

AGENDA ITEMS

Chick-Fil-A

County Comprehensive Plan

Street Lighting Ordinance

cc:	R. Birch	K. Johnson
	M. Fox	Sewer Authority
	J. McDonnell	F. Bartle
	J. Walsh	B. Shoupe
	C. Chimera	E. Reynolds
	L. McGuire	M. Beatty
	J. Glickman	K. Amey
	J. Goldstein	J. Trump
	J. Rall	S. Krumenacker

MONTGOMERY TOWNSHIP PLANNING COMMISSION

November 7, 2013

The November 7, 2013, meeting of the Montgomery Township Planning Commission was called to order by Chairman Jonathan Trump at 7:30 p.m. In attendance were Commissioners Jay Glickman, Steven Krumenacker, Leon McGuire, James Rall and Ellen Reynolds. Commissioner Michael Beatty was absent. Also present were Bruce Shoupe, Director of Planning and Zoning, and Candyce Fluehr Chimera, Supervisor Liaison.

The minutes of October 3, 2013, were approved as submitted.

There were no public comments.

The first item on the agenda was a presentation of the plan for Chick-Fil-A. Robert Kerns, attorney, and Russ McFall, engineer, were present to discuss this plan. Mr. Kerns advised that the applicant had been before the Zoning Hearing Board and was granted relief to develop the site. This plan is for the redevelopment of two lots located at 794 and 798 Bethlehem Pike. They are located within the C-Commercial Zoning District. The intended uses are a fast food restaurant with drive-thru and a restaurant with associated retail sales. The site is approximately 2.369 acres. The applicant proposes to consolidate the two lots and then subdivide the consolidated lot into two developable lots. The existing K&G retail store will be demolished. The proposal is to construct a 4,791 square foot fast food restaurant (Chick-Fil-A) with a drive-thru and a 5,819 square foot restaurant with associated retail sales. Access from Bethlehem Pike will not be changed. Access to the Montgomery Mall ring road will be relocated. Mr. Kerns stated that they had received the review letters from the Township's consultants and with the exception of the waivers, which they will discuss, all items are 'will comply.' Mr. Kerns further advised that he had spoken with Ken Amey regarding his review comments and in response to his concerns; the applicant had agreed to have cross easements, parking easements and a

Home Owner's Association. With the HOA, there would be only one tenant responsible for maintenance of the property. Mr. Kerns felt that this would be beneficial. Russ McFall, engineer for the project, presented a brief overview of the plan. He advised that subdividing the parcel would allow for each of the lots to be developable. He further advised that there would be 102 parking spaces provided and that landscaping and lighting would be provided. He then explained the waivers which were being requested by the applicant. Those waivers are as follows:

1. Section 205-78.C(1)(f) – the requirement to show tentative grades 400 feet beyond the site. *(The applicant's plan shows the existing conditions, including grading, approximately 25 feet past their property lines. The consultants have no objection to this waiver.)*
2. Section 205-10.H(4) – the requirement that aisle widths must be a minimum of 22 feet for both one-way and two-way aisles. *(The applicant is proposing the one-way driveway on the north side of the Chick-Fil-A to have an aisle width of 18 feet. The consultants have no objection to this waiver.)*
3. Section 205-10.H(6) – the requirement for a loading zone. *(The Zoning Hearing Board approved a variance for this on July 2, 2013. The consultants have no objection to this waiver.)*
4. Section 205-78.A(1) – the requirement that the plans be drawn in a scale of 100 feet to the inch. *(The applicant's plans have been drawn at a scale of 20 feet to the inch. The consultants have no objection to this waiver.)*
5. Section 205-78.B(1) – the requirement to show existing features within 400 feet of the site. *(The applicant has provided an aerial map of the site. The consultants have no objection to this waiver.)*
6. Section 205-79.A(1) – the requirement that a vertical scale of the profile be 4 feet to the inch. *(The applicant's profile utilizes a scale of 2 feet to the inch. The consultants have no objection to this waiver.)*
7. Section 205.18.A(3)(a) – the requirement that the minimum internal diameter of storm drains should be 15 inches. *(Due to the limited cover in the proposed driveway culvert, dual 12 inch pipes are proposed in order to convey the proposed runoff. The consultants have no objection to this waiver.)*
8. Section 205-10.H(4) – the requirement that parking aisles be at least 22 feet wide and that angled parking not be permitted. *(The applicant is proposing angled parking on the northern portion of the site in order to promote one-way traffic circulation thru the Chick-Fil-A parking area. The consultants have no objection to this waiver.)*
9. Section 205-10.H(7)(b) – the requirement that handicapped parking spaces be 12 feet wide. *(The applicant is proposing 8 feet wide handicap parking stalls per federal ADA requirements. The consultants have no objection to this waiver.)*
10. Section 205-24.A – the requirement for street lighting. *(The applicant is proposing*

*internal lot lights, but is not proposing to install any additional street lighting. The consultants have no objection to this waiver.)*

11. Section 205-52.A(2)(a) – the requirement that street trees be spaced no closer than 40 feet nor further than 50 feet apart. *(Due to conflicts with underground utility lines, driveways and storm water management basin, the spacing between trees is proposed to be less than 40 feet in some areas and greater than 50 feet in other areas. The consultants have no objection to this waiver provided the waiver is limited to the spacing of the street trees.)*
12. Section 205-52.B(2)(a) – the requirement for softening buffers. Specifically, Section 205-52.B(4)(a) requires that 4 shade trees and 8 shrubs be provided for each 100 feet of property perimeter. *(The applicant's plan exceeds the number of required shrubs, but is deficient in the number of shade trees. Adding more trees to the perimeter of the tract will cause trees to be installed with unhealthy spacing and may result in conflicts with underground utilities and other site amenities. The consultants have no objection to this waiver provided that a fee in lieu of the missing plant material is submitted. Thirty-one shade trees are missing.)*
13. Section 205-52.D(1)(a) – the requirement to provide 1 shade tree per 10 parking spaces and 6 shrubs for every 2 parking spaces around the entire parking lot perimeter, plus 1 shade tree for each 290 square feet of planting island. *(The plan complies with the total number of shade trees and shrubs but is deficient on the number of shade trees planted within internal islands. The addition of more trees within the planting islands will cause conflicts with underground utilities and street lighting. The consultants have no objection to this waiver provided a fee in lieu is provided for the missing plant material. The plan is missing nine shade trees.)*
14. Section 205-52.D(1)(g) – the requirement that for any land use where the number of parking spaces exceeds 100, the parking area shall be divided by continuous islands perpendicular to the parking spaces every 124 feet. Four shade trees and 8 shrubs shall be required per 100 linear feet of the landscape island. *(The proposed parking layout does not contain any areas greater than 124 feet which would require continuous internal planting islands. The consultants have no objection to this waiver.)*
15. Section 205-53.C and Section 205-54 – the requirement for tree preservation and replacement. A total of 23 replacement trees are required. *(There are no remaining locations to plant additional shade trees on the property without causing conflicts with underground utilities or site amenities. The consultants have no objection to this waiver provided a fee in lieu is provided for the missing plant material. The plan is missing 23 replacement trees.)*
16. Section 205-52.F(6) – the requirement for storm water management landscaping. *(The consultants have no objection to this waiver provided a fee in lieu is provided for the missing plant material. The plan is missing nine shade trees.)*

17. Section 205-52.G – the requirement for individual lot landscaping. *(The consultants have no objection to this waiver provided a fee in lieu is provided for the missing plant material. The plan is missing two shade trees.)*
18. Z.O. Section 230-78.A – the requirement for a 25 foot wide planting area in the front yard. *(The Board of Supervisors has the discretion to waive this requirement. The consultants have no objection to this waiver.)*

Mr. Trump asked if the applicant has considered providing a fee in lieu of the missing landscaping. Mr. Kerns stated that they would consider providing a fee for the missing shade trees. He did not feel that they would be opposed to this. He stated that there is just not enough room on the site to provide all the landscaping that is required. A question arose as to the potential tenant of the other restaurant/retail store. Mr. McFall stated that it was not known as yet what this would be. They would need to come before the Township again for the use. The consensus of the Planning Commission was that they would be happy to see this site developed. They felt that a Chick-Fil-A restaurant was a good proposal for this site. After some further discussion, a motion was made by Mr. Glickman, seconded by Mr. Rall, to recommend to the Board of Supervisors that this plan be approved, subject to satisfactory compliance with all comments of the Township's review agencies. The motion further recommended that a fee in lieu of the landscaping that could not be placed on site be provided to the Township. Motion carried unanimously.

Mr. Shoupe advised that the Township was in receipt of the new Montgomery County Comprehensive Plan. It is available on the County's website for review. He advised that there were several workshops being held by the County if anyone was interested in attending.

Next on the agenda was a discussion of the proposed amendment to the Street Lighting Ordinance. Mr. Shoupe advised that this ordinance was being streamlined so that all single family dwellings within residential developments benefiting from Township owned street lights would be accessed accordingly. The Subdivision and Land Development Ordinance would be revised to include street light specifications. A motion was made by Mr. Glickman, seconded Mr. McGuire, to recommend to the Board of Supervisors that this ordinance amendment be approved. Motion carried unanimously.

This meeting was adjourned at 8:45 p.m.

Respectfully submitted:

Marita Stoerrle  
Development Coordinator/  
Recording Secretary