

First Reading: July 21, 2011  
Second Reading: Dispensed

**RESOLUTION NO. 2011 - 57**

**A RESOLUTION APPROVING A MAJOR ADJUSTMENT TO A SITE PLAN FOR THE KENWOOD TOWERS REAL ESTATE DEVELOPMENT, DISPENSING WITH THE SECOND READING, AND DECLARING AN EMERGENCY**

**WHEREAS**, application was made by Kenwood Towers LLC (the "Owner") for approval of a major adjustment to a site plan site plan for construction and erection three signs at 8010 Montgomery Road, Hamilton County Auditor's Parcel Number 600-0080-0006-00 in Case Number 2011-06MA (the "Application"); and

**WHEREAS**, the real property in Case No. 2011-06MA, consists of the real property located at 8010 Montgomery Road in Sycamore Township and is designated as Hamilton County Auditor's Parcel Number 600-0080-0006-00 (the "Real Property"); and

**WHEREAS**, the Owner has previously received approval of a site plan for the Real Property in Case No. 2009-04MA; this Application being a modification to add signage within the development; and

**WHEREAS**, the Real Property is located in the "OO"- Office District with a Planned Unit Development (PUD) overlay requiring a site plan approval for any changes from the originally approved plan; and

**WHEREAS**, on June 13, 2011 in a public hearing and an open meeting, the Sycamore Township Zoning Commission recommended approval of the application with certain conditions and communicated its recommendation to the Board of Township Trustees; and

**WHEREAS**, on July 7, 2011, after proper notice having been given, the Board of Township Trustees of Sycamore Township held a public hearing to consider the application for the major adjustment to the planned unit development for Kenwood Towers Real Estate Development;

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

**SECTION 1.** Subject to the conditions contained in the attached Exhibit A, the Application of Kenwood Towers LLC as set forth in the plans and specifications as presented to the Board of Township Trustees on July 7, 2011 is hereby approved.

**SECTION 2.** The approval of the site plan granted herein is subject to the conditions set forth on the attached Exhibit A as if fully rewritten herein.

**SECTION 3.**

Any use and improvements made to the Real Property which is the subject of this Resolution shall be constructed in complete compliance with the plans, specifications, and renderings submitted at the public hearing on July 7, 2011, in compliance with the conditions set forth in the attached Exhibit A, and all approvals and conditions contained in the original approval in Case No. 2009-04MA that are not in conflict with this Resolution.

**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 Aye

Mr. Connor Aye

Mr. Weidman Aye

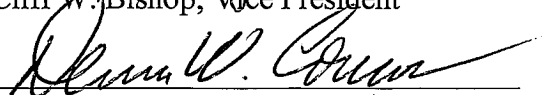
**Passed** at a meeting of the Board of Township Trustees of Sycamore Township this 21<sup>st</sup> day of July, 2011.



Thomas J. Weidman, President



Cliff W. Bishop, Vice President



Dennis W. Connor, Trustee


**AUTHENTICATION**

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 21<sup>st</sup> day of July, 2011.



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

**APPROVED AS TO FORM:**

  
R. Douglas Miller, Law Director

## EXHIBIT A

1. The temporary marketing billboard signs located along the Interstate-71 border of the Real Property shall have no internal nor external lighting on them, nor shall they be lit in any manner by artificial means.
2. The temporary marketing billboard signs located along the Interstate-71 border of the Real Property shall be removed within three (3) years of installation or six (6) months after completion of the exterior building shell, whichever shall be first to occur.
3. The secondary directional/identification sign to be located on the township access road shall not be constructed or erected until the first building is under construction.
4. The sign to be located on Montgomery Road shall be constructed as shown on the drawings submitted; no tarpaulin or cover shall be placed on the sign.
5. The sign copy to be placed on the sign that is to be located on Montgomery Road shall be one neutral color only on the tenant panels.

**PROOF OF PUBLICATION**

I hereby certify that I have published this Resolution on \_\_\_\_\_  
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