

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
WORKSHOP MEETING
NOVEMBER 7, 2013

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Thursday, November 7, 2013, in the Township Building. The meeting was called to order at 7:33 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Greg Philips, Greg Waks, and Carole Kenney. Also present were: David Kraynik, Township Manager; Joseph McGrory, Township Solicitor; Rob Loeper, Township Planner; Judith A. Vicchio, Assistant Township Manager; Angela Caramenico, Assistant to Township Manager. Supervisor Bill Jenaway and Supervisor Erika Spott were absent.

CHAIRPERSON'S COMMENTS:

Chairman Waks reported an Executive Session was held prior to this meeting to discuss legal matters.

DISCUSSIONS:

CLJ REAL ESTATE DEVELOPMENT PLAN. 455 W. DEKALB PIKE. DEMOLISH EXISTING GAS STATION/CONVENIENCE STORE AND CONSTRUCT A 3,230 SQ. FT. AUTOMATED CAR WASH FACILITY INCLUDING PAVED PARKING AND CIRCULATION, SIDEWALKS, LANDSCAPING, LIGHTING AND OTHER SITE AMENITIES. 0.49 ACRES, C-1 COMMERCIAL

Utilizing the aerial, Mr. Rob Loeper, Township Planner, pointed out the location of 455 West DeKalb Pike, the triangular property adjacent to the Turnpike, and the surrounding properties including a gas station, convenience store and truck rental business. The applicant is proposing a 3,000 square foot car wash for which certain relief has been received from the Zoning Hearing Board for the front yard setback, side yards and a minimum green area. Currently there are two curb cuts on DeKalb Pike. The curb cut on the west side of the property closest to the Turnpike will be closed and replaced by one current cut; the plan is to have cars come in and make an almost complete U-turn. Mr. Loeper pointed out the location of the pay booth and parking for ancillary services. There are several waivers associated with this plan mostly involving landscape requirements which staff and the Shade Tree Commission have not reviewed as yet. The site is currently 100% impervious, and while there will be some reductions in impervious there will be some stormwater on the site.

It was noted that the property is an older site in need of upgrade from an appearance standpoint.

Utilizing the aerial, Mr. Matthew Rutt, architect, highlighted various views of the site when traveling northbound and southbound on 202. He also featured photographs of other car washes they have done which are similar to the proposed development plan.

Mr. Waks noted the site is currently without sidewalks and sidewalks would certainly be preferred in accordance with Board's grand design for the township. Mr. Loeper commented the plan has been sent to the Township Engineer for review as well as McMahon Associates for any highway related issues, such as stacking. He also indicated the applicant has been requested to provide information about the hours of operation since that would impact stacking.

Mrs. Kenney asked for clarification about the impervious. Response: it would be 77% down from 100%.

Mrs. Kenney asked if the demolition would include removing underground fuel tanks. Response: underground fuel tanks would be removed. It was also mentioned that the water is 80% recyclable.

Without further comment from the Board and/or public this matter was referred back to staff.

THE TAMMARO GROUP. SUBDIVISION PLAN. 1020 MOUNT PLEASANT AVENUE, 2-LOT SUBDIVISION W/ONE TWIN FAMILY DWELLING. R-3 RESIDENTIAL, 0.33 ACRES

Mr. Loeper stated Mount Pleasant Avenue is an older, narrow street within the township, borders Chester County and Tredyffrin Township, and backs up to the Woods at Wayne development. Utilizing the aerial, Mr. Loeper pointed out the location of the property and indicated it is a relatively simple 80-foot wide two-lot subdivision with one twin family dwelling with garages and a driveway. Based on preliminary review, it complies with all zoning requirements. While the record plan does not show a sidewalk, after speaking with the applicant, Mr. Loeper indicated the applicant would be installing sidewalks. He noted most of the street does not have sidewalks. No waivers have been identified at this point in time with the plan. The applicant will be installing stormwater infiltration and the plan has also been sent to the Township Engineer for review.

Mr. Waks asked if any conversations were held with the Woods at Wayne Homeowners Association. An unidentified woman responded in the negative. Mr. Waks emphasized as a courtesy, it is important to have a discussion as soon as possible with the Woods at Wayne Homeowners Association, especially with

regard to stormwater.

Without further comment from the Board and public, the matter was referred back to staff.

VILLAGE AT VALLEY FORGE DEVELOPMENT PLAN. VALLEY FORGE GOLF COURSE. FINALIZATION ON INTERNAL ROADWAYS OF PHASE 1 COMMERCIAL DOWNTOWN, BRYCE LANE, MARKET STREET & SOMERSET PLACE, INCLUDING BASIN C, COURT STIPULATION, 16.06 ACRES

Utilizing the aerial, Mr. Loeper pointed out the Master Plan as it is currently shown with the existing Wegman's, the proposed CHOP construction and the area that is proposed as the downtown or commercial area in the center of the site. An application is anticipated in the near future for the housing portion of the property. The current plan covers Bryce Lane which connects Swedesford Road to Village Drive, Somerset Place and the extension of Market Street from the existing Village Drive over to South Goddard and also includes basin C (by the corner of Guthrie and Swedesford) which exists but will be reconfigured. No other improvements are associated with this plan in terms of buildings or structures. It is solely a road plan at this point in time.

Mr. Maloomian stated the plan represents the balance of the streets that either have not been built or have not already been approved.

Mr. Kraynik stated the next business meeting will include an agenda item to authorize the Solicitor to prepare a Resolution. Mr. Loeper indicated he would coordinate with the Solicitor's office on this matter.

SIMON PROPERTIES DEVELOPMENT PLAN. KING OF PRUSSIA MALL. CONSTRUCTION OF A BUILDING TO CONNECT THE PLAZA AND COURT CONTAINING RETAIL, RESTAURANTS AND COMMON AREAS. (183,937 SQ. FT) SC-SHOPPING CENTER, 127 ACRES.

Mr. Rob Loeper, Township Planner, indicated the specific issues to be discussed are parking, the issue of pedestrian connection, and landscaping with regard to the proposal to substitute shrubs and trees. He indicated that the applicant has been working with the township regarding the coordination of the activity that will take place during construction because of various closures that will occur. In addition, there will be an upgrade to the Mall Boulevard Traffic Signal system as a result of this application. McMahon and Associates have been directly involved with PennDOT on the traffic-related issues. Mr. Loeper noted the engineering issues have been reduced to a minimum.

Mr. William G. Jackson, Vice President, Development, Simon Property Group, followed up with some of the questions that arose at the last meeting. He indicated that the applicant would be able to comply with the tree requirement on

the site. He indicated the applicant has also indicated they could get a waiver and donate 60 trees or have a combination of the two options, but it is up to the Board of Supervisors.

Mr. Keith J. Marshall, PE, Project Manager, Nave Newell, indicated the applicant has resubmitted plans today to “clean up” the final items in the letter. He indicated the applicant is compliant with the landscaping throughout the entire property.

Mr. McGrory asked if the plans submitted today include his suggested changes, and he received an affirmative response. Mr. McGrory asked if the applicant provided Marc Kaplin, representing the Pavillion, with a copy of the plans. Mr. Marshall responded they did not send him a copy directly. Mr. McGrory suggested they send a courtesy copy of the plans since he met with Mr. Kaplin and Mr. Kelsen and they indicated as a courtesy this would be done. Mr. Marshall indicated he provided Mr. Kelsen’s office (representing Simon Properties) with copies of the plans for their distribution. Mr. McGrory asked Ameer Farrell, Kaplin Stewart, representing PS Court Associates, the owners of the Pavilion, if she copied Simon Properties on the submission they made to the Township with all of the exhibits. Ms. Farrell indicated that material went out yesterday to Peter Kelsen. Mr. McGrory indicated he needs to have Mr. Kelsen respond to what Mr. Kaplin submitted for inclusion in the record and when there is a land use appeal it can then be taken up as part of the record instead of having a series of hearings.

Mr. Marshall stated the plans resubmitted today as well as the plans originally submitted to the township are completely compliant with the landscaping ordinance and a waiver is not necessary. He mentioned there was a suggestion by the Planning Commission some of the trees could potentially be taken off the site and donated to the township which would require a waiver. Utilizing the aerial, Mr. Marshall pointed out the areas for existing landscaping, what is being proposed, and the proposed trees which could potentially be taken off and donated to the township. Mr. Marshall indicated the applicant’s position is that they have a compliant plan and unless they hear otherwise from the Board, the applicant will move forward with this plan being compliant, not donating trees and not asking for the waiver.

Mr. Philips stated he would prefer seeing the trees on the site as opposed to donating them. Mr. Jackson indicated the applicant is proceeding on that basis.

Referring to the October 17th business meeting, Mr. Philips followed up on the status of the issue of the area underneath the parking deck requiring drivers to back into the road. Mr. Marshall responded the suggestion that he and Mr. Loeper had talked about was the access aisle which goes underneath the parking deck and then underneath the building and the applicant is looking at

reconfiguring the design. He wanted to meet with Mr. Loeper and get his thoughts to make sure he is okay with what is being proposed.

Mr. Philips asked how many additional stores and square footage will be added. Mr. Jackson responded the application is about 180,000/190,000 additional square feet, but when taking into consideration the 123,000 square footage of the former Strawbridge's, it is only a net 66,000 additional square footage from the site.

Mr. Philips pointed out this goes to his question about parking and the applicant's waiver to reduce to 4.25. Mr. Marshall indicated that was correct. Mr. Philips asked if there would be enough to accommodate the parking when the square footage is multiplied by 4.25. Mr. Jackson responded in the affirmative based on their traffic studies for their operations.

Mr. Loeper stated staff did a quick review when they looked at the ten largest malls in suburban locations throughout the United States and they were surprised to see the ratios significantly lower than what the township's requirements are.

Mr. Philips asked again if there are enough parking spaces to accommodate the square footage even taking the 4.25 number times all the square footage in this mall. Mr. Marshall responded in the affirmative. Mr. Philips asked if this includes all the restaurants and everything else. Mr. Marshall responded in the affirmative and said the square footage on the record plan covers not only the two buildings plus the Connector, but also all the out parcels that make up the property. He indicated for the square footage using the 4.25 they have parking spaces over that number.

Mr. Philips asked Mr. Loeper about the current [ratio] number. Mr. Loeper responded the current number is a flexible number. The first million is 5.5, the next million is 5, and anything over that is 4.5 or 4.

Mr. Philips expressed continued concern about the parking.

Mr. Waks stated at the last business meeting a picture was shown of the parking garage on Black Friday and there appeared to be parking spaces that were available on the top level of the parking garage. He said some people do not realize there are parking spaces there and just drive around the regular lots. Mr. Waks asked if the applicant has thought of anything that would work to encourage people to use those parking spaces to reduce overall congestion. Mr. Marshall responded they have talked about providing information inside the mall to let people know where the parking decks are; however, most shoppers drive around and look for the most convenient space.

Mr. Philips mentioned that Neiman Marcus has valet parking and asked if other stores have that amenity. Mr. Jackson responded possibly some of the restaurants do. He pointed out an area that is used from time to time as a valet location, but not currently operating. He said it is the applicant's intention to provide a valet and pointed out a possible location.

Mr. Philips suggested having the valet service on the top level. Mr. Jackson responded the valet company likes to have a three minute turn around to retrieve the car and get back to the driver. The parking decks would require using the elevator and require more time.

Mr. Waks asked if anything has been done to follow up on the point he raised at the last business meeting to have mall employees park at the Lockheed Martin lot on days like "Black Friday." Mr. Jackson responded for the last ten years they have had three shuttles circling the mall. Currently employees are asked to park in the most remote parking area and in some instances in the past they have been asked to park outside of the mall parking lot. Mr. Jackson indicated they have tried to use Lockheed Martin in the past, but that has not met with success. He indicated they can work with the Business Improvement District and find an office development or location if there is a need to move vehicles in the future.

Mr. Waks suggested having the employees use the upper deck. Mr. Jackson agreed.

Mr. McGrory asked about the peak parking plan that was proposed. Mr. Loeper responded the Wells Parking Study was in one of the informational packets. Mr. Jackson indicated there is a plan Bob Hart puts together for the holiday and he does not know if it has been circulated or not, that shows where the employees will shuttle. Mr. Hart indicated that would begin on "Black Friday." An unidentified member of the group asked if a copy of that could be obtained and circulated to the Board. Mr. Jackson indicated one of the things that can be done is during the peak time to require the tenants to have employees park on the top level.

Mr. Philips asked about plans for the Plaza level since there were questions about planning and streetscape. Utilizing the aerial, Mr. Jackson pointed out the parking lane. He said the additional walkway will remain except they plan to renovate or replace the canopy with a lighter weight one, but it is not one of their priority designs currently since they are still working on the design of the building. They still plan to have a landscaped seating area and the outdoor plaza will have various access points for their new entrance. The patio seating will depend upon the retail and restaurants. There will be some portion for just general customers that are not visiting a restaurant and that design has not been finalized as yet. Macy's is looking to redo their canopy so the connection will be covered all the way. The design is still a work in progress.

Mr. Waks asked about the proposed construction schedule. Mr. Jackson responded once approvals and permits are in place, demolition will start in late January or early February. He explained the parking deck will be taken down piece by piece and hauled off in an orderly process.

Mr. Philips asked for additional clarification about the parking deck, and Mr. Jackson pointed out the location of the area that is being taken down.

Mr. Philips asked if only a portion of the garage is being taken down. Mr. Jackson pointed out the area that will remain that has the ramp system; they will build a new infill deck where Strawbridge's used to be. There will be a three-level infill deck, the ramp system will be used to provide parking and the second level will have a major access point into the Connector.

Mr. Jackson stated there will be some bike ramps where appropriate. He said it is part of management's job to evaluate amenities to parking on an ongoing basis.

With regard to the reference to a green roof at a previous meeting, Mr. Marshall stated the applicant is reducing impervious with this plan and is complying with the township's stormwater ordinance. Utilizing the aerial he pointed out the area of the proposed large underground basin, a smaller system, six rain gardens throughout the property, an underground drain and soil filter system. The applicant received a review letter from the Conservation District and is addressing their comments and will be submitting them back to the District shortly. Mr. Marshall noted the applicant's design is complying with NPDES requirements.

Mr. Philips asked about the integrity of a particular area on the plan. Mr. Jackson responded they will do the necessary construction upgrades if necessary and this will be included as part of the whole building permit package. Mr. Jackson also indicated the applicant is making sure the lighting is upgraded.

Mr. Philips pointed out an area of parking that is very constricting. Mr. Jackson responded it is something they continue to look at, but it is not part of the plan at this point.

Mrs. Kenney asked if the applicant could take another look at signage to assist visitors in finding their way around the mall. Mr. Jackson said that is on their "to do" list. He said the applicant is looking at upgrading all of their way finding signs and adding some pedestrian way finding signs as the planning commission recommended. The applicant is looking at the total signage plan as well as certain tenants that want to have certain signage. The applicant will present one signage package.

Mr. Philips pointed out the area where there will be retail and asked if there is going to be the traditional center aisle with stores on either side. Mr. Jackson responded the particular area Mr. Philips pointed out is more of an architecturally-treated wall. It will be the traditional mall down the center on both sides with the service corridor in the back of the store. They are looking at all kinds of new design treatments and it will be tastefully done, but it will not be just a blank wall on both sides.

Mr. Philips asked if it would be like what the Container Store is doing. Mr. Jackson responded the Container Store is going to be a metal finish. The applicant will not have metal panels. They are going to have an architecturally treated wall.

Mr. Philips indicated a service corridor is needed, but commented from the standpoint of the merchants they would want customers to be able to see the activity.

Mrs. Kenney asked how deliveries are made to the store. Mr. Marshall pointed out the large service loading area and the service elevator that goes up to the top. He said it is similar to how the rest of the mall works because a loading dock is on grade and they have to take it through elevators. Mr. Jackson pointed out the area where the restaurants will be serviced.

Mr. Philips asked about access for tractor trailers. Mr. Marshall responded they have run various scenarios and tweaked it to make that work. He said they have made sure their clearances are well above what is actually required on the road.

Mrs. Kenney asked about access for tow trucks in the parking decks. Mr. Jackson responded there is ample room for the tow trucks for the parking deck.

Mr. Waks asked if there was anything else from the Board, management, the Solicitor's Office, or any comments from the public on this plan.

Mr. McGrory asked Amee S. Farrell, Kaplin Stewart, if she had any questions. She responded in the negative, but indicated she would like to see the plans. Mr. McGrory said they were just submitted today. Ms. Farrell expressed interest in seeing the responses from the planning commission. With regard to the Board of Supervisors meeting on November 14th, Mr. McGrory stated the only action would be for the Solicitor to draw up a Resolution for the December meeting and there is still time for the [planning commission] response. Ms. Farrell said, "okay."

Mr. Waks stated the most that would be done at the November 14th business meeting would be to authorize Mr. McGrory to draft appropriate documentation for the December 5 meeting. Mr. McGrory assured Ms. Farrell

that her client's legal arguments have already been incorporated into the record and the transcript from the last meeting. Ms. Farrell said, "okay."

Mr. Philips asked for clarification about the procedural process. Mr. McGrory responded he does not want to have a hearing. He is giving people the opportunity to submit what they would have introduced in a hearing so that it can be reviewed on appeal. He said when the land use appeal is in order a certified copy of the Record will be sent to the Court with all of the supporting documentation as part of this file. It was agreed by the respective attorneys not to have a hearing and everyone agreed this would accomplish the same thing.

PEP BOYS DEVELOPMENT PLAN. 214 EAST DEKALB PIKE.
CONSTRUCTION OF A 14,372 SQ. FT. AUTOMOTIVE SERVICE AND RETAIL
FACILITY WITH ASSOCIATED PARKING AND SITE IMPROVEMENTS.
DEMOLITION OF FORMER KUNDA SIGN BUILDING. 2.13 ACRES. CO & HI

Utilizing the aerial, Mr. Loeper pointed out the site of the old Kunda Sign Building at the front of the property. The applicant proposes to build the 14,000 square foot store towards the middle of the site with the detention basin to the back and parking in front. The key issue has been circulation and access. The access into the site is a private road which is actually owned by CSX which used to be owned by the Kunda family. There are various other businesses in the back that gain their access from this site. One of the key issues has been the difficult egress from the private road in the PM peak hour. After conversations with the supervisors a second GAP transportation study was done in coordination with McMahon Associates on behalf of the township. Mr. Loeper referred to the Transportation Authority discussion about the Prince Frederick Street Extension proposal which has been on the Comprehensive Plan for some time. It is a planned roadway extending from Henderson Road to a new Saulin Boulevard Extension. Mr. Loeper indicated if this road could be built the two private roads providing access to most of the properties adjacent to the subject site could be extended to provide an alternate access out the back.

Ms. Debra Shulski, Esq., representing the applicant, stated an additional traffic study by Traffic Planning & Design, Inc. (TPD) was done at the private driveway on US 202 to reflect two additional dates when school was in session and counting for heavy vehicle truck percentages.

The applicant's traffic engineer from TPD discussed the revised GAP study and it is their opinion that the second GAP analysis validates the first analysis that was done. It was indicated whether it is a southbound left turn or eastbound right turn, the vehicles would have sufficient gaps to exit safely and efficiently. Casey Moore, McMahon Associates, indicated TPD did what they were asked to do and the results were very similar. There were some slight differences, but nothing that indicated a drastic reduction in gaps. Mr. Moore noted the proposed use for the site is not a heavy traffic generator in terms of

amount of traffic as opposed to a convenience store. He reiterated what Mr. Loeper referred to with regard to continuing to search for a longer term solution not only for this site but for the whole area as it redevelops.

As discussed at the last meeting with Pep Boys, Mr. Waks asked if their representatives met with some of the other land owners to have one central ingress/egress access. Ms. Shulski indicated that was not her understanding. A discussion followed about the idea of extending the drive to enable a left turn egress onto Saulin Boulevard with a type of floating easement along that property line that would allow for that access to happen. Ms. Shulski indicated her recollection was the applicant agreed to extend an access to the edge of their property to make it possible for a connection if it were to be built.

Mr. McGrory inquired about the existence of an official street map which would include all the anticipated road build outs in the township, and when he was informed there is none, he suggested drafting an ordinance and adopting an actual map in the future.

Ms. Shulski commented a lot consolidation plan is being prepared and will be part of the applicant's submission and probably go in early next week. Mr. McGrory offered suggestions on the sequence of actions for the applicant to take once the lot consolidation is obtained.

ADJOURNMENT:

Without further comment from the Board and public, it was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to adjourn the workshop meeting at 8:50 p.m. None opposed. Motion approved 3-0.

DAVID G. KRAYNIK
SECRETARY-TREASURER/
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered: