

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Agenda
WORKSHOP
Wednesday, October 19, 2011
7:00 PM**

- A. Call to Order / Pledge of Allegiance and Moment of Silence
- B. Chairman will ask if anyone is going to record the meeting
- C. Review of Tracking Log / Determine need for Workshop Meeting
- D. Public Comment on Non-Agenda Items
- E. Approval of Minutes
 - 1. October 5, 2011**
- F. Conditional Uses and Variances
 - 1. QVC Network, INC / 1365 Enterprise Drive (ZHB)**
- G. Ordinance Amendments
 - 1. Sign Ordinance Amendment Discussion
 - a. (Update from Sign Meeting With Shopping Centers)
 - 2. Apartment Building Height**
- E. Adjournment

Dates of Importance

October 22, 2011	EGT Harvest Festival	10 – 4 pm
	(Rain date October 23)	
December 3, 2011	New York City Holiday Trip	

- **Bold Items indicate new information to review for that topic.**

REMINDER – Winter Newsletter:

Article Submission Due Date

November 2, 2011

Delivery Date

January 1, 2012 (Last Delivery of Hard Copy)

Planning Commission Application Tracking Log

Application Name	Application (CU,LD,O, SD,ZHB, SE, CA)	Type (Sk, P, F)	Date Filed	Start Date	Date to Yerkes/Consultant	Date to CCPC	Date to Abutting Prop. / ABC's	Extension	PC NLT Action Date	BOS NLT Action Date	Hearing Date	Drop Dead date
QVC / 1365 Enterprise Drive	ZHB	SK	9/27/11	9/27/11	na	na	9/30/11		10/19/11	11/1/11	11/17/11	11/26/11

Bold = New Application or PC action required

draft
EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
October 5, 2011

The East Goshen Township Planning Commission held a regularly scheduled meeting on Wednesday, October 5, 2011 at the East Goshen Township building. Members present were: Chairman George Martynick, Jim McRee, Susan Carty, Al Zuccarello, Peter Mylonas, Dan Daley and Megann Hedgecock. Also present were Mark Gordon, Township Zoning Officer; Erich Meyer(Park & Recreation Board,) and Ginnie Newlin (Conservancy Board)..

WORKSESSION – 7:00 PM

- A. Minutes of the September 21, 2011 workshop were reviewed.
- B. Various agenda items were reviewed.

FORMAL SESSION – 7:30 PM

A. Pledge of Allegiance & Announcements

George called the meeting to order at 7:00 pm and led the Pledge of Allegiance. There was a moment of silence to remember our armed forces.

George asked if anyone would be recording the meeting. There was no response.

George asked those in attendance if there were any non-agenda items to be discussed. Ginnie mentioned that the audio from the members' microphones sometimes contains odd noises.

George announced that there will be a workshop on Wednesday, October 19, 2011 at 7:00 pm.

B. Approval of Minutes

Jim moved to approve the minutes of the September 21, 2011 meeting. Peter seconded the motion. The motion passed. Megann abstained.

C. Acknowledge Receipt of New Applications – George acknowledged receipt of an application from QVC Network, Inc., 1365 Enterprise Dr, West Chester, PA 19380 (ZHB).

D. Subdivision/Land Development Plans – None

E. Conditional Use and Variances

1. Acero Holdings, LLC, 1340 Enterprise Drive (CU). The applicant was represented by Paul Lepard, from Nave Newell, and Brian Nagel, Attorney. Brian commented that the few minor issues have been addressed. He pointed out that lighting is now on the plan. The parking spaces in the front of the building never had pole lighting. The applicant will guarantee that this area will not be used for regular parking. Paul mentioned that there are 2 wall packs of lights in this area and are obscured by overgrown landscaping. There was discussion of the wording for condition #1 in the draft motion because it refers to the lighting and paving condition of the parking lot. Brian commented that the lighting is part of the existing condition and to require an upgrade at this point would be a significant expense. Peter feels the Commission should defer to the expertise of the township engineer. He feels 2 years is a reasonable time to add to the condition for work to be done. Dan has no problem with the information the Commission received. It is an existing condition and the township has not received complaints. Al moved that the Commission recommend to the Board of Supervisors that they approve the Conditional Use application for Acero Precision for the Manufacturing Facility use as outlined in §240-21.C.9 and §240-31 of the Township Zoning Ordinance and as depicted on the Conditional Use plan dated 9/6/2011 last revised 9/14/2011 for the property located at 1340 Enterprise Drive, TPN; 53-4-168 and 53-4-169, with the following conditions:

1. The applicant agrees to address the parking lot lighting issues identified by performing any maintenance and lighting improvements possible to the existing infrastructure in order to ensure the best functionality of the existing parking lot lighting system during the renovation of the building and within one year of occupancy of the building.
 2. The applicant agrees to address the stormwater management issues identified in comment #11 of the Township engineer's review letter dated September 27, 2011, during the renovation of the building and no later than 1 year from occupancy with adequate parking lot striping provided prior to occupancy.
 3. The applicant agrees to remove all the fencing that traverses the parking lot area and to perform the deferred landscape maintenance to the entire facility upon their purchase of the property and prior to the issuance of a final Use and Occupancy certificate and within one year of occupancy.
 4. The Manufacturing use shall be operated in conformance with all applicable Federal, State, County and Township rules and regulations, and the testimony provided during the Conditional Use process.
- Megann seconded the motion. Public Comments: Ginnie suggested to the applicant that they could put in raised beds or rain gardens in the supplemental parking area in front of the building, so they won't need to tear out the paving that is starting to break up.
- There was no further discussion. A vote was taken. The motion passed 6 to 1, with Peter voting no.

G. Old Business

1. Sign Ordinance - Mark will contact the owners of the 2 shopping centers to select a time for an informal meeting with them, and will notify Planning Commission members to see who could attend. Mark will contact the township solicitor for input.

H. New Business

None

I. Liaison Reports

1. Willistown – Megann reported that the traffic signals are installed at the intersection of Line Road and Paoli Pike.

J. Any Other Matter –

None

H. Adjournment

There being no further business, a motion to adjourn the meeting was made by Sue and seconded by Jim. The meeting adjourned at 9:00 p.m.

Respectfully submitted, _____
Ruth Kiefer, Recording Secretary

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171
Fax: 610-692-8950
E-mail: mgordon@eastgoshen.org

Date: 10/12/2010
To: Planning Commission
From: Mark Gordon, Zoning Officer
Re: QVC Sign Variance

Dear Commissioners,

QVC has submitted a ZHB application requesting relief from two sections of the zoning ordinance.

1. §240-22.N: to allow the QVC logo sign to be mounted at 24 ft high on the wall, the ordinance permits the sign to be mounted 10 feet high maximum in the BP District.
2. 240-22.Q(5): to allow the sign to be 108 square feet in area, the ordinance allows 100 square feet maximum.

The existing QVC Sign is subject to a ZHB decision from 1986, which I have enclosed for your review. The location of the proposed sign will be farther from the residential neighborhood than the sign today and the size increase proposed is minimal.

DRAFT MOTION:

Mr. Chairman, I move that we recommend that the Board of Supervisors support the Zoning Variance requests for QVC inc. at 1365 Enterprise Drive for 1.) §240-22.N: for the maximum height of the proposed wall sign so long as it does not exceed 24 feet above the finished grade of the building directly beneath the sign and 2.) §240-22.Q(5): for the maximum size of the sign so long as the sign does not exceed 108 square feet. The property is located in the Business Park District of the Township and the proposed relief will not pose any significant impact to the character of Business Park nor pose an impact on the adjacent residential neighborhood

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

October 12, 2011

QVC Network Inc.
1365 Enterprise Drive
West Chester, PA 19380

Re: Zoning Variance Application / Meeting Date Changes

Dear Applicant:

Pursuant to scheduling conflicts and in response to the request of your counsel; the Township has changed the meeting dates when application will be discussed to the following.

October 19, 2011 - Planning Commission meeting (workshop 7:00 pm)
(Presentation of Application)

November 1, 2011 - Board of Supervisors meeting (7:00 pm)
(Presentation of Application)

November 17, 2011 – Zoning Hearing Board (7:30 pm)
(Zoning Hearing)

Please call or email me at mgordon@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer

CC: Mr. Greg Davis, Esq. (Via Email)



Gregory J. Davis
Phone: (610) 251-5065
Fax: (610) 408-4408
gdavis@saule.com
www.saul.com

October 13, 2011

VIA ELECTRONIC MAIL

Mr. Mark A. Gordon, Zoning Officer
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

**Re: Zoning Hearing Board Application - QVC Network, Inc.
1365 Enterprise Drive (Tax Parcel No. 53-4-163)**

Dear Mark:

Under cover of a September 27, 2011 letter addressed to you, my client, QVC Network, Inc. ("QVC"), submitted the above-referenced Zoning Hearing Board application and supporting materials (the "Application") requesting two variances for a replacement sign proposed to be installed on the wall of QVC's office building located at 1365 Enterprise Drive, in Goshen Corporate Park. In the Application, QVC requested variances to allow the sign (1) to be installed at a height of 24' (to top of sign), and (2) to exceed the 100 square feet maximum area for wall signs, up to 108 square feet.

Upon further review, QVC has discovered that the subject sign is, in fact, proposed to be manufactured with a total area of 108.85 square feet. Accordingly, QVC hereby amends its Application to request relief from §240-22.Q(5) to allow the proposed replacement wall sign to be 108.85 square feet in size.

Thank you very much for your help.

Very truly yours,

Gregory J. Davis

Chesterbrook Office ♦ 1200 Liberty Ridge, Suite 200 ♦ Wayne, PA 19087-5569
Phone: (610) 251-5050 ♦ Fax: (610) 651-5930

BALTIMORE CHESTERBROOK HARRISBURG NEWARK PHILADELPHIA PRINCETON WASHINGTON WILMINGTON

SignArt

6225 Old Carpent Road
Charlotte, NC 28213
704.597.9801
704.597.9808 fax
800.928.3521

PROJECT NUMBER

27523

WORK ORDER NUMBER

67541

CLIENT

QVC

LOCATION

1355 Enterprise Dr.
West Chester, PA

SALES PERSON

FP

REVISIONS

NO. BY DATE

1 HC 08/19/11

2 KK 09/20/11

3

4

5

6

HC

ISSUE DATE

07/24/11

SHEET NAME

QVC27523 West Chester

DATE

3 of 5

APPROVED FOR PRODUCTION

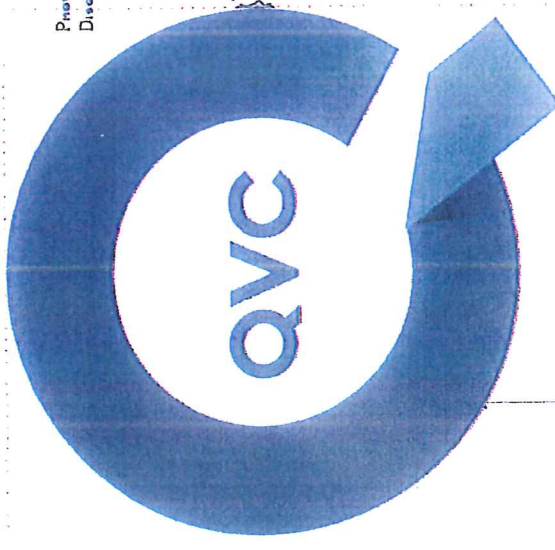
As Drawn: As Noted

Client: Sales Rep. Project Mgr.

120"

47 3/8"

PhotoCell & Disconnect Switch



Internally Illuminated Channel Letters
With White Acrylic Faces, Turquoise Jewels
& Returns. Faces Have First Surface Acrylic
T-37 Trans Turquoise & Digitally Printed
Gradient Vinyl Applied. Letters
Illuminated With White LED's

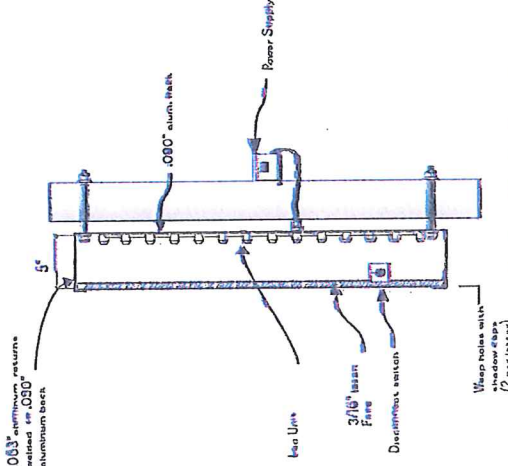
QTY: 1

Sign area is 108.85 sq.ft.
[10.88'(h) x 10'(w)=108.85 sq.ft.]

Face Elevation
Scale: 3/8"=1'-0"



- CABINET**
- 3/16" White Laser Face .090 Alum Base
 - Win .063 Alum Stairwell Face Held On
 - Win .063 Alum Recessed Face Has First
 - Surface Acrylic T-37 Trans Turquoise &
 - Trans Digital Print Applied Vinyl Applied.
- MOUNTING**
- Mounted To Wall With
 - Expansion
 - Anchors As Required
- ELECTRICAL**
- UL & NEC Approved
 - Internal Illumination With
 - Cool White LED's
 - Disconnect Switch & PhotoCell
 - Installed On Side Of Logo
 - 72amps @ 120v
 - 1-20 amp-120v Circuit Required



Side View: Face Lit Channel
Letters w/ Remote Transformers

© 2011 SIGNART: THIS SKETCH IS THE SOLE PROPERTY OF SIGNART AND MAY NOT BE COPIED OR REPRODUCED WITHOUT CONSENT.



Top of sign is
24 feet above
grade.

1



Existing

Proposed
Channel Letter Elevation NTS



SignArt 6225 Old Concord Road Charlotte, NC 28213 704.597.8801 704.597.8808 fax 800.929.3521		HID NUMBER 27623	WORK ORDER NUMBER 67541	CLIENT QVC	LOCATION 1305 Enterprise Dr West Chester, PA	FP SALES PERSON	DESIGNS NO. BY DATE 1 MC 05/19/11 2 3 4 5 6	DESIGNED MC	DESIGNED DATE 07/21/11	FILE NAME QVC27623.WestChester	PAGE 4 of 5	APPROVED FOR PRODUCTION Date: _____ As Drawn: _____ Client: _____ Sales Rep: _____ Project Mgr: _____
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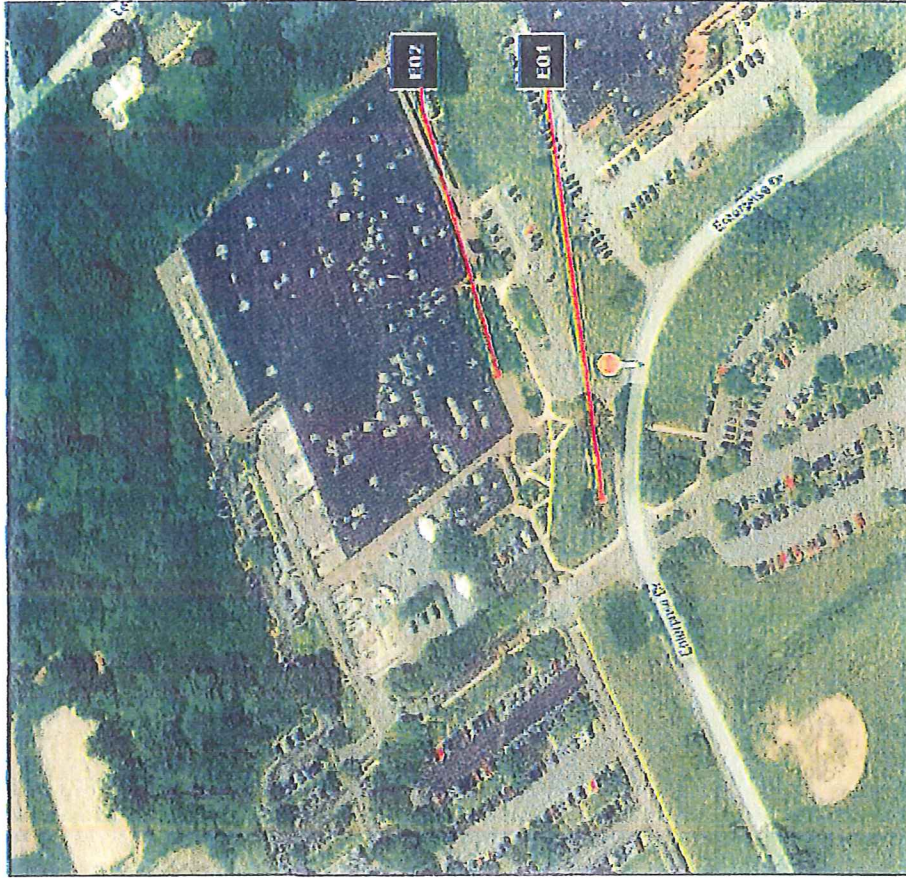
SignArt

6225 Old Concord Road
Charlotte, NC 28213
704.597.8801
704.597.8808 fax
800.829.3521

BID NUMBER	27623
WORK ORDER NUMBER	
QVC	67641
LOCATION	1365 Enterprise Dr West Chester, PA
DATE	08/19/11
DESIGNER	HC
ISSUE DATE	07/21/11
FILE NAME	QVC/27623/West Chester
PAGE	5 of 5

APPROVED FOR PRODUCTION

Date: _____
As Drawn: _____
As Noted: _____
Client: _____
Sales Rep: _____
Project Mgr: _____



IN RE: THE APPLICATION OF : BEFORE THE ZONING HEARING
QVC NETWORK, INC. : BOARD OF EAST GOSHEN
: TOWNSHIP, CHESTER COUNTY,

D E C I S I O N

The Zoning Hearing Board of East Goshen Township, Chester County, Pennsylvania, after proper advertising, sat at approximately 7:30 p.m., on Thursday, November 13, 1986, to hear evidence on the case. Applicant filed for a variance to construct a sign on its building located at 1365 Enterprise Drive, Goshen Corporate Park, East Goshen Township, Chester County, Pennsylvania. The proposed sign exceeds the maximum height limitation for wall signs in industrial and business park districts as set forth in Section 501.14 of the East Goshen Township Zoning Ordinance. Present at the hearing were Chairman, Robert J. Carnwath, Member Charles A. Dunk, and Member Robert H. Palmer. Testimony was presented by Michael C. Boyd, Vice President, QVC Network, Inc., who appeared represented by Craig Kalemjian, Esquire. Although no one entered their appearance as a party in opposition to the applicant, several persons in the audience did ask questions and make statements which appeared to oppose the application. The Township took no position with respect to the requested relief. After the presentation of the evidence at the Hearing, the Board announced that its decision on the case would be made on Monday, December 22, 1986.

FINDINGS OF FACT

1. The property is located at 1365 Enterprise Drive, Goshen Corporate Park, East Goshen Township, Chester County, Pennsylvania, and is located in the Business Park Zoning District.

2. Applicant, QVC Network, Inc. is the fee simple owner of the subject premises.

3. There is currently existing on the premises an approximately 6,000 square foot building.

4. The applicant presented at the hearing the following exhibits:

A. A-1- An artist's sketch of the front of the building showing the proposed sign.

B. A-2- A photograph of the front of the building with the proposed sign superimposed thereon to represent what the sign would look like when installed.

C. A-3- A November 11, 1986 letter from Hough/Loew Associates, Inc., Park Managers for Goshen Corporate Park, giving permission to applicant to construct the sign pursuant to the protective covenants applicable to the corporate park.

5. In addition, the Board presented at the hearing the following exhibits:

- A. B-1- Proof of publication of the hearing.
- B. B-2 Proof from the applicant that the notifications required by the Ordinance were sent to properties within 1,000' of the subject premises.
- C. B-4 and B-4 - Photographs evidencing the posting of the property as required by the Zoning Ordinance.

6. Section 501.14 provides that all signs in Business Park Districts shall be no more than 12' in height.

7. Applicant proposes to construct a sign where the bottom of the sign will be 19'4" above the ground and the top of the sign will be 24' above the ground.

8. The proposed sign will be constructed of three bronze letters (QVC), 5'4" high and 14'18" wide, with incandescent lighting behind the signs which, during night time hours, will create a subtle lighted outline of the letters.

9. The front wall of the building, on which the sign will be located, is approximately 162' wide and faces south.

10. The building is located in the northwest corner of the Goshen Industrial Park.

11. The neighboring property to the west is a wooded/farm area, and the neighboring properties to the north consist of single family residences.

12. The proposed sign should not be in a position to be seen by adjacent residential property owners.

13. The location of the proposed sign on the subject building is set back far enough from Paoli Pike so that it should not be hazardous or otherwise objectionable to either traffic or persons living at that location.

14. Applicants believe that if the sign were installed as required by the Ordinance, it would not only have a peculiar appearance but also be so low on the wall of the building that it would not serve the purpose for which it is intended, which is to provide a visible indication of the ownership of the building.

15. Persons in the audience, although not necessarily opposed to the nature of the applicant's proposed sign, were concerned that an approval by this Board might be construed as precedent which would require the granting of similar relief to other property owners in the Corporate Park and particularly for those properties close to Paoli Pike.

DISCUSSION

Section 804.2 of the East Goshen Zoning Ordinance provides that the Zoning Hearing Board may grant variances under certain circumstances. The standards contained in the

Ordinance are in accordance with the Municipalities Planning Code and existing case decisions. 53 P.S. § 10101, et seq.; Ryan, Pennsylvania Zoning Law and Practice, § 6.2.1, et seq.

In the present case, applicant has requested a variance from the applicable provisions of the Zoning Ordinance in order to construct a sign. It is clear to the Board that if the sign were constructed in accordance with the Ordinance, its appearance would be quite peculiar. In addition, the intended purpose of the sign, which is to notify persons of the location of the applicant's building, would be thwarted.

The concerns mentioned at the hearing regarding the proposed sign did not relate to the placement and use of the sign on applicant's building. Rather, fears were expressed that a precedent might be established which would permit, or even require, the granting of similar variances for buildings to be constructed in the Goshen Corporate Park at other locations, and in particular locations closer to Paoli Pike.

The Board believes that it is in the best interest of the Township to grant the requested variance. However, its decision is limited to the specific facts of this case and should not be construed as indicating the willingness to entertain similar applications from others in the Corporate Park. The particular factors which the Board considered in rendering its decision are: (1) lighting of the sign, which is otherwise permitted by the Ordinance, will not shine onto

adjacent residential properties; (2) the type of lighting is a very subtle, non-offensive nature; (3) the building on which the sign is located is a substantial distance from Paoli Pike; (4) the purpose of the sign will be obviated if the Ordinance height limits are strictly applied.

As indicated, the Board believes that a denial of the request for relief will constitute an unnecessary hardship and, therefore, the spirit of the Ordinance will be better observed and substantial justice more adequately accomplished by granting the requested relief. However, the Board is sensitive to the concerns of the protestants. Therefore, the Board reminds the applicant that it must construct and maintain its sign precisely in accordance with the representations made at the hearing and in accordance with all applicable ordinances, rules and regulations of the particular Township Codes and Ordinances relating to signs.

CONCLUSIONS OF LAW

1. The literal enforcement of the provisions of the Zoning Ordinance will result in unnecessary hardship to applicant.

2. Applicant's request for a variance from the provisions of the Zoning Ordinance in order to construct a sign which exceeds the maximum height limitations of the Zoning Ordinance will not be injurious to the neighborhood or otherwise detrimental to the public welfare and will be

in harmony with the general purpose and intent of the Ordinance so long as the conditions set forth in the following order are complied with by applicant.

O R D E R

AND NOW, this *22* day of *December*, 1986, applicant, QVC Network, Inc. is granted a variance from the 12 foot height limitation for wall signs in the Business Park District to construct a sign, as specifically proposed during the hearing, at the property located at 1365 Enterprise Drive, Goshen Corporate Park, East Goshen Township, Chester County, Pennsylvania, subject to the following conditions:

1. The location, nature, configuration, size, color and lighting of the proposed sign shall be precisely what was described at the hearing; and the sign shall not be changed unless applicant files with the Board for reconsideration of its decision, a public hearing on the request is held by this Board to reconsider the entire request for a variance and the Board determines at the conclusion of the hearing that the basis upon which it made its decision granting the variance in the first instance will not be affected by the requested modification.

2. Applicant shall comply with all laws, ordinances, codes and other rules and regulations with respect to the construction of the proposed sign.

3. There shall be no other signs attached to the front of the building.

4. No glare from the sign shall project onto any adjacent property.

ATTEST:

EAST GOSHEN ZONING
HEARING BOARD

Pauline L. Mioduszyn
Secretary

Robert J. Carnwath
Robert J. Carnwath

Charles A. Dunk
Charles A. Dunk

Robert H. Palmer
Robert H. Palmer

§ 240-29. Planned apartment development.

Planned apartment development regulations applicable to R-4, R-5 and C-4 Districts.

A. Specific intent. The intent of this section is to provide regulations that encourage well-planned and well-designed apartment developments appropriate to the district and in harmony with adjacent existing development.

B. Applicability. This section shall apply to any apartment development.

C. Apartment standards. The following standards shall be observed:

(1) Central water and sewer. All apartments shall be serviced by centralized water and centralized sewage disposal systems.

(2) Underground utilities. All utilities shall be placed underground.

(3) Minimum lot area. Apartment developments shall provide a lot area of at least four acres and a minimum average of 3,000 square feet of lot area per dwelling unit on the lot.

(4) Maximum building coverage. The maximum building coverage shall be 20% and the maximum impervious surface coverage shall be 40%.

(5) Setbacks. All principal buildings shall be at least 50 feet from all street right-of-way lines and property lines. Garages shall be at least five feet from all side and rear property lines and at least 50 feet from all street right-of-way lines.

(6) Maximum height. Maximum height of all buildings shall not exceed three stories ~~or 30~~ feet. No dwelling unit shall be more than two stories above its ground entrance without the use of elevators.

(7) Building separations. Each building with three or fewer stories shall:

(a) Have a maximum length of each wall of 100 feet in horizontal length.

(b) Be separated from each other building by at least 25 feet.

(c) Be separated from each other building by at least 1.5 times the height of the tallest building.

(8) Maximum dwelling unit size. No dwelling unit within an apartment development shall contain more than two bedrooms, and no more than 40% of the total number of dwelling units shall contain two bedrooms.

(9) Building location, orientation and design. The location, orientation and design of all buildings should give consideration for site terrain and other natural features

and conform with site design principles outlined in the Township Comprehensive Plan.

(10) Recreation/open spaces. One or more recreation/common open spaces (each with a minimum area of 2,500 square feet) shall be provided, whose total area equals at least 200 square feet per dwelling unit. All recreation/common open spaces shall be located in areas suitable for outdoor active or passive recreation (such as outdoor relaxation, walking and/or gardening). Only recreation spaces at least 20 feet from any building shall count towards the minimum required recreation/common open space. The types of recreation areas shall relate to the expected breakdown of ages of residents of the units.

(11) Driveways. The following minimum cartway widths shall be provided for any driveway within an apartment development:

Function	Minimum Cartway Width (feet)
One-way traffic, no parking	9
Two-way traffic, no parking	18
One-way traffic, parallel parking on one side	18
Two-way traffic, parallel parking on one side	27
Two-way traffic, parallel parking on two sides	34

(12) Off-street parking. The off-street parking requirements of § 240-33 shall be complied with.