

BEFORE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF MONROEVILLE


A RESOLUTION OF MUNICIPAL COUNCIL)
 OF THE MUNICIPALITY OF MONROEVILLE)
 APPROVING SITE PLAN NO. 02-10-ST OF)
 WALNUT CAPITAL PARTNERS CONCERNING) RESOLUTION NO. 02-83
 PROPERTY LOCATED ON THE NORTHERLY)
 SIDE OF BUSINESS ROUTE 22)

AND NOW, on November 12, 2002, it is RESOLVED by Municipal Council of the Municipality of Monroeville as follows:

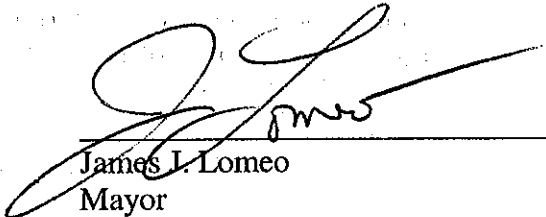
That Site Plan Application No. 02-10-ST of WALNUT CAPITAL PARTNERS, concerning property located on the northerly side of Business Route 22, for the construction of a Retail Shopping Center, 16,400 square feet in size, and Restaurant with Drive-Thru, 3,953 square feet in size, and associated site improvements; including the demolition of four (4) existing structures, is "APPROVED" this date subject to conditions attached hereto as Addendum A.

ATTEST:

MUNICIPALITY OF MONROEVILLE



 Marshall W. Bond
 Municipal Manager



 James I. Lomeo
 Mayor

ENTERED INTO LEGAL BOOK ON: November 22, 2002

ADDENDUM A TO RESOLUTION NO. 02-83

Concerning File No. 02-10-ST

The approval of the aforementioned Site Plan, No. 02-10-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 provide interior driveway connections to the property located to the west of this proposed development, and should a future development be approved to the east of the Walnut Capital Property, the applicant agrees to provide an interior driveway connection that will tie in with proposed signal on Business Route 22.

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ADDENDUM A TO RESOLUTION NO. 02-83

Concerning File No.02-10-ST

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7. Applicant agrees to comply with the conditions of the Zoning Hearing Board Approval of August 7, 2002, as attached hereto as Exhibit A.
8. Applicant agrees to install a Traffic Signal as shown in Exhibit B, and as approved by the Municipality of Monroeville of Monroeville. All new traffic signal equipment will be compatible with the existing municipal signal system and provide a coordinated traffic signal system along Route 22/ William Penn Highway and the optimization of those traffic signal timings.
9. 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.
10. 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.
11. 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.
12. 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.
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 use an approved exterior wall surface on exposed areas of the building as required in Section 209 of Ordinance No. 1443, as amended.
15. 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.

ADDENDUM A TO RESOLUTION NO. 02-83

Concerning File No.02-10-ST

Page 3

16. 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.
17. 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.
18. Applicant agrees to submit a cost estimate for the traffic signal equipment installation and associated improvements to the Department of Community Development for its approval, and submit a Site Improvement Bond prior to the issuance of any Grading, Building or Zoning Permits.
19. Compliance with the Municipal Engineer's requirements.
20. Compliance with the Fire Official's requirements.

Municipality of Monroeville

A Home Rule Charter Municipality

Municipal Center
2700 Monroeville Boulevard
Monroeville, PA 15146-2388

Phone (412) 856-1000
Fax (412) 856-3377
www.monroeville.pa.gov

ZONING HEARING BOARD MUNICIPALITY OF MONROEVILLE

IN CASE OF: 02-25-A

APPLICATION NUMBER: WALNUT CAPITAL PARTNERS, INC.

REPORT OF DECISION

AND NOW, THIS 7th DAY OF AUGUST, 2002, UPON CONSIDERATION OF
A HEARING ON AUGUST 7, 2002:

IT IS HEREBY DETERMINED THAT THE APPLICATION to request a Variance to Table 207.5, Minimum Rear Yard Abutting any Residential or Conservancy Zoning District, Monroeville Zoning Ordinance, 1443, as amended, allowing the placement of a commercial building to encroach ten (10) feet into a required fifty (50) foot rear yard.

Concerning subject property located at 4131, 4137, 4139 and 4141 William Penn Highway.

GRANTED DENIED WITH THE FOLLOWING CONDITIONS:
Applicant must receive the zoning officer's approval of an acceptable design plan for all structures and signs. Such approval subject to zoning officer's discretion.

BY THE MONROEVILLE ZONING HEARING BOARD

Thomas E. Walter, Sr.
Thomas E. Walter, Sr.
Robert Grimes
Robert Grimes

Gregory Erosenko
Gregory Erosenko
Donald Risko
Donald Risko

Frank Rawson
Frank Rawson

NOTE: Any persons aggrieved by the decision of the Zoning Hearing Board of the Municipality of Monroeville, Pennsylvania, may appeal to the Court of Common Pleas of Allegheny County, Pennsylvania, within thirty (30) days after the decision of the Zoning Hearing Board.

If after a permit has been granted by the Zoning Hearing Board, the Improvement so authorized has not been started within six (6) months from that decision date, the said authorization shall be null and void.

Decision Mailing Date: 8-8-02

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ZONING HEARING BOARD MUNICIPALITY OF MONROEVILLE

IN CASE OF: 02-26-A
APPLICATION NUMBER: WALNUT CAPITAL PARTNERS, INC.

REPORT OF DECISION

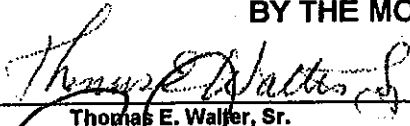
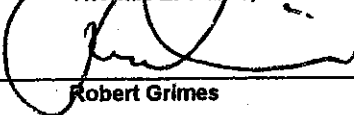
AND NOW, THIS 7th DAY OF AUGUST, 2002, UPON CONSIDERATION OF
A HEARING ON AUGUST 7, 2002:


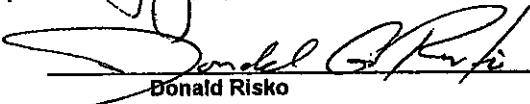
IT IS HEREBY DETERMINED THAT THE APPLICATION to request a Variance to Table 207.5, Minimum Rear Yard Abutting any Residential or Conservancy Zoning District, Monroeville Zoning Ordinance, 1443, as amended, allowing the parking lot to encroach five (5) feet into a required fifteen (15) foot rear yard.

Concerning subject property located at 4131, 4137, 4139 and 4141 William Penn Highway.

GRANTED DENIED WITH THE FOLLOWING CONDITIONS:
See 02-25-A - conditions incorporated herein

BY THE MONROEVILLE ZONING HEARING BOARD


Thomas E. Walker, Sr.

Robert Grimes


Gregory Erosenko

Donald Risko


Frank Rawson

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Decision Mailing Date: 8-8-02

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ZONING HEARING BOARD MUNICIPALITY OF MONROEVILLE

IN CASE OF: 02-27-A

APPLICATION NUMBER: WALNUT CAPITAL PARTNERS, INC.

REPORT OF DECISION

AND NOW, THIS 7th DAY OF AUGUST, 2002, UPON CONSIDERATION OF
A HEARING ON AUGUST 7, 2002:


IT IS HEREBY DETERMINED THAT THE APPLICATION to request a Variance to Section 207.8, Lot and Yard Requirements, of the Monroeville Zoning Ordinance, 1443, as amended, allowing the placement of off-street parking spaces to be located in required side yards.

Concerning subject property located at 4131, 4137, 4139 and 4141 William Penn Highway.

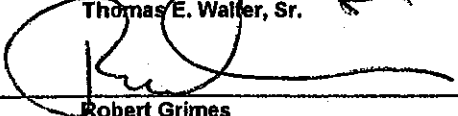
GRANTED DENIED WITH THE FOLLOWING CONDITIONS:

See - 02-25-A - conditions incorporated herein.

BY THE MONROEVILLE ZONING HEARING BOARD


Thomas E. Waller, Sr.


Gregory Erosenko


Robert Grimes


Donald Risko


Frank Rawson

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Decision Mailing Date: 8-8-02

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ZONING HEARING BOARD MUNICIPALITY OF MONROEVILLE

IN CASE OF: 02-28-A
APPLICATION NUMBER: WALNUT CAPITAL PARTNERS, INC.

REPORT OF DECISION

AND NOW, THIS 7th DAY OF AUGUST, 2002, UPON CONSIDERATION OF
A HEARING ON AUGUST 7, 2002:


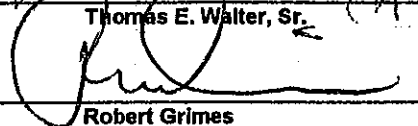
IT IS HEREBY DETERMINED THAT THE APPLICATION to request a Variance to Section 308, Off-Street Parking, of the Monroeville Zoning Ordinance, 1443, as amended, allowing the reduction in the number of required parking spaces from 49 spaces to 37 spaces.

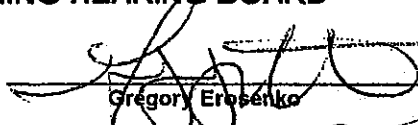
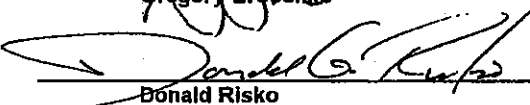
Concerning subject property located at 4131, 4137, 4139 and 4141 William Penn Highway.

GRANTED DENIED WITH THE FOLLOWING CONDITIONS:

See 02-25-A conditions incorporated herein

BY THE MONROEVILLE ZONING HEARING BOARD


Thomas E. Walter, Sr.

Robert Grimes


Gregory Eroshenko

Donald Risko


Frank Rawson

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Decision Mailing Date: 8-8-02

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ZONING HEARING BOARD MUNICIPALITY OF MONROEVILLE

IN CASE OF: 02-29-A

APPLICATION NUMBER: WALNUT CAPITAL PARTNERS, INC.

REPORT OF DECISION

AND NOW, THIS 7th DAY OF AUGUST, 2002, UPON CONSIDERATION OF
A HEARING ON AUGUST 7, 2002:


IT IS HEREBY DETERMINED THAT THE APPLICATION to request a Variance to Table 207.5, Minimum Rear Yard Abutting any Residential or Conservancy Zoning District, Monroeville Zoning Ordinance, 1443, as amended, allowing the placement of a commercial building to encroach ten (10) feet into a required fifty (50) foot rear yard.

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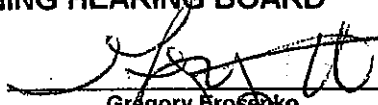
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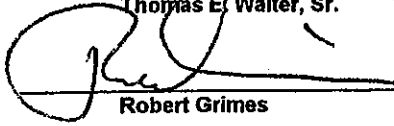
BY THE MONROEVILLE ZONING HEARING BOARD



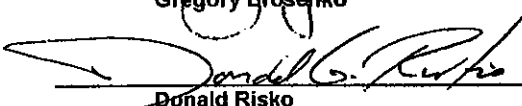
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Gregory Brosenko



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ZONING HEARING BOARD MUNICIPALITY OF MONROEVILLE

IN CASE OF: 02-30-A
APPLICATION NUMBER: WALNUT CAPITAL PARTNERS, INC.

REPORT OF DECISION


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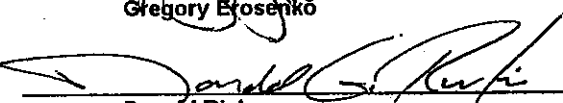
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ZONING HEARING BOARD MUNICIPALITY OF MONROEVILLE

IN CASE OF: 02-31-A
APPLICATION NUMBER: WALNUT CAPITAL PARTNERS, INC.

REPORT OF DECISION

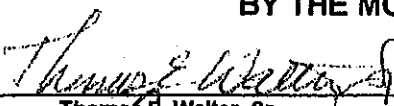

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