

MUNICIPALITY OF NORRISTOWN
A HOME RULE MUNICIPALITY
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION NO. 22-42 of 2022

A RESOLUTION OF THE MUNICIPALITY OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, GRANTING PRELIMINARY/FINAL PLAN APPROVAL TO 1651 MARKLEY STREET, LLC FOR A THREE-STORY, 18-UNIT GARDEN STYLE CONDOMINIUM BUILDING AT 1651 MARKLEY 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, 1651 Markley Street, LLC (“Applicant”) has submitted Preliminary/Final Land Development Plans titled “Stinson Hall” prepared by Joseph M. Estock dated December 8, 2017, last revised February 3, 2022, and a Post Construction Stormwater Management Report also prepared by Joseph M. Estock dated December 8, 2017, last revised March 9, 2022, that propose certain improvements to land located at 1651 Markley Street (Parcel No. 13-00-23956-30-4) that include the construction of a three-story, 18-unit garden style condominium building as well as surface parking, curbing, sidewalk, landscaping, lighting, stormwater management and other related improvements (hereafter referred to collectively as 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 an Opinion and Order dated March 11, 2022, (Application No. 58-21) 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 April 7, 2022; and

WHEREAS, the Norristown Planning Commission reviewed the Plan at its public meeting on May 10, 2022 and the Norristown Design Review Board also reviewed the Plan at its public meeting on June 9, 2022; and

WHEREAS, the Montgomery County Planning Commission reviewed the Plan and provided a review letter dated April 16, 2022, stating general support for the proposed project but suggesting certain comments with regard to circulation and landscaping; and

WHEREAS, Applicant has requested four (4) waivers as indicated on the Plan and Applicant now desires Council consider its land development submission and its Plans for final approval pursuant to Section 508 of the Municipalities Planning Code.

NOW, THEREFORE, BE IT RESOLVED by Norristown Municipal Council, that the Preliminary/Final Land Development Plans titled "Stinson Hall" prepared by Joseph M. Estock dated December 8, 2017, last revised February 3, 2022, for a three-story, 18-unit garden style condominium building with related site improvements at 1651 Markley 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 April 7, 2022, 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 Opinion and Order of the Norristown Zoning Hearing Board dated March 11, 2022, for Application 58-21 including all conditions and representations made to the Zoning Hearing Board;
4. Compliance with the recommendations of the Norristown Planning Commission and the Norristown Design Review Board unless otherwise waived herein or contrary to the conditions or recommendations as set forth in the *Pennoni Review Letter* referenced above;
5. Compliance with the recommendations of the Montgomery County Planning Commission review letter dated April 13, 2022, unless otherwise waived herein or contrary to the conditions or recommendations as set forth in the *Pennoni Review Letter* referenced above;
6. Preparation and recordation of a Blanket Stormwater Drainage Easement and Stormwater Operations and Maintenance Agreement as prepared by and in a form acceptable to the Municipal Solicitor and Municipal Engineer;
7. Execution of a Land Development Agreement as prepared by and in a form acceptable to the Municipal Solicitor and Municipal Engineer;
8. Execution of a Financial Security Agreement as prepared by and in a form acceptable to the Municipal Solicitor for the proposed improvements and in an amount to be approved by the Municipal Engineer;
9. Payment of all outstanding fees, including professional review fees, owed to the Municipality; and
10. 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. **§282-430.2.B.** – for relief to allow parking areas to be located closer than 15ft to the tract boundary lines.

APPROVED

DENIED

2. **§282-430.4.D.** – for relief to not provide the required twenty (20) feet of open area between the curb line of any parking area and the outside wall of the dwelling unit when ten feet of open area between the curb line of the adjacent parking area to the outside wall is proposed..

APPROVED

DENIED

3. **§282-433.1.C.(5).a.3** – for relief from providing the required number of replacement trees provided that a fee-in-lieu shall be provided for those replacement trees that are required but are will not be provided.

APPROVED

DENIED

5. **§276 Attachment 15 F-6.A** – for relief to allow the use of 15 inch diameter HDPE pipe instead of the required 18 inch diameter reinforced concrete pipe (RCP).

APPROVED

DENIED

ENACTED and **ORDAINED** this _____ day of _____, 2022.

Seal:

**Municipality of Norristown
Municipal Council**

By: _____

Thomas Lepera
Council President

Attest _____

Crandall O. Jones
Municipal Administrator