

**Tredyffrin Township
Planning Commission Regular Meeting Minutes
October 18, 2007**

A regular meeting of the Planning Commission was held on October 18, 2007 at the Tredyffrin Township Building. Members present included: Sean McCauley, Chairman, Robert O'Leary, Vice Chairman, Libby Brinton, Giovanni D'Amato, Edward C. Sweeney, Thomas J. Cooper, Robert Whalen, and Victoria Snyder.

Members absent: Michael Tierney.

Also present: Mimi Gleason, Township Manager, Mike Fahey, Director of Building and Zoning, and Stephen Burgo, Township Engineer.

CALL TO ORDER:

Chairman McCauley called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES:

Motion made by Mr. O'Leary and seconded by Ms. Snyder to approve the September 20, 2007 regular meeting and October 4, 2007 workshop meeting minutes.

CARRYOVER MATTERS:

Application (#05-07) **Pitcairn Properties**; Land Development Preliminary Plan: Proposal to build a two-story office building on Parcel 11 in Chesterbrook Corporate Center in the OA Office Apartment District. [Plan prepared by Yerkes Associates, Inc., dated 9-06-07.]

- Mike Burg, attorney for the project, gave a brief history of the plan development, while Tony Noce, Pitcairn Properties, presented the preliminary plans. Mr. Noce stated that the plans presented this evening were based on comments for previously discussed sketch plans. Per these discussions, a more clearly defined access drive is shown, there is no filling of the ravine for parking, there is a loading zone in front of the building, and parking is at 4.4 spaces per 1,000 sf of gross floor area. This number was discussed as being acceptable during the sketch plan phase as long as there was reserve parking specified. The plans show the reserve parking would be in an extension of the existing parking deck behind 1400 Morris Drive. This reserved parking would accommodate the extra 163 spaces that would be necessary to meet the code requirement of 5 spaces per 1,000 sf of office space. Mr. Fahey expressed concern about the triggers for the reserve parking deck to be built. Mr. Noce said that exhibit G in the information binder laid out a tentative agreement and procedures for enforcement of the reserve parking issue. He said that it would have to be formalized and recorded with the county after final approval. Mr. Noce stated that Pitcairn does not think that the extra parking will ever be needed, however, if it is, it will be built. Ms. Snyder noted that Section 208-103.B(11) is quoted in the tentative agreement. It should actually be Section 208-103.B(10)(e). Ms. Gleason said that any agreement would have to be reviewed by the Township solicitor prior to final approval. Mr. Burgo wants to have fully engineered plans for the reserve parking deck included in the plan set submitted for final approval. Mr. O'Leary expressed concern that the triggers for inadequate parking would have to come from the Township. He does not feel that the police have time to be checking on the parking situation at the office buildings off of Morris Drive. He would like to see some other mechanism possibly tied to the tenants as a trigger. Mr. Noce said that they would be willing to provide annual census figures of their buildings to the Township if that would help. Mr. Sweeney stated that #3 in the tentative agreement would have to be very specific as to a percentage or number that would kick in the building of the extra parking deck. Mr. O'Leary also noted that, during the sketch plan phase, it had been requested that a walkway be put in along Morris Drive from the new building out to DuPortail Road. This needs to be shown on future plans. Ms. Snyder felt that the loading area in front should be reevaluated. It meets code

but might not work very well in reality. She also asked how Pitcairn would accommodate losing 100 parking spaces during construction. Mr. Noce said that they would most likely use shuttle buses from other parking areas.

Action: None

Application (#13-07) **Jenkins Arboretum**; Land Development Preliminary Plan: Proposal to build a 3,800 sf addition to the Education Center and redesign the parking lot at 631 Berwyn Baptist Road in an R1 Residential District [Plan prepared by CMC Engineering, dated 7-05-07, last revised 10-02-07.]

- Joel DeFreytas, engineer for the project, presented revised plans which include a landscape plan as requested at the last meeting. He also said that they had received the staff review letter and had addressed their comments in these plans. Ms. Snyder noted that she had suggested moving some of the parking along Berwyn Baptist Road to another location so as not to intrude into the buffer and disturb the neighbors. She said that the plans still show parking along Berwyn Baptist Road and that the first five spaces have no planting buffer at all. Mr. DeFreytas stated that there is significant vegetation there already and that the landscape plan shows twenty new shrubs being planted where space permits. Mr. Sweetman, executive director of the arboretum, noted that the plan does not show any plantings less than 12" in diameter so many of the existing vegetation is not shown. He said that the mission of the arboretum is to preserve plantings not destroy them. They have designed the building so that only seven trees will have to be removed and have placed the new shrubs in the only space available to plant them. Ms. Snyder also questioned how many of the trees would have paving over their drip lines which might impact them in the future. Mr. Sweetman said that he was not sure. Ms. Snyder asked that the applicant put a compliance chart on the landscape plan showing required landscaping versus what would be planted. If the existing vegetation covers the requirements, that should be noted on the plans. Mr. O'Leary questioned the size of the curbing on the plan. Mr. Burgo answered that 6" reveal curbing on the interior of the lot is fine; but at the radius of Berwyn Baptist Road, it would have to be an 8" reveal. Mr. O'Leary also stated that the Township's sidewalk plan lists Devon State Road as a priority route and indicates that a paved walkway should go from there along Berwyn Baptist Road to the arboretum. He suggested that the applicant look into building that paved walkway. Mr. DeFreytas asked if a member of the Planning Commission would be willing to meet with the applicant to discuss this. He feels that, if a walkway has to be built, it might be best placed along the side of Berwyn Baptist opposite the arboretum due to the topography of the ground. Mr. Burgo stated that there were still a few technical details to be worked out for the stormwater system as well as the operation and maintenance agreement for those facilities. Ms. Brinton questioned whether cars would be able to get past any school buses which might need to park in the driveway and asked for a circulation plan showing that they could.
- Franco Sirkin of 1034 Valley Forge Road expressed concern over increased traffic in the area. He asked if the buses and cars will be directed to travel on Valley Forge Road. Mr. Sweetman said that the arboretum gets only one or two buses per year. Their mission is to serve the community. They might get one of the TE schools coming in but do not have field trips for schools in general. They are expecting no increase in traffic due to the new building.

Action: None

NEW MATTERS:

Application (#15-07) **David Jannetta**; Subdivision-Lot Line Change Plan: Proposal to convey 3,700 sf from 13 Yellow Springs Road (Kurt Wolters) to 1135 Parson Curry Road (David Janetta) in an R1/2 Residential District. [Plan prepared by CMC Engineering dated 9-06-07.]

- Mr. Jannetta stated that the barn which originally belonged with his house had ended up on Mr. Wolters property through subdivision. Mr. Wolters has agreed to sell the piece of property with the barn back to Mr. Janetta. The second story of the barn is currently use as a tenant house. Mr. Janetta said that this situation would be terminated and that he would use it solely for family visitors. There would be no rental of it. Ms. Brinton knew the property when the barn was part of the lot on which Mr. Janetta's house is located and feels that it makes much better sense for it to go back to being part of that historic property.

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Mr. McCauley asked about whether Mr. Wolters property could be further subdivided as it was considered the remainder lot from a lot averaging subdivision. Ms. Gleason said that the courts had ruled against the Township in a court case saying that Mr. Wolters lot was not considered a remainder lot. He can change the lot line in order to sell the piece with the barn back to Mr. Janetta. Mr. McCauley noted that no decision could be made until the Planning Commission received the County review letter and the staff review letter. Hopefully both will be ready for the November regular meeting.

Action: None

Application (#16-07) **KR Best Associates, LP**; Land Development Preliminary Plan: Proposal to construct a 3,500 sf bank in the Valley Fair Shopping Center at 260 Swedesford Road in a C2 Commercial District. [Plan prepared by Bohler Engineering dated 9-25-07.]

- Mike Murray, attorney for the project and Rob Irons, engineer for the project presented the plans which have been submitted for a new Citizens bank in the Valley Fair Shopping Center. Mr. Murray stated that the bank will be placed in the parking lot which is currently very underutilized. It will have three drive thru lanes and a bypass lane. Two variances will be needed and the applicant has already submitted an application to the Zoning Hearing Board to be heard at the October 25 meeting. The first variance is to reduce the existing nonconforming parking area of 583 spaces (code requires 643 spaces) to 501 spaces, and a second variance to allow one of the drive thru lanes to have a stacking length of 65 feet instead of the 120 feet required by the zoning ordinance. Mr. Irons said that the applicant plans to improve the shopping center by adding stormwater management, by adding substantial green area, by making the access to and from Swedesford Road better, and by making changes to traffic circulation within the center. Mr. O'Leary questioned the stormwater bmps, saying that infiltration will not work on the site. Mr. Irons noted that there is no infiltration of stormwater on the site. The main bmp will be an extended detention basin and the rain gardens in the green areas will have liners. Mr. O'Leary also asked the applicant to review their lighting plan. He felt that the lighting around the bank was sufficient while lighting along the entrance drive is inadequate. He questioned whether the entrance drive could be made straight instead of turning off at an angle after the bank. Mr. Irons said that they will look at these issues. Ms. Snyder suggested that the applicant consider making the loop around the bank into a two way width to improve circulation and facilitate access to the seven parking spaces along Swedesford Road. She also asked that the internal sidewalk be extended out to Swedesford Road so that pedestrians would have a safe walkway from the entrance to the property. Chris Williams, traffic consultant for the project, stated that industry standards for parking of a shopping center are 4 spaces per 1,000 sf of floor space. The 501 spaces which will exist after the bank is constructed will provide 4.3 spaces per 1,000 sf and will exceed the standard. He had observed parking in the shopping center on several occasions and had summarized his findings in Table 1 of his report. During the times of highest demand, only 28% of the parking lot was in use. Therefore, in his opinion, the shopping center will easily support the bank and all necessary parking. He also noted that the total amount of space for stacking of vehicles at the drive thru lanes is 319' which also exceeds industry standards. The parking lot itself has been made more user friendly by having the drive isles come into the main drive at a 90 degree angle with a pedestrian crosswalk and speed table to slow down vehicles entering and leaving the site. Mr. McCauley and Mr. O'Leary both questioned the number of parking being proposed for the shopping center after the bank is built. Mr. McCauley said that no modern shopping center is parked at 4spaces/1000 sf. They are all at 5 spaces/1000 sf. Both men felt that we should look to the future when the center may get new tenants who would need additional parking spaces. The proposed 501 spaces is too far below our ordinance requirement of 625 spaces. Mr. Fahey asked if the applicant could look at restripping and redesigning the parking lot to come up with more spaces. Mr. Sweeney asked if the applicant would provide an agreement specifying an amount of reserved parking and what would trigger it being put in. Ms. Snyder felt that the Planning Commission needs to look at how to handle this type of situation where an older shopping center wants to do some revitalization without doing a complete tear down and rebuild. Her feeling is that the Township will probably encounter several of these land developments over the next few years and she does not want to make the revitalization impossible to do. The Planning Commission told the applicant that they are not ready to give a recommendation to the Zoning Hearing Board concerning the requested variances and suggested that the applicant might ask for a

continuance of their zoning appeal. Meanwhile they should look at trying to come up with enough parking so as not to make the existing non-conformity any worse.

Action: None

Application (#17-07) **Go C-Brook LP**; Land Development Sketch Plan: Proposal to redevelop the property with a bank and a coffee shop at 12 West Anthony Wayne Drive in a C2 Commercial District.[Plan prepared by Glackin, Thomas, Panzak dated 10-04-07.]

- Mike Murray, attorney for the project, presented a sketch plan representing a concept the applicant has for redeveloping the site at 12 West Anthony Wayne Drive. There has been a gas station and car wash there, however, the tanks have been ripped out and the car wash is not in operation until the repairs are finished. The applicant did go to the Zoning Hearing Board for an extension of a non-conforming use to rip down the old canopy and replace it with a sunbrella awning over the front of the car wash. They were granted the variance. Meanwhile, the applicant started talking to the Township to see if they any interest in allowing him to redevelop the site into a mixed use. The idea is to have one building which would house both a bank and a coffee shop. Impervious would be exceeded by 2% in order to add the drive thru lanes, but the applicant will also be improving the site with added green space and stormwater management bmps. Parking will be adequate if the coffee shop is considered a convenience store as opposed to a restaurant. At this time, they just want to know whether this is something that the Planning Commission would want to see explored further. All members agreed that the applicant should proceed to engineered plans.

Action: None

OTHER MATTERS:

Circular Avenue zoning: Discussion about whether to retain the new mixed use (commercial and residential) zoning or change to single-family residential zoning for the portion of East Circular Avenue between Route 30 and Wistar Road in Paoli.

- Mr. and Mrs. Shields of 28 West Circular, Diane McNally of 106 West Circular, Peg Willing of 110 Circular, Janet Fastuca of 101 East Circular, and several residents from Wistar Road expressed their concerns about the East side of Circular Avenue being part of the new TCD (Town Center District). They do not want to see a parking garage being built on that side of Circular, nor do they want to see bars or restaurants being permitted so close to their homes. All of these residents want to keep the neighborhood feel of Circular Avenue and Wistar Road. They would like to see the zoning for the east side of Circular changed from TCD to R3 to match the west side zoning.
- Mr. McCauley asked if revising the language in the ordinance to eliminate parking garages near residential properties would help to alleviate their concerns. They all felt that this would be a step in the right direction as long as bars and restaurants were included in the revised language. However, their preference would still be to change the zoning from TCD to R3.
- Ms. Gleason noted that the Township solicitor had said that changing the zoning of East Circular Avenue could be considered a taking, whereby the owners of those parcels could sue the Township for reducing the value of their property. He suggested that the Township draft a waiver which each of the affected property owners would sign. It would explain that the rezoning could negatively affect their property value, and that they would not hold the Township liable for this affect. Which property owners sign these waivers will determine where the line between the zoning districts would be placed. Mr. O'Leary noted that this line has to make sense and should not meander around individual properties.
- Mr. McCauley suggested that Mr. O'Leary and Ms. Snyder, who had both been on the subcommittee for the Paoli Ordinance, might look at the language for the TCD and perhaps revise it so that parking garages, restaurants, and bars would be prohibited within a designated number of feet from residential properties. Mr. Sweeney said that no decision could be made about recommending a change in zoning until the signed waivers are returned.

Action: None

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Transit District height limit: Discussion about the appropriate maximum permitted height in the Transit District, which will regulate development of Amtrak's former rail yard property.

- Ms. Gleason referred the Planning Commission members and the audience to a map which highlighted the area where five story buildings would be permitted in the TD (Transit District). She reminded everyone that the new Amtrak station would be in Tredyffrin Township. Therefore, the parking for this station and for SEPTA would also be in Tredyffrin Township. Very little, if any, of the mixed use buildings would be in Tredyffrin. The original intent of allowing five story structures was to give flexibility for designing the site. Limiting the height to three stories would force the developer to make the structures short and squat which might not be the best design for the property. Mr. McCauley stated that the rail yards are a superfund site so that all of the buildings will have to be above ground and this consideration had been factored into the decision on building height.
- Some residents expressed concern that a five story building would tower over other buildings and be too visible from their yards. They would like to see the height limit in the TD be lowered to three stories. No decision was reached at the meeting.

Action: None

ADJOURNMENT:

The meeting adjourned at 11:30 PM.
Respectfully Submitted,

Carol O'Neill
Recording Secretary