

**Tredyffrin Township  
Planning Commission Regular Meeting Minutes  
January 17, 2008**

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A regular meeting of the Planning Commission was held on January 17, 2008 at the Tredyffrin Township Building. Members present included: Sean McCauley, Chairman, Robert O'Leary, Vice Chairman, Libby Brinton, Giovanni D'Amato, Edward C. Sweeney, Robert Whalen, Victoria Snyder, Trip Lukens, and Thomas J. Cooper.

Members absent:           None

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 7:10 PM.

**APPROVAL OF MINUTES:**

- Motion made by Mr. McCauley to approve the December 20, 2007 regular meeting and January 3, 2008 workshop meeting minutes. Mr. Sweeney asked that text be added to the January 3, 2008 minutes stating that he had questioned the population forecast numbers and the number of housing units that would need to be constructed as outlined in the draft of the Comprehensive Plan. Ms. O'Neill agreed to make that change, and the motion was seconded by Mr. O'Leary. Mr. McCauley abstained from the vote as he was not in attendance at the January 3, 2008 meeting.

**CARRYOVER MATTERS:**

Application (#11-07) **University of Pennsylvania**; Conditional Use Amendment Application #79 and Land Development Preliminary Plan: 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 12-21-07.]

- Mr. Fahey gave a brief overview of the project. He said that the University of Pennsylvania is proposing to build a three story health care facility at 1001 Chesterbrook Boulevard. The applicant will provide 421 parking spaces where 360 are required by the zoning ordinance. One hundred forty four (144) of those spaces will be surface parking and will be smaller than required. Ninety nine (99) will be 9' X 18' and forty five (45) will be 10' X 18'. A zoning variance will be needed for the smaller size. The forty five (45) larger spaces will be for SUV type vehicles. This section will be in the northeast corner of the parking lot and will not have any planter islands. Since the zoning ordinance requires a planter island between every ten spaces in a parking lot, a variance will be needed to eliminate them. The project will be disturbing steep slopes which were man made by fill from the Route 202 ramp construction. This too will require a variance. The applicant is seeking a recommendation from the Planning Commission to the Zoning Hearing Board for approval of the aforementioned variances. The Planning Commission agreed to recommend the variance requests, and Mr. Fahey said he will write a memo to the Zoning Hearing Board stating that. Mr. Whalen noted that the university had attended the January 8, 2008 Environmental Advisory Committee meeting to present their plan. The EAC was in favor of the project but had some questions about stormwater management. They suggested that a green roof might be installed as a bmp for stormwater and were willing to recommend appropriate plantings for that as well as for the

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landscaping of the property. He asked if the EAC had submitted a letter to the Planning Commission. Mr. Fahey responded that they had not, but he would pass it along when they did. Mike Burg said that the University of Pennsylvania is considering a green roof as part of their stormwater management and will report their decision at a future meeting. Mr. Whalen wanted the memo to the Zoning Hearing Board to reflect Penn's cooperation with the EAC and the Planning Commission. They had moved the parking and the building out of the wetland areas and were willing to consider a green roof. Mr. Burg stated that the applicant had submitted a plan showing the sidewalk and trail which the Planning Commission had requested as part of the conditional use application. He said that they have been in contact with all of the property owners about installing the sidewalk and are working out the details with them which will include maintenance agreements. The design for the trail has been approved by Chester County, however, permission to build it on adjoining properties is still being worked on.

- Meanwhile, Penn has invested a large amount of time and money on the project and time is becoming an issue. They need to go to the Board of Supervisors for approval of their conditional use amendment soon. They are willing to put money in escrow for the sidewalk and trail, and the Planning Commission can still turn the project down during the land development process. Therefore, Mr. Burg asked if a recommendation for approval of the conditional use could be given this evening. He said the applicant had cooperated with the request to present the land development plans at the same time as the conditional use request. Penn is willing continue with the land development process but needs the conditional use approval to assure that a health care facility can actually be built on the site. After some discussion, Ms. Gleason suggested that the hearing for the conditional use be scheduled for the Board of Supervisor's meeting on February 25, 2008. This would give the Township time to advertise and would give the Planning Commission two more meetings to discuss the details. If they are not satisfied with the escrow agreement or any other details for the trail and sidewalk, they can still say no to the conditional use. Mr. Sweeney asked what would happen to the escrow money if the trail and sidewalk were never built. Mr. Burg responded that any money left for unfinished work would go to the Township. However, Penn would draw down specific amounts as sections were completed. Mr. Burgo said that he would have to review the escrow amounts and agreements before they are submitted to the Planning Commission. Mr. O'Leary told the applicant that all crosswalks will have to be the imbedded type that is used throughout Chesterbrook. The plan sheets will have to include details for the crosswalks. He also noted that the light at the top of the 202 off ramp should have a pedestrian signal button. Mr. Kissinger said that he will have his traffic engineer take a look at that possibility and noted that it would require PADOT approval since it would affect the traffic coming off of 202. Ms. Brinton asked the applicant to provide elevations looking from the building to the garage.

Action: None

### **NEW MATTERS:**

- Application (#01-08) **1475 Russell Road LP**; Subdivision – lot line change preliminary plan: Plan to change the lot line between tax parcel 43-10J-21 and tax parcel 43-10J-20 at 1475 Russell Road in an R1 and R2 Residence District. [Plan prepared by R.H. Smith Surveyors dated 10-01-07.]
- Mr. Fahey said that the application is for a lot line change at 1475 Russell Road. There are currently two lots at this address. The lot line change will make the front lot (lot 1) approximately 23,000 sf and the rear lot (lot 2) approximately 31,300 sf. A new house is under construction on the front lot while the rear lot is a flag lot exiting to Russell Road. The access to the rear lot is Woodland Road which is an existing right of way. The applicant is proposing to vacate that right of way and include a portion of it in the lot area calculation for the flag lot. In order to meet the zoning requirements, lot 1 needs to be a minimum of 18,000 sf and lot 2 needs to be a minimum of 30,000 sf.
- Mr. Fahey noted that the ROW could not be included in the lot area calculation for lot 2; and that once it was netted out of the square footage, lot 2 would not meet the lot area requirement. He also said that Woodland Road had been considered the street frontage for a lot in the Bentley subdivision so that vacating it would essentially land lock that lot. Because of this, Woodland Road cannot be vacated.

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- Mr. Mulray, the applicant, stated that he had just been informed of this issue and would have to go over the plans with his engineer. Mr. McCauley suggested that perhaps the lot line could be shifted forward into lot 1, rotate the house to face Woodland Road, and create an easement for the driveway. Mr. Mulray said that the stormwater system for the house being built on lot 1 would end up in lot 2 if the line was moved. Mr. Burgo asked if construction of the system had been started. Mr. Mulray said that it had not. Mr. Burgo told him to look into moving it to the front yard or splitting it between the front and back yards. At this point, it was decided that Mr. Mulray and his engineer would meet with staff to see if a plan could be worked out for two lots. Mr. McCauley asked the applicant to install sidewalk along Russell Road. Mr. Mulray stated that there was none there now and that the zoning ordinance did not require them for a minor subdivision. Mr. Burgo said that the Gambone development directly to the west will be installing sidewalk along Russell Road and that Mr. Mulray should continue it along his property. It should be included in the plan discussions with staff.

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 Circular Avenue between Route 30 and Wistar Road in Paoli.

- At a previous meeting, several Circular Avenue residents had expressed concern about the east side of the road being zoned TCD (Town Center District). In particular, they do not want a parking garage or a bar which are both allowed in the Town Center zoning district. Ms. Gleason stated that a letter and release forms had been sent to the residents on the east side of Circular Avenue as suggested by the Township solicitor. Nine letters were sent and only one resident wanted the east side rezoned to residential. Five responded that they want to keep the TCD zoning and three did not respond at all. Based on this response, the Planning Commission decided to keep the west side of Circular as an R1 district and the east side as TCD. The zoning line will remain as is specified in the zoning ordinance.
- During previous meetings, the residents had also discussed their specific concerns about the kind of uses allowed in the new TCD. It was generally agreed that changes to the text of the ordinance which would eliminate parking garages and restaurant/bar uses on the east side of Circular would be acceptable. Ms. Snyder, Mr. O'Leary, and Mr. McCauley had met with Ms. Gleason to draft language to amend the Zoning Ordinance so that no surface parking or structured parking could be constructed adjacent to or across the street from properties in an R1, R2, and R3 residential zoning districts. Mr. Whalen asked about the other uses that the residents did not want. Mr. McCauley said that the east side of Circular had been zoned to allow commercial uses for the past fifty years and no restaurants or bars had been built there. Chances are very slim that they ever would be built on the east side of Circular, as the area is not conducive to that type of business. It would be very difficult and counter productive to rewrite the TCD ordinance to specifically eliminate those uses in certain areas. Nathan Shields, of 20 West Circular Avenue, said that since no bars or restaurants had been built on East Circular in fifty years, then all the more reason to eliminate them from the ordinance. Mr. McCauley reiterated that it would be too difficult to single out specific areas within the TCD and specify exact uses for them. The Planning Commission members agreed that this area would be highly unlikely to attract a restaurant or bar and decided that the text changes would specifically address only the surface and structured parking. A letter will be sent to all of the Circular Avenue residents stating that the zoning will remain as it is and will include a draft of the text changes once they are finalized.
- Another concern of the residents was the height bonus which would allow four story buildings in the TCD. A text change to the ordinance stating that this height bonus can be granted only if the building is a certain number of feet from any property in the R1, R2, and R3 residential zoning districts. No decision was reached on the exact number of feet away from the residential properties the taller buildings should be. The discussion will be continued at the February workshop meeting.

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**Planning Commission report:** Discussion of the yearly Planning Commission report to the Board of Supervisors.

- Mr. Fahey stated that the MPC requires a yearly activity report to be sent from the Planning Commission to the Board of Supervisors. Mr. Fahey had written this report and included it in this month's packets so that the Planning Commission members could review it. He noted that it would be presented to the Board of Supervisors at their January 28<sup>th</sup> meeting.

**Regional Act 537 Plan:** Act 537 Plan for the Valley Forge Sewer Authority Treatment Plant and Act 537 Plan for Wilson Road Pumping Station.

- Ms. Gleason explained that Act 537 plans were required by the County for any changes to sewer facilities. At this time, the Valley Forge Sewer Treatment Authority is planning to upgrade their treatment plant and has submitted their Act 537 to the County. The County wants each municipality who will be affected by this plan to be in agreement with it. She also said that Tredyffrin Township has its own Act 537 in place for the Wilson Road pump station. Tredyffrin is the steward for the whole Valley Creek trunk sewer. Wilson Road has inadequate capacity for the pipes coming into it. The pipes and the pump station will be updated to accommodate future usage.
- Mr. McCauley asked who had done the calculations for the usage and the capacity increase needed to handle it. Ms. Snyder asked if the projections in the Comprehensive Plan had been taken into account. Ms. Gleason explained that Mr. Norcini had done the analysis for future needs. The Comp Plan was not available at the time, however, estimates were made deliberately high to cover a thirty year planning horizon. Mr. D'Amato noted that Mr. Norcini had presented a slide show to the Board of Supervisors about a year ago which explained the entire sewer system. He felt that it would be a good idea for the Planning Commission to see that same presentation.

**ADJOURNMENT:**

The meeting adjourned at 9:00 PM.  
Respectfully Submitted,

Carol O'Neill  
Recording Secretary