

WEST WHITELAND TOWNSHIP
Planning Commission
Agenda
Tuesday, May 7, 2019
7:00 P.M.

CALL TO ORDER

REVIEW OF MEETING MINUTES

1. Approval of Meeting Minutes: April 16, 2018

PUBLIC COMMENT/CONCERNS/QUESTIONS

PLANS

1. Fedor Tract
Address: 1250 Ship Rd.
First Review: Sketch Plan
Request: Subdivision of existing lot into two single-family lots with common driveway.

NEW BUSINESS

1. Development Open Space Improvements Fee Discussion
2. Discussion on TC – Town Center Zoning District Areas for Redevelopment
3. Discussion on updating the Township's Official Map

ANNOUNCEMENTS

ADJOURNMENT

Next Meeting: May 23, 2019



MEMORANDUM

DATE: April 24, 2019
TO: Planning Commission
FROM: John R. Weller, AICP
Director of Planning and Zoning
SUBJECT: Rudolf Fedor property
Sketch plan

APPLICANT: Rudolf A. Fedor, Jr.
69 W. Indian La.
Norristown, PA 19403

SITE ADDRESS: 1250 S. Ship Rd.
Exton, PA 19341

TAX PARCEL: 41-5-157.1

ZONING: R-3, Residential

DESCRIPTION: Subdivision of a 1.69-acre lot to accommodate two single-family detached dwellings.

Background

The subject property is a narrow, wedge-shaped lot with approximately 165 feet of frontage on S. Ship Rd. adjacent to the Amtrak/SEPTA rail line. The property is currently vacant and is largely wooded, although the portion occupied by a Sunoco pipeline easement has been cleared. As noted above, the gross area of the property is 1.69 acres, but the area of the pipeline easement reduces the developable area to 1.13 acres. The central part of the lot is essentially level; there are no FEMA-designated floodplain or special flood hazard areas.

As is apparent from the drawing, the property is heavily constrained due to its unusual shape, the adjacent rail line, and the pipeline easement. The area abutting the property to the south is a residential community consisting of single-family detached homes on lots of approximately half an acre.

The plan proposes subdivision of the property into two lots, each to accommodate one single-family detached home. The proposed lots would share a single driveway. The Applicant has designed the project to comply with the R-3 district regulations, and the information shown in the "required" column of the chart on the drawing is correct. The parking requirement of 2.5 spaces per dwelling is also correct.

The sketch plan review process allows the Applicant to choose whether to have their plan reviewed by any or all of the Township consultants (for which they must reimburse the Township) or by Staff only, for which there is no charge. This Applicant elected the latter, so there are no consultant reviews.

Tonight is the Applicant's first presentation of this project to the Planning Commission. Please recall that the purpose of a sketch plan review is to comment on the design concept. While technical issues such as stormwater management will need to be evaluated eventually, discussion of such details is premature at this time.

Staff Comment

The proposed lots both comply with the applicable provisions of the West Whiteland Township Zoning Ordinance ("Zoning"), although there is a minor error in the dimensioning of the setbacks. As defined in Article II of the Zoning, front lot lines are coincident with street lines, side lot lines are tangent to street lines, and all other lot lines are deemed to be rear lot lines for purposes of determining the required setbacks. The building envelope shown for Lot 1 is correct, but since Lot 2 has no street frontage, all of its property lines are considered rear lot lines, and structures must therefore be set back from all property lines by at least 35 feet. The setback shown from the eastern lot line is 40 feet (the required front yard setback) but should be 35 feet. The setback from the south lot line is superseded by the Sunoco pipeline easement, resulting in significantly larger setback than would otherwise be required.

Regarding the lack of street frontage for Lot 2, we note that §281-40.D of the Subdivision and Land Development Ordinance ("S/LDO") requires that "residential lots shall front on a street," but goes on to state that if "...necessary to the proper utilization of land to create lots without direct frontage on a street, the Board [of Supervisors] may permit interior lots ... [with] an access with a minimum width of 25 feet". Based upon the definition of "interior lot" in Article II of the S/LDO, Staff concludes that the required "access" should be provided as an easement. While a new easement would reduce the developable area of Lot 1, we note that an access easement along the southern edge of Lot 1 (where the driveway is now shown) would have negligible impact upon the developable acreage calculation since most of that area is within the existing Sunoco easement. Should this project be submitted for official review, the Applicant will need to document that a shared driveway here would not violate any provisions of the Sunoco easement. Finally, we note that §281-40.E of the S/LDO allows two homes to be served by a single driveway.

The Township may not deny approval of a project that complies with our development regulations, and it appears that the Applicant only needs to define an access easement for Lot 2 across Lot 1 to achieve compliance. Even so, Staff has serious misgivings regarding development of this property due to the proximity of the rail line, the presence of the pipeline easement, and the available sight distance to the north from the proposed driveway. The Commission may wish to discuss with the Applicant how these concerns may be mitigated. Staff would not support any relief from our regulations should any be needed.

Since this is a sketch plan, no action by the Commission is needed.

Attachment

1. Sketch Plan by Wilkinson & Associates dated February 1, 2019.

H:\Plans\DEF\Fedor\Weller PC memo dated 4-24-19

MEMORANDUM



DATE: May 3, 2019

TO: Planning Commission

FROM: John R. Weller, AICP
Director of Planning and Zoning

SUBJECT: **New Business**
Open space policy, redevelopment in the
Town Center area, and the Official Map

Background

Tonight's agenda includes three items of new business for discussion. Since no action is recommended for any of these items, Staff has elected to address all three of them in one memorandum rather than create a separate memo for each.

Open space policy

Our Subdivision and Land Development Ordinance ("S/LDO") includes an open space requirement for residential, commercial, and industrial development. Specifically, §281-47 states:

- Developers must set aside 2,000 sq.ft. of open space and recreation area for each new dwelling unit they propose. Alternately, the developer may pay a fee of \$2,000 (in 1994 dollars, currently about \$3,450) per dwelling unit.
- For commercial and industrial developments, the requirement is 500 sq.ft. of open space and recreational area per 1,000 sq.ft. of new floor area on the first floor of the project. The fee alternative is \$525 in 1994 dollars (currently about \$900) in lieu of 500 sq.ft.
- This section of the S/LDO includes "guidelines" suggesting that where the land required is less than one acre, the fee will be required; where the requirement is more than one acre but less than two acres, the land will be privately owned and maintained; and where the requirement is more than two acres, the land will be dedicated to the Township.

The S/LDO also includes standards for the land to be set aside to assure that such land is appropriate for recreational use and/or is meaningful as open space.

Although not specifically permitted, it has long been our practice to accept a combination of land and fee where a developer cannot provide the full amount of open space.

Some recently approved development projects included recreational facilities where it was not clear if they satisfied the requirements of §281-47. As a result, the Commission directed Staff to consider policies to provide guidance on this matter going forward. Tonight, Staff would like to begin discussion by considering the following.

- The intent of the requirement is to provide open space and recreational facilities for new residents and workers without further burdening our existing facilities. Since the S/LDO uses phrases like “open space and recreation area” - suggesting that “open space” and “recreation area” are interchangeable - it appears that the writers assumed that the recreation areas would be outdoors. It is therefore not clear whether indoor recreational facilities should count toward the requirement; there is also a question of whether a facility that is outdoors but entirely private (such as the swimming pool at the Hanover project) should be credited. This issue is complicated by the fact that the S/LDO language in some cases requires the open space/recreation area to be privately owned and maintained. Furthermore, recent Boards have been reluctant to accept new public park lands.
- If we determine that some improved recreation area (e.g., tennis court, swimming pool, multi-modal trail) is properly credited toward the requirement, should the amount of the credit be based upon the area occupied or the cost of the improvements?
- What kinds of activities qualify as “recreation?”
- Our carriage home cluster development option requires that 60% of the development be common open space. We currently count this Zoning requirement toward the open space requirement of the S/LDO. Should we continue this policy?
- Staff notes that one of the great benefits of public open spaces is that they provide areas where diverse individuals can interact with each other. In a society that seems increasingly intent upon self-segregation along socio-economic lines, we suggest that this benefit is especially precious. Are there ways that we can encourage such spaces?

Based upon tonight’s discussion, Staff will draft written policies for consideration at a future meeting.

Redevelopment in the Town Center

Retail commercial activities and land uses continue to be transformed by consumers’ on-line shopping habits. This has clear implications for traditionally designed shopping centers like Exton Square, Whiteland Towne Center, Festival at Exton, and Fairfield Place. The owners of these areas have all at some time approached us with the question, “what does the Township want to see here?” Good question...

Justin will be leading a hands-on discussion tonight about the kinds of changes we would like to see. Some things to think about as you prepare:

- There is already considerable literature about shopping malls reinventing themselves as community centers (John especially likes “Retrofitting Suburbia” by Ellen Dunham-Jones and June Williamson), and we’ve seen that here with Main Line Health and Round 1 taking space in Exton Square. How would we feel about re-use as residential space? What other uses could go in the mall and shopping centers?
- Exton Square and Whiteland Towne Center have discussed - in a very general way - developing additional spaces along their perimeter. Are we okay with this? Such development could be an opportunity to promote walkability/bikeability and to improve the streetscape. What other kinds of things do we want to see?
- Retail shopping is becoming more about experience - visit the newest part of the King of Prussia mall for a prime example. One of the presenters at last month’s American

Planning Association conference put it this way: “retail isn’t dying, just boring retail.” How do we promote retail that isn’t boring?

- Some of the big-box stores that are especially vulnerable to losses to on-line shopping are finding a second life as “wish fulfillment centers;” that is, warehousing and distribution centers for on-line retailers like Amazon, e-Bay, and Etsy. Since the on-line retailers are looking to reduce their delivery time to a matter of hours, we can expect to have an increasing number of these centers. How would we feel about something like this moving into one of the spaces in the Town Center area? What if they use drones for delivery? Or trucks? Or autonomous trucks?

The Official Map

The Official Map is a planning tool provided by the Municipalities Planning Code that is less well known - and less used - than other tools like the Comprehensive Plan and Zoning Ordinance. The Official Map allows municipalities to identify lands to be acquired for public use, but it does not have the effect of condemning property. If the owner of a property identified on an Official Map wishes to develop that property, the development must either allow for the designated public use, or the developer must apply to the Board for a “special encroachment permit.” When the property owner applies for such a permit or otherwise notifies the Board of their intent to develop property on the Official Map - and if the Board does not wish to approve the permit or allow the development - then the Township then has one year to acquire the property or to begin condemnation. Failure to do so will cause the reservation for public use to lapse, and the property owner may proceed with development.

The Township first adopted an Official Map on April 28, 2004, showing proposed roads, pedestrian facilities, lands to be acquired for Township use, and floodplains. As Staff will show, nearly all of the improvements shown on the Map have either been completed, made superfluous by subsequent ordinances, or are no longer of interest to the Township. Since the Map is nearly at the end of its usefulness, the Board of Supervisors directed Staff at the meeting of April 24, 2019 to prepare a new Official Map.

Tonight we will begin our discussion of features to be included on the Map. Staff suggests that some appropriate projects include improvements recommended by the Transportation Capital Improvements (Act 209) Plan and the recently completed Bicycle and Pedestrian Plan.

Attachments:

None.

H:\PC MMO's - Miscellaneous\2019\190503 - new business