

**MINUTES
PLANNING COMMISSION
HYBRID MEETING
MARCH 22, 2022**

Attendees/Participants:

In person: Dave Shula, Bob Dambman, Patrick Doran, Aaron Kostyk, Elizabeth Shaw-Fink, Scott Quitel, Charlie Guttenplan, AICP, Director of Planning & Zoning

Virtual: Sherri Glantz Patchen, Krista Heinrich (Township Engineer), Vince Manuele (BOS Liaison), Heather Hines (Township Solicitor's office)

1. CALL TO ORDER: 7:00 PM by Chair Kostyk

2. ANNOUNCEMENTS & CORRESPONDENCE:

- Mr. Guttenplan mentioned that the members sitting at the dais to please speak into the microphones; it was difficult hearing some of the members comments from previous meeting.

3. APPROVAL OF MINUTES: None

4. ZONING HEARING BOARD APPEALS: None

5. CONDITIONAL USE APPLICATIONS:

- Review CU #01-22 DKMNK, LLC c/o Daniel Kuo / 428 Germantown Pike, Lafayette Hill (Shops of Lafayette Hill); Personal Service Use – Dog Grooming

Attendees: Todd Nurick, Esquire, Legal Counsel for the Applicant (virtual); Daniel Kuo, Applicant

Mr. Guttenplan introduced the proposal. The shopping center is in the VC-1 Village Commercial District, Sub-district 1 in which personal service shops (dog grooming) are allowed by conditional use. The use will occupy a currently vacant space in the smaller (easternmost) of the two buildings in the Wawa shopping center. This will go to the Board of Supervisors for a public hearing on April 14, 2022.

Mr. Nurick: the site for consideration is 424 Germantown Pike in the Village Commercial Sub-district 1. This location was previously occupied by Eyeglasses Etc. The name of the applicant and tenant business is DKMNK, LLC d/b/a Miles Pet Grooming Salon and leasing for an initial 3-year term. The space is a one floor unit with a basement for storage, approximately 834 square feet of usable space not inclusive of the basement. The proposed date of opening will be roughly one month after all permits and approvals are granted. The hours of operations will be consistent with the shopping center, Wednesday-Sunday 10AM to 7PM. With respect to the number of employees, the initial assessment is they are starting with one groomer, one bather, one support floater employee. The capacity is estimated to be roughly 10-12 pets per workday. They feel this business is highly compatible with the neighborhood and will be an asset to the Township and its residents. There will be no harmful impact to pedestrians or traffic due to bulk size, peak use, location, or design. Thus, is consistent with the Comprehensive Plan with clearly no impact on the open space plan. There is more than adequate shared parking. Clients will be restricted to entering through the front door only. There is existing water and sewer with no adjustment necessary. It is clear

that the proposed use won't have any deleterious effect on the current status of compliance of the shopping center.

Planning Commission Comments:

How many pets will be in the establishment at one time; will this be by appointment only or can they walk-in. In response, there should be at most 4-5 and by appt only. Will pick-up be at the end of the day or when the pet is completed. In response, they will be picked up as completed, they are not a dog day care. There was a reference to a hair trap/sewer trap to prevent the hair from getting into the sewer. In response, there will be a larger S trap with a hair net inside so at the end of the day it can be removed to clean out. What is behind the business idea. In response, Mr. Kuo and his partner run independent healthcare businesses and they are opening this business with Katie, the groomer, who would like to venture off on her own, so they are providing the financial and business backing to help her grow and develop. Is this a viable long-term business. In response, yes, they did research and ran some numbers, and it seems viable. With their experience and background, they don't think there will be a problem; with Covid, many people have gotten dogs.

Public comment: none

Motion

Mr. Doran moved that the Conditional Use application be recommended for approval; seconded by Mr. Quitel.

Vote 7-0

6. SUBDIVISION &/OR LAND DEVELOPMENT APPLICATIONS:

- Review SLD #01-22 – 931 Spring Mill Avenue, LLC (“Westy Project”) / 927-931 Spring Mill Avenue, Conshohocken; Major Land Development Plan Review for 3-story, 20-unit Apartment Building

Attendees: Chuck Borkowski, Applicant; John Anderson, Civil Engineer with Cornerstone Consulting

Mr. Guttenplan introduced the project. The project is being referred to as the ‘Westy Project’. Most of the site is the 931 Spring Mill Avenue property, the location of a previous automobile service garage which has been closed for some time. The applicant proposes to raze the garage and construct a 3-story, 20-unit apartment building, over a single parking level, on this site. The property at 927 Spring Mill Avenue contains one-half of a twin dwelling. The proposal is to keep that dwelling unit and consolidate the two parcels into a single development. As a major land development, any recommendation should be for this as a preliminary plan only even though it was submitted as a preliminary/final plan.

During the review process, the applicant has adjusted his plan to comply with review comments; there is a revised two-sheet site plan in the packet, as well as the original plan set. The applicant has also submitted a letter responding to the various reviews (letter dated March 15, 2022, from Cornerstone Consulting). The original waiver request letter is marked ‘superseded’; please refer to the revised one, also dated March 15, 2022. As discussed at the March 8th meeting, preliminary and final phases are not generally combined for major land developments.

Mr. Borkowski: As you saw from pictures, this is an obvious project, rejuvenating the site. He has been working on it for a good bit trying to fit in with as much of the RDD-2 District as has already been built. He tried to make it as simple as possible as far as the zoning aspect. They will keep the industrial look while adding some of the modern amenities. They plan on putting a ton of landscaping on the property. It is a

building they plan on keeping as a family. They are going to be using a lot of more upscale materials and building methods. This property was part of the old Lee Tires. There is an old sign that was given to the fire station. Sadly, it is a place where people have been dumping tires. They acquired a twin adjacent to the property that helped with the turning radius for the parking lot. They are proposing 3-stories, 20 units, with all parking under the building, except one space. Did receive feedback from local business and neighbors (who are mostly renters) are in favor. The current site is approximately 96% covered with concrete and asphalt, so they will be adding a lot more green and plants. Egress will be one way off Lime Street. They incorporated the electric charging stations per the ordinance.

Mr. Doran asked if the property was flooded by Ida; in response, no they were not affected, it did not reach the property. Will the proposed parking be affected; in response, the parking is at grade level (not below grade).

Mr. Anderson: this was submitted as a preliminary/final but recognizes this is a preliminary land development application at this point. This property fronts on Spring Mill Avenue and Lime Street. This is a consolidation of 4 parcels. There is an existing twin structure that is incorporated into the overall consolidation. They are proposing to remove the existing garage building and construct a 3-story building with ground level parking. The project proposes two entrances off Lime Street. There will be an in-movement only closer to the intersection of Lime & Spring Mill and in a counterclockwise fashion, the cars will circulate underneath the building and exit out into an open drive lane and then exit towards Lime Street. They are looking at a one-way movement with the entry movement closer to Spring Mill and the exit movement further down Lime Street. They are proposing 33 parking spaces for the dwelling units; 30 spaces are required for the apartment building and 2 spaces for the twin unit. They will be incorporating 2 handicap spots within those overall 33 spaces, plus the required EV spaces (2). The proposed structure is located almost at the intersection of the ultimate rights-of-way associated with Lime and Spring Mill. It is a 9,000 square foot footprint. The ground floor is basically parking, the building is elevated so there are basically 2 floors of living area. They feel they complied with all zoning criteria; no relief is associated with this application. They are proposing this structure as part of the RDD2 District, and they are in compliance with the required bulk and area requirements associated with the RDD2 and are in compliance with the required parking associated with Whitmarsh Township's parking ordinances. All parking will be located under the building except one space located at the southwestern corner of the property and that allows them to be in compliance with the required parking. This is a residential development for 20 units proposed and 1 existing unit for a total of 21 units. They are trying to redevelop this parcel that meets the intent of the Township Ordinances, it meets the intent of the surrounding area, and it will benefit this community. An architectural rendering was shown of the proposed building. The rendering shows how they utilized the slope of the property to put the parking under the building and still get to seem what looks like a 3-story structure; (the rendering clarified that there are 3 floors or dwelling units over parking).

Planning Commission Comments:

How will deliveries be accommodated (they are looking to utilize the 22' wide drive lane behind the building for trucks to pull over, the packages will be delivered to the vestibule entrance and stored until they are picked up); how is the twin building being incorporated into the property (the structure will remain and be used as a rental with access to the parking); asked about the pillars on the rear side of the structure and the amount of room to exit the parking space (this is a proposed rendering, the structural design is not completed yet); a comment was made about the traffic pattern near Sandy Street, the visibility is hard to make a left or right onto Spring Mill (that should not be an issue here since at the Lime Street intersection, both streets are one-way); what type of apartments and was a study done on the demand for additional apartments (they are looking to have more long term tenants); how large are the apartments (approximately 1,200-1,300 sq.ft.); this will be managed as a family business; they appreciate the passion and long term investment and wanting good long-term families and improving the property, Mr. Borkowski

mentioned his background in landscaping design, they feel with this background, it would be progressive to have a green roof.(he agrees to an extent, but was trying to stay conservative); with the updated Comprehensive Plan there is a good chance you would get a thumbs up. Every ounce of carbon sequestration they add is a plus.

The applicant is in receipt of the various review letters from the Township, Township staff and Montgomery County Planning Commission. The majority of the elements in those letters are 'will comply' except for the 10 waivers being requested:

1. §105-29(C) & 105-30(A) Spring Mill Ave and Lime Street are classified as local streets. Local streets require a 56 ft. (ultimate) right-of-way, a 36 ft cartway, curbs, sidewalks, and a tree zone.

A waiver from the above section is being requested to not require the existing cartways of Spring Mill Avenue and Lime Street to be widened from 30 ± ft wide to 36 ± ft to keep the width consistent with the existing roadway.

2. §105-35(C) No structure shall be maintained between a plane two feet above the curb level and a plane seven feet above curb level so as to interfere with traffic visibility across the corner with that part of the required front yard which is within the clear sight triangle. Clear sight triangles shall include the area bounded by any two intersecting street lines and a straight line drawn between points on each such line 50 feet from the intersection of said lines or extensions thereof.

A waiver from the above section is being requested to allow the proposed building to be built to the intersection of the right-of-ways. Spring Mill Ave and Lime St are both one-way streets and therefore do not need a sight triangle on the southwest corner of the intersection. The proposed construction will not create an obstructed view of this corner.

3. §105-37 Minimum sight distance requirements must be provide as indicated in the ordinance.

Spring Mill Ave and Lime St are both one-way streets away from the subject property and therefore do not need a sight triangle on the southwest corner of the intersection. The proposed construction will not create an obstructed view of this corner.

4. §105-38(A) Minimum dimensions for 90° parking aisles is 24 feet in width.

A waiver from the above section is being requested to permit 22 foot-wide, one-way aisles for 90-degree parking. It has been accepted in surrounding communities that parking structures can be allotted a reduction in the required driveway aisle widths from 24' to 22' in width due to the nature of the development.

5. §105-38(B) Minimum width of entrance and exit drives shall be 25 ft for two-way use.

The proposed entrance and exit for the parking area is intended to maintain one-way circulation, therefore a waiver from the above section may not be required.

6. §105-38(H) Except at entrance and exit drives, all parking areas shall be set back from the right-of-way line and all property lines at least 15 feet.

A waiver from the above section is being requested to permit one parking space within 7 feet of the side lot line behind the twin structure. The one parking space is a minor encroachment into this area and the applicant can add additional screening around the perimeter to mitigate the impacts.

7. §105-38(N) For the purpose of servicing any property held under single and separate ownership, entrance and exit drives crossing the street line shall be limited to two along the frontage of any single street, and their center lines shall be spaced at least 80 feet apart. On all corner properties, there shall be a minimum spacing of 60 feet, measured at the street line, between the center line of any entrance or exit drive and the street line of the street parallel to said access drive.

A waiver from the above section is being requested to permit the drives to be 60± feet apart and 30± feet from the street line. In order to provide adequate circulation throughout the parking area, two access drives area required for the development.

8. §105-39(C) A minimum of 10% of any parking lot facility over 2,000 sf in gross area shall be devoted to landscaping, inclusive of the required trees.

A waiver of the required 10% landscaping area is requested due to the proposed parking is located under the building. Landscaping has been provided around the perimeter of the access drives, but cannot be provided in the interior of the parking field.

9. §105-56(A)(1)(a) The width of streets has been established to ensure adequate movement of traffic in times of greater parking loads. Where a street is designed so that all units face on local streets or courts and where on-street parking is not anticipated and no safety hazard will be created, the cartway width may be reduced. This reduction is limited to 36 feet on minor collectors, 32 feet on local streets and 26 feet on private streets and courts.

A waiver is requested to allow the continuation of the 30' cartway on Spring Mill Avenue and Lime Street. The existing streets are one-way in movement and additional widening in a limited section of both roadways does not seem to be warranted.

10. §II(E)(2)(g)(iv) All storm pipes shall be reinforced concrete pipe.

A waiver is requested to allow the use of High Density Polyethylene Pipe in lieu of Reinforced Concrete Pipe. The plan proposes an underground detention basin that will need to utilize perforated pipe. RCP is not manufactured as a perforated pipe and HDPE has been widely accepted as a suitable alternative with competent structural properties and resistance to corrosion that provides a longer lifespan.

Ms. Henrich: she has no issues with the waivers being requested, except for the request from §105-37 (Waiver #3). This has to do with sight distance and not sight triangle; this waiver is not needed

Additional Planning Commission Comments

Were there any changes to the plan in response to the MCPC review concerning the maneuverability and the layout of the parking (no, I think they misunderstood that the back wall was solid and they would have to double stack; they are proposing an open area to allow for cars to access those spaces); asked if they can address the concerns the County had on streetscaping on the Spring Mill Avenue side (they would and do agree to provide a green strip between the curb line and the sidewalk); any concerns with the soil remediation or any issues with contamination (they received Act 2 clearance and everything was clean. There was a shutdown of the service, and they took it through DEP. They would have never gotten financing if it hadn't been done); commented anything you can do to provide active or passive green roof is strongly recommended and they would gladly issue a waiver for height or something if it would allow a green roof (Mr. Gутtenplan: height is a zoning issue so if they exceeded height, they would need a variance but they would most likely not need any kind of relief for a green roof); will there be any amenities

(predominantly just living area, they may have a small fitness room; no pools or gym); how will residents access apartments (near the EV spaces would be a staircase and elevator); is there a paper trail that shows what the chemical cleanup was would be good to have as part of the record (Ms. Heinrich: there is no documentation but agrees they could probably find that through DEP); 20 units, how many bedrooms are they thinking (predominantly 2 bedrooms with some 1 bedroom, maybe a 15:5 ratio); can you describe the dual parking spaces (they had to make adjustments to compensate for non-approval of porous paving and the need for adding EV spaces so they had to revise the plans to include stacked parking. You see these a lot in the shore towns and in urban areas. Auto stackers are parking lifts that store two cars in one space; both spots would be dedicated to that tenant); why is the twin part of this project when the applicant only owns half (the other half is also a rental, but the owner is not interested in selling, so they incorporated theirs into the mix. This gives them more area and greenspace in the back); what are the height restrictions (35 feet; they're in compliance, calculation taken from average grade, not lowest point); are the buffers adequate for this size lot (Mr. Guttenplan: they are in compliance, they will need to go in front of the Shade Tree Commission before getting final approval); is there any consideration for an additional lift spot instead of the 1 outdoor spot (it could be but they are looking at the single space more for service/maintenance vehicles).

Public Comment: none

Mr. Quitel made a motion to recommend granting the requested waivers (excluding #3 from §105-37 as it's not needed) and recommending approval of the preliminary plan, with strong consideration of a green roof; seconded by Mr. Dambman. Vote 7-0

7. OLD BUSINESS: None

8. NEW BUSINESS: None

9. PLANNING COMMISSION MEMBERS COMMENTS: None

10. PUBLIC COMMENT FOR NON-AGENDA ITEMS:

- Mr. Guttenplan commented that the e-mail he sent out earlier in the day (concerning the proposed Open Space Conservation Overlay District) was not intended for the Planning Commission. Ms. Doll (author) realized later that this should be directed to the Zoning Update Committee.

11. ADJOURNMENT

- On a motion made by Mr. Shula; seconded by Ms. Shaw-Fink, the meeting was adjourned at 8:28 PM.

Respectfully submitted,

Charles L. Guttenplan, AICP, Director of Planning & Zoning

The Planning Commission is appointed as an advisory group to the Board of Supervisors and the Zoning Hearing Board with respect to comprehensive land use planning, existing land use, and various land use and zoning applications in Whitemarsh Township. No formal decisions are rendered by the Planning Commission. Formal decisions are rendered by the Board of Supervisors or Zoning Hearing Board, as prescribed by law, based on the type of application.