



MEMORANDUM

TO: Borough Council
Mayor Uzman

FROM: Carroll E. Siquett, III, Planning Commission Chairman
Corinne J. Badman, Planning Commission Acting Secretary

DATE: May 4, 2023

RE: 2022 Report for the Malvern Planning Commission

This report will provide a summary of the activity of the Malvern Planning Commission during the 2022 calendar year. Members of the Planning Commission during 2022 were as follows:

- David Knies, Ph.D.
- Chris Mongeau
- Geoff Rubino
- Carroll Siquett III, Chairman
- Zoe Warner, Ph.D., Vice-Chairwoman
- Scott Oswald
- Brian Hamilton
- Lynne Frederick, Alternate Member

As always, the Planning Commission commends the Borough Council for providing high-quality, professional support to us during the year. This has included:

- **Borough Solicitors:** Wendy McLean, Esq.; Scott E. Yaw, Esq.; and Kenneth Kynett, Esq.
- **Borough Engineer:** Dan Daley, P.E.
- **Borough Land Planners:** Brandywine Conservancy
- **Borough Management:** Tiffany M. Loomis and Corinne J. Badman

Conditional Use Applications

During the course of 2022, the Planning Commission received no conditional use applications.

Ordinance and Community Planning

During the course of 2022, the Planning Commission conducted reviews of the following planning documents and ordinances:

1. 2022 Comprehensive Plan

A Comprehensive Plan Task Force was created and appointed by Borough Council in October 2020. Dr. Dave Knies, Ph.D., Dr. Zoe Warner, Ph.D., and Chris Mongeau are three (3) of the eleven (11) members appointed to the Task Force. Starting as of November 2020 meetings are held every third (3rd) Wednesday from 7:30 PM to 9:00 PM via Zoom Conference, which continued through Year 2022. The Brandywine Conservancy has been appointed as the Consultant for the project and had determined an eighteen (18) month to twenty-four (24) month timeline to complete the revision.

A recommendation was made unanimously to Borough Council to adopt the 2022 Comprehensive Plan on June 2, 2022.

2. The Planning Commission, as a majority, recommended the adoption of the proposed items to Borough Council:

- **Updating the Borough Official Map** - the MPC recommended that several items be added to the Borough's Official Map, including (1) the proposed trail between Malvern Prep and First Avenue, (2) the proposed Bike Trail Park near Randolph Woods and Ruthland Avenue, and (3) acreage on the Malvern Retreat Property to be designated as open space.
- **East Whiteland Township Comprehensive Plan** – The MPC reviewed East Whiteland's plan, which has the potential to impact the Borough as a bordering municipality. The MPC was in agreement with the plan and noted the plan to connect East Whiteland trails with those in Malvern Borough, which will benefit residents of and visitors to both municipalities.
- **Stormwater Resource Center** - The MPC recommended that a section of the new Borough website be created in 2023 as an SRC to include a variety of relevant and useful information, tools, success stories, and contacts for the broader Malvern Community as it grapples with the reality of climate change.
- **Zoning & Subdivision and Land Development Revision Process** – The MPC unanimously recommended Malvern Borough Council initiate a request for proposals (RFP) from planning agencies and consultants to amend and revise the current Zoning Ordinance and Subdivision and Land Development Regulations to align with the 2022 Comprehensive Plan Update. It was recommended the process begin as soon as possible to minimize the lag time between the adoption of the comprehensive plan and the updated land use ordinances.
- **Develop a Sidewalk Plan for the Borough** – The goal of this activity is to produce a sidewalk plan to serve as source material for updating the sidewalk requirements in the SALDO, thus aligning the SALDO's sidewalk requirements with the community's vision for where sidewalks should be built. This plan partially addresses Goal 8.5-1 from the 2022 Comprehensive Plan.

3. The Planning Commission discussed the following educational topics, in order or priority, during Year 2022:
 - Understanding the Current Zoning for the Institutional and Limited Industrial Zoning Districts
 - Stormwater Management
 - Members Brian Hamilton and Scott Oswald attended Pennsylvania Municipal Planning Education Institute's Course in Community Planning
 - Vice Chair Dr. Zoe Warner attended the Urban Center Forum
 - Member Dr. David Knies attended the 2022 Transportation Forum

Subdivision and Land Development Applications

1. 551 Sugartown Road

The applicant has proposed to consolidate and subdivide parcel 2-6-29 (owned by Paoli Memorial Grounds) and parcel 2-6-30 (owned by Renehan Building Group) into two lots and construct two single-family dwellings. The parcels are located at the corner of Sugartown Road and Monument Avenue. Access for Lot 1 is proposed to be off Sugartown Road (PennDOT road) and access for Lot 2 is proposed to be off Monument Avenue.

After three revisions, a recommendation was made unanimously to Borough Council to approve the plan.

2. 626 Highland Avenue

The applicant is proposing to subdivide parcel 2-6-26 into two lots and construct two single-family dwellings. The parcel is located at 626 Highland Avenue (west side near Sugartown Road). Access for the two lots is proposed to be off Highland Avenue. The two dwellings are proposed to be served by public water and public sewer.

A recommendation was made unanimously to Borough Council to approve the plan.

Zoning Hearing Board Applications

During the course of 2022, the Planning Commission reviewed and issued recommendations on the following applications before the Zoning Hearing Board:

1. 149 W. King Street

Applicant proposes a special exception to change the legally nonconforming commercial use of the property located at 149 West King Street, being Tax Parcel No. 2-3-13, situated within the R7 Zoning District to the nonconforming use of medical showroom and storage facility pursuant to Section 220-2702.A of the Malvern Borough Zoning Ordinance, and such other relief as may be necessary.

The Malvern Planning Commission did not object to the use proposed.

2. 128-142 E. King Street

Applicant appealed a Notice of Violation and Cease and Desist Order issued by the Malvern Borough Zoning Officer for alleged illegal operation of a junk yard upon property located at 128, 136 & 142 East King Street, being Tax Parcel Nos. 2-4- 204, 2-4-205 & 2-4-206 (the "Property"), situated within the C3 Commercial Zoning District. Applicant is also appealing a Zoning Determination Letter, dated January 28, 2022, finding that Sections 220-2309(A)(2) and 220-2309(C)(1) of the Malvern Borough Zoning Ordinance require a 20' commercial buffer – Applicant is only appealing this with respect to properties to the east and west of the Property. In the alternative, Applicant seeks a variance from Section 220-2309 to encroach into the required commercial buffer for the properties that are to the east and west of the Property, and such other relief as may be necessary. The Planning Commission discussed this application and decided not to provide a recommendation to Borough Council due to there not being enough information and the possibility that the plan may change based on the outcome of the zoning hearing. The Planning Commission strongly cautioned that stormwater considerations be considered for this property due to the flooding issues on King Street.