

**BOROUGH OF HATBORO  
PLANNING COMMISSION MEETING  
TUESDAY, APRIL 5<sup>th</sup>, 2016**

**PRESENT**

Chairman McKnight, Members Gordon, Kline, Farnen & Battis, Council President Tompkins, Assistant Secretary Hegele, Solicitor Iannozi, & Engineer Hulshizer.

**ABSENT**

**CALL TO ORDER**

Chairman McKnight called the April 5<sup>th</sup>, 2016 meeting of the Planning Commission to order at 7:05 PM.

**APPROVAL OF MINUTES**

Chairman McKnight discussed and entertained a motion to approve the January 12, 2016 meeting minutes. Member Kline motioned to approve the meeting minutes, motion seconded by Member Gordon, all ayes. Motion carries 5-0.

Chairman McKnight discussed and entertained a motioned to approve the March 1, 2016 meeting minutes. Member Battis motioned to approve the meeting minutes, motion seconded by Member Kline, all ayes. Motion carries 5-0.

**321/333 NORTH PENN STREET—Minor Subdivision**

**Applicant Representation**

Mr. Nick Rose; *Protract Engineering, Inc.*

Mr. Henry Jacquelin; *James Craig Trust*

The Applicant, James Craig Trust, has proposed a minor subdivision to create two separate lots, each containing one existing single-family dwelling. The average lot size surrounding this lot is about fifty feet wide. The minor subdivision at this location would put the two resulting lots at the average size.

Mr. Rose discussed the side yard variance received from the Zoning Hearing Board for this property. The Zoning Hearing Board granted variance §27-703.B.(5): Side yards to permit an encroachment into the required 8 foot side yard of 1 foot 5 inches at 333 North Penn Street. Mr. Rose also discussed the letter from Gilmore & Associates, Inc. dated March 23, 2016. For all comments listed in this letter, the applicant has agreed to comply.

Member Farnen led a discussion about the new widths of the two lots. Mr. Rose stated the new widths of the lots are 75 feet and 50 feet. 50 feet is the minimum lot width.

Member Battis motioned to approve the subdivision of 321/333 North Penn Street, motion seconded by Member Farnen, all ayes. Motion carries 5-0.

**YORK/HORSHAM—Zoning Ordinance Map/Text Amendment Change**

**Applicant Representation**

Mr. Marc Jonas; *Representative of Property Owner and Developer*

Mr. Peter Stampfl; *Stampfl Associates Architecture and Planning*

The Applicant has proposed the extension of RC2 Zoning and text changes better fit for a pharmacy at this location. Mr. Jonas recommends parallel amendments to Zoning Map and Zoning Ordinance.

Mr. Jonas discussed the subject of a Zoning Hearing Board application for this location from 2005. The ZHB found the corner lot to be surrounded by parking and commercial use and therefore, would not be adverse to commercial use at this location. The Applicant in 2005 stated to the ZHB that after several failed attempts to rent the units at this corner, Residential Zoning is not appropriate for this location.

Mr. Stampfl presented four perspective mock-ups for the proposed pharmacy development at this corner. The proposed scale and size allow for visibility of surrounding historic buildings. Mr. Stampfl's team also pulled design details from surrounding buildings and used those elements for the proposed building at this site. This included stone siding detail. The proposed site is

approximately 11,085 sq. ft. with parking surrounding the corner. Mr. Stampfl is proposing two entrances—the existing entrance on York Road and the existing entrance on Horsham Road. Mr. Jonas briefly mentioned the size of the proposed pharmacy. Mr. Stampfl stated the building is to be only one floor to keep with the nature and scale of surrounding businesses.

Member Battis asked about the accuracy of the scale of the proposed building. Mr. Stampfl replied in regard to the software program used to render the drawings. He cannot say it is 100% to scale, but it is extremely accurate.

Member Kline was curious about the sureness of Rite Aid obtaining this property in the event that all Zoning Map and text amendments are approved as proposed. Mr. Jonas replied that the proposal at hand is for a pharmacy and Rite Aid is the example. The developers chose to propose a pharmacy due to the interesting history of this site, demographics, and opportunities in the Hatboro area. Mr. Jonas added that extending the use at this site is reasonable and logical.

Member Farnen expressed a concern that the changing of the Zoning Map could open this site to any retail business within the use regulations of RC2 and encouraged preservation of current zoning, R4. Mr. Jonas stated that he cannot guarantee longevity, but the record of pharmacies are often successful. He added that based on the site's history with residential use, no one would live at this corner if it were to keep its current zoning. He added that this is an opportunity to create a well thought out text amendment and map change with a successful developer that can do things others cannot.

Member Battis expressed concern about amending an entire ordinance for one, specific pharmacy. President Tompkins added that most of the proposed amendments can exist separately. Changes can be made to the Zoning Map while not amending the Zoning text, and vice versa—one proposal can reach approval without the other. President Tompkins admitted flaws within the ordinances that could use amending. Member Kline asked if the need for amending the ordinance existed within the RC2 Zoning ordinance. President Tompkins stated most of the proposed amendments do not belong within the RC2 Zoning ordinance. He added only "Pharmacy (A)" in the RC2 ordinance truly addresses the proposed project at hand.

There was a discussion regarding the intended use of this land within the Borough of Hatboro Comprehensive Plan. President Tompkins stated that this site is listed as "Limited Office/Institutional" on page 11 of the Comprehensive Plan.

Member Kline led a discussion regarding the proposal of an overlay for this site. Mr. Jonas stated that overlays are often used for environmental conservation. Member Kline stated if an overlay is established and approved for the pharmacy, should the pharmacy go away, the zoning at this corner would revert back to how it was prior to the overlay. Mr. Jonas replied that after review of the Borough, Borough demographics, the current zoning map, the 2005 ZHB decision and evidence, the proposal for text and map amendments seemed relevant. Member Kline stated most concerns for this particular developer are rooted in the possibilities if Rite Aid were to leave this site. Member Kline also added that an overlay seems like an important option for the Borough. Mr. Jonas replied overlays are a broader approach and could possibly open more concerns.

Council President Tompkins led a discussion regarding concerns pertaining to the proposed ordinance amendments. Member Kline stated that she is only comfortable with the first page of the proposed amendments. President Tompkins added he has specific notes regarding this letter that he will make available to the members of the Planning Commission. Member Farnen discouraged the changing of the sign ordinance. Chairman McKnight added his concerns regarding the site plan and the 6 foot wall by the loading dock. As it appears in the rendering, there does not appear to be a railing on said wall. Chairman McKnight has safety concerns regarding this wall.

Chairman McKnight encouraged members of the Planning Commission to make specific recommendations for the May meeting.

### **PRIVILEGE OF THE FLOOR**

Christina Giovinazzo, Horsham Road, quoted a section from the Borough of Hatboro Comprehensive Plan chapter titled, Future Land Use and Housing: "Avoid extending or establishing commercial uses in outlying residential areas."

Janel Souslin, Horsham Road, expressed concern that the change of the Zoning Map at this site would take away from the historic entrance into Hatboro.

Marianne Shaeffer, Crooked Billet Road, asked about the differences between the two Zonings, RC2 and R4, pertaining to traffic flow. Solicitor Iannozzi stated if the Zoning amendments were successful, a traffic analysis would occur during the land development process. President Tompkins added that within the Borough traffic ordinances, R4 is labeled as 'heavy traffic,' meaning it could be as dense as or more dense than RC2.

Jennifer Hartigan, South Linden Avenue, asked about impervious surface differences within the RC2 and R4 zoning with main concern regarding flooding. Engineer Hulshizer stated that any developer at this location is required to conform to the Borough's Floodplain Ordinance during the land development stage.

Richard Seeds, Horsham Road, suggested the pharmacy find a more relevant location to begin their business to avoid extending commercial use into residential zoning. Seeds also stated that the recurring failure of previous rentals at this site appears to be a focused residential use.

Judith Swanson, Loller Road, mentioned the possibility of the Hatboro YMCA relocating outside of Hatboro and the businesses that could be developed at that particular site. She added that the re-zoning of the Horsham/York site heavily complicates this section of South York Road—to see the historic Loller Academy surrounded by, essentially, a strip-mall.

Collen Seeds, Horsham Road, expressed concern that additional amendments to the ordinance could lead to legal struggles in order to protect the Borough.

Edward Henry, Bonair Avenue, believes in sustaining the existing Zoning map. He also stressed the negatives of the current zoning, R4.

Richard Seeds, Horsham Road, stated Rite Aid and Walgreens are currently in the middle of a merger. He expressed concern that the security of a pharmacy at this site could be compromised.

#### **MEETING DATE**

The next meeting of the Planning Commission will be May 3<sup>rd</sup>, 2016. Chairman McKnight stated the Planning Commission is unable to make a decision tonight, and suggested to table this proposal until the May 3<sup>rd</sup> meeting. All members of the Planning Commission agreed.

#### **ADJOURNMENT**

Chairman McKnight adjourned the April 5<sup>th</sup>, 2016 meeting of the Planning Commission was adjourned at 8:52 P.M.

Respectfully submitted,

Diane C. Hegele  
Assistant Borough Secretary

Transcribed by Devyn Wells