

**LOWER POTTS GROVE TOWNSHIP
PLANNING COMMISSION**

Meeting Minutes for March 16, 2009

The Lower Pottsgrove Township Planning Commission held their regularly scheduled meeting on Monday, March 16, 2009. The meeting was called to order by Chair, Geoff Dailey, at 6:30 p.m. and the following were in attendance:

Geoffrey Dailey, Chair
Frank Cebular, Vice Chair
Nick Hiriak
Ron Dinnocenti
Michael McGroarty

Alyson Elliott, Assistant Manager
Craig Forwood, Township Engineer
Joseph Nixon, MCPC
Lew Babel, Fire Marshal

A motion was made by Mr. Cebular, seconded by Mr. Hiriak, and unanimously approved by a 5-0 vote to approve the minutes of February 9, 2009, with a typographic correction, as noted by Mr. Cebular.

ACCEPTANCE OF NEW APPLICATIONS

None.

OLD BUSINESS

(#2007-11) **Specht Office Complex:** *Conditional Use Application (#2009-01CU) and Zoning Application (#2009-01)* Proposal to develop an four-acre parcel with an existing 17,951 sq. ft. office building into a three-building office condominium development with a second building consisting of 19,846 sq. ft. and a third building consisting of 13,280 sq. ft. at 1800 East High Street in the LCO Limited Commercial Office District, with the SV Sanatoga Village District Overlay, FP Floodplain Conservation District Overlay and SS Steep Slope Conservation District Overlay. [Plans prepared by Systems Design Engineering, Inc. dated 11-10-2007, last revised 03-26-2008 and consisting of 1 page].

Mr. Dailey recused himself from discussion on this application because of a business relationship with the applicant.

Howard Kalis, the applicant's attorney; Don Wirt, the applicant's architect; Kevin Mohn, the applicant's engineer; and David Specht, the applicant's representative, were all present to discuss this application.

Mr. Kalis introduced the project and explained that he and his colleagues would be presenting the application at this meeting to discuss the relief that will be requested by the applicant in both a conditional use hearing and a zoning hearing in the next month.

Mr. Wirt discussed the applicant's proposal for the two buildings. Building Two would be a total of three stories, with the top two stories visible from Sunnybrook Road. The bottom floor, which would only be visible from the rear and sides of the building, is proposed as a parking area. Mr. Wirt also explained that the building is proposed be longer than 125 feet along Sunnybrook Road, and will require a variance. He said that he has designed a number of setbacks and architectural details, such as dormers, slopes, mixed building materials, and gable ends, into the building to help it look smaller and more interesting from the street.

Building Three is proposed as two stories, with one story visible from Sunnybrook Road. The Sunnybrook Road side of the building would provide access to the second story and the first story would be accessible from the rear of the building. Parking is not proposed under this building.

Mr. Wirt said the intent is to create architecture for both buildings that blends well with other architecture in the Sanatoga Village.

The applicant is proposing to place 16 parking spaces, including two handicap spaces, in front of the two buildings along Sunnybrook Road, which is not permitted under the Sanatoga Village District Overlay provisions. The applicant will also be requesting relief from the parking provisions by approximately 35 spaces. The applicant's current plan shows 179 plans, but they are asking for a grant of relief to 172 spaces, to allow them the ability to move spaces around as they finalize the design. Mr. Kalis explained that the entire site, with all three buildings, will be a condominium development, so all spaces will be able to be shared amongst the three buildings.

The applicant will also be requesting partial relief from the requirement to place sidewalks along the Sunnybrook Road frontage. The applicant is proposing, instead, to place sidewalk on the opposite side of the street, on the National Penn Bank property to create a continuous sidewalk network from East High Street and the northern side of Sunnybrook Road. Mr. Wirt also explained that they will work with their neighbor to create a trail connection from the sidewalk on the far side of Sunnybrook Road through their property (and their neighbors') to Porter Road, where it can form part of the future Sprogels Run trail.

Mr. Wirt discussed the applicant's intent to comply with the Authority and Township Engineer's review letters. He stated that most of the comments will be addressed in later submissions.

Mr. Mohn discussed the need for relief from the ordinance with regard to steep slopes and the floodplain. Mr. Mohn said there are slopes between 15 and 25%, and greater than 25% on the site. With regard to this application, the applicant will only need to request relief to build on slopes greater than 25%, most of which are by Sprogels Run. He stated that the applicant will be minimally encroaching on the slopes by the creek and will be impacting those by the road for the development of Building Two. Since the building will be built into the slope, he stated that it is highly unlikely that the slopes will erode.

The applicant will be grading, constructing retaining walls, pillars for Building Two and parking in the floodplain. There will be no building walls in the floodplain. Mr. Mohn explained that the applicant will perform a flood study to demonstrate that there is no impact on the neighboring properties. The applicant has also agreed to address stormwater issues on an upstream neighbor's property, which may impact some of the design on his project.

Mr. McGroarty asked why parking in the front was necessary. The applicant explained that if they were to push the buildings to the front, as per the ordinance, they would not have enough room, due to the configuration of the lot, to provide enough parking in the back of the building to make the project viable. This design, allows the applicant to provide handicap accessibility on both levels of the new buildings. Mr. Kalis said abundant parking and handicap accessibility is very important for the proposed uses. Mr. Wirt said they will provide adequate screening to block view of the parking lot from Sunnybrook Road.

Mr. Hiriak said he likes the building concept and asked if the applicant intends to change the existing building to match the architecture of the new buildings. Mr. Wirt explained that Mr. Specht has been changing the windows in the existing building to make them larger, but does not anticipate making any changes.

Mr. Nixon asked why the applicant is proposing sidewalk on the opposite side of the street, as opposed to on site. Mr. Mohn explained that it would probably be safer to not have sidewalk on the applicant's property especially given the configuration of the existing driveway.

Mr. Dinnocenti asked if the applicant will be required to do a traffic study because he thinks the traffic light will be too short to accommodate new traffic patterns that result from the buildings. Mr. Mohn and Mr. Forwood said that the project may not warrant a traffic study, but they may be able to work with PennDOT to determine whether the timing can be worked out.

Mr. Forwood said he is concerned about the existing parking in front of Building One. He said that reversing out of those spots can become a safety concern when the other buildings are opened. He suggested the applicant look into removing those spots and creating two defined entrances (not exits) in this area.

Mr. Nixon said that the applicant may need some relief from the requirement for parking islands. He said they might be able to be creative in mitigating the existing nonconformance. He also said he liked that the applicant is using underground basins as stormwater BMPs. The applicant stated that they are not sure if they will work. They will be able to determine this during the design process. They may look into other BMPs, such as permeable paving as other options.

Mr. Babel said he is ok with the design so far.

Mr. Dinnocenti pointed out that the proposed shrubs might be problematic for site distance. The applicant stated that they will work that out during the design process.

Action: A recommendation was made by Mr. Dinnocenti, seconded by Mr. Hiriak, and unanimously approved by a 4-0 vote, with Mr. Dailey abstaining, to support the Specht Investors, LLC applications for conditional use and zoning variances from the following sections:

- Conditional use for §425.5 and §425.8 to build upon or otherwise disturb a portion of the steep slopes in excess of fifteen percent in the Steep Slope Conservation District;
- Conditional use for §505.F. and §505.G. to conduct grading activities and construct driveways and parking areas in the Floodplain Conservation District;
- Variance from §425.4 to allow a use other than those permitted in the steep slopes provisions by right;
- Variance from §504 to allow an office building use in the Floodplain Conservation District;
- Variance from §1803.B.6 to permit a reduction in the number of required parking spaces from 205 to 172;
- Variance from §2111 to permit an extension of the time period for the expiration of variances granted from 6 months to 18 months to accommodate the land development approval process;
- Variance from §2808.2 to permit a proposed building width of 150 feet in the Sanatoga Village District Overlay;
- Variance from §2809.1 to permit parking in the front yard;
- Variance from §2810.2 to allow deviation from the requirement of providing sidewalks along the property's road frontages.

Subject to the following conditions:

1. Total gross building square footage for the site shall be no more than 49,250 total gross square feet.
2. No less than 172 parking spaces shall be provided unless the applicant reduces the building sizes to meet the Township's parking ordinance requirements.
3. The parking lot along Sunnybrook Road shall be sufficiently screened from view by landscaping and architectural elements.
4. Applicant shall provide sidewalk along Sunnybrook Road on the opposite side of the Road from the applicant's property where missing and shall retrofit existing sidewalk where necessary to provide appropriate connections to the applicant's property, including but not limited to handicap ramps, crosswalks, and signage. The applicant shall also provide a macadam trail from their property line on

Sunnybrook Road (in line with the sidewalk and crosswalk on the opposite side of the street along the property line to its terminus with the neighboring property (currently owned by Fisher & Scheler). Applicant shall also agree to negotiate in good faith with their neighbor to continue the trail through their neighbor's property to Porter Road.

5. Applicant shall include BMPs that reduce the development's impact on the floodplain, including the use of a permeable paving system and additional plantings.
6. Applicant shall provide architectural details, as approved by the Township, to break up the length of proposed buildings. Current proposed designs are supported by Township staff. Any changes to the proposed designs shall be approved by Township staff and/or the Planning Commission and Board of Commissioners, as determined appropriate.
7. Applicant shall be required to develop the site as a condominium or other form of development that requires certain common area and an owners' association, since the applicant has represented that traditional lot lines are not intended.

Bryan R. Cogliano, 1181 Mulberry Street, zoning application review.

Ms. Elliott submitted to the Planning Commission, the applicant's revised application for a garage addition on his property at 1181 Mulberry Street. She explained that the applicant revised his plans from a two-story detached two-car garage to a one story, two-car garage and living space addition that would have less encroachment into the side and front yards than the original proposal.

Action: It was a consensus of the Planning Commission not to submit comments on this application and let it stand on its merit.

NEW BUSINESS

#2009-01G Occidental Chemical, 375 Armand Hammer Boulevard, grading permit

Mr. Forwood introduced the grading permit for Occidental Chemical, which is to rough grade the site after the demolition of the tire plant. At a later date, BCW Associates will be submitting another grading permit to fine grade the site to create a parking lot, drive, and access to its warehouse. Mr. Forwood's comments were as follows:

- He would like to have a better understanding of the timing between Phase I (Oxy grading) and Phase II (BCW grading) so he can determine the appropriateness of the erosion and sedimentation control measures.
- He said that the proposed 1% grade is too flat for grading and would like to recommend a change to improve drainage.
- He said that the applicant should submit photos of the buildings, which are being required by the Pennsylvania Historic and Museum Commission, to the Township as well for historic documentation.

Action: A motion was made by Mr. Cebular, seconded by Mr. McGroarty, and unanimously approved by a 5-0 vote to recommend approval of the grading permit, subject to working out the details of the items discussed by Mr. Forwood.

OTHER BUSINESS

Pottstown Metropolitan Region Planning Committee

Ms. Elliott reported that the PMRPC had an ambitious meeting last month and not all agenda items were covered. The following main items were discussed: presentations on the Pottstown Regional Parks &

Recreation Plan, the R-6 Extension, and Earth Hour 2009. She said the Township had passed a proclamation to participate in Earth Hour (March 28, 2009 from 8 a.m. to 9 a.m.).

Zoning Ordinance Rewrite

Mr. Nixon said he is continuing to work with the Township on rewriting the Sanatoga Village District Ordinances.

Mr. Doyle asked what developers are giving to the Township in exchange for waivers and variances, because he did not think the Township asked for anything in return. Ms. Elliott explained that the Township negotiates with each applicant on a case-by-case basis. For instance, applicants have typically planted trees in Township parks or in other locations on the property, in exchange for certain landscaping waivers.

There being no other business, a motion was made by Mr. Hiriak, seconded by Mr. McGroarty, and unanimously approved by a 5-0 vote to adjourn the meeting at 7:50 p.m.

The next meeting of the Planning Commission is scheduled for April 20, 2009 at 6:30 p.m.

Respectfully submitted by:

Alyson Elliott, Assistant Manager