



The Borough of Phoenixville

CHESTER COUNTY, PENNSYLVANIA

Borough Hall, 351 Bridge Street, Phoenixville, PA 19460

Phone: (610) 933-8801 www.phoenixville.org

Subdivision and Land Development Planning Commission Application Information

WHAT IS THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE?:

The intent of the Subdivision and Land Development Ordinance (SALDO) is to regulate the subdivision and development of land in the Borough in order to address: conformance to the Comprehensive Plan, existing street coordination, drainage, utilities, open space, public improvements such as water, fire hydrants, sewerage, parks, playgrounds, etc. as well as safety from fire, panic and other dangers.

WHAT IS THE PLANNING COMMISSION?:

The Planning Commission is a Borough Council appointed body with seven (7) residents as members that is responsible to exercise all the powers conferred by law upon Borough planning agencies. All members shall serve four year terms, and no more than two members shall be replaced by in any calendar year.

BOROUGH CODES

Subdivisions, lot consolidations, lot line changes, new development or substantive changes to approved land development plans require full subdivision or land development review and approval, per the Borough of Phoenixville Subdivision and Land Development (SALDO), Zoning and Stormwater Management ordinances. Amendments to approved land development plans require an amended site plan review, per these ordinances. Development or additions to a single family dwelling on an individual lot are not required to go through either land development or site plan reviews; however, they must apply for appropriate building and other permits.

In all subdivision and land development applications, the entire site must be brought into compliance with all ordinance requirements.

The SALDO and the Zoning Ordinance are on the Borough web site, <http://www.phoenixville.org> under Useful Links on the front page or accessed directly [HERE](#).

Copies may also be purchased at the Borough Administrative Offices at a per page cost as determined by the current [Schedule of Fees](#).

TYPES OF SUBDIVISION/LAND DEVELOPMENT REVIEW

Prior to submission of a subdivision or land development application, it is highly recommended that an applicant meet with Borough staff to informally discuss the application. Borough staff will work with the applicant to identify aspects of the application that may trouble the review parties and/or help the applicant understand what reviews may be necessary for the project. A subdivision and land development application can be expected to follow the following stages, each of which will require the filing of a separate application with the Borough:

Sketch Plan:

This is an **optional**, but recommended phase of the subdivision and land development process where the applicant can bring sketches and ideas to the Planning Commission for a conceptual review and/or a recommendation for any necessary zoning relief. Usually there are no specified steps, decisions or required notifications. An applicant will receive a review from the Borough Land Planner but not from the Borough Engineer.

Preliminary/Final Plan:

This is the first official stage of the formal subdivision or land development process. Applicants submit a full set of plans, as required in the SALDO. After the review by the Planning Commission, which may extend over several meetings, the Planning Commission can either recommend approval, approval with conditions, or denial due to failure to comply with specified ordinance provisions. The Council of the Borough of Phoenixville will then consider the application and make a decision for approval, approval with conditions, or denial. Final approval will not be granted until all conditions have been satisfied.

PLANNING COMMISSION MEETINGS

Subdivision and Land Development applications are initially presented to the Borough of Phoenixville Planning Commission. The Planning Commission holds one meeting each month, typically on the second Thursday of the month. The public is welcome to attend and comment on any matter on the agenda. The schedule for the year is published on the Borough's website <http://www.phoenixville.org/calendar>.

Applicants or their representatives (e.g. attorneys, architects, or engineers) present their plans to the Planning Commission. After each applicant's initial presentation, Planning Commission members ask questions and then offer anyone in attendance the opportunity to comment. Minutes summarizing the proceedings are taken and, after approval at a subsequent meeting, posted on the Borough's web site.

Depending on the issues involved in an application, additional Borough review may be conducted by: Zoning Hearing Board, or other appropriate Borough-appointed review agencies. Applicants are notified if any such reviews are necessary. Members of the reviewing bodies may visit the site while the application is pending before them.

DECISIONS

The Planning Commission makes a recommendation to Borough Council on all applications except Sketch Plans. After the Planning Commission's recommendation, an application is considered by Borough Council.

If an application is deficient and cannot be approved within the required time frame, the applicant must agree to a time extension or the application will be denied.

Applicants receive notification of Borough Council's decision in writing.

COMPLETING THE PROCESS

After final approval of the plans, a Subdivision and Land Development Agreement and Financial Security Agreement must be signed and financial security must be posted for the cost of public improvements.

The project engineer shall submit cost estimates for all public improvements. After the Borough Engineer approves these figures, the Borough Solicitor provides multiple copies of the Financial Security Agreement for the applicant to complete and sign. Financial security may be provided in accordance with the MPC and the Applicant shall provide the following information about the financial institution holding the escrow: institution, contact, address, phone, fax, account number and any other pertinent identifying information. At the same time, the Borough Solicitor will provide multiple copies of the Subdivision and Land Development Agreement (aka Developer's Agreement) for the applicant to sign and submit to the Borough. Both the Subdivision and Land Development Agreement and Financial Security Agreement will be recorded along with any easements or other

documents required by the Borough for approval of the application.

PLAN RECORDING

Final subdivision and land development plans shall be recorded including the Borough resolution number and date that staff shall provide. Once the Subdivision and Land Development Agreement is signed and financial security is in place, the applicant has ninety (90) days to record the subdivision or land development plans. Seven (7) paper copies of the record plan must be signed by the property owner and notarized. The Borough will then sign the plans and the applicant is responsible for forwarding them to the Chester County Planning Commission for the approved signature and the Chester County Recorder of Deeds for recording. 2 sets of recorded plans shall be returned to the Borough before any permits can be issued.

Before site work can begin, a REQUIRED pre-construction meeting is held with the Borough, all affected agencies, the applicant, and contractors. Applicants proposing the erection, addition, or alteration of any building or portion of a building must apply for a building permit before commencing construction or occupying the building.

***Please see the following page for
Application Submission Requirements***

APPLICATION SUBMISSION

To be placed on the agenda of the Planning Commission for the initial review, a SALDO/Planning Commission Application must be submitted to the Borough as follows:

All submissions must be made to the Code Enforcement Department. No plans at any time of the process will be reviewed without first being submitted in this manner. Plans shall NOT be sent directly to the Engineer, Land Planner or Solicitor.

SUBMISSION TIMING/DEADLINES

All submissions must be received by 12:00 Noon on Friday as follows:

- 1) Sketch Plan – (3) three weeks prior to the meeting.
- 2) Preliminary/Final Plans – (5) five weeks prior to the meeting;
- 3) Revised Plans – (4) four weeks prior to the meeting;
- 4) Zoning Amendment – (4) four weeks prior to the meeting;

All submissions shall include:

Completed and signed application form

7 sets of:

Narrative summary of the project

Plans as required in the SALDO

Other related materials as appropriate

1 copy of plans in digital format (CD/DVD)

Please Consult Staff as to the applicability of the following submission materials:

1 signed original of the Phoenixville Area Regional Planning Committee "Agreement for Professional Plan Review Services" (enclosed)

3 Completed copies of the following:

Stormwater Management Report

Traffic Study

[DEP Sewage Facilities Planning Module](#)

[Chester County Referral Forms for Act 247 and 537](#)

[Review](#)

Separate payment for Application Fee

AND

Separate payment of Escrow Deposit as per

[Schedule of Fees](#)

PLAN REQUIREMENTS:

1. Please see Borough Code [§22-401](#) for Sketch Plan Requirements and [§22-402](#) and [§22-403](#) for Preliminary/Final Plan Requirements

The Borough will only review complete submissions that include the following:

- 1) The completed application;
- 2) (7) eleven hardcopies of the plan(s); and
- 3) The required fees.

Each time an applicant submits information regarding an application; it shall be submitted to the Borough in the quantities established above, regardless if it is a new or revised submission.

To receive a copy of the Required Certification and Notes, please e-mail Bev Wassel at bwassel@phoenixville.org.



Borough of Phoenixville
 351 Bridge Street - 2nd Floor
 Phoenixville, PA 19460
 Phone (610) 933-8801
www.phoenixville.org

Application Fee:	_____
Escrow Deposit:	_____
Plan Number:	_____
Escrow Number:	_____
Total Remitted:	_____

Subdivision and Land Development Application

Project Information:

Project Name: Eland Point Crossing
 Tax Parcel Number(s): T.M.P. #15-011-0089
 Legal Owner Name: 113 Corporation
 Mailing Address: 940 Haverford Road, Suite 102, Haverford PA 19010
 Phone: 610-519-9300 Email: david@cflp.biz

Applicant Information:

Name: 113 Corporation
 Mailing Address: 940 Haverford Road, Suite 102, Haverford PA 19010
 Phone: 610-519-9300 Email: david@cflp.biz

Applicant Type: *(Please see signatures section regarding required documents)*

- | | | | |
|---|---|--|---|
| <input checked="" type="checkbox"/> Owner | <input type="checkbox"/> Architect/Engineer | <input type="checkbox"/> Corporate Officer | <input type="checkbox"/> Owner's Representative |
| <input type="checkbox"/> Attorney | <input type="checkbox"/> Business Operator | <input type="checkbox"/> Equitable Owner | |

Project Engineer:

Company/Contact: Bohler Engineering, PA LLC - John R. Hornick
 Mailing Address: 1600 Manor Drive, Suite 200, Manor Drive, Chalfont PA 18914
 Phone: 215-996-9100 Email: jhornick@bohlereng.com

Project Surveyor:

Company/Contact: Control Point Associates, Inc. - James C. Weed
 Mailing Address: 1600 Manor Drive, Suite 210, Chalfont PA, 18914
 Phone: 215-712-9800 Email: jweed@cpasurvey.com

Project Attorney:

Company/Contact: O'Donnell, Weiss & Mattei, P.C. Michael B. Murray
 Mailing Address: 41 East High Street. Pottstown, PA 19464
 Phone: 610-323-2800 Email: mmurray@owmlaw.com

Submission Type: *(please check ALL that apply in each column)*

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Sketch Plan | <input type="checkbox"/> Lot Consolidation | <input checked="" type="checkbox"/> New Proposal |
| <input checked="" type="checkbox"/> Major Subdivision | <input type="checkbox"/> Preliminary Plan | <input type="checkbox"/> Lot Line Change | <input type="checkbox"/> Revised Submission |
| <input checked="" type="checkbox"/> Land Development | <input checked="" type="checkbox"/> Preliminary/Final Plan | <input type="checkbox"/> Curative Amendment | |
| | <input type="checkbox"/> Final Plan | <input type="checkbox"/> Zoning Amendment | |

Land Use Proposed:

- Residential
- Commercial
- Industrial
- Institutional
- Other

Number of Units:

193

Intended Uses:

Residential Apartments

Existing Zoning:

Proposed Zoning Change:

MG (Mixed Use Growth)

N/A

Total Tract Area:

Proposed Density:

4.625 AC

Narrative Project Description (*"see attached plan is insufficient"*)

The project proposes to demolish the existing improvements located at 108 Kimberton Road and construct five (5) apartment buildings, and a pool. Additionally, the project proposes to subdivide the property into two lots. The proposal includes the installation of parking facilities, utilities, and stormwater controls necessary to support the development.

On August 9, 2011, Phoenixville Borough Council adopted the "Neighborhood Blight Protections and Enforcement" Ordinance 2180, that enables Borough Staff to deny any permit or governmental approval application if the owner of said property, on that or any other property owned in the Commonwealth, (1) has Tax and/or Municipal Services delinquencies on account of the actions of the Owner; or (2) has a Serious Violation with having no corrective, Substantial Steps in place. A printed copy of this ordinance is available upon request at the Borough Code Enforcement Department.

All applications shall include true and correct copies of the property deed(s).

I hereby certify that the proposed application and subsequent actions or uses are authorized by the owner. As the owner or authorized representative, I agree to conform to all applicable laws of the jurisdiction. Construction shall comply with all Borough Codes and the most current ICC Building Codes as adopted by the Commonwealth of Pennsylvania. I have examined this application, its requirements and to my knowledge and belief, it is a true, correct and complete application.

Applicant Printed Name: 113 Corporation

Applicant Signature: _____

Date: 5-24-2017

Owner Printed Name: 113 Corporation by David F. Cealotti Jr. President

Owner Signature: [Signature] for 113 Corporation

Date: 5-24-2017

In lieu of an owner's signature, an Agreement of Sale and documentation evidencing equitable ownership shall be attached to the application, acknowledging the owner's understanding of the applicant's intent to subdivide or develop the property.



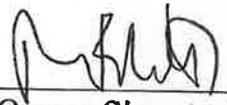
Reimbursement Agreement

I (We) hereby agree to reimburse the Borough of Phoenixville for all fees and expenses the Borough or its consultants may incur for the review of any Subdivision and Land Development Plan or requested changes to any Zoning Ordinance.

I (We) agree to reimburse the Borough of Phoenixville for all fees and expenses, the Borough may incur from the Phoenixville Regional Planning Committee in accordance with the terms and conditions of The Phoenixville Region Intergovernmental Cooperative Implementation Agreement for Regional Planning Section IV (k) - Subdivision and Land Development of Regional Impact - Any subdivision or land development proposal (whether submitted as a formal application, sketch plan, as part of a conditional use or special exception application, or as part of a variance application) will be considered a subdivision or land development of regional impact if it meets any of the following standards:

Type of Development	Threshold for DRI Review
1. Office, Retail	Greater than 75,000 gross square feet
2. Wholesale & Distribution	Greater than 100,000 gross square feet
3. Hospitals and Health Care	Greater than 200 new beds; or generating more than 250 peak hour vehicle trips per day
4. Residential	Greater than 100 new lots or units
5. Industrial	Greater than 125,000 gross square feet; or employing more than 300 workers or covering more than 25 acres
6. Hotels	Greater than 150 rooms
7. Mixed Use	Total gross square feet greater than 100,000
8. Attractions & Recreational Facilities	Greater than 500 parking spaces or a seating capacity of more than 1,000
9. Waste Handling Facilities	New facility or expansion of existing facility by more than 50%
10. Quarries, Asphalt, and Cement Plants	New facility or expansion of existing facility by more than 50%
11. Petroleum Storage Facilities, Energy Generation or Distribution Facility	New facility or expansion of existing facility by more than 50%
12. Public or Private School	New or relocated facility with a capacity of 500 students or more

13. Any other development types not identified above (includes parking facilities)	300 parking spaces
14. Any other proposed subdivision or land development, which in the opinion of the governing body of the municipality in which it is proposed, could have a regional impact or an impact beyond the boundaries of that municipality and for which that municipality desires input from the Regional Planning Committee	

 President _____ Date 5-24-2017

Owner Signature _____
 David F. Crockett Jr for
 113 Corporation _____
 Print Owner Name _____

Applicant Signature _____ Date _____

Print Applicant Name _____

BOTH THE OWNER AND APPLICANT SIGNATURE IS REQUIRED