

**RESOLUTION NO. 2015-106  
RADNOR TOWNSHIP**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, APPROVING THE PRELIMINARY/FINAL LAND  
DEVELOPMENT PLAN OF 227-229 PLANT AVENUE**

*WHEREAS*, DTL Holdings, (“Applicant”) submitted Preliminary/Final Land Development Plans for 227-229 Plant Avenue, prepared by Momenee & Associates, Inc. dated March 23, 2015, last revised August 3, 2015; and

*WHEREAS*, the plan has been reviewed by both the Radnor Township Planning Commission and the Delaware County Planning Commission; and

*WHEREAS*, the Board of Commissioners now intends to approve the Preliminary/Final Land Development Plan for 227-229 Plant Avenue subject to certain terms and conditions.

*NOW, THEREFORE*, it is hereby **RESOLVED** that the Radnor Township Board of Commissioners does hereby approve the Preliminary/Final Land Development Plans for 227-229 Plant Avenue, prepared by Momenee & Associates, Inc., consisting of fifteen (15) sheets, dated March 23, 2015, last revised October 16, 2015, subject to the following conditions:

1. The Applicant shall comply with the October 20, 2015 Gannett Fleming review letter, a copy of which is attached hereto as *Exhibit “A”*.
2. The Applicant shall comply with the April 24, 2015 Gilmore & Associates review letter, a copy of which is attached hereto as *Exhibit “B”*.
3. The Applicant shall comply with the Zoning Hearing Board’s Decision dated October 31, 2014 in Appeal No. 2923, a copy of which is attached hereto as *Exhibit “C”*.
4. The Applicant shall comply with all other applicable ordinances with respect to sewage, stormwater management, zoning and building, and all county, state, and federal rules, regulations and statutes.
5. The Applicant shall execute Development and Financial Security Agreements in a form and manner to be approved by the Township Engineer and Township Solicitor.
6. Applicant shall upgrade the two existing street lights along the frontage of the property if required by the director of public works.

7. In addition to the foregoing conditions of Preliminary/Final plan approval, the following Subdivision and Land Development Ordinance waivers are resolved as follows:

a. Subdivision and Land Development Sections 255-27.C (1), 255-27.C(2), and 255-27.C(4) regarding road widening for Willow Avenue and Plant Avenue.

    X                Approved            \_\_\_\_\_            Denied

b. Subdivision and Land Development Section 255-27.I (3) requiring that private driveways be no less than 40 feet from an intersection.

    X                Approved            \_\_\_\_\_            Denied

c. Subdivision and Land Development Section 255-29.A.20 to permit a reduction of one space from the overflow parking space requirements.

    X                Approved            \_\_\_\_\_            Denied

d. Subdivision and Land Development Section 255-47.C requiring improvements to the adjoining streets to the width of the required cartway.

    X                Approved            \_\_\_\_\_            Denied

e. Subdivision and Land Development Section 255-12.A to approve preliminary and final plan in a single submission.

    X                Approved            \_\_\_\_\_            Denied

f. Stormwater Ordinance Section 245-22 to permit a reduction in the required volume infiltration on site due to soil limitations.

    X                Approved            \_\_\_\_\_            Denied

**SO RESOLVED**, at a duly convened meeting of the Board of Commissioners of Radnor Township conducted on this 26<sup>th</sup> day of October, 2015.

RADNOR TOWNSHIP BOARD OF  
COMMISSIONERS

By: 

Name: James C. Higgins

Title: President

ATTEST: 



**Gannett Fleming**

*100 Years*  
of Excellence. Delivered As Promised

**Date:** October 20, 2015

**To:** Radnor Township Board of Commissioners

**From:** Roger Phillips, PE

**cc:** Robert Zienkowski – Township Manager  
Stephen Norcini, P.E. – Director of Public Works  
Kevin W. Kochanski, RLA, CZO – Director of Community Development  
John Rice, Esq – Grim, Biehn, and Thatcher  
Amy Kaminski, PE – Gilmore and Assoc.  
Steve Gabriel - Rettew

**RE:** 227 and 229 Plant Avenue – Preliminary/Final Plan  
Eric Janson DTL Holdings – Applicant

Date Accepted: April 6, 2015  
90 Day Review: July 5, 2015 – extended to October 27, 2015

Gannett Fleming, Inc. has completed a review of the 227-299 Plant Avenue Preliminary/Final Plan for compliance with the Radnor Township Code. This Plan was reviewed for conformance with Zoning, Subdivision and Land Development, Stormwater Management, and other applicable codes of the Township of Radnor.

The applicant is proposing to construct 4 townhomes in accordance with a Zoning Hearing Decisions dated October 31, 2014 (copy attached). This project is located in the C-3 district of the Township.

The applicant has indicated that the following waivers will be requested from the Subdivision and Land Development Code:

- §255-27.C(1), §255-27.C(2), and §255-27.C(4) – To not require the reservation or dedication of additional right-of-way and increase the width of the existing cartway.
- §255-27.I(3) – To provide a driveway less than the required 40 feet from an intersection.
- §255-47.C– To not provide improvements to the adjoining streets to the width of the required cartway.
- 255-29.A.20 – To not provide a guest parking spot where semi-attached, attached, or multiple dwellings are proposed and where private garages or driveways are proposed to meet the off-street parking requirements where one overflow parking space per four dwelling units is required.
- 245-22 – To not infiltrate the required volume due to site specific soil limitations.

Gannett Fleming, Inc.

P.O. Box 80794 • Valley Forge, PA 19484-0794 | 1010 Adams Avenue • Audubon, PA 19403 2402

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**EXHIBIT**

A

The applicant appeared before the Planning Commission on May 4, 2015. The Planning Commission recommended approval with the following comments to the applicant's waiver request:

- To not grant the waiver for sidewalks.
- To not grant the waiver for curbing.
- Agree to the waiver for the distance between the nearest driveway to the right of way of Plant Avenue at 39.81 vs. the required 40'.
- Agree to granting the waiver for the 20' cartway width, of as proposed,
- Grant the waiver that the 2<sup>nd</sup> vehicle in the driveway is permitted to extend into the right-of-way.
- The garages may not be converted to residential use at any time in the future.
- If the applicant requests a waiver to eliminate the 9<sup>th</sup> parking spot, the commission is in agreement in granting that waiver.

Plans Prepared By: Momenee & Associates, Inc.  
Dated: 03/23/2015, last revised 10/16/2015

I. Subdivision and Land Development

1. §255-21.B(7) – Planning module for land development as required by Chapter 71 of the Pennsylvania Sewage Facilities Act is required. General note 13 on sheet 2 indicates this.
2. §255-22.B(2) – A formal contract for the maintenance of open space and /or private streets and method of management or maintenance. The applicant has indicated that this will be provided for the stormwater detention system.
3. §255-27.C.(1) – Willow Avenue and Plant Avenue are classified as local streets. The right-of-way width must be 60 feet with 28 feet wide cartway. The applicant has requested a waiver from this requirement.
4. §255-27.C.(2) – Additional right-of-way and/or cartway widths may be required by the Board of Commissioners in order to lessen traffic congestion, to secure safety from fire, panic and other dangers, to facilitate the adequate provision for transportation and other public requirements and promote general welfare. The applicant has requested a waiver from this requirement.
5. §255-27.C.(4) – Where a subdivision abuts or contains an existing street of inadequate right-of-way width, the Board of Commissioners may require the reservation or dedication of rights-of-way to conform to the above standards. The applicant has requested a waiver from this requirement.
6. §255-27.I.(3) – Private driveways, where provided, shall be located not less than 40 feet from the intersection and shall provide access to the street of lower classification when a corner lot is bounded by streets of two different classifications. The driveway provided for Lot 4

appears to be less than 40 feet from the intersection. This must be revised or a waiver requested from this section. The applicant has requested a waiver from this requirement.

7. §255-29.A.(20) – Where semi-attached, attached, or multiple dwellings are proposed and where private garages or driveways are proposed to be used to meet the off-street parking requirements, one parking space per four dwelling units of overflow off-street parking shall be provided. The applicant has requested a waiver from this requirement.
8. §255-38.A. – Within any land development or major subdivision, street trees shall be planted along all streets where suitable street trees do not exist. This plan was before the Shade Tree Commission on March 25, 2015 and received conditional approval.
9. §255-42.A. – Buffer screens are required between subdivisions and land developments and along existing streets to soften visual impact, to screen glare and create a visual barrier between conflicting land uses. The applicant was granted zoning relief from §280-57.A - special regulations buffer planting strip.
10. §255-43.1.B(1) – For all residential subdivisions or land developments of four or more lots/dwelling units, a minimum of 1,440 square feet of suitable park and recreation land shall be provided per dwelling unit within all residential subdivisions or land developments unless the developer agrees to a fee in lieu of \$3,307 per dwelling unit. The fee in lieu would be \$13,228.
11. §255-47.C. – Along the existing street on which a subdivision or land developments abuts (hereinafter called a boundary street), improvements shall be made to the street. The improvements to the boundary street shall be determined by the width of the required cartway and built to the specifications established by the Township. The applicant has requested a waiver from this requirement.
12. §255-49 – Where appropriate, the developer shall install or cause to be installed, at the developer's expense, metal or fiberglass pole streetlights serviced by underground conduit in accordance with a plan to be prepared by the developer's engineer and approved by the Board of Commissioners and the Philadelphia Electric Company.
13. §255-54 – The water system shall be designed with adequate capacity and appropriately spaced fire hydrants for fire-fighting purposes pursuant to the specifications of the of the National Fire Protection Association. Review and approval by the Township Engineer and the Township Fire Marshall shall be required in order to ensure that adequate fire protection is provided. The applicant has indicated that the closest fire hydrant is approximately 124 feet from the project.

II. Stormwater

1. §245-22 – Infiltration testing results appear to indicate that the applicant will not be able to infiltrate the required volumes due to site specific soil limitations. The applicant has requested a waiver from this requirement.

2. §245-23 – The applicant must demonstrate with calculations that the Water Quality Volume is less than the amount of volume being provided within the Stormwater BMPs. The applicant appears to have incorrectly applied the Water Quality Volume formula to the entire project site instead of only applying the formula to “the area of the project contributing to the water quality BMP”. The applicant indicates in the narrative that the three rain gardens will address the water quality volume. The area contributing to those Stormwater BMPs appears to be less than what is currently shown in the calculations. Additionally, we request that the applicant provide specific calculations showing how the “percent impervious coverage” was calculated.
3. Rain Garden #1 has inconsistent bottom and top elevations between what is shown on Sheet 7 of 16 with respect to the grading, what is shown on Sheet 9 of 16 for the table of the Typical Rain Garden Detail, and what is shown in the Stormwater Report last revised 10/16/2015 for the Rain Garden #1 Water Surface elevations. The inconsistencies must be corrected and the plan and/or report must be updated as needed.
4. Final approval of the Stormwater Management Plan will be required as part of the Grading Permit process. Any revisions to the size or location of the individual structures or other features will be addressed at that time.

We suggest that consideration of final approval be conditioned upon adequately addressing the comments referenced above.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC.



Roger A. Phillips, P.E.  
Senior Project Manager



**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES

**MEMORANDUM**

**Date:** April 24, 2015

**To:** Steve Norcini, P.E.,  
Radnor Township Public Works Director

**From:** Amy B. Kaminski, P.E., PTOE  
Transportation Services Manager, G&A

**Cc:** Kevin Kochanski, ASLA, R.L.A.,  
Radnor Township Director of Community Development  
Roger Phillips, P.E., Senior Project Manager, Gannett Fleming, Inc.  
Damon Drummond, P.E., PTOE, G&A

**Reference:** 227/229 Plant Avenue  
Plant Avenue and Willow Avenue  
Radnor Township, Delaware County, PA  
Preliminary/Final Land Development Plan Review- Transportation

**Project No.** G& A 14-09010

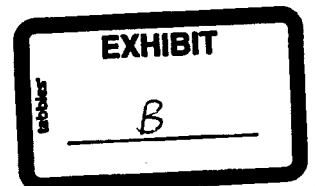
Pursuant to your request, Gilmore & Associates, Inc. (G&A) has completed a review of the referenced submission and offers the following for your consideration:

**I. SUBMISSION**

1. 227 and 229 Plant Avenue Preliminary/Final Land Development Plan Review for DTL Holdings, LP prepared by Momenee & Associates, Inc., consisting of thirteen (13) sheets, dated March 23, 2015; received April 6, 2015.
2. Subdivision and Land Development Application for 227 and 229 Plant Avenue.

**II. PROJECT DESCRIPTION**

The Applicant proposes to consolidate and subdivide two existing parcels totaling 0.37 acres located at 227 and 229 Plant Avenue, 0.12 acres and 0.25 acres respectively; into four lots. The existing dwellings will be removed and four lots will be improved with new single-family attached dwellings. The four lots proposed will be served by individual driveways leading from each dwelling to Willow Avenue.





**III. ZONING VARIANCES GRANTED**

1. §280-101(A)(I) – A nonconforming use may be changed to another nonconforming use by grant of special exception.
2. §280-105(F) – No parking shall be located within front yard setbacks.
3. §280-56(A) – Lot area and width. Every lot shall have a lot area of not less than 30,000 square feet, and such lot shall be not less than 150 feet in width at the building line.
4. §280-56(B) – Building area. Not more than 35% of the area of each lot may be occupied by buildings.
5. §280-56(C); (D); (E) – Front yards. There shall be a setback on each street on which a lot abuts, which shall be not less than 65 feet in depth.; Side yards. For every building there shall be two side yards, neither of which shall be less than 20 feet in width; Rear yards. There shall be a rear yard on each lot which shall be not less than 25 feet in depth or not less than 25% of the lot depth, whichever is the greater.
6. §280-57(A) – Along each side or rear property line which directly abuts a residence district in the Township or a similar district in an adjoining municipality, a buffer planting strip, as defined in § 280-4B, not less than 40 feet in depth shall be provided.

**IV. SALDO WAIVERS REQUESTED**

1. §255-27.C(1) (2) and (4) – To not require the reservation or dedication of additional right-of-way, increase the width of the existing cartway or to provide curbing and sidewalk for Willow and Plant Avenue.

Improvement <sup>1</sup>	Plant Avenue (Local Street)	Willow Avenue/ Maple Avenue (Local Street)
Right-of-way (half)	30'/20'	30'/30'
Cartway Width	28'/20'	28'/20'
Sidewalks	Yes/No	Yes/No
Curbing	Yes/No	Yes/No

<sup>1</sup>Improvement: Required/Proposed

**COMMENTS:** Although no sidewalks or curbing is proposed for this project, the adjacent streets, Willow Avenue to the north and N. Aberdeen Avenue to the east and south, include sidewalks and curbing. We recommend minimally, the applicant provide sidewalks along both Willow Avenue and Plant Avenue.

**Willow Avenue:** The existing 20' cartway is situated entirely within the existing 30' right-of-way on the applicant's property limits on Willow Avenue, as measured from

the title line; an additional 8' of widening could be provided with 4' on the applicant's parcel and 4' on the parcel east of Willow Avenue.

**Plant Avenue:** The existing 20' cartway is situated entirely within the existing 20' right-of-way on the applicant's property limits on Plant Avenue, as measured from the title line. An additional 10' of right-of-way could be provided along the street frontage.

2. §255-27.I(3) – To provide a driveway less than the required 40 feet from an intersection.
3. §255- 36 & 52.A – To not provide curbing along streets.
4. §255- 37.K. & 51A - To not provide sidewalks in developments where lot areas are 20,000 SF or less.

COMMENT: Willow Avenue, immediately north of Plant Avenue includes a sign indicating NO THRU TRAFFIC EXCEPT SAT & SUN 4PM-6PM and two WATCH CHILDREN warning signs posted along Willow Avenue. In keeping with the characteristics of neighboring roadways (N. Aberdeen Avenue, Willow Avenue, and Plant Avenue to the west) we recommend construction of sidewalks along the property frontage on both Willow and Plant Avenues.

5. §255-47.C To not provide improvements to the adjoining streets to the width of the required cartway.

#### **V. ADDITIONAL SALDO WAIVERS REQUIRED**

1. §255- 20.B(1)(n) and 21.B(1)(n) – Existing man-made features within 500 feet of and within the site (this includes properties across streets). The graphics provided on sheet 4 of 13 are illegible and do not provide adequate information.

#### **VI. REVIEW COMMENTS**

1. We recommend the Fire Marshall review the plans and verify adequate emergency services can be provided from both Willow and Plant Avenues, particularly to the rear of the lots.
2. We recommend eliminating the two on-street parallel parking spaces along Willow Avenue in favor of either widening the street to allow on-street parking or to continue to prohibit parking on both sides of Willow Avenue.
3. The applicant included the single car garage in the provided parking calculations; we recommend requiring a legal document and/or record plan note prohibiting the conversion of garage space to living space.

**RADNOR TOWNSHIP ZONING HEARING BOARD**

**APPEAL NO. 2923**

**APPEAL OF DTL HOLDINGS, LP**, premises located at 227-229 Plant Avenue and zoned C-3. Appellant seeks a special exception under Zoning Code Section 280-101(A)(1) in order to change the existing nonconforming use of a multiple-family dwelling to four townhomes, and a special exception under Zoning Code Section 280-105(F) to permit parking in the front yard setback. In the alternative, Appellant seeks variances from the following Zoning Code provisions: Section 280-55 - Use; Section 280-56(A) - lot area and width; Section 280-56(B) - building area; Sections 280-56 (C), (D), and(E) - front, side and rear yard setbacks; Section 280-57(A) - required buffer; Section 280-103(B)(1) - required number of parking spaces; and Section 280-105(F) - parking within the front yard setback. In addition, Appellant seeks any other zoning or alternative relief required pursuant to the Plans submitted with this Appeal.

**DECISION OF THE ZONING HEARING BOARD**

**ORDER**

Appellant has withdrawn its requests for parking relief except for the special exception under Zoning Code Section 280-105(F) to permit parking in the front yard setback, so except for the aforesaid special exception, relief from parking requirements no longer is included within the scope of this Appeal.

Special exceptions under Zoning Code Section 280-101(A)(1) and under Zoning Code Section 280-105(F) are granted; variances under Zoning Code Sections 280-56 (A), (B), (C), (D), and (E), and under Zoning Code Section 280-57(A), are granted, the order of the Zoning Officer is reversed, and an appropriate permit is ordered to be issued for the construction of Appellant's proposed four townhomes, in the precise location and manner shown on those certain plans (the "Plans") which have been entered into the record as Appellant's Exhibits "A-4" and "A-5" (the "A-4" Plan having been annotated by Appellant at the hearing), and otherwise in accordance with the other exhibits and testimony made part of the record, to the extent consistent with the Plans. Relief is granted only from the Zoning Code Sections specifically enumerated in the preceding sentence, and no relief is granted with respect to any other provision of the Zoning Code, or with respect to any other Township ordinances, including without limitation the Township's Subdivision and Land Development Ordinance. Without limiting the generality of the preceding sentence, no relief is granted with respect to any applicable parking requirements except only for a special exception under Zoning Code Section 280-105(F) to permit parking in the front yard setback.



**BY ORDER OF THE ZONING HEARING BOARD**

**/s/ NOAH D. CUTLER, CHAIRMAN**

**/s/ BRADLEY DELIZIA, VICE CHAIRMAN**

**/s/ WILLIAM MARTIN**

**/s/ JOHN REILLY**

**OCTOBER 31, 2014: THIS DECISION SHALL EXPIRE IF THE APPLICANT FAILS TO  
OBTAIN A BUILDING PERMIT WITHIN SIX (6) MONTHS FROM THIS DATE:  
OCTOBER 31, 2014**