

BEFORE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF MONROEVILLE

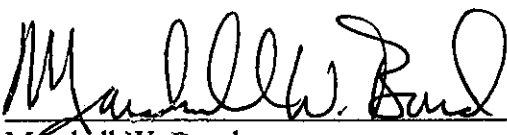
A RESOLUTION OF MUNICIPAL COUNCIL )  
 OF THE MUNICIPALITY OF MONROEVILLE )  
 APPROVING SITE PLAN APPLICATION NO. ) RESOLUTION NO. 01-88  
 01-11-ST OF LOWE'S COMPANIES/COCHRAN )  
 R.E, L.P. CONCERNING PROPERTY LOCATED )  
 AT 4200 WILLIAM PENN HWY )


AND NOW, on October 9, 2001, it is RESOLVED by Municipal Council of the Municipality of Monroeville as follows:

That Site Plan Application No. 01-11-ST of LOWE'S COMPANIES/COCHRAN R.E., L.P., concerning property located at 4200 William Penn Highway, for the construction of a Retail Home Improvement Store, 135,054 square feet in size, and associated site improvements, with a total property area involved equaling 16.96 acres, is "APPROVED" this date subject to conditions attached hereto as Addendum A.

ATTEST:

MUNICIPALITY OF MONROEVILLE

  
 \_\_\_\_\_  
 Marshall W. Bond  
 Municipal Manager

  
 \_\_\_\_\_  
 Abe J. Comunale  
 Mayor

ENTERED INTO LEGAL BOOK ON: October 19, 2001

## ADDENDUM A TO RESOLUTION NO. 01-88

Concerning File No. 01-11-ST

The approval of the aforementioned Site Plan, No. 01-11-ST, is subject to the following conditions:

1. Compliance with all applicable Municipal Codes, Ordinances, Resolutions, Policies and procedures, in general, and with Ordinance No. 1443, as amended, in particular.
2. The Site Plan shall not be official until and unless it is approved by Monroeville Municipal Council. Council may add such requirements to the Site Plan as it determines are appropriate in the circumstances. If the Council adds any requirements, a revised Site Plan reflecting such additional requirements shall be filed with the Municipal Zoning Officer within ninety (90) days of the date of the action of Council imposing such requirements.
3. Submission of an Improvement Bond in an amount of 110 percent of the cost of improvements required by Section 508 of Ordinance 1443, as amended, as estimated by the Municipal Engineer and in a form acceptable to the Municipal Solicitor. *No site preparation shall be authorized nor any building permits or grading permits issued until an Improvement Bond has been accepted by the Municipality of Monroeville.*
4. Applicant agrees to comply with the requirements of Ordinance No. 1016 concerning sidewalk construction and regulations, as located and approved by the Municipal Engineer.
5. Applicant agrees to provide handicapped parking spaces as shown in the Site Plan. These designated parking areas shall be marked with proper signage showing the symbol of accessibility, including a symbol sign mounted on a pole and a symbol painted on the asphalt parking surface. Additional signage shall be provided notifying patrons of Ordinance 1806 that establishes a fee of two-hundred (\$200.00) dollars for the violation of parking in handicapped parking areas.
6. Applicant agrees to use an approved exterior wall surface on exposed areas of the building as required in Section 209 of Ordinance No. 1443, as amended.

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- 7. Applicant agrees to comply with the provisions of Resolution No. 89-55, requesting that all owners, developers, contractors and operators of commercial establishments give first preference to the hiring of all Monroeville residents, who are qualified, to participate in the development, construction, and operation of their commercial operations in the Municipality of Monroeville.
- 8. Applicant agrees that after approval of the Site Plan by Monroeville Council, and prior to the issuance of any Grading Permit or Building Permit, all drawings in the application submission shall be submitted to the Department of Community Development in a digital format, preferably AutoCad Version 14, and if not available, a DXF format is acceptable. No work shall be authorized to commence until this information is submitted.
- 9. Applicant agrees to comply with Resolution 00-30, the Monroeville Developer's Agreement, executing said agreement prior to the commencement of any work on the site, or the issuance of a Land Disturbance Permit, Building Permit or Zoning Permit.
- 10. Applicant agrees to the following traffic improvements at Route 22/ William Penn Highway and #1 Cochran Driveway, and will implement the following:
  - a) Widen #1 Cochran Driveway, providing for three lanes of exiting traffic at the intersection with Route 22/ William Penn Highway, to include an exclusive left turn lane, an exclusive through lane and an exclusive right turn lane;
  - b) Re-stripe pavement markings on Route 22/ William Penn Highway at intersection of #1 Cochran Driveway to provide for dual westbound left turn lanes into #1 Cochran Driveway. Widen and re-stripe #1 Cochran Driveway to accept dual left turns.
  - c) Upgrade traffic signal equipment at the intersection of Route 22/ William Penn Highway with the #1 Cochran Driveway and McMasters Drive. Upgrade new equipment that will include the traffic signal in the coordinated traffic signal system along Route 22/ William Penn Highway and the optimization of those traffic signal timings.

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11. Applicant agrees to the following traffic improvements at Monroeville Boulevard and Ivanhoe Drive, and will implement the following:
  - a) Modify traffic signal phasing to provide an eastbound advance phase to the existing eastbound/westbound and southbound phases.
12. Applicant agrees to install a traffic signal consistent with that equipment specified by the Municipality of Monroeville and equipped with the Opticom emergency preemption system at the traffic signal located at the intersection located at Route 22/ William Penn Highway and #1 Cochran Driveway and McMasters Drive.
13. Applicant agrees to notify the Department of Community Development, Municipality of Monroeville, regarding any future meetings, involving staff with the design of this intersection, with the Pennsylvania Department of Transportation regarding the Highway Occupancy Permit, Traffic Signal Design and/or coordination of the traffic signal system, providing updates to the Director of Community Development on the re-design of the intersection and the traffic signal.
14. Applicant agrees that no work can commence on the site; no Building Permit will be issued, until authorization of a Highway Occupancy Permit for construction is received from the Pennsylvania Department of Transportation.
15. Applicant agrees that no Zoning Occupancy Permit or Building Occupancy Permit will be issued, until a Highway Occupancy Permit is received from the Pennsylvania Department of Transportation.
16. Applicant agrees that no Zoning Occupancy Permit or Building Occupancy Permit will be issued, until a Traffic Signal Permit is received from the Pennsylvania Department of Transportation.
17. Applicant agrees that no Zoning Occupancy Permit or Building Occupancy Permit will be issued or any authorization to use the buildings or property until all highway improvements and traffic signal improvements are constructed and installed as approved by the Municipality of Monroeville and the Pennsylvania Department of Transportation.

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18. Applicant agrees to provide an access easement to the Miracle Mile Shopping Center for the shared driveway on the western property line. If the Miracle Mile Shopping Center refuses to grant an access easement to connect to the access provided by Lowes, the Applicant agrees to provide a Revised Site Plan to the Director of Community Development, limited service access to the rear of the Lowes property.
19. Applicant recognizes that no work shall commence on the Lowes Land Development project, including any demolition, site preparation, or building construction, in coordination with the development of the new Cochran Auto Park, and stipulates that Council Approval shall become effective in March of 2003, with the land development completed by April 2004.
20. Applicant agrees to comply with the approval of the Monroeville Zoning Hearing Board of July 11, 2001, granting a Variance reducing the number of required Off-Street Parking Spaces from 772 spaces to 619 spaces.
21. Applicant agrees to participate in the Beautification and Streetscape Improvement Program for Business Route 22/William Penn Highway.
22. Compliance with the Municipal Engineer's requirements.
23. Compliance with the Fire Official's requirements.