

# **UPPER DARBY TOWNSHIP DELAWARE COUNTY, PENNSYLVANIA**

## **Resolution No. 34-25**

### **A RESOLUTION GRANTING AMENDED PRELIMINARY PHASED LAND DEVELOPMENT APPROVAL FOR APPLICANT, DELAWARE COUNTY COMMUNITY COLLEGE, FOR PHASES 1 THROUGH 3 OF THE SOUTHEAST CAMPUS PROJECT AND FINAL LAND DEVELOPMENT APPROVAL FOR PHASES 1 AND 2**

**WHEREAS**, in 2020, through Upper Darby Township Resolution No. 39-20, the Applicant Delaware County Community College received approval from the Township: for the subdivision of the Property into two (2) lots, consisting of one (1) lot associated with the Monsignor Bonner High School Building and another lot associated with the construction of a Southeast Campus development of the College; waivers and zoning relief granted to the College associated with the same; and as part of the Southeast Campus, the construction and installation of various improvements, including, but not limited to interior renovations to the Prendergast Building, the construction of a new annex wing to the Prendergast Building, the construction of an Early Learning Center, campus greens, a structured parking deck, other at-grade parking spaces and associated stormwater management, erosion and sedimentation controls, lighting, landscaping improvements (collectively, the “2020 Approval Project”); and

**WHEREAS**, as part of the 2020 Approval Project, the Applicant had caused to be prepared and filed with the Township a certain subdivision and land development plan for the Project, being Delaware County Planning Department File No. 47-6195-06-20, consisting of seventeen (17) sheets, prepared by G.D. Houtman & Son, Inc., dated February 27, 2020 and last revised on August 26, 2020; (the “2020 Plans”), which 2020 Plans were duly recorded with the Delaware County Office of the Recorder of Deeds at Book 6716, Page 861; and

**WHEREAS**, in 2024, through Upper Darby Township Resolution 2-24, the Applicant Delaware County Community College received approval of amendments to the 2020 Plans to establish three phases thereof: Phase 1, consisting of the main building and annex, twenty-two (22) classrooms, the Early Learning Center, all proposed site improvements and grading, and at-grade parking associated with the foregoing; Phase 2, consisting of an additional six (6) classrooms in the main building, subject to Applicant obtaining certain variance relief from the Township Zoning Hearing Board; and Phase 3, consisting of the construction of the gymnasium improvements and structured parking garage (the “2024 Phased Plans”); and

**WHEREAS,** Resolution 2-24, approving the 2024 Phased Plans, granted both Preliminary and Final Approval to Phases 1 through 3, requiring Applicant to submit all required documentation and recording receipts for all three (3) Phases;

**WHEREAS,** the effect of Resolution 2-24 did not accurately reflect the intent of the Applicant and the Township in its approvals nor was the approval truly phased;

**WHEREAS,** construction of the improvements within Phases 1 and 2 of the project are underway (but no construction of Phase 3 has commenced), and, as noted during the process for Applicant seeking approval of the 2024 Phased Plans, Applicant is not proceeding with Phase 3 at this time, but will need to assess doing so in the future given its operational and financial needs and capabilities at such time; and

**WHEREAS,** to provide clarification and facilitate release of the appropriate Phase 1 and 2 final plans for recording with the Delaware County Recorder of Deeds office, Applicant and the Township desire that the instant Resolution be issued; and

**NOW, THEREFORE, BE IT RESOLVED** by the Upper Darby Township Council, that the aforementioned approvals are hereby amended as Preliminary Approval for Phases 1 through 3 and Final Approval for Phases 1 and 2, and accordingly, Final Plans for Phases 1 and 2 are hereby approved for release and recording with the Delaware County Recorder of Deeds, subject to the satisfaction of the following conditions:

1. The posted financial security associated with the 2020 Plans shall be reevaluated and subject to approval of the Township Engineer to reflect the remaining, outstanding public improvements associated with Phases 1 and 2 of the Plans.
2. Applicant and the Township shall enter into an Agreement to effectuate a modification of the approved, executed land development agreement, financial security agreement and stormwater management agreement associated with the 2020 Plans, to reflect the instant Resolution related to Phases 1 and 2 only, along with any other required agreements, to the satisfaction of the Township Solicitor.
3. Nothing herein shall be construed as the grant of Final Plan approval for Phase 3 of the 2024 Phased Plans. Applicant shall not undertake any land development of the Phase 3 improvements until such time as it submits and receives approval from the Township Council of Final Phase 3 Plans, together with a development agreement,

financial security agreement and any other applicable agreements associated with the same.

- 4. Applicant shall continue to comply with the applicable conditions associated with the 2020 Approval, Resolution 39-20 and Resolution 2-24 issued by the Township, as they pertain to Phases 1 and 2;
- 5. All outstanding Township fees, Township's engineering fees, and Township's legal fees, and any other professional fees associated with the review and approval of the request shall be paid in full before the Plan is recorded in accordance with Section 503 of the Pennsylvania Municipalities Planning Code; and
- 6. This Resolution shall bind the Applicant, and the Applicant's successors and assigns.

**DULY PRESENTED AND ADOPTED** by the Council of Upper Darby Township, Delaware County, Pennsylvania, in a public meeting held this \_\_\_\_ day of September, 2025.

SEAL:

ATTEST: _____	BY: _____
<b>MICHELLE BILLUPS</b>	<b>HAFIZ TUNIS, JR.</b>
<i>SECRETARY OF COUNCIL</i>	<i>PRESIDENT OF COUNCIL</i>

**APPROVED** this \_\_\_\_ day of September, 2025.

ATTEST: _____	BY: _____
<b>CRANDALL O. JONES</b>	<b>EDWARD BROWN</b>
<i>CHIEF ADMINISTRATIVE</i>	<i>MAYOR</i>
<i>OFFICER</i>	

**In the event that the executed Resolution is not delivered to the Township within seven (7) days of receipt, it shall be deemed that the Applicant does not accept these conditions, and approvals conditioned upon its acceptance are revoked, and the application is considered denied for the reasons set forth above.**

ATTEST:

ACCEPTED BY:  
**DELAWARE COUNTY  
COMMUNITY COLLEGE**

\_\_\_\_\_

By: \_\_\_\_\_  
Name:  
Title:

Date: \_\_\_\_\_