

RESOLUTION NO. 2017 - 49

**A RESOLUTION APPROVING A SITE PLAN FOR MONTY-MISLEH SKYLINE DEVELOPMENT IN SYCAMORE TOWNSHIP AND DISPENSING WITH THE SECOND READING**

**WHEREAS**, application (the "Application") was made by JLS Architecture, Inc. (the "Applicant") on behalf of Monty-Misleh R.E. LLC (the "Owner") for approval of a site plan for the real property located at 10869 and 10875 Montgomery Road, Sycamore Township, Ohio, being Auditor's Parcel Nos. 600-0030-0402-00 and 600-0030-0074-00 (the "Real Property") in Case Number 2017-05P2; and

**WHEREAS**, the Real Property is located in the "E" – Retail District; and

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

**WHEREAS**, on March 13, 2017, 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 2017-05P2; and

**WHEREAS**, on March 13, 2017, the Sycamore Township Zoning Commission recommended approval with conditions of the site plan for the Real Property included in Case Number 2017-05P2; and

**WHEREAS**, on April 6, 2017, 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 in the Application for site plan approval made by the Applicant for the Real Property included in Case Number 2017-05P2 and presented to the Board of Township Trustees at its public hearing and meeting held on April 6, 2017 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 2017-05P2, including the conditions set forth on the attached Exhibit A 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.

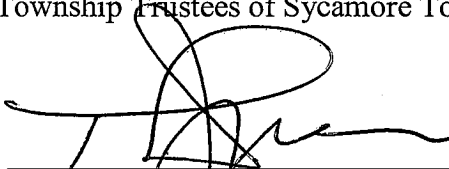
**VOTE RECORD:**

Mr. Bishop Aye

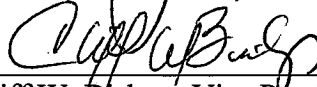
Mr. Connor Aye

Mr. Weidman Aye

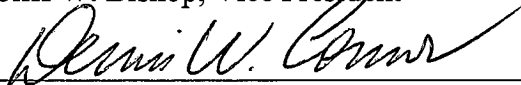
**Passed** at a meeting of the Board of Township Trustees of Sycamore Township this 2<sup>nd</sup> day of May, 2017.



Thomas J. Weidman, President



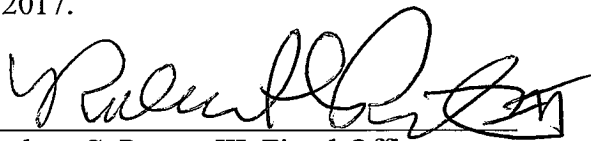
Cliff W. Bishop, Vice President



Dennis W. Connor, Trustee


**AUTHENTICATION**

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 2<sup>nd</sup> day of May, 2017.



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

**APPROVED AS TO FORM:**

  
R. Douglas Miller, Law Director

## EXHIBIT A

1. The Montgomery Road curb cut must be limited to right in / right out only and proper, sufficient, and adequate barriers/curbing shall be constructed to physically restrict the movement of vehicles onto Montgomery Road to right in / right out only.
2. The applicant must provide sufficient evidence of a permanent ingress and egress easement to access Hetz Road.
3. The top of the base of the freestanding sign along Montgomery Road must be in line with the top of the current metal fence that is above the retaining wall along Montgomery Road.
4. The sign above the base of the freestanding sign along Montgomery Road must be compliant with the requirements of the Zoning Resolution and may not rotate.
5. The freestanding sign along Montgomery Road shall be set back a minimum of five (5) feet from the right-of-way of Montgomery Road.
6. The building sign on the north side of the building is permitted.
7. A landscape plan compliant with the Sycamore Township Zoning Resolution showing an increase in the buffer on the southwest and northwest boundaries of the Real Property shall be submitted and approved by staff. A landscape plan setting forth the replacement of the boundary buffer along I-275 right-of-way boundary shall be submitted and approved by staff. The streetscape along Montgomery Road is approved as submitted.