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COUNTY
Planning Commission**

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06-04-10P12:35 RCVD

June 2, 2010
BCPC #50-10-4(P)

MEMORANDUM

TO: Warrington Township Board of Supervisors
Warrington Township Planning Commission

FROM: Bucks County Planning Commission

SUBJECT: Request for Amendment to Comprehensive Plan and Zoning Map
TMP# 50-4-85 and 50-4-94
Applicant: Teva Pharmaceuticals, Inc.
Owner: Eureka Stone Quarry, Inc.
Received: April 21, 2010
Hearing Date: Not indicated

In accordance with the provisions of Sections 302, 304 and 609 of the Pennsylvania Municipalities Planning Code, this proposal has been sent to the Bucks County Planning Commission for review. The following review was prepared by the staff and endorsed by the Bucks County Planning Commission at a meeting held on June 2, 2010.

GENERAL INFORMATION

Requested Amendments to the Comprehensive Plan and Zoning Map:

- A. To amend the township comprehensive plan to change the classification of portions of TMP's 50-4-85 and 50-4-94 from Mixed Use to Commercial and Industrial.
- B. To amend the zoning map to rezone a 22.88-acre area consisting of portions of TMP 50-4-85 and 50-4-94 from PRD Planned Residential Development to PI-2 Planned Industrial and to rezone an 8.4-acre area consisting of portions of TMP 50-4-85 and 50-4-94 from PRD to C-1 Commercial.

Location of Tract: North of the intersection of County Line and Lower State roads and Limekiln Pike.

Existing Comprehensive Plan and Zoning Ordinance Provisions:

- A. Existing Comprehensive Plan Designation

The *Warrington Township Comprehensive Plan* (2006) classifies the subject area as Mixed Use which is intended to facilitate the development of a village with commercial and residential uses. The comprehensive plan advocates creating opportunities for mixed use village-style development at Eureka. The village is to maintain currently permitted residential densities and use transferable development rights to achieve density increases.

B. Existing Zoning:

PRD Planned Residential Development permits, where public water and sewerage is available, single-family detached dwellings on lots of 13,500 square feet or more; performance standard residential housing types at densities of 3 units per acre; municipal use; hospitals; camps and clubs. Cluster development, cemeteries, and schools are permitted as conditional uses. In areas served by on-site water and sewage disposal systems, the PRD district permits single-family detached dwellings, agricultural uses, greenhouses, municipal use, and planned residential developments on lots of 3 acres. The maximum height permitted is 35 feet for most dwelling types. Midrise apartments may have a height of 65 feet. Impervious surface may not exceed 15 percent.

PI-2 Planned Industrial which permits manufacturing, wholesale or distributing use, storage and warehouses, laboratories, light metal processing and other uses on lots of 2 acres or more. Mobile home parks are also permitted. There is no height limit. Impervious surface may not exceed 70 percent.

C-1 Commercial which permits retail shop, restaurant, offices, bank and service business on lots of five acres or more. Maximum height permitted is 35 feet. Impervious surface may not exceed 75 percent.

Requested Comprehensive Plan and Zoning Ordinance Amendments:

A. Requested Comprehensive Plan Amendment

The petition for an amendment to the comprehensive plan (Exhibit B) does not address future land use map or plan text revisions. This review presumes that the proposed zoning district changes indicate that future land use plan will be amended by replacing the Eureka Mixed Use classification with commercial and industrial land classifications.

B. Requested Zoning Districts

PI-2 Planned Industrial which permits manufacturing, wholesale or distributing use, storage and warehouses, laboratories, light metal processing and other uses on lots of 2 acres or more. Mobile home parks and Adult Store and Theater are also permitted.

C-1 Commercial which permits retail shop, restaurant, offices, bank, service business on lots of five acres or more.

COMMENTS

A. Requested Amendment to the Comprehensive Plan

1. **Future Land Use Plan**—The *Warrington Township Comprehensive Plan* (2006) calls for a mixed use village-type development at the intersection of Lower State Road, and County Line Road and PA Route 152 (Limekiln Pike). As depicted on the Eureka Village Conceptual Sketch Plan Land Use (see Illustration A), the intent for this area is to accommodate a mixed use development of Commercial, Residential, and Light Industrial uses. The area north of the intersection of Route 152 and Lower State Road would provide for commercial uses with multi-family/single-family attached residential uses adjacent to the commercial area. Locating the residential uses adjacent to the commercial area is intended to enhance the viability of the commercial uses. It would be a walkable community with the commercial area as a town center, serving not only the adjacent residential neighborhood, but the surrounding communities as well as. The area north and west of the residential area was designated for light industrial uses, which would provide close to home employment opportunities for the surrounding communities.

The comprehensive plan recommends a mixed use village using transferable development rights to achieve density increases. The mixed use village concept included a mix of residential housing, nonresidential uses, village design standards, and community amenities.

The Future Land Use plan for the Eureka Village area envisioned the development of a walkable community that would be compatible and in scale with the nearby land uses in both Warrington and Montgomery townships.

2. **Comprehensive Plan petition**—The petition for amendment to the comprehensive plan submitted by the applicant addresses the proposed zoning districts requested rather than the proposed changes to the Future Land Use Plan of the township's comprehensive plan. While we understand the intent, the language used in the petition addresses zoning districts rather than land use planning.

B. Requested amendment to the zoning map

1. **Roadway right-of-way**—The location of the zoning boundary between the proposed C-1 and PI-2 districts would be based on the proposed location of the Limekiln Pike spur right-of-way. We are aware that the applicant, township officials and PennDOT are in discussions regarding the proposed location of this right-of-way and that a final decision on its location has not been determined. Any decision to approve a new zoning boundary line would have to be conditioned upon PennDOT defining exactly where the right-of-way will be.
2. **Adjacent land use**—Lands to the east of the site are occupied by vacant land and single-family detached dwellings. The area to the west is occupied by large lot single-family detached dwellings and a small strip shopping center. Two single-family detached dwellings abut the site on the east side of Limekiln Pike. A farmhouse converted into a commercial use lies in the southern part of the site. On the Montgomery County side of County Line Road, in both Horsham and Montgomery townships, the land use is medium to large lot single-family residential. Agricultural land lies to the east across Lower State Road. Agricultural land and a large active quarry are located to the north and east of the

site. There is a preliminary plan submission for industrial development on the agricultural land adjacent to this site.

3. **Adjacent zoning**—The lands to the west are zoned C-2 Commercial which permits retail or service business, restaurant, office and bank on lots of five acres or more and RA Residential Agricultural which permits single-family detached dwellings on lots of 3 acres or more and cluster development on 10 acres or more. The area to the south is zoned C-1 which permits retail shop, restaurant, offices, bank, and service business on lots of five acres or more. On the Montgomery County side of County Line Road, in both Horsham and Montgomery townships, the zoning permits medium lot size single-family residential. The district to the east is PRD Planned Residential Development which permits single-family detached dwellings on lots of 13,500 square feet or more, and performance standard residential development housing types are permitted. Municipal use, hospitals, camps, clubs served by public water and sewer are also permitted by right. Cluster development, cemeteries, and schools are permitted as conditional uses. To the north the area is zoned PRD and PI-2 Planned Industrial which permits manufacturing, wholesale or distributing use, storage and warehouses, laboratories, light metal processing and other uses on lots of 2 acres or more. Mobile home parks are also permitted.

The C-1 and PRD districts permit a maximum height of 35 feet for most uses. The PI-2 district has no height limit, and therefore if the proposed rezoning is approved very tall buildings could potentially be built close to the intersection of Limekiln and Lower State and County Line roads, which would not be consistent with the existing character of the area. The PRD district permits impervious surface less than 15 percent whereas the PI-2 permits up to 70 percent impervious surface. The proposed zoning would not be consistent with the PRD district to the east. The amendment would permit development which is compatible to that of the adjacent PI-2, C-2 and C-1 districts, but would permit it at an intensity which would not be consistent with all adjacent areas.

4. **Proposed zoning**—The proposed zoning eliminates the PRD district north of the intersection of Limekiln Pike and Lower State Road and extends the PI-2 and C-1 districts to replace it.
5. **Traffic Impact study**—A traffic impact study (TIS) was submitted with a preliminary land development plan subsequent to the submission of the request for the zoning map amendment. Section 2507 of the zoning ordinance requires the submission of a traffic impact study for requests for zoning map changes. Since the applicant submitted the TIS with a proposed land development proposal for the site, the focus of the TIS is on the proposed land development rather than the issues pertaining to the proposed rezoning. Specifically, the TIS should provide a comparative analysis of the anticipated traffic generation of the most intensive use permitted under the current zoning to that of the most intensive use under the proposed zoning.
6. **Environmental Impact Assessment**—The EIA that was submitted notes that an overall positive fiscal impact will be realized if the rezoning is adopted. The report provides no

details of the fiscal impacts and does not discuss impacts on community facilities (e.g., fire safety). We recommend that the EIA be revised to evaluate the impacts of the highest or most intensive use of the site (i.e., manufacturing).

7. **Proposed land development**—This office received a land development plan, on May 12, 2010, for a Teva Pharmaceuticals, USA distribution facility that would be built on land adjacent to the site that is the subject of this rezoning request. The land development plan proposes two 85-foot tall buildings with a total of 1.5 million square feet of building area. The proposed facility is anticipated to generate up to 100 truck trips per day. Although the applicant's land development plan does not incorporate the area proposed for rezoning, it illustrates how land zoned for PI-2 can be used.

Summary

The industrial zoning along the southern portion of the Eureka quarry has existed for more than 20 years and permits suitable uses adjacent to the Eureka Stone Quarry. The area surrounding Eureka village area (including the areas in adjacent Montgomery County) is now residential and agricultural with several moderate density residential developments. The portion of the site, currently zoned PRD, which is proposed to be rezoned to PI-2, has been zoned residential for at least the last 20 years and has served as the southern limit of industrial zoning south of the Eureka Stone Quarry.

This industrial zoning has now become more real with the preliminary plan submission for a project that reflects current PI-2 zoning. Although this specific project has not received approval, the plans help us envision what can be built under this current zoning. While much debate has occurred about the wisdom of this legacy industrial zoning, this is not the question before us. Knowing what we now know about development potential on the PI-2 tract, what makes sense for the remaining lands at the triangle formed by the convergence of Limekiln Pike and Lower State Road? This review has pointed out two main concerns: the effects of intense nonresidential development on surrounding residential uses and the impact of traffic in an already congested area. It is our opinion that none of the three options on the table do justice to this area of the township. We have the current PRD zoning, the Eureka village land use planning concept in the comprehensive plan, and the proposed PI-2 zoning.

It would be better from a planning perspective to have land use regulations that accomplish the following:

- Make a transition between the industrial activity permitted and planned for in the PI-2 district
- Require large open spaces and green setbacks, as one would see in corporate parks, at the perimeters of the tracts
- Set height limits compatible with the adjacent residential uses and zoning
- Set impervious surface limits lower than the PI-2 district
- Address the traffic circulation and traffic generation concerns within this area by limiting development intensity.

If the Bucks County Planning Commission can assist in revising zoning standards to accomplish these goals please let us know.

We would appreciate being notified of the Board of Supervisors' decision regarding this matter. If the amendment is adopted, please send a copy within 30 days as required by Section 609g of the Pennsylvania Municipalities Planning Code.

DCZ:mjw

cc: William Casey, Solicitor
Robert Gundlach, Fox Rothschild
Mike Mrozinski, Community Development Director
Montgomery Township
Montgomery County Planning Commission

PERTINENT INFORMATION

Site Characteristics, Natural Features: The site is gently sloping towards its center and contains wooded hedgerows and a single-family detached dwelling which fronts on Limekiln Pike.

Existing Land Use: Agricultural.

Surrounding Land Use:

North: Agricultural
East: Agricultural single-family residential
South: Single-family residential and
West: Single-family resident and commercial

Surrounding Zoning:

North: PI-2 Planned Industrial
East: PRD Planned Residential Development
South: C-1 Commercial
West: C-2 Commercial

Sewage Facilities—The *Warrington Township Act 537 Plan Amendment No. 5 (2005)* indicates that the area to be rezoned is in sewage management area 1 in which sewage flows would be treated at the Warminster Municipal Authority Treatment Plant.

Community impacts—The reclassification of the subject area would allow for rezoning to permit land uses which would provide greater tax revenue but which also promote development which would generate greater traffic generation. Automobile and truck traffic generated on the site would affect the already congested County Line Road and Route 202 corridor.