

MUNICIPALITY OF NORRISTOWN
A HOME RULE MUNICIPALITY
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION NO. 21-__ of 2021

A RESOLUTION OF THE MUNICIPALITY OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, GRANTING PRELIMINARY/FINAL PLAN APPROVAL TO 1437 DEKALB, LLC FOR A MINOR SUBDIVISION AT 1437 DEKALB STREET, NORRISTOWN, PA

WHEREAS, Act 247 of 1968, The Pennsylvania Municipalities Planning Code, empowers the governing body of a municipality to regulate subdivisions and land developments within the municipality; and

WHEREAS, the Municipality of Norristown is desirous of orderly and appropriate land use and development to protect the health, safety and welfare of residents; and

WHEREAS, 1437 DeKalb, LLC. ("Applicant") has submitted Preliminary/Final Minor Subdivision Plans, prepared by Blue Marsh Associates, Inc. dated February 2, 2021, last revised April 5, 2021, that proposes to subdivide the existing parcel located at 1437 Dekalb Street, Parcel No. 13-00-10236-40-7 into two lots with Lot 1 comprised of the existing 2-story medical facility, parking lot and associated walkways, stormwater facilities and landscaping (for a total of 70,546 sq ft more or less) and with Lot 2 comprised of the existing adjoining twin unit consisting of a multi-residential apartment building and associated walkways and landscaping (for a total of 3,132 sq ft more or less) (hereafter referred to collectively as the "Plan"); and

WHEREAS, the Municipality previously granted approval by Resolution 18-148 of 2018 to allow the existing parcel to be formed through the consolidation of three (3) lots, and following said consolidation, the property owner now desires to subdivide it back into two (2) lots as stated above and shown in the Plan; and

WHEREAS, Applicant previously sought and obtained variances and/or other zoning relief from the Norristown Zoning Hearing Board for the Plans as evidenced by a decision letter dated March 24, 2021 for Application No. 10-21 that is incorporated herein by reference; and

WHEREAS, the Municipal Engineer, Pennoni Associates, Inc. reviewed the Plan and, based upon this review, issued a review letter dated May 11, 2021; and

WHEREAS, the Norristown Planning Commission also reviewed the Plan at its public meeting on May 11, 2021; and

WHEREAS, the Montgomery County Planning Commission reviewed the Plan and provided a review letter dated [REDACTED] stating general support for the proposed project but suggesting certain comments with regard to [REDACTED]; and

WHEREAS, Applicant has requested two (2) waivers as shown on the Plan and Applicant now desires Council consider its land development submission and its Plans for preliminary and final approval pursuant to Section 508 of the Municipalities Planning Code.

NOW, THEREFORE, BE IT RESOLVED by Norristown Municipal Council, that the preliminary and final minor subdivision plan submitted by 1437 DeKalb LLC and prepared by Blue Marsh Associates, Inc. dated February 2, 2021, last revised April 5, 2021 for a minor two lot subdivision at 1437 DeKalb Street is hereby **GRANTED PRELIMINARY/FINAL APPROVAL** subject to Applicant's compliance with the following conditions:

1. Compliance with all conditions and recommendations set forth in the Pennoni Review Letter dated May 11, 2021 unless otherwise waived as set forth below;
2. Unless otherwise waived herein, compliance with all comments by the Fire Marshall, if any, relating to fire access and fire safety; and compliance with all comments by the Sewer Engineer, if any, relating to sewer issues, including obtaining the requisite number of EDUs as determined by the Sewer Authority;
3. Compliance with the Decision Letter dated March 24, 2021 and any subsequent Decision and Order of the Norristown Zoning Hearing Board for Application 10-21 including all conditions and representations made to the Zoning Hearing Board such as the preparation, recording and perpetual maintenance of an easement in favor of the residential units on Lot 2 permitting ingress and egress over Lot 1 as well as the use of six (6) off street parking spaces located on the parking lot on Lot 1;
4. Compliance with the recommendations of the Montgomery County Planning Commission's review letter unless otherwise waived herein or contrary to the conditions or recommendations as set forth in the Pennoni Review Letter referenced above;
5. Preparation and recordation of a Blanket Stormwater Drainage Easement and Stormwater Operations and Maintenance Agreement, if determined by the Municipality to be required, in a form acceptable to the Municipal Engineer and Municipal Solicitor;
6. Execution of a Land Development Agreement, if determined by the Municipality to be required, as prepared by the Municipal Solicitor;
7. Execution of a Financial Security Agreement, if determined by the Municipality to be required, as prepared by the Municipal Solicitor and in an amount to be approved by the Municipal Engineer;
8. Payment of all outstanding fees, including professional review fees, owed to the Municipality; and
9. Applicant acceptance of the conditions as set forth herein as referenced below.

In addition, the following waivers from the Norristown Subdivision and Land Development Ordinance and Stormwater Ordinance are hereby approved or denied as indicated as follows:

1. **§282-433.2.C thru E.** – for relief to provide a property line buffer between proposed Lots 1 and 2.

APPROVED

DENIED

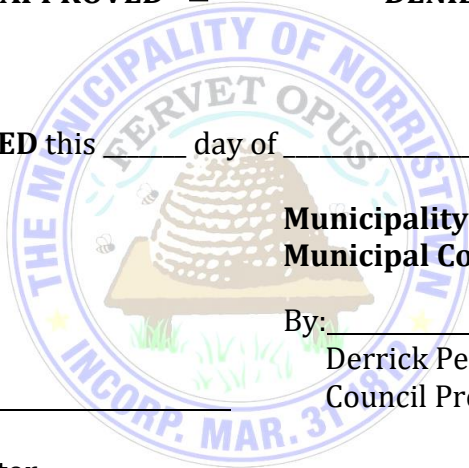
2. **§282-403.1&2.** – for relief to permit the undersized, rectangular shaped Lot 2 in accordance with the zoning variances granted.

APPROVED

DENIED

ENACTED and **ORDAINED** this _____ day of _____, 2021

Seal:



**Municipality of Norristown
Municipal Council**

By: _____

Derrick Perry
Council President

Attest _____

Crandall O. Jones
Municipal Administrator