

The Planning Commission ("PC") meeting was held tonight at Curtis Hall at Curtis Arboretum. The following Planning Commission members were present: Messrs. Cross, Gordon, Winneberger, and also present was ex-officio member Scott Laughlin. Also present was Carmen G. Reitano, Assistant Director of Engineering, Zoning & Inspections.

1. Acceptance of the minutes of the August 22, 2011 Meeting.

Mr. Cross made a Motion for acceptance of the August 22, 2011 Planning Commission Meeting Minutes; Mr. Winneberger seconded the Motion; the Motion passed.

2. Review of Zoning Hearing Board Agenda for October 17, 2011.

APPEAL NO. 3422 – Appeal of Stenton Property LLC, Owner of premises known as 1627 W. Cheltenham Avenue, La Mott, PA 19027 (rear vacant lot), from the Decision of the Zoning Officer for the following Zoning Relief in order to operate an 45' x 40' (1800 SF), 4 Bay Automobile Repair Facility on Tract 2 of the Premises:

- a. A Determination that the proposed use as an Automobile Repair Facility on Tract 2 is a continuation of an existing nonconforming use pursuant to CCS 295-227. A.,B.,C.,E. and F..
- b. In the alternative to a; above, a Variance from the Rules and Regulations of the Class R-6 Residence District as outlined in CCS 295-50. for the operation of an Automobile Repair Facility on Tract 2 instead of one of the permitted enumerated uses.
- c. A Variance from the Rules and Regulations of the Class R-6 Residence District as outlined in CCS 295-053.B.(2) for a lesser Side Yard Setback of 10' along the Southwest Property Line (Common Line with Tract 1) instead of minimum required 16'.
- d. A Determination that the 16 Parking Spaces ("P.S.") provided are sufficient for the proposed use as an Automobile Repair Facility; Applicant proposes 3 P.S. for each Service Bay (4 Bays @ 3 P.S. each =12 P.S.) and for employee P.S. pursuant to CCS 295-221.H..
- e. A Variance from the Rules and Regulations of "Parking and Loading" as outlined in CCS 295-221.H. to permit 6 of the proposed P.S. to be held in reserve for future use.
- f. Variances from the Rules and Regulations of "Signs" as outlined in CCS 295-197.A., as follows:
 - i. for one (1) 2'x 10' Parallel Wall Sign facing Cheltenham Avenue.
 - ii. For one (1) free-standing sign on front portion of Property, size and location to be determined.

Michael Yanoff, Esq. and Harold Lichtman, AIA were present for this application.

Mr. Yanoff stated that this property was in front of this committee once before, however, it was for the first tract of land not the second. The current appeal applies to the rear tract of land where his client proposes to place an automobile repair facility. Mr. Yanoff further stated that a determination is required because Mr. Lynch the Township Engineer believes that these lots were once subdivided and that the zoning relief acquired by the first tract doesn't run to the second tract.

Mr. Yanoff stated that the property has always been one tract of land since Sun Oil occupied the space years ago. Sun Oil shows a lease agreement line on their deed but no subdivision line.

Mr. Yanoff stated that according to Montgomery County there is no special deed showing two lots of land but rather just one. Mr. Yanoff stated that he believes the proposed Automobile Repair Shop should be a continuation of a previous non-conforming use.

Ms. Darlene Melton was present to express her concerns. Ms. Melton stated that she has lived in the area since 1988 and agrees that the property has always been one lot and has no recollection of it being subdivided. Ms. Melton stated that she's worried about the amount of traffic being generated and is requesting that this application go in front of the La Mott BHAR prior to the Planning Commission making a Motion.

Mr. Lichtman stated that the application is not Land Development but rather a zoning issue.

Mr. Reitano stated that this application will be in front of the La Mott BHAR in November; but the La Mott BHAR does not preempt zoning.

Mr. Laughlin asked about the emergency entry that's shown on plan. Mr. Lichtman stated that the emergency entry is actually a curb cut that has had a chain across the entry for years. Mr. Lichtman stated that there is no proposed use for that area and there is grass behind it.

Mr. Gordon asked why the access on Cheltenham wasn't be used. Mr. Gordon asked if would be possible to use the Cheltenham Avenue instead of the access on Sycamore to spare the residents. Mr. Lichtman stated that the Cheltenham Avenue area was concerned about excess traffic in an already congested area.

Mr. Winneberger made a Motion of No Action; Mr. Gordon seconded the Motion; the Motion passed.

APPEAL NO. 3421 – Appeal of Salus University (formerly “Pennsylvania College of Optometry” (“PCO”), owner of premises known as 8340, 8360 and 8380 Old York Road and 50 Breyer Drive, Elkins Park, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to erect two (2) free-standing signs: one on the Township Line Road frontage of premises and one on the Old York Road frontage of the premises; said free-standing signs having a sign area of 51.74 SF (6.72'H x 7.70'W) and a sign height of 8.39'; said premises being within the Class C-1 Commercial District:

- a. Applicant requests a Determination from the Zoning Hearing Board that the Premises is subject to the signage requirements in CCS 295-197.C.(1) which includes properties located within the C-1 Commercial District where there is an individual or single use of property.
- b. If the ZHB rules in the affirmative on Item a., above, Applicant requests the following variances from CCS 295-197.C.(1)(a):
 - i. For aforesaid signs being the fourth and fifth free-standing signs on the premises instead of the maximum permitted one (1) free-standing sign.
 - ii. For aforesaid signs having a sign area of 51.74 ± SF instead of the maximum permitted 50 S.F.
- c. In the alternative to Items a. and b., above, Applicant requests a Determination from the ZHB that the premises is subject to the signage requirements of CCS 295-197.A. which includes “Institutional Uses” in residential and multiple dwelling Zoning Districts.
- d. If the ZHB rules in the affirmative on Item c., above, Applicant requests the following variances from CCS 295-197.A.(4):
 - i. For aforesaid signs being the fourth and fifth free-standing signs on the premises instead of the maximum permitted three (3) free-standing signs (one per street frontage).

- ii. For aforesaid signs having a sign area of 51.74 ± SF instead of the maximum permitted 20 SF.
- iii. For aforesaid signs having a sign height of 8.39' instead of the maximum permitted 4'.
- iv. For aforesaid signs being internally illuminated instead of the required external illumination.

Mr. Donald Kates was present for this application.

Mr. Kates stated that the biggest complaint the Zoning Hearing Board had was the orientation of signs. Salus originally had the signs parallel but the ZHB suggested making the signs perpendicular for better visibility.

The ZHB also suggested that since Salus University already has two signs of its own perhaps taking off the name of Salus University at the top of the tenant signs off and just leave the tenants names listed.

Mr. Winneberger made a Motion of No Action; Mr. Gordon seconded the Motion; the Motion passed.

APPEAL NO. 3420: Appeal of Elizabeth Sand Braun, owner of Premises known as 8321 Cadwalader Avenue, Elkins Park, PA 19027 from the Decision of the Zoning Officer for a Variance from the Rules and Regulations of the Class R-4 Residence District as outlined in CCS 295-39.A.(1) for a lesser Front Yard Setback of 6.38' instead of the minimum required 40' for a 9.08' W x 4.75' D x 8.3' H front sidewalk entrance trellis.

Ms. Braun was present for this application.

Ms. Braun stated that all she is looking for is to add a wooden trellis to her front yard. Mr. Cross asked what kinds of materials are being used. Ms. Braun stated that it would be made out of Cedar.

Mr. Reitano stated that Mr. Lynch is ok with the wooden trellis but requires any structure to go through zoning.

Mr. Winneberger made a Motion of No Action; Mr. Gordon seconded the Motion; the Motion passed.

APPEAL NO. 3415: (Continued and Amended) Appeal of Dr. Rami E. Geffner, equitable Owner of 8031 Old York Road, Elkins Park, PA 19027 (formerly "Rosenbluth Travel"), from the Decision of the Zoning Officer for a Variance from the Rules and Regulations of "Parking and Loading" as outlined in CCS 295-221.H. for providing zero off-street parking spaces on the premises for a Medical Office instead of the required 8 parking spaces.

No one was present for this application.

Mr. Robert Haaz, the owner of Sousan's Pharmacy, is concerned about the walk-in traffic from Irving Lane. Mr. Haaz is also concerned about the lack of parking and is concerned that the medical office has proposed seating for 15 waiting patients and that doesn't include workers. Mr. Haaz stated that the overflow from the Municipal Lot will attempt to park in his private parking spaces in front of the pharmacy.

A discussion ensued concerning the existing structure and possible code violations.

Mr. Reitano stated that upon being made aware of a possible unsafe structure that he would have to make arrangements to inspect this building.

Mr. Cross stated that the applicant didn't previously mention making use of the basement area.

Mr. Cross stated that this plan isn't working. Mr. Cross stated that he has issues with parking and the use of the building along with the methods of egress because of safety concerns.

Mr. Cross further stated that there are too many questions about the occupancy of this building.

Mr. Winneberger stated that he doesn't want to see parking being the focus of this application.

Mr. Winneberger made a Motion of Denial; Mr. Gordon seconded the Motion; the Motion passed.

APPEAL NO. 3413: (Continued) Appeal of Montgomery Court Realty Co., L.P., owner of premises known as 7803 Montgomery Avenue, Elkins Park, PA 19027, from the Decision of the Zoning Officer in order to operate a Private Ambulance Service from the premises

a. A Determination that the storage of Private Ambulance on the premises overnight is not a function of the operation of a Private Ambulance Service and thus permitted as a legal nonconforming use of the premises per the grant of relief under ZHB Appeal No. 1563.

b. In the alternative to a, above, a Determination, pursuant to "Nonconforming Uses" as outlined in CCS 295-227.F., that the operation of a Private Ambulance Service is of the same class of use as the previously approved nonconforming use(s) and thus permissible.

c. In the alternative to a. and b., above, a Variance from the Rules and Regulations of the Class R-5 Residence District as outlined in CCS 295-43. for the operation of a Private Ambulance Service instead of one of the enumerated permitted uses.

No one was present for this application.

Mr. Winneberger made a motion to reaffirm the previous Motion of No Action with the following conditions:

- Non emergency transport only.
- No sirens at any time.
- Garage door down at all times except to move vehicles in and out.
- Ambulances can make one trip in and one trip out each day.
- No maintenance or repair to be done on site.
- No parking on sidewalk or the street.
- No other functions of private ambulance business to be performed on property.

Mr. Gordon seconded the Motion; the Motion passed.

3. Review of Cheltenham Development Application No. 11-0550: Record Plan School District of Cheltenham- Cheltenham Elementary School Reconstruction-7853 Front Street.

Mr. Glenn Harris from Renew Design Group was present for this application.

Mr. Harris explained the differences of the current site plan and proposed site plan to committee members. Mr. Harris stated that the Cheltenham Elementary school is a little smaller than Glenside Elementary School. Discussion ensued regarding various elevations shown on the plan.

Discussion ensued regarding the locations of classrooms, auditoriums, cafeterias etc.

Mr. Winneberger asked if there was going to be a court yard as there is at Glenside Elementary. Mr. Harris stated that there are no plans for a court yard.

Mr. Harris stated that this plan is in the process of being designed and that the school board hasn't approved the site plan to date.

Discussion ensued regarding grades of land around the playground spaces. Mr. Harris stated that the Police Department requested a designated space for officers to park.

Ms. Mazzaccaro stated that Cheltenham Township has seen a dramatic decline of school age children in the past 10 years.

Discussion ensued regarding storm water management and infiltration basins on the plan.

Mr. Harris stated that the stormwater basin will be reviewed and revised to clarify details.

Mr. Reitano reviewed Mr. Lynch's review comments and Mr. Harris concurred that the drawings will be revised accordingly specifically concerning the lighting plans.

The Planning Commission has no problems with the presented plan.

4. Old Business

None

5. New Business

None

6. Adjournment

Mr. Cross made a motion for adjournment; Mr. Winneberger seconded the Motion, the Motion passed. The meeting adjourned at 9:04 P.M.



David G. Kraynik
Township Manager

Per Holly A. Nagy