

DATE ADOPTED:

RESOLUTION NO: 2020-

CRANBERRY HILL PARTNERS
PRELIMINARY & FINAL LAND DEVELOPMENT
AND CONDITIONAL USE APPROVAL
CRANBERRY TOWNSHIP

A RESOLUTION OF CRANBERRY TOWNSHIP, A SECOND CLASS TOWNSHIP OF THE COUNTY OF BUTLER, COMMONWEALTH OF PENNSYLVANIA GRANTING PRELIMINARY AND FINAL LAND DEVELOPMENT AND CONDITIONAL USE APPROVAL WITH CONDITIONS TO CRANBERRY HILL PARTNERS. LLC FOR A 20,400 SQUARE FOOT EXPANSION TO AN EXISTING OFFICE/WAREHOUSE FACILITY IN ACCORDANCE WITH THE PLANS, REPORTS AND STUDIES PREPARED BY THE GATEWAY ENGINEERS, TOWNSHIP PR NOS. 25488 AND 25489, UNDER APPLICATIONS ORIGINALLY SUBMITTED FEBRUARY 4, 2020 BEARING VARIOUS PREPARATION AND REVISION DATES AND AS AMENDED AND AGREED AT THE PUBLIC HEARING HELD ON MAY 7, 2020.

I. FINDINGS OF FACT

THE CRANBERRY TOWNSHIP BOARD OF SUPERVISORS HEREBY MAKES THE FOLLOWING FINDINGS OF FACT:

A. General

A-1. Cranberry Hill Partners, LLC of 26150 Richmond Road, Bedford Heights, OH 44146 (hereinafter referred to as “Developer”) has proposed a 20,400 square foot expansion to an existing office/warehouse facility located on 6.82 acres located at 230 Thorn Hill Road under Chapter 27 of the Township of Cranberry Zoning Ordinance as amended.

A-2. The plans, reports and studies prepared by The Gateway Engineers, Township PR Nos. 25488 and 25489, under applications originally submitted February 4, 2020, bearing various preparation and revision dates with the latest revisions as set forth below, and as amended and agreed at the Public Hearing held on May 7, 2020, are hereinafter referred to as the “Development Plans” references in this document to the approval of the Development Plans or any portion thereof, includes the plans as most recently amended and all comments outstanding on the Township Development Report. The following documents are the reports and documentation submitted with the application.

- a. Preliminary and Final Land Development application date stamp received on February 4, 2020.
 - b. Conditional Use application date stamp received February 4, 2020.
 - c. Project Narrative prepared by the Gateway Engineers date stamp received on February 4, 2020.
 - d. Modifications and Waivers request prepared by the Gateway Engineers date stamp received on March 6, 2020.
 - e. Post Construction Stormwater Management Report prepared by The Gateway Engineers date stamp received on February 4, 2020.
 - f. Stormwater Management Summary prepared by the Gateway Engineers date stamp received on March 6, 2020.
 - g. Erosion & Sedimentation Report prepared by The Gateway Engineers date stamp received on February 4, 2020.
 - h. Environmental Impact Assessment prepared by the Gateway Engineers date stamp received on February 4, 2020.
 - i. Building elevations prepared by Neyer Architectures, Inc., date stamp received on February 4, 2020.
 - j. Trip Generation Projections prepared by the Gateway Engineers date stamp received on February 4, 2020.
- A-3.** The parcel zoned SP-1, totaling approximately 6.82 acres will be referred to as the “Development”.
- A-4.** The Development consists of an expansion to an existing Office/Warehouse use which is proposed in one (1) phase.
- A-5.** The Cranberry Township Planning Advisory Commission reviewed the application for the Preliminary and Final Land Development and Conditional Use Approval on February 24, 2020 and forwarded the application to the Board of Supervisors with a recommendation of approval.
- A-6.** The Board of Supervisors held a Public Hearing on May 7, 2020, which was properly advertised and posted pursuant to public notice requirements of the MPC.
- A-7.** The proposal for the Preliminary and Final Land Development and Conditional Use Approval for the Development complies with all applicable standards and conditions of the Code of the Township of Cranberry and the MPC, and conditions set forth in this Preliminary and Final Land Development and Conditional Use Approval, except as may otherwise be specifically noted or modified herein, and preserves the community development objectives that are set forth in the Code of the Cranberry Township and the Cranberry Township Comprehensive Plan.

A-8. Any Developer's Agreement that is signed pursuant to this Approval shall also pertain to any future revised approvals.

B. Stormwater Management

B-1. The proposed stormwater detention facilities assist in the development, maintenance, and administration of the Township's comprehensive program for stormwater management. The design standards for stormwater management in this particular instance are such that the Development will not increase the flow of storm water off the property at a higher rate than is presently occurring before development.

B-2. Additional stormwater detention facilities within the Development consist of an infiltration trench and piping which is located on the south part of the site.

B-3. The Developer shall enter into an Operation and Maintenance Agreement with the Township that will address stormwater maintenance and access matters. The agreement shall be recorded prior to the recording of the Development plan.

C. Transportation and Traffic Improvements

C-1. The Township's Transportation Impact Fee Ordinance and the applicable provisions of the MPC apply to this Development. The Transportation Impact Fee, in conformity with Township Fee Resolution No. 2019-88 in the western district is \$1,563.00 per new PM peak hour trip. The Transportation Impact Fee of \$3,126.00 will be due at the time of building permit issuance.

D. Recreation

D-1. The Township's Recreation Fee Ordinance and the applicable provisions of the MPC apply to this Development.

E. Streets/Sidewalks and Curbs

E-1. Commonwealth Drive is a Township owned and maintained road. The Development proposes no changes to the existing driveways.

E-2. The Developer agrees that sidewalks will be owned and maintained (including repair, reconstruction, and replacement and winter maintenance/snow removal) by the property owner of the development associated with the sidewalk(s).

E-3. Concrete vertical curbs (6" height) are used throughout the Development within all off-street parking areas as it runs through the property.

F. Landscaping

- F-1. Landscaping for all affected areas is described in the Development Plans.
- F-2. Landscaping for the pervious areas will be preserved, maintained and replaced in kind by the property owner, in the event of removal, destruction or death.

G. Utilities

- G-1. Developer has provided a general overall utility plan with the Development Plans.

H. Parking

- H-1. New parking is provided on the development site in the amount of 22 spaces which exceeds the required amount by 1 space.

I. Lighting

- I-1. Site lighting is provided through the use of sharp cutoff light fixtures as represented on the site plans.

J. Solid Waste Collection

- J-1. The owner and/or tenant are responsible for trash and recyclable collection.

K. Signage

- K-1. Signage for the Development shall be approved pursuant to the Township sign Ordinance.

L. Modifications and Waivers

The Developer requests the following:

- L-1. **Waiver Request:** Waiver from section 22-403.G.4, which requires that a traffic study be submitted for the proposed development as part of the Environmental Impact Assessment. The Applicant is proposing to not submit the traffic study.

Justification: The number of proposed trips being generated by the proposed uses do not warrant a traffic study.

Findings: A Traffic Study would not provide any useful information for a Development with a low number of trips with minimal impact.

L-2. Modification Request: Modification from section 27-317.5.b which requires that a 100 foot setback shall include an elevated earth berm that is a minimum of 5' higher than the finished elevation of the area to be screened. Proposal to not install the elevated earth berm in the required 100' non-residential buffer area and to utilize the proposed grading to the rear of the building located 156' away from the rear property line as the required berm and plant the required plantings on top of the aforementioned slope.

Justification: The proposed grading of the site results in the building and paved areas sitting 6' below the existing elevation at the rear of the property, exceeding the Code required berm height by 1'. Utilizing the proposed slope for the required berm and relocating the required buffer planting to the top of this slope will leave 115' from the rear property line to the western most grading point, completely untouched thus providing for an undisturbed buffer that is 15' wider than the required 100' buffer.

Findings: Due to the topography of this site, the granting of this Modification makes sense. The Development was granted this same Modification when it was first proposed and it was a built as such with no known issues.

II.

CONCLUSIONS AND DECISION OF
THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF CRANBERRY

THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF CRANBERRY HEREBY GRANTS PRELIMINARY AND FINAL LAND DEVELOPMENT AND CONDITIONAL USE APPROVAL OF THE PROPOSED CRANBERRY HILL PARTNERS BUILDING EXPANSION DEVELOPMENT IN ACCORDANCE WITH THE PLANS, REPORTS, AND STUDIES, SUBMITTED AS PREPARED BY THE GATEWAY ENGINEERS, TOWNSHIP PR NOS. 25488 AND 25489, UNDER APPLICATIONS ORIGINALLY SUBMITTED FEBRUARY 4, 2020, BEARING VARIOUS PREPARATION AND REVISION DATES, AND AS AMENDED AND AGREED AT A PUBLIC HEARING HELD ON MAY 7, 2020, SUBJECT TO THE FOLLOWING CONDITIONS:

A. General

- A-1.** The Development which consists of an additional of 20,400 Square feet of non-residential space is to be developed in one (1) phase and this Preliminary and Final Land Development and Conditional Use Approval with Conditions shall apply to the Development.
- A-2.** The total Development shall, as shown on the Development Plans, total approximately 6.82 acres.
- A-3.** The Developer shall satisfactorily address all items listed in the Township Development Report dated May 7, 2020, attached hereto as Exhibit "A", prior to recording of Final Plan. References in this document to the approval of the Development Plans or any portion thereof, includes the Plans as most recently amended and all comments outstanding on the Township Development Report.
- A-4.** The Developer shall provide documentation, in a form satisfactory to the Township, that Developer has full right, title and interest in all property included as a part of this proposed Development and has obtained appropriate consent and agreement for any and all easements necessary for the Development from such property prior to recording of Final Plan.
- A-5.** The Township may revoke any and all of its permits, refuse to issue additional permits of any kind relating to the Development, take any and all other legal or equitable remedies open to it should the Developer violate in any way the terms and conditions of this Preliminary and Final Land Development and Conditional Use Approval with Conditions, its subsequent Developer's Agreement with the Township, including any addendum thereto, or any other applicable local, state

or federal law or regulation.

- A-6.** This Preliminary and Final Land Development and Conditional Use Approval with Conditions is granted solely to Developer and is non-transferable and non-assignable to any other party or successor without the express written consent of the Township of Cranberry.
- A-7.** The terms of this Preliminary and Final Land Development and Conditional Use Approval with Conditions shall constitute Preliminary and Final Land Development and Conditional Use Approval of the Development, as per the provisions of the Code of the Township of Cranberry, the Pennsylvania MPC and laws of the Commonwealth of PA.
- A-8.** Final Approval for recording purposes is effective on the date the final plat is signed by the Chairman of the Board of Supervisors and the Township Secretary.

B. Stormwater Management

- B-1.** The construction of the Development's proposed stormwater detention facilities shall be approved and inspected by the Township and shall not permit an increase in the flow of stormwater off the property at a rate faster than is presently occurring prior to development.
- B-2.** One stormwater infiltration trench and piping servicing the Development is located on the southern border of the site. The storm water facilities are to be owned, operated and maintained by the Developer or property owner, including any easements appurtenant thereto.
- B-3.** The Developer shall obtain an NPDES (if applicable) permit prior to recording of Final Plans for any phase or the issuance of any permits. Written approval of the Erosion and Sedimentation plan from the Butler County Conservation District accompanied by the approved plans and narrative must be provided to Cranberry Township.
- B-4.** The Developer shall enter into an Operation and Maintenance Agreement with the Township that will address stormwater maintenance and access matters. The agreement shall be recorded prior to the recording of the Development plan.

C. Transportation and Traffic Improvements

- C-1.** The Township's Transportation Impact Fee Ordinance and the applicable provisions of the MPC apply to this Development. The Transportation Impact Fee, in conformity with Township Fee Resolution No. 2019-88 in the western district is \$1,563.00 per new PM peak hour trip. This 20,400 sf Warehouse

addition is projected to generate 2 PM peak hour trips for a total Transportation Impact Fee of \$3,126.00 which is payable at the time of building permit issuance.

D. Recreation

D-1. The Township's Recreation Fee Ordinance and the applicable provisions of the MPC apply to this Development. The Recreation Fee In Lieu Of, in conformity with Township Fee Resolution No. 2019-88 shall apply to the Development. The Recreation Fee In Lieu Of is \$9,180.00 for the Development. The Fee shall be paid prior to the issuance of any building permit.

E. Streets/Sidewalks, and Curbs

E-1. All driveway areas shall be paved prior to occupancy of the addition.

E-2. Sidewalks shall be owned and maintained (including repair, reconstruction, replacement and winter maintenance/snow removal) by the property owner or developer.

E-3. Concrete 6" vertical curbs are required where identified. Curbing shall be constructed in accordance with the Township's Public and Private Improvements Code.

F. Landscaping

F-1. Landscaping shall be installed in accordance with the Development Plans.

F-2. Landscaping for all areas will be maintained and replaced in kind by the Developer or property owner in the event of removal, destruction or death.

G. Utilities

G-1. All proposed utilities, cable, telecommunication facilities and associated equipment thereto and other such facilities to be constructed in the Development shall be located underground.

G-2. Developer shall provide utilities as generally set forth in the Development Plans.

H. Parking

H-1. Accessible parking spaces shall be located, designated and constructed as demonstrated on the Development plans and in accordance with ICC/ANSI A117.1 of 2003.

I. Lighting

- I-1. Developer has demonstrated compliance with the minimum requirement of not more than one (1) foot candle of light at the property line.

J. Administration

- J-1. All conditions of the Pennsylvania MPC, all ordinances of the Township and laws of the Commonwealth of PA shall consistently be complied with during the Development process, with the Developer assuring that any builders within the Development shall also comply with all conditions and ordinances.
- J-2. The Developer shall sign a Developer's Agreement with the Township for the development, in form and substance agreeable to the Township, prior to the issuance of any grading, building, or other types of permits for the Development.

K. Modifications and Waivers granted

- K-1 Waiver from 22-403.G.4 to not provide a traffic study.
- K-2 Modification from 27-317.5.b to not provide an earthen berm as required.

L. Construction

- L-1. During construction, the Developer, its contractors, sub-contractors and builders shall keep public roads, private drives and highways surrounding the property, which are used by vehicles entering and leaving the construction site, in good repair, clean and free of mud, dirt, dust and debris, and maintain existing drainage patterns on all roadways. Further, the Developer shall employ appropriate dust control measures at all times to ensure dust will not create a nuisance to adjacent properties. The Developer shall be required to provide a water truck (or other such measures) as a means to control such dust from the site. The Developer shall ensure the area is kept in a reasonably dust free condition. Upon notice from the Township, the Developer shall undertake all necessary corrective action to remedy an unacceptable condition within 24 hours.
- L-2. During site preparation and construction, the Developer, its contractors, subcontractors and builders will limit their hours of operation at the site to 7:00 a.m. to 9:00 p.m., and no construction shall take place on Sundays.
- L-3. The Developer shall comply and shall ensure compliance by all its contractors, subcontractors, and grantees with any and all restrictions of construction vehicles from Township roads or portions thereof. The Developer shall be

responsible to repair or reimburse the Township for any and all damages to Township roads or other property caused, directly or indirectly, by any construction activities related to the Development. All such repairs to Township roads shall be constructed to the Township specifications in effect at the time such repairs are done. The Township reserves the right to require, as it deems necessary in its sole discretion, the Developer to post appropriate bonds to protect Township roads from potential damage during construction of the Development.

- L-4.** The Developer shall comply with any restrictions regarding vehicular access to the Development by construction vehicles from certain public roads or portions thereof, as the Township or PennDOT shall require or mandate.

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**APPROVED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF CRANBERRY AT
THE PUBLIC MEETING OF MAY 7, 2020.**

ATTEST:

TOWNSHIP OF CRANBERRY

Jerry A. Andree
Township Manager/Secretary

By: _____
Richard M. Hadley, Chairman
Board of Supervisors

DRAFT

I, Jerry Andree, as Secretary for the Township of Cranberry, County of Butler, Commonwealth of Pennsylvania, certify that this document constitutes an official communication by the Cranberry Township Supervisors and accurately reflects their decision on the above-captioned matter which was voted on at a public meeting held on May 7, 2020.

Jerry A. Andree, Secretary
Cranberry Township

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ACCEPTANCE BY DEVELOPER OF THE PRELIMINARY AND FINAL LAND DEVELOPMENT AND
CONDITIONAL USE APPROVAL
WITH CONDITIONS BY THE TOWNSHIP OF CRANBERRY
FOR THE CRANBERRY HILL PARTNERS BUILDING EXPANSION DEVELOPMENT

Cranberry Hill Partners LLC, Developer of the Cranberry Hill Partners Expansion Development in the Township of Cranberry, acknowledges receipt of the foregoing Preliminary and Final Land Development and Conditional Use Approval with Conditions and accepts all conditions contained herein on this _____ day of _____, 2020.

ATTEST:

Corporate Secretary witness

By: _____
(Sign here)

(Print name here)

(Developer name)

Title: _____