

PROFESSIONAL LAND PLANNER

**E. VAN RIEKER, AICP**

215 OLD CHURCH ROAD - NORTH WALES - PENNSYLVANIA 19454

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PLANNER-IN-CHARGE PENNSYLVANIA  
REGISTERED PROFESSIONAL PLANNER - NJ

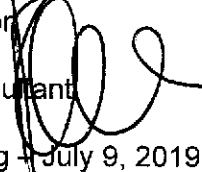
VIA E-MAIL

July 8, 2019

TO: Whitpain Township Planning Commission

FROM: E. Van Rieker, Township Planning Consultant

RE: Township Planning Commission Meeting - July 9, 2019



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Regular Session – 7:30 P.M.

1. Approval of Minutes
2. Review of a Conditional Use Application (#CU39-19) and Land Development/Subdivision Application for 652 DeKalb Pike (Beachcomber Property) (LD-1-19 & S-1-19). This application involves the construction of 31 single-family attached homes on approximately 15.76 acres of property located at 652 DeKalb Pike, which is located on the east side of DeKalb Pike between Skippack Pike and Morris Road.

*Comments:*

- *For ready reference please see attached review letter dated June 19, 2019. Please note that applicant's engineer Holmes Cunningham includes a point-by-point response (July 2, 2019) to the items raised in this letter.*
- *Please note that the list of waivers has been updated. It is suggested that these be separately evaluated by the Commission. Virtually all the points raised in my letter dated June 19, 2019, have been addressed where appropriate.*

3. Review of a Conditional Use Application (#CU41-19) for MDG #6 LLC (Mermaid Lake Property) – 1198 & 1002 Jolly Road.

*Comments:*

- *For ready reference please see attached review letter dated July 1, 2019, which primarily focuses on the Standards for Conditional Use of Cluster Development (Zoning Ordinance Section 160-23).*

4. Review Ordinance #4-254 – An Ordinance Amending The Township's Zoning Ordinance By (1) Adding A Definition For "Independent/Assisted Living Facility/Personal Care Home" To Article II, Section 160-7 [Definitions/Word Usage And Definitions]; (2) Adding Article XXXIX Entitled "I/AL – Independent/Assisted Living Overlay"; (3) Adding The "I/AL – Independent/Assisted Living Overlay" to Article IV, Section 160-11 [Zoning Districts/Enumeration of Districts]; And (4) adding the "I/AL – Independent Assisted Living Overlay" To The Zoning Map, As Incorporated Into The Township's Zoning Ordinance Article IV [Zoning Districts/Zoning Map] and applying it to three properties identified as Montgomery County Tax Map Parcel Numbers 66-00-06340-00-2, 66-00-6334-00-8, 66-00-06337-00-5.

*Comments:*

- *This Proposed Zoning Ordinance Amendment creates the text for a new overlay district, which if adopted would apply to three properties situated along Skippack Pike zoned entirely or partially R-1 and R-2.*
  - *The new overlay provides the regulations and standards for a new district titled "I/AL - Independent/Assisted Living Overlay." The primary use is intended to provide planned long-term housing in a facility exclusively for persons 62 years of age or older or persons with similar special needs. A second use for attached single-family dwellings is also authorized.*
5. Review Ordinance #4-255 – An Ordinance Amending The Township's Zoning Ordinance By (1) Adding Definitions Of "Advertising Vehicle"; "Individual Establishment"; "Sign"; "Sign, Official Traffic and Highway"; "Sign, Outdoor Advertising"; "Sign, Roof; And "Source Light" To Article II, Section 160-7(B) [Definitions/Word Usage and Definitions];(2) Deleting Article XXVI, Section 160-182(B) [Signs/Definitions]; (3) Amending Article XXVI, Section 160-187(G) [Signs/Prohibited Signs/Advertising Vehicles]; (4) Adding "CSCOD" (Community Shopping Center Overlay) to Article XXVI Sections 160-188(13) And (14) [Signs/Permitted Signs/On-Premises Advertising And Grand Opening Signs] And 160-191(D) [Signs/Schedule of Sign Regulations/Commercial Districts]; (5) Amending Article XXVI Section 160-188(B) [Signs/General Regulations]; (6) Replacing The Article XXVI Section 160-191(B) Residential Districts Schedule Of Sign Regulations Table; And (7) replacing the Article XXVI Section 160-191(E) Institutional District Schedule of Sign Regulations Table.

*Comments:*

- *This is a zoning text update to reflect numerous housekeeping and additional standards associated with the sign regulations contained in the Township Zoning Ordinance.*
  - *I would defer to the Township Zoning Office which basically created this Amendment. However, I agree that since the type of sign designated as "roof signs" shall be prohibited then the reference to "D" roof sign as a type of sign allowed at Section 160-191(E) should be omitted.*
6. Review current zoning hearing board applications:

1. ZHB #2187-19 Luigi Colella, LLC Parking  
(Five Points Gulf Services Center)  
(298 Norristown Road)

*Comments:*

- *I am not sure how this revision differs from the original Zoning Hearing Decision for this property. Having said that, I would suggest that a defined edge of say Belgian block, timber edging or some other acceptable form be provided as part of the plan to satisfy the following concerns:*
  - *It is my experience that gravel parking lot beds will creep over time. In order to avoid this then containment edging should be provided; and*
  - *A defined edge is important from a Zoning Administration point of view so that the designated area approved for the parking storage of automobiles is contained in the approved location.*

2. ZHB #2197-19 LMT Real Estate, LLC Modification to Condition  
(Panache Restaurant) - Noise  
(602 Skippack Pike)

*Comments:*

- *This Appeal was reviewed at our last meeting. My concern is that some noise standard in decibels should be adopted to ensure future compliance.*

7. Review pertinent planning issues.

- cc:
- |              |                |                 |
|--------------|----------------|-----------------|
| Jim Blanch   | Greg Monte     | John O'Hara     |
| Kent Conway  | Joe Habboush   | Roman Pronzak   |
| Ken Corti    | Otis Hightower | Richard Shorin  |
| Joseph Fay   | Cathy McGowan  | William McManus |
| Kurt Zintner | John Miller    | Jen Gallagher   |
- J. Edmund Mullin, Attorney for Creekside (#CU39-19)  
 Sam Costanzo, VanCleaf Engineering, for Mermaid Lake Property  
 Marc Kaplin, Attorney for Ordinance #4-254  
 Ed Hughes, Attorney for Luigi Colella, LLC  
 Bernadette Kearney, Attorney for LMT Real Estate, LLC

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Wednesday, June 19, 2019

To: Jim Blanch

From: E. Van Rieker, AICP 

CC: Whitpain Township Planning Commission  
Holmes Cunningham LLC, Applicant's Engineer  
Rachel Vahey, Applicant's Landscape Architect  
J. Edmund Mullin, Applicant's Attorney

Re: Beachcomber Redevelopment – (LD-1-19 and S-1-19)

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Jim,

I have reviewed the Beachcomber Redevelopment (now known as Creekside at Blue Bell) Plan consisting of 25 sheets along with 2 supplemental drawings having a revision date of 5-31-19 and will offer the following comments:

1. Review of Conditional Use Application. For ready reference I have incorporated below my review from May 8, 2019. These comments are still relevant.
  - a. This is the proposed redevelopment of the Beachcomber property proposed for 31 single-family attached homes (townhouses) pursuant to the R-3 B Zoning District. You may remember the R-3 B Zoning District was conferred upon the property previously when it became known that the former recreation use of the swim club had ceased.
  - b. Applicant's engineer Holmes Cunningham Engineering in a letter dated March 25, 2019, addressed comments from the numerous Township review letters. The Holmes Cunningham letter refers to my original review letter dated February 6, 2019. It is noted that all of the prior comments have been either revised or addressed in some fashion.
  - c. As part of the consideration for Conditional Use, I would suggest from a planning point of view the following conditions be incorporated into any decision:
    - Limit the height of townhouses to 2 stories due to the proximity of the adjacent single-family dwellings along Crestline Drive.

- Buffers should be planted as described and approved on the landscape plan in the early construction phases so that the adjacent residents are afforded buffering at the time of construction rather than having to wait until the construction and sale of the units is completed.
- Buffer planting should be guaranteed, i.e. replaced as necessary by the developer along the rear property line as may be needed.
- The second access to be incorporated into the plan should have a route that does not involve crossing of any floodplain and provide at least an easement that runs in favor of the proposed townhouse community relative to continued access as may be necessary.

2. The following comments address planning issues regarding the current submission for the Creekside at Blue Bell:

a. Emergency Access.

- The detail of the Routing Plan is shown at Drawing No. C1.1 and the construction detail is shown at Drawing No. C1.2; however, a topographic profile should also be provided to assure that the emergency access drive can be easily navigated.
- The above details should be reviewed and approved by the Township Engineer.
- Bollards should be placed at regular intervals along the edge of the emergency access route.

b. Overflow/Guest Parking Spaces.

- It is noted that the number of additional spaces provided exceeds the minimum established under the Zoning Ordinance.
- However, due to the remoteness of this development it is suggested that additional visitor parking spaces be added where practicable in the two interior green islands.

c. Landscaping Plan and Landscape Details Plan (Drawing Nos. C8.0 and C8.2) are very comprehensive and detailed.

- The applicant should evaluate the notes along with the asterisks provided in the Landscape Requirements Chart in order to assess whether or not the options cited should be included on the list of waivers.

d. Drawing No. C8.1 Tree Disturbance Plan.

- In order to accurately address the Requirements in the SALDO at Section 129.20 it is suggested that this sheet instead be titled Woodland Canopy Preservation Plan.

3. Green Area Plan (Drawing No. C11.0).

*Comments:*

- To be accurate this Drawing should (subject to the review of the Township Zoning Officer) be modified to include "essential uncovered walkways for non-vehicular traffic only." Suggest that the Zoning Officer be consulted regarding this application to the subject Plan.

4. The Proposed Sidewalk Plan.

*Comments:*

- See Drawing C1.1. For me, the manner in which the sidewalk abruptly terminates in front of Unit No. 31 seems odd. It would seem more appropriate and complete to extend the sidewalk an additional approximately 80 ft. so that it returns to the major sidewalk link along the spine route. Then show crosswalk markings.

cc: Kent Conway  
Ken Corti  
Joseph Fay  
Jen Gallagher  
Greg Monte

Joe Habboush  
Otis Hightower  
Cathy McGowan  
William McManus  
John Miller

John O'Hara  
Roman Pronzak  
Richard Shorin  
Kurt Zintner

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Monday, July 1, 2019

To: Jim Blanch

From: E. Van Rieker, AICP 

CC: Whitpain Township Planning Commission  
Sam Costanzo, Van Cleef Engineering

Re: Mermaid Lake Cluster Subdivision (S-4-10)

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Jim,

1. Overview: A Conditional Use and Preliminary Subdivision Plan consisting of 34 sheets and dated June 12, 2019 has been reviewed and my initial comments and recommendations are listed below.
2. Standards for Conditional Use of Cluster Development (Zoning Ordinance Section 160-24).
  - a. Before going deep into the details of the proposed subdivision a suggested first step would be to have the applicant list a point-by-point summary of Section 160-24. In so doing a compliance table would be available for review and relevant comments dealing with the Conditional Use Option would be better defined.
  - b. Section A states that a qualifying tract "shall not be less than 25 contiguous acres...".
    - A careful reading of this Section should result in only the larger portion of approximately 44 acres bounded by Arch Street Road and Jolly Road qualifying under this Section for the Conditional Use Option. Thus, the land north of Jolly Road and east of Arch Street Road would not qualify under the Conditional Use Option.
  - c. The maximum density for the Cluster Subdivision Option is stated at Section 160-24.E (1).
    - The maximum density actually consists of two components:

- dwelling units not greater than 1.1 per acre of the tract; and
  - floodplain lands shall be excluded from the above density calculation
- Using the floodplain area supplied in the application of 9.64 acres, this results in approximately 35.36 acres of net tract area. This calculates to a maximum yield of approximately 38 lots which results in a reduction of approximately 3 single family lots from the Cluster Subdivision Option.
- d. Section 160-24.C lists natural features which must exist and be "included as deed-restricted open space..."
- It should be noted that proposed lot numbers 6 through 12; 13, 14 and 16 through 20 must be revised in order to reflect this requirement.
  - It should also be noted that the Historic Site Survey from August 14, 2000 lists Historic Resource #35, which is identified as the William Berardelli house, barn, tenant house, carriage house and pavilion. It should be noted that Section 160-24.C (5) states in part "historic sites..., or other sites supported by appropriate documentation and endorsement of local historic societies..." should be included as deed-restricted open space.
  - Some of these resources may already be included in the proposed open space: defined as open space area – C. However, if these Class 2 resources are determined to be worthy of preservation by the Supervisors then they would need to be incorporated into the permanent open space.
- e. Section 160-24.E (2) at subsection (a) requires an average lot area not less than 22,500 square feet.
- A calculation should be provided to indicate compliance with the minimum average requirement.
- f. Other standards such as those dealing with a minimum width for corner lots of 130 feet, reverse frontage and driveway access restrictions seem to be complied with but a complete list of all the standards should be provided.
- g. Deed-restricted open space (Section 160-24.G (5) includes provisions that may result from recommendations of the Township Planning Commission. These two conditions at subsection (5) (a) and (b) should be considered



by the Planning Commission as part of their overall recommendations of the proposed cluster options.

3. Comprehensive Plan Update, June 2006

- a. It should be noted that the recommendations of the Plan at Map 6 proposes Mermaid Lake Property as a primary use as open space with a secondary recommendation as single family residential.
- b. When evaluating the appropriateness of open space for at least part of the Mermaid Lake Property it seems clear that the westerly portion of the Cluster Option Tract would provide a natural connection between the existing Blue Bell Crossing open space to the horseshoe drive open space north of the Northeast Extension

cc: Kent Conway  
Ken Corti  
Joseph Fay  
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