

**Tredyffrin Township  
Planning Commission Regular Meeting Minutes  
June 21, 2007**

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A regular meeting of the Planning Commission was held on June 21, 2007 at the Tredyffrin Township Building. Members present included: Sean McCauley, Chairman, Robert O'Leary, Vice Chairman, Edward C. Sweeney, Thomas J. Cooper, Giovanni D'Amato, Bob Whalen, and Libby Brinton.

Members absent: Michael Tierney and Victoria Snyder.

Also present: Mike Fahey, Director of Building and Zoning, and Stephen Burgo, P.E., Township Engineer

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

Motion made by Mr. McCauley and seconded by Mr. D'Amato to approve the May 17, 2007 regular meeting minutes.

**CARRYOVER MATTERS:**

Application (#14-05) **Conestoga Road Associates**; Final Land Development Plan: Proposal to demolish two existing structures and build a 7,800 sf office building at 335 and 341 East Conestoga Road in a C-1 Commercial District. [Plan prepared by Momenee and Associates, dated 11-17-05, last revised 6-05-07.]

- Mr. Fahey noted that this application had already received preliminary approval with two conditions; one for obtaining a highway occupancy permit and the other for moving the utility poles on Conestoga Road. Since both of these conditions have been met and Mr. Burgo is satisfied with the stormwater management, the plan is ready for final approval.

**Action:** Motion made by Mr. O'Leary, seconded by Mr. Cooper, and carried unanimously to recommend approval of the above referenced plan.

Application (#10-07) **Westover Companies**; Land Development Preliminary Plan: Proposal to construct a 3,250 sf building intended to be used as a bank in the Devon Square Shopping Center at 700 West Lancaster Avenue in a C2 Commercial District [Plan prepared by Pennoni Associates, Inc., dated 5-01-07, last revised 6-01-07.]

- Mike Kissinger, engineer for the project, stated that a new plan had been submitted which addressed some of the concerns about circulation and stormwater expressed at the previous Planning Commission meeting. Several issues still remain and will be addressed in the next submission. Mr. O'Leary asked if the bypass lane could be eliminated and signage added stating that the lanes are drive thru only. He also requested that the applicant add sidewalk in two of the landscape islands to connect to the four way crosswalk leading into Eckerds. Mr. O'Leary suggested that the applicant coordinate with SEPTA and the shopping center about installing a bus shelter in the area. Mr. Fahey requested that the applicant find out how many of the shopping center's parking spaces are in Radnor Township and whether they can be counted toward the required parking. The applicant then provided an easement documenting a reciprocal parking and ingress/egress agreement between the property in Tredyffrin and the property in Radnor. Mr. Cooper wanted to see the stop bar moved in and extended all the way across the drive lanes.

**Action:** None

Application (#11-07) **University of Pennsylvania**; Conditional Use Amendment Application #79: Proposal to amend the prior conditional use approval for a 230,000 sf hotel in order to build a 90,000 sf medical office, teaching, conference, and ambulatory surgery center building at 1001 Chesterbrook Boulevard in an HO Hotel Office District [Plan prepared by Pennoni Associates, Inc. dated 4-11-07, last revised 6-01-07.]

- Mike Burg, attorney for the applicant, presented the request by the University of Pennsylvania to amend a prior conditional use approval. U of P is the new owner of the property at 1001 Chesterbrook Boulevard, and they want to build a 90,000 sf medical clinic and ambulatory surgery building. Pat Doris explained that the university had been looking for a site on which to build a primary care, teaching, and outpatient facility that would be a short drive from their southwest Philadelphia, Phoenixville, and Radnor locations. Chesterbrook Boulevard met these criteria so they purchased the property. The building is to be built in two phases. Once phase I generates enough patient activity, the ambulatory surgery center will be built as phase II.
- Mr. O’Leary noted that the site is a problem for safe ingress and egress. In a previous sketch plan submitted by O’Neill Properties, Chesterbrook Boulevard had been modified to create a stacking zone for vehicles turning left out of the site. The current plan makes no changes to Chesterbrook Boulevard and proposes to restrict left turns during certain hours of the day. Mr. Kissinger, engineer for the project, said that the plan being presented is the same for traffic flow as the one Marriott submitted ten years ago. Mr. O’Leary stated that traffic is heavier now, especially at PM rush hour, than ten years ago and asked that the engineers look into a revised ingress and egress plan. He also requested that they explore the possibility of left turn arrows at the intersection of Chesterbrook Boulevard and Swedesford Road. Mr. Kissinger said that they would revisit the traffic flow issues and make sure that the plan is safe. Mr. McCauley stated that the information submitted to the Township regarding traffic is incomplete. He asked the applicant to submit a full traffic study with a gap and creeping analysis as well as a cue study. Mr. Kissinger said that the 456 parking spaces shown on the site should meet the requirement of 5 spaces per 1000 sf. of office space. He also noted that the parking spaces in the garage are currently shown as 8’6’ X 18’ which is smaller than required.
- Mr. Fahey stated that the previous conditional use granted for the hotel should cover the dimensional requirements but the issue of use is still under discussion. The applicant is requesting that a medical office/clinic be an allowed use and seeks to amend the bonus requests as follows:
  - Building area to lot ratio of 30%
  - Total impervious area of 75%
  - Front yard setback of 55’
  - Building height of 50’
  - The reciprocal actions in the original conditional use were design services, money for the ramps from Chesterbrook Boulevard onto Route 202 and land granted to PA DOT. They were completed after the conditional use approval for the hotel.

**Action:** None

Application (#20-06) **Arc Wheeler**; Zoning Ordinance Amendment: Proposal to amend the Township Zoning Ordinance and Zoning Map for an assemblage of parcels located between US Route 30 to the North, Pennsylvania Avenue to the south, Glenn Avenue to the east, and Longcourse Lane to the west.

- Mr. Sweeney gave a brief summary of the sub-committee meetings for the proposed Arc Wheeler development at Daylesford. He noted that significant changes had been made by the developer to meet the neighborhoods’ concerns. The revised sketch showing 102 units was the bottom line for
- Arc Wheeler and was presented to the neighborhood association by their representatives from the subcommittee. The neighbors opposed the 102 unit plan. Since no compromise could be reached, the decision was made to bring it to the Planning Commission at their public meeting.
- Mr. D’Amato, a member of the Planning Commission, said that he had been informed that the project would be built and funded by the electricians union. Since he is a member of that union, he recused himself from any discussion and vote on the proposal.
- At this point, Arc Wheeler began a presentation of the 102 unit plan to be built on Duffy’s and surrounding R1 properties from Longcourse Lane on the west, Pennsylvania Avenue on the south, and Glenn Avenue on the east. Hal Wheeler stated that his group had worked diligently to work with the neighborhoods’ concerns about density,

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traffic, property values, and R1 zoning. Arc Wheeler feels that their current plan addresses these issues in a legitimate fashion, meets the goals of Landscapes, and is good from a planning perspective. Their presentation tonight will be a technical review of the plan which should present the information in a way to that will enable the Planning Commission to vote on the issue this evening. Steve Aichele, attorney for the project, noted that the question before the group this evening boiled down to what is R1 zoning and is it valid. He explained that R1 zoning was designated years ago when the suburbs were starting to grow, and everyone wanted a single family home on an acre lot. This type of zoning contributed to suburban sprawl. So today, all of the planning literature suggests that the need is for multi-family dwellings near existing infrastructure, particularly public transportation. Landscapes is the document which presents Chester County's concept for appropriate land use in Chester County. Bill Fulton, retired head of the Chester County Planning Commission, helped to draft it and wrote a letter for this evening's meeting indicating that the Daylesford plan is exactly what Landscapes proposed for future development. The conclusion must be that the plan presented this evening is, from a planning perspective, the right design in the right place. Roger Friedman from Arc Wheeler presented information on why they had chosen this site for what could be called a transit oriented development. He noted that it is ten acres with 60% within ¼ mile from the train station, has 300 feet of frontage along an arterial road, and has a mix of uses. In fact, the Delaware Valley Regional Planning Commission used the Daylesford plan in a presentation to area planners as a good example of a TOD. Chester County is growing. People are coming in droves and land consumption is happening at an alarming rate. Traffic is also increasing as is the congestion associated with that increase. The Arc Wheeler development will address these issues by doing infill in an existing neighborhood and locating people near to the train. The plan as presented this evening has 102 units which is less dense than Paoli but slightly more dense than Oak Knoll. There will be single family homes along Pennsylvania and Longcourse which will be same as the current R1 zoning except for lot size. Townhomes will be put in the center portion of the development with apartments atop commercial/retail stores in "Suburban Station". The access onto Pennsylvania Avenue has been eliminated and a pocket park for use by the Daylesford neighborhood as well as the new residences will be an added amenity. At this point, with the demographics in Tredyffrin changing to more senior citizens, Arc Wheeler is also considering making this project an age restricted community. The units will be high end with the homes going in the one and one half million dollar range, the townhomes in the \$600,000 range, and the garden flats at about \$400 per square foot. Two independent real estate research companies wrote letters based on these numbers stating that property values in the area will increase as a result of this development. Arc Wheeler has pledged money for station improvements at Daylesford and streetscape improvements on both sides of Lancaster Avenue. Traffic will be less than for the by right use, and the school district as well as the Township will have a positive tax gain. Hal Wheeler asked the Planning Commission to think about what is good planning. He noted that good projects are often met with negative reactions at the beginning. The presentation this evening has been a factual representation of the impacts on the neighborhood. There is no evidence that it will be a negative impact; in fact, it will be less negative than what is there right now. The neighbors need to present facts on the adverse effects of this plan and explain why they oppose it.

- At this point the neighbors were given the floor for comments. Mark Adamiak of Berwyn Paoli Road addressed several of the specifics of the Arc Wheeler plan. Specifically, he said that it would not meet the criteria for a TOD. The infrastructure is not adequate, 55+ residents will not walk to and ride the train, he counted actual SEPTA users from the area and only 10 out of 157 actually walked to the station while the other 147 had driven their car to the parking lot. A TOD at Daylesford is a nice concept but will not work in reality. The slides of traffic on Old Lancaster using the underpass are inaccurate. Mr. Adamiak timed his wait recently and it took 20 minutes to go only .2 miles. Traffic needs to be looked at during school rush hours as well as business rush hours. He requested that the Planning Commission reject the bid to change the current R1 zoning. Jeffery Beale and Dick Goalwin both stated that Paoli is the appropriate place for a high density TOD and noted that the Township has accounted for this in the new Paoli ordinance. This ordinance replaces the old SPDD zoning with a Town Center District and a Transit District both of which allow for higher density, mixed use neighborhoods that encourage walking and use of public transportation. Mr. Goalwin presented a written report on the Daylesford proposal in which he refutes the traffic studies presented by Horner & Canter. Their basic assumptions are incorrect which makes their report numbers invalid. He also stated that there was no evidence to support this project as a TOD. There is no pleasant walking path, the Delaware Regional Planning Commission had not included Daylesford on any of their lists of properties meeting the criteria for a TOD, and not as many people

work in Philadelphia anymore. In fact, a study by the Transit Research Cooperative found that the benefit from this development would be a maximum of 12 added riders on the SEPTA R5 line at Daylesford. Finally, he said that many of the old single family homes in the neighborhood were being torn down and rebuilt into million dollar homes. These homes will also generate tax benefits to the Township and the school district without changing the character of the neighborhood. The Landscapes document does propose to limit sprawl and encourages infill development in existing neighborhoods, however it states that this infill must fit in with and retain the integrity of the neighborhood. Terry Beale, Marianne Picconie, and Beth Lake of Pennsylvania Avenue and Longcourse Lane all had similar questions about what would happen if the zoning was changed. Could multiple units be put on what is now shown as single family homes, how could it be guaranteed to be kept as a 55+ community, and would the tax benefits be that much more than new homes that would be built by private owners to replace some of the existing homes. They felt that the Arc Wheeler requirements for a TOD site had been designed to fit Daylesford after they had acquired the options to buy several properties. It is opportunistic zoning by the developer and they want the change denied. Franck Kiser, who is head of the Daylesford neighborhood committee, urged the Planning Commission members to review Mr. Goalwin's report. He also stated that several of the ideas presented by the developer are incorrect. First, the applicant said that it was good planning and better than a caterer. Mr. Kiser noted that it does not fit in with the Paoli Master Plan and that Landscapes does not override Township decisions. Therefore it is not necessarily a good plan from a planning perspective. The neighborhood is used to a restaurant/caterer and is comfortable with that level of traffic and activity. The applicant indicated that a development of this type will happen. If it does not happen now, it will happen later. Mr. Kiser said that Oak Knoll is a density of 5.2 units per acre, Paoli will be 10-12 units per acre, and the proposed development will be at 8.1 units per acre. However, if you take out the single family homes, this density will jump to approximately 10.4 units per acre which is comparable to Paoli. Is this really the density that will definitely be put at this location at some point in time? This question will be decided by the Township based on their land development concepts as defined by the soon to be revised Comprehensive Plan, not by a developer telling them that it is good planning and should happen. He went on to present each Planning Commission member with a document containing 297 signatures from area residents asking that the zoning be kept as R1.

- Several residents of the Township did speak in support of the project. Sam Wheeler who is related to the developer has lived in Tredyffrin Township for 25 years. He believes that the proposed development is smart growth which will help stabilize taxes. Mark Pearlstein of
- Chesterbrook noted that there was great opposition to it when it was first proposed. Now it is a model mixed use community. Lots of projects have brought increased traffic, but that is no reason to reject a plan. Ed Dialba lives in Berwyn and had a chance to buy a house on Pennsylvania Avenue years ago. He did not because he was afraid of what would happen to Duffys. Now there is a chance for a quality development that will compliment the existing neighborhood and he feels the rezoning should go through. John Levine of Crott Road has lived 22 years in the Township and supports the Arc Wheeler development for diversity of housing and a diffuse tax base.
- Mr. McCauley asked the Planning Commission members for their comments. Mr. Cooper stated that he had been a member of the subcommittee and kept hearing that a change from the R1 zoning would set a precedent. He noted that the Planning Commission did not deal in precedent and that each application is considered on its own merits. Traffic along Old Lancaster under the bridge also seemed to be a big issue. So, he had gone out to the intersection of Lancaster and Old Lancaster at both AM and PM peak hours. He saw no problem with congestion. The traffic light cycled it through in a timely fashion. Even when a tractor trailer had to turn around in the middle of Old Lancaster, the resultant back up was cleared out within five minutes. Mr. McCauley said that rezoning is not by right. It is a serious matter and the applicant has the obligation to prove their case. He felt that their market data had facts that were not comparable, and their economic feasibility had no supporting documentation. The density is significant and Landscapes also talks about protecting existing neighborhoods. There is no protection in this plan and Landscapes cannot trump a municipality's zoning. His vote is no. Mr. O'Leary agreed that changing zoning is a serious matter. However, he feels that the developer has been tolerant and patient. They revised their plans several times to reduce density, decrease traffic, and minimize the effect on the surrounding neighborhood. Tredyffrin needs housing for a population that is getting older and want to downsize while staying within the Township. He is in favor of changing the zoning to allow a mixed use development. Ms. Brinton said that she is usually against rezoning, but feels that, in this case, it should be changed to accommodate the mixed use. Mr. Sweeney voted not to change the zoning. He does not think that the proposed development qualifies as

a TOD particularly now that it is being limited to a 55+ community. Zoning should be changed in a comprehensive, systemic manner, not in response to a single application. The application should be reviewed to see how it fits into the Township's zoning and that particular zoning should be reviewed to see if it conforms to the Township's Comprehensive plan. Mr. Whalen voted in favor of a zoning change as long as the single family homes are deed restricted to remain single family homes in perpetuity. At this point there was a general discussion among the Planning Commission members and staff about what was really being recommended. The sketch plan and information presented this evening did not reflect the number of units or amount of retail space as specified by Mr. Friedman nor the limitation to a 55+ age limit. Mr. Friedman stated that Arc Wheeler would build 102 units (7 single family homes, 42 townhomes, and 53 garden flats) with 20,000 sf of retail space, a homeowners association document limiting the age of residents to 55+, and a deed restriction on the single family residences. Revised plans will reflect this information. Since specific ordinance language and a plan designed around that language do not exist, it was determined that tonight's decision was not a recommendation to the Board of Supervisors. It simply indicated that the Planning Commission is willing to review a draft ordinance for a new zoning district and a plan designed to comply with that ordinance should Arc Wheeler decide to proceed with this proposal. These documents will be reviewed at subsequent Planning Commission meetings and eventually approved or denied.

**ADJOURNMENT:**

The meeting adjourned at 1:00 AM.  
Respectfully Submitted,

Carol O'Neill  
Recording Secretary