

# Suder llc

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MAY 17 2024

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May 17, 2024

**VIA HAND DELIVERY**

Symmes Township Zoning Commission  
c/o Hamilton County Planning + Development Department  
138 East Court Street, Room 801  
Cincinnati, OH 45202

**COPY VIA EMAIL DELIVERY ([klapanesee@symmestownship.org](mailto:klapanesee@symmestownship.org))**

Kimberly A. Lapanesee  
Symmes Township Administrator

**COPY VIA EMAIL DELIVERY ([emily.witte@hamilton-co.org](mailto:emily.witte@hamilton-co.org))**

Emily Witte  
Symmes Township Zoning Inspector

Re: Phase I Final Development Plan | 9365 Fields Ertel Road and 9108-9162 Union Cemetery Road, Symmes Township, Hamilton County, Ohio (Hamilton County, Ohio Auditor's Parcel Id. Nos. 620-0190-0960-00 and 620-0190-0961-00) (the "Property")

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To the Symmes Township Zoning Commission,

This letter accompanies the Phase I Final Development Plan (the "Phase I FDP") submitted by Nextgen Automotive 4, LLC, the owner of the above-referenced Property (the "Owner"). For all the reasons set forth herein, the Owner respectfully requests that the Symmes Township Zoning Commission (the "Commission") approve the Phase I FDP at its June 26, 2024 meeting. As explained below, this Phase I FDP represents merely the first of two phases. Rest assured: it is not the Owner's plan to use the Property in this manner indefinitely. Rather, the Owner plans to be back before the Commission in late 2025 with a Phase II FDP, which will set forth a complete plan of transformative development along this well-traveled corridor.

Specifically, the Owner's ultimate plan is to demolish the vacant department store at 9365 Fields Ertel Road and the currently-occupied shopping center at 9108-9162 Union Cemetery Road. In its place, the Owner will construct a state-of-the-art automobile dealership building and service center, complete with a coffee shop, car wash, extensive landscaping, and public art. A Concept Site Plan illustrating these plans is attached hereto as **Exhibit A**. Once these plans are realized, the

Owner will have transformed the Property into a landmark site; serving as a model for similar dealerships around the country and catalyzing growth for other nearby Symmes Township businesses.

However, practical barriers are preventing the Owner from breaking ground at this time, including financing, coordination with the Chevrolet corporate headquarters, and a tenant with an active lease through October 2025, which prohibits construction during the lease term. As it prepares for Phase II, the Owner hopes to make some viable use of the Property. For the Owner, simply parking cars on a portion of the Property's unused spaces is a sufficient use as illustrated on Page 3 of the Phase I FDP. The parking of display cars along the northern perimeter of the Property as shown will serve not only a practical purpose for the Owner, but will also activate the space with people until Phase II begins. Using the Property in this manner will work to avoid any of the negative effects often associated with vacant properties. Further, the proposal adequately meets the parking needs of the active retail tenants in accordance with Article XIV of the Symmes Township Zoning Resolution, and strategically positions the display vehicles away from those active retail tenants. A Parking Needs Analysis is attached hereto as **Exhibit B**.

Once the above-mentioned logistical pieces are in place, the Owner plans to be back before this Commission with a Phase II FDP that will bring the transformative vision to life. Until that time, the Owner respectfully requests that the Commission approve the Phase I FDP. Thank you for your time and consideration, and please do not hesitate to contact us with any questions.

Sincerely,



J.P. Burleigh, Esq.

cc: Sean Suder, Esq.  
Quinn Marker, Esq.  
Keith McCluskey  
John McCullough

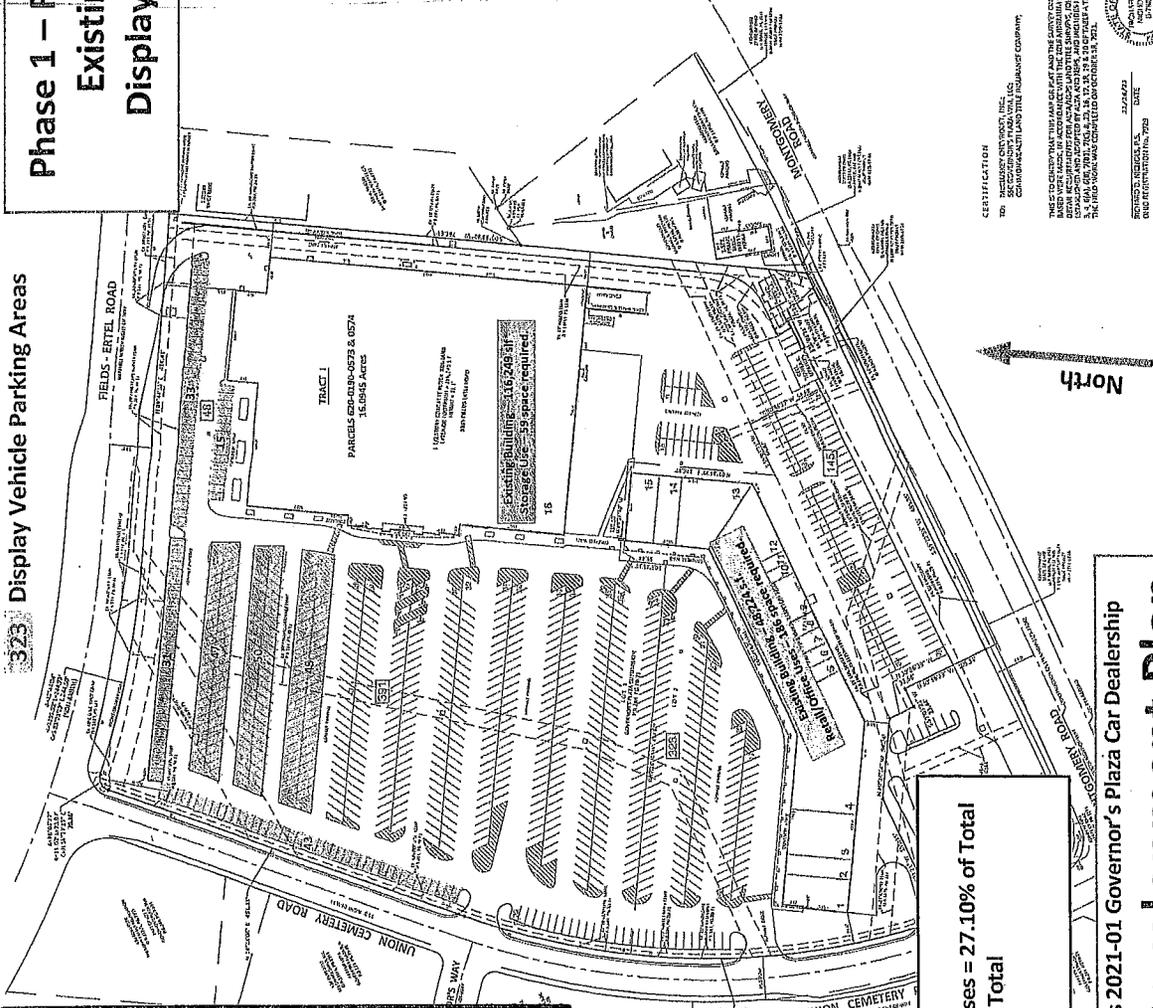
Encl: FDP Application (1)  
Processing Fee  
Full-size FDP (7)  
8 ½ x 11 FDP (7)

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# Phase 1 – Final Development Plan Existing Site Plan – Proposed Display Vehicle Parking layout

## 323 Display Vehicle Parking Areas



**DEED OF ACCEPTANCE**

The owner of the premises shown hereon does hereby make the following declarations which shall be deemed as covenants and not as conditions and shall run with the land and shall be binding upon the owner, the heirs, executors, administrators, and assigns, and are imposed upon the within described tract of land as an obligation or charge against the same, as a general plan for the benefit of said tract of land.

The tract of land shown hereon is being developed under a development plan as defined in Article III and in accordance with provisions of Article XIII-F, and Article XIII- of the Symmes Township Zoning Resolution adopted November 21, 1988.

Said entire tract of land and all improvements thereon shall remain in a single ownership and no part thereof shall be sold or divided into individual lots or tracts until such time as the owner of said entire tract shall conform in all respects to the then existing rules and regulations as have been adopted by the Commission, governing plans and subdivisions of lots, and the rules and regulations as are provided in the Symmes Township Zoning Resolution.

We, the undersigned do hereby adopt and confirm the plan of development as shown hereon for the purposes indicated and agree to comply with all the terms, restrictive covenants and conditions included as a part thereof.

Witness \_\_\_\_\_

Signature \_\_\_\_\_

State of Ohio )  
County of Hamilton )

Before me a notary public in and for said county, personally appeared \_\_\_\_\_ who represents said \_\_\_\_\_ and who acknowledges that they are duly authorized in their premises and who acknowledge that they did sign the foregoing instrument and that the same is their voluntary act and deed in testimony whereof I have hereunto set my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Notary \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

- 1. Easement
- 2. Easement
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- 23. Easement
- 24. Easement

907 Existing Parking Spaces available  
245 Parking Spaces Required For Existing Building Uses = 27.10% of Total  
323 Parking Spaces for Display Vehicles – 35.61% of Total  
399 Parking Spaces Available – 39.58% of Total

May 15, 2024  
MSP DESIGN PROJECT NO. 20644  
DIE-S-G-N  
MSP DESIGN PROJECT NO. 20644

ZA Case: Symmes 2021-01 Governor's Plaza Car Dealership  
**Final Development Plan**

CERTIFICATE OF TITLE  
TO  
SECTION 25, TOWNSHIP 4, RANGE 2  
HAMILTON COUNTY, OHIO

REVISED REGISTRATION NO. 2024  
DATE 5/15/2024

THE HAMILTON COUNTY RECORDER'S OFFICE HAS REVIEWED THIS INSTRUMENT AND FOUND IT TO BE IN ACCORDANCE WITH THE OHIO REVISED PUBLIC SAFETY ACT, CHAPTER 5303. THE HAMILTON COUNTY RECORDER'S OFFICE HAS REVIEWED THIS INSTRUMENT AND FOUND IT TO BE IN ACCORDANCE WITH THE OHIO REVISED PUBLIC SAFETY ACT, CHAPTER 5303.

ALTA/NSPS LAND TITLE SURVEY  
16.0945 ACRES

ALL OF LOT 1 & PART OF LOT 2 OF GOVERNOR'S PLAZA, SECTION 25, TOWNSHIP 4, RANGE 2, HAMILTON COUNTY, OHIO

SECTION 25, TOWNSHIP 4, RANGE 2  
SYMMES TOWNSHIP  
HAMILTON COUNTY, OHIO

16.0945 ACRES

ALL OF LOT 1 & PART OF LOT 2 OF GOVERNOR'S PLAZA, SECTION 25, TOWNSHIP 4, RANGE 2, HAMILTON COUNTY, OHIO

SECTION 25, TOWNSHIP 4, RANGE 2  
SYMMES TOWNSHIP  
HAMILTON COUNTY, OHIO

16.0945 ACRES

**MSP**  
DIE-S-G-N  
MSP DESIGN PROJECT NO. 20644

Page 3 of 3

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**EXHIBIT A**  
Concept Site Plan

MAY 17 2024

