

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

RESOLUTION NO. 20-08

A RESOLUTION OF THE MUNICIPALITY OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, GRANTING PRELIMINARY AND FINAL PLAN APPROVAL TO ELON AT MONTGOMERY PARK, LP FOR THE PHASE II DEVELOPMENT OF THE MONTGOMERY PARK SENIOR HOUSING AT 1301 POWELL 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 Municipal residents; and

WHEREAS, Elon at Montgomery Park, LP ("Applicant") has submitted plans for the Phase II development of the Montgomery Park Senior Housing at 1301 Powell Street based on plans prepared by T&M Associates dated November 12, 2019, last revised January 6, 2020, and consisting of fourteen (14) sheets that includes: construction of a four story apartment building (approximately +/- 10,000 sq ft per floor) with forty-two (42) age-restricted units; construction of an associated parking lot with twenty-four (24) spaces with additional parking at the Powell Street garage across the street; construction of associated interior driveway, landscaping, lighting, concrete curb, concrete sidewalk and walkways, stormwater piping and stormwater facility which will complete Phase 2 of the three-phase master plan, which received preliminary approval in or about 2016 (hereafter referred to collectively as the "Plan"); and

WHEREAS, Applicant previously obtained zoning relief from the Norristown Zoning Hearing Board by a decision and order dated on or about May 5, 2016, which decision and order included the condition that the Applicant must comply with all other building, land development, fire and safety regulations of the Commonwealth of Pennsylvania and Municipality of Norristown, as they may apply; and

WHEREAS, the Municipal Engineer, Pennoni & Associates reviewed the Plan and related submissions and, based upon this review, issued various review letters, the last of which is dated January 14, 2020; and

WHEREAS, the Norristown Planning Commission also reviewed the Plan at its public meeting on December 10, 2019, and, voted to recommend Preliminary/Final Land Development subject to Applicant's compliance with the Pennoni review letter; and

WHEREAS, the Montgomery County Planning Commission also reviewed the Plan and provided a review letter dated December 20, 2019 stating general support for the proposed project but providing comments with regard to mid-block crossing on Powell Street, basin plantings, and future parking lot circulation;

NOW, THEREFORE, BE IT RESOLVED by Norristown Municipal Council, that the land development plan for the Phase II development of the Montgomery Park Senior Housing at

1301 Powell Street submitted by Elon at Montgomery Park, LC, and prepared by T&M Associates and dated November 12, 2019, last revised January 6, 2020, and consisting of fourteen (14) 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 January 14, 2020, which includes, but is not limited to: (a) a fee-in-lieu in the amount of **FIVE HUNDRED AND FIFTY-FIVE DOLLARS** (\$555.00) for open space; and (b) preparation of a cross easement between the lots for pedestrian and vehicular traffic access/ use in a form acceptable to the Municipal Solicitor, which shall be recorded prior to the issuance of any construction or Use and Occupancy permits;
2. Compliance with all Sewer Authority requirements to obtain sewer certification and all required EDUs as determined by the Sewer Authority;
3. Except for the comments relating to rectangular rapid flashing beacons (RRFB) for mid-block crossing on Powell Street, 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 Letter referenced above;
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; and
7. Payment of all outstanding fees, including professional review fees, owed to the Municipality.
8. Applicant acceptance of the conditions as set forth herein as referenced below.

In addition, the following waiver from the Norristown Stormwater Management Ordinance is hereby approved as follows:

1. **§276-19.B(1)** – relief from the requirement to prepare an existing resource and site analysis map (ERSAM).
2. **Chapter 276, Attachment 15, F-6, Section A** – relief from the requirement that all stormwater piping, with the exception of roof drain leader lines and underdrains, shall be

a minimum of eighteen (18) inches in diameter and when Applicant is proposing stormwater pipe to be fifteen (15) inches in diameter.

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.

ENACTED and ORDAINED this 21st day of January, 2020

Seal:

Municipality of Norristown
Municipal Council

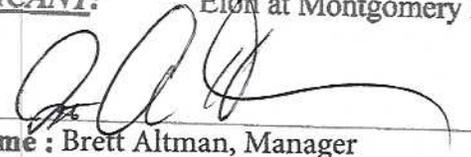
Attest


Crandall O. Jones
Municipal Administrator

By: Derrick Perry
Derrick Perry
Council President

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

APPLICANT: Elon at Montgomery Park, LP

By: 
Name: Brett Altman, Manager

Date: April 28, 2020

Title: Elon at Montgomery Park GP, LLC, a Pennsylvania limited liability company, its General Partner

Attest:

By: Francis Vargas
Name: Francis Vargas
Title: Vice President - Elon Development

Date: April 28, 2020