

First Reading: March 15, 2012

Second Reading: Dispensed

**RESOLUTION NO. 2012 - 12**

**A RESOLUTION APPROVING A MAJOR ADJUSTMENT TO A SITE PLAN FOR THE CATHOLIC HEALTH PARTNERS/JEWISH HOSPITAL DEVELOPMENT**

**WHEREAS**, application was made by Kliengers and Associates (the "Applicant") on behalf of JRE Real Estate, LLC (the "Owner") for approval of a major adjustment to a site plan for construction of a parking lot and buffering on the real property located at 4714-4756 Happiness Way, 8041 Kenwood Road, and 4757 East Galbraith Road, Sycamore Township, Hamilton County, Ohio (the "Application") in Sycamore Township Zoning Case Number 2012-01MA; and

**WHEREAS**, the real property in Case No. 2012-01MA, consists of the real property located at 4714-4756 Happiness Way, 8041 Kenwood Road, and 4757 East Galbraith Road, Sycamore Township, Hamilton County, Ohio and is designated as Hamilton County Auditor's Parcel Numbers 600-0210-0675-00, 600-0210-0674-00, 600-0210-0673-00, 600-0210-0672-00, 600-0210-0671-00, 600-0210-0667-00, and 600-0210-0458-00 (the "Real Property"); and

**WHEREAS**, the Owner has previously received approval of a zone change and site plan for the Jewish Hospital Development in Case Number 2008-89 as amended by Resolution Number 2009-159 and the Application adds the parcels herein to the planned unit development established in those cases; and

**WHEREAS**, the Real Property is located in the "OO"- Office District with a Planned Unit Development (PUD) overlay requiring a site plan approval for any changes from the originally approved plan; and

**WHEREAS**, on February 13, 2012 after a public hearing and in an open meeting, the Sycamore Township Zoning Commission recommended approval of the Application with certain conditions and communicated its recommendation to the Board of Township Trustees; and

**WHEREAS**, on March 1, 2012, after proper notice having been given, the Board of Township Trustees of Sycamore Township held a public hearing to consider the Application for the major adjustment to the planned unit development on 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 in the attached Exhibit A, the Application as set forth in the plans and specifications as presented to the Board of Township Trustees on March 1, 2012 is hereby approved.

**SECTION 2.**

The approval of the site plan granted herein is subject to the conditions set forth on the attached Exhibit A as if fully rewritten herein.

**SECTION 3.**

Any use and improvements made to the Real Property which is the subject of this Resolution shall be constructed in complete compliance with the plans, specifications, and renderings submitted at the public hearing on March 1, 2012, in compliance with the conditions set forth in the attached Exhibit A, and all approvals and conditions contained in the original approval in Case No. 2008-89 and Resolution 2009-159 that are not in conflict with this Resolution.

**SECTION 4.**

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 5.**

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 6.**

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.


**VOTE RECORD:**

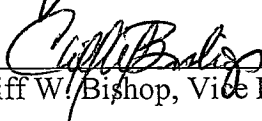
Mr. Bishop YES

Mr. Connor ABSENT

Mr. Weidman YES

**Passed** at a meeting of the Board of Township Trustees of Sycamore Township this 15<sup>th</sup> day of March, 2012.

  
\_\_\_\_\_  
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 15<sup>th</sup> day of March, 2012.

---

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

**APPROVED AS TO FORM:**



---

R. Douglas Miller, Law Director

## **EXHIBIT A**

1. Except as set forth herein, the development shall comply with all requirements of the Sycamore Township Zoning Resolution.
2. No fence shall be permitted in the front yard of any parcel.
3. Access to Happiness Way shall be limited to the two curb cuts as shown on the plans being closest to Kenwood Road. All other access to Happiness Way shall be eliminated. The easternmost curb cut shall be "right in" only and shall be constructed with curbing and signage that only allows a "right in" ingress to the parking lot. The westernmost curb cut shall be "left out" only and shall be constructed with curbing and signage that only allows a "left out" egress to Happiness Way.
4. There shall be zero (0) foot candles of light spillage at any property line that is contiguous to a parcel zoned residential or contiguous to a public right-of-way.
5. All screening and buffering shall be so installed so as to obtain one hundred percent (100%) opacity within three (3) years for the Happiness Way streetscape buffer and the western boundary buffer. The owner shall install additional landscaping within three years to meet this requirement if the requirement is not met within the three year period.