

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
ZONING WORKSHOP MEETING
MAY 7, 2015

The Board of Supervisors of Upper Merion Township met for a Zoning Workshop meeting on Thursday, May 7, 2015 in the Township Building. The meeting was called to order at 5:05 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Greg Waks, Greg Philips, and Bill Jenaway. Also present were: Dave Kraynik, Township Manager; Joseph McGrory, Township Solicitor, Rob Loeper, Township Planner; Scott Greenly, Associate Planner; Chris Shoup, GlaxoSmithKline; Kevin Salko, GlaxoSmithKline, and Peter C. Anderson, Anderson Engineering Associates, Inc. Supervisor Spott was absent. Supervisor Kenney was at another meeting elsewhere in the township building.

CHAIRMAN'S COMMENTS:

Chairman Philips announced an executive session was not held prior to this meeting.

DISCUSSIONS:

GSK – DISCUSSION OF FUTURE REDEVELOPMENT OF THE EAST CAMPUS (RIVER ROAD)

Mr. Christopher Shoup, Engineering Operations Manager, GlaxoSmithKline, stated the buildings under discussion for the redevelopment of the east campus (River Road) are Building 40 and Building 18. A PowerPoint presentation was shown to orient the Board on the GSK campus with a specific focus on the buildings proposed for redevelopment. GSK is before the Board to ask for guidance on how GSK can work with the township in moving forward with this project.

Within Building 40 there is an existing warehouse which GSK proposes to retrofit for expansion of their processing space for a severe asthma product. Since the warehouse space will be lost it is proposed to eventually demolish Building 18 and place a larger warehouse in that area. There is an entryway for the building which will be used for raw material deliveries. GSA proposes a temporary pavement along that building to facilitate these deliveries. While the warehouse will become a larger footprint, it will stay within the confines of the paved area.

Mr. McGrory asked the reason for the temporary pavement. Mr. Shoup responded the pavement will allow GSK to keep production while they are retrofitting [Building 40]. This driveway will be in use for a period of less than a year and will be eliminated when no longer needed.

Mr. Jenaway asked about the change in footprint, if any between the building GSK proposed to remove and the proposed building. Mr. Shoup responded within the existing building there is no change in the footprint, but the new building (approximately 20,000 square feet) would be about 2,000 square feet more.

Mr. Waks asked if there is a reduction in impervious surface. Mr. Shoup responded there will be no change in impervious for Building 18 since it is all concrete for parking.

Mr. Jenaway asked if the extra 2,000 square feet would change the parking capacity existing today. Mr. Shoup responded it is somewhat of a moot point. He said when the warehouse is done additional parking will not be needed. Parking spaces are going to stay the same. The parking lot is used by building 40 and impervious will be net zero change of impervious surface. The employees currently in Building 18 now will be relocated someplace else.

Mr. Shoup indicated they have a hard deadline for the renovation of the inside of the building and are hoping to start in the November time frame. He asked about the timing of the land development process. Mr. McGrory responded there is an alternative the applicant can consider. He said the Board can possibly waive the entire land development approval process. Mr. McGrory explained the plan would still have to be sent to the Montgomery County Planning Commission and Upper Merion Planning Commission, but the review would be very limited and there would no public improvements needed as opposed to a land development. The Board of Supervisors would also have to pass a resolution waiving land development. Mr. McGrory indicated the applicant would still want to get the plan filed with the Recorder of Deeds so there would be a permanent record.

Mr. Shoup asked how GSK could request the waiver process for the Board of Supervisors consideration. Mr. Loeper responded the land development would be submitted in the same way and the submission should request that the formal land development process be waived.

Mr. Philips asked what is known about the current plans for the GSK campus. Mr. Shoup indicated a master plan for the whole campus is currently underway and GSK should be in a position to come before the Board of Supervisors to discuss their future plans by the end of the year.

Mr. McGrory asked if any new construction would be involved. Mr. Shoup responded as of now he is not aware of any plans for major construction.

Mr. Loeper commented GSK is still vacating their space in Renaissance in the Liberty building. Mr. Shoup said GSK should be out of that building by the end of 2016.

BUSINESS AND INDUSTRIAL DISTRICTS

Mr. Loeper stated staff was trying to fast track the DAS ordinance; however, the draft ordinance still requires additional staff review. Also under continued staff review are the complexities of streetscaping.

Although the business and industrial districts have been previously reviewed by the Board of Supervisors on numerous occasions there are still some remaining issues that merit some discussion. It was noted the draft has been sent to the planning commission for comments and as yet this is still pending.

With regard to the business and industrial districts, Mr. Loeper noted six districts are being combined into four districts.

- Administrative Office district would combine what is left of the existing AR and AR1 district which are in the business park and went away when the Mixed Use district was created.
- Office Industrial replaces what is left of the SM district which was primarily in the business park. The Office Industrial would include the Piazza property behind the Towers and parts of Renaissance.
- Commercial Industrial combines some of the SM-1 and Limited Industrial districts. These areas are primarily along the Church road corridor, Hansen Access Road, Gulph Mills Business Park which backs up to Flint Hill Road, the area of the FedEx development and the area along South Gulph Road between Brooks Road and the railroad down towards US 202 where Home Depot is located.
- Industrial includes the Glasgow Holdings, the quarry, the piece on Flint Hill Road, Fed Ex site, the P&I site, the portion of GSK that was discussed earlier at this meeting, and another piece by Saulin Boulevard which includes the reservoir and the holdings of where Shreiner Tree is located, behind US 202 where you have the Rossi yards are located and the railroad all along the Schuylkill on the northern end of the township.

With regard to the utility use group, Mr. Loeper questioned why utility use related to and necessary for service within the township was listed as Special

Exception, if they should be permitted or have some kind of conditional use. Mr. McGrory responded he has no issue with them being permitted uses, but it is necessary to be careful how public utilities are defined. He said since utilities are exempt from zoning work is necessary to have good definitions to prevent an undesired result.

Mr. McGrory questioned two small pieces on the map. Mr. Loeper agreed they should not be left there and it is something that needs to be looked at.

Mr. Philips said his larger question is for the office industrial and the potential for a sports stadium. Mr. Loeper said that is one of the items for discussion.

Mr. Loeper noted discussion is also needed about allowing some multi-family in some of these districts under certain circumstances.

A discussion followed about the Transit Oriented Development (TOD) ordinance.

On a previous draft internet providers were not allowed in the Industrial. Mr. Loeper added it as permitted because he was not sure why it was excluded.

Banks with drive thrus are permitted. It was noted that Administrative Office is very similar to the Mixed Use district and drive thrus were specifically excluded in the King of Prussia Mixed Use district. Mr. Loeper said drive-thru banks were specifically excluded in the pure office districts. He asked if it should be non-permitted or kept as a permitted use. Mr. Philips said he would keep it as a permitted use in the office district. Mr. Waks commented he is fine with that, but said it still should be excluded in the Mixed Use district.

With regard to business schools, Mr. Loeper questioned why they were not permitted in Commercial or Industrial and asked if consideration should be given to including them as a permitted use. Mr. Waks commented it depends on how business school is defined.

Nursing home and continuing care retirement community is permitted for O'Neill as a conditional use. Mr. Loeper said he believes it makes sense to keep it as conditional in the Commercial Industrial which would limit it primarily to Renaissance but it could open up issues in some SM areas. Mr. Loeper said his thought was in keeping it as a conditional use those uses are tied into the availability of public transit. Mr. McGrory asked if the only Continuing Care Retirement Community (CCRC) permitted would be by conditional use in TOD. Mr. Loeper said it is allowed in other districts. Mr. McGrory commented the only CCRC in the Commercial district would be by conditional use and only as a TOD. Mr. Loeper indicated that was correct.

A discussion followed about allowing a stadium by adding outdoor recreation as a use category and providing a definition. Another hypothetical discussed was the possibility of a minor league baseball team and an appropriate use set aside for this possibility.

Mr. Philips mentioned the possibility of the Prince Frederick extension and doubted it would be Industrial. Mr. Loeper said he is getting inquiries on that piece primarily for residential (a combination of single townhouses and some multi-family).

Mr. McGrory emphasized the importance of getting an official street map which would give the township the ability to condemn within a year if a plan comes in. Mr. Kraynik asked if the official street map would be adopted by ordinance. Mr. McGrory responded in the affirmative. Mr. Loeper said the map could probably be ready for the next zoning meeting.

Mr. Waks stated there are areas in the township where industrial sites border residential sites and these areas should be identified and rezoned as residential.

Mr. McGrory asked if there is a catch all provision in the most aggressive industrial zone that uses not specifically identified elsewhere are permitted there except by special exception. Mr. Loeper responded in the affirmative.

A discussion followed about pieces that are eligible for adult use. Mr. McGrory commented there is a need to make sure there are identifiable parcels for that use.

With regard to the small parcels Mr. McGrory pointed out earlier, he commented it is necessary to make sure we do not end up with remnant pieces that cannot be used for anything permitted in that district.

Referring back to the health care uses previously discussed and how it relates to the district by Mancill Mill, Mr. Loeper said he can work to keep it intact as a conditional use for the TOD overlay. He will also take a look at outdoor recreation and stadium use and find an appropriate site.

Mr. Jenaway asked where a significant sized regional urgent care center could go. Mr. Loeper responded currently it would be primarily within some of the commercial districts.

A discussion followed about some of the neighboring hospitals and the viability of a hospital and/or surgical center in Upper Merion. During the discussion Mr. McGrory pointed out there are surgical centers that are not hospitals where people stay overnight. Mr. Loeper indicated staff would take another look at the health uses and surgical zones. He noted the definition for

hospital which was done in 2012 makes no reference to emergency care and should indicate no drug and alcohol. Mr. McGrory commented drug and alcohol needs to be listed as a designated use somewhere. He also noted the definitions for sanitarium and hospital have to be changed.

A discussion followed about the Norfolk Southern property along the river and what could be done with the township-owned land on the river which is currently inaccessible because of the railroad. Mr. Loeper said there is a basis for a park and recreation open space zone.

With regard to accommodation of food service, Mr. Loeper noted extended stay was shown as not permitted in the Administrative Office and asked if it should be permitted since this is permitted in the other office zones. Mr. McGrory stated a definition is needed for extended stay to avoid ending up with apartment complexes.

While on travel, Mr. Jenaway said he has seen a couple of vendors that have extended stay facilities within their office complexes.

Mr. McGrory asked if there is extended stay in the new zoning for First Avenue. Mr. Loeper believes there is, but said he would double check.

With regard to multi-family, Mr. Loeper stated the way this was originally drafted multi-family would be allowed in some of these districts with some of the same restrictions for multi-family in the mixed use district.

A discussion followed about the pros and cons of this option.

Mr. Loeper commented about a meeting he attended yesterday with the Montgomery County Planning Commission. He said the general consensus was no one sees Office coming back any time soon and the concentration now is on Multi-Family and Mixed Use.

Mr. Philips asked to refer back to the Industrial and discuss what the future of Henderson, US 202, and Saulin Boulevard should look like and if it should be residential or mixed use going forward. Mr. Loeper noted it is currently zoned industrial. During the discussion features that would make the land more attractive include the potential turnpike exit, the Chester Valley Trail and the potential for a Prince Frederick Street extension to Saulin Boulevard.

Mr. Philips pointed out the importance of thinking about all the land that will be opened up for development with the Prince Frederick Street extension.

Mr. Waks provided some ideas for the long term that could be incorporated into that area for a refreshment stop for bikers and hikers once the Chester Valley Trail comes through.

Mr. McGrory commented a possible thought process for that area is some kind of zoning to promote development.

With regard to the Henderson corridor, Mr. Loeper pointed out with the new turnpike ramps there is going to be interest for redevelopment there.

During the discussion it was noted that other possible changes in that area include the Norristown High Speed line station.

Mr. Loeper stated next month staff will provide the official street map and possibly have the DAS ordinance prepared. Mr. McGrory said he would also like to see some of the isolated parcels cleaned up even if they are non-conforming so they do not “jump out” on the map.

A discussion followed about the timing of the formal adoption of the final rezoning ordinances and it was the general consensus to avoid the summer months. Mr. McGrory suggested obtaining an informal review from the county since they will have many comments. He also indicated once the new code is adopted he will do a “108 Notice” to protect the entire code procedurally.

There was a discussion about doing a comp plan and a good way to get that done is to have a contract with the county. Mr. Kraynik noted there is money in the budget to do a new contract with the county. Mr. McGrory indicated to protect the zoning it has to match the comp plan as they go hand in hand. Mr. Kraynik said now is the time to do both.

ADJOURNMENT:

Without further comment from the Board and public, it was moved by Mr. Waks, seconded by Mr. Jenaway, all voting “Aye” to adjourn the zoning workshop meeting at 6:45 p.m.. None opposed. Motion approved 3-0

DAVID G. KRAYNIK
SECRETARY-TREASURER/
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered: