

Resolution No. 2012-05

A RESOLUTION OF THE COUNCIL OF THE CITY OF COATESVILLE, CHESTER COUNTY, PENNSYLVANIA, APPROVING AND PERMITTING CERTAIN TECHNICAL CONSTRUCTION METHODS AND CALCULATIONS FOR CONSTRUCTION OF UNDERGROUND STORM WATER MANAGEMENT FACILITIES PROPOSED AS REFERENCED IN THE REVIEW LETTER OF THE CITY ENGINEER DATED FEBRUARY 8, 2012 - SUBJECT TO FULL COMPLIANCE WITH THE TERMS OF SAID LETTER AND APPROVAL BY THE CHESTER COUNTY CONSERVATION DISTRICT AND SUBJECT AS WELL TO THE UNDERSTANDING THAT SAID UNDERGROUND STORMWATER MANAGEMENT FACILITIES ARE CONSIDERED A TECHNICAL CHANGE TO THE ABOVE GROUND FACILITIES PREVIOUSLY APPROVED AND NOT AN AMENDMENT TO THE APPROVED LAND DEVELOPMENT PLANS FOR THE OFFICE BUILDING AND HOTEL DEVELOPMENT PROJECT BEING DEVELOPED BY COATESVILLE INN ASSOCIATES AND GRANTED CONDITIONAL FINAL APPROVAL BY THE CITY COUNCIL OF THE CITY OF COATESVILLE

WHEREAS, the City of Coatesville is a Chartered Third Class City in the Commonwealth of Pennsylvania; and,

WHEREAS, Coatesville Inn Associates, a Pennsylvania Limited Partnership (hereinafter referred to as the "Applicant") presented a Plan dated December 18, 2009, last revised April 12, 2010, which was conditionally approved by City Council of the City of Pennsylvania by resolution dated April 12, 2010 and which has subsequently been filed of record in the Office of the Recorder of Deeds in and for Chester County Pennsylvania; and,

WHEREAS, the Applicant has subsequently determined that it is in the best interests of the project to bury the stormwater management basins from view, and has submitted various plans as referenced in the City Engineer's review letter dated February 8, 2012 which is attached hereto as Exhibit "A" which are being treated as technical changes caused by the different technology and engineering needed for underground stormwater management and not as amendments to the approved plan; and

WHEREAS, the Applicant desires that the technical changes be formally approved by the City Council of the City of Coatesville and memorialized in an appropriate Resolution recognizing that this approval is not a plan amendment; and

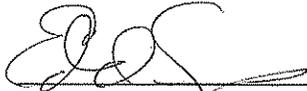
WHEREAS, the City Engineer's review letter is a conditional approval requiring full compliance with the conditions set forth therein as well as full compliance with any conditions of approval of the Chester County Conservation District, which such approval must be obtained before construction can take place. .

NOW, THEREFORE, BE IT RESOLVED by the Council for the City of Coatesville, that the City of Coatesville approves the technical change from above ground storm water management to below ground storm water management as identified in the City Review

Letter of February 8, 2012 subject to Applicant's agreement to and satisfactory compliance with the conditions listed below:

1. Comply with the comments and requirements of Cedarville Engineering Group as forth in the review letter addressed to the City of Coatesville dated February 8, 2012, a copy of which is attached hereto as Exhibit "A."
2. Comply with any requirements of the Chester County Conservation District and receive written approval for the plans as submitted.
3. Obtain any necessary outside agency approvals and obtain any and all permits required by the City before commencing construction.
4. The Applicant, through its authorized representative, shall countersign a copy of this Resolution indicating acceptance by the Applicant of the above set forth conditions. If Applicant fails to do so, the technical approval of construction methods and calculations shall be deemed denied for failure to comply with the above conditions.

IN WITNESS THEREOF, the Council of the City of Coatesville has adopted and enacted this Resolution this 13th day of February, 2012.



Name: Edward Simpson
Title: President, City Council

ATTEST:



Name: Gary Rawlings
Title: City Manager

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Resolution duly adopted at a regular meeting of City Council held on the thirteenth day of February, 2013 and recorded in the minutes as such.



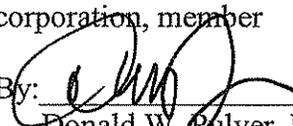
Name: Gary Rawlings
Title: City Manager

The above conditions are accepted by the Applicant.

COATESVILLE INN ASSOCIATES, a Pennsylvania
limited partnership

By: COATESVILLE INN, LLC, a Pennsylvania limited
liability company, general partner

By: OLIVER COATESVILLE INN
CORPORATION, Pennsylvania
corporation, member

By: 
Donald W. Culver, President