

The Planning Commission ("PC") meeting was held tonight at the Township Administration Boardroom. The following Planning Commission members were present: Messrs. Cross, Leighton, Harrower, and Laughlin and also present was David R. Jones, Interim Director of Engineering, Zoning & Inspections, Carmen G. Reitano, Assistant to the Director of Engineering, Zoning & Inspections and Joseph Nixon from Montgomery County Planning Commission.

1. Acceptance of the minutes of the January 28, 2013 Meeting.

Mr. Laughlin made a Motion to approve the minutes Mr. Leighton seconded the Motion; the Motion passed.

2. Review of Zoning Hearing Board Agenda for March 11, 2013.

APPEAL NO. 3459: Appeal of Cedarbrook Plaza, Owner of Premises known as 1000 S. Easton Rd. Wyncote, PA 19095, zoned C-2, from the decision of the Zoning Officer for the following Zoning Relief in order to open a Beauty School in an existing suite on the premises:

- a. A Special Exception pursuant to the rules and regulations of the Class C-2 Commercial and Business District as outlined in CCS 295-108A to allow the use of the property as a Beauty School with a Retail Product sales product area of 250 +/- Sq.Ft.; Retail Services area of 2850 +/- Sq.Ft.; School area of 2900 +/- Sq.Ft.; office, stock room, lunch room area of 2000 +/- Sq.Ft.

Ms. Lori Stopyra was present for the application.

Mr. Jones stated that the legal notice has a typo. Instead of 108 A it should read 108 L.

Ms. Stopyra stated that the space is the former Toys R Us store and would be subdivided for multiple tenants. Ms. Stopyra presented a plan that depicted the space.

Ms. Stopyra stated that the proposed Beauty school will be 9,100 sf, a portion of the school will be retail sales and services and about 37% of the square footage is for classroom use. Ms. Stopyra stated that the educational use is not a permitted use by right use and needs a special exception.

Ms. Stopyra stated that 100-120 students are projected to attend and that the facilities are open year round. The school portion runs the typical school schedule of September through June.

Mr. Cross asked if there was an issue with parking. Mr. Jones stated that no analysis has been done, but the Township isn't anticipating a problem since the property was developed to accommodate a retail use. Discussion ensued regarding various points on the presented plan.

Mr. Laughlin made a motion of approval, Mr. Leighton seconded the motion; the motion passed.

APPEAL NO. 3460: Appeal of Lynnewood Real Estate LP, owner of premises known as 2047C Mather Way, Elkins Park, PA 19027, zoned M-2, from the Decision of the Zoning Officer for the following Zoning relief in order to construct a Leasing Office and Community Center on the premises:

- a. A Variance from the rules and regulations of the Class M-2 Multiple Dwelling District as outlined in CCS 295-80B. as follows:
 - i. To allow the construction of an Accessory Building for a Leasing Office of 4700 +/- Sq.Ft. and an attached Community Center for indoor recreation of 8800 +/- Sq.Ft. instead of the enumerated permitted uses.

Mr. John Tresslar from Boucher and James, Inc. was present on behalf of the applicant.

Mr. Tresslar stated that Lynnwood Gardens wants to change the way they lease their units and provide a community facility for the Lynnwood Garden residents. Mr. Tresslar stated that zoning relief is needed to move forward with the community facility due to the current M-4 zoning. Mr. Tresslar stated that the applicant currently uses a vacant unit to lease other units from and the applicant feels a more professional office would be better suited.

Discussion ensued regarding the presented plan. Mr. Tresslar stated that the proposed leasing office would have its own dedicated entrance off of Mather Way.

Mr. Tresslar stated that Landscaping would be implemented on both sides of the new facility and a new walkway is proposed. Mr. Tresslar stated that the applicant plans to provide additional parking and to blacktop the current lot and add more lighting. Mr. Tresslar stated that the applicant is aware they have to go through Land Development and address Stormwater Management.

Discussion ensued regarding points on the presented plan. Mr. Tresslar stated that the applicant wants to remain competitive and needs a nice leasing center. Mr. Cross asked what was being put into the community center. Mr. Tresslar stated that the actual uses haven't been decided yet. Considerations include a fitness area, gathering area with amenities in the back of the center. Mr. Tresslar stated that the applicant went to other sites around the Philadelphia area and has decided that in order to remain competitive in the market an investment needs to be made.

Mr. Laughlin asked if the applicant would be able to convert the aquatic center for community center use. Mr. Tresslar stated that the aquatic center is still in use and the area is divided up into two parts for male and female locker rooms. Mr. Cross asked if there were any drawings prepared for the center itself. Mr. Tresslar stated that the applicant wanted to make sure that the required zoning relief would be granted by a proceeding with architectural drawings.

Mr. Nixon stated that if this proposal is to serve the people already there he sees no traffic concerns. Mr. Nixon asked what was being planned with the Stormwater Management. Mr. Tresslar stated that they have read the Township Ordinance on Stormwater Management and will follow the requirements. Mr. Reitano stated that the Land Development for Lynnwood Gardens will need to include the HVAC standard language.

Mitch Zygmund Felt asked if the applicant has asked the residents what they want to see in the Community Center. Mr. Tresslar stated no, but the improvement program is to keep Lynnwood Gardens competitive.

Mr. Cross noted that notifications will go out to residents. Mr. Reitano stated that the 500 feet notification area starts from the property line and will include all residents. Residents are notified according to the Municipalities Planning Code.

Mr. Harrower stated that this proposal seems positive and he understands the impulse of market need. Mr. Laughlin stated that the applicant needs to provide a greater definition of amenities. Mr. Tresslar stated that the applicant is just going for the variance at this time, and they do not want to be restricted to certain things just yet.

Mr. Reitano stated that when this application comes in front of the ZHB, they will either approve or deny the project and usually state approvals to be in substantial compliance of what's presented. Mr. Reitano urges the applicant to be careful with what's being presented and Mr. Harrower stated that it would be worthwhile to take into consideration the language being used in the proposal. Mr. Cross recommends getting a more definite idea of what's being proposed.

Mr. Joe Louis a resident of the Township asked if the community center would just be for residents and if alcohol was allowed. Mr. Tresslar stated that the center would be entered by use of a keyfob system available to residents only and that alcohol would not be permitted and no outside events would be hosted.

Mr. Cross stated he felt this would be a great value to the community itself. Mr. Harrower asked if the community center and leasing office would be staffed. Mr. Tresslar stated that only the leasing center would be staffed and an expanded back patio is being considered.

Mr. Harrower made a motion of No Action, Mr. Laughlin seconded the motion; the motion passed.

APPEAL NO. 3461: Appeal of JC Melrose Country Club, owner of premises known as 7600 Tookany Creek Parkway, Cheltenham, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to erect and replace their existing entrance sign:

- a. Variances from the rules and regulations of "Nonconforming Signs" as outlined in CCS 295-199.A.(3), as follows:
 - i. For one (1) Freestanding Sign to replace their existing entrance sign at the same location but measuring 10' W x 5' H (50 Sq.Ft.) plus an attached Logo sign measuring 40 inches in diameter (8.7 Sq.Ft.) for a total area of 58.7 +/- Sq.Ft. instead of repainting, resurfacing or repairing the existing 24 Sq. Ft. sign.
 - ii. For a total height of the sign to be 10.33 +/- Ft instead of the existing 6'-8" High.

No one was present for the application.

Mr. Jones stated that the applicant is looking to replace the existing free standing sign and to increase the size of the sign. Mr. Jones stated that the proposed sign is 10' x 5' and the area is 50 square feet, the attached logo at top makes for a total area of 58.7 square feet. Mr. Jones stated that the sign was repainted once before but now the Country Club would like a bigger sign for better visibility. Mr. Jones stated that the sign would be internally illuminated.

Mr. Jones stated that a variance is required because business signs are not allowed in this zoning district. He noted that the existing sign is a nonconforming sign.

Mr. Cross stated that he believes it's the EDTFs position that all internally lit signs have a dark background, and what's presented is the opposite. Mr. Cross stated that this application must go in front of the design committee for approval of sign size and location.

Mr. Cross is concerned that if the Planning Commission gives approval that work will be done without proper review. Mr. Reitano stated that the applicant needs a variance from zoning first. Mr. Cross asked if the Planning Commission was only approving the variance application aspect of zoning. Mr. Reitano confirmed.

Mr. Harrower asked if the entrance was the only entrance to the Country Club. Mr. Laughlin confirmed that it was. Mr. Harrower stated that the text in the submitted designs needs to be consistent.

Mr. Laughlin made a motion of No Action with the following condition:

That the sign must be reviewed and approved by the Economic Development Task Force (EDTF) prior to being installed.

Mr. Harrower seconded the motion; the motion passed.

3. Old Business

None.

4. New Business

- Recommendation for density and unit types for the development known as 1050 Ashbourne Associates (Kerlin Farms), 1050 Ashbourne Road, Cheltenham.

Mr. David Cohen presented ideas regarding the development Kerlin Farms. (See attached slides.)

Mr. Cohen stated that he was asked by Commissioner Norris to put forward some ideas for possible development of the Kerlin Farms property.

Mr. Laughlin asked about the context in which Commissioner Norris is seeking help from the Planning Commission. Mr. Cohen stated that Commissioner Norris stated that it would be nice if Mr. Cohen could put forward ideas that weren't negative, in the spirit of coming up with a compromise.

Discussion ensued regarding underlying zoning and discussions with Commissioner Norris.

Mr. Cross stated that the applicant already received zoning relief and could technically begin building tomorrow. Discussion ensued regarding timelines for Findings of Fact letters. Mr. Cross stated that the applicant didn't have to wait and could move forward at their own risk. Mr. Cohen stated that the appeal process doesn't begin until the variance decision comes from the Zoning Hearing Board Solicitor. Mr. Cohen stated that there is a potential for an appeal by various parties.

Mr. Laughlin stated that the 30 day time table hasn't begun yet and the Solicitor doesn't have a timeline to issue written Finding of Facts and Issue of Law. Mr. Cohen stated that this could drag on for a long period of time and it's unfair and unreasonable to everyone involved.

Mr. Cross stated that the idea in the interim was to come up with possible development schemes that could be acceptable to everyone. Mr. Cohen stated that these points are his own position and he's not trying to represent anyone else.

Discussion ensued regarding Option 1.

Mr. Cross stated that since the ZHB granted the variance it is technically by right as well; not by right in terms of the R-4 zoning but by right by the variance given.

Discussion ensued regarding Option 2.

Mr. Cross stated that 3 storey buildings are out of scale with the rest of the neighborhood. Mr. Laughlin recommended 2 storey buildings. Mr. Jones stated that the code allows for up to 40' heights.

Discussion ensued regarding Option 3.

Mr. Laughlin asked if single family units on smaller lots are being considered.

Mitch Zygmund Felt stated that as Matrix comes closer to completing its development and is right across the street it is unlikely the developer for Kerlin Farm will want to compete. Mr. Cross stated that is a possibility, but it's all contextual.

Mr. Cohen stated that he wants to compromise and that he understands R-4 is not viable option, but the density might be good for the property and the Township.

Discussion ensued regarding Option 4.

Mr. Cohen stated that he recognizes there will need to be a zoning change, but a commercial development has less cost to Township for services and will produce more tax revenue. There will be no additional cost to the school district. Mr. Cross mentioned there will be trash and noise issues affiliated with a commercial development.

Mr. Cross asked how the Township is infrastructurally prepared. Mr. Jones stated that the Act 537 describing Sanitary Sewer improvements was presented to the Planning Commission at its January meeting. Mr. Jones stated that there are no EDUs available for much of the development being discussed.

Mr. Cross questioned that if the Township gets something it wants, the developer still cannot build? Mr. Jones explained that the projects would sit in queue and would begin the detailed Land Development process while waiting to see if the EDUs become available.

Discussion ensued regarding sewage.

Mr. Jones noted for the record that the Sewer Moratorium is DEP imposed not Township imposed. Mr. Harrower stated that they shouldn't assume everyone knows what an EDU is. Mr. Jones stated that EDU means Equivalent Dwelling Unit. Discussion ensued regarding Equivalent Dwelling Unit definitions and what it means for each property.

Discussion ensued regarding EDU amounts per unit.

Mr. Harrower thanked Mr. Cohen for being an advocate for his community and voicing their concerns.

Mr. Cross stated that this presentation was good and it is nice to know there are options and some of these ideas might provide for a starting point for the developer to begin discussions on a compromise development option.

5. Adjournment

Mr. Laughlin made a motion for adjournment; Mr. Harrower seconded the motion, the motion passed.

The meeting adjourned at 8:40 P.M.



Bryan T. Havir
Township Manager
Per Holly A. Nagy

Kerlin Farm – 1050 Ashbourne Road Development Options

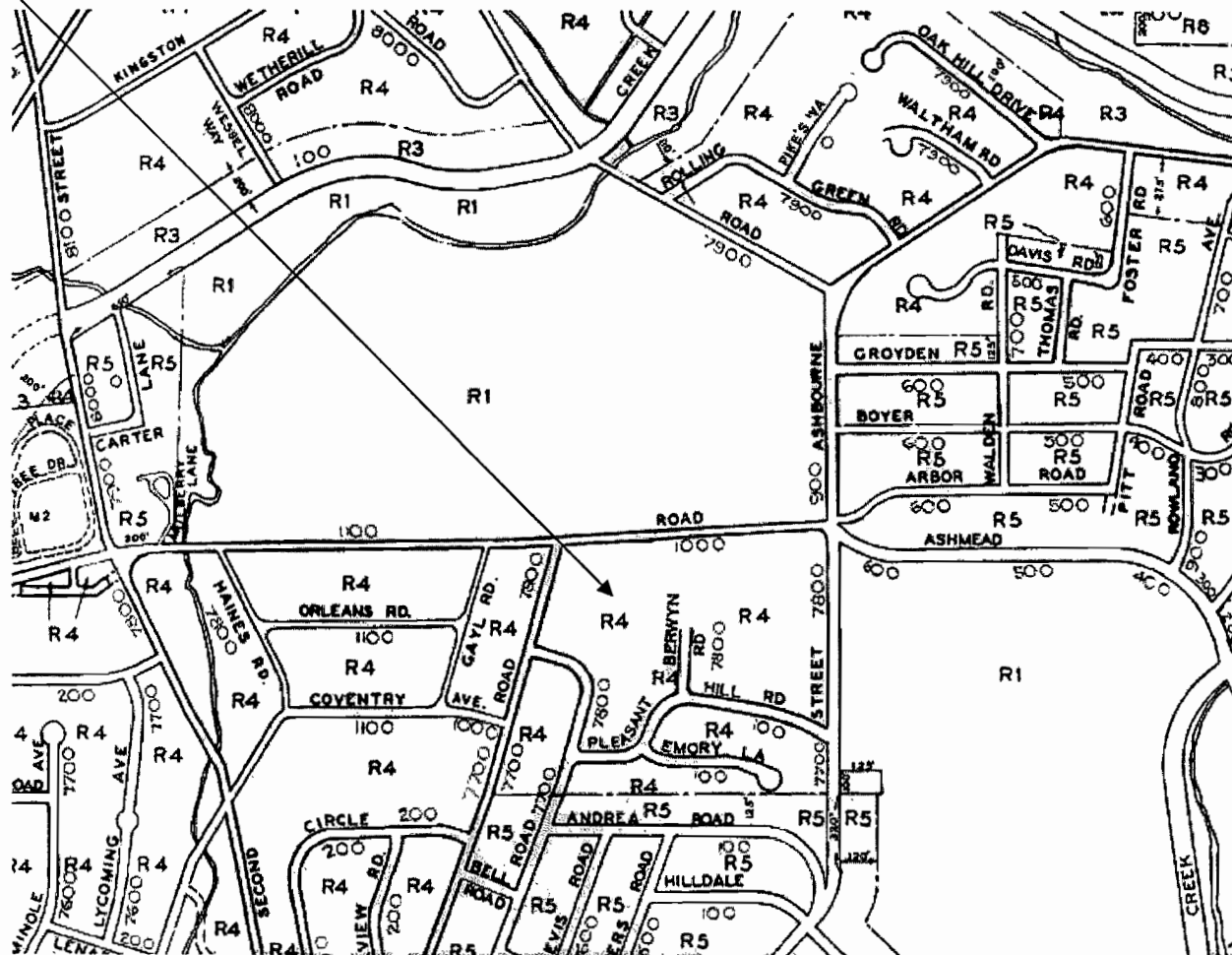
David L. Cohen, AICP

2.24.2013

Kerlin Farm – 1050 Ashbourne Road Development Options

Zoning Context

- R-4 Zoning



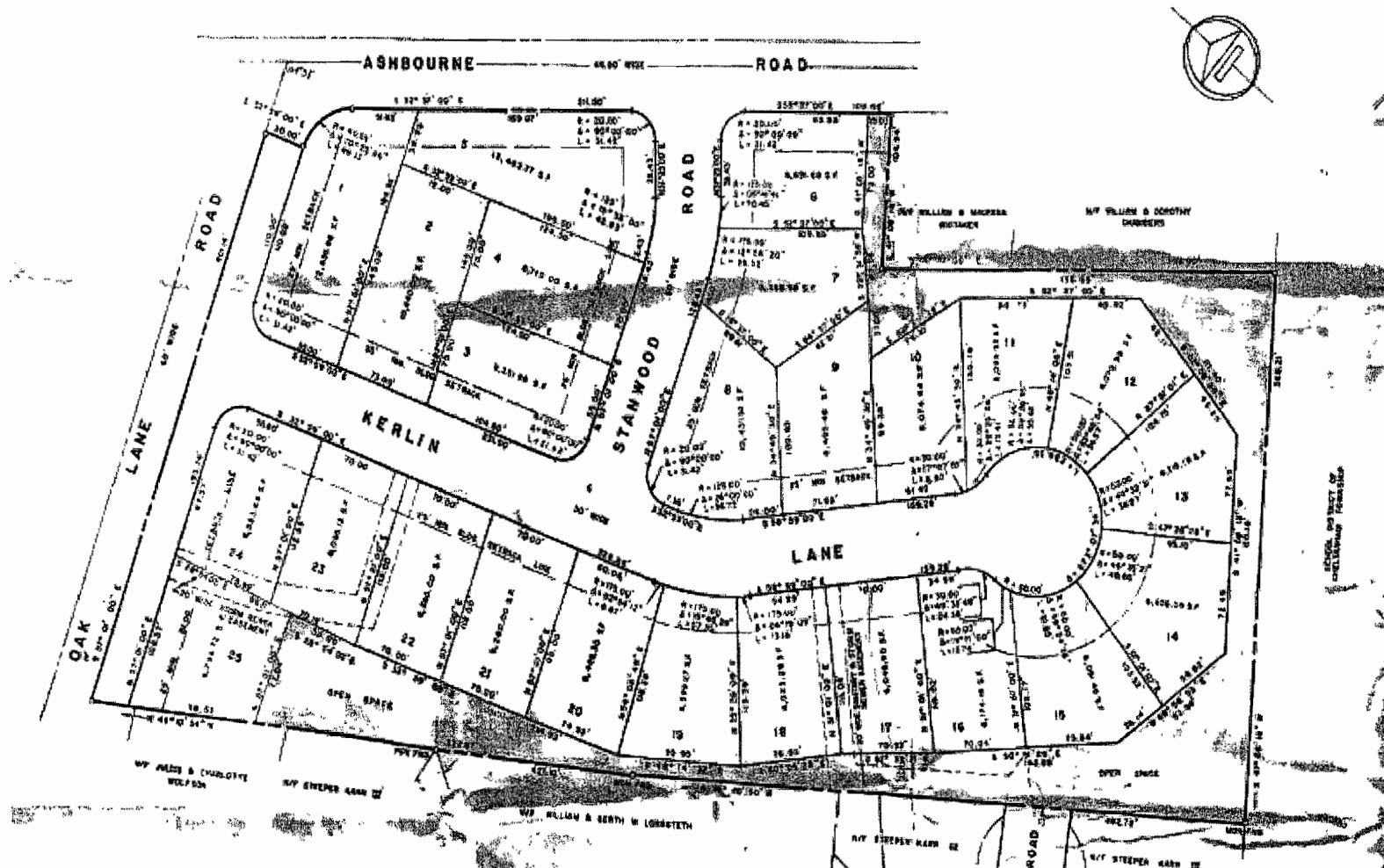
Kerlin Farm – 1050 Ashbourne Road Development Options

History of Development Proposals

Kerlin Farm – 1050 Ashbourne Road Development Options

1977 Proposed Subdivision Plan (never approved)

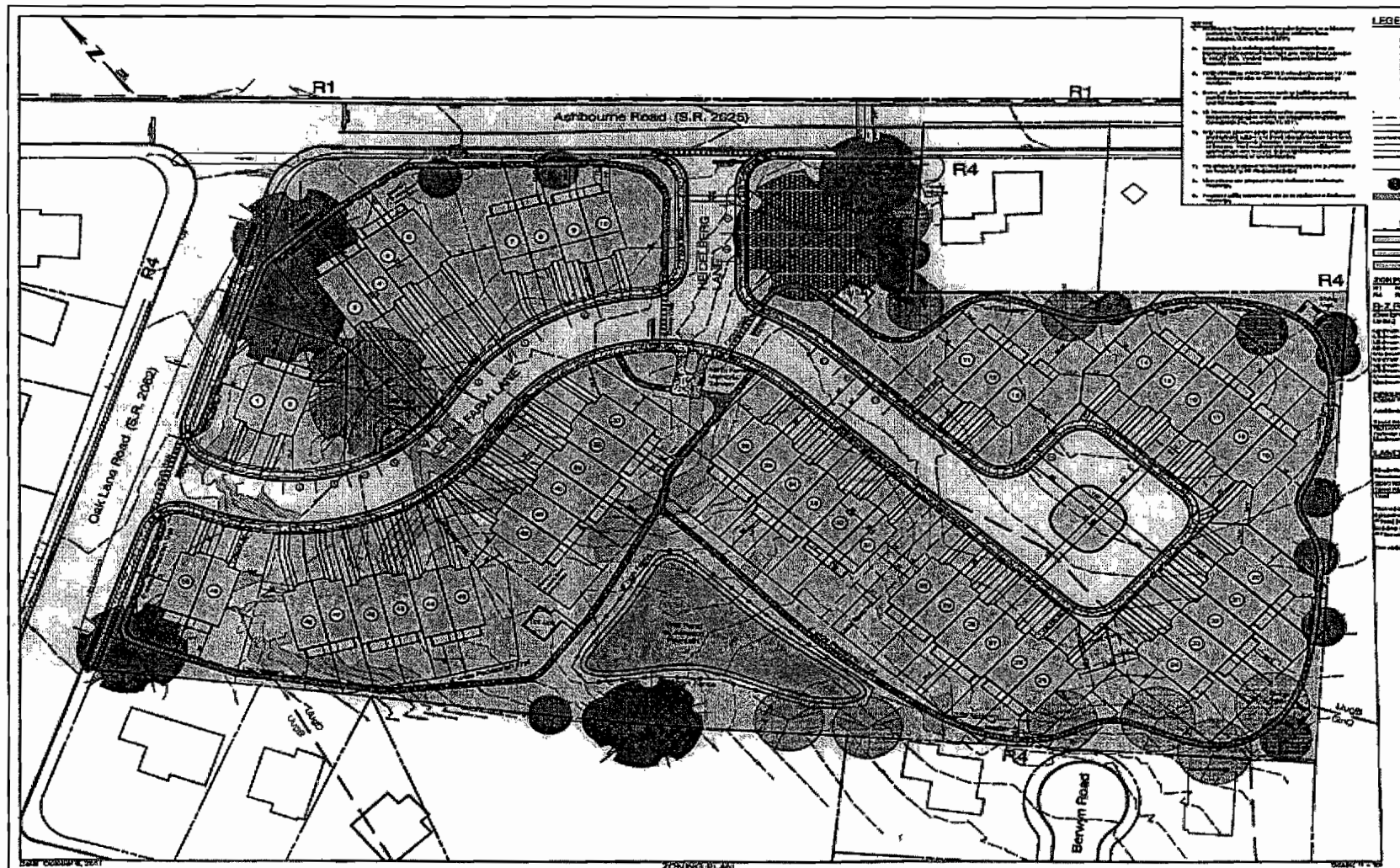
- 25 parcels; not proposed by current owner.



Kerlin Farm – 1050 Ashbourne Road Development Options

2011 Plan (never approved)

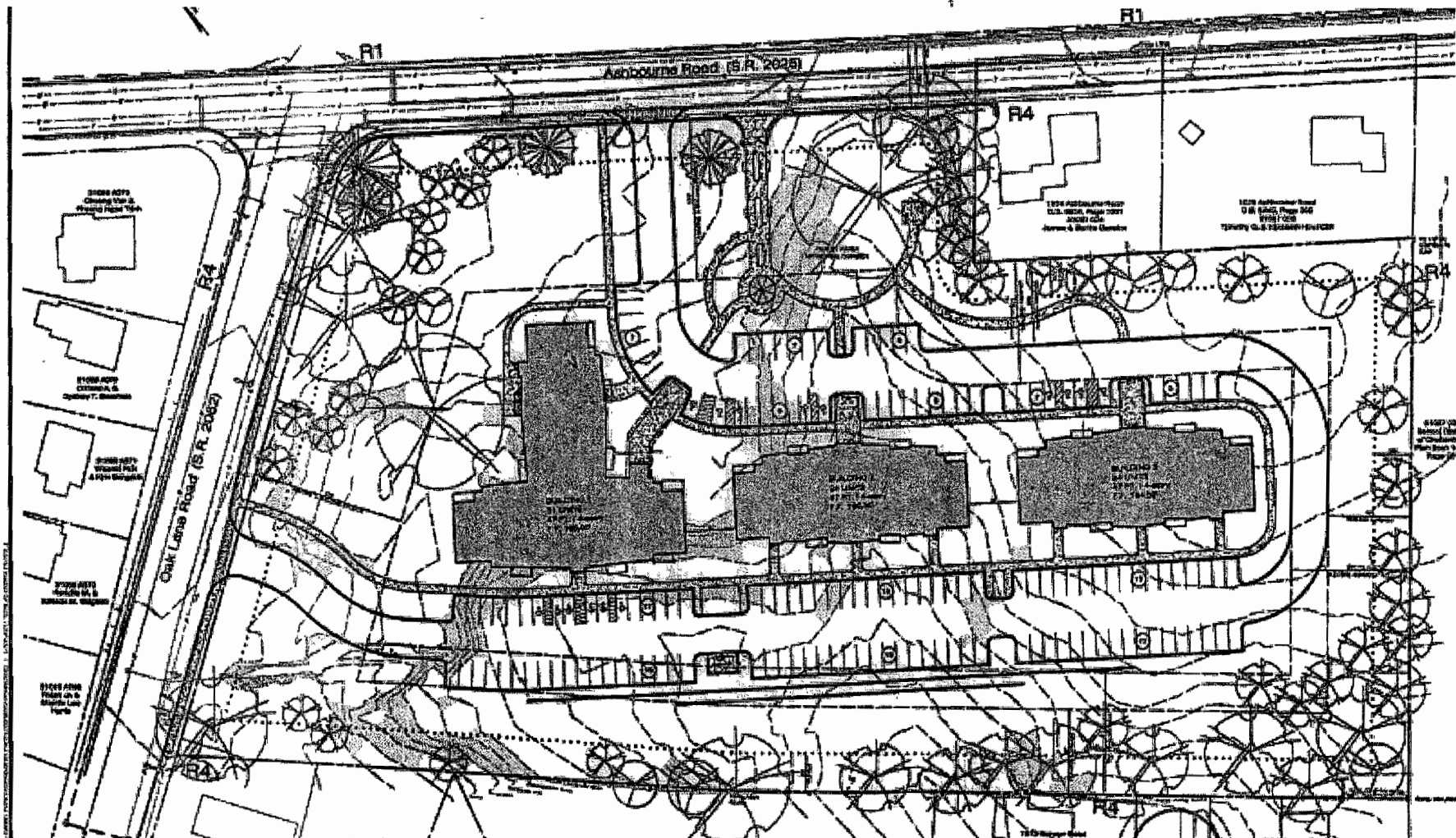
- 50 Units.



Kerlin Farm – 1050 Ashbourne Road Development Options

2012 Plan (Zoning Hearing Board Relief Granted)

- 79 Units in three four-story buildings.



Kerlin Farm – 1050 Ashbourne Road Development Options

Concerns With 2012 Plan (79 Age Restricted Apartment Units)

- Land Use
- Density
- Number of Units
- Height
- Appropriateness of Relief Granted

Kerlin Farm – 1050 Ashbourne Road Development Options

Potential Options

Kerlin Farm – 1050 Ashbourne Road Development Options

Option Summary

Option 1: Single Family Houses (As of Right Plan)

Option 2: Three Three-Story Age Restricted Apartment Buildings

Option 3: Market Townhouses

Option 4: Office and/or Commercial

Notes:

- 1) Other Potential Options And Variables to These Options Exist
- 2) Options 2 – 4 Would Require a Degree of Compromise
- 3) Options Are Discussed On Next Slides

Kerlin Farm – 1050 Ashbourne Road Development Options

Option 1: Single Family Houses (As of Right Plan)

- Use
 - Single Family Houses
- Number of Units
 - Reduce Number of Units to Approximately 12 - 18 Units.
- Stories
 - Two
- Issues
 - Not Desired By Applicant
 - Variances and/or Zoning Code Changes Needed

Kerlin Farm – 1050 Ashbourne Road Development Options

Option 2: Three Three-Story Age Restricted Apartment Buildings

- Use
 - Age Restricted Apartments
- Number of Units
 - Reduce Number of Units to Approximately 55 Units.
- Stories
 - Three
- Issues
 - Height and Land Use Incompatible With Neighborhood
 - Variances and/or Zoning Code Changes Needed
 - Many More Units Than Allowed Under the Underlying Zoning

Kerlin Farm – 1050 Ashbourne Road Development Options

Option 3: Market Townhouses

- Use
 - Townhouses
- Number of Units
 - Reduce Number of Units to Approximately 25 - 30 Units.
- Stories
 - Two
- Issues
 - Not Desired By Applicant
 - Still More Density Than Allowed Under Code
 - Variances and/or Zoning Code Changes Needed
 - Potential Impact On School District Finances

Kerlin Farm – 1050 Ashbourne Road Development Options

Option 4: Office and/or Commercial

- Use
 - Office and/or Commercial
- Number of Units
 - N/A.
- Stories
 - One Story
- Issues
 - Not Desired By Applicant
 - Incompatible Land Use For Area
 - Variances and/or Zoning Code Changes Or Property Rezoning Needed
 - Positive Impact For School District Finances