

**MUNICIPALITY OF NORRISTOWN
A HOME RULE MUNICIPALITY
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 19-135 of 2019

A RESOLUTION OF THE MUNICIPALITY OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, GRANTING PRELIMINARY AND FINAL PLAN APPROVAL TO CSMI, LLC FOR THE DEVELOPMENT OF A CHARTER SCHOOL AT 50 WEST BROWN 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, CSMA, LLC ("Applicant") has submitted plans for improvements that include the retrofitting of an existing building as a charter school at 50 West Brown Street ("Plan") based on plans prepared by Joseph M. Estock dated August 31, 2018 last revised May 20, 2019 that includes: use of an existing 21,805 sq ft one- and two- story building as a charter school for grades K-6; removal of 65 existing parking spaces and installing 75 new parking spaces in a 9'x18' area; installation of additional landscape buffering along the southwestern property line; construction of a 3,000 sq ft playground area made of porous material; construction of a passenger vehicle drop-off/ pick-up area; construction of a bus drop-off/ pick-up area; removal and replacement of parking lot lighting improvements; installation of handicap ramps at the intersection of Brown Street and Locust Street; construction of a concrete driveway entrance; and related improvements;

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 and order dated September 25, 2018 and that is incorporated herein by reference;

WHEREAS, the Municipal Engineer, Pennoni Associates, Inc. reviewed the Plan and revised submissions and, based upon this review, issued various review letters with the last review letter dated June 26, 2019 recommending preliminary/ final approval of the Plan subject to compliance with certain conditions;

WHEREAS, the Norristown Planning Commission also reviewed the Plan at its public meetings on May 14, 2019, and recommended approval, subject to: (1) the Fire Marshall and the Department of Public Works having no comments or negative comments on applicant's plans, and (2) Applicant compliance with any and all comments provided by the Municipal Engineer; and

WHEREAS, the Montgomery County Planning Commission also reviewed the Plan and provided a review letter dated December 28, 2019 stating support for the proposed project but suggesting certain revisions to striping and signage for passenger vehicle drop-off/ pick-up, and revisions to landscaping to remove all ash species from the proposed and/or recommended plant material list.

NOW, THEREFORE, BE IT RESOLVED by Norristown Municipal Council, that the land development plan for the development of a charter school at 50 West Brown Street submitted by CSMI, LLC, and prepared by Joseph M. Estock and dated August 31, 2018 last revised May 20, 2019 and consisting of 8 sheets and three lighting detail/ plan sheets, is hereby **APPROVED** subject to Applicant's compliance with the following conditions:

1. Compliance with all conditions and recommendations set forth in the Pennoni *Review Letters* dated January 4, 2019, April 9, 2019 and June 26, 2019, which includes, but is not limited to:
 - a Installation of school zone speed limit signage on Brown Street at Applicant's sole cost with materials and in a manner approved by the Municipal Engineer;
 - b Clean out all debris from/ within the existing stormwater pipe that runs from the existing inlet in the parking lot to Harrison Alley at Applicant's sole cost;
 - c Removal of existing overgrown foliage to provide adequate sight distance as approved by the Municipal Engineer; and
 - d Monitor and document the bus and parent queue lengths during the initial phase of development, which will consist of only 200 students; and if queuing becomes problematic or results in the spillover of vehicle or pedestrian traffic onto Brown Street, Applicant shall work with the Municipality to implement strategies to mitigate the queue issues.
2. Compliance with any comments by the Fire Marshall relating to fire access and safety, if any, and compliance with any comments by the Public Works Director relating to drainage along Brown and Powell Streets;
3. Compliance with all the Decision and Order of the Norristown Zoning Hearing Board dated September 25, 2018 including all conditions and representations made to the Zoning Hearing Board;
4. Compliance with the recommendations of the Montgomery County Planning Commission unless otherwise waived herein or contrary to the conditions or recommendations set forth in the Pennoni *Review Letters* referenced above;
5. Compliance with all Sewer Authority requirements to obtain sewer certification and all required EDUs as determined by the Sewer Authority;

6. 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;
7. Execution of a Land Development Agreement as prepared by the Municipal Solicitor;
8. 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; and
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 are hereby approved or denied as indicated as follows:

1. **§282-430.2.I.** - for relief from the requirement of providing planting islands within the parking lot. The Applicant is proposing to increase the number of parking spaces without a planting island;

APPROVED

DENIED

2. **§282-430.5.A.** - for partial relief from the requirement of providing a planting strip around the perimeter of the lot and one planting island for every ten (10) spaces within the parking lot.

APPROVED

DENIED

3. **§282-433.2.C.(1)** - for partial relief from the requirement of providing a buffer planting area not less than ten (10) feet in width along all property lines and eternal street boundaries of the site.

APPROVED

DENIED

Further, this Resolution with approvals and conditions as contained herein does not and shall not authorize the construction of improvements or buildings exceeding those shown on the Plans. Furthermore, this Resolution with approvals and conditions as contained herein 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.

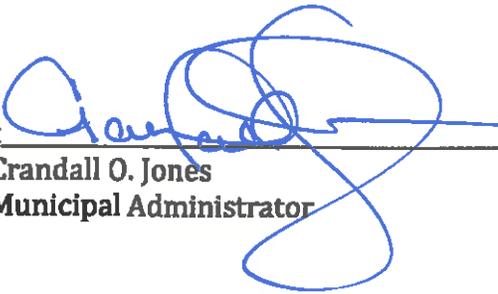
Resolution 19-135 of 2019
50 W. Brown Street
CSMI, LLC

ENACTED and ORDAINED this 7th day of August 2019

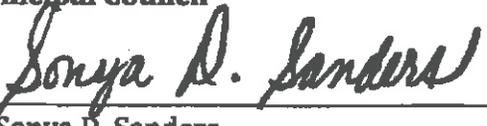
Seal:

Municipality of Norristown
Municipal Council

Attest


Crandall O. Jones
Municipal Administrator

By:


Sonya D. Sanders
Council President

THE UNDERSIGNED HEREBY REPRESENTS THAT HE/SHE IS AUTHORIZED ON BEHALF OF THE APPLICANT TO AGREE, AND HEREBY AGREES TO THE ABOVE LAND DEVELOPMENT PLAN APPROVAL RESOLUTION:

APPLICANT: CSMI, LLC

By: _____

Dated: _____

Name :

Title :