

EAST WHITELAND TOWNSHIP
PLANNING COMMISSION MEETING
December 17, 2014

Members Present: Greg Davis, Chairman, Deb Abel, John Laumer, Todd Asousa, Jeff Broadbelt, and Brian Taylor

Absent: Maureen Martinez

Also Present: Terry Woodman, Township Manager, and Maureen Perri, Secretary

CALL TO ORDER: The regular meeting was called to order at 7:30 pm.

APPROVAL OF MINUTES:

A motion was made by Greg Davis to approve the minutes of November 25, 2014 as written. The motion was seconded by Brian Taylor and the vote was unanimously approved.

EAST WHITELAND ACT 537 PLAN SPECIAL STUDY: Bill Bohner, Arro Engineers

Mr. Bohner stated that the purpose of revising the Act 537 Plan study is to establish: 1) planning requirements for conveyance system upgrades needed to support planned development; 2) upgrade the existing and anticipated future flows; and 3) focus on the conveyance components to the Wilburdale and Flat Roads pump stations. The study incorporates a review of the existing flows and to determine what the future requirements could be. Primarily the pump station being evaluated is at the corner of Wilburdale and Flat Roads. He mentioned that the upgrades would be handled in two phases and the estimated cost is \$2 million dollars. Mr. Bohner stated that any written comments received must be submitted to PADEP. Mr. Laumer offered to compile the responses from Planning Commission members and will forward to Ms. Woodman for incorporation in the Planning document.

ZONING ORDINANCE AMENDMENT: BRANDYWINE REALTY AMENDING THE ZONING ORDINANCE TO PERMIT MIXED USE DEVELOPMENT IN THE CGO-CORPORATE GATEWAY OVERLAY DISTRICT

Represented by Lou Colagreco, Esquire and Paul Comitto, Brandywine Realty

This ordinance text amendment is to provide additional mixed uses for the Corporate Gateway Overlay District. The focus of the change is related to a property at 50-52 Swedesford Road which is on the north side of Route 202. This CGO district is restricted to properties that are at least 20 acres in size. Members were advised that this property has been underdeveloped for 13 years and has had no market interest under the current zoning.

Mr. Colagreco stated that based on the Commission's prior discussion that the following exclusion were incorporated into the Ordinance. They are: 1) exclude convenience stores with gas pumps; 2) exclude hotels and conference centers; and 3) establish maximum percentage of any one particular use. Each individual use is not to exceed .65 of allowance FAR (floor area ratio) and retail operations may not exceed .15 of allowable

FAR. Mr. Comitto advised that the retail component would be confined to restaurants and professional offices within the development based on these exclusions.

Members offered their opinions as follows:

1. Todd Asousa – He cited that the Township is updating the Comprehensive Plan which would evaluate the entire Great Valley Corporate Center and is concerned about the future impact of this zoning change; he would like the mixed uses permitted per Conditional Use approval; and
2. Jeff Broadbelt –minimum 20% office space; also, he felt that 65% residential component would be too dense; and
3. Greg Davis – felt that there were too many zoning ordinance changes prior to the implementation of the Comprehensive Plan; and
4. John Laumer – concerned that the Corporate Center is becoming a mismatch and questioned whether or not the traffic will support the retail.
5. Deb Abel – stated that she had no objection with the mixed use zoning. Discussion ensued.

Mr. Asousa recommends that their hearing be tabled and that a joint discussion with Brandywine and the Supervisors be scheduled to discuss the proper development of the property. Mr. Colagreco stated that he understands that the Commission feels that there is too much flexibility with the ordinance and their concern with the density of the residential component.

ACTION:

Greg Davis made a motion to pass along to the Board of Supervisors the following comments on the Brandywine Realty Trust Zoning Ordinance amendment to permit Mixed Use Development and creating standards for mixed use development in CGO – Corporate Gateway Overlay District that the Commissions’ concerns are: 1) that the 65% residential component is too dense; 2) location of the property as it relates to the surrounding corporate uses and 3) suggested that the ordinance to be tabled. Jeff Broadbelt seconded and vote was 1 – opposed – T. Asousa and 5 – in favor – G. Davis, D. Abel, B. Taylor, J. Broadbelt, J. Laumer.

ZONING ORDINANCE TEXT AMENDMENT: ARGUS PROPERTY GROUP – TRACT DEFINITION

Represented by Lou Colagreco, Esquire and Mike Ruffo

Mr. Colagreco stated that the Commission wanted: 1) to tighten up the requirement for qualifying for a reuse of a historic structure; 2) application to be considered by Conditional Use; and 3) understand the impact of the new definition of “Tract”. Their property is located on two sides of Church Road west of the Township building and abutting Route 202. The property is approximately 42 acres in size. Mr. Colagreco stated that they did a review of how changing the definition of “Tract” would impact other properties in the Township. This property is bisected by a road and based on their research one other property would be impacted by this change. Mr. Colagreco stated that this change would only apply to a piece of property bisected by a public road and, whereby, the owner wished to consider the property a single tract. Mr. Broadbelt expressed his displeasure to changing the definition of “Tract” only. Mr. Colagreco stated that, if the property were to be considered as two separate pieces of ground; the development wouldn’t work due to environmental constraints on the eastern side of the property. Access to Chester Valley Trail will be available. Discussion ensued.

ACTION:

Greg Davis made a motion to the Board of Supervisors recommending approval of Argus Property Group's three proposed Zoning amendments: 1) changing the definition of "Tract"; 2) to provide further incentive for reuse and preservation of Township Historic Resource as part of a cluster development; and 3) to reduce the required setback from an arterial road. The development should be permitted by Conditional Use. The applicant has agreed to the following: 1) provide sidewalks; 2) garages be placed on the side or rear of the houses; 3) provide porches where applicable. Todd Asousa seconded and the vote was: 1 – abstention – D. Abel, 1- opposed – J. Broadbelt, and 4 – favor – G. Davis, J. Laumer, B. Taylor, T. Asousa.

ZONING ORDINANCE TEXT AND MAP AMENDMENT: LIBERTY PROPERTY CREATION OF A NEW MULTIMODAL TRANSPORTATION OVERLAY DISTRICT AND COMMENT TO THE ZONING HEARING BOARD

Represented by Lou Colagreco, Esquire and Gary Lorgus

Mr. Colagreco stated that Liberty is considering redoing a master plan for the corporate center. They wish to change the O/BP zoning district building height restriction to allow for 65 foot building height. Currently, the buildings are restricted to 42 feet in this area. This zoning change will match the 65 feet building heights which are permitted in other district. The applicant has agreed to provide for a Multimodal Transportation district in exchange for allowing the change in the increasing building height. This area is the land on the east side of Route 29 south of Great Valley Parkway and north of Valley Creek Park.

The Multimodal Transportation Overlay Zoning District is a result of TMAACC Route 29 Multimodal Study conducted March 2014. This study set forth recommendations for pedestrian, vehicular and trail paths additions or improvements along Route 29.

The reason for the ordinance solely pertains to changing the building height. Liberty wishes to take an existing building at 5 Country View and demolish it; and, then build a new building to these new height specifications. There are nine properties on the east side of Route 29, six of which are owned by Liberty. The property at 5 Country View is their focus for the zoning change. The variances pertains to height for the building due to architectural elements which extend out into the setback area. This variance request was under the current O/BP standards. The new Multimodal district incorporates the standards of the O/BP zoning district. Therefore, they are taking advantage of increased FAR (floor-area ratio) and building height. Discussion ensued.

The applicant wishes to: 1) increase building height through the ordinance change; 2) request variances from the Zoning Hearing Board for the extension of the cantilever architecture into the setbacks; 3) provide uniformity of parking stall sizes 8.5 x 18; and 4) the green roof to count toward impervious coverage requirements.

ACTION:

Greg Davis made a motion to the Board of Supervisors recommending the Zoning Ordinance Text and Map Amendment for Liberty Property creation of a new Multimodal Transportation Overlay Zoning District that would be applied to land on the east side of Rt. 29, south of the Atwater property and north of Valley Creek Park. Todd Asousa seconded and the vote was unanimous.

ACTION:

Greg Davis made a motion to recommend to the Zoning Hearing Board Liberty Property approval of the variances for the property at 6 Great Valley Parkway formerly 5 Country View Road in the O/BP Office/Business Park Zoning District for three variance as follows: variances from the Zoning Hearing Board to for -- the extension of the cantilever architecture into the setbacks; uniformity of parking stall sizes 8.5 x 18; and for green roof to count as impervious coverage. Deb Abel seconded and vote was unanimous.

SKETCH PLAN: LAND DEVELOPMENT – JONATHAN THIR – 638 and 642 Lancaster Avenue

Represented by Andrew Eberwein, PE

Mr. Eberwein stated that the applicant is proposing to construct a 14,750 sp. ft. of flex space on 2.4 acres behind 638 and 642 Lancaster Avenue (Independence Construction and Concord Pet Supplies) in the FC – Frontage Commercial Zoning District. They are proposing to have four buildings with a 12 foot driveway. They will be targeting flex space for small contractors. Mr. Eberwein advised that there are wetlands on the property. He assured the Commission that they will adhere to the Township’s setback requirements. However, PADEP will be implementing new setback standards from 100 to 150 feet which they plan to adhere. The plan calls for providing 59 parking spaces and, if necessary, they will hold spaces in reserve.

ACTION:

None

LAND DEVELOPMENT – PRELIMINARY PLAN: 20 MOORES ROAD – BUILDINGS 4 & 5

Represented by Lou Colagreco, Esquire and Eli Kahn

Mr. Colagreco stated the applicant proposes to construct two three-story office buildings 198,000 sq. ft. with 137 parking spaces held in reserve on a property consisting of 62 acres. The property is located in a PO- Professional Office Zoning District on the southwest corner of Moores Road and Sidley Road. The property formerly housed Aegon headquarters. Mr. Colagreco mentioned that these buildings were given approval in 2001 but never built.

Mr. Kahn stated that they will be updating the stormwater requirements from the previous plan. Building 5 was previously approved for 117,000 sq. ft. Building 4 was to cover 80,500 sq. ft. and was originally positioned next to the pond. Building four will be moved closer to Rt. 202 and away from Moores Road and the pond. Mr. Kahn advised that there will be no additional density. Mr. Kahn stated that they hoped to use the Off-site funds (\$300,000) given to the Township to improve the intersection of Phoenixville Pike and Sidley Road.

Their traffic study of the intersections surrounding this property was submitted to McMahon Associates. The impact to three out of four intersection shown to have a minor impact. Phoenixville Pike and Sidley Road demonstrated the greatest change. Discussion ensued.

ACTION:

None

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MASTER PLAN: RLD ATWATER & PROVCO PINEGOOD FOR COMMERCIAL MIXED USE AT ATWATER VILLAGE COMMERCIAL DISTRICT AND A CONDITIONAL USE APPLICATION TO ALLOW A HOTEL USE

Represented by Lou Colagreco, Esquire and Joe Bonner, Sue Bratton

Mr. Colagreco stated that the property is located on the Atwater property closest to Route 29 in O/BPS – Office/Business Park Service Overlay Zoning District. The proposed uses are permitted under the current zoning. Part of the mixed use proposed is a four story hotel. This request will be heard at a Conditional Use Hearing before the Board of Supervisors on January 14, 2014. Also, the gas component of the retail use is permitted by Special Exception and that hearing is not currently scheduled. These commercial uses will be located on approximately 11 acres at the front of the Atwater property. Mr. Bonner stated that the retail space may include two restaurants with outdoor seating, convenience retail space and a gas station. The applicant has been asked to provide stone façade on the building in keeping with the quarry stone.

Sue Bratton, Wawa, provided an overview of stores currently in the Township. At this location, Wawa is proposing to have front/back store to provide two way access into the building. This retail store will be 5,500 sq. ft. with 12 gas nozzles. The “legacy” store, at the Shops at Great Valley, may not be in operation in the future. They are evaluating providing outdoor seating in the future at their stores. Ms. Woodman asked how many members were in favor of a gas station at this location and three were not in favor. Ms. Woodman reminded everyone that there will be over 800 units on this site in addition to the access of the Turnpike ramp vehicles. Discussion ensued.

Joe Bonner confirmed that the hotel will blend with the commercial retail buildings. He was advised that the members did not want an Extended Stay hotel. He estimates that the hotel will contain 120 rooms. There will be a path connection from the hotel to the retail spaces. He mentioned that the hotel could possibly be a Marriott Courtyard. Members would like the building to have a natural limestone façade.

Guy DiMartino, Traffic Planning & Design, stated that there is an existing turning lane off of Route 29 currently. There will be no new traffic signals at this location because all of that infrastructure has been established.

ACTION:

Todd Asousa made a recommendation to the Board of Supervisors to approve the Master Plan: RLD Atwater JC and Provco Pinegood for a commercial mixed use for the Atwater Village Commercial District on the parcel closest to Route 29 and south of the quarry lake in an O/BPS – Office/Business Park Service Overlay Zoning District. Also, that the applicant will provide a quarry stone façade on buildings which include the hotel, four commercial structures which may consist of a bank, restaurant or service oriented retail. Deb Abel seconded and the vote was unanimous.

ACTION:

Greg Davis made motion recommend to the Board of Supervisors the Conditional Use Application: RLD JC, LLC pursuant to Section 200-37.B of the Zoning Ordinance to allow construction of a hotel use in the Atwater Village Commercial District with a natural quarry stone façade as well as a food service facility within the hotel. Deb Abel seconded and the vote was unanimous.

ADJOURNMENT:

Hearing no new business, the meeting adjourned at 11 pm.

Respectfully submitted:

Greg Davis, Chairman

Maureen G. Perri, Secretary