

RESOLUTION NO. 2018 - 44

A RESOLUTION APPROVING A SITE PLAN FOR THE TAZIKI MEDITERRANEAN CAFE DEVELOPMENT IN SYCAMORE TOWNSHIP AND DISPENSING WITH THE SECOND READING

WHEREAS, application (the "Application") was made by Taz Fresh LLC (the "Applicant") on behalf of Raymond A. Conn (the "Owner") for approval of a site plan for the real property located at 7331 Kenwood Road, Sycamore Township, Ohio, being Auditor's Parcel Nos. 600-0211-0108-00, 600-0211-0121-00, and 600-0211-0141-00 (the "Real Property") in Case Number 2018-05P2; and

WHEREAS, the Real Property is located in the "E" – Retail District within the Kenwood Special Public Interest District ("SPI"); 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 12, 2018, 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 2018-05P2; and

WHEREAS, on March 12, 2018, the Sycamore Township Zoning Commission recommended approval with conditions of the site plan for the Real Property included in Case Number 2018-05P2; and

WHEREAS, on April 5, 2018, 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 2018-05P2 and presented to the Board of Township Trustees at its public hearing and meeting held on April 5, 2018 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 2018-05P2, 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.

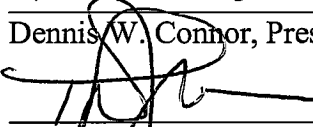
VOTE RECORD:

Mr. Connor Aye Mr. LaBarbara Aye Mr. Weidman Aye

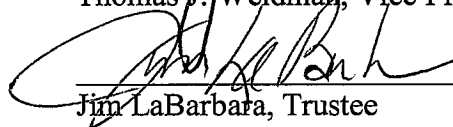
Passed at a meeting of the Board of Township Trustees of Sycamore Township this 17th day of April, 2018.



Dennis W. Connor, President



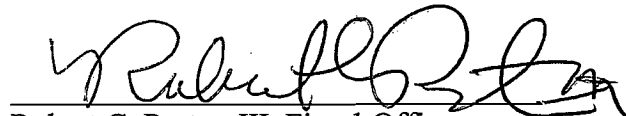
Thomas J. Weidman, Vice President



Jim LaBarbara, Trustee

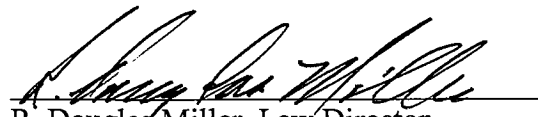
AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 17th day of April, 2018.



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

APPROVED AS TO FORM:



R. Douglas Miller, Law Director

EXHIBIT A

1. No cell/communication towers are permitted on the Real Property.
2. All three parcels, 600-0211-0108-00, 600-0211-0121-00 and 600-0211-0141-00 shall be consolidated by plat.
3. The parking stall depth along the north property line shall be reduced to 16.5 feet to allow for an extra 2.5 feet of green space.
4. The existing non-conforming pole sign shall be removed. Any new monument sign installed must be compliant with the Sycamore Township Zoning Resolution.
5. Additional landscape screening shall be added around the perimeter of the dumpster enclosure.
6. The location of the dumpster and dumpster enclosure is approved as submitted.
7. The building must be constructed with a minimum 75% preferred building materials as set forth in the Sycamore Township Zoning Resolution.
8. The drive through stacked parking is approved as submitted and a full-service drive through is permitted.
9. The screening of mechanical units, refuse control, site lighting and streetscape/buffering shall be compliant with the requirements of the Sycamore Township Zoning Resolution.