

The stated meeting of the Planning Commission of the Township of Abington was held on Tuesday, May 26, 2015 at the Township Administration Building, Abington, PA., with Chairman, Mr. Don Marquardt presiding.

CALL TO ORDER: 7:30 p.m.

ROLL CALL: Present: SPEARMAN, COOPER, GAUTHIER
WEGGEL, ROSEN, RUSSELL, MARQUARDT
Excused: STRACKHOUSE, ROBINSON

Also Present: Director of Code Enforcement MATTEO
Planning & Zoning Official PENECALE
County Planner NARCOWICH
Commissioners SPIEGELMAN, SANCHEZ

PLEDGE OF ALLEGIANCE

Agenda Item PC1 – Review proposed Ordinance #2095:

Mr. Marquardt read agenda item PC1 into the record, and asked the applicant to present their plan.

Marc Jonas, Attorney with Eastburn & Gray, P.C. representing the applicant, said Penn State University's proposed Ordinance No. 2095 is a text amendment to allow Student Apartment Housing (Use H-1.A) within the (PB) Planned Business Districts of the Township of Abington as well as proposed onsite parking requirement for the new use that will be added to Section 901.8 of the Zoning Ordinance. A public hearing is scheduled for June 24, 2015 before the Board of Commissioners on this proposed ordinance. This is not a proposed zoning map change as the zoning district is PB, which allows for many different uses.

Parameters for this use include that the tract has to be at least two acres; within two miles of principle campus and two miles from a railroad station; and owned and operated by a university/college that is located within the Township.

Meetings have been held with Township staff that included Commissioners Sanchez and Spiegelman as well as meetings with the neighbors and business owners in the area.

Mr. Rosen asked for the tracts to be identified in tonight's presentation in accordance with proposed ordinance as presented.

Mr. Jonas replied we do not have that information tonight as we are in the process of narrowing that down, but we are working on it and it will be presented at the public hearing.

David Ade, Principal Architect with SMP Architects, 1600 Walnut Street, Philadelphia, PA., said student housing apartment building would have a total of 390 student beds; 10 resident assistant beds; 88 student apartments; 10 resident assistant apartments and two resident-like apartments that are for adults who live in the building 24-hours a day. Onsite, there are 55 parking spaces plus two that are targeted for car-sharing.

Shown was a map of the site and surrounding area and existing conditions are impervious surface, buildings and some green space that will be increased significantly. Proposed site plan showed the linear footprint of the building setback from the street creating green space in front of the building and green space behind the building with parking on the two short ends of the site. Access to the property is only from Old York Road.

There is an existing buffer on the property line and our design will enhance it. All students will enter the building by a single entrance to the building. Sustainability will be a key part of our concept and, in addition to the linear footprint, we will create additional green space outside and the front entranceway would have a series of rain gardens for stormwater.

There will be green common space in the back of building for students with a terrace leading to the front entrance. We want to make sure that our building systems and mechanical equipment is screened from the neighbors.

Mr. Marquardt asked for clarification on the type of mechanical equipment.

Mr. Ade replied the mechanical room will have a generator, transformer, and a recycling/trash dumpster.

Ms. Gauthier asked for the percentage of green space noted on the conceptual plan?

Craig Bryson, Consulting Engineer with Pennoni Associates, replied about 40%.

Mr. Marquardt questioned why the trash receptacle would be placed on the neighborhood-side of the complex.

Mr. Bryson replied that is the side where the heaviest tree canopy would be, so we feel it is the strongest area to screen from the neighbors.

Mr. Ade continued showing views of the site along with the main entrance of the building, and Penn State is committed to this being quality construction.

Mr. Rosen asked has there been any contemplation about security for the building.

Mr. Ade replied yes. There will a secure entrance with someone at the front desk and there is campus security on a regular basis. He continued showing images of the apartments that include a full kitchen, living area and two bedrooms and bathroom.

Mr. Rosen asked for the square footage of the apartments.

Mr. Ade replied typical-size apartment is 850 sq. ft.

Mr. Rosen asked how many tenants will occupy an apartment.

Mr. Ade replied four, two in each bedroom.

Mr. Weggel asked for the type of internal construction.

Mr. Ade replied concrete masonry units and a concrete plank floor system.

Mr. Matteo questioned whether there will be a sprinkler system for the building. .

Mr. Ade replied yes

Mr. Spearman asked will the façade of the building be compatible with the neighborhood?

Mr. Ade replied buildings in the surrounding campus have a brick and stone façade and that is what we are proposing and we are staying within the 50-foot height limit, but at the same time, try to maximize the number of units that can fit into the building. Corner elements of the building are one story shorter introducing lower scale elements.

Mr. Marquardt asked about “green” elements proposed for the site.

Mr. Ade replied proposed are outdoor rain gardens for stormwater management and we are looking at having green roofs at the lower areas of the building including at the entrance. Construction will be energy efficient and all windows will be audible for fresh air and daylight. Cooling tower works in conjunction with dedicated air systems that recovers energy from exhaust systems. We will maximize local materials within 500 miles of the site for the exterior/interior of the building.

Mr. Weggel asked for the level of LEED certification.

Mr. Ade replied we are turning silver.

Mr. Rosen said proposed is four students per apartment; what approximately is the bedroom space?

Mr. Ade replied approximately 200 sq. ft.

Dr. Karen Wiley Sandler, Chancellor for Penn State University, said this project will benefit the college and will provide students with the option of living on campus, which they do not have currently. It will also benefit the Township in that we graduate 500 students a year and we hope a portion will want to try and find work and stay in the Township. We also hope this building will make a statement that Abington is a college town and the center of cultural activities. The new facility is not meant to increase overall enrollment, but we want to increase the student experience by providing living options.

We have responded to neighbors' concerned about parking and traffic. Penn State does not permit first year students who live on campus to bring a car with only 10% exception permitted, so we set aside 40 spaces onsite for those students. Upper class students who want to stay will need to apply to the college for a permit to park overnight and we will find a place off-site to lease parking spaces equal to the number of permits.

The college already has an extensive system of shuttle service and we are also hoping to have bike-share and car-share and had discussions with Rydal Park Association members and other neighbors about the possibility of a walking path. Public transportation is readily available and this site is walkable from the train station.

Mr. Rosen questioned whether Penn State has broader plans for expanding student housing in Abington.

Dr. Sandler replied there are no future plans for expansion.

Ms. Gauthier clarified that the dorms will be tax exempt since this is a nonprofit land use. Is that correct?

Mr. Jonas replied yes, it would likely be tax exempt. The applicant will present the findings of an economic impact study to the Township's EDC at its next meeting.

Gale Siegal, Senior Director of Student Affairs said she has been the Chief Student Affairs Officer for Penn State Abington since 1993, and one of her responsibilities is student conduct and students are oriented with the Code of Conduct and they are familiar with policies of the university and what is expected of them while on campus. In addition to that policy on campus, that policy stands off-campus. Regardless of where they are, if their behavior violates local, State or Federal law or a complaint comes to the university about a student violating code, we will address it.

We work closely with Abington Police and we will draft a Plan of Understanding with them in which the police would send information to the university about a student that is in violation of code, and that is true for every student whether they live at home, student housing or live in an off-campus apartment.

Mr. Rosen asked about the history of complaints about students that has been forwarded to the university over the last year or so.

Ms. Siegal replied there has been very little. Prior to living at the student housing, students will be informed at several meetings by professional staff. There will be separate policies at the residence halls that students will need to follow and there will be a contract stating what the policies are such as no pets are permitted except fish and also about noise and courtesy quiet hours.

Mr. Rosen asked how many RA's will be living in the student housing and what is their background?

Ms. Siegal replied 10, two on each floor. RA's have to enroll in a training class and they are undergraduates. There will also be two professional staff members supervising who will live in the building 24-7. Also, alcohol is not permitted in a residence hall regardless of age and that is actively enforced.

David Babbitt, Land Planner, PO Box 922, Frazer, PA, said he looked at this project from a planning perspective. The parameters of the development are that it was designed and it will be built to reduce the number of vehicle trips on the roads as it is right in front of Rt. 55 bus stop; less than a half mile from Noble Train Station; and there are shuttles throughout the Township. There are far fewer trips from this proposed development as compared to almost any other use in the PB District. Students will also be able to walk to stores, shops and restaurants in addition to the train station.

The redevelopment of the site will make it much more appealing compared to existing property and will lead to a reduction in impervious surface. There are very few properties that are eligible in the Township for student housing because of the criteria of the ordinance. There was an economic impact study done and it projected that 139 fulltime and part-time positions will be created as a result of this development, so the economic impact will be about \$30 million a year.

The proposed ordinance amendment and development that will result from it are in compliance with the Township's 2007 Comprehensive Plan. Penn State University is an asset to Abington Township and this ordinance amendment would elevate opportunities for on-campus housing. Also, County Planner, Mr. Narcowich issued a review of the project and was in favor of it.

Mr. Narcowich replied generally, this is an appropriate use that would benefit the area, but the ordinance requires that all student housing must be within two miles within commuter rail station, although that does not take anything away from the fact this is transit-oriented development as there is proximity to both Noble and Rydal Train Stations as well as bus transit.

Ms. Gauthier said in regards to parking; one space per five beds would mean 80 parking spaces would be needed and the proposal is for 55. Why are so many spaces needed?

Mr. Bryson replied there is a 30% reduction if we meet criteria, which is a reduction of 24 spaces.

Mr. Rosen clarified that parking spaces could be reduced even further. Is that correct?

Mr. Jonas replied yes.

Ms. Gauthier said impervious surface in the PB District requires 20% green space, which is low and conceptual plan indicated 40%. In the Apartment/Office District, the requirement is 40%, so she would recommend adding more green space.

Mr. Jonas replied green space is 30% for a larger lot in the PB District and 20% for smaller lots.

Ms. Gauthier asked does the Township count stormwater management facilities as part of the open space/green space?

Mr. Penecale replied it could be. Proposed design is to be in the front courtyard area and there is additional stormwater management to the rear of the site.

Mr. Bryson provided a slide showing water quality basins in the front and there will be underground retention basins with recharge. All roof drains will go to a rate control device underground that has recharge that DEP deems water-quality.

Mr. Marquardt referred to Page 4, Item L of the ordinance noting that it should say, "The green area dispersal requirements of section 402.4.K shall not apply where the parking areas are divided into areas containing a minimum of 10 parking spaces and those areas are separated by building or green area," and it should read, "Maximum."

Mr. Bryson replied if we take the number of parking spaces and it was all one parking lot, a green space island would be required, but because they are separated by more than 10 feet, the green island is not required.

Ms. Gauthier questioned whether the conceptual plan shows green after every 10 spaces.

Mr. Bryson replied no. If there were 60 parking spaces, we would be required to have a green strip in the middle, but it does not need to be separated by a larger green space.

Mr. Penecale said the plan presented tonight by the applicant was sent to staff today at 4:00 via email. There has been no land development plan submitted and there has been no preliminary sketch plan reviewed. This is the first meeting on this project besides meetings with residents and business owners.

Mr. Rosen questioned what type of recommendation the applicant is looking for since Township staff has not yet reviewed the plan.

Mr. Jonas replied this is about a text amendment and the applicant has yet to submit a land development plan and zoning is about use and land development is about details of construction and improvement. We are requesting that the Township Planning Commission echo the favorable recommendation made by the County Planner and make a favorable recommendation to the Board of Commissioners to enact this text amendment.

Mr. Russell questioned the academic exercise that will need to take place wherein there has been an extensive rewrite of the Township's zoning ordinance.

Mr. Jonas replied if the PB District disappears from the zoning ordinance, then this use will not be applied anywhere else or it could be permitted in the Community Service District going forward. The use is consistent with future view of the new zoning ordinance.

Mr. Rosen asked Mr. Narcowich for his opinion as to whether or not the PB District as contemplated would be in conflict with any material part of the proposed ordinance.

Mr. Narcowich replied this area will be changed to MS-H-Main Street High Intensity District and it is fairly consistent; however, there are a few areas where the height requirement would not be consistent, although taller buildings near transit are something we support and we support transit-oriented development.

Regarding reduction of the setback to 10 feet; in the MS-H District, we are proposing 15-25 build-to-zone, so it is close. Another requirement is that at least 50% of the building's front façade lie in the build-to-zone.

Mr. Spearman clarified that this ordinance would not qualify at all. Is that correct?

Mr. Narcowich replied technically it would not meet that stipulation, but looking at how the building is built near the street and it is walkable, but in terms of intent, it is not far off.

Mr. Penecale noted that this Board is considering nothing more than a draft at this time.

Mr. Spearman replied that we are reviewing a draft for intent, principle. It is not a project, but a stipulation of intent. Is that correct?

Mr. Penecale replied the Board is reviewing a document that is a text amendment that is directly related to a land development project that will be submitted if and when this is approved.

Also, he was asked to review the zoning map of the Township and identify all PB Districts and limiting factors within the PB. The five PB Districts are: the Willow Grove Park Mall section; shopping center where the Target is located on Old York Road; the section where Bed Bath & Beyond and Trader Joes and car dealership is located; the section where the Pavilion/Plaza and Colonade is located; and Huntingdon Valley Shopping Center.

The first of the two limiting items are colleges and/or university within Abington Township, which are Penn State and Dickson School of Nursing. The next limiting factor is that it has to be within two miles of commuter rail station and the proposed site is within two miles from Rydal Train Station and two miles from the Noble Train Station; however, there is a third train station, which is the Crestmont Train Station off of Rockwell Road.

The last limiting factor is that the property size has to be two acres or greater. There are 10 sites in the lower PB section near the 800-900 blocks of Old York Road that would qualify as being within the allotted distance of a college/university; within the allotted distance of a train station; and at least two acres in size, so there are 13 sites in play.

Mr. Rosen asked why is the language in the proposed text amendment so broadly worded that it causes speculation about 13 other potential parcels.

Mr. Jonas replied the proposed text amendment needs to have some value and there are positive cultural aspects of having a college campus within the Township and this is another opportunity to enhance it.

Mr. Marquardt questioned whether the broadness of the ordinance is necessary for the success of the project.

Mr. Jonas replied we felt the legislative components in the text amendment ought to be broad-based. The zoning ordinance is subject to rewrite and we don't know what will happen to the PB District in that process and the ordinance could be refined further, but for the sake of the applicant, a lot of work has gone into the ordinance.

Mr. Penecale noted that when he pointed out earlier that there are possibly 13 sites in play, right now, this is the only site that is vacant and the only site under the control of a university.

Also, the Board of Commissioners would rather get a recommendation from the Planning Commission as opposed to having the applicant go before the Zoning Hearing Board. The reason for the parameters in the ordinance is so that the ordinance is not so specific that it could be argued that it is “spot zoning.”

This is not a site-specific overlay to review, it is a zoning text amendment that talks about creating a new use in Abington to be permitted in one district and the County Planner suggested considering it other districts, and we are discussing a standard for parking for this proposed new use.

Ms. Gauthier questioned the reason why student housing must be located within two miles of a regional railway station because one mile would be reasonable, but two miles would be a 40-minute walk.

Mr. Bryson added that this is a shuttle-oriented campus, so two miles is a short distance to pick up a large amount of students at a train station and take them to the campus.

Mr. Cooper asked about restrictions for outdoor sports activities, noise and curfew for students.

Ms. Siegal replied the university does not permit sports activities around a residence hall and there are other locations provided by the university for that.

Mr. Marquardt asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, expressed concern that the applicant should have been the one who lists the location of the parcels and how it would impact the Township and not the Township staff doing that work. Also, she expressed concern that this meeting should have been filmed, and residents should be notified. Also, what would prevent the college from expanding and she suggested a contract to prevent it.

Carl Salas, 242 Holmecrest Road, expressed concern about the arbitrary nature of the two mile requirement from a certain parcel of land and, regardless of where the dormitory is located, there will be shuttles and it will not be a walking community. He also expressed concern that the Township would be taking a piece of land on Old York Road, commercial space, and putting a dormitory on it that, at best, is tax neutral and there are other sites in the PB District.

Mr. Penecale said in summary, there was discussion of a parking ratio of 400 beds versus 55 onsite parking stalls; discussion of a two mile radius; and tax neutral service versus services rendered in the PB District.

Mr. Spearman requested that the County Planner do more of an assessment of how this use would fit in with the proposed Main Street High Density District.

Mr. Narcowich agreed.

Also, one of the most positive aspects of this project regardless of fiscal impact is the significant economic impact on nearby businesses. The County generally recommends this type of development in town centers or near them, and this use is also consistent with the County's Comprehensive Plan.

Mr. Matteo said this application will be presented before the EDC at its meeting on June 2, 2015 at 7 p.m. in this boardroom and it will be televised.

Also, the Planning Commission has another scheduled meeting on June 23, 2015, which is prior to the formal public hearing on June 24th before the Board of Commissioners and, if this Board would like to get more information on this application, the applicant can come back at that time.

Additionally, two meetings were held previously with adjacent residents as well as with business owners on Old York Road.

Ms. Gauthier made a MOTION, seconded by Mr. Rosen to TABLE any recommendation in order to get additional information on proposed text amendment including the radius; the economic impact study; and the issue of setbacks until the next Planning Commission meeting on Tuesday, June 23, 2015.

MOTION was ADOPTED 7-0.

ADJOURNMENT: 9:29 p.m.