

East Whiteland Township

Planning Commission

Wednesday January 27, 2021

Minutes

Virtual Meeting Livestreamed via Township Website

Members Present: Deb Abel, Chair; Jeff Broadbelt, Vice-Chair; Peter Fixler; Todd Asousa; John Laumer; Tim Kelly; and Dante Bradley.

Also Present:

Zachary Barner, Director of Planning & Development; Brittany Carosello, Planning Coordinator; Joe McGrory, Township Solicitor; Krista Stefkovic, Deputy Township Solicitor; Darrell Becker, Township Engineer and Chris Williams, Township Traffic Engineer.

Call to Order

Ms. Abel called the meeting to order at 7:04 p.m. and led the Pledge of Allegiance.

Minutes

Approval of the **December 15, 2020** meeting minutes

Action: Mr. Broadbelt made a motion, seconded by Mr. Kelly, to approve the December meeting minutes. The motion carried unanimously **(7-0)**

Reorganization:

- Chairperson – Mr. Fixler made a motion, seconded by Mr. Asousa, to recommend Ms. Abel to serve as Chairperson. The motion carried unanimously **(7-0)**
- Vice-Chairperson – Mr. Laumer made a motion, seconded by Mr. Broadbelt, to recommend Mr. Asousa to serve as Vice-Chairperson. The motion carried unanimously **(7-0)**

Welcome:

Ms. Abel welcomed residents and attendees and walked through the guidelines for the public participation portion of the meeting:

- All members of the public must mute themselves upon arrival;
- All members of the public must rename themselves for identification;
- After every agenda item the Planning Commission members will offer comments and questions, then there will an opportunity for members of the public to make a comment;
- All members of the public should use the raise hand feature when there is a question or comment;
- Each member of the public will have 2 minutes to comment or question;
- Comments and questions may also be submitted via email to publiccomment@eastwhiteland.org;
- The zoom chat feature will not be monitored during the meeting.

Development Applications:

1. [LD-13-2020 for Parking Expansion at 45 Liberty Boulevard](#) (Equus Capital Partners, LTD) – Preliminary / Final Land Development Application to construct 99 additional parking spaces and stormwater management facilities at an existing office building. The property, located at 45 Liberty Boulevard, is within the O/BP (Office/Business Park) Zoning District.

Bob Dwyer, representing the Applicant, explained the process the applicant has gone through to get to this point- including receiving Zoning Hearing Board approval for relief for parking aisle widths. The Applicant has received clean review letters from both McMahan and ARRO. The plan shows the trail along Swedesford Road to be 8 feet in width, however, there are two pinch points on the trail where the width will need to be reduced to 6 feet. The applicant adjusted the plan to make sure there is a flow from the proposed trail to the existing sidewalk and crosswalk amenities. The reduction in width is to avoid conflicts with utilities along Swedesford Road. This adjustment requires a waiver.

Mr. Laumer and Ms. Abel both expressed that they are pleased with changes made to the plan.

Rick Stratton, engineer for the applicant reviewed each of the waiver requests, which are summarized in the Applicant's waiver request letter. There are waivers requests from both the Stormwater Management Ordinance and the Subdivision & Land Development Ordinance.

Action: Mr. Fixler made a motion, seconded by Mr. Bradley, to recommend preliminary/final land development approval to the Board of Supervisors subject to compliance with all comments in consultant review letters and waivers requested. The motion carried unanimously **(7-0)**

2. [LD-18-2020 for Parking Expansion at 333 Technology Driveway](#) (MLR Technology LLC and 1201 Technology Drive LLC) – Preliminary / Final Land Development Application to construct or modify 42 additional parking spaces and stormwater management facilities at an existing office building. The property, located at 333 Technology Drive, is within the O/BP (Office/Business Park) Zoning District.

Adam Brower of E.B. Walsh Associates presented on behalf of the Applicant. He explained that the parking lot expansion is an infill project to create additional parking for a current tenant. The lot has quite a bit of parking already, but the current tenant holds conferences that will bring additional groups to the site – which results in the need for additional parking. Mr. Brower explained the parking has been reconfigured to create the least amount of disturbance, including some adjustments to existing parking areas.

Presently the Applicant is looking for feedback and discussion on the review letters. The project is not generating any extra revenue for the applicant and the scope is limited. The Township's Multimodal Map and Ordinance would require sidewalks along all frontages of the property. This represents a significant hurdle for the Applicant. Mr. Brower explained the challenges of adding sidewalk given the slope of the land. Another factor is that the backside of the property, which doesn't have road access or building frontage, aligns with Lapp Road and Old Morehall Road. This

would require a significant amount of sidewalk for a small project. At present time sidewalks would seem out of place, but long term the township would want sidewalks along the property.

Mr. Barner explained the relationship between this project and other pending/ future projects in the immediate vicinity. He explained some of the challenges and practicality issues of a trail and sidewalk installation at the site.

Mr. Laumer acknowledged that there is not much foot traffic along Old Morehall Road, so this sidewalk is very much a long-term goal. Mr. Broadbelt asked if there was much vehicle traffic along Old Morehall Road? Mr. Barner answered he believes since the road has been repaved there has been more use, especially since the Starbucks and Chick-fil-A has opened. People seem to travel that way to get to those destinations more so than they had previously.

A discussion of sidewalk connectivity in the area ensued. The conversation included the viability of sidewalk along Lapp Road and Technology Drive, having the sidewalk on one side of the road as opposed to two, and where crossings would make the most sense.

Chris Williams discussed the evolution of the multimodal transportation map and the need for pedestrian walkways in the corporate park. The future goals include connecting the corporate center to Valley Creek Park and to other developments.

Mr. Broadbelt offered the idea to put in sidewalks closer to the interior of the property to bypass some of the slope issues. Mr. Kelly agreed with Mr. Broadbelt's idea, a sidewalk interior to site close to the existing parking lot may be sensible. Mr. Barner added that there may be slope issues on the southern portion of the site but that other options should be explored.

Mr. Mcgrory offered that the Planning Commission could require the sidewalks but defer the construction until a connection makes sense. Mr. Brower was amenable to the idea of deferring the placement and construction. He offered to walk the site with staff and consultants to determine the best option and route of the future sidewalk.

Ordinance Amendments:

3. [Zoning Text and Map Amendment](#) related to Off-Premises Signs. The proposed ordinance includes standards regarding the size, location, display, and illumination of signs.

Mr. Barner explained that, following the previous Planning Commission meeting, minor tweaks were made to the ordinance related to off premise signs. The original ordinance had been drafted to become effective immediately, however the Second-Class Township Code states that an ordinance may only become effective 5 days after adoption. There was also a revision to the overall size permitted by the ordinance. Previously, the maximum size allowed was 960 sq.ft. (per sign face). This has since been reduced to 672 sq.ft. (per sign face). In addition, a change was made to clarify architectural elements, reference to what types of features could qualify, and how they accounted for relative to the overall size of the sign.

Mr. Mcgrory explained that the Supervisors were uncomfortable with the size of the sign and were able to negotiate a smaller size with the Applicant.

Mr. Fixler understand the changes in the size of the sign and agrees with the decision.

Questions and Comments were submitted by the following:

- Ann Bell

Questions and Comments submitted addressed the following subjects (summarized below):

- Billboards in ecology park
- Ramifications of a settlement agreement
- Developer profiting from Township-owned land

Mr. McGrory explained that Township Staff performed an analysis of the township ordinance and compared it to all the properties that may be eligible for a billboard under the proposed ordinance. The Township found that looking at both township requirements and PennDOT requirements it narrows the area that would be permitted for a billboard.

On the parcel the township owns there will be additional restrictions, which will be contained in the lease agreement. There will also be a covenant filed limiting it to only 1 billboard on that parcel – which would run with the land in perpetuity.

Mr. Mcgrory stated that there is a hearing scheduled on February 1, 2021.

Action: Mr. Broadbelt made a motion, seconded by Mr. Kelly, to recommend approval of the proposed text and map amendment to the Board of Supervisors. The motion carried unanimously **(7-0)**

Introduction to Proposed Project:

- 4. Philadelphia Suburban Development Corporation (PSDC)** will provide an introduction and preliminary overview of their proposed redevelopment of several properties within Great Valley Corporate Center formerly owned by Liberty Property Trust.

Lou Colagreco was present to introduce his client, Mark Nicoletti, owner and president of Philadelphia Suburban Development Corporation. Mr. Colagreco provided an overview of the project and went on to explain that GVR (Great Valley Revitalization) Overlay District had been approved in 2016 for Liberty Property Trust – the previous owners of the land in question. Liberty received master plan approval to construct 613 apartment units, 737,000 sq.ft. of office space, approximately 50,000 sq.ft. of retail space and a 137-unit hotel. The existing ordinance allows for a building height of 115 feet.

Mr. Nicoletti introduced himself and his company, which began as a family business. He is an office commercial real estate developer, with over 300,000 sq ft of commercial real estate in Philadelphia and the surrounding suburbs.

Mr. Nicoletti presented “The Aire” office concept – prefacing that out of the 9 to 10 million square feet of office space in the Malvern area none of that space meets the standards for healthy building certifications that the market is now looking for. The Aire will be a healthy office building with green

space, outdoor rooftop space and terraces. Mr. Nicoletti's company was the first to develop a platinum LEED certified office building in Pennsylvania, back in 2010, and he would like to be the first to build the healthiest building.

Mr. Colagreco explained that a proposed amendment to the ordinance that governs this property will be submitted to the Township. The ordinance amendment would propose a reduced building height of 40 feet, which would take the permitted maximum to 75 feet. The proposed amendment would also remove "hotel" as a possible use on the property and reduce the allowable density (via floor-area-ratio or FAR). The applicant is proposing is to preserve historic structures internal to the site.

Paul Lepard, a project manager for the Applicant, presented the development concept. The site is just under 28 acres. The concept includes retail, multifamily residential, 350,000 sq ft office commercial space, and a 5 or 6 level parking structure which would include between 1,200 and 1,5000 parking spaces. The parking garage would be built to be shared by each use. The concept also includes a green belt of open space and pedestrian amenities along Route 29.

Mr. Broadbelt asked for clarification on the location of the properties. As he remembers Liberty Property Trust also proposed to redevelop the north side of Great Valley Parkway as a part of the master plan. Mr. Colagreco explained that the existing office buildings on the north side have already been redeveloped and the proposed ordinance amendment would eliminate those properties from the overlay district.

Mr. Colagreco explained that the scope of this project has been reduced when compared to the previous master plan. He went on to clarify which parcels are presently owned by PSDC and what is being proposed. Mr. Barner outlined the property owned by PSDC on an aerial map for clarification.

Mr. Laumer addressed the movement and the need for clean and efficient buildings in the past and now in the present - especially given the current pandemic. He really enjoys the idea of a clean healthy building like the one Mr. Nicoletti presented and hopes to hear more about it in the future.

Mr. Lepard discussed a massing analysis that shows the general layout, size of the buildings, and a linear park. The linear park will be designed with the Township's multimodal plan in mind and will be fully developed to become a public open space amenity. Pedestrian connectivity and convenient parking will be key elements. Completion of ADA improvements and traffic calming at the intersection of Great Valley Parkway and Route 29 will be an important component, as will the Lapp Road extension and intersection improvements - which connect the Corporate Center to the entrance of Valley Creek Park to provide better vehicular and pedestrian access.

Mr. Colagreco explained that the Applicant's traffic engineer and Mr. Williams, the Township's traffic engineer, have been coordinating to develop a road improvement package that is robust and accomplishes much of what the township has in its Act 209 plan. There is a chance federal and state money will be available this year to help fund some of the improvements. An official ordinance amendment has not yet been submitted; however, a draft ordinance has been supplied to the Township Solicitor's office for review.

Mr. Laumer asked if there is a schedule for the project? Mr. Colagreco responded there will be a preliminary plan submitted this year, but to keep in mind that under the provisions of the overall district there is a three-plan approval cycle – master plan, preliminary plan, and final plan. This project will be phased. A master plan will have to be approved by the township and will need a recommendation from the Planning Commission. Mr. Colagreco explained the order of progression would likely be ordinance amendment, map amendment, master plan submission, master plan approval, and then likely Land Development approval for phased development. A master plan will likely be submitted to the township within the next 60-90 days.

Ms. Abel asked about the historical buildings that have been referenced. Mr. Nicoletti and Mr. Colagreco stated that the farmhouse is a historic building but that the barn and restaurant are not and PSDC does not own that property. Mr. Barner noted this plan would preserve these buildings, but the previous Liberty Master Plan did not.

Ms. Abel asked if the parking garage would obstruct the view the restaurant has now. Mr. Nicoletti answered that the elevation is much lower and there would be no obstruction. The developer is thinking the plan could generate more retail, possibly a specialty food market and specialty fitness center.

Petition for Zoning Map Amendment:

- 5. Property Owner Petition to Rezone Property on South Malin Road** – The owner of properties located at 9 & 10 South Malin Road has submitted a petition requesting that the Township consider a Zoning Map Amendment to rezone the property from its current designation as RRD (Residential Revitalization) to I (Industrial). The property owner has proposed to voluntarily restrict the property (via covenant) from certain uses otherwise permitted in the Industrial district.

Lou Colagreco introduced Brian Forcine and Jim Lees - the owners of the properties. Mr. Colagreco explained that, at one point, the land in question was a part of the Bishop Tube residential plan but that the properties are no longer included in the development tract for that project. Mr. Forcine and Mr. Lees now have 9.5 acres of land that is zoned only for residential use but does not meet the minimum tract area to qualify for RRD district. Now the property owners would like to revert the zoning back to Industrial but understand that this site is not practical for some industrial uses. The owners have an interested user who would use the property for a landscape business. Mr. Colagreco explained that EWT used to have a Light Industrial zoning district but at some point, the township got rid of the LI zoning district.

The owners of the properties have agreed to voluntarily restrict the property from being used for heavy industrial uses, that would typically be allowed in the Industrial Zoning District. The property would not be permitted to be used for printing of paper, television studios, transit stations, junk yard, adult uses, and other uses that are permitted in the industrial district. Mr. Colagreco explained currently the land cannot be used for anything, legally the township must provide some use that is permitted.

Mr. Fixler asked about the restricted uses and attachment table that Mr. Barner provided to the commission. Mr. Barner explained anything not highlighted on the table he provided would be permitted (highlighted items are those that are listed as prohibited).

Ms. Abel commented on the truck terminal and that the owners are giving up truck terminals as a use. Mr. Colagreco explained the interest that the owners are getting are from mostly small landscaping and contractor businesses. Ms. Abel asked what the use was on the property prior to being rezoned? Mr. Lees said the property was always industrial and usually contractors that rented the property.

Mr. Kelly asked about the use of brewing beer and whether that would be a permitted use? Mr. Barner explained the township does allow brewery type uses in the Industrial district. There has been a local brewery in the adjacent industrial area that has had some noise complaints in the past.

Mr. Fixler asked if the dumping of green waste would be included in the uses not permitted since junkyards wouldn't be permitted. Mr. Colagreco believes it would be and would probably up to the zoning officer. Mr. Mcgrory suggested green waste and mulch be added to the uses not permitted on the property. Mr. Lees suggested composting be allowed if it is contained.

Discussion ensued on proper uses for the site. It was agreed that no one wants a dirty, heavy industrial use but a tradesman or a specialty craftsman would fit nice in that property. A use that does not pollute the area with noise or chemicals is important.

The owners would likely sell the property once it has been rezoned. Mr. Colagreco and the property owners will return to the Planning Commission in February.

Questions and Comments were submitted by the following:

- Robert Reinhart

Questions and Comments submitted addressed the following subjects (summarized below):

- Impact to Buckeye tank terminal

It was clarified that there would not be an impact to Buckeye

Public Comment:

Public comment will be facilitated during the virtual meeting and may also be submitted via email both *before* and *during* the meeting. Please submit comments to publiccomment@eastwhiteland.org.

Adjournment:

Ms. Abel adjourned the meeting at 9:27 p.m.

~ Next Meeting ~
Wednesday –February 24, 2021