

September 6, 2017

The Plymouth Township Planning Agency held a public meeting at the Plymouth Township Building on Wednesday September 6, 2017

The meeting was called to order at 7:00 p.m.

The Pledge of Allegiance was recited.

The following were present:

Ed Costello	Vice-Chairman
Vince Frangiosa	Member
Clem Monacelli	Chairman
Tony Stipa, Jr.	Member

Dave Conroy	Zoning Officer
Lonnie Manai	Engineer

Absent

Mike McGuire	Member
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140 WEST GERMANTOWN PIKE

Chairman Monacelli stated that this is an application for Special Exception from Plymouth Township Zoning Ordinance No. 342, as amended, Article XIV, Section 1402.A and Article XIII, Section 1300.A.

The Special Exception requested is as follows: To permit a general dentistry office.

Dr. Jordan Bauer presented this evening.

This application pertains to Suite 105. The building consists of a large mixed use and is located in a "Limited Industrial" Zoning District. There are a variety of other uses at the building, including another dental practice.

The dental office will occupy 2,976 square feet of space. The total square footage of the building is over 25,000 square feet. Dr. Bauer believes that there is a need in the community for another dental office.

No signage is being replaced.

Mr. Conroy asked where the dental office would be located. He was advised that it would be building 140.

Chairman Monacelli made a motion to approve the request to permit a general dentistry office at the location. The motion was seconded by Mr. Frangiosa and passed 4-0 with Mr. Costello, Mr. Frangiosa, Mr. Monacelli and Mr. Stipa in favor. Mr. McGuire was absent.

2418 & 2424 BUTLER PIKE REZONING

Bernadette Kearney presented with the applicant, Sal Paone this evening.

The property was split zoned. The portion of the property that Mr. Pierson will be keeping will be zoned "B" Residential. The part that is being sub-divided and Mr. Paone will own will be "MUV" Mixed-Use Village Residential District.

The CVS Pharmacy is part of the MUV District.

There is a property located to the north of the CVS site. Mr. Paone does not own this. It is currently an existing non-conforming use. Mr. Paone stated that the Township has the ability to re-zone this at its discretion. It is not part of this application.

Mr. Paone hopes to apply for a residential project at the location. He believes it to be a transition piece.

Mr. Monacelli stated that it looked like the application was spot zoning. Ms. Kearney stated that the property north of the CVS site is already non-conforming as it is zoned today.

Mr. Stipa is concerned with what may be constructed if the zoning is changed to MUV Mixed-Use Village Residential District. He does not want to see apartment buildings constructed.

Mr. Paone stated that the site will be consistent with the density and flavor of the Cold Point Village.

Mr. Costello asked what the residential density is for the project. Mr. Paone advised that it is 5 per acre. Mr. Paone will most likely be applying for twelve units in two buildings.

Sidewalks will be installed.

Chairman Monacelli made a motion to deny the request. The motion was not seconded at this time.

Mr. Paone stated that the County review letter misses a lot of issues pertaining to the Master Plan for the site.

Chairman Monacelli stated that a meeting is going to be held for residents on October 5th pertaining to the Township's Comprehensive Plan.

Mr. Frangiosa recommended that the Planning Agency consider approving the request.

Mr. Stipa asked where the boundary was located in the MUV district. Mr. Conroy showed this on the plan.

Richard Lam – 2434 Butler Pike stated that he would like to see a complex built and that it would be an appropriate use for the site.

Mr. Stipa stated that he is in favor of twelve units being constructed at the location as opposed to other options.

Mr. Paone stated that he would like to create internal pedestrian and vehicular connections.

Chairman Monacelli made a motion to deny the rezoning request and was seconded by Mr. Costello. The motion was approved 2-2 with Mr. Costello and Mr. Monacelli in favor. Mr. Frangiosa and Mr. Stipa were against the motion and Mr. McGuire was absent. The request was denied.

601 WEST GERMANTOWN PIKE

Chairman Monacelli stated that this is an appeal of the Zoning Officer's determination, dated August 25, 2017 that the proposed restaurant use with take-out food and beverage service and the proposed retail space requires the off-street parking and loading space variances listed below (or in the alternative variances). Sections 1700.D.5, 1700.D.9, and 1704, and Article XXVIII, Sections 2804.A & 2804.G.

To allow a total of 39 parking spaces, where a minimum of 66 parking spaces are required; to allow no off-street loading space where at least one adequate off-street loading space is required.

Julie Von Sprecklesen presented this evening on behalf of the applicant, Plymouth Meeting, PA (NWC Germantown Pike and Hickory) LLC.

Ms. Sprecklesen stated that the applicant was before the Planning Agency in July seeking a modification of prior approval. The applicant was seeking a restaurant use for a Habit Burger Restaurant that would occupy 2,600 square feet of a total 4,500 square foot space. The other tenant is a T-Mobile which would occupy 1,900 square feet of space. Zoning relief was needed.

No parking variances were requested at that time.

The applicant received approval from the Planning Agency at that time prior to proceeding to the Zoning Hearing Board for their approval.

Since that time, the Township has reversed its position of the number of parking spaces that are required for this use.

In July, the Township Zoning Officer, Dave Conroy advised that the applicant complied with the Township's requirement pertaining to parking with three extra spaces being provided.

The Township now has a new parking requirement for the restaurant use which would require fifty-two parking spaces.

The applicant had to amend their zoning appeal to include an appeal of that determination.

It is their belief that this use does not require fifty-two parking spaces.

Habit Burger Restaurants currently have multiple locations. To date, twenty-three parking spaces have not been an issue or a concern.

Take out service consists of less than 15% of the business of Habit Burger Restaurant. All food is cooked to order.

There will be fourteen tables and approximately fifty seats. There will be no outdoor seating. The proposed location in Plymouth Township will be one of its smaller locations.

The applicant really seeks to construct the restaurant at this location. The average number of employees during a rush is typically a crew of six.

Mr. Manai stated that Plymouth Township Council had requested that the Township Traffic Consultant review this application. Council has not received his report yet.

This is an active appeal of the Township Zoning Officer's determination. This is a zoning application so it is coming before the Planning Agency this evening for a recommendation.

Mr. Frangiosa suggested that perhaps the Planning Agency shouldn't be involved in this appeal.

Mr. Stipa asked what is required by the Township for the T-Mobil parking. Mr. Conroy advised that fourteen parking spaces are required, making it a total of sixty-six for the site.

The applicant wants to do what is right for their tenants regarding the parking.

Herbert Rubenstein, Attorney spoke on behalf of the Township regarding the parking issues and what is required by the Township for this site.

Mr. Rubenstein stated that in a Limited Commercial District there is a parking standard that requires fifty-two spaces for take-out service at a restaurant. This is the minimum standard in the Township ordinance. The applicant can't get a waiver of these requirements. A variance must be obtained and the applicant must show a hardship.

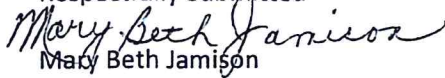
Ms. Von Sprecklesen stated that the Planning Agency recommended approval in July. The issue now is strictly regarding the parking and the Zoning Officer's determination. This is the standard that is applicable. She believes that the applicant is compliant with the Township's Zoning Ordinance and that is the reason for the appeal now. The applicant intends to prove before the Zoning Hearing Board that the fifty-two spaces are not necessary.

Chairman Monacelli made a motion to deny the request to allow a total of 39 parking spaces, where a minimum of 66 parking spaces are required and to allow no off-street loading space where at least one adequate off-street loading space is required. The motion was seconded by Mr. Frangiosa and was approved 3-1 with Mr. Costello, Mr. Frangiosa and Mr. Monacelli in favor. Mr. Stipa was against the motion and Mr. McGuire was absent.

The August 2, 2017 minutes were unanimously approved.

The meeting was adjourned at 8:00 p.m.

Respectfully Submitted



Mary Beth Jamison
Recording Secretary

Plymouth Township Planning Agency
September 6, 2017

To: Zoning Hearing Board

Subject: 140 West Germantown Pike

Chairman Monacelli made a motion to approve the request to permit a general dentistry office at the location. The motion was seconded by Mr. Frangiosa and passed 4-0 with Mr. Costello, Mr. Frangiosa, Mr. Monacelli and Mr. Stipa in favor. Mr. McGuire was absent.

Very Truly Yours,

Mary Beth Jamison
Planning Agency Secretary

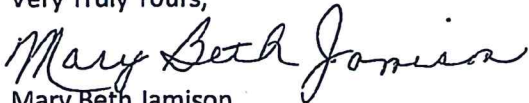
Plymouth Township Planning Agency
September 6, 2017

To: Plymouth Township Council

Subject: 2418 and 2424 Butler Pike Rezoning

Chairman Monacelli made a motion to deny the rezoning request and was seconded by Mr. Costello. The motion was approved 2-2 with Mr. Costello and Mr. Monacelli in favor. Mr. Frangiosa and Mr. Stipa were against the motion and Mr. McGuire was absent. The request was denied.

Very Truly Yours,

A handwritten signature in cursive script that reads "Mary Beth Jamison".

Mary Beth Jamison
Planning Agency Secretary

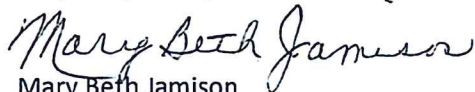
Plymouth Township Planning Agency
September 6, 2017

To: Zoning Hearing Board

Subject: 601 West Germantown Pike

Chairman Monacelli made a motion to deny the request to allow a total of 39 parking spaces, where a minimum of 66 parking spaces are required and to allow no off-street loading space where at least one adequate off-street loading space is required, The motion was seconded by Mr. Frangiosa and was approved 3-1 with Mr. Costello, Mr. Frangiosa and Mr. Monacelli in favor. Mr. Stipa was against the motion and Mr. McGuire was absent. The request was denied.

Very Truly Yours,

A handwritten signature in cursive script that reads "Mary Beth Jamison".

Mary Beth Jamison
Planning Agency Secretary