

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
ZONING WORKSHOP MEETING
JANUARY 8, 2015

The Board of Supervisors of Upper Merion Township met for a Zoning Workshop Meeting on Thursday, January 8, 2015 in the Township Building. The meeting was called to order at 5:00 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Greg Waks, Erika Spott, Greg Philips, Bill Jenaway and Carole Kenney. Also present were: David G. Kraynik, Township Manager; Sally Slook, Assistant Township Manager; Joe McGrory, Township Solicitor; John Walko, Solicitor's Office; Rob Loeper, Township Planner; Scott Greenly, Associate Planner.

CHAIRPERSON'S COMMENTS:

Chairman Philips stated an Executive Session was not held prior to this meeting.

DISCUSSIONS:

FINAL REVIEW AND DISCUSSION OF CL LIMITED COMMERCIAL DISTRICT, BEGIN REVIEW OF COMMERCIAL DISTRICTS CN (NEIGHBORHOOD COMMERCIAL), CG (GENERAL COMMERCIAL) & SC (SHOPPING CENTER DISTRICTS)

Mr. Rob Loeper, Township Planner, opened the meeting with continued discussion regarding the proposed Limited Commercial zoning district. The Limited Commercial district had been discussed at length in previous workshop meetings. The proposed district would replace the CO Commercial Office district currently zoned along US 202, directly across from the King of Prussia Mall. Mr. Loeper focused discussions on determining what standards should be included within the Township Zoning Code and which standards should be included as part of the Subdivision and Land Development Ordinance (SALDO). Discussions were focused on requirements for pedestrian facilities, as well as requirements for refuse collection facilities. The board discussed standards for setbacks, verges and maximum building heights. The existing CO district allows for a maximum building height of 65 feet, proposed Commercial Limited district allows for a maximum 35 foot building height. Mr. Loeper referenced a map of the existing CO districts, which not only includes the area across from the mall, but also area on E. DeKalb Pike near Ivy Lane properties just north of the King of Prussia Mall as well as on South Gulph Road near the intersection with

Henderson Road.

Mr. Loeper explained the newly created definitions for the Commercial Limited District, including new definitions for mail services, distributed antenna systems, retail bakery, verge, urgent care, continuing care retirement community and pawn shop.

Mr. Loeper presented the Board with the option of creating a separate SALDO for the Commercial Limited district, similar to what had been passed with the creation of the newly adopted King of Prussia Mixed Use zoning district. There was discussion as to the creation of a "Design Manual," similar to what is required in the King of Prussia Mixed Use district requiring building renderings, elevation and 3D models. Mr. Loeper mentioned the planning division has certain capabilities to create 3D models, but it was the general consensus that the creation of such models should be the responsibility of the applicant.

Discussion then focused on creating a separate ordinance for Distributed Antenna Systems (DAS). Mr. Loeper explained that DAS systems are becoming more popular in the area, and that the planning department had recently been contacted regarding procedures regarding the installation of DAS in the area. Township Solicitor, Joe McGrory, commented he believes the township should adopt a separate ordinance regulating the use and installation of DAS within the entire township and recommended staff review recently adopted ordinances in townships such as Limerick and North Hampton.

A discussion followed regarding the remaining commercial districts, including the CN Neighborhood Commercial, CG General Commercial and the SC Shopping Center districts. Mr. Loeper presented the Board with the first draft of the new Commercial Districts, maintaining the same format as the previously adopted districts using a "use matrix" to delineate the permitted and non-permitted uses within each of the previously mentioned districts. Mr. Loeper presented a map created by planning staff detailing the location of all the commercial districts in the township, but also detailing each specific commercial district and where staff was proposing the location of the new commercial districts.

Members of the Board noted that while a large scale grocery store may not be appropriate for the Neighborhood Commercial district, that a smaller, neighborhood grocery store should be allowed, noting that small community grocery stores are becoming more common. Members of the Board also noted that the Neighborhood Commercial district should also allow uses for interior design, retail paint stores and sales of gifts and novelties. The Board directed staff to create a map showing the existing township zoning districts, overlaid with the zoning districts being proposed to be presented at the next zoning workshop meeting. Members of the board also questioned why a veterinary office or clinic was not allowed in the Neighborhood Commercial district. It was expressed that

in the interest of creating a more walkable community, being able to walk to a veterinary clinic would be a great benefit. It was also suggested to add dance studio and tailor to permitted uses in the Neighborhood Commercial district.

The Township Solicitor asked planning staff if our current ordinance contained definitions for psychiatric facilities. Mr. Loeper explained that some of our medical definition includes these types of facilities in a broader sense. It was determined that a stronger definition should be decided upon and included in revisions to the township zoning code.

It was questioned as to why educational services were allowed in all districts but the Shopping Center and Neighborhood Commercial. A discussion followed to include Educational Services in the Shopping Center district. It was also mentioned that Urgent Care facilities, which were proposed in the Neighborhood, Limited and General Commercial districts should also be expanded into the Shopping Center District.

Mr. Loeper mentioned that currently the Shopping Center district does not include any dimensional requirements. The Board expressed the desire to see dimensional requirements incorporated into the Shopping Center district. It was mentioned that the King of Prussia Mall, which is currently zoned Shopping Center should be given a new zoning district, separate from the Shopping Center district.

Dimensional requirements for the Commercial Districts were primarily taken from the existing zoning code, regarding yard setbacks, building coverage, impervious coverage, green area and building height. Impervious coverage for most of the districts is 75%, except for the General Commercial, which was proposed at 85%. The Board suggested making the impervious coverage 75% for all of the proposed commercial districts. It was suggested that the commercial districts could possibly utilize a green initiative, similar to what had been built into the King of Prussia Mixed Use district, which gives bonuses for achieving certain green standards. Township planning staff will investigate the possibility and discuss it with the Board at the next zoning workshop meeting.

Mr. McGrory questioned if there was currently a definition for residential buffer in the existing code. Mr. Loeper explained there are standards for residential buffers. It was suggested that township planning staff look into evaluating and better defining residential buffers.

ADJOURNMENT:

Without further comment from the Board and public, the zoning workshop adjourned at 7:01 p.m.

DAVID G. KRAYNIK
SECRETARY-TREASURER/
TOWNSHIP MANAGER

Minutes Approved:
Minutes Entered:

Note: due to an audio malfunction these minutes are based on staff notes.