



**BOROUGH OF MEDIA**  
DEPARTMENT OF CODE ENFORCEMENT AND ZONING  
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**Minutes**  
**Media Borough Planning commission**  
**December 7, 2004**

The meeting was called to order at 7:30 p.m. with Vice-Chairman Bill Payne presiding. Members Larry Morroni, Jr., Chris Pavlou, and Robert Yosua were in attendance along with Code Enforcement Director Jeffery and Engineer Walton. Members Tina Mason, Steve Moss and Peter Williamson were absent.

The minutes of the November 3, 2004 meeting were read and approved on a motion by Chris Pavlou, seconded by Robert Yosua.

**Signs**

The first sign application was for a wall sign at 113 W. State for Sligo Restaurant. Sligo was represented by attorney Ed Lawlor who is also one of the business partners. The sign is a wall sign containing gold lettering on a black background with illumination from overhead external lights on the building face. Chris Pavlou initiated a discussion concerning whether or not the "Celtic" symbols proposed in the sign text are "logos" under the sign code. After discussion, the Commission agreed that they are logos. A motion was made by Chris Pavlou, second by Robert Yosua, and carried 4-0 to approve the sign with these conditions:

- 1) that the square footage of the sign be measured by the rectangle around the outside of the text and the Celtic symbols.
- 2) That the square footage contained within the rectangle described in number 1 shall not exceed eighteen (18) square feet.

The second sign application was for a wall sign at 8 E. State Street where the Rainbow/Hallmark store currently located at 100 W. State Street will be moving within the near future. The applicant was represented by Mr. Joe Lacey who now owns the Rainbow/Hallmark franchise. The applicant proposes to relocate the existing 27 square foot sign currently on the face of 100 W. State Street to 8 E. State Street. This existing sign is internally illuminated with the word "Hallmark" in yellow and "gold crown" in red & white. A motion was made by Larry Morroni, Jr., seconded by Robert Yosua, and carried 4-0 to approve the sign with these conditions:

- 1) That the wall of 8 E. State be restored to an appropriate finish in the area where the existing state store sign box is removed.

- 2) That the square footage not exceed the existing 27 square feet of the sign on 100 W. State Street.
- 3) That all three existing signs be removed from the walls of 100 W. State Street.

The third sign application involved an application for an awning sign for Giota's West End Hair Styling & Barber Shop at 20 S. Orange in the ROA zoning district. The applicant was business owner Giota Hartas. She presented a plan for an awning sign that proposed white letters on a burgundy background. The graphic presented at the meeting contained text not permitted by the code and also proposed text upon the angled face of the awning. The Commission members worked with Ms. Hartas to revise the application into compliance with our awning code.

On a motion by Robert Yosua, second by Larry Morroni, Jr., and carried 4-0, the Commission voted to approve the application subject to the following conditions:

- 1) That the text of the final design may not exceed nineteen (19) square feet.
- 2) That all of this nineteen (19) square feet be contained only on the vertical face of the awning as permitted by the sign code.
- 3) That the vertical clearances required by the awning code be provided
- 4) That the text indicating "men, women, kids" and the graphic of a scissors and a hair dryer may not be included.
- 5) That the text message be limited to name, address, and phone number as permitted by the code.
- 6) That the awning be non-illuminated
- 7) That the final design be submitted to the Code Enforcement Director prior to manufacture and installation.

Review of matter enroute to Zoning Hearing Board on January 6, 2005
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### **32 W. Baltimore Avenue**

Attorney Howard Gallagher and business owner Mike Gibbons were present to discuss their appeal of the decision of the Zoning Officer and in lieu thereof the application for variances involving the proposal to convert the use of the basement of 32 W. Baltimore Avenue from an automotive use to a music studio. The applicant is appealing the decision of the zoning officer that involves these issues:

1. Whether the spaces per bay or spaces per square foot of floor area of section 311-81 is used to calculate the existing parking requirement, that number comes out to 9 spaces. As an automotive oriented facility, some, if not all, of these 9 were actually within the garage. As a music instructional facility, none of these 9 can be located within the facility. Therefore, the proposed change in use reduces the number of on-site spaces in violation of 311-82B.

*§ 311-82. General regulations for off-street parking.*

*B. Any off-street parking area existing at the effective date of this chapter, or hereafter established, shall not be subsequently reduced so as to provide fewer parking spaces than required by § 311-81 of this chapter.*

As a result, the application will require zoning relief from 311-82B.

2. Section 311-87-loading & unloading applies to this form of loading and unloading. Section 311-87C requires the loading & unloading to be on-site. Since the right-of-way of Franklin Street is 60 feet and therefore extends to the rear of the building, it is not possible to comply with 311-87 without zoning relief.
3. Since the loading and unloading is occurring in the street right of way, zoning relief will be required from section 311-87E since it appears that such activity generates the potential for a hazard.

**Mr. Gibbons** presented the following information to the Commission:

1. The proposal involves the lower level (Franklin Street grade) of the building housing Cottman Transmission on the Baltimore Pike level.
2. The Cottman level contains approximately 5,200 square feet and the application level approximately 2,000 square feet.
3. He has been reluctant to use the lower level as an automotive use due to the conflicts this creates with his residential neighbors.
4. One of his business options is to add lifts, hire a mechanic and open the lower level as mechanical repair facility.
5. As an automotive facility, car volume will probably be greater.
6. The level has not been used for an automotive use for approximately 3 years
7. He does not currently use the lower level as an active part of the Cottman business.
8. The proposed conversion would involve replacing the existing garage doors with a "storefront", the installation of landscaping, and a general clean-up of the rear of the building.
9. He proposes to rent the space to a musical company that would provide digital design services, music instruction, and digital recording facilities in which individual local musicians or groups could record CD's.
10. Where larger groups such as church choirs came for recording sessions, they could park in the municipal garage at Baltimore and Olive.
11. Most services would be by appointment in 30 minute to one hour sessions.

**Mr. Gallagher** presented the following points:

1. He suggested that there is an existing hardship pertaining to the drop off issue since there is no place that is not in the right-of-way to use for loading and unloading.
2. He questioned whether this prohibits any use that requires drop off in street?
3. Mr. Gallagher further presented to the Commission the concept that the spaces currently in lower garage are for service, not parking.
4. Therefore there is no current off-street parking for the lower level.
5. Lastly, he asked the Commission to consider that any new non-automotive use would be face the same parking issue.

**Chris Pavlou** questioned Mr. Gibbons concerning prior issues resulting from parking overflow for the Cottman business spilling into the municipal garage at Baltimore and Olive.

**Engineer Walton** voiced the following concerns:

1. He believes that the Commission needs to see data on the overall parking demands of the area with specific emphasis on what's available during the times that the lower level business will generate parking demand.
2. That some form of traffic flow analysis is required
3. That trash management for the entire tax parcel must be addressed.
4. That a storm water solution for entire site is required.
5. Note that when Mr. Walton presented his concerns about water quality improvements the applicant responded by indicating they believe they are making a significant water quality improvement by permanently eliminating an automotive use from the 2,000 square foot lower level.

**Vice-Chairman Payne** indicated that he believes that the automotive use generates a huge, undesirable conflict with the surrounding residential neighborhood; however he needs to see a parking analysis to determine the overall impact to the area from the proposed lower level use.

**Mr. Gallagher** indicated that he will have the applicants architect contact Mr. Walton directly to determine the specific information that Mr. Walton is requesting. Chris Pavlov added that this information gathering needs to provide accurate numbers related to the parking demands created by larger groups making recordings.

There was discussion concerning any MPC time constraints attached to the application. Code Enforcement Director Jeffery noted that unless the applicant is willing to grant an MPC wavier the application must go to the ZHB by January 18, 2005 to meet the MPC requirement of the Zoning Hearing being held within 60 days of the November 18, 2004 filing. Mr. Gallagher granted on the record a time extension and also signed a written wavier granted an extension of the MPC time requirement.

There was further discussion concerning the use of the municipal garage to support a use. In response to a question, Mr. Jeffery indicated that other businesses have gone to the ZHB with variance arguments that propose use of municipal parking facilities.

On a motion by Chris Pavlou, seconded by Robert Yosua, and carried by a 4-0 vote, the Commission voted to table action upon the application until the additional information can be reviewed at the January 4, 2005 PC meeting.

**Continued application from November 3, 2004; Minor land development  
Change of ICC Use Group  
215 Radnor Street-West Chester Corporation**

Vice-Chairman Payne called the application and found no representative present. There was a general discussion of the deficiencies of the application in addressing the change-of-use group requirements related a landscaping plan, buffering plan, a traffic plan, and storm water management. Mr. Jeffery noted that in discussions with the applicant subsequent to the November 3, 2004 meeting the applicant pursued the desire to move in without improvements due to the potential development of the site within 2005.

Chris Pavlou expressed a concern that was generally concurred with by the entire Commission that allowing a transient use of a property without improvements, based upon the rumor that the site will be developed in the future, will result in a potential influx of transient uses and an overall deterioration of the Baltimore Avenue corridor.

A motion was made by Robert Yosua, seconded by Chris Pavlou, and carried 4-0 to deny the application as incomplete based upon its failure to provide the required landscaping, buffering, traffic, and storm water plans.

**STATE STREET STREETScape, STREET LIGHT ISSUE**

Commissioner Chris Pavlov requested that his fellow Commissioners entertain an addition to the agenda to discuss the type of street light to be erected for the streetscape project. He provided the following:

- History of the Granville (Trader Joe's) versus the Sternberg (original "choice")
- Noted that the MBA agreed to a \$100,000 loan to cover additional cost of the more expensive light.
- Indicated that the MBA doesn't think Granville is appropriate for town
- He investigated whether or not Holophane has a light similar to Sternberg with PennDot acceptable photometrics
  - On 12-02-04, he got a "yes" from Hallophane that their light (@\$47K more) will meet the PennDot requirements

Sandy Walton provided some input:

- He had concern of criticism of NDI to DVRPC by a businessman.
- If new lights are chosen, they may require new poles to support the new lights.
- PENN DOT has the project under review for the 11<sup>th</sup> time.
- There was discussion concerning Council's response to its prior conversation's with Chris concerning the change of lights.

- It was noted that Sternberg cannot meet PENN DOT requirements.
- The “enhanced Washington Post” light by Halophane can do so.
- Chris read a letter written by Peter Williamson concerning a position that the PC should take in support of the enhanced Washington Post lights.
- Said letter was circulated for signature.

**Adjournment**

Meeting was adjourned at 21:30 hours.

Respectfully submitted,

Jim Jeffery  
Code enforcement Director