

Birmingham Township Planning Commission (BTPC)
Minutes of the meeting October 12, 2021

The regular meeting of the BTPC was called to order by Ms. McCarthy at 7:30pm in the Birmingham township building.

PRESENT: Scott Garrison, MaryPat McCarthy, Brendan Murphy

Also present: Kim Venzie, Esq
Dave Schlott, Jr., PE
Louis Colagreco, Jr., Esq
Brian Atkins, PE

A motion to approve the minutes of the September 14, 2021 meeting was made by **Mr. Garrison** and seconded by **Mr. Murphy**. Motion passed unanimously.

Review Radley Run Country Clubhouse improvements Preliminary/Final Land Development Plan

Mr. Lou Colagreco is in attendance tonight representing RRCC to address the issue of parking. He indicates that they have inventoried the parking. He also noted that at the suggestion of the township staff/township solicitor, RRCC is willing to consider the provision of providing an overflow or reserve parking area in the event that the already proposed parking is not enough – which they believe is in excess of what they truly need. But if by chance they are wrong and do need additional parking, Mr. Brian Atkins displayed on the plan the area where they have reserve parking available. Mr. Colagreco explains that the reserve parking area has 59 spaces available. This reserve parking would only be triggered if the township determined that the current parking wasn't working for some reason, such as a fire lane being blocked. Mr. Atkins shows that this reserve parking is located by the tennis courts in gravel lot #5. They looked at the conceptual requirements for grading this area to provide expanded reserve parking and thus determined how many additional spaces it would provide. Ms. McCarthy asked if this is in the flood zone – but Mr. Atkins confirmed it is not.

Mr. Colagreco stated that the rest of the parking on the site is presuming that the entire event space, all golf course, all tennis courts and all pools are occupied at the same time – which is an occurrence that has never happened at Radley. Since the ordinance doesn't have any event parking requirement listed in it, the applicant used a ratio of 1 parking space for 4 seats. Other municipalities use that this ratio for event or catering space. Given that, the applicant is very comfortable with the parking on the plan. Also taken into account is the fact that many of the people who live in the neighborhood use their private golf carts as a preferred method of getting to and from activities at the club. In light of all of this, Mr. Colagreco stated that with the additional provision of the reserve parking, in the event that it's needed, he can't imagine that reserve lot needing to be paved. He stated that it would be the most overly parked golf course on the East

coast. The applicant is willing to set this area aside, and if it is determined that it needs to be installed at a future date, they will comply.

Mr. Schlott asked if they are intending to pave the existing reserve parking areas? Mr. Colagreco stated that the applicant will pave that reserve parking area only if it is determined to be needed at a future date. Mr. Schlott asked if there is any consideration of paving the other gravel areas at this point? Mr. Colagreco stated that they do not intend to pave those other gravel lots as they have worked for 30+ years as they are. He also noted that the cost to pave those lots blows the project out of water. In fact, if they have to install the reserve parking area at this time, they will be unable to do the project as it's an estimated \$300K just for that lot. They have never had any complaints about the gravel parking areas previously and don't expect any now. All of the new parking areas related to the actual project are being paved pursuant to the code. They are trying to be practical and dividing up the areas as to what's there already and what is new.

Ms. Venzie asked for clarification on the spaces that they are asking to remain gravel – is it the existing 42 space lot? Mr. Atkins confirmed yes that is the area.

Ms. Venzie also asked for clarification on the numbers that are on the site currently: 171 parking spaces on the existing property? Mr. Atkins stated that the existing parking spaces determined during the walkthrough with Mr. Schlott were 185 including gravel lots. They are proposing an additional 50 spaces for a total of 235. Additionally, they will put the 59-space lot in reserve if it is determined to be needed and if so, they will pave it at that time. Mr. Colagreco confirmed that these numbers are correct. Mr. Colagreco also mentioned that they may want to discuss the option of installing green paver blocks, if the reserve lot is needed, rather than paving it just to be more eco-friendly. Ms. McCarthy reiterated that this is just a back-up plan allowing them to put off adding additional parking at this time. Mr. Atkins stated that they have conceded to build the 42-spaces that they had originally wanted to defer to sometime in the future. Thus, they are hoping that these additional 59 spaces will not be necessary. Ms. McCarthy noted that they are upgrading their facilities in order to bring in new business which will require more parking spaces.

Mr. Atkins noted that they did review other country clubs in the area (Kennett CC and Concord CC) in terms of their parking. He stated that Kennett CC has 160 parking spaces and Concord CC has 220 parking spaces.

Ms. Venzie talked about what the Planning Commission members are struggling with – it's how to apply the ordinance criteria to the various uses that the Country Club offers. The ordinance specifies criteria for the golf course and other uses, but not specifically for event space such as this because it doesn't meet the definition of restaurant space. Extensive discussion ensued related to the methods of applying the ordinance to the parking criteria since it doesn't specifically meet any of the identified uses. She stated that it would be good to understand the applicant's reasoning for why the parking they are proposing specifically works for this site and its various uses. Mr. Colagreco states

that past experience is the best method they can use since the ordinance (and those in many other municipalities) are vague and don't specifically provide ratios to be used for a space that is not a restaurant, not open to the public, not a high turnover space. Some ordinances apply a member ratio to golf courses: for every member you must have .2 parking spaces. If that ratio is applied here, they only need 76 spaces. Some other townships (Pocopson) uses a ratio of 1 parking space per every 4 seats – which is what Radley applied to this project.

Ms. Venzie asked when the 42 parking spaces are utilized, how do those people get to and from the events? Her concern is the safety of people walking along the road. Mr. Atkins stated that generally those spaces are used by employees/staff or members using the tennis courts. If they are needed for an event, they are utilized as valet parking and thus no one is walking along the road.

She also asked if there is any closer location for the 59-space reserve area? Mr. Atkins stated that area is the closest "club owned" space that could accommodate additional parking. All other areas are too close to residential property or within the flood zone.

Mr. Murphy asked if there had been a conclusive decision about what is considered an "all-weather" surface? Mr. Schlott indicated that as the township engineers, they had issued an opinion that "all-weather" means paved. One of the biggest concerns they have for gravel parking areas is the correct designation of actual parking spaces.

Mr. Murphy asked if the parking is being approached as parking required for the new space or parking required for the entire facility. Mr. Colagreco stated that in his discussion with the township staff and solicitor last week, they are approaching this as what's there today is existing and they are not changing it – the parking ratios, the all-weather parking surfaces that are non-conforming will stay non-conforming. Going forward any of the new spaces will be built to spec and in compliance with the existing ordinance. This is the approach they are taking since there is a gap in the ordinance relating to country clubs and the various uses the clubs provide. Mr. Murphy reiterates that the existing facility parking will remain non-conforming. He then asked what the new facility parking requirement is? Mr. Atkins responded that the existing facility has 171 spaces with overflow in the gravel lot. For the new facility there is a demand for 64 new spaces which is what brings the number to 235 spaces required/proposed. The net is based on closing the 3,000 square feet of restaurant space and club house in the existing facility and moving it across the street to the new facility which will be 4,000 square feet.

Ms. McCarthy proposed requiring the applicant to come back to the township one year from the date that the Use and Occupancy permit is issued. This will allow for time for them to build their business and determine if the additional reserve parking lot is necessary. Mr. Garrison asked who will make that determination? Mr. Colagreco stated that in other scenarios where reserve parking has been set aside, that parking will be determined as necessary if there is continue evidence of people parking where they shouldn't – generally indicating there is a lack of adequate parking.

Mr. Murphy clarifies that his understanding after listening to the discussion tonight is that the Planning Commission is not dealing with the existing parking since that has been determined to be non-conforming; instead, we are dealing with the new facility and the changes/upgrades that facility will require in terms of capacity. Since the ordinance still doesn't specifically address this new facility; he thinks using a "reasonable person approach" is the best option. Thus, if the Planning Commission is comfortable with the expansion from the old facility to the new facility and the requirement for 64 parking spots at the new facility, and then layers on the requirement that the applicant return in one year to update the township on their evaluation of the parking in relation to their events and activities; this will allow them to determine if the reserve parking is necessary. Re-visiting the parking issue in one year will allow the applicant to determine if the entire 59 additional spaces are necessary or if they only need a portion of them. They will need to present some sort of assessment to identify how many are needed and also what type of surface that reserve lot will be.

Mr. Murphy made a motion to recommend that the BOS grant preliminary/final approval to the land development plan for the Radley Run Country Club and that the "reasonable person approach" be used for the proposed parking for the new space and that the applicant be required to come back to the township one year from the issuance of the Use and Occupancy permit to address whether the parking is acceptable or if they need the proposed reserve parking lot. Additionally, the applicant must comply with all the outstanding issues within the Arro engineering letter dated August 13, 2021. Seconded by Mr. Garrison and passed unanimously

New Business/Public Comment:

None

Motion to adjourn the meeting was made at 8:02pm by Mr. Garrison and seconded by Mr. Murphy and approved unanimously. Next meeting is scheduled for November 9, 2021.

Respectfully submitted,
Jennifer A. Boorse
PC Secretary