

A regular meeting of the **BUILDING AND ZONING COMMITTEE** was held tonight, Chairman Morton J. Simon, Jr. presiding. Members present were Commissioners Brockington, Holland, Norris, Pransky, Sharkey and Rappoport.

Staff present were Alyson Elliott, Assistant Township Manager; Henry Sekawungu, Director of Planning/Zoning Officer; and Bryan T. Havir, Township Manager. Also present was Joseph Bagley, Esq., Solicitor. A public attendance list is attached.

Mr. Simon called the meeting to order at 9:32 p.m.

1. The Committee reviewed and took action on the following Zoning Hearing Board (ZHB) agenda items for July 11, 2016:

APPEAL NO. 16-3550: Appeal of ZS Cheltenham Investors, LLC, owner of the premises known as 2385 W. Cheltenham Avenue, Wyncote, PA 19095 from the Decision of the Zoning Officer for a special exception from Section 295-108.L., use regulations, to allow for a fitness center use in the C-2 Commercial and Business Zoning District.

Mr. Sekawungu reported that the Planning Commission recommended approval and there were no issues with the proposed use.

Mr. Hercules Grigos, Esq., representing ZS Cheltenham Investors, LLC, was present to answer any questions from the Committee. He reviewed the proposed plan for the LA Fitness facility.

Upon a motion from Mr. Holland, the Committee unanimously recommended to the ZHB approval of appeal.

APPEAL NO. 16-3551: Appeal of ZS Cheltenham Investors, LLC, owner(s) of the premises known as 2385 W. Cheltenham Avenue, Wyncote, PA 19095 (Greenleaf at Cheltenham) from the Decision of the Zoning Officer for the following Zoning Relief in order to allow for the subdivision of the existing Lot #1 into a proposed Lot #8 in the C-2 Commercial and Business Zoning District:

A continuance of the variances previously granted for Lot #1 under ZHB Appeal #15-3518 and the following new variances for the proposed Lot #8:

- a.) Section 295-110. for an increase in the building coverage.
- b.) Section 295-111.B. & C. for a reduced side and rear yard setbacks.
- c.) Section 295-114. for a reduced parking setback, percentage of green area and landscape buffer strip within the green area.

Section 295-221.B.(5) (a) & (c) for reduced parking setback along the Right-of-Way (R.O.W.), to have parking between a building and street and to have parking extend more than 70' along a pedestrian street frontage with no outdoor café, urban garden, plaza, square, courtyard or landscaping feature with seating.

Upon a motion from Mr. Holland, the Committee unanimously recommended approval of the application to the ZHB with a condition that they consider softening the solid wall façade running along Washington Lane.

APPEAL NO. 16-3552: Appeal of ZS Cheltenham Investors, LLC, owner(s) of the premises known as 2385 W. Cheltenham Avenue, Wyncote, PA 19095 (Greenleaf at Cheltenham) from the Decision of the Zoning Officer for the following Zoning Relief in order to allow for the replacement of four (4) existing pylon signs, multiple parallel and projecting signs for a fitness use, and generic tenant signage in the C-2 Commercial and Business and R-4 Residential Zoning Districts:

Pylon signs:

- a.) A variance from Section 295-197.C.(2)(a) to allow for the freestanding signs height to be 40' in place of the required 20', or alternatively if the new pylon signs are determined to be monument signs a variance to allow for the signs to be 40' in height in place of the required 10'.
- b.) A variance from Section 295-197.C.(2)(a) to allow for the freestanding signs to have an area of 286 sq. ft. in place of the required 250 sq. ft., or alternatively if the new pylon signs are determined to be monument signs a variance to allow for the signs to have an area of 286 sq. ft. in place of the required 100 sq. ft.
- c.) A variance from Section 295-197.C.(2)(a) to allow for more than one on-site freestanding or monument sign per street frontage in the event the proposed signs are not considered a continuation of the existing pylon signs.

Fitness use signs:

- a.) Variances from Section 295-197.C.(2)(b)[1] to allow for more than two (2) parallel wall, projecting wall or awning signs per individual tenant; to allow for a parallel wall sign to be located on the façade not facing the street, parking lot or access way; to allow for a parallel wall sign to exceed the eaves line or top of the parapet wall of the principal building and to allow for a projecting wall sign to exceed the maximum sign area of 15 sq. ft. provided that the proposed sign above the LA Fitness is considered a projecting wall sign.
- b.) Variances from Section 295-193.B(25) to allow a projecting wall sign to project more than 4' from and above the surface to which it is mounted provided that the proposed sign above the LA Fitness is considered a projecting wall sign.

Generic tenant signage:

- a.) Applicants request such variances and other relief that are necessary in order to effectuate the signage as proposed.

Mr. Gerry Roller, Architect from JKR Partners, reviewed the revised proposed Mall and LA Fitness signage and logo design for three signs on the LA Fitness building. He explained that they would be replacing the existing free-standing pylon signs that range from 21' to 30' in height, with 30' signs, which is an amendment from the proposed 40' signs that were part of their original application. He explained to the Committee that the freestanding signs have a brick base with a wood looking façade. The proposed signs are

all internally illuminated and with channelized lettering, similar to the other signs on the building.

Mr. Sharkey proposed the idea of incorporating “Welcome to Cheltenham” onto the sign along the Washington Lane side of the Mall since this is a gateway to the Township.

Upon a motion from Mr. Holland, the Committee unanimously recommended to incorporate a “Welcome to Cheltenham Township” on the sign and recommended approval of the application for zoning relief as presented to the ZHB.

APPEAL NO. 16-3553: Appeal of EP Rec Partners, LLC, for the premises known as 46 E. Church Road, Cheltenham, PA 19012 from the Decision of the Zoning Officer for the following Zoning Relief in order to allow for a change in the recreational use from tennis to soccer, for lesser off-street parking and for same to encroach into the Zone two Riparian Corridor Buffer and modifications of conditions from prior Appeals to allow for increased hours of operation and illumination of the exterior fields in the R-4 Residential Zoning District:

- a.) An appeal of the determination, dated June 3, 2016, that the indoor/outdoor soccer use is a permitted continuation of the existing nonconforming recreational use on the property; or in the alternative, a variance from Section 295-26., use regulations, to permit the indoor/outdoor soccer use in the R-4 Residence District.
- b.) A variance from Section 295-252.B., to permit a portion of the parking lot to encroach into the required Zone 2 buffer in the Riparian Corridor Conservation District.
- c.) A modification of the condition imposed by the ZHB in its decisions Appeal Nos. 1571 and 2964 to permit the following change in hours of operation: Indoor fields, 7:00 am through 12:00 am; outdoor fields, 10:00 am through 10:00 pm, from April 1st to November 30th.
- d.) A modification of the condition imposed in the ZHB decisions in Appeal Nos. 1571 and 2944 to permit direct illumination of the exterior soccer fields.
- e.) An appeal of the determination, dated June 3, 2016, that the proposed parking is a continuation of the existing nonconforming parking condition on the property, as approved and found “lawful” and “sufficient” by the ZHB in its decision in Appeal 2944; or in the alternative, a variance from Section 295-221.H., parking requirements by land use, to permit approximately 177 spaces instead of the minimum 219 required spaces, an increase from the nonconforming 118 existing parking spaces.

Mr. Sekawungu reported that this appeal went before the Planning Commission and it was recommended the applicant ensure that the proposed lighting would not project into the neighborhood and create any light pollution.

Mr. Marc Jonas, Esq., representing the applicant, stated that they had met with the neighbors and had done as much groundwork as possible to address the neighborhood issues.

Ms. Rappoport questioned the increase in noise from the outside fields and field lighting on the surrounding neighbors. She also expressed concern over the increase in hours of operation. Mr. Jonas explained that it is just a shift in the hours and not an increase.

Mr. Brockington and Mr. Simon raised concerns related to an increase of traffic flow in and around the area and potential issues with ingress and egress. Ms. Sandy Koza, P.E., Traffic Engineer with McMahon Associates, summarized the traffic study done on behalf of the applicant, and its findings. The driveway access met the site distance requirements per PennDOT.

Phillip Wright, a resident from 47 E. Church Road voiced his concerns with regards to the bend in Church Road and the grade change just prior to the driveway entrance to the facility. He was also concerned about the increased traffic flow and parking limitations on site.

After much discussion about traffic and safety concerns, Ms. Rappoport suggested that PennDOT should review the area while Mr. Simon added that additional traffic control signs be considered and added to the area of concern.

Upon motion of Mr. Simon, the Committee unanimously directed the Township Planning and Zoning Officer to advise the Zoning Hearing Board of the Committee's recommendation of approval, with the condition that the Board give consideration to the light shielding and potential traffic issues.

2. Receipt of the Planning Commission Minutes dated June 27, 2016.

Upon motion by Mr. Brockington, the Committee unanimously received the Planning Commission Minutes from June 27, 2016.

3. Discussion of the Proposed Draft Zoning Ordinance. Mr. Simon stated the Proposed Draft Zoning Ordinance meetings are scheduled for July 14, August 11, August 18 and August 25, 2016 and will take place at the Township Administration Building from 6:00 p.m. to 9:00 p.m.

4. Review of Zoning Hearing Board Decisions.

- a.) Appeal No. 16-3545: Appeal of Marc Daniels for a property at 1031 Rock Creek Drive, Wyncote, Pennsylvania, for the installation of a shed within front yard. The Zoning Hearing Board granted the applicant's request. Upon motion of Mr. Holland, the Committee unanimously agreed to take no action.
- b.) Appeal No. 16-3546: Appeal of Samuel Lee Saltzman for the property at 417 Carlton Avenue, Wyncote, Pennsylvania, to erect a shed in the required front yard. The Zoning Hearing Board granted the applicant's request with conditions. Upon motion of Mr. Holland, the Committee unanimously agreed to take no action.

- c.) Appeal No. 16-3548: Solicitor Bagley asked Commissioner Sharkey to reconfirm the request to have him appeal the Zoning Hearing Board decision, granting approval of hookah bar located at 107B South Easton Road, Glenside, Pennsylvania.

Recommendation to the Board of Commissioners: Upon motion of Mr. Simon, the Committee unanimously moved to have the Solicitor appeal the decision for Appeal No. 16-3548 for the hookah bar to the Montgomery County Court of Common Pleas.

5. Upon motion of Mr. Sharkey, the Committee unanimously received the report of the Building Inspector for June, 2016.

6. **Under Old Business:** None

7. **Under New Business:** None

8. **Citizens Forum:** None

9. There being no further business, upon motion of Mr. Simon, the meeting was adjourned at 10:20 p.m.



Bryan T. Havir
Township Manager

as per Patty Gee

PUBLIC ATTENDANCE LIST
Public Works Committee @ 7:30 PM
Building & Zoning Committee @ 8:00 PM
Wednesday, July 6, 2016
Curtis Hall
Wyncote, PA 19095

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