT



DEHART
ARCHITECTURE

john@dehartarc.com
(859) 312-9176

109 FIELDVIEW DRIVE
VERSAILLES KENTUCKY 40383

WWW.DEHARTARC.COM



MEFFORD
CONTRACTING

109 FIELDVIEW DRIVE

VERSAILLES KY 40383

833-MEFFCON
INFO@MEFFCON.COM

PROJECT INFORMATION

CLIENT: SIZEMORE HOLDINGS INC.
CLIENT ADDRESS: 1014 US-52 SPUR, NEW RICHMOND, OH 45157
PROJECT NAME: TROJAN TRACE DEVELOPMENT
PROJECT LOCATION: 4351-4367 GLEN ESTE-WITHMANSVILLE RD,
CINCINNATI, OH, 45245

GENERAL NOTES

PARCELS
SHALL BE CONSOLIDATED FOLLOWING REZONING APPROVAL

NET ACREAGE

4.01 ACRES
174,675.6 SF

ADJACENT PARCEL ZONING

SEE SHEET A1.0

NEAREST INTERSECTION

533' TO CLEPPER LANE

STRUCTURE HEIGHT

29' - 8'

FLOODPLAIN

TO BE DETERMINED WHEN SURVEYED

INTERSECTION

533' TO CLEPPER LN INTERSECTION

PARKING COUNT

184 STANDARD SPACES

FENCING

NO FENCING PROPOSED

LANDSCAPING

FINAL LANDSCAPE PLAN TO BE DETERMINED

WASTE DUMPSTER SCREENING

WOOD FENCING

SITE LIGHTING

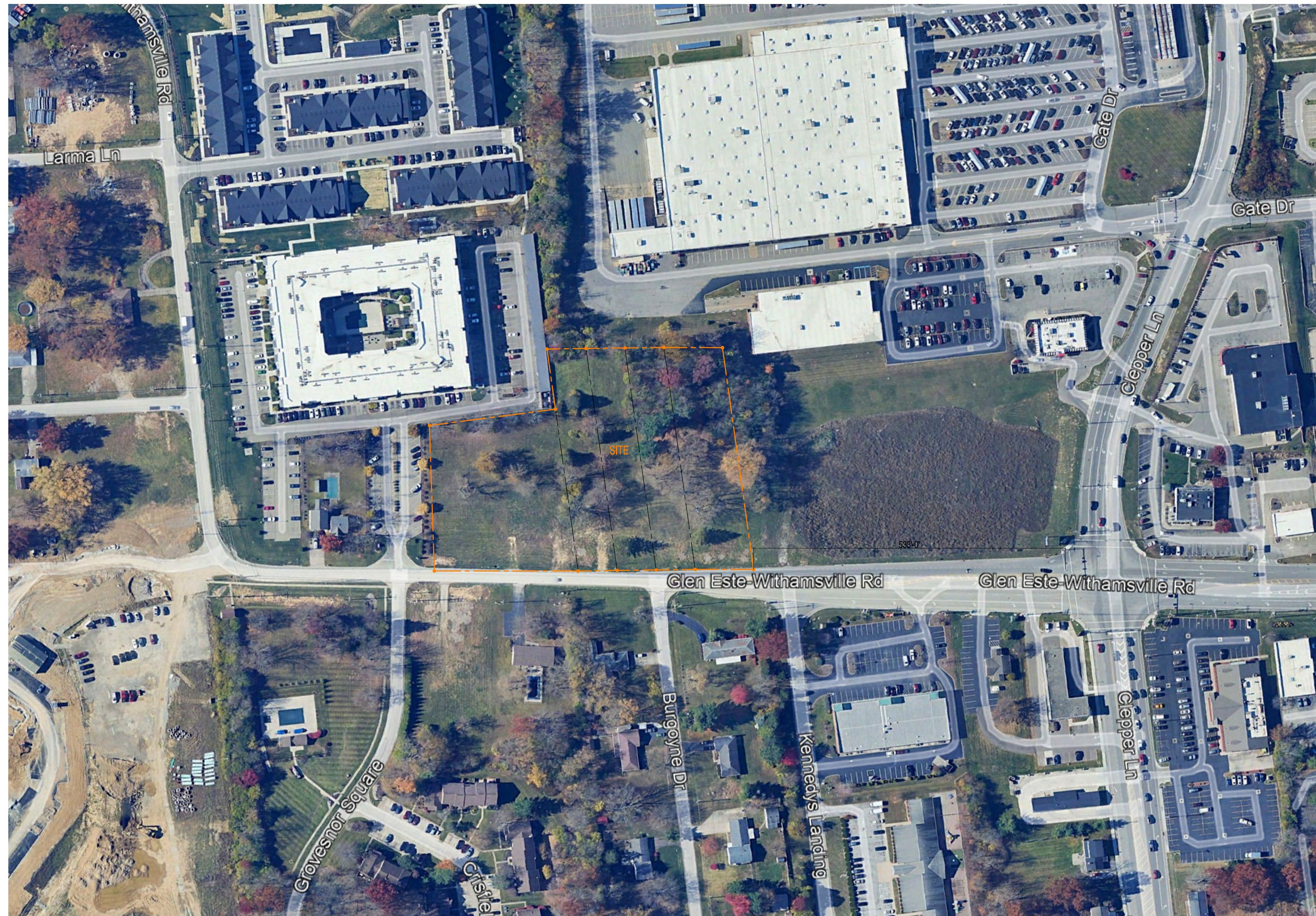
FINAL SITE LIGHTING PLAN TO BE DETERMINED

CONSTRUCTION SCHEDULE

START: DEC 2024

COMPLETE: DEC 2025

LOCATION MAP



CLIENT: SIZEMORE HOLDINGS INC.
ADDRESS: 1014 US-52 SPUR
NEW RICHMOND, OH

TROJAN TRACE
DEVELOPMENT

2024 AUGUST 12

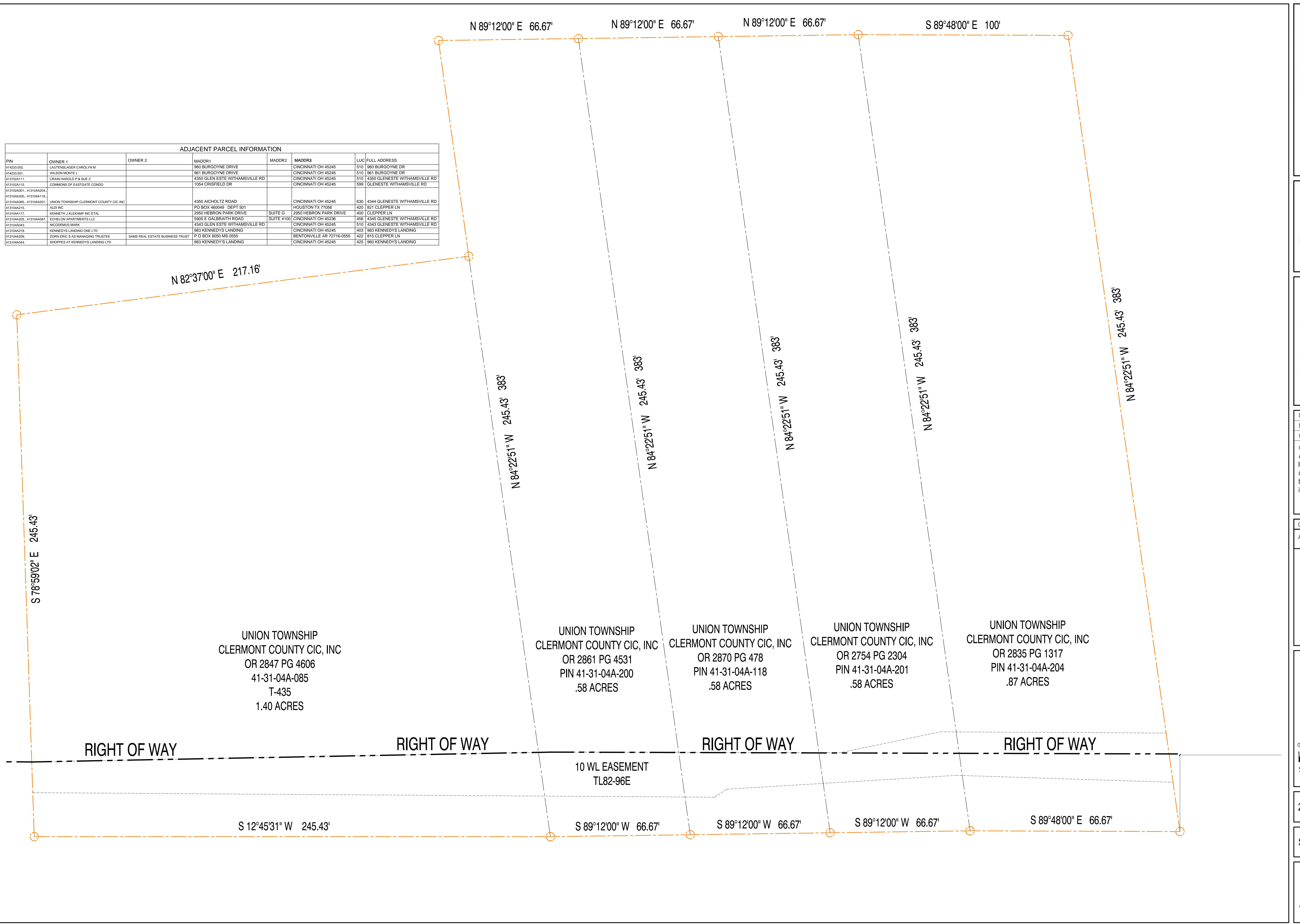
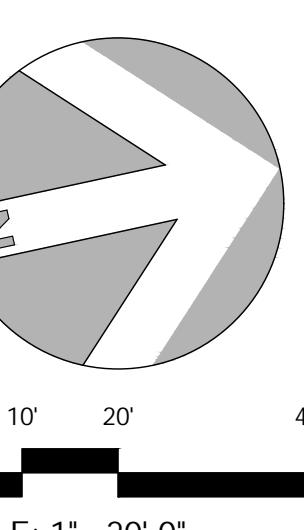
COVER SHEET

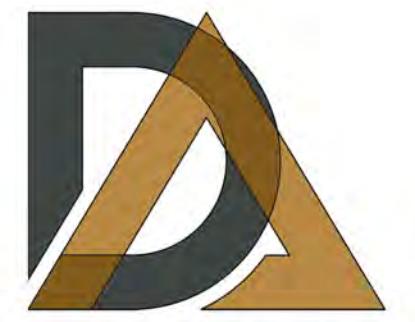
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DEHART
ARCHITECTURE
john@dehartarc.com

john@denhartarc.com
(859) 312-9176

109 FIELDVIEW DRIVE
VERSAILLES KENTUCKY 40383
WWW.DEHARTAFC.COM



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DRAWN BY: JSD

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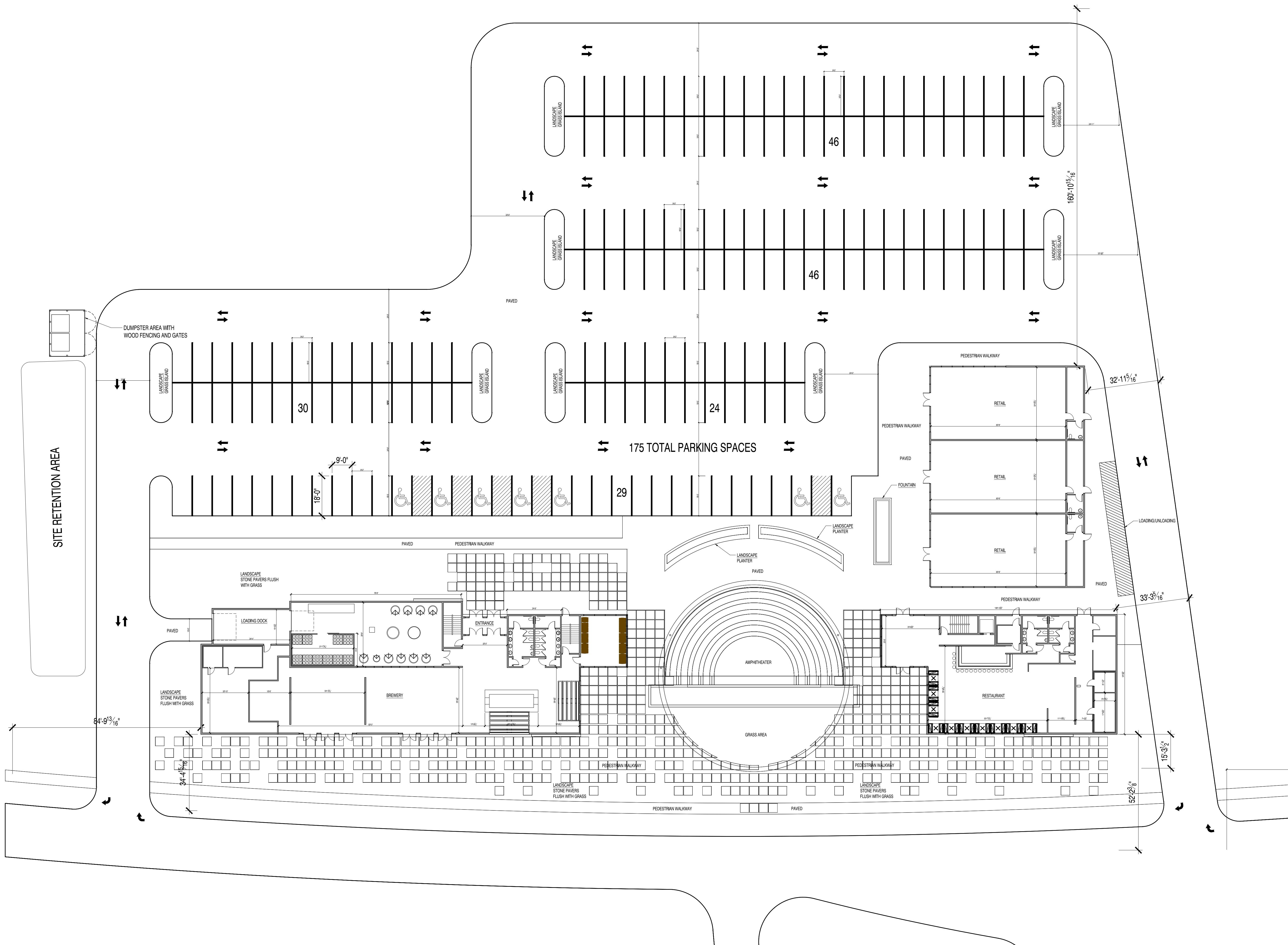
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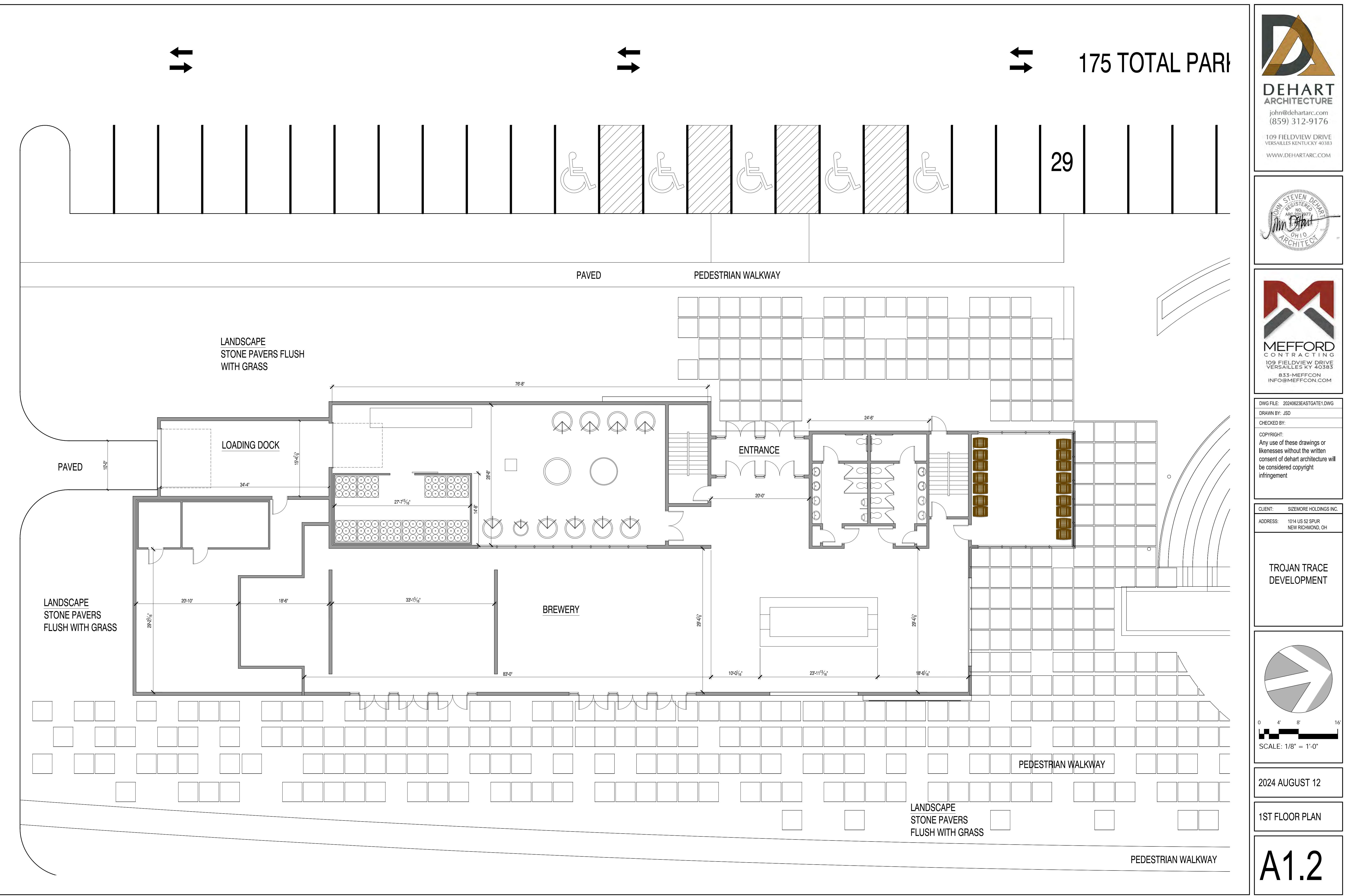
TROJAN TRACE DEVELOPMENT

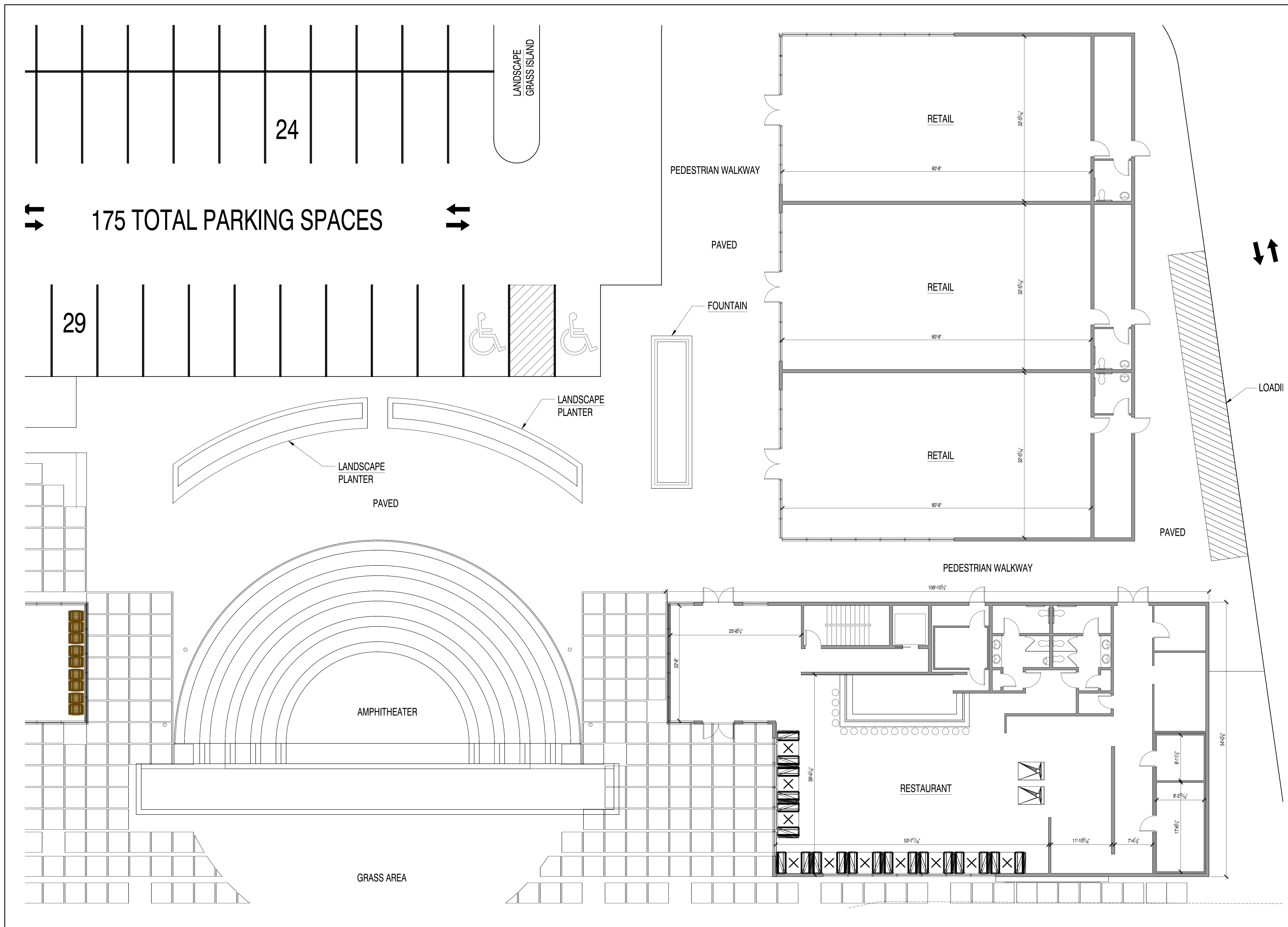
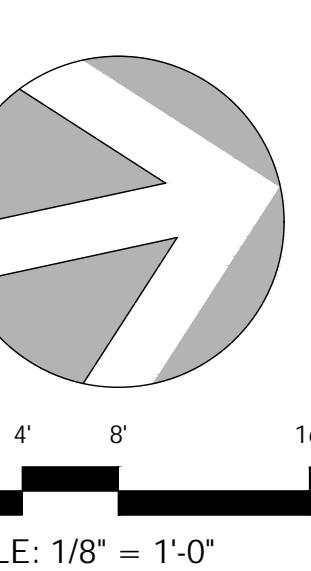
2024 AUGUST 12

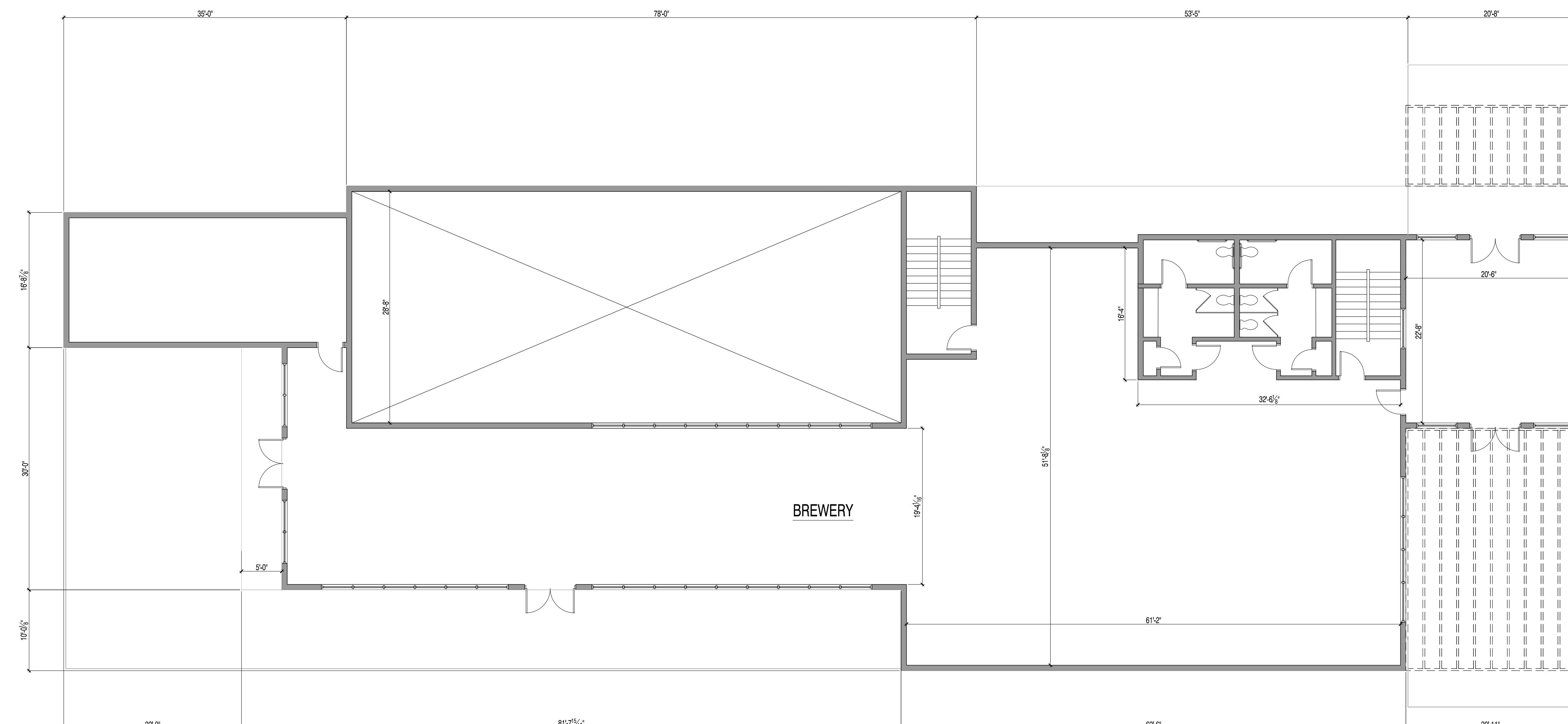
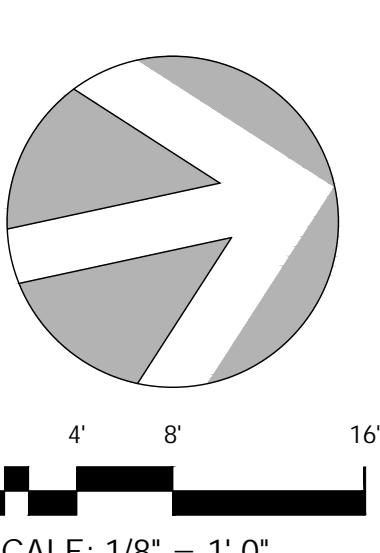
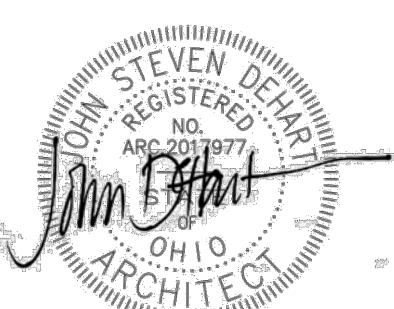
SITE PLAN

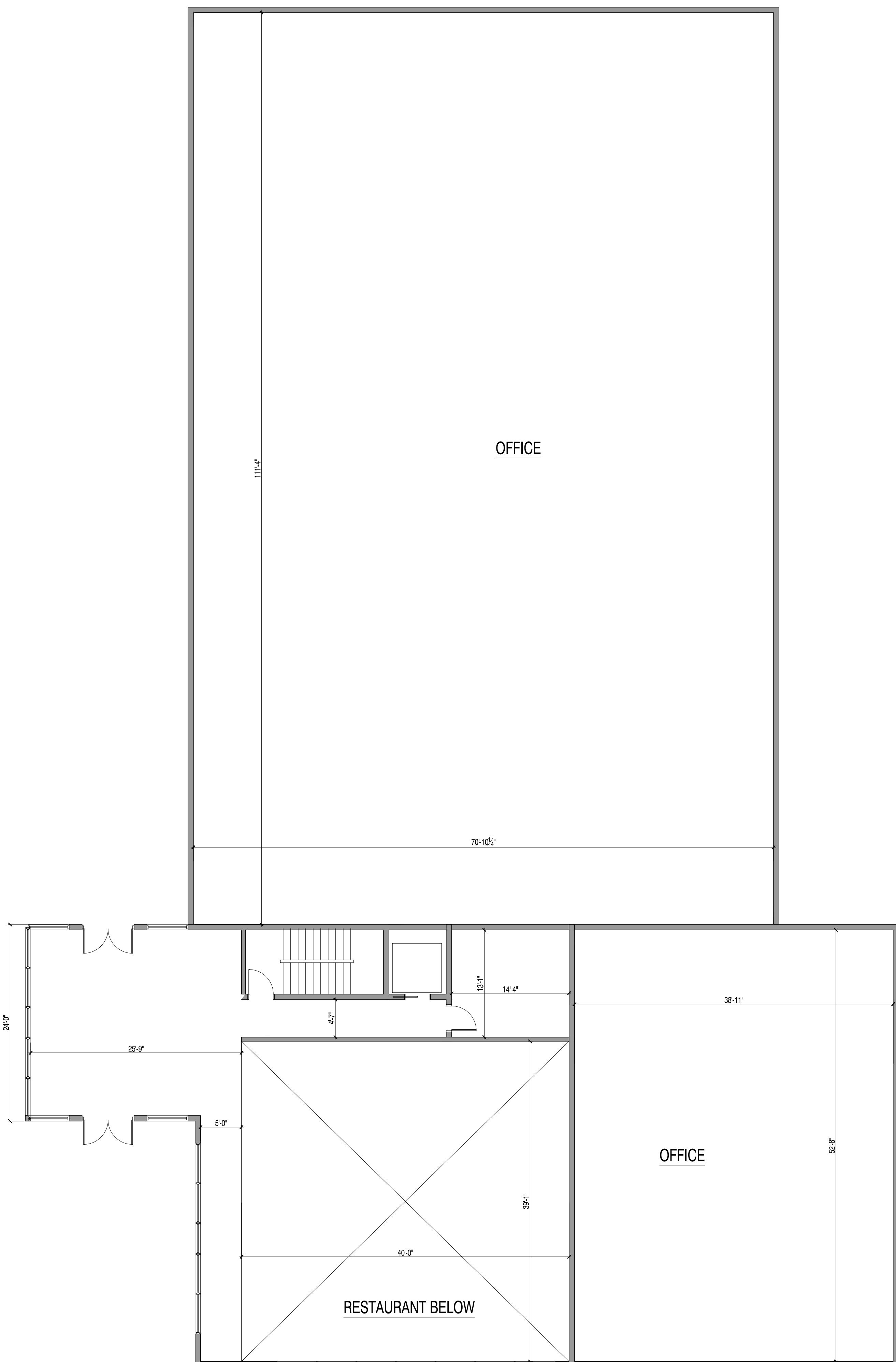
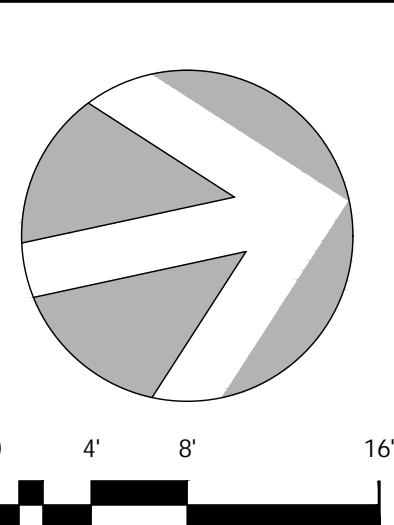
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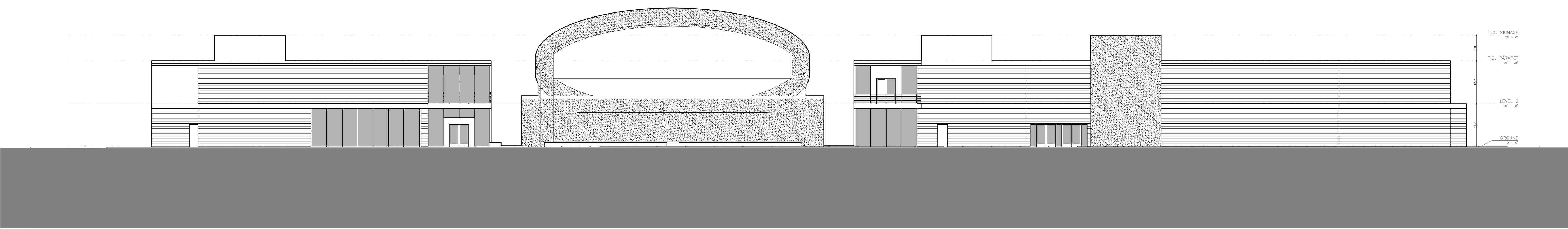
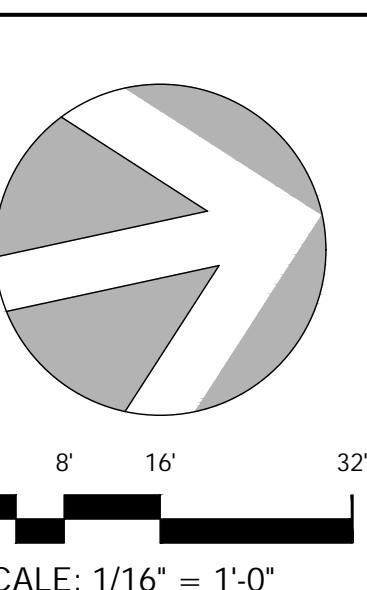




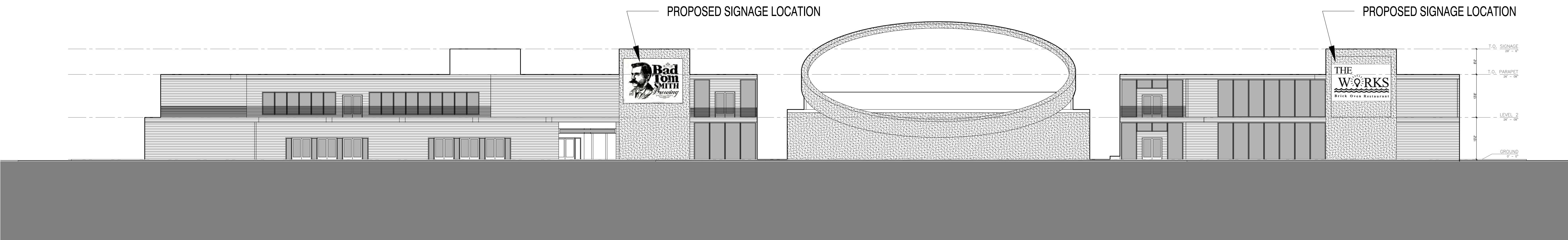








1 WEST ELEVATION
A2.0 1/16"=1'-0"



2 EAST ELEVATION
A2.0 1/16"=1'-0"



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CLIENT: SIZEMORE HOLDINGS INC.
ADDRESS: 1014 US 52 SPUR
NEW RICHMOND, OH

TROJAN TRACE
DEVELOPMENT

2024 AUGUST 12

LANDSCAPE PLAN

A3.0

