

BEFORE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF MONROEVILLE

A RESOLUTION OF MUNICIPAL COUNCIL )  
OF THE MUNICIPALITY OF MONROEVILLE )  
APPROVING CONDITIONAL USE 01-19-C(R) )  
OF ANTHONY HORBAL, CONCERNING PROP- )  
ERTY LOCATED ON THE EASTERLY SIDE OF )  
U.S. ROUTE 22 AT ITS INTERSECTION WITH )  
MIRACLE DRIVE )


RESOLUTION NO. 02-56


AND NOW, on July 9, 2002, it is RESOLVED by Municipal Council of the Municipality of Monroeville as follows:

That Conditional Use Application No. 01-19-C(R) of ANTHONY HORBAL, concerning property located on the easterly side of U. S. Route 22 at its intersection with Miracle Drive, for vehicle services, allowing the construction of a car wash and associated site improvements, with a total property area equaling 2.49 acres, is "APPROVED" this date subject to conditions attached hereto as Addendum A.

ATTEST:

MUNICIPALITY OF MONROEVILLE

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

  
\_\_\_\_\_  
James J. Lomeo  
Mayor

ENTERED INTO LEGAL BOOK ON: July 19, 2002

ADDENDUM A TO RESOLUTION NO. 02-56

Concerning File No. 01-19-C(R)

The approval of the aforementioned Conditional Use, No. 01-19-C(R), 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. Site Plan approval shall not be official until and unless the Site Plan, as approved by Council and including all conditions of approval by Municipal Council, is filed with the Zoning Officer within ninety (90) days of action by Council.
3. Submission of a Performance Guarantee Improvement Bond in an amount of 100 percent of the cost of grading and erosion control required by Section 508 of Ordinance No. 1535, as amended, as estimated by the Municipal Engineer, and in a form acceptable to the Municipal Solicitor.
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 that after approval of the Conditional Use 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.
6. 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.
7. Applicant agrees that no transportation of earth and other cut material can occur during the AM and PM Traffic Peak Periods of Route 22/ William Penn Highway, specifically no roadway activity prior to 9:00 AM nor between the hours 4:00 PM to 7:00 PM, daily.

ADDENDUM A TO RESOLUTION NO. 02-56  
Concerning File No. 01-19-C (R)

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8. Applicant agrees to secure a Building Permit as per Section 1825.0, Retaining Walls, of The BOCA National Building Code, 1996 for the retaining wall located on the east side of the property.
9. Applicant agrees to comply with the comments or any conditions established by the Municipal Engineer, including:
  - A complete design for the retaining wall shall be prepared by a Registered Professional Engineer, and submitted to the Municipal Engineer for review and approval prior to the commencement of any work on the site.
  - A cut and fill design prepared by a Registered Professional Engineer, that will address existing subsurface conditions of the site, specifications for completing and monitoring the proposed cut and fill activities, specifications for completing and monitoring the stability of the existing and proposed slopes, and an inventory of the kinds of fill materials proposed to be imported to the site. Authorization for the issuance of a Land Disturbance Permit shall not occur for the site until the design is reviewed and approved by the Municipal Engineer.
  - A Geotechnical Engineer shall be on site to monitor all cut and fill activities work performed on the site. Weekly reports shall be submitted to the Department of Community Development. That Geotechnical Engineer shall provide the Municipality of Monroeville with a final certification and acceptances of all fill work performed on the site upon completion of the project. The certification shall address the stability on the site and the placement and compaction of the fill material.
10. Applicant agrees to install two (2) signs -- one sign shall designate u-turns prohibited on Miracle Drive, and the other sign to inform that the depressed curb area access on the raised medians is for emergency use only.
11. Applicant agrees to that with the Condition Use and Site Plan Approvals affirmed by the Municipality of Monroeville, that those approvals shall in no way grant to the Applicant any rights, title or interest in any access over private property not owned or controlled by the Municipality of Monroeville. The matter of access is a private matter between the Applicant and its contiguous neighbors.
12. Compliance with the Fire Official's requirements.