

**HATFIELD TOWNSHIP  
RESOLUTION #13-03**

**PRELIMINARY/FINAL CONDITIONAL LAND DEVELOPMENT APPROVAL  
FOR MC DONALD'S USA, LLC, FOR THE PROPERTY LOCATED AT  
2333 WELSH ROAD, HATFIELD TOWNSHIP, PA**

**WHEREAS, MC DONALD'S USA, LLC**, (the "Applicant"), is the tenant of a portion of 2333 Welsh Road, consisting of approximately 33.163 acres which is further identified as a portion Hatfield Township Tax Block 5, Unit 1; and Montgomery County Tax Parcel No. 35-00-11410-003 which includes the development and use of an existing McDonald's Restaurant with drive-thru and related improvements (collectively the "Property"); and

**WHEREAS**, the Applicant has requested preliminary/final approval of the land development plan for the Property shown on a set of plans prepared for McDonald's USA, LLC by Bohler Engineering, Inc., dated October 2, 2012 and last revised November 21, 2012, consisting of 10 pages (the "Plan"); and

**WHEREAS**, the Improvements include a 272 sq. ft. addition to the existing 2,522 sq. ft. restaurant including ADA upgrades, a new signage package and new construction of building facades; and

**WHEREAS**, the Plan and application have been reviewed by the Township Engineer, Township Traffic Engineer, the Township Landscape Architect, Hatfield Township (the "Township") and Montgomery County reviewing agencies, and have been found to be suitable for preliminary/final approval, subject to the conditions set forth below.

**NOW, THEREFORE, BE IT RESOLVED**, that the Hatfield Township Board of Commissioners grants preliminary/final approval of the Plan subject to the following conditions and requirements:

1. Following final approval, but prior to issue of permits, the Applicant shall execute a Land Development Escrow Agreement (the "Agreement"), execute and deliver all necessary and appropriate deeds of dedication, and post financial security for construction of improvements on the Property, all of which shall be in a form acceptable to the Township Solicitor.
2. Pursuant to the McMahon Associates, Inc. letter of December 18, 2012, a transportation impact fee is due and owing as a result of this Application in the amount of \$11,409.40. Prior to recording of the final plans, the Applicant shall tender this transportation impact fee.

3. The Applicant shall comply with the review letter prepared by McCloskey & Faber dated December 27, 2012.
4. The Applicant shall further comply with all provisions and conditions set forth in the December 18, 2012 CKS Engineers, Inc. letter to Hatfield Township (incorporated herein by reference), except as expressly waived or expressly modified herein.
5. This approval is conditioned upon acceptance of the conditions contained herein by the Applicant and by his signifying acceptance of these conditions by signing a copy of this resolution and returning it to the Township.
6. In the event that said execution of the Resolution is not delivered to the Township office by noon, Wednesday, January 30, 2013, it shall be deemed that the Applicant does not accept these conditions and any approvals conditioned upon the acceptance of the conditions are revoked and the Application shall be considered denied for the reasons of the deficiencies found in the above-referenced review letters as described in the Township Subdivision and Land Development Ordinance, as authorized in Section 508 of the Pennsylvania Municipalities Planning Code, 53 PS Section 10508.
7. Prior to issuance of any permits, all outstanding legal, engineering, and administrative fees applicable to this subdivision must be paid by Applicant.
8. This approval is subject to the fulfillment of all of the foregoing conditions, in their entirety, and no permit shall be issued, nor shall any development take place on the Property, unless and until all such conditions are fulfilled.

**DULY PRESENTED AND ADOPTED** by the Hatfield Township Board of Commissioners, Montgomery County, Pennsylvania, in a public meeting held this 30<sup>th</sup> day of January 2013.

**HATFIELD TOWNSHIP  
BOARD OF COMMISSIONERS**

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**Thomas C. Zipfel, President**

**ATTEST:**

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**Devan Stewart  
Assistant Township Manager**

**ACCEPTED: McDonalds USA, LLC**

**By:** \_\_\_\_\_

\_\_\_\_\_  
**(Print Name and Title)**

**Date:** \_\_\_\_\_