

Birmingham Township Planning Commission (BTPC)
Minutes of the meeting March 8, 2022

The regular meeting of the BTPC was called to order by Ms. McCarthy at 7:00pm.

PRESENT: Scott Garrison, Eric Hawkins, MaryPat McCarthy, Brendan Murphy, David Shields

ABSENT:

Also present: Alyson Zarro (RRHC), Jim Oeste (Allied Properties), Steve Sauselein, PE (EB Walsh & Assocs), Kim Venzie (township solicitor)

Mr. Murphy made a motion to approve the January 11, 2022 minutes. Motion was seconded by Mr. Garrison and it passed unanimously.

1305 Wilmington Pike/Penn Oaks Enterprise/Conditional Use

Ms. Alyson Zarro is in attendance tonight to present the proposed project for 1305 Wilmington Pike again. For those that may remember, they initially presented this project pre-pandemic and then it was on hold.

The applicant has already obtained Zoning relief: in December the Zoning Hearing Board granted relief on two items. First, the property contains a swath of steep slopes through the middle of the site and thus they needed variance relief in order to develop it. Secondly, they needed variance relief from the building height requirement. Even though this is the C-2 district and permits 3-story buildings, it limits the height to 35 feet. They received a variance to increase that to 42 feet in order to allow for mechanicals and good height on the first floor for retail and restaurant spaces.

The applicant filed a full land development plan as per the ordinance. However, the township has asked that they proceed with conditional use first and then the land development plan. Thus, there is no review letter available at this time for the land development plan. However, the project engineer is in attendance tonight to address any questions the committee may have regarding the preliminary land development plan. The reason they need conditional use approval is because they are proposing three separate uses, that are all permitted within the C-2 district, but they will be combined on one lot. The project is a 3-story building – the first floor will be a combination of retail and restaurant uses and the second and third floors will be office space.

Ms. Venzie clarified the process for the Planning Commission members. Tonight, the applicant is here to discuss and get a recommendation for the three uses on one lot. They will then have to come back to the PC for a land development review. So at this meeting the focus should be on the three uses.

Mr. Sauselein offered to remind everyone of the original land development proposal since it was two years ago. The site is a 2.93 net acre property located on the southeast side of Penn Oaks Drive and Rt 202. It is a vacant lot. There is a band of steep slopes through the central region of the site and along the Rt 202 corridor that rendered the site useless if they could not obtain zoning relief for the grading of those slopes. For the relief, they agreed to return the slopes to the ordinance requirement of a 3 to 1 maximum and soil erosion and sediment control measures will be implemented during construction to protect those slopes.

Mr. Sauselein addressed some potential questions that the PC may have. They are proposing a 3-story building approximately 31,200 sq feet. The ultimate site when combine the uses and the parking requirements for each will be 108 spaces. They are providing 115 spaces.

They are at 50% threshold for impervious coverage. In terms of floor ratios they are well under the 40%. He stated the coverage is roughly 24%. They maintained open space in the back and graded the property in accordance with the township ordinance requirements of no greater than 5%. The storm water management is a combination of both surface and subsurface to meet the township ordinance and the PADEP NPES permit requirements. There are two subsurface systems below the parking area – the water will be filtered through stone to filter the runoff. They will discharge into a surface basin that ultimately discharges into the existing collection system for Penn Oaks Drive and then into the Rt. 202 drainage system.

Mr. Sauselein stated that it is a straightforward land development plan. However, with the steep topography there are some retaining walls along the perimeter to ensure that all the grading stays within the property limits.

Ms. McCarthy asked what the setback is from 202 and Mr. Sauselein stated that it is 60 feet. The building itself will sit generally along the elevation of Penn Oaks Drive.

Mr. Murphy asked if the zoning relief for height will affect the parking lot lighting? Mr. Sauselein stated that it will not affect the lighting. The parking lot lighting will be in compliance with the ordinance.

Mr. Oeste provided a rendering of what the building will look like. It is a combination of stone and brick architecture. They are describing it as a small boutique type office building with convenience type retail/restaurant offerings on the first floor. They are planning to occupy the third floor with their staff; leaving the second floor for another tenant or two; and then up to 5 retail bays on the first floor. They are not heavily marketing it at this point as they are aware of the lag time in construction materials and expect that it could be two years before this is fully ready to occupy.

Mr. Shields asked if they are planning to occupy the full third floor? Mr. Oeste confirmed.

Mr. Hawkins asked if the roof has a parapet wall on the roof. Mr. Oeste confirmed. He noted that the original plan had a peaked roof. They redesigned the roof after conversations with the BOS and the Zoning Officer.

Ms. Venzie asked about the retaining wall on the right side and the impact to the adjacent property owner. Mr. Sauselein stated that the retaining wall is between the proposed building and CJ's Tire. He showed the wall on the plans. Ms. Zarro noted that she has spoken with CJ's attorney a couple times and they are aware of the proposed construction. Mr. Sauselein stated that the CJ's building sits significantly higher.

Ms. Venzie asked if there is a traffic light at that intersection. Mr. Sauselein confirmed there is. Ms. McCarthy noted that it is the only traffic light that also has a crosswalk. She noted that depending on the type of retail they have, they may have foot traffic because Freddy's and Starbucks both have significant foot traffic. They may want to consider a sidewalk for this reason. There was some discussion about this and the various pros and cons.

Mr. Sauselein noted it will be public water and public sewer. Ms. Zarro has been in contact with Bucks County Water and Sewer Authority and noted that there is an issue that needs to be addressed but it is not an issue of capacity. Mr. Hawkins asked if there would be an option to do dump and haul if the sewage connection is not resolved. Ms. Zarro said that a project of this size would not permit that as a long-term solution. She believes that the issue will be resolved.

Ms. Venzie asked about landscaping. Mr. Sauselein showed the perimeter landscaping on the plans. It is not a screen, but there is a certain requirement in the ordinance per linear foot perimeter around the parking area and the total number of stalls. It is predominantly along the frontage, the side and within the islands. They will not be affecting the outparceled Penn Oaks sign area as they do not own that parcel. They are not planning to have signage along the roadway because the signs will be on the actual buildings.

Ms. McCarthy made a motion to recommend that the BOS approve the conditional use plan as presented contingent on the sewage issue being resolved. Mr. Garrison seconded the motion and it passed unanimously.

New Business/Public Comment:

Motion to adjourn the meeting was made at 7:42pm by Mr. Murphy and seconded by Mr. Garrison and approved unanimously. Next meeting is scheduled for April 12, 2022.

Respectfully submitted,
Jennifer A. Boorse
PC Secretary