

Borough of Malvern  
Planning Commission Regular Meeting Minutes  
April 16, 2009  
Approved Minutes

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A regular meeting of the Planning Commission was held on Thursday, April 16, 2009 at the Malvern Municipal Building. Members present included: Christopher Mongeau, David Knies, Diantha Stevens, Cecelia Oswald, Vicki Sharpless and Evangeline Linkous.

CALL TO ORDER

Chairman Mongeau called the meeting to order at 7:40 p.m.

APPROVAL OF THE MINUTES

Motion was made by Dr. Knies and seconded by Ms. Stevens to approve the minutes from the meeting held April 2, 2009 as corrected. The motion was approved unanimously.

CHAIRMAN'S REPORT

Chairman Mongeau recommended that members from the Planning Commission attend Borough Council Meetings to observe, as items on the Borough Council Meeting agendas pertain to Planning Commission business.

OLD BUSINESS

Mr. Michael Gill, Attorney for SEPTA, and Mr. John Grant of Stantec Consulting Services representing SEPTA were in attendance tonight to discuss the proposed ordinance for the development of an overlay district of the Malvern train station /SEPTA parking lot. Ms. Wendy McClain, Solicitor for the Borough of Malvern, was also in attendance.

Mr. Grant stated that the basis of the overlay district is the long term parking which is not typical for most uses covered under the existing parking ordinance. Cars are typically parking for 12 hours per day and for that reason the basis for the new ordinance is to reduce the dimensions of the parking stalls, reduce the size of the aisle widths and reduce the size of the bumper planning strips.

Mr. Grant stated that the representatives from SEPTA did appear before Borough Council to discuss the reductions in aisle widths, parking stalls and bumper strips etc. An area has been dedicated to house the dumpsters and that area will not have a landscape end cap but will be screened and landscaped. SEPTA is focusing most of the landscaping efforts along Warren Avenue at the drop off points.

Chairman Mongeau and Ms. Sharpless suggested 6 inch curbing with landscape end caps at both ends of the parking aisles. After a discussion, Dr. Knies proposed utilizing a ratio of 1 landscape island per every 20 parking spaces, but not necessarily in the middle of consecutive spaces. For example divide 313 spaces by 20 to calculate the number of green spaces that should be placed.

Mr. Grant said the intention was to place a retaining wall along Warren Ave, to landscape and to extend the sidewalk. The ramp systems will also be landscaped. Ms. Linkous suggested extending the sidewalks to the tunnel and across the SEPTA parking lot. The width of the sidewalk will be 5 ft.

Mr. Gill said that the issues raised at the Borough Council Meeting regarding handicapped spaces are related to the current ordinance being more stringent than the ADA requirements. SEPTA has investigated the current use of handicap spaces at this train station and has come to the conclusion that they are underutilized. For that reason SEPTA would like to include a provision in the proposed ordinance that allows the number of handicapped parking spaces to default to the ADA requirement. The current ordinance requires at least 1 handicap space for every 25 parking spaces. The ADA recommends 1 handicap space for every 50 parking spaces. Mr. Grant stated that the entire site will be in ADA compliance with both parking spaces and the use of ramps.

The existing parking lot has 286 parking spaces of which 99 are paved and the rest are gravel. SEPTA is proposing an overlay district that consists of 313 parking spaces including 8 handicap parking spaces. Of these 8 handicapped parking spaces, 2 will be located on the North side of the parking lot and the remaining 6 will be located on the South side. It is unknown at this time how many handicap parking spaces are currently available because the gravel area is unregulated.

Mr. Jim Vike was in attendance tonight as a representative from Borough Council. Mr. Vike is here as a liaison between Borough Council and the Planning Commission on this issue. Mr. Vike said the desire of the Borough Council was for more detailed analysis of the rationale behind these requirement reductions for the mass transit overlay district. Such specifics include the above mentioned landscaping, as well as the aisle and parking space width reductions and lighting. Borough Council is questioning the items in the proposed ordinance versus the subdivision proposal in regards to landscaping. Borough Council is questioning the amount of landscaping/greenery versus parking coverage. The original proposal stated that drive aisles be 14 ft wide and the revised proposal is calling for 12 ft wide drive aisles. Borough Council is questioning this change and several issues for a mass transit overlay district. Mr. Grant assured the Planning Commission that the internal drive aisles are no less than 20 ft. The existing ordinance calls for a 15 ft wide drive aisle and SEPTA will comply.

To improve the flow of traffic within the parking lot, it was proposed to reduce the internal drive aisles from 20 ft to 14 ft to make a one way aisle with a 5 ft sidewalk. This will increase pedestrian access to the site. Landscaping will also be added.

Mr. Grant will calculate the lot coverage as a whole. The lots are currently calculated separately.

Mr. Gill stated that on Section 4 of the proposed ordinance a passenger rail station is acknowledged to be a 24 hour operation. Therefore the shut off requirements noted in 2307.E.4 need not apply. SEPTA considers this a safety issue.

Mr. Grant stated that the proposed lighting of the parking lot is being done by another consultant. Also the current lighting proposal did not take the Victorian lighting required by the Borough into consideration. Upon completion of this proposal it will be submitted to the Planning Commission for approval. The lighting consultant has been given a copy of the Borough ordinance along with the necessary requirements. Mr. Grant said that the proposed lights will be 25 ft high from pavement to the top of the lights. The lighting plan will comply with the ordinance. The ordinance does have requirements for cut offs at the property lines and for glare shields on the tops of all lights. Screening between the parking lot and any residential property will be provided per the existing ordinance.

Mr. Gill said that based on his knowledge of the improvements to the Exton Train Station, lighting cannot be controlled from a central location. The lighting will have to be controlled at the site. Mr. Gill said operational considerations need to be taken into consideration.

Planning Commission members asked SEPTA to investigate the use of lighting control devices to reduce the need for parking lot lights to be on when the station is not in use. Ms. Oswald proposed the possibility of dimming the parking lot lights while the train is not in service. Chairman Mongeau proposed more screening directing pedestrians towards the proposed sidewalks by the Exxon Gas Station. Mr. Gill said the final layout of the design depends on property owners. Until it is known what the exact property boundaries will be, SEPTA cannot address this issue. Appraisals need to be conducted and a site visit has been planned for April 17, 2009.

Ms. Sharpless asked for clarification of Identification Section 4D which deals with items not specifically mentioned in the overlay district section. Mr. Gill will review this section for language clarification. Ms. Wendy McLean Borough Solicitor said that this proposal has been sent to the Chester County Planning Commission for their review.

Mr. Gill will revise the proposed ordinance draft based on the comments from tonight and on continued discussions with Ms. McLean.

#### PUBLIC COMMENT

Mr. Andrew Gowa, Attorney for the Estate of Ms. Betty Harlan/Harlan Bros spoke about the proposed ordinance made by SEPTA. Mr. Gowa stated that his client is opposed to this overlay ordinance. Mr. Gowa questioned that a Traffic Engineer has not been hired

and a traffic study has not been completed. Without this new information Mr. Gowa stated that passing a new ordinance would be premature.

Mr. Gowa questioned the statement on Page 3.B.3 of the proposal which in summary states that the overlay district can be defined and expanded by action of the Borough Council. However it also states that if SEPTA does obtain other parcels it can also be expanded without the consent of Borough Council. Ms. McLean agreed to review this information and make any necessary suggestions or changes.

Mr. Gowa said that the train station is not assumed to be a 24 hour station. The schedule shows that the last train arrives at 1:03 am during the week and 2:00 am on the weekends. Mr. Gowa said that he was in agreement with the questions that were raised concerning the parking lot lighting. Mr. Gowa also questioned why SEPTA should be exempt from the signage requirements that are required by the Borough. Mr. Gowa reminded the Planning Commission that the Borough receives a sign application fee and this should be assessed.

Mr. Gowa said the proposed overlay will cause more impervious surface than necessary and have negative impact on the drainage and sewerage systems in the Borough. His client does appreciate SEPTA's proposal to help redirect the train station traffic from the Harlan Bros property. Ms. McLean encouraged Mr. Gowa to direct his legal questions and concerns directly to her via email or letter.

Ms. McLean is addressing the loading and unloading of trucks for the café located within the shopping area.

East King Street Development Project - Each member of the Planning Commission was given a copy of the proposed ordinance for the East King Street Project.

Dr. Knies went over the Case Log for the Planning Commission. The public hearing for the East King Street Project is scheduled for April 21, 2009. Ms. Oswald added that the hearing for Applied Energy Systems will be April 20, 2009. The site visit was conducted on March 22, 2009.

Revitalization Plan – Ms. Oswald said the final draft of the Revitalization Plan should be available for review in the next month and will then be submitted to the Chester County Planning Commission for approval. At that time the final draft will be available for review by the Comprehensive Development Plan Task Force.

The motion to adjourn the meeting was made by Ms. Stevens. Ms. Sharpless seconded the motion. The vote was unanimous. The meeting was adjourned at 9:46 p.m.

Minutes taken by Janeen Paidá

