

BEFORE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF MONROEVILLE

A RESOLUTION OF MUNICIPAL COUNCIL )  
OF THE MUNICIPALITY OF MONROEVILLE )  
APPROVING CONDITIONAL USE 01-16-C(R) )  
OF #1 COCHRAN AUTOMOTIVE/COCHRAN )  
R.E., L.P. CONCERNING PROPERTY LOCATED )  
ON ROUTE 22/WILLIAM PENN HIGHWAY )

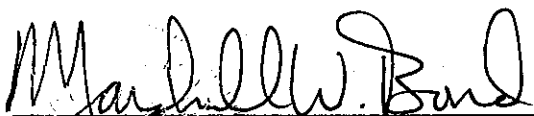
RESOLUTION NO. 02-79


AND NOW, on October 8, 2002, it is RESOLVED by Municipal Council of the Municipality of Monroeville as follows:

That Revised Conditional Use Application No. 01-16-C(R) of #1 COCHRAN AUTOMOTIVE/COCHRAN R.E., L.P., concerning property located on Route 22/William Penn Highway, approving a permitted use at an intersection of a major thoroughfare or transportation artery, to include the construction of a group unit development including: a Vehicle Salesroom, Vehicle Sales Area, and Vehicle Service Area; including the installation of a new traffic signal on Route 22 and those associated improvements; and the construction of driveway accesses within four thousand feet of the Parkway/Route 376, the Pennsylvania Turnpike/Route 76 and Old William Penn Highway, with a total property area equaling 29.27 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: October 18, 2002

ADDENDUM A TO RESOLUTION NO. 02-79

Concerning File No. 01-16-C(R)

The approval of the aforementioned Conditional Use, No. 01-16-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 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 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.
5. 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.
6. Applicant agrees to construct sidewalks on Route 22/ William Penn Highway, complying with Ordinance 1016, concerning sidewalk construction and regulations, and as located and approved by the Pennsylvania Department of Transportation.
7. 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 or the Traffic Signal Design and provide updates to the Director of Community Development on the design of the intersection and the traffic signal.

## ADDENDUM A TO RESOLUTION NO. 02-79

Concerning File No. 01-16-C(R)

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8. Applicant agrees that no work can commence on the site, no Building Permit or Land Disturbance Permit will be issued, until a Temporary Construction Access Permit is authorized by the Pennsylvania Department of Transportation.
9. 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.
10. 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.
11. 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 new traffic signal located at the new intersection located at the proposed Cochran Auto Park and Route 22/ William Penn Highway.
12. Applicant agrees to Interconnect and coordinate the traffic signals at the new intersection, Cochran Auto Park driveway and Route 22/ William Penn Highway, Old William Penn Highway and Route 22/ William Penn Highway, and Elliot Road and Route 22/ William Penn Highway. Applicant further agrees to secure all necessary permits from the Pennsylvania Department of Transportation for these traffic signal improvements and pay all necessary cost for improvements and installation of the coordinated system.
13. 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.
14. Applicant agrees to secure a Highway Occupancy Permit from Pennsylvania Department of Transportation for the replacement of the 42-inch culvert, beneath Route 22/ William Penn Highway, prior to the commencement of work on that construction work.
15. 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.
16. 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 north side of Route 22/ William Penn Highway.

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17. Applicant agrees to secure a Building Permit as per Section 1825.0, Retaining Walls, of The BOCA National Building Code, 1996 for the three retaining walls located on the south side of Route 22/ William Penn Highway.

18. Applicant agrees to comply with the comments or any conditions established by the Municipal Engineer, including:

§ A complete design for the segmental 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.

19. Applicant agrees to secure all necessary permits from the Department of Environmental Resources for encroachment in the wetlands. No Land Disturbance Permit shall be issued until a copy of the permit is submitted to the Department of Community Development, Municipality of Monroeville.

20. Applicant agrees that an Erosion and Sedimentation Control Plan must be submitted to and approved by the Allegheny Conservation District prior to the commencement of any work on the site and the issuance of the Zoning Permit or Land Disturbance Permit.

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21. Applicant agrees to submit to the Department of Community Development, a Revegetation and Buffer Plan for the north side of Route 22/ William Penn Highway, specifically that area above the Hyundai dealership that is zoned R-2, Single-Family Residential. All landscaping of this area shall be paid by the developer. The Director of Community Development shall approve the Revegetation and Buffer Plan. No Zoning Occupancy Permit or Building Occupancy Permit shall be issued for the proposed dealership on the northern side of until the landscaping is completed.
22. Applicant agrees to clearly delineate areas of disturbance on properties located on the north and south sides of Route 22/ William Penn Highway, demarcating undisturbed areas, and the limits of grading and tree removal. A Municipal Inspector shall be on the premises during all land disturbance activities and the Applicant agrees to reimburse the Municipality of Monroeville for those inspection costs.
23. Compliance with the Municipal Engineer's requirements.
24. Compliance with the Fire Official's requirements.