

**TREDYFFRIN TOWNSHIP PLANNING COMMISSION**

**MEETING MINUTES**

October 20, 2011

7:00 PM

Members Present - Robert Whalen, Chairman; Michael Broadhurst; J. Thomas Cooper; Robert O’Leary; Tory Snyder; Sean McCauley; Edward Sweeney

Members Not Present – Libby Brinton; Trip Lukens

Staff Present - Mimi Gleason, Township Manager; Stephen Burgo, P.E., Township Engineer; Tom Scott, AICP, Assistant Township Manager; Kate Jones, Community Development Coordinator

**Call to order:** Chairman Whalen called the meeting to order at 7:02 pm.

**Consideration of meeting minutes of September 15, 2011:** Ms. Snyder moved to approve the minutes, seconded by Mr. Sweeney. The motion passed 7-0.

**Old Matters:**

**12-2011 Starbucks Restaurant; WP Devon Associates, L.P.: Final Land Development (revised) application for site improvements and construction of a restaurant and drive-through at 851 W. Lancaster Avenue (parcel 43-11F-227) in the C1 zoning district**

Township Engineer, Stephen Burgo, gave an update on the progress of this application since the last time the applicant was before the Planning Commission on September 15<sup>th</sup>, 2011. A Zoning Hearing Board decision, he stated, was pending at the last meeting, but all requested variances were granted in a ruling from September 22<sup>nd</sup>, 2011. All Township staff requests, he added, had also been successfully addressed, including the lowering of proposed lighting poles to 18 feet.

Daniel Fuchs, of Devon Realty, L.P., was in attendance representing the applicant.

Mr. O’Leary asked Mr. Fuchs if the installation of a street light was a requirement in the prior plan and if the applicant intended on modifying the sidewalk along Lancaster Avenue to be uniform in look to adjacent properties. Mr. Fuchs responded that the street light will be installed as site work is being completed and that the sidewalk request could be addressed.

There were no questions or comments from the audience.

Mr. Sweeny made a motion to approve final land development, seconded by Mr. McCauley. The motion passed 7 – 0.

Action: Final land development approval; plan last revised 10/06/2011.

**New Matters:****14-2011 530 and 580 Swedesford Road; Davis/Hayden Companies: Sketch Plan application for site improvements to two existing office buildings at 530 and 580 Swedesford Road (parcel 43-06E-100.03) in the P zoning district.**

Township Assistant Manager, Tom Scott, gave an overview of the application, which was being first introduced to the Commission. The applicant, he said, purchased two buildings which are parceled out as condominiums. The intention is to upgrade these building to Class A office space. To do this, the requirements of the P District regarding building heights and parking calculations, which apply to the aforementioned parcel, must be addressed, and the applicant has been in discussions with Township staff. The applicant has submitted two versions of a sketch plan, both dated 10/12/2011, for review.

Denise Yarnoff, Esq., on behalf of the applicant, which comprising a partnership between the Davis and Hayden Companies, further updated the Commission on the proposed project. The applicant, she stated, intends on re-skinning the buildings, modernizing the fore plate, adding landscaping, parking, a bus shelter, sidewalks, and additional stormwater management controls. The sketch plans show two options: to either connect the buildings or create one larger building.

Chairman Whalen asked Ms. Yarnoff how the client could benefit from the proposed Trout Creek Stormwater Overlay District (TCS) ordinance, which is currently being developed by the Township. Ms. Yarnoff answered that she did look at the draft ordinance, but thinks it would work best with new development and not a redevelopment project, such as this. The applicant, she continued, is aware of stormwater issues in this part of Township, and is working on developing improved stormwater management controls for the site. Even with an increase in impervious coverage, the overall net impact will be reduced.

Regarding the increased impervious coverage, the applicant will be applying a de minimis and/or a dimensional variance from Section 208-52C of the Zoning Ordinance to permit an increase in the impervious coverage at the Zoning Hearing Board meeting on November 15<sup>th</sup>, 2011.

Ms. Yarnoff also addressed parking-related issues. The applicant completed market analyses to determine parking needs. The parking ratio can remain the same as the current one, so they will be able to meet the parking requirements. There are, she continued, plans to ask that additional parking spaces be put into reserve for future need, if applicable.

The Commission then discussed the possibility of the applicant adding additional bush shelters and pursuing a green build through LEED certification.

Mr. Whalen asked that the applicant slow the process down enough to try to work in coordination with the proposed TCS ordinance. The Commission and the applicant, he added, can work together to solve stormwater problems. Ms. Yarnoff responded that the applicant would like to start construction in early spring of 2012 and is looking to go in front of Zoning Hearing Board as soon as possible.

There were no questions or comments from the audience.

Mr. Sweeney made a motion to recommend approval from the Zoning Hearing Board regarding the suggested impervious coverage, under condition that the applicant work with the Township Engineer to maximize stormwater management obligation. The motion was seconded by Mr. O'Leary and passed 7-0.

**Petition to amend the Zoning Ordinance, Article XVII §208-65, C-1 Commercial District, Use Regulations by Berwyn Real Estate, L.P. to permit a new use: “residential care facility for older persons providing permanent residential accommodations and/or assisted living facilities / services (and supplemental services) as defined in the applicable Pennsylvania state statutes, rules and regulations along with support services, including, but not limited to: personal care and health care services, medical services, skilled nursing, community facilities, and congregate dining facilities; provided that: (1) The maximum height of any building shall not exceed 58 feet in lieu of the otherwise permitted maximum building height in § 208-166 G, and (2) the maximum density calculation shall not exceed 800 square feet.”**

Mr. Scott explained that the applicant appeared before the Planning Commission on September 15th, 2011 with a sketch plan proposal for redevelopment of a former banquet hall site in the C-1 and R-1 zoning districts as a residential care and assisted living facility for parcels 43-10J-127 and 43-10J-128.1. The applicant was now introducing an accompanying zoning amendment draft. The intention, he added, was for this petition to go before the Board of Supervisors in December of this year.

Denise Yarnoff, Esq., representing the applicant, stated that the applicant had met with neighbors of the proposed facilities and the project type and proposed building heights have been well-received. The amendment to the Zoning Ordinance is a necessary component to moving forward with the land development project.

Ms. Snyder asked Ms. Yarnoff why the applicant was not considering following the regulations in the Institutional Overlay (IO) district instead of amending the underlying C1 zoning district. Ms. Yarnoff answered that the proposed use was suitable to the regulations in the IO district, but the lot size was not met. She added that the applicant to use same language in IO district ordinance in proposed C1 district ordinance change.

A conversation began regarding how proposed density and height allowances would affect development on other parcels in C1 districts across the Township as well as how consistent these allowances would be with overall Township code.

The Commissioners then asked Ms. Yarnoff why the applicant was not approaching this through the process of conditional use. Ms. Yarnoff responded that the process would delay the project, cause a financial burden, and not address all the project-related issues. She added that the applicant did not need a recommendation from the Planning Commission immediately for the proposed C1 district ordinance draft amendment, but was interested in setting a date for a public hearing.

Township Manager, Mimi Gleason, stated that the applicant could revisit the Planning Commission with a revised proposal at the meeting on November 17<sup>th</sup>, 2011, and the Township would still be able to meet the legal requirements for advertising a public hearing at a Board of Supervisors meeting in December of 2011.

There were no questions or comments from the audience.

Ms. Yarnoff stated the applicant intends to revise the draft ordinance proposal and appear before the Planning Commission on November 17<sup>th</sup>, 2011.

**Other Business:**

**Continued review of proposed amendment to the Zoning Ordinance to establish the Trout Creek Stormwater Overlay District and to set parameters for permitted uses, area, bulk, height and buffer requirements, and special development regulations within the overlay district.**

Ms. Gleason updated the Commission on the TCS draft ordinance by detailing minor corrections made by the Township Solicitor's Office. She added that the discussion should revolve around big changes, and that all properties, including those categorized under this potential overlay district, are already subject to the Township's stringent code regarding stormwater.

A conversation began regarding the building height and setback ratios. Ms. Snyder commented that a ratio between tall building and a potential recommended 50 foot setback would not feel suburban. Chairman Whalen suggested that the language be updated to give developers the opportunity to determine a tall building height or setback by whichever number was greater.

The Commissioners then discussed tear down versus reuse processes impacted by the ordinance draft. Ms. Gleason stated that the Township is not expecting a lot of redevelopment in the properties affected by the proposed draft.

Joe Duckworth, a developer who has been involved in the ordinance drafting process, then spoke regarding stormwater runoff bonus requirements. He said that he wants to take a more holistic approach when considering rate control and volume and infiltration requirements. Mr. Duckworth also gave a presentation showing potential types of residential development and subsequent density proposals.

The discussion was continued to the next Planning Commission meeting on November 17<sup>th</sup>, 2011.

**Adjournment:** Mr. O'Leary made a motion to adjourn the meeting, seconded by Mr. McCauley. The meeting adjourned at 9:36 pm.