

**A RESOLUTION APPROVING A MAJOR ADJUSTMENT TO A SITE PLAN FOR AN APPROVED PLANNED UNIT DEVELOPMENT FOR RECONSTRUCTIVE ORTHOPEDICS PROPERTIES, LLC, AT 8099 CORNELL ROAD AND DISPENSING WITH THE SECOND READING**

**WHEREAS**, an application was made by Craig Abercrombie of Abercrombie and Associates, Inc on behalf of Reconstructive Orthopedics Properties LLC, the owners (the "Applicant") for a major adjustment to the planned unit development for the construction of additional parking in the Reconstructive Orthopedics Properties Development in Case Number 2015-04MA; and

**WHEREAS**, on April 3, 2023, after proper notice having been given, the Sycamore Township Zoning Commission held a public hearing to consider the application for approval of a major adjustment for the Reconstructive Orthopedics Properties Development in Case Number 2023-03MA; and

**WHEREAS**, the real property in Case No. 2023-03MA, consists of the real property located at 8099 Cornell Road in Sycamore Township and is designated as Hamilton County Auditor's Parcel Number 0600-0023-0035 (the "Real Property");

**WHEREAS**, the Real Property is located in the "OO"- Planned Office District with a Planned Unit Development (PUD) overlay; and

**WHEREAS**, on April 3, 2023, in a public hearing and an open meeting, the Sycamore Township Zoning Commission recommended approval of the Application and communicated its recommendation to the Board of Township Trustees; and

**WHEREAS**, on May 2, 2023, 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 in Case Number 2023-04MA;

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

**SECTION 1.**

The Application of Abercrombie and Associates, Inc, on behalf of Reconstructive Orthopedics Properties, LLC, the owners, to change the plans and parking configuration in the Planned Unit Development known as the Reconstructive Orthopedics Properties Development in Case No. 2023-03MA is hereby approved. This approval is subject to the Real Property being in compliance with all of the conditions contained within this Resolution and those conditions set forth in Exhibit A attached hereto.

**SECTION 2.**

All other approvals, conditions, obligations, and requirements contained in previous approval of the development as amended in prior resolutions of the Board of Township Trustees and not adjusted herein shall remain in full force and effect.

**SECTION 3.**

Any use and improvements made to the Real Property, which is the subject of this Resolution, shall be constructed in compliance with the plans, specifications, and renderings submitted to the Board of Township Trustees of Sycamore Township at the public hearing on May 2, 2023, and approved by this Resolution, including any conditions contained on the Exhibit A attached hereto, and any previous resolutions in effect that affect the Real Property that are not amended herein.

No Zoning Certificate shall be issued by the Zoning Administrator until:

**SECTION 4.**

- 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.

**SECTION 7.**

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.

**VOTE RECORD:**

Ms. Schwegmann Aye      Mr. Weidman Aye      Mr. James Aye

Passed at the meeting of the Board of Trustees this Second day of May, 2023.

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Tracy Schwegmann, Chairman

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Thomas J. Weidman, Vice-Chairman

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Thomas C. James Jr., Trustee

**AUTHENTICATION**

This is to certify that this Resolution was duly passed, and filed with the Sycamore Township Fiscal Officer, on this 2<sup>nd</sup> day of May 2023.

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Lawrence E. Barbieri, Law Director

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Jonathan T. Deters  
Sycamore Township Fiscal Officer

## **EXHIBIT A**

### Conditions of Approval:

1. The Applicant shall submit a landscaping plan compliant with the Sycamore Township Zoning Resolution that shall be approved by Zoning Department staff. The boundary buffer shall be amended to include a similar amount of columnar trees to match the vegetative buffer of the submittal plan originally showing the Black Gums.