

RESOLUTION NO. 2016 - 116

A RESOLUTION APPROVING A SITE PLAN FOR THE OUTBACK STEAKHOUSE DEVELOPMENT IN SYCAMORE TOWNSHIP AND DISPENSING WITH THE SECOND READING

WHEREAS, application (the "Application") was made by Michael DeVere of Outback Steakhouse (the "Applicant") on behalf of Mary Hsia (the "Owner") for approval of a site plan for the real property located at 8240 Montgomery Road, Sycamore Township, Ohio, being Auditor's Parcel No. 600-0092-0244-00 (the "Real Property") in Case Number 2016-07MA; and

WHEREAS, the Real Property is located in the "O"- Office District with a Special Public Interest (SPI) overlay; and

WHEREAS, the proposed use of the Real Property requires that the Owners and Applicant obtain approval of a site plan; and

WHEREAS, on June 13, 2016, after proper notice having been given, the Sycamore Township Zoning Commission held a public hearing to consider the application for site plan approval for the Real Property contained within the Application for Case Number 2016-07MA; and

WHEREAS, on June 13, 2016, the Sycamore Township Zoning Commission recommended approval with conditions of the site plan for the Real Property included in Case Number 2016-07MA; and

WHEREAS, on July 7, 2016, 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 for the Real Property;

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

SECTION 1. Subject to the conditions contained on the attached Exhibit A, the site plans, specifications, and renderings submitted for site plan approval made by the Applicant for the Real Property included in Case Number 2016-07MA and presented to the Board of Township Trustees at its public hearing and meeting held on July 7, 2016 are hereby approved.

SECTION 2. Any use and improvements made to the Real Property which is the subject of this Resolution shall be constructed in strict compliance with the plans, specifications, and renderings submitted in Case Number 2016-07MA, including the conditions set forth on the attached Exhibit A and the plans and drawings submitted on July 7, 2016 as approved by this Resolution.

SECTION 3.

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 4.

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 the 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 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 5.

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 6.

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

SECTION 7.

This Resolution shall take effect on the earliest date allowed by law.

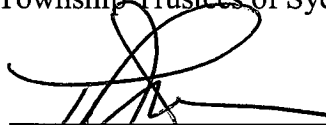
VOTE RECORD:

Mr. Bishop AYE

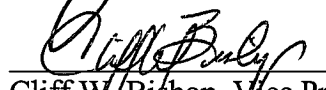
Mr. Connor AYE

Mr. Weidman AYE

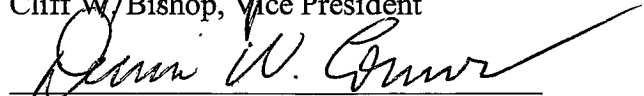
Passed at a meeting of the Board of Township Trustees of Sycamore Township this 21st day of July, 2016.



Thomas J. Weidman, President



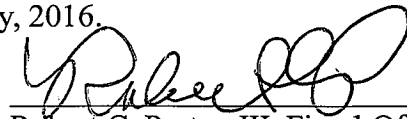
Cliff W. Bishop, Vice President



Dennis W. Connor, Trustee

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 21st day of July, 2016.



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

APPROVED AS TO FORM:



R. Douglas Miller, Law Director

EXHIBIT A

1. Elevations are approved as shown on plans and renderings with the materials as shown on such plans and as indicated in the specifications.
2. All mechanical units shall be completely screened from view.
3. A landscaping plan shall be submitted and approved by staff prior to the issuance of a Zoning Certificate.
4. The existing freestanding sign along Montgomery Road is to be reconstructed and shall be compliant with Section 13 of the Sycamore Township Zoning Resolution.
5. The dumpster surround is to be constructed of brick, stone or split face CMU in a color to match the building.
6. Building signs are approved as submitted.