

EAST WHITELAND TOWNSHIP
PLANNING COMMISSION MEETING

October 28, 2015

Members Present: Greg Davis, Chairman, Sue Drummond, Jeff Broadbelt, John Laumer, Deb Abel, Todd Asousa

Also Present: Thomas Comitta, Tom Comitta Assoc. Planner, John Nagel, Township Manager, Maureen Turley, Secretary, and Darrell Becker, Township Engineer

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 September 23, 2015. Mr. Broadbelt seconded and the vote was unanimous.

ANNOUNCEMENT:

The next Planning Commission meeting will be held on November 18, 2015 due to the upcoming Thanksgiving holiday.

RLD ATWATER COMMERCIAL –PROPOSED MASTER SIGNAGE ORDINANCE IN A TURNPIKE INTERCHANGE OVERLAY DISTRICT

Represented by Lou Colagreco, Esquire

Mr. Colagreco stated that the frontage of the property on Route 29 is approximately 20 acres and zoned O/BPS in a Turnpike Interchange Overlay District. They discovered that this district has no signage regulations for commercial usage. There are only signage regulations for the office buildings. This area will contain a hotel, gas station and other retail at this location. This draft ordinance was presented for discussion purposes. Mr. Colagreco will provide additional information relative to other Wawa signs and other signs in our districts for comparison. Discussion ensued.

LIBERTY PROPERTY GVR ZONING ORDINANCE TEXT & MAP AMENDMENT – CREATING A NEW DISTRICT WITHIN AN EXISTING O/BP DISTRICT WEST OF ROUTE 29

Represented by Lou Colagreco, Esquire and Gary Lorgus

The site is approximately 35 acres on the west side of Route 29 with several vacant office buildings. Mr. Colagreco mentioned that the impervious coverage collection allowance was kept to 60% as allowed within the O/BP district. The changes they are proposing are as follows:

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1. Lowering impervious coverage to 55% but with a mechanism to build back up to 60% by incorporating a combination of stormwater designs;
2. Green roof technology or porous paving technology for every square foot will give 50% credit up to an additional 1% impervious coverage;
3. For every 6,500 cubic sq. ft. created thru rain gardens etc. they will get to 1% to 2% bonus;
4. Floor area ratio(FAR) of multi-family density will be reduced to .55 which will produce a (30-50) reduction in the number of the apartments;
5. Retail component – restaurants, coffee shops to be .10 allowable FAR;
6. Proposing building height to be a maximum of 115 feet;
7. Language notifying prospective tenants of 24/7 quarry operations was developed with Glasgow.

Mr. Broadbelt felt that there should be more open space and further stormwater reduction in by reducing the FAR. Discussion ensued.

Mr. Laumer felt that he would like to understand the comparison of the runoff going into the quarry and its relationship with managing stormwater. Mr. Colagreco stated that the quarry is the stormwater management for Atwater whereas Glasgow is not for this site.

Mr. Davis appreciates the reduction of the building height.

Ms. Drummond felt that this project will have a big impact on the township.

Mr. Asousa stated that he isn't for a hotel, however, he sees the plan as a good one.

Mr. Colagreco stated that this concept is dense and there is a fair amount of risk involved for Liberty. He advised the members of the cost improvements to the township's infrastructure as a result of this project. The concession to the township are the improvements on Route 29 as well as the sewer infrastructure. Discussion ensued

ACTION:

Mr. Davis made a motion to recommend to the Board of Supervisors the Liberty GVR Great Valley Revitalization Zoning Ordinance Text and Map amendment creating a new district within an existing O/BP zoning district for properties located on the west side of Route 29 south of Flat Road.

Members vote: Todd – for, John – for, Sue – for, Greg – for, Greg – for, Deb – against, Jeff – against. Therefore, 4 in favor and 2 against

**SWEDESFORD PARTNERS – UPDATED ZONING ORDINANCE & MAP
AMENDMENT FOR PROPERTY LOCATED ON THE NORTH SIDE OF
SWEDESFORD ROAD IN AN INDUSTRIAL DISTRICT TO RHM – MEDIUM HIGH
RESIDENTIAL DENSITY DISTRICT**

Represented by Lou Colagreco, Esquire and Jack Robinson, P.E.

Mr. Robinson stated that the site is currently zoned I – Industrial and is located on the north side of Swedesford Road and east of Malvern Hunt development. Mr. Colagreco mentioned that they have been working with Williams Company; and, as a result, the changes made to this draft of the ordinance is that there will be a setback of 75 feet from their the property. In addition, the applicant will be adding additional landscaping to the berm separating the properties.

Ms. Whitmore, Williams Company, mentioned that their concerns involved security and disclosure in sale and homeowner documents. This is a 24/7 operation at this location on Bacton Hill Road with additional operation coming. Mr. Davis mentioned that he'd like to see language about odors from this site in those documents. Williams Company has continued to meet with the homeowners of Malvern Hunt concerning their operation.

Mr. Robinson stated that there will be sidewalks within this 65 townhome development. Ms. Abel felt that a residential development is a better application next to Malvern Hunt. Mr. Asousa was concerned that language be developed for notifying potential buyers. Ms. Drummond stated that she felt that the property was too dense and that traffic issues will be a problem on Swedesford Road.

ACTION:

Mr. Davis made a motion to recommend to the Board of Supervisors the Swedesford Partners proposed Zoning Ordinance and Map Amendment for a property located on the north side of Swedesford Road in an I – Industrial district to an RMH – Medium High Residential Density district. Members were unanimous in recommending the proposed ordinance.

**9 MALIN ROAD DEVELOPMENT (BISHOP TUBE) ZONING ORDINANCE TEXT
AMENDMENT – IN RRD – RESIDENTIAL REVITALIZATION DISTRICT**

Represented by Lou Colagreco, Esquire, Brian O'Neill and Bo Erixson

Mr. Colagreco advised the members that one of the comments in the land development plan was related to steep slope. The current Steep Slope ordinance does not permit development of attached residential properties in steep slopes. They are proposing permitting residential development in areas of steep slope and very steep slope to allow single family attached dwellings and townhouses in rows of six or more units. Mr. O'Neill stated that they have reduced the number of townhouse units by 33% and are now down to 228. Meetings have been

on going with staff, residents and environmental agencies. Mr. O'Neill mentioned that the slopes were developed by Bishop Tube as terraced parking and that very little of the site has not been disturbed.

ACTION:

Mr. Davis made a motion to recommend to the Board of Supervisors 9 Malin Road Development (Bishop Tube) Zoning Ordinance Text Amendment in an RRD – Residential Revitalization District to permit residential single family attached residential dwellings and townhouses in rows of more than six units. Mr. Asousa seconded and the vote was unanimous.

THOMAS WARD – PRELIMINARY/FINAL LAND DEVELOPMENT - 634 LANCASTER AVENUE IN FC - FRONTAGE COMMERCIAL DISTRICT TO CONSTRUCT A 5,000 SQ. FT. BUILDING FOR OUTDOOR STORAGE

Represented by Andrew Eberwein, P. E.

Mr. Eberwein stated that they have been able to work out the stormwater issues on the property. They are proposing a 25 ft. buffer along the property behind John's Pizza. They are also proposing grading in that 25 ft. buffer. This buffer will be composed of rain gardens and grass, however, the ordinance states that it should be trees. Members stated that they were agreeable to this. There are several waivers due to the stormwater issues. Mr. Becker, Township Engineer, stated that he was fine with the plan and waivers as requested. The waiver are basically referred to pipe size.

ACTION:

Mr. Davis made a motion to recommend to the Board of Supervisors the Thomas Ward Preliminary/Final Land Development at 634 Lancaster to construct a 5,000 sq. ft. building for outdoor storage and equipment in FC – Frontage Commercial district. Mr. Laumer seconded and the vote was unanimous.

APG “THE VALLEY” REVISED PRELIMINARY SUBDIVISION AND LAND DEVELOPMENT PLAN for 44 residential lots at 99 Church Road in a R-1 Zoning District.

Represented by Alyson Zarro, Esquire, Mike Ryan, Mike Ruffo

Ms. Zarro said this project was first seen as a zoning ordinance text amendment related to cluster development and concerning the historic property on the site. She stated that there were three items to be discussed:

1. Church road improvements – they stated that they did not plan for improvements to Church Road because the road work would impact the historic property;

2. Per the ordinance, the mouth of the driveway should be 18 ft. – however, they are proposing to reduce curb cuts to 12 ft. and make mouth of driveway 10 ft. This would provide for a more home town feel and more green space;
3. Street lights – street lights are outlined in the SALDO and approved at the discretion of the Board of Supervisors. They don't feel that this would be conducive to this development. Members agreed with not having street lights.

ACTION:

None

TLBT, LLD SKETCH PLAN – SPEEDI KING CARWASH – 249-55 LANCASTER AVENUE FOR A GROCERY STORE IN AN FC – FRONTAGE COMMERCIAL DISTRICT

Represented by Skip Brion, Esquire, Kyle Bollinger, P. E and Mike McGrath

Mr. Brion stated that they are proposing of grocery store on a 5.35 acres parcel in an FC – Frontage Commercial district at 249-55 Lancaster Avenue. The applicant is a company called Lidl from Germany. They are the second largest grocery chain in Europe and they are expanding into the United States. Their proposal is to construct a 36,170 sq. ft. store and to hold 34 parking spaces in reserve. This project will require a variance for the maximum allowable impervious coverage in order to accommodate the number of parking spaces. The maximum parking variance summary is:

Maximum impervious coverage allowed: 55%

Impervious coverage for ultimate build-out: 59%

Impervious coverage less reserve parking: 53.8%

The proposal has enough space to provide the required 181 parking spaces as stated in the ordinance. If permitted to hold the 34 parking spaces in reserve, they will then be below their impervious coverage. They feel that the 152 parking spaces are more than sufficient for this location. A sidewalk will be added along Route 30 and a suggestion was made to add a sidewalk along Maple Linden for access to the store. The traffic issues were discussed where Route 30 merges down to one lane in front of this proposal development.

ACTION:

None

TOWNES AT MALVERN – PRELIMINARY SUBDIVISION & LAND DEVELOPMENT

(Celia Tract) at Frame Avenue with 64 townhouses in VMX district with 2 single family properties in R2 zoning district.

Represented by Vic Kelly, P.E. Scott Risbon

The property is south of the Cockerham property with an entrance on Frame Avenue. They received Conditional Use before the Board of Supervisors. There will be 64 townhouses on 12 acres a VMX district and public sewer is proposed after a replacement of the Frame Avenue pump station. There about six waivers which are consistent with the Cockerham property listed in Arro's letter, dated October 22, 2015. They are:

1. Section 175-21.B – Drawing Size
2. Section 175-23.B(1) – Conservation Plan
3. Section 175-27.H – Cuts & Fills - where it exceeds 5 ft.
4. Section 175-30.D – Street Trees – doesn't work with where townhouses are placed. They prefer to put clusters where gaps exists
5. Section 175-31.A – Street Widths – 32 ft. cartway down to 24 ft. – members were concerned with density and suggested that they maintain 32 feet cartway;
6. Section 175-310.C.2 – minimum bottom slope in detention basin shall be 2%.

ACTION:

None

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AMENDMENT TO PROFESSIONAL CONSULTANT AND FILING FEES

Represented by John Nagel

Mr. Nagel stated that this ordinance change will allow for the township to establish escrows in advance to recover review expenses. Also, to allow the increase of scope of what the solicitor does with respect of the land development agreements and plans. He felt that this change would be implement in the beginning of the year.

ACTION:

Mr. Davis made a recommendation to the Board of Supervisors for the Subdivision and Land Development Ordinance Amendment for Professional Consultant and Filing Fees. Mr. Broadbelt seconded and the vote was unanimous.

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HISTORIC PRESERVATION ORDINANCE –DEMOLITION BY NEGLECT

Represented by John Nagel

Mr. Nagel stated that in updating the zoning ordinance in 2007 this item was omitted. There was some discussion of notation from the County Planning Commission related to “nature of the property owner”. They felt that this item needed further understanding and that the ordinance should be stronger about property owners who neglect their property.

Respectfully submitted:

Greg Davis, Chairman

Maureen G. Turley, Secretary