

First Reading: December 4, 2014  
Second Reading: Dispensed

RESOLUTION NO. 2014 - 144

**A RESOLUTION APPROVING A SITE PLAN FOR THE TEXAS ROADHOUSE  
DEVELOPMENT IN SYCAMORE PLAZA, AND DISPENSING WITH THE  
SECOND READING**

**WHEREAS**, application was made by Texas Roadhouse (the "Applicant") on behalf of BRE DDR Crocodile Sycamore Plaza, LLC (the "Owner") for approval of a site plan for the real property located at 7860 Montgomery Road, Sycamore Township, Ohio, being Auditor's Parcel No. 600-0080-0178-00 (the "Real Property"); and

**WHEREAS**, the Real Property is located in the "E"- Retail District with Special Public Interest (SPI) overlay; and

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

**WHEREAS**, on October 14, 2014, 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 October 14, 2014, the Sycamore Township Zoning Commission recommended approval of the site plan for the Real Property with certain conditions; and

**WHEREAS**, on November 6, 2014 and November 20, 2014, 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 attached to this Resolution as Exhibit A, the site plans, specifications, and renderings submitted in the application for site plan approval made by the Applicant for the Real Property and presented to the Board of Township Trustees at its public hearing and meeting held on November 6, 2014 as amended on November 20, 2014 are hereby approved.

**SECTION 2.** The approval of the site plans, specifications, and renderings 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.


**SECTION 7.**

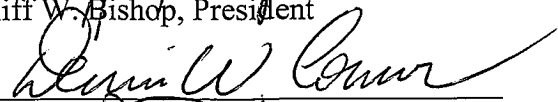
The Trustees of Sycamore Township upon at least a majority vote do hereby dispense with the requirement that this resolution be read on two separate days, and hereby authorize the adoption of this resolution upon its first reading.

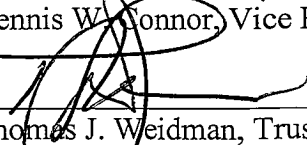
**VOTE RECORD:**

Mr. Bishop Aye                      Mr. Connor Aye                      Mr. Weidman Aye

**Passed** at a meeting of the Board of Township Trustees of Sycamore Township this 4<sup>th</sup> day of December, 2014.

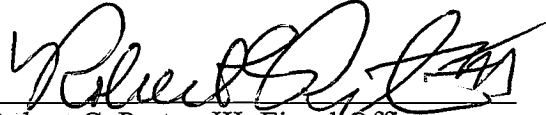
  
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Cliff W. Bishop, President

  
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Dennis W. Connor, Vice President

  
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Thomas J. Weidman, Trustee


**AUTHENTICATION**

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 4<sup>th</sup> day of December, 2014.



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

**APPROVED AS TO FORM:**

  
R. Douglas Miller, Law Director

## EXHIBIT A

1. The upper cabinet of the pole sign facing Interstate 71 shall be removed prior to the issuance of a Zoning Certificate.
2. Total signage for the Texas Roadhouse structure on the site shall consist of three (3) signs and the total square footage of all three signs together shall not exceed one hundred (100) square feet.
3. The north and west elevations of the building shall be constructed entirely of brick. The construction material of all other elevations shall be approved by the Township zoning staff.
4. An enhanced landscaping plan shall be submitted and approved by the Township zoning staff.