

MUNICIPALITY OF NORRISTOWN
A HOME RULE MUNICIPALITY
MONTGOMERY COUNTY, PENNSYLVANIA

19-105

RESOLUTION NO. 105-19 of 2019

A RESOLUTION OF THE MUNICIPALITY OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, GRANTING PRELIMINARY AND FINAL PLAN APPROVAL TO THE NORRISTOWN ZOOLOGICAL SOCIETY, INC. FOR THE MINOR LAND DEVELOPMENT OF A THREE PHASE EXPANSION OF EXISTING PARKING FACILITIES AT 1661 HARDING BOULEVARD

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;

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

WHEREAS, the Norristown Zoological Society Inc. (the "Applicant") has submitted plans to expand existing parking facilities at 1661 Harding Boulevard, more specifically in the area near the interception of Johnson Highway and Harding Boulevard, in accordance with a 3-phase development based on the following plans: (1) a land development plan dated June 2, 2017 and last revised November 16, 2018; (2) a stormwater report dated June 2, 2017, last revised November 16, 2018; and (3) an erosion and sediment report dated November 16, 2018, which land development plan and reports were all prepared by Eustace Engineering and that shall be referred to collectively hereafter as ("the Plans");

WHEREAS, the Plans depict and propose a 3-phase development that includes with Phase 1 improvements to include the construction of two parking lots containing 190 spaces along Harding Boulevard, construction of a 6 to 8 ft wide boardwalk connecting the new parking area to the Zoo entrance, paving the lot adjacent to the existing softball fields, construction of a new driveway that connects the Zoo's existing main parking lot to the softball field lot and associated stormwater infrastructure and landscaping; and that includes with Phase 2 the construction of an access road off West Johnson Highway and the construction of an additional 42-space lot; and that includes with Phase 3 the construction of a road connecting the new parking lots with the driveway at the existing entrance, construction of an additional eight (8) space parking lot, and re-striping the lower parking lot to accommodate three (3) additional handicapped parking stalls; and

WHEREAS, the Plans further depict, during each of the three phases, various stormwater and associated landscaping improvements that include: one bio-retention basin (Basin 4), one surface detention basin (Basin 3), and three subsurface basins (Basins 1, 2, 5).

NOW, THEREFORE, BE IT RESOLVED by Norristown Municipal Council, that the minor land development plan for 1661 Harding Boulevard as submitted by the Norristown Zoological Society and based on a land development plan dated June 2, 2017 and last revised November 16, 2018; and a stormwater report dated June 2, 2017 and last revised

November 16, 2018; and an erosion and sediment report dated November 16, 2018, all of which were prepared by Eustace Engineering, is hereby **APPROVED** subject to the Norristown Zoological Society Inc.'s compliance with the following conditions:

1. Compliance with all conditions set forth in the Pennoni Engineering Review Letters dated January 4, 2019 and Pennoni Stormwater Review Letter dated February 21, 2019 unless otherwise waived in accordance with this Resolution;
2. Compliance with all conditions imposed by the Norristown Zoning Hearing Board by their zoning decision dated July 24, 2018 and the amended zoning decision dated November 16, 2018;
3. Compliance with the Fire Marshall review letter dated December 18, 2018 that requests that the new proposed driveway grades be at or below 10% so as to avoid damage to the fire trucks and fire apparatuses traversing said driveways;
4. Payment of a landscaping fee-in-lieu in the amount of \$85,460.00, which amount shall be paid prior to the issuance of any permits related to the project, as well as the construction and maintenance of the additional landscaping buffer along the Harding Boulevard right-of-way and site as shown in the plan as approved by the Municipal Engineer attached hereto as Exhibit "A;"
5. Proof of court authorization and/or judicial approval from the Montgomery County Orphan's Court for the proposed parking uses;
6. Proof of East Norriton Township review of the Plans and no objection to the Plans and proposed development as submitted;
7. Preparation and recordation of Blanket Stormwater Drainage Easement in a form acceptable to the Municipal Engineer and Municipal Solicitor;
8. Execution of a Stormwater Operations and Maintenance Agreement in a recordable form acceptable to the Municipal Engineer and Municipal Solicitor;
9. Execution of a Land Development Agreement in a recordable form acceptable to the Municipal Engineer and Municipal Solicitor;
10. Execution of a Financial Security Agreement in a recordable form acceptable to the Municipal Engineer and Municipal Solicitor; and
11. Payment of all outstanding fees owed to the Municipality.

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

1. **§276-19.B.1** - for relief from the requirement to provide an ERSAM plan as the required information is included on other plan sheets;

APPROVED **DENIED**

2. **§276-22.B.** – for relief from providing a minimum orifice size of three (3) inches as a two (2) inch orifice size is proposed within the outlet structure for Basin No. 4;

APPROVED **DENIED**

3. **Appendix F-6.L.(2)(a)**.- to permit use of HDPE pipe at discharge points in lieu of reinforced concrete pipe;

APPROVED **DENIED**

4. **§282-304.4.B** – for relief to permit plans to have an area of 30-inches by 42-inches rather than the required maximum area of 24-inches by 36-inches;

APPROVED **DENIED**

5. **§282-304.4.E** – for partial relief to permit plans to have a plan scale of 1" = 100' in lieu of the minimum of 1" = 50' as required;

APPROVED **DENIED**

6. **§282-406.2.A.** – for partial relief from the requirement to conserve sensitive features, including: Wetlands (69% to be preserved when 100% required), Floodplain (98.6% to be preserved when 100% required), Steep Slopes (23.7% to be preserved when 70% required), Very Steep Slopes (60.9% to be preserved when 80% required), and Woodlands (36% to be preserve when 50% required) and further provided that Applicant obtain all required permitting from the DEP for the proposed outfall structures within the floodplain and floodway and disturbance of any wetland areas as set forth in the Pennoni Engineering Review Letter dated January 4, 2019 and compliance with any other DEP permitting or approvals required for the proposed project;

APPROVED **DENIED**

7. **§282-409.3** – for relief to have a wetland buffer along Basin 2 that is less than twenty-five (25) feet;

APPROVED **DENIED**

8. **§282-427.9.A.** – to permit driveway grades exceeding 7%, with the condition that the maximum grades for all driveways proposed (including A, B, and C) must be no greater than 10% per the review comments from the Fire Marshall;

APPROVED **DENIED**

9. **§282-431.** – for partial relief from providing curbing along driveway and parking lots;

APPROVED **DENIED**

10. **§282-433.1.c.(5)(C).**– for partial relief from the requirement to provide 619 replacement trees for the area of woodlands to be removed when thirty-seven (37) replacement trees are proposed to be planted when a landscaping fee-in-lieu is being offered in the amount as set forth in this Resolution above;

APPROVED **DENIED**

11. **§282-433.2.E** – for partial relief from the Softening Buffer requirement along the East Norriton Township Line so as to allow existing woodlands to substitute for: the 6 required understory trees, 3 of the required evergreen trees, and for partial relief from the Filtering Buffer requirements for Phases 1, 2 and 3 along Harding Boulevard, specifically in Phase 1 substituting 10 evergreen trees for 10 required canopy trees in accordance with plans reviewed by and approved by the Municipal Engineer; and in Phase 2 allowing 3 canopy trees, 6 understory trees, 1 existing evergreen tree, 5 proposed evergreen trees, 0 shrubs, and a proposed retaining wall in lieu of 6 canopy trees, 6 understory trees, 15 evergreen trees, and 15 shrubs; and in Phase 3 allowing the existing woodlands and a proposed retaining wall in lieu of 6 canopy trees, 6 understory trees, 15 evergreen trees, and 15 shrubs when a landscaping fee-in-lieu is being offered in the amount as set forth in this Resolution above;

APPROVED **DENIED**

12. **§282-433.3.A.(4)** – for relief from providing the required number of street trees along proposed access driveways, specifically to allow 22 of the 30 required trees along Driveway A, 13 of the required 22 trees along Driveway B, and zero of the required 20 trees Along Driveway C when other vegetation will be provided and a landscaping fee-in-lieu is being offered in the amount as set forth in this Resolution above;

APPROVED **DENIED**

13. **§282-433.4.A.** – for relief from providing a Filtering Buffer between the proposed walkway and Harding Boulevard when the proposed buffering consists of existing woodlands;

APPROVED **DENIED**

14. **§282-433.3.B.** – for relief from providing street trees between the ultimate right-of-way of Harding Boulevard and the building setback line when the required street trees are proposed to be within the Harding Boulevard right-of-way;

APPROVED **DENIED**

15. **§282-433.7.A.(1)** – for partial relief to allow woody vegetation to be planted within 30 feet of the berm for Basin 3; and

APPROVED

DENIED

16. §282-433.5.B.(7) – for partial relief from using only plants from the Recommended Plant Material List (Appendix A), when the Applicant proposes other native plants not listed therein.

APPROVED

DENIED

17. §282-430.2.I.(1) – for relief from providing a planting island every ten (10) parking stalls as the Applicant is proposing to have a maximum of forty-eight (48) parking spaces in a row without a planting island;

APPROVED

DENIED

18. §282-430.2.J. – for partial relief from the requirement to provide planting strips around the perimeters of parking lots;

APPROVED

DENIED

19. §282-430.5.A. – for relief from providing a planting island every ten (10) parking stalls and portions of planting strip around the parking lot perimeter for a nonresidential parking lot;

APPROVED

DENIED

20. §282-433.5.B.(1) – for relief from providing planting islands every 10 parking spaces when a landscaping fee-in-lieu is being offered in the amount as set forth in this Resolution above;

APPROVED

DENIED

21. §282-433.5.B.(3) – for partial relief from the requirement for parking lot trees and shrubs when a landscaping fee-in-lieu is being offered in the amount as set forth in this Resolution above;

APPROVED

DENIED

ENACTED and ORDAINED this 19th day of FEBRUARY 2019.

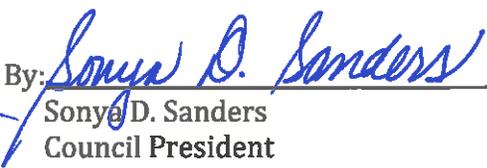
Seal:

**Municipality of Norristown
Municipal Council**

Attest


Crandall O. Jones
Municipal Administrator

By:


Sonya D. Sanders
Council President