

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

Resolution No. 16-26

**A RESOLUTION GRANTING CONDITIONAL
PRELIMINARY AND FINAL LAND DEVELOPMENT APPROVAL FOR
APPLICANT, NEW HOPE PROPERTY, LLC, FOR RENOVATION OF AN
EXISTING PROPERTY, CONSTRUCTION OF AN ADDITIONAL FLOOR AND
ASSOCIATED IMPROVEMENTS FOR USE AS A MIXED-USE
RESIDENTIAL/COMMERCIAL BUILDING**

WHEREAS, New Hope Property, LLC (“Applicant”) submitted a land development application on August 22, 2024, for renovation of an existing property, construction of an additional floor and associated improvements for use as a mixed-use residential/commercial building at 600 Garrett Road, Upper Darby Township, Pennsylvania, further identified as Tax Parcel No. 16-04-00593-00. On the applicant’s behalf, Van Cleef Engineering Associates, LLC has requested certain modifications (“waivers”) of Upper Darby Township’s Subdivision and Land Development Ordinance (the “Waiver Request”); and,

WHEREAS, Applicant has submitted the following in support of the renovation of an existing property, construction of an additional floor and associated improvements for use as a mixed-use residential/commercial building: Preliminary / Final Land Development Plans, prepared by Van Cleef Engineering Associates, LLC, 501 North Main Street, Doylestown, Pennsylvania 18901 consisting of ten (10) sheets, dated May 8, 2024 and last revised February 13, 2026; and,

WHEREAS, Applicant proposes to renovate the existing building and construct an additional floor to convert the building to residential/commercial mixed-use with improved parking and landscaping (the “Property”); and,

WHEREAS, the Township Engineer has reviewed the Applicant’s application and Waiver Request and offered comments for consideration as indicated in the

Township Engineer’s review letter dated February 27, 2026, which letter includes and references various comments and recommendations, the Upper Darby Township Planning Commission’s Review and Recommendation Letter, dated August 11, 2025, the Delaware County Planning Commission letter, dated September 20, 2024, and the Upper Darby Township Fire Department Letter, dated April 10, 2026, collectively attached hereto as **Exhibit “A”** and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, by the Upper Darby Township Council that Preliminary and Final Land Development for the Project is approved subject to the satisfaction of the following conditions:

1. Except as modified herein, Applicant shall comply with all other applicable Township ordinances, County, State and Federal rules, regulations, ordinances and statutes, and obtain all applicable permits and approvals. Applicant shall obtain a building permit prior to construction and shall ensure that all proposed improvements comply with Pennsylvania Act 45, the Uniform Construction Code, including but not limited to the Accessibility provisions.
2. Applicant shall obtain all required PennDot approvals prior to construction and shall ensure that all proposed improvements comply with any and all conditions of PennDot approval(s).
3. Unless specifically granted a waiver below or modified herein, Applicant shall comply with all comments and requirements set forth in the review letter issued by the Township Engineer, Khaled R. Hassan, P.E., Pennoni Associates, Inc., dated February 27, 2026, which letter includes and references various comments and recommendations, the Upper Darby Township Planning Commission’s Review and Recommendation Letter, dated August 11, 2025, and the Upper Darby Township Fire Department Letter, dated April 10, 2026, and, to the extent practicable and to the satisfaction of the Township, the Delaware County Planning Commission letter, dated September 20, 2024, collectively attached hereto as **Exhibit “A,”** and any subsequent review letters from Pennoni Associates, Inc.
4. Applicant shall enter into a development and financial security agreement and post financial security for the project, in an amount determined to be required by Township Engineer and Township Solicitor in the form of cash

escrow or a letter of credit, to be prepared by the Township Solicitor and executed prior to the issuance of any building permits and start of construction.

5. The following waivers are hereby granted from the Delaware County Subdivision and Land Development Ordinance and Upper Darby Stormwater Management Ordinance, based on the scope and size of the proposed project, and as otherwise indicated:

a. Section 300-I to permit review and approval of a single plan under a concurrent preliminary/final land development submission.

APPROVED **DENIED**

b. Section 802.C to permit the Markers to be set at locations shown for the parcels in Upper Darby Township.

APPROVED **DENIED**

c. Section 803.B(4) to not require additional right-of-way along Garrett Road and Sherbrook Boulevard.

APPROVED **DENIED**

d. Section 805.A(8) to permit the use of the existing nonconforming vehicle access point.

APPROVED **DENIED**

e. Section 817.C(5) to permit trees less than the required 50 feet from the intersection of street rights-of-way.

APPROVED **DENIED**

f. Section 821.A to permit the use of the existing utility connections to the building.

APPROVED **DENIED**

6. Applicant shall pay all Township fees and costs, including but not limited to legal, engineering and administrative fees, for all Township reviews associated with the Project (the "Review Fees") and, at the Township's request, shall establish an escrow account to guarantee payment of the Review Fees; and Applicant shall further satisfy any and all existing municipal liens against the Property and shall address any and all outstanding code violations at the Property, if any, prior to receipt of any permits or recordings.
7. Applicant shall provide the Township Chief Administrative Officer and Township Engineer at least 72 hours' notice prior to the initiation of any construction, demolition, grading or ground clearing so that the Township may determine that the foregoing conditions have been met by the Applicant and that all necessary erosion and sedimentation controls have been correctly installed, if needed.
8. Applicant agrees to add all mutually agreeable conditions to the final plans.
9. This Conditional Approval of Land Development Application does not and shall not authorize the construction of improvements or buildings exceeding those shown on the Plans. Furthermore, this Conditional Approval of Land Development Application shall be rescinded automatically upon Applicant's or Applicant's agent's failure to accept, in writing, all conditions herein imposed within seven (7) days of receipt of this Resolution, such acceptance to be evidenced by Applicant's or Applicant's agent's signature below.
10. By accepting this Resolution, Applicant is signifying acceptance of the conditions contained herein.

[signatures appear on following page]

DULY PRESENTED AND ADOPTED by the Council of Upper Darby Township, Delaware County, Pennsylvania, in a public meeting held this ____ day of _____, 2026.

SEAL:

ATTEST: _____

MICHELLE BILLUPS
SECRETARY OF COUNCIL

BY: _____

MARION B. MINICK
PRESIDENT OF COUNCIL

APPROVED this ____ day of _____, 2026.

ATTEST: _____

CRANDALL O. JONES
*CHIEF ADMINISTRATIVE
OFFICER*

BY: _____

EDWARD BROWN
MAYOR

In the event that the executed Resolution is not delivered to the Township within seven (7) days of receipt, it shall be deemed that the Applicant does not accept these conditions, and approvals conditioned upon its acceptance are revoked, and the application is considered denied for the reasons set forth above.

ATTEST:

ACCEPTED BY:

NEW HOPE PROPERTY, LLC

By: _____

Name:

Title:

Date: _____