

March 26, 2009

The monthly meeting of the Lower Moreland Township Planning Commission was held on the above date in the meeting room of the Township Municipal Building. Present were Messrs. Krebs, Chapman, Lombardi, Costello, Pollock, Potok, Mrs. Souder, Planner Driscoll, Engineer Woodrow, Commissioners Devinney, Assistant Manager Elton and Clerk Matyas. Ms Friedrich Fogel and Mr. Hamburger were unable to attend.

Vice Chairman Chapman called the meeting to order at 7:35 P.M. The Pledge of Allegiance was recited.

The minutes of the February 26, 2009 Planning Commission meeting, were approved as submitted.

Philmont Corridor Re-Zoning Mr. Paul Driscoll, Township Planner, noted that at the last meeting the Planning Commission discussed objectives of the Philmont Avenue re-zoning ordinance and tonight he has a draft ordinance incorporating them. Mr. Driscoll explained the draft ordinance is designed to encourage redevelopment and provide incentives for developers.

Mr. Driscoll explained the draft ordinance noting the purposes of the district and the creation of an overlay district. The overlay district would allow the existing zoning but also create a new zoning district that would be permitted as well. Mr. Costello questioned if industrial development would still be allowed? Mr. Driscoll noted yes industrial would still be allowed and explained the zoning map has been amended to show the overlay area. Mr. Driscoll explained the desired area would be Philmont Avenue from Huntingdon Pike to Tomlinson Road.

Mr. Driscoll discussed the permitted uses allowed under this new overlay district. Mr. Driscoll explained some of the uses would be residential areas, but not single family dwellings, to encourage higher density development, parking, commercial, offices and restaurants. Mr. Driscoll noted that a tavern or nightclub could be done with Special Exception relief.

Mr. Driscoll talked about some of the regulations associated with the overlay district including up to 15 dwelling units per acre, allowable height of 70 feet or 6 stories with the idea of up rather than out. If the roof of underground parking is covered with vegetation that area will not count towards total building area. Mr. Driscoll also noted that for every 1000 square feet of building that is considered LEEDS (Leadership in Energy and Environmental Design) certified an additional 300 square feet of building coverage would be given.

Mr. Chapman questioned if LEEDS certification is a national standard and Mr. Driscoll replied that it was.

Mr. Potok noted that an incentive including LEEDS certification is a great idea for this project.

Mr. Driscoll explained that 20% of the total area will be set aside in open land to be used as passive open space.

Mr. Chapman questioned if that would include trails and Mr. Driscoll noted that the open space will need to be landscaped and include pathways and courtyards. Mr. Driscoll explained that the applicant would have to provide access to the creek on their property being consistent with the Greenway study.

Mr. Chapman questioned if a developer has the choice of using the existing zoning or the overlay district how would continuous trails be guaranteed and Mr. Driscoll noted that the trail requirement can be added to the existing zoning district.

Mr. Driscoll noted that the trail will have to be a hard surface, not necessarily paved and will be at least 8 feet wide. Mr. Lombardi questioned if each property owner would then have a trail of different hard surfaces and Mrs. Randee Elton, Assistant Township Manager, noted that the feasibility study will be adopted and that lays out what each trail will be on each property. Mrs. Souder questioned the use of hard surfaces and Mr. Driscoll explained the range of surfaces can go from asphalt to tightly packed cinder. Mrs. Souder noted trails near the floodplain would not want to add to the impervious coverage and noted that small wood-slatted trails would be nice.

Mrs. Elton noted that the Township will be paying for 50% of phase one of the Greenway Study which includes the frontage on the east side of Philmont Avenue. Asphalt is proposed for the trails due to easy clean up and cost. Mrs. Souder questioned if due to flooding other trail surfaces should be considered and Mr. Woodrow noted that Skippack Township used pervious asphalt which is a little more expensive but is an alternative.

Commissioner Devinney noted that greener trail alternatives could be considered if the Township is successful in purchasing the open space at Red Lion Road and Philmont Avenue. Commissioner Devinney questioned if required illumination is part of this ordinance? Mr. Woodrow noted that Toll Brothers have already started a lighting scheme and Mr. Driscoll noted that lighting is required in this ordinance but they can be more specific in design style.

Mr. Driscoll talked about parking and how avoiding parking in the front is the desired look. Mr. Woodrow asked Mr. Potok how he thought store owners would like no parking in the front and Mr. Potok explained that parking in the front is essential for business owners. Mr. Potok noted that buffers can be used but if the stores are far from the street and there are big buffers people will not be able to see the stores.

Mr. Driscoll suggested buffers along the right of way and island landscaping. Mr. Woodrow also suggested low knee walls; they hide the bumpers of the cars, are attractive and can be a possible alternative to large buffering.

Mr. Costello noted that the current parking on Philmont Avenue is close to the street, mostly in the front and very open creating a very unpleasant look.

Mrs. Souder noted that the new shopping center in Peddler's Village is nice because there is little parking in the front and the layout does not focus on the parking so you see beyond the cars.

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Mr. Driscoll continued explaining the draft ordinance noting that properties will have internal connections to try and minimize the requirement for vehicles to exit onto Philmont Avenue to get to another store. Mr. Driscoll talked about sidewalks and street trees and Mr. Costello suggested the Township revisit their list of approved trees to make it fit more with the intended area. Mr. Driscoll noted that is easily done.

Mr. Driscoll explained that outdoor cafes would be allowed as long as the whole sidewalk was not used. Mr. Driscoll talked about more details of the ordinance.

Mr. Driscoll discussed the design details of the buildings, street lights, display windows and more about the look of the area.

Mr. Driscoll talked about sign requirements and noted that it should be more specific because signs can really make or break how a corridor looks.

Mr. Krebs noted that when the sign ordinance was put in place years ago businesses came looking for zoning exceptions for their business. Mr. Krebs suggested that whatever sign requirements are put into the ordinance they be abided by and not allowed exceptions.

Mrs. Elton explained that signage issues could be a full time code enforcement job; it is very hard to keep on top of. Businesses are made to take down their signs and the next day they are back up.

Mr. Driscoll noted that the sign requirements can be as strict as the Township wants but not to the point of discouraging development.

Mr. Driscoll explained that this ordinance will encourage shared parking. Mr. Driscoll noted that if business owners use shared off street parking then the required number of parking spaces will be reduced.

Mr. Driscoll explained that a refined ordinance reflecting the comments heard tonight will be created with the goal of passing it on to the Board of Commissioners.

Commissioner Devinney questioned if there were any local areas that have this type of zoning that could be looked at and Mr. Driscoll explained that he pulled a little from all different areas to create this draft ordinance.

Commissioner Devinney noted that with good incentives and the location, this area should be appealing for many developers.

Mr. Costello questioned if zoning relief could be obtained to allow a builder to ask for commercial use in the industrial district which would bypass the created overlay district? Mr. Driscoll noted that anyone can apply for zoning relief and Commissioner Devinney explained that the Township Solicitor would need to be sent to the Zoning Hearing Board to express the Township's feeling over allowing this type of zoning relief.

Mr. Woodrow noted that the problem with an overlay district is shops can be next to industrial uses which would break the desired look of the corridor. Mr. Woodrow questioned if an overlay district is the best fit for this corridor.

Mr. Costello noted that the corridor has a potential for a large tax base which would help residents with their taxes.

Mr. Driscoll questioned if Mr. Potok had any opinions on the subject and Mr. Potok noted that if the Township has the ability to make it mandatory then it should be. Mr. Potok explained that it will be inevitable that a developer will come and put something industrial right in the middle of all commercial and ruin the overall look.

Mr. Driscoll explained that if the new zoning for Philmont Avenue became mandatory rather than an overlay, existing buildings could not be sold for re-use but as an adapted re-use into something allowed in the new zoning.

Mr. Chapman questioned if there were any legal issues that needed to be addressed and Mrs. Elton replied that the Board of Commissioners have the right to change the zoning map at any time.

Mr. Woodrow explained that properties currently using the industrial zoning district would become non-conforming properties.

Mr. Pollock noted that property owners may be encouraged to convert their property/business to commercial use. Mr. Pollock explained that properties have burned down and nothing has been rebuilt since.

Mr. Woodrow explained that another hurdle to overcome is the information from the neighbors because they have been the ones to fight many proposed developments. Mr. Woodrow noted that if the concerns of the neighbors are already addressed in the ordinance that would help.

Mr. Driscoll questioned if there should be an overlay district or not.

Mr. Costello explained that the Township has more residential than commercial and no residents want any development in their backyard but the Township must take a stand. Mr. Costello noted that for two decades the Township has allowed the corridor to deteriorate. Mr. Costello does not want to give property owners or developers the option for what zoning district they can use.

Mr. Chapman questioned if current owners are allowed the option and choose the current zoning will they have to adhere to any of the regulations in the overlay ordinance and Mr. Driscoll replied they would not. Mr. Chapman questioned if the corridor was studied to see how many properties are viable for industrial use and Mr. Driscoll noted that almost all properties can be industrial.

Commissioner Devinney commented that he would like to see the overlay district give property owners the option to continue the industrial use or to change to commercial.

Mr. Pollock noted that a recent developer converted an old industrial building into a commercial use which is what this ordinance is trying to encourage.

Mr. Driscoll explained what rights the existing properties would have if this ordinance was made mandatory, noting the property would become a non-conforming use which would allow the property to be sold with the current use but an existing shopping center could not be turned into an industrial use.

Mr. Pollock noted that the corridor does not have to be overlay or mandatory, it can be broken apart so some areas are only industrial and others are a part of the overlay district.

Commissioner Devinney commented that the Planning Commission should make a recommendation for either the overlay district or mandatory zoning change.

Mr. Pollock noted that new property owners or developers could have to deal with environmental issues with a lot of properties on the corridor.

Mr. Costello recommended extending the corridor area to go from the Huntingdon Valley Post Office to 3103 Philmont Avenue. Mr. Costello questioned if road improvements can be placed into the overlay ordinance and Mr. Woodrow noted those issues are covered in the Subdivision/Land Development ordinances.

Mr. Krebs questioned if PennDot should be making the road improvements on their roads and Mr. Woodrow explained that if the Township can get money from developers it will make the road improvements happen much quicker than waiting for PennDot.

Mr. Costello noted that residential use is needed around the train station, can the ordinance incorporate that and Mr. Driscoll said it can.

Mrs. Souder noted that the train stations are very dark and scary at night and Mr. Driscoll explained that the point of encouraging residential use is to create a 24 hour community so the area is always alive.

Mrs. Souder questioned who owns the large parking lot on Philmont Avenue, right before Pine Road and Mr. Woodrow noted that a private property owner does.

Mr. Driscoll explained the Township staff is looking for feedback from the Planning Commission as to any changes or additions to the overlay ordinance.

The Planning Commission recommended the following additions to the draft ordinance:

- Extending the geographic boundaries to all areas on both sides of Philmont from the old Toll Building on the East all the way down to the Post Office on the west side of the Philmont Ave. Included were property along both sides of Red Lion Road from the Railroad down to Philmont and both side of Tomlinson and Pine Road from the railroad tracks down to Philmont.
- Provide limitations on allowed distances from residential homes to transportation centers, making the two closer together.

- New zoning classification created not an overlay district.
- Re-evaluate excluding parking in the front yard; try to create a buffer or barrier that creates a nicer look but allows some parking in the front of stores.
- Re-evaluate appropriate trees for the corridor.
- Create more restrictions for signage so the Township's vision is captured.
- Create some changes in the Subdivision/Land Development Ordinances to reflect this new zoning ordinance.

Mr. Costello questioned if any of the abandoned building can be taken by blight domain and Mr. Pollock questioned if those buildings were paying taxes and Mr. Devinney said as far as he knows they are.

Mrs. Elton noted that code enforcement is very difficult on Philmont Avenue because things are constantly changing and moving but this overlay district is the start to helping with Philmont Avenue.

Commissioner Devinney explained that fire code inspections are done by a lot of Townships but Lower Moreland is not doing that right now and those inspections would help to get an idea of what businesses are in all those buildings.

Mr. Pollock commented that marketing can help sell the residents of Lower Moreland Township with the idea of the new Philmont Avenue Corridor.

Mr. Potok noted that residents want a place to eat and shop and Philmont Avenue is getting worse and worse so now is the time to change it.

Mr. Potok commented that a plan for enforcement can be created with this new zoning district to help keep the new Philmont Avenue Corridor in control.

Mrs. Elton questioned when the business/property owners of Philmont Avenue should be notified of all these potential changes and Mr. Costello noted that the business owners he has spoken to were indifferent to the re-zoning as long as their businesses were left alone.

Mrs. Elton suggested inviting the business/property owners of Philmont Avenue to a Planning Commission meeting and Mr. Pollock agreed with that suggestion.

Mr. Costello explained that tax abatement is very important to this project and bringing developers around every 6 months to let them know what is going with this project will help greatly.

Mr. Potok noted that he is apart of the Home Builders Association and he has access to the mailing list to reach all the intended developers.

Legislative Review

Mr. Woodrow noted that the Philmont Country Club proposed ordinance is still being worked on and should be back next month.

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Mr. Potok noted that the Country Club's project is good timing with this Philmont Avenue Corridor re-zoning project.

New/Old Business

Reorganization of the Planning Commission, Mr. Krebs made a motion to reinstate existing members:

Mr. Steve Pollock-Chairman

Mr. John Chapman-Vice Chairman

Mrs. Linda Fogel-Secretary

Mr. Potok seconded the motion and all voted aye.

Mr. Woodrow noted that he received a phone call from the architect for the project at 2637 Philmont Avenue to discuss some issues and Mrs. Elton explained that they are looking to revise their plan and re-submit to the Township.

The next meeting will be held April 23, 2009.

Adjournment

There being no further business to come before the Planning Commission, a unanimous vote for adjournment was in order at 9:15 P.M


John Chapman, Commission Assistant Chairman