

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
ZONING WORKSHOP MEETING
FEBRUARY 5, 2015

The Board of Supervisors of Upper Merion Township met for a Zoning Workshop Meeting on Thursday, February 5, 2015 in the Township Building. The meeting was called to order at 5:12 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Greg Waks, Erika Spott (arrived late), Greg Philips, and Carole Kenney. Also present were: David G. Kraynik, Township Manager; Sally Slook, Assistant Township Manager; John Walko, Solicitor's Office; Rob Loeper, Township Planner; Scott Greenly, Associate Planner. Supervisor Jenaway was absent.

DISCUSSIONS:

REVIEW OF COMMERCIAL DISTRICTS CN – NEIGHBORHOOD COMMERCIAL, CG – GENERAL COMMERCIAL & SC – SHOPPING CENTER DISTRICTS. REVIEW OF COMMERCIAL DESIGN STANDARDS

Mr. Rob Loeper, Township Planner, opened the meeting with continued discussion regarding the proposed Limited Commercial zoning district. He said he would focus on some of the changes that were made on some of the uses, dimensional standards and some map issues. The latest draft was reviewed for consistency. Highlights as follows:

- Paint and wallpaper stores would be permitted in the Neighborhood Commercial
- Pawn shops should be non-permitted in both the Neighborhood Commercial and Limited Commercial.
- Neighborhood Commercial would allow supermarkets and grocery stores; however, it would be limited to a 10,000 square foot use (building size - most grocery stores are in excess of 20,000 square feet).

Mr. Loeper asked if the board would favor the same type of restriction for grocery stores in the Limited Commercial.

A discussion followed about parcel sizes on Henderson Road north of Prince Frederick.

Mrs. Kenney asked about the zoning for the former Wonder Bread bakery on Henderson Road just north of South Gulph Road. Mr. Loeper responded it is

zoned Industrial. Mrs. Kenney asked if the use of a small market would be permitted in the current Industrial zone. Mr. Loeper responded he would have to check.

Mrs. Kenney asked if specialty food stores would have a size limitation or a definition of what they would entail. Mr. Loeper responded by referring to the key map on the Neighborhood Commercial and pointing out the small parcels in Area 11 (Sweet Briar area) and Area 10 (down by Swedeland) and the small commercial area by Hughes Park. He said 10,000 square feet is probably the maximum for the type of markets being discussed which are actually much smaller than 10,000 square feet.

Mr. Waks pointed out he does not believe any of the places in the Limited Commercial are particularly suitable for that type of use. Mr. Loeper agreed and noted the parking issue.

Mr. Loeper continued discussing the use categories and indicated interior design, gift, novelty and pet and pet supplies were changed to non-permitted in the Neighborhood Commercial. Educational uses were changed to permitted in the Shopping Center District and remain non-permitted in the Neighborhood Commercial. It was also agreed under health care that the veterinarian office would be permitted in a Neighborhood Commercial and urgent care would be allowed in the Shopping Center District.

Mr. Philips noted for the record that Mrs. Spott joined the meeting at this point in the discussion.

With regard to accommodation and food service, Mr. Loeper indicated a drive-through restaurant will be a permitted use in the Shopping Center district with catering for off-site as a permitted use in all four of the commercial districts.

Mr. Loeper said further discussion is needed regarding the repair and maintenance services since concerns were raised that the consumer electronics, watch/clock/jewelry, furniture and upholstery repair establishments have a tendency to become somewhat rundown. He asked for further clarification from the board.

A discussion followed about the aforementioned uses and everyone was in agreement that those uses are not permitted in the Neighborhood and Limited Commercial and permitted in the Shopping Center.

Mr. Loeper stated minor changes were made under personal services. He said previous discussions focused on full service on-site laundry and dry cleaners as permitted in the Shopping Center District. Mr. Loeper noted he is not familiar with the current cleaning process for dry cleaners.

Under music/art, dance, yoga and martial art instruction studios were added and under shoe repair dress maker and tailor were added as similar type uses.

It was also agreed that multi-family dwelling should not be permitted in the Neighborhood and Limited Commercial; it is shown as a permitted use in the General Commercial.

Mr. Loeper indicated significant changes were not made in the Shopping Center district at this time.

Mr. Greenly mentioned a lot of malls nationwide are starting to incorporate residential into their model.

Mr. Loeper noted most of the business community is not in favor of additional hotel rooms at this time. He said they need more meeting space to push bookings. The hotels do very well during the week, but for the most part are empty on the weekends.

With regard to residential, Mr. Loeper indicated certain restrictions were pulled from what was done in the King of Prussia Mixed Use District. For multi-family in the General Commercial district 80% of the units would be one or two bedroom units, 50% of all units would provide outdoor balconies. Other amenities include long term bicycle parking or storage in the units as well as laundry facilities and short term outdoor bicycle units.

At the last meeting it was agreed that staff would be measuring building setbacks and front setbacks from the curb line. Mr. Loeper noted the area on US 202 across from the Mall will be a "game changer" in that area; however, other commercial areas are pretty much right on the US 202 corridor and surrounding properties. He pointed out in looking at parking requirements 62 feet is needed for a row of parking with an aisle and parking on either side. With setbacks of 40 or 45 feet it would effectively eliminate having parking in the front. Current front yard setbacks in commercial districts are a minimum of 50 feet; currently there is no maximum. Most commercial establishments are not putting in 50 feet because they are front loaded stores and want parking in front.

Mrs. Spott asked if Mr. Loeper was referring to General Commercial. Mr. Loeper responded in the affirmative and said these neighborhoods tend to have smaller lots.

Mrs. Spott commented she does not favor parking on the street in front. She asked if there is anything that would prevent parking from being in the back if the building were closer to the street. Mr. Waks said it might depend on how close the buildings were to residential properties.

Discussion then focused on the possibility of a liquor super store as a possible tenant for the Sports Authority building. It was decided to reach out to the Liquor Control Board (LCB) in order to schedule a meeting to discuss the idea.

Mr. Loeper mentioned there has been some push back from PennDOT about upgrading the signal at the Wawa/Target location into a full signal. The developer was asked to do some traffic studies.

A discussion followed about complaints about the Henderson driveway (coming out of the Sports Authority/bank area) and the need for a full signal.

Mr. Loeper returned to the subject of parking in the General Commercial and discussed different setbacks and whether there should be a minimum/maximum.

Mr. Philips commented he does not favor parking in front.

After a lengthy discussion regarding setbacks, the consensus was to go with a minimum of 15 feet and a maximum of 25 feet.

Mr. Loeper then focused on side and rear yard setbacks in the General Commercial and Neighborhood Commercial as well as buffer requirements for a common property line shared with residential properties. He also provided examples of different types of buffers such as softening buffers, screening buffers and filtering buffers. It was noted that buffers would not apply across the street on street frontage, but only on common lot lines.

With regard to impervious coverage, Mr. Loeper stated impervious coverage is not regulated per se, but rather minimum green area. Green area in the Commercial Districts is only 15%. All agreed that should be increased to a certain extent. Mr. Loeper noted as a result [of the increased green area] some of the parking requirements were reduced.

Mr. Philips asked if there is any provision in this change which would force people to share parking. Mr. Loeper responded not in this ordinance; however, incorporated in the last redo of the parking code are provisions for shared and reduced parking based on the shared aspect.

Mr. Loeper stated everyone is in agreement to increase the green area. He said current building heights in commercial districts are allowed at 25 feet and are being proposed for increase to 35 feet. Mr. Loeper noted 30 feet is consistent with the base in the business park and would have no problem bring it down to that number.

As has been done for the Mixed Use District, bonuses are tied to LEED certification. The same language is being incorporated in this ordinance providing a reduction in green area for LEED, an increase in building height and an increase in residential density.

Mr. Loeper asked the consensus of the board regarding the acceptability of the sustainable incentives. All were in agreement.

With regard to the general requirements and requirements for pedestrian facilities, Mr. Loeper indicated they were pulled from what was agreed to in the CO district.

Mention was made about an electronic sign in the area that is generating some complaints and a discussion followed.

Mr. Loeper stated requirements for pedestrian facilities were discussed during consideration of the Limited Industrial district and he believes they could apply to all districts.

Mr. Loeper said he will work with Mr. Walko to format the ordinance and send it to the planning commission for possible consideration by the Board of Supervisors in March.

Mr. Philips asked about the design standards. Mr. Loeper responded he agrees with the Solicitor that these standards would most appropriately be included as part of the Subdivision and Land Development Ordinance (SALDO).

Mr. Philips commented the Neighborhood Commercial district should be designated as "NC" rather than CN, General Commercial as "GC" and so on in order to simplify and make more sense.

Mr. Loeper went over all the commercial areas on the map prepared by planning staff. After an exchange of thoughts and ideas from the board, Mr. Loeper was directed to work with the Solicitor's office and prepare an ordinance for consideration by the Board of Supervisors.

ADJOURNMENT:

Without further comment from the Board and public, it was moved by Mrs. Spott, seconded by Mrs. Kenney, all voting "Aye" to adjourn the zoning workshop meeting. None opposed. Adjournment occurred at 6:51 p.m.

DAVID G. KRAYNIK
SECRETARY-TREASURER/
TOWNSHIP MANAGER

Minutes Approved:

Minutes Entered: