

First Reading: April 15, 2010

Second Reading: Dispensed

RESOLUTION NO. 2010 - 15

**A RESOLUTION APPROVING A SITE PLAN FOR THE GILLIGAN OIL
COMPANY LLC DEVELOPMENT**

WHEREAS, application was made by Gilligan Oil Company LLC (the "Applicant") for approval of a site plan for the Gilligan Oil Company LLC Development located at 10809/10835 Montgomery Road, Sycamore Township, Ohio, being Auditor's Parcel Nos. 600-0030-0012-00 and 600-0030-0124-00 (the "Real Property"); and

WHEREAS, the Real Property is located in the "E"- Retail District with an SPI overlay; and

WHEREAS, the proposed use of the Real Property requires that the Real Property obtain approval of a site plan; and

WHEREAS, on March 10, 2010, after proper notice having been given, the Sycamore Township Zoning Commission held a public hearing to consider the application for site plan approval; and

WHEREAS, on March 10, 2010, the Sycamore Township Zoning Commission unanimously recommended approval of the site plan for the Real Property with certain conditions; and

WHEREAS, on April 15, 2010, 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 Gilligan Oil Company Development;

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

SECTION 1. Subject to the conditions attached to this Resolution as Exhibit A, the site plans, specifications, and renderings submitted in the application for the Gilligan Oil Company LLC Development and presented to the Board of Township Trustees at its public hearing and meeting held on April 15, 2010 are hereby approved.

SECTION 2. The approval of the site plan granted herein is subject to the conditions contained on the attached Exhibit A which are made a part of this Resolution 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 strict compliance with the plans, specifications, and renderings submitted in the Application approved by this Resolution, including the conditions attached as Exhibit A.

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 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 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

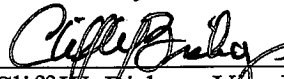
Mr. Kent ABSENT

Mr. Weidman YES

Passed at a meeting of the Board of Township Trustees of Sycamore Township this 15th day of April, 2010.



Thomas J. Weidman, President

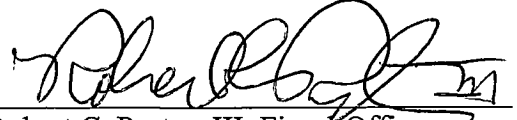


Cliff W. Bishop, Vice President

Richard C. Kent, Trustee

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 15th day of April, 2010.



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

APPROVED AS TO FORM:



R. Douglas Miller, Law Director

EXHIBIT A

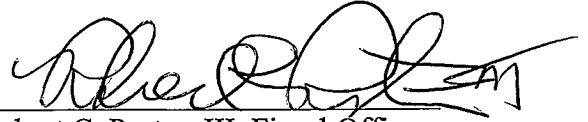
1. Except as noted below, the owner/applicant shall adhere to all aspects of the Sycamore Township Zoning Resolution, including but not limited to, regulations concerning directional signs, freestanding signs, dumpster enclosures, mechanical equipment screening, streetscape buffers with quantity and size of plantings, and lighting.
2. No outdoor advertising, bench billboards, or light post advertising shall be permitted on the site.
3. No outdoor display or sale of merchandise shall be permitted in any area of vehicular use.
4. No telecommunications towers are permitted on the site.
5. The boundary buffers, streetscape buffers, and interior landscaping as shown on the revised plans must be irrigated.
6. A landscape plan compliant with the zoning resolution shall be approved by staff prior to the issuance of a Zoning Certificate.
7. The canopy columns must have a brick or stone wrap to match the main building.
8. Parcels are to be consolidated by plat prior to the issuance of a zoning certificate.
10. All fuel dispensing pumps shall be inoperable when there is no attendant on duty.

The Site Plan is approved with the following variances:

1. The proposed freestanding sign must be setback a minimum of one (1) foot from the right-of-way.
2. The boundary buffer widths are to be constructed as shown on the plans submitted.
3. The location of the dumpster is approved as submitted.
4. No interior landscaping per Section 12-6.4(a) and (b) of the Zoning Resolution is required.
5. No more than three building signs and one directional building sign are permitted, which shall not exceed the maximum amount of permitted combined sign surface area which is 99 sq ft.
6. All parking spaces shall be a minimum of 9'x18 and must be surrounded by a continuous curb.
7. A minimum of 22 non gas pump parking spaces must be maintained on site.
8. The minimum setback required from the Montgomery Road right-of-way for any non gas pump parking space must be a minimum of 25 feet.

PROOF OF PUBLICATION

I hereby certify that I have published this Resolution on _____ by posting in the five most public places as established by the Board of Township Trustees such places being the Township Hall, Bob Meyer Park, Bechtold Park, North Sycamore Recreational Facility, and the North Fire Station, Station 93.



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