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October 6, 2010
BCPC #50-10-4a(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 - Supplemental Information
TMP# 50-4-85 and 50-4-94
Applicant: Teva Pharmaceuticals, Inc.
Owner: Eureka Stone Quarry, Inc.
Received: August 9, 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 October 6, 2010.

GENERAL INFORMATION

We reviewed a proposal for an amendment to the township comprehensive plan and zoning map on June 2, 2010. The amendments included the following:

- Changing the classification of portions of TMP's 50-4-85 and 50-4-94 in the township comprehensive plan from Mixed Use to Commercial and Industrial.
- Rezoning 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.

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.

Proposed Zoning: P I-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.

COMMENTS

In our previous review of this proposal on June 2, 2010 (BCPC review #50-10-4(P)), we recommended that additional information not contained in the Environmental Impact Assessment Report and Traffic Impact Study be submitted to assist the township in evaluating this request. We received the Supplemental Environmental Impact Assessment Report and Traffic Impact information on August 9, 2010. The supplemental report and study contain the following additional information:

A. Supplemental Environmental Impact Assessment Report (EIA) (June 21, 2010)

- Impacts inventory
 - General
 - Fiscal
 - Existing zoning
 - Proposed rezoning
 - Park and Recreation Areas
 - Libraries
 - Hospital and Health Care Facilities
 - Fire Protection
 - Ambulance and Rescue Service
 - Police Protection
 - Post Offices
- Traffic Impact summary

B. Traffic impact information—McMahon Associates memo (June 28, 2010), which provides an evaluation of the highest traffic generation.

Traffic Impact—The traffic impact report compares the traffic that would occur if the land were rezoned and if the land remains as it is now zoned. In order to make these comparisons, the traffic engineers had to make assumptions about which of the permitted uses would be built on the land subject to rezoning. They determined that an elementary school and a medical facility would be the highest traffic generators among the uses permitted by the zoning ordinance today and then based their comparison on a school and medical facility being built. Their second assessment was to compare what would happen on the rezoned PI-2 land if the applicant (TEVA) were to proceed with its plans and then what could happen if another industrial user were to

build on the newly-zoned PI-2 land. This makes sense as an approach because, once the land is rezoned, the township must assume that anyone could build on it in accordance with the zoning ordinance. This comparison also includes an assumption that the new C-1 zone would be developed with a day care center and a bank.

The conclusions are that the elementary school and medical facility scenario (no rezoning) would generate more morning and midday peak trips than the potential industrial zoning that TEVA would generate (with rezoning). The evening peak hour traffic would be greater with the rezoning, assuming that the land would be developed by TEVA, a day care center and a bank that could be added under the rezoning scenario.

The engineers also compared no rezoning with the impacts of a rezoned PI-2 parcel, assuming that TEVA would not be the developer. In this case, the midday peak and the evening peak hour traffic is worse with the rezoning than with current zoning. The morning peak would be expected to have few trips with the rezoning.

There are a series of assumptions built into the both the traffic and the fiscal analysis that affect the results.

First, the traffic impact study and the fiscal impact study use different scenarios. While the traffic impact study assumes an elementary school and a medical facility, the fiscal study assumes an elementary school and 13 single family houses for scenario 1 and then 54 residential units for scenario 2. It would make more sense to us to use a consistent set of assumptions about what is likely to be built there, with and without rezoning, rather than to pick one set of land uses for traffic and another for fiscal impacts.

Second, we question the likelihood of an elementary school being built at this location. This is at the extreme end of the Central Bucks School District, and there is no anticipated need for a new elementary school in this location in the next decade or more. Because the elementary school is used as a basis for comparison in both the traffic and fiscal analyses, this decision affects the results. The township will gain a better understanding of the impacts of rezoning if the land uses likely to be developed are considered.

Third, some of the scenarios include the spur road and some do not. Construction of the spur road is significant because the right-of-way of the roadway is approximately three acres. If the spur road is not built, this acreage can be developed for residential or nonresidential purposes and will raise the development potential on the site. The impact analysis should be done with and without the spur road for all scenarios to account for development opportunities of the land with and without the road.

Fiscal impacts—Most of the fiscal impact studies we receive contain more explanatory information about how the conclusions were reached and what data was used to generate the projected fiscal impacts. The background generally included is:

- analysis considering all the uses permitted in the zoning districts (existing and proposed);

- a description of the model used to determine fiscal impacts of the existing and proposed zoning scenarios;
- tables or worksheets that were prepared as part of the fiscal impact model;
- explanation of the methods used to calculate costs and revenues associated with the existing and proposed zoning scenarios;
- sources used to derive the estimated value of potential development associated with existing and proposed zoning scenarios.

The fiscal analysis assumes that residential uses and a school will be developed on the property if no rezoning occurs and the spur road is built. The second scenario of the fiscal impact analysis presents a development of 54 residential units in the PRD portion of the site. It is difficult to evaluate the true impact of this residential option without knowing what housing types were considered and what the yield on the site would be.

Community service impacts—The Supplemental Environmental Impact Assessment makes the assumption that the land area subject to rezoning will be used for residential uses if it keeps its current zoning. This differs from the assumptions used for the traffic impact and fiscal impact assessments. There are other uses permitted such as camps and clubs or lodges, and a continuum of residential uses from single family detached to mid-rise apartment. The analysis does not identify the residential unit types evaluated. The report generally concludes that industrial and commercial uses will have a lesser impact because these activities will not bring new residents to the township, and the residential areas require the community services.

The report concludes that there are fewer impacts with the rezoning than without the rezoning and that any environmental impacts could be mitigated.

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