

**TOWNSHIP OF FALLS
PLANNING COMMISSION MEETING
NOVEMBER 27, 2018**

Meeting commenced: 7:00 p.m.

Meeting adjourned: 7:55 p.m.

Members present: Brian Binney, Edward Crohe, John Haney, Thomas Hughes

Members absent: Robert Crozier, Stephen Hammer, Mary Leszczuk

Also present: Kristen Holmes, P.E. (Holmes Cunningham) and Mike DeMaio (Milex Properties), representing Milex Properties; Michael Bradley, Esquire and James McCoy (Superior), representing Superior Motor Service

For the Township: Joseph Jones, P.E. Township Engineer, Thomas A. Bennett, CCEO/ Zoning Officer and Diane Beri, Recording Secretary

Board Business:

Chairman Binney states that the December 2018 Planning Commission meeting is scheduled for Christmas Day. We will change the meeting date to Monday, December 17, 2018 at 8:00 p.m.

All in favor 4-0. December meeting will be on December 17, 2018 at 8:00 p.m.

Item #1: Milex Properties, LLC, 300 W. Trenton Avenue, Morrisville, PA 19067; TMP #13-035-027; Zoned: NC. Owner: Milex Prop LLC. Preliminary Land Development to construct a 4,800 sq. ft. office building with garage spaces

Kristin Holmes states that this application is for a new office building of 4,800 sq. ft. Currently, there is an existing two story office building with a driveway with frontage off W. Trenton Avenue and 28 parking spaces. We are looking to extend the parking lot towards the rear of the property and build a second office building to the rear of the first office building. We have received a parking variance from the Zoning Hearing Board in April of 2018. We are proposing a total of 37 parking spaces overall on the site.

Chairman Binney asks what the purpose of the garages are.

Ms. Holmes states that the garages will be on the first floor and they will be auxiliary garages. They will be parking spaces for the office tenants.

Chairman Binney states that his concern is that those garages are rented out to people to store items. Is it one garage or is it a parking garage where there will be 30 spaces in it?

Ms. Holmes states that there will be individual garage doors for each of the spaces.

Member Hughes states that on the plan you show eight garages.

Ms. Holmes states that these are for the leases within the office space above.

Chairman Binney asks if there are eight garages, will there be eight office spaces?

Ms. Holmes states not necessarily. The fully designed interior of the building has not been laid out yet.

Chairman Binney states if there are more garages than tenants, that makes me more hesitant with regard to the garage spaces – possibly becoming rentals and/or storage units.

Member Hughes asks will the space be open underneath the office building, or is each one of those garages an individual garage, walled off from the next car over.

Michael DeMaio (Milex Properties) states in today's environment, people have business offices where they need to ship things, they need to store things. People need more than office space. They need storage to run their businesses. There are all different kinds of businesses out there – people build things and ship them out, people bring things in and have them assemble them and send them out, some people are doing online businesses. So they need shipping and storage. They can't afford to rent a 5,000 sq. ft. warehouse, so they need offices, they need some preparation and space. We are trying make it more rental for that type of population.

As far as how we are going to break up the offices upstairs and break up the garages, we haven't decided that yet. It would depend on a tenant. If a tenant wants half the building and half the garages, we would rent to that one tenant and divide it that way. If I had to break it into four, I would break it into four.

Member Crohe says the garages are most likely not going to be garages, they most likely will be storage units for the offices above them.

Mr. DeMaio said they could be both – a tenant might want to pull a vehicle in or it could be used for storage for product they are sending out to UPS, etc.

Member Crohe states that the concern we are having is that we don't want a storage facility.

Mr. DeMaio says no, the garages will be an auxiliary use for the office people above. They will not be separate tenants.

Member Haney says so you need to be a tenant in the office building to get a garage space.

Mr. DeMaio says that is correct – it is a package.

Member Hughes asks if they are going to submit fire protection plans to the Fire Marshal. If you are going to have storage in there, that will change the use group in that first floor area.

Ms. Holmes says she will have to look into that. We are considering that garage space as auxiliary parking for the office tenants.

Member Hughes says as soon as you start storing stuff in there, then you have stacks of flammable material that is going to have to be taken into account, when you do your fire sprinkler drawings.

Ms. Holmes says that the intent is not necessarily being an entire storage unit for the spaces above – it's being garage and some additional space for them to be able to deliver products and do things. It's not a storage unit, just additional space for the tenant themselves.

Member Hughes says what you need to remember is that what you plan on doing in there is going to have an impact on the fire protection system that belongs down there.

Ms. Holmes says that yes, they would submit all that information at the time of construction permit submission.

Chairman Binney states that what is troubling to him is that this is a Neighborhood Commercial zoning district, not another commercial zoning district like Highway Commercial. Also, you can have a maximum of 6 spaces in there and have 8 garages – so there will be two extra garage spaces.

Ms. Holmes says that some tenants may want more than one garage space. It's not necessarily one space per tenant, but rather based on the needs of the tenants.

Chairman Binney states that his personal belief is that no one will park a car in any of these garages – that it's all going to be storage which troubles me that the Zoning Board allowed you to reduce your parking by 35 percent.

Ms. Holmes states that the existing building has been in use as an office building, and based on what occurs within those office spaces, the parking area that exists today for the square footage of that building is underutilized. There are 28 parking spaces there, and at maximum there are 15 parking spaces in use. Also, the garages on the new building were not included within the parking calculations, so if they were to be used as garages, that would be an additional 8 parking spaces.

Jones Engineering Associates' Review Letter Dated November 21, 2018

All items are a will comply with the exception of the following waiver requests:

Subdivision and Land Development Ordinance

- 191-31(A) Requesting a waiver – widening the right-of-way, cartway along frontage of W. Trenton Ave
- 191-36(D) Requesting a waiver – curbing within all driveways
- 191-37(B) Requesting a waiver – 15 ft. of open space between curblines of any uncovered parking area and building
- 191-37(C) Requesting a waiver – parking stalls dimensions of 10' x 20' (current parking spaces are 9' x 18')

Member Crohe asks about the handicap spaces – Ms. Holmes states the van accessible spaces need to be a total of 16 ft. in width (8 ft. space plus the 8 ft. access aisle complies with that ADA requirement)

Discussion occurs about the placement of the handicap spaces in relation to the new building.

Chairman Binney asks if there will be an elevator installed in the building.

Mr. DeMaio states no.

Chairman Binney states that all the office space is on the second floor.

Mr. Bennett says that it will have to be ADA compliant when they submit the construction plans for review.

- 191-37(G) Requesting a waiver – curbed raised planting beds within the parking facility
- 191-78(C)(2) Requesting a partial waiver, subject to adequate information from Township's engineer review

Discussion occurs about Section 187-18(A) under the Stormwater Management Ordinance.

Ms. Holmes states all other review letters will be complied with.

Chairman Binney states that we don't know what the building will look like (no architectural drawings), but there is a requirement that all buildings shall be compatibly designed.

Ms. Holmes states that they are aware of that requirement and will comply.

No further Board comments.

Mr. Jones asks if they would be willing to put a note on the Record Plan that indicates that all occupants of the garages will be the tenants in the main building.

Ms. Holmes states yes.

Member Crohe states that there are 2 handicap spots required for the current building which has six office spaces. The new building will have eight office spaces potentially and there's not another handicap space requirement?

Ms. Holmes states that the total number of handicap spaces is based on the total number of parking for the overall lot so those two spaces are compliant with ADA based on the number of parking spaces.

Member Crohe states that the zoning variance to reduce the number of parking spots thereby eliminated the need for another handicap space?

Ms. Holmes says yes.

Discussion occurs about the loading dock area.

Member Hughes makes a motion to recommend approval for Preliminary Land Development for Milex Properties, LLC, located at 300 W. Trenton Avenue, Morrisville, PA 19067, TMP #13-035-027, based on Jones Engineering Associates' review letter dated November 21, 2018, with waivers requested for Sections 191-31(A), 191-36(D), 191-37(B), 191-37(C), 191-37(G), and a partial waiver for Section 191-78(C)(2), Remington & Vernick's letter dated October 17, 2018, and the Fire Marshal's letter dated November 20, 2018, with a note on the Record Plan to limit the garage use to those of the tenants. The building shall be compatibly designed.

Member Crohe seconds the motion.

All in favor 3-1, Binney dissenting. APPROVED FOR PRELIMINARY LAND DEVELOPMENT

(Binney -- Neighborhood Commercial district should not have building with garages on the first floor; also do not believe that you can make this building look like the current building with all the garages in it. Also, concerned that those garages will be rented out separately).

Ms. Holmes asks for Preliminary and Final Land Development.

Board says no.

Item #2: Superior Motor Service, 965 Lincoln Highway, Morrisville, PA 19067; TMP #13-028-035; Zoned: HC. Owner: Ronald West. Waiver of Land Development – Allocation of space for towing and storage of vehicles

Michael Bradley, Esquire, presents the application. The property is not going to be changed in any way. The owner wants to rent out the entire back space of the property which is just a mix of gravel and asphalt so that Superior can use it as a towing / storage facility.

Chairman Binney asks how many tenants are currently in this space.

Atty. Bradley says one, the owner.

Chairman Binney asks who owns all the dump trucks?

Atty. Bradley says the owner, whose business is repairing 18 wheelers and diesel trucks. Any of those that are in the back of the property would be there for repair work.

Chairman Binney asks if he has a landscaping business too because there is landscaping equipment parked back there also.

Atty. Bradley says they are there for repairs.

Jones Engineering Associates Review Letter dated November 21, 2018

All items are a will comply with the exception of the following:

- 191-48(A) Requesting a waiver – street trees (there are no current trees)
- 191-61(A) Requesting a waiver – sidewalks be constructed along frontage (no sidewalks currently)
- 191-78(C)(2) Requesting a partial waiver, subject to adequate information from Township’s engineer review

We will comply with all other review letters.

Chairman Binney asks if there will be employees at this lot (no), parking of other vehicles (only towed vehicles on a temporary basis).

Chairman Binney asks what happens if someone’s car gets towed, how will they get their vehicle if no one is there.

Atty. Bradley says there is someone there in the building and a phone number to call. The owner also will be there. So there will be someone there on the property during normal business hours.

Member Hughes asks if the towing company will share the office in the two story masonry building (yes, when necessary), the building in the middle of the lot is being removed (no, that is not part of this lease agreement, that is actually storage from the owner). Discussion occurs about building being removed like the plans indicate (the building will NOT be removed – it’s just for storage of the owner).

Member Crohe asks to be shown where the tow trucks will be located versus where the current occupant is going to be.

Member Haney makes a motion to recommend approval for a Waiver of Land Development for Superior Motor Services, 965 Old Lincoln Highway, Morrisville, PA 19067, TMP #13-028-035, based on Jones Engineering Associates’ review letter dated November 21, 2018, with waivers requested for Sections 191-48(A), 191-61(A) and a partial waiver of Section 191-78(C)(2), Remington Vernick’s review letter dated October 24, 2018, and any comments from the Fire Marshal.

Member Crohe seconds the motion.

All in favor 3-1, Hughes dissenting. APPROVED FOR WAIVER OF LAND DEVELOPMENT

Item #3: Approval of Minutes

Motion to approve October 23, 2018 minutes.

All in favor 4-0.
