

RESOLUTION NO. 31 - 2005

RESOLUTION APPROVING A MAJOR CHANGE TO THE PRELIMINARY DEVELOPMENT PLAN FOR CASE #06-05 UNIVERSITY POINTE HOSPITAL, TO MILLER VALENTINE GROUP

WHEREAS, the application of Tipton Interests (13-98), which included the rezoning of 45 acres from A-1 to C-PUD and a Preliminary Development Plan with 400,000 s.f. of retail development, was approved by the West Chester Township Board of Trustees on February 9, 1999; and,

WHEREAS, on August 20, 2001, the West Chester Zoning Commission granted Revised Preliminary Development Plan approval for a medical office campus and related retail/restaurant uses; and,

WHEREAS, on February 24, 2003, the West Chester Zoning Commission granted Revised Preliminary Development Plan approval for changes to the previously approved parcel lines; and,

WHEREAS, on July 19, 2005, Gary Scanlon submitted a Major Change application requesting Revised Preliminary Development Plan approval for modifications to the street layout by vacating a portion of the existing University Drive to create a 28.863 acre site for a future hospital; and,

WHEREAS, on August 9, 2005, the Butler County Planning Commission recommended approval of said Major Change to the Preliminary Development Plan; and,

WHEREAS, on August 15, 2005, the West Chester Township Zoning Commission recommended approval of said Major Change to the Preliminary Development Plan with conditions; and,

WHEREAS, by advertisement, a public hearing for the aforesaid Major Change to the Preliminary Development Plan was held before the West Chester Township Board of Trustees on September 13, 2005 as applied for by Miller Valentine Group; and,

WHEREAS, all those present for the hearing who wished to be heard voiced their opinions with respect thereto.

NOW THEREFORE, BE IT RESOLVED that on the basis of the above actions and findings, the West Chester Township Board of Trustees does hereby concur with the recommendation and conditions of approval of the West Chester Township Zoning Commission and does hereby approve the application for the aforesaid Major Change to the Preliminary Development Plan consistent with the submitted site plan with the following conditions:

SECTION 1. This approval only grants changes to the previously approved Preliminary Development Plan with regard to the "Proposed Hospital Site" as it is illustrated on the approved Revised Preliminary Development Plan. The C-PUD shall otherwise remain subject to the restrictions as previously approved.


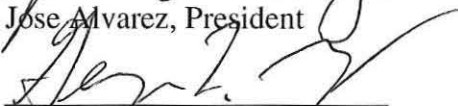
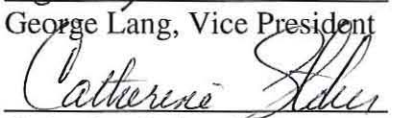
SECTION 2. The concept layout plan approved with this application is only intended to be representative of the general location of the access drives, parking areas, and building locations, and is not intended to illustrate that anticipated final layout and building footprints. Therefore, the final layout and design may be modified at the Final Development Plan Stage if the revised plan reflects the main access connections, at the discretion of the Zoning Commission.

SECTION 3. At the Final Development Plan Stage for the hospital, the applicant shall demonstrate that the existing utilities have been coordinated with the appropriate agencies. An easement should be required for any utility that is not located within a public right-of-way, or relocated accordingly, and the applicant shall work with affected utilities and reach a mutually agreeable relocation plan.

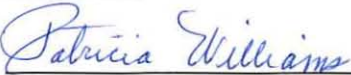
SECTION 4. At the Final Development Plan Stage for the hospital, the applicant shall coordinate with the BCEO to determine if a roadway connection would be feasible near the Home Depot site, which may help alleviate existing congestion problems on Tylersville Road. The previously approved Traffic Impact Study shall also be modified and updated as deemed necessary by the BCEO, and shall meet the approval of the BCEO.

BE IT FURTHER RESOLVED, that all plats, plans, applications, and other data submitted are hereby incorporated in this approval.

Adopted this 27th day of September, 2005.

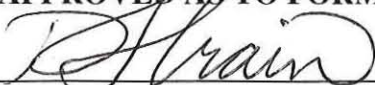
 _____ Jose Alvarez, President	<u>Yes</u> Yes / No
 _____ George Lang, Vice President	<u>YES</u> Yes / No
 _____ Catherine Stoker, Trustee	<u>YES</u> Yes / No

ATTEST:



Patricia Williams, Township Clerk

APPROVED AS TO FORM:



Donald L. Crain, Law Director

CERTIFICATE OF PUBLICATION

September 13, 2005

Date

First Reading

Date

September 27, 2005

Date

Emergency Reading

Second Reading

October 3, 2005 Journal News

Date and Newspaper

October 6, 2005 Pulse Journal

First Publication
(After Approval)

October 10, 2005 Journal News

Date and Newspaper

October 13, 2005 Pulse Journal

Second Publication
(After Approval)

Patricia Williams, 2/13/06

Clerk Signature & Date

Certificate of Publication