

First Reading: August 2, 2018
Second Reading: Dispensed

RESOLUTION NO. 2018 - 80

A RESOLUTION APPROVING A ZONE CHANGE FOR THE MYERS Y. COOPER OFFICE DEVELOPMENT WITH A PLANNED UNIT DEVELOPMENT OVERLAY AND DISPENSING WITH A SECOND READING

WHEREAS, application (the “Application”) was made by The Myers Y. Cooper Company (the “Applicant”) on behalf of Hills Land and Development Company, Shah Farooq, and Rukhsana Alam (the “Owners”) for a zone change with a planned unit development overlay in Case Number 2018-09Z; and

WHEREAS, the real property in Case No. 2018-09Z, consists of the real property located at 8306 Kenwood Road, 8284 Kenwood Road, 8270 Kenwood Road, and 8248 Kenwood Road, in Sycamore Township, and are designated as Hamilton County Auditor’s Parcel Numbers 600-0094-0020-00, 600-0094-0019-00, 600-0094-0018-00, and 600-0094-0017-00, 600-0094-0016-00, 600-0094-0015-00, and 600-0094-0014-00 (the “Real Property”);

WHEREAS, the Real Property is located in a “B” – Single Family Residential District; the application for the zone change is for an “OO” – Planned Office District with a Planned Unit Development Overlay; and

WHEREAS, on May 14, 2018, 2018, after proper notice having been given, the Sycamore Township Zoning Commission held a public hearing to consider the application for approval of the zone change with a planned unit development overlay in Case Number 2018-09Z; and

WHEREAS, on May 14, 2018, in an open meeting, the Sycamore Township Zoning Commission recommended denial of the Application; and

WHEREAS, on June 7, 2018, after proper notice having been given, the Board of Township Trustees of Sycamore Township held a public hearing to consider the application for the zone change in Case No. 2018-09Z which public hearing was continued in-progress to July 19, 2018;

WHEREAS, on July 19, 2018, after proper notice having been given, the Board of Township Trustees of Sycamore Township held a public hearing to consider the application for the zone change in Case No. 2018-09Z;

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

SECTION 1.

The Application of The Myers Y. Cooper Company for a zone change for the Real Property to a zoning designation of "OO" – Planned Office District with a Planned Unit Development overlay is hereby approved. This approval is subject to the Real Property being in compliance with all of the conditions set forth on the attached Exhibit A.

SECTION 2.

Any use and improvements made to the Real Property which is the subject of this Resolution shall be made and constructed in compliance with the plans, specifications, and renderings submitted to the Board of Township Trustees of Sycamore Township on July 19, 2018 as approved by this Resolution including the conditions set forth on the attached Exhibit A.

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 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 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, including any exhibits attached hereto 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

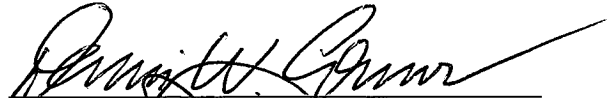
Mr. LaBarbara

AYE


Mr. Weidman

AYE

Passed at a meeting of the Board of Township Trustees of Sycamore Township this 2nd day of August, 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 2nd day of August, 2018.


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

APPROVED AS TO FORM:

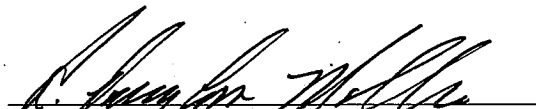

R. Douglas Miller, Law Director
Sycamore Township, Ohio

EXHIBIT A

1. No cell towers nor communication towers shall be located on the property.
2. All development watershed shall comply with Hamilton County guidelines and water runoff/detention must be constructed as presented.
3. The maximum building height shall not exceed 35 feet of mean roof height.
4. There shall be no dumpster/trash pick-up before 9:00 a.m.
5. No lighting on the Real Property shall exceed zero foot candles at all property lines.
6. All signage shall meet the requirements of the Sycamore Township Zoning Resolution.
7. Additional landscaping shall be installed along the east boundary line which shall be opaque at the time a certificate of occupancy is issued. Such landscaping shall have staggered deciduous trees and evergreens.
8. All emergency lighting on the rear of the buildings must be shielded.
9. The applicant shall review the possibility of a deceleration lane and elimination of the existing right in / right out at the adjacent Myers Y. Cooper development at 5050 East Galbraith Road.