

First Reading: September 16, 2008
Second Reading: Dispensed

RESOLUTION NO. 2008 - 78

**A RESOLUTION APPROVING A SITE PLAN FOR THE
KIDS FIRST REAL ESTATE DEVELOPMENT, DISPENSING WITH THE SECOND
READING, AND DECLARING AN EMERGENCY**

WHEREAS, application was made by Cincinnati United Contractors (the "Owner") for approval of a site plan to allow the expansion of the existing facility for the Kids First Real Estate Development in Case Number 2008-08MA; and

WHEREAS, on August 11, 2008, after proper notice having been given, the Sycamore Township Zoning Commission held a public hearing to consider the application for approval of a major adjustment for the Kids First Real Estate Development in Case Number 2008-08MA; and

WHEREAS, the real property in Case No. 2008-08MA, consists of the real property located at 7900 East Kemper Road in Sycamore Township and is designated as Hamilton County Auditor's Parcel Number 600-0013-0113-00 (the "Real Property");

WHEREAS, the Real Property is located in the "OO"- Office District with a Planned Unit Development (PUD) overlay; and

WHEREAS, because the proposed use of the property is a major adjustment to a previously approved PUD plan, it is necessary that the development receive a site plan approval; and

WHEREAS, on August 11, 2008 in a public hearing and an open meeting, the Sycamore Township Zoning Commission recommended approval of the development with certain conditions; and

WHEREAS, on September 4, 2008, after proper notice having been given, the Board of Township Trustees of Sycamore Township held a public hearing to consider the application for site plan approval of the major adjustment;

NOW THEREFORE, BE IT RESOLVED, by the Board of Township Trustees of Sycamore Township, State of Ohio:

SECTION 1. Subject to Section 2 of this Resolution, the site plans, specifications, and renderings submitted and presented to the Board of Township Trustees at its public hearing and meeting held on September 4, 2008 are hereby approved.

SECTION 2.

The approval of the site plan granted herein is subject to the following conditions:

- a. The applicant shall submit a landscaping plan that shall be approved by township staff. The landscaping plan shall include the removal of the brush undergrowth on the east property line in accordance with the approval of the neighbors abutting that property line;
- b. The additional may contain architectural and design accents, provided those accents are not determined to be signage as determined by the Zoning Administrator;
- c. All other conditions imposed in Case Number 97-3 (the prior PUD approval for the site) not amended herein shall remain in full force and effect.
- d. Except as set forth above, the development shall comply in all ways to the Sycamore Township Zoning Resolution.

SECTION 3.

Any use and improvements made to the Real Property which is the subject of this Resolution shall be constructed in compliance with the plans, specifications, and renderings submitted and approved by this Resolution, including the conditions set forth in Section 2.

SECTION 4.

No Zoning Certificate shall be issued by the Zoning Administrator until:

- A) a Zoning Compliance Plan in compliance with this Resolution has been received and approved by the Zoning Administrator;
- B) all documents submitted for zoning certificates are fully coordinated and consistent with the approved Zoning Compliance Plan;

No building permit for actual construction shall be issued by the Hamilton County Building Commissioner before a Zoning Certificate is received from the Zoning Administrator.

SECTION 5.

No Final Zoning Certificate shall be issued by the Zoning Administrator until the development complies with all requirements contained in this Resolution and the Zoning Compliance Plan and, unless waived by the Zoning Administrator, the following documents are received and approved by the Zoning Administrator:

- A) a summary report from Hamilton County Engineer certifying that the approved plans and specifications for roadway and access improvements, either on-site or off-site, have been completely implemented, and that any required rights-of-way have been dedicated;

- B) a summary report from the developer's registered engineer or surveyor as required by and addressed to the Hamilton County Director of Public Works Department certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; the Director of Public Works shall inform the Zoning Administrator when such letter is received and approved;
- C) a summary report from the Metropolitan Sewer District or Hamilton County Board of Health certifying that the approved plans and specifications for sanitary sewer and waste water treatment have been completely implemented;
- D) a summary report from the registered landscape architect who prepared the plan, certifying completion of the landscape plan, and soil erosion and sedimentation control measures as specified on the approved plan and noting any deviations and the reasons for such deviations;
- E) a summary report from the Sycamore Township Fire Chief certifying that the approved plan and specifications for fire prevention and control have been completely implemented, and
- F) a summary report from the applicant's registered engineer, surveyor or attorney certifying that required easements for access, utilities, or other purposes have been recorded in the Office of the Hamilton County Recorder.

SECTION 6.

All aspects of the development of the Real Property including, but not limited to, drainage, property improvements, lighting, landscaping, and ground cover, as set forth in the plans, specifications, covenants, conditions, requirements and limitations of the Zoning Compliance Plan and contained in this Resolution shall be continually maintained by the owner of the property. Any failure to so maintain the development shall be considered a violation of the Sycamore Township Zoning Resolution and shall be subject to all penalties and remedies thereunder.

SECTION 7.

The Trustees of Sycamore Township upon at least a majority vote do hereby dispense with the requirement that this resolution be read on two separate days, and hereby authorize the adoption of this resolution upon its first reading.

SECTION 8.

This Resolution is hereby declared to be an emergency measure necessary for the public peace, health, safety and general welfare of the

Township. The reason for the emergency is to provide the approval for the development in a timely manner in order to avoid any delays in permit approval and construction.

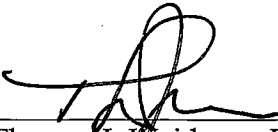
VOTE RECORD:

Mr. Bishop YES


Mr. Kent YES

Mr. Weidman YES

Passed at a meeting of the Board of Township Trustees of Sycamore Township this 16th day of September, 2008.



Thomas J. Weidman, President



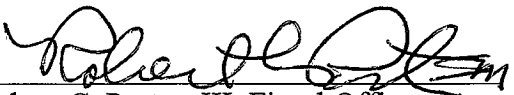
Cliff W. Bishop, Vice President



Richard C. Kent, Trustee


AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 16th day of September, 2008.



Robert C. Porter, III, Fiscal Officer
Sycamore Township, Ohio


APPROVED AS TO FORM:



R. Douglas Miller, Law Director

PROOF OF PUBLICATION

I hereby certify that I have published this Resolution on September 18, 2008
by posting in the five most public places as established by the Board of Township Trustees
such places being the Township Hall, Bob Meyer Park, Bechtold Park, North Sycamore
Recreational Facility, and the North Fire Station, Station 93.


Robert C. Porter, III, Fiscal Officer,
Sycamore Township