

BEFORE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF MONROEVILLE

A RESOLUTION OF MUNICIPAL COUNCIL)
OF THE MUNICIPALITY OF MONROEVILLE)
APPROVING CONDITIONAL USE 02-13-C OF)
TURNBERRY ASSOCIATES/MONROEVILLE)
MALL, CONCERNING PROPERTY LOCATED)
AT THE NORTH SIDE OF THE MONROEVILLE)
MALL, BETWEEN MALL CIRCLE DRIVE AND)
THE MALL STRUCTURE)


RESOLUTION NO. 02-89

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

That Conditional Use Application No. 02-13-C of TURNBERRY ASSOCIATES/MONROEVILLE MALL, concerning property located at the north side of the Monroeville Mall, between Mall Circle Drive and the Mall Structure, approving a Permitted Use as a Conditional Use at an intersection of a major thoroughfare or transportation artery, to include the construction of village shops and restaurants expansion of approximately 80,000 square feet, 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: November 22, 2002

ADDENDUM A TO RESOLUTION NO. 02-89

Concerning File No. 02-13-C

The approval of the aforementioned Conditional Use, No. 02-13-C, 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. Applicant agrees to comply with the requirements of Ordinance No. 1016 concerning sidewalk construction and regulations, as located and approved by the Municipal Engineer, and working in concert with the Route 22 Streetscape Project to provide a sidewalk connection on Route 22 southern property boundary and associated site amenities.
4. Applicant agrees to improve the intersection of North James Street Extension and Mall Circle Drive, including:
 - Installation of post mounted traffic control signs at each of the approaches;
 - Closure of the two (2) parking aisle ways, allowing for interior vehicular circulation and prohibiting vehicular traffic from entering or exiting onto the Mall Circle Drive West;
 - Provide a landscaped island as a barrier at the end of the parking aisle ways provided that would allow for pedestrian access;
 - Maintain vegetation at the corner of North James Street Extension and Mall Circle Drive East to allow better visibility;
 - Realignment of the Stop Bars and Stop Signs at North James Street Extension and Mall Circle Drive East; and
 - Submission of a site plan for this improvement to the Director of Community Development prior to the issuance of any Zoning and Building Permit for the Village Shoppes.
5. Applicant agrees to comply with the Monroeville Zoning Hearing Board Decision of October 2, 2002, reducing the number of Off-Street Parking Spaces from 7,249 spaces to 6,834 spaces, and any conditions.

6. Applicant agrees to install the following traffic improvements, including:

- Install a traffic signal at the intersection of Mall Circle Drive and Mall Boulevard, providing three-signal phasing with an eastbound advance phase, eastbound/westbound phase and a southbound phase.
- Widen Mall Circle Drive at the intersection with the easternmost driveway to the northern parking area to provide an eastbound right turn lane into the easternmost driveway. Because of the close proximity of the easternmost driveway to Mall Boulevard, this eastbound right turn lane should be constructed the entire length of Mall Circle Drive between the easternmost driveway and Mall Boulevard.
- Install attraction signs along Business Route 22 to encourage use of Don Drive/Business Route 22 Fly-over and divert traffic from Mall Boulevard.
- Submission of construction drawings for this improvement to the Director of Community Development prior to the issuance of any Zoning and Building Permit for the Village Shoppes.

7. 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.
8. 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.
9. 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.
10. 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.

ADDENDUM TO RESOLUTION NO. 02-89
Concerning File No. 02-13-C
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- 11. 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.
- 12. Compliance with the Municipal Engineer's requirements.
- 13. Compliance with the Fire Official's requirements.