

MUNICIPALITY OF NORRISTOWN
A HOME RULE MUNICIPALITY
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION NO. 19-131 of 2019

A RESOLUTION OF THE MUNICIPALITY OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, GRANTING PRELIMINARY AND FINAL PLAN APPROVAL TO TWO FARMS, INC. D/B/A ROYAL FARMS, INC. FOR AN ALTERNATIVE CONFIGURATION OF IMPROVEMENTS FOR THE DEVELOPMENT OF A ROYAL FARMS CONVENIENCE STORE WITH GASOLINE PUMP AT 1800-1882 MARKELY 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;

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; and

WHEREAS, by Resolution No. 17-146 of 2017 the Norristown Municipal Council voted to approve final land development to Norristown Center A, LP and Norristown Center B, LP for a land development called Norristown Center located at 1800 Markley Street which included office space, retail space, and a Royal Farms convenience store with gasoline pump;

WHEREAS, the Two Farms, Inc. d/b/a Royal Farms Inc. ("Applicant") has submitted plans for an alternative configuration of the improvements for the development of the Royal Farms convenience store with gasoline pump at 1800-1882 Markely Street ("Alternative Plan") based on plans prepared by SR3 Engineers dated May 1, 2019 that includes: demolition of existing buildings; construction of the a 5,166 sq ft "Royal Farms" convenience store with eight (8) fuel pumping stations and 81 parking spaces; installation of a new right-in/ right-out driveway entrance (Driveway A) and complete improvements to the existing driveway entrance along Markley Street with a proposed traffic light; and interior parking, curbing, sidewalk, handicap ramps, lighting, landscaping, stormwater and related improvements ;

WHEREAS, the Municipal Engineer, Pennoni Associates, Inc., has reviewed the Alternative Plan and determined that the Alternative Plan proposes shifting the Royal Farms and related fuel canopy to the southeast away from Markely Street, which shift increases the distance between the required property setbacks but is not a violation of zoning, and also proposes related changes to the internal parking layout/ circulation, trash enclosures, sidewalks, site grading, utilities, landscaping, signage, and lights as a result of the building shift;

WHEREAS, based upon its review, Pennoni Associates, Inc. has issued a letter dated June 7, 2019 recommending preliminary/ final approval of the Alternative Plan subject to compliance with certain conditions.

NOW, THEREFORE, BE IT RESOLVED by Norristown Municipal Council, that the alternative land development plan for the development of the Royal Farms convenience store with gasoline pump at 1800-1882 Markely Street submitted by Two Farms, Inc. d/b/a Royal Farms Inc., and prepared by SR3 Engineers and dated May 1, 2019 consisting of 26 sheets and three lighting detail/ plan sheets, is hereby **APPROVED** subject to Applicant's compliance with the following conditions:

1. Compliance with all conditions set forth in the Pennoni *Review Letter* dated June 7, 2019;
2. Compliance with any comments by the Fire Marshall relating to circulation for a fire ladder truck and fire hydrant location;
3. Compliance with all Sewer Authority requirements to obtain sewer certification and all required EDUs as determined by the Sewer Authority;
4. Preparation and recordation of a Blanket Stormwater Drainage Easement and Stormwater Operations and Maintenance Agreement in a form acceptable to the Municipal Engineer and Municipal Solicitor;
5. Execution of a Land Development Agreement as prepared by the Municipal Solicitor;
6. Execution of a Financial Security Agreement as prepared by the Municipal Solicitor for the proposed improvements and in an amount to be approved by the Municipal Engineer;
7. Payment of all outstanding fees, including professional review fees, owed to the Municipality; and
8. Compliance with all conditions as set forth in Resolution No. 17-146 of 2017 unless otherwise waived herein.

In addition, the following waivers from the Norristown Subdivision and Land Development Ordinance as previously granted in Resolution no. 17-146 of 2017 are hereby restated and re-granted as may be applicable to the Alternative Plan :

1. **§276-24.C.(1)** – for relief from calculating existing impervious site coverage as meadow conditions.
2. **§282-304.4.A & §282-306.2.A** – for relief to permit plans to be greater than a scale of 1"=50 feet and a profile to not exceed a vertical scale plan scale of two, four or five feet to the inch. The Applicant is proposing plans to be at a 1"=60' scale and a profile plan with a vertical scale of three (3) feet.
3. **§282-304.6.I.(2)** – for partial relief from description of all structures within one-hundred (100) feet of the tract boundary.
4. **§282-430.2.I.(1) & §282-433.5.B.(1)** – for relief to permit more than ten (10) parking spaces in a row between planting islands. The Applicant is proposing more than ten (10) parking spaces in a row between planting islands.

5. **§282-433.3.B.(1)** – for relief to allow street tree spacing of eighty (80) feet rather than the required forty (40) feet for the Royals Farms portion of the site only.
6. **§282-433.5.B.(9)** – for relief from the requirement of providing a four (4) foot fence along an arterial street.
7. **§282-433.6.A.(4)** – for relief to permit less than twenty-five (25) percent pervious planting for the area between the building façade and the property frontage.
8. **§282-430.1.D.** – for relief to permit the extension of the existing angled parking aisles east of Driveway A.
9. **§282-433.1.A.** – for relief to permit the landscaping plans to be signed and sealed by a licensed engineer in the State of Pennsylvania rather than a landscape architect.
10. **§282-433.2.E.** – for partial relief from providing the required screening buffer behind existing building #5 and to allow the existing condition to remain

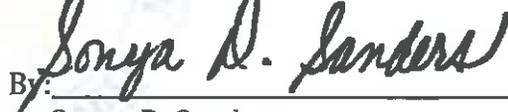
ENACTED and ORDAINED this 18th day of June 2019

Seal:



Attest _____
Crandall O. Jones
Municipal Administrator

Municipality of Norristown
Municipal Council



By: _____
Sonya D. Sanders
Council President

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Wm. H. ...

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