



RESOLUTION 2023-R-21

**APPROVING PRELIMINARY/FINAL PLANS OF LAND DEVELOPMENT
OF ELITE PLAZA TRACT
TMP NO. 50-022-036**

WHEREAS, Elite Plaza LLC (“Developer”) is the owner of a single parcel containing 29,316 square feet located at 1248 Easton Road (TMP No. 50-022-036) within the BZ Business Zone Zoning District (the “Property”).

WHEREAS, Developer proposes to construct two additions totaling 1,100 square feet to expand the existing commercial building, construct two 1-bedroom apartments on the second floor, reconfigure and restripe the parking area to provide 11 paved parking spaces in the front of the building, 7 parking spaces in the gravel area near the rear of the building, and 2 garage parking spaces for a total of 20 parking spaces in order to utilize the property as a retail store for kitchen and bath cabinetry, with showrooms, office space and client meeting/conference space along with second floor residential apartments (the “Development”); and

WHEREAS, Preliminary/Final Plans pertaining to the Property were prepared by LVL Engineering Group, consisting of ten (10) sheets, dated March 31, 2023 with latest revision date of May 30, 2023 and a response letter prepared by LVL Engineering Group dates May 30, 2023, a waiver request letter from LVL Engineering Group dated March 30, 2023 with latest revisions dated May 4, 2023 (hereinafter collectively referred to as the “Plans” or the “Preliminary/Final Plans”) were submitted to Warrington Township for review;

WHEREAS, the Preliminary/Final Plans were reviewed by the Warrington Township Board of Supervisors at a public meeting on June 27, 2023; and

WHEREAS, the Board of Supervisors at the July 25, 2023 public meeting moved to adopt this Resolution approving the Preliminary/Final Plans;

NOW THEREFORE, be it, and it is hereby RESOLVED by the Board of Supervisors of Warrington Township, Bucks County, Pennsylvania, that the Plans are hereby approved as Preliminary/Final Plans of Land Development, subject to the following conditions with which the Developer agrees:

1. Except as hereafter provided, the Developer shall revise the Plans to comply with all comments stated in the Second Revised Preliminary Plan review letter and the Second Revised Final Plan review letter prepared by CKS Engineers, Inc. (“Township Engineer”) dated June 12, 2023 which are attached hereto as Exhibit “A”, and incorporated herein by reference, and any subsequent comments generated by those revisions; except as otherwise provided herein.

2. The Property shall be developed in accordance with the special exception granted by the Warrington Township Zoning Hearing Board Decision dated December 8, 2022 allowing for the expansion of a non-conforming structure and variances to reduce the number of off-street parking spaces, the required side yard setback and the buffer requirement subject to the following conditions:

- a. Sidewalk be installed along the frontage to connect the existing sidewalks to the north and south of the Property;
- b. No changes are to be made to the ingress/egress to the Property; and
- c. Subject to compliance with all other applicable governmental ordinances and regulations.

3. The Board of Supervisors approved deferrals or waivers from the provisions of the Warrington Township Subdivision and Land Development Ordinance as follows:

- a. A waiver from Section 305-504.B which requires the submission of a preliminary plan.
- b. A waiver from Section 305-505.E.4.n which requires the submission of an Environmental Impact Statement.
- c. A waiver from Section 305-324.F.4 which requires that non-residential parking areas have one tree for every six parking spaces.
- d. A waiver from Section 305-325.E.7.a which requires that the perimeters of off-street parking lots be buffered in accordance with the regulations for softening buffers.
- e. A waiver from Sections 305-325.C.4.b and 305-329.D.7 which require that the landscape plan be prepared by a registered landscape architect.

4. Prior to recording of the Record Plans, Developer shall provide satisfactory evidence of the following:

- a. Bucks County Conservation District approval for sedimentation and erosion control measures.

b. Sewage Facilities Planning Approval from the PA. Department of Environmental Protection.

5. Prior to recording of the Record Plans, Developer shall obtain approval from North Wales Water Authority for the proposed increased water usage and/or public water system modifications/connections proposed in conjunction with the Development.

6. Prior to the recording of the Record Plans, Developer shall obtain the approval Bucks County Water & Sewer Authority for the proposed increased wastewater usage and/or public sewer system modifications/connections proposed in connection with the Development.

7. In consideration of the Developer's installation of off-site sidewalks, landscaping and the limited nature of the Land Development, the Board approves a reduction in the Open Space Fee required by Zoning Ordinance Section 370-504 from \$27,244 to \$13,622. The required open space fee of \$13,622 shall be paid in two installments with each installment being due upon the issuance of an occupancy permit for each of the residential apartments.

8. The Board approves the architectural elevations and drawings of the proposed building renovations and finds that the same are in compliance with the Corridor Overlay District requirements in SALDO Section 350-317.C.

9. Developer shall work with the Township Engineer to resolve with North Wales Water Authority and Bucks County Water and Sewer Authority to determine whether utility easements are needed in the rear of the Property, and to modify the project landscaping plan to incorporate native species plantings.

10. Prior to recording of the Record Plans the Developer shall address the recommended conditions of approval as set forth by the Township Planning Commission at their meeting of May 4, 2023.

11. Prior to the recording of the Record Plans and the issuance of any building permits or commencement of any construction authorized by this approval, Developer and/or Owner shall enter into a Professional Services Agreement ("Agreement") in lieu of a Land Development and Financial Security Agreement with the Township, prepared by the Township Solicitor, and shall deposit adequate financial security in a form approved by the Township and containing terms and conditions acceptable to the Township Solicitor, to cover the costs of engineering, inspection, legal and other professional services that Township incurs in connection with the construction of the improvements.

12. Prior to the recording of the Record Plans and the issuance of any building permits or commencement of any construction authorized by this approval, Developer and/or Owner shall pay all costs incurred by the Township in the review of the Plans including engineering, legal and administrative costs.

Failure to appeal the conditions imposed by this Resolution within thirty (30) days of the date it is approved by the Board of Supervisors, shall constitute acceptance of the conditions. Non-acceptance and/or non-compliance with the conditions recited above voids the Plan approval and the waivers granted by the Board of Supervisors and the Plan is denied due to the deficiencies noted in the Township Engineer's review letters dated June 12, 2023.

ENACTED and RESOLVED, this 25th day of July, 2023.

BOARD OF SUPERVISORS OF WARRINGTON TOWNSHIP

ATTEST:



Barry P. Luber
Township Manager



Fred R. Gaines, Chair



Ruth Schemm, Vice Chair



Michael Diorka, Member



Vanessa Maurer, Member



Andrew Macaulay, Member



I HEREBY AGREE TO THE ABOVE CONDITIONS OF PRELIMINARY/FINAL PLAN APPROVAL:

ELITE PLAZA LLC

By: 