

First Reading: June 2, 2016
Second Reading: Dispensed

RESOLUTION NO. 2016 - 72

**A RESOLUTION APPROVING A SITE PLAN FOR THE NCT SCHWEINFUS, LLC
PROPERTIES DEVELOPMENT IN SYCAMORE TOWNSHIP AND DISPENSING WITH
THE SECOND READING**

WHEREAS, application (the "Application") was made by Richard Tranter (the "Applicant") on behalf of NCT Schweinfus, LLC (the "Owner") for approval of a site plan for the real property located at 7906 Montgomery Road, Sycamore Township, Ohio, being Auditor's Parcel No. 600-0080-0755-00 (the "Real Property") in Case Number 2016-02P2; and

WHEREAS, the Real Property is located in the "E"- Retail District with 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 March 14, 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 2016-02P2; and

WHEREAS, on March 14, 2016, the Sycamore Township Zoning Commission recommended approval of the site plan for the Real Property included in Case Number 2016-02P2; and

WHEREAS, on April 21, 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; and

WHEREAS, at the request of the Applicant, the public hearing held April 21, 2016 before the Board of Township Trustees was continued until May 5, 2016 whereat additional information and plans were presented to the Township Trustees;

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 in the Application for site plan approval made by the Applicant for the Real Property included in Case Number 2016-02P2 and presented to the Board of Township Trustees at its public hearing and meeting held on May 5, 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 the Application for Case Number 2016-02P2, including the conditions set forth on the attached Exhibit A and the plans and drawings submitted on May 5, 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

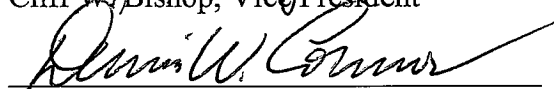
Passed at a meeting of the Board of Township Trustees of Sycamore Township this 2nd day of June, 2016.



Thomas J. Weidman, President



Cliff W. Bishop, Vice President



Dennis W. Connor, Trustee

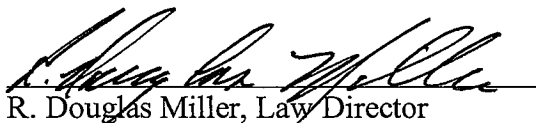
AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 2nd day of June, 2016.



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

APPROVED AS TO FORM:



R. Douglas Miller, Law Director

EXHIBIT A

1. Any lighting facing a residential district is to be shielded and approved by staff before final occupancy is awarded.
2. An easement agreement between each property owner regarding ingress/egress to development parcel must be provided to and approved by staff prior to the issuance of a Zoning Certificate.
3. All mechanical equipment must be screened from view.
4. Unless otherwise noted, the applicant must adhere to all aspects of the Sycamore Township Zoning Resolution.
5. The applicant, at O.D.O.T. direction, is to install a new fence along Montgomery Road and I-71 South on ramp to meet Township Gateway fence selection guidelines.
6. No cell phone or other communication towers are permitted on site.
7. Any business located on the development shall not be open for business with customers prior to 9:00 a.m.
8. If requested, the applicant will provide a landscape easement within the streetscape buffer in the area adjacent to and near the most northerly corner of the Real Property's Montgomery Road frontage to the benefit of Sycamore Township provided that such easement and any features for planting or installation do not affect the utility, site lines or visibility of the existing McDonalds and proposed Mattress Firm facilities (including signage); The final easement language shall be approved by the applicant and the installation and maintenance of any landscape / gateway features will be the sole responsibility (including any costs) of Sycamore Township.
9. The adjacent parking lot, currently occupied by McDonalds, must be constructed and striped as indicated on the plans submitted to the Board of Township Trustees at the May 5, 2016 hearing. Those changes on that site plan that are the subject of this resolution are as follows:
 - a. extension of the double yellow line by 35 feet in a southeasterly direction;
 - b. painting a white arrow in the bend of the first drive aisle;
 - c. extension of the single yellow line in the first drive aisle by 60 feet in a northeasterly direction;
 - d. installation of the two directional signs in the landscape island located south of the Montgomery Road access point.

Failure of the Applicant to obtain approval and construct and maintain those improvements on the adjacent parcel shall result in denial or rescission of the Applicant's zoning certificate or permit.

LocalGovernment/Sycamore/Resolutions/2016/ZoningApprovalPUD2NCTSchweinfus