

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 7:00 p.m., on the 22nd day of January, 2019, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio, 45251, with the following members present:

Greg Insko, Raj Rajagopal, Dan Unger

Mr. Unger introduced the following resolution and moved its adoption:

RESOLUTION NO. 1 -19

Case No. ZA8-1988 & ZA2016-09

SPEEDWAY

Approval of a Major Modification to two Preliminary Development Plans

Parcel No. 510-0182-0156-00

WHEREAS, the Applicant, Jonathan Wocher, McBride Dale Clarion, representing Speedway LLC proposes a Major Modification to a Preliminary Development Plan; and,

WHEREAS, the Applicant proposes to modify the boundaries of both Case No ZA8-1988 to remove the subject parcel from within its boundaries and Case No ZA2016-09 to add the subject parcel into the Planned District-Industrial district for redevelopment; and,

WHEREAS, the Hamilton County Regional Planning Commission heard the case, and on December 6, 2018 voted unanimously to recommend approval with conditions of the requested Major Modification to a Preliminary Development Plan; and,

WHEREAS, the Colerain Township Zoning Commission conducted its public hearing on the case on December 18, 2018, and after consideration of the recommendation of the Regional Planning Commission, and all public comments, exhibits, and other materials submitted, voted unanimously to recommend approval with conditions of the application for a Major Modification to a Preliminary Development Plan with conditions; and,

WHEREAS, the Colerain Township Board of Trustees conducted its public hearing on the case on January 8, 2019, and after consideration of the recommendation of the Regional Planning Commission, the recommendation of the Zoning Commission, and all public comments, exhibits, and other materials submitted, voted _____ to approve the application for a Major Modification to a Preliminary Development Plan with conditions as set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Colerain Township, Hamilton County, Ohio accepts the recommendation of the Colerain Township Zoning Commission for a Major Modification to a Preliminary Development Plan, and that the Board of Trustees does hereby approve the request for parcel no. 510-0182-0156-00 designated as Planned District-Industrial, for the reason that the Major Modification to a Preliminary Development Plan would be in the best interest of the Township and the health, safety, morals and welfare of the public, is consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is in keeping with good land use planning; and,

BE IT FURTHER RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, that the Major Modification to the Preliminary Development Plan shall be subject to the following:

1. Final Development Plan

1.1 The Zoning Resolution, required site plans or drawings, terms, covenants and conditions of

approval which are depicted or noted on the Final Development Plan (“FDP”) or contained in this Resolution are to be considered complementary and what is required by one shall be as binding as if required by all.

2. The Major Modification to the Preliminary Development Plan shall be subject to the following conditions:

1. That all conditions approved as part of case Colerain ZA2016-09 shall remain in effect for the Zone Amendment Area.
2. That a common open space plan in compliance with the Zoning Resolution shall be submitted as part of the Final Development Plan. This can be accomplished within the Struble Road Business Park.
3. That the site plan shall be revised to include the required 60 feet of right-of-way from the centerline of Colerain Avenue in accordance with the Hamilton County Thoroughfare Plan. The streetscape landscaping will need to be adjusted to accommodate the additional right-of-way on the Final Development Plan.
4. That buffer landscaping be provided along the east property line in accordance with Section 14.5.2(b) of the Zoning Resolution.
5. That signage submitted with the Final Development Plan comply with the style of the Rumpke office building to the north.
6. That a Final Development Plan be submitted for review and approval by the Colerain Zoning Commission addressing such issues as signage, buffering, landscaping, architectural design, etc.

3. Construction Permits

3.1 No Zoning Certificate shall be issued by the Office of the Zoning Administrator before:

- A. A Final Development Plan in compliance with Section 2 above, has been received and approved by the Colerain Township Zoning Commission, and
- B. Construction documents submitted for permit are fully coordinated and consistent with the approved Final Development Plan.

3.2 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Administrator.

4. Maintenance of Improvements

- 4.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations of the Final Development Plan and/or contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Colerain Township Zoning Resolution violations.

BE IT FURTHER RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Hamilton County Recorder and the Colerain Township Zoning Inspector.
2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all

deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and

3. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading; and

4. That this Resolution shall be effective at the earliest date allowed by law.

Mr. Insko seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Insko Aye, Mr. Rajagopal Aye, Mr. Unger Aye

ADOPTED this 27th day of January, 2019.

BOARD OF TRUSTEES:

Greg Insko, Trustee

Raj Rajagopal, Trustee

Dan Unger, Trustee

ATTEST:

Heather E. Harlow

Heather E. Harlow,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

L.E. Barbieri

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040 (513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer
this 8th day of January, 2019.

Heather E. Harlow

Heather E. Harlow
Colerain Township Fiscal Officer