

**CALN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA  
DOWNTOWN INVESTORS, LLC (TACO BELL)  
50 ROCK RAYMOND ROAD  
TAX PARCEL # 39-2-27**

Downingtown Investors, LLC ("Applicant") is the owner of approximately 1.74 acres of property located at 50 Rock Raymond Road, more particularly described as Chester County Tax Parcel #: 39-2-27. The property is approved and is currently being developed as a Taco Bell restaurant with one drive through lane pursuant to a Conditional Use Decision dated September 13, 2018. Applicant is seeking a modification of the Decision to allow a second drive through lane.

**Hearing Date: Thursday, July 30, at 6:00 p.m.**

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**BOARD EXHIBITS:**

- B-1: Conditional Use Application dated June 23, 2020 with cover letter from Louis J. Colegreco, Jr., Esquire
- B-2: Final Land Development Plan prepared by Landcore Engineering Consultants, P.C. dated April 27, 2018, last revised June 15, 2020 (showing two drive through lanes)
- B-3: Proof of Publication of hearing published in *Daily Local News* on July 15, 2020 and July 22, 2020
- B-4: Affidavit of Posting on July 8, 2020
- B-5: Conditional Use Decision and Order dated September 13, 2018
- B-6: Motion dated April 11, 2019 granting final land development approval
- B-7: Approved Final Land Development Plan prepared by Landcore Engineering Consultants, P.C. dated April 27, 2018, last revised December 6, 2019 (showing one drive through lane)
- B-8: Email dated July 3, 2020 from Albert Federico, P.E. re: impact to external site traffic
- B-9: Memorandum from Traffic Planning & Design dated July 16, 2020
- B-10: Email correspondence from Bryan Kulakowsky, P.E. dated July 22, 2020



LOUIS J. COLAGRECO, JR.  
Lou@RRHC.com  
Extension 203



RILEY RIPER HOLLIN & COLAGRECO  
ATTORNEYS AT LAW

June 23, 2020

*Via Email and Overnight Delivery*

Raymond Stackhouse  
Caln Township  
Director of Building and Life Safety  
253 Municipal Drive  
Thorndale, PA 19372

RE: Downingtown Investors, LLC – 50 Rock Raymond Road  
Amendment to Conditional Use Application

Dear Ray:

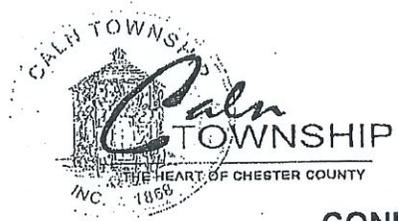
As you know, this firm represents Downingtown Investors, LLC (“Applicant”), the owner of approximately 1.74 acres located at 50 Rock Raymond Road in Caln Township, which is identified as UPI 39-2-27 (“Property”). The Property is located in the C-2 Commercial and Route 30 Bypass Interchange Overlay District of the Township.

The Applicant previously obtained Conditional Use Approval on September 13, 2018 (“Conditional Use Approval”) from the Caln Township Board of Commissioners for a commercial drive-through attendant to the Taco Bell restaurant use pursuant to Section 155-79.A. of the Caln Township Zoning Ordinance. The previously approved conditional use plan depicted a single drive-through lane for vehicles. In light of the impact the COVID-19 pandemic has had on the restaurant industry and its customers, the Applicant had identified a need for a second drive-through lane for vehicles utilizing the food and beverage pick-up service. In order to better accommodate its customers and the changed circumstances surrounding our utilization of restaurants, Applicant is requesting an amendment to the Conditional Use Approval which would allow the development of a commercial drive-through with two (2) lanes for vehicles.

As you will see on the enclosed plan, the addition of the second drive-through lane will not increase the impervious coverage on the Property. In fact, the proposed drive aisles have been adjusted to accommodate the additional drive-through lane, which results in a minor decrease to the overall impervious coverage on the Property. No other revisions to the plan have been necessitated by the proposed second drive-through lane.

Enclosed for filing in connection with the amendment to the Conditional Use Approval are the following items:

1. Eight (8) copies of the Caln Township Conditional Use Application;
2. Eight (8) copies of a Final Land Development Plan prepared by Landcore Engineering Consultants, P.C., dated April 27, 2018, last revised June 15, 2020;



253 Municipal Dr, PO Box 72149, Thorndale, PA 19372  
Phone: 610-384-0600 | Fax: 610-384-0617  
www.calntownship.org

### CONDITIONAL USE APPLICATION

PROJECT NAME TO BE COMPLETED BY TOWNSHIP: _____	
NAME OF APPLICANT:	Downingtwn Investors, LLC
DATE OF APPLICATION:	_____ APPLICATION # _____
LOCATION OF PROPERTY:	50 Rock Raymond Road, Downingtown, PA 19335
TAX PARCEL ID NUMBER:	UPI No.: 39-2-27
ZONING DISTRICT:	Route 30 Bypass Interchange Overlay C-2 Commercial

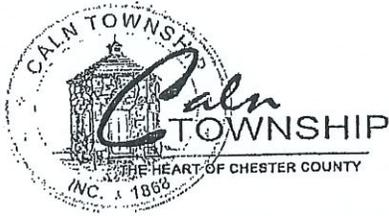
<b>APPLICATION REQUIRED FOR:</b>	
<input checked="" type="checkbox"/>	LAND USE WITH LAND DEVELOPMENT
<input type="checkbox"/>	LAND USE APPROVAL ONLY

APPLICANT'S NAME:	Downingtwn Investors, LLC
MAILING ADDRESS:	14 Balligomingo Road, P.O. Box 429, Conshohocken, PA 19428
PHONE NUMBER:	610-520-1000
FAX NUMBER:	610-260-1510
E-MAIL ADDRESS:	jdepascale@summerwood.biz

OWNER OF RECORD:	Downingtwn Investors, LLC
MAILING ADDRESS:	14 Balligomingo Road, P.O. Box 429, Conshohocken, PA 19428
PHONE NUMBER:	610-520-1000
FAX NUMBER:	610-260-1510
E-MAIL ADDRESS:	jdepascale@summerwood.biz

PROJECT ATTORNEY:	Louis J. Colagreco, Jr., Esquire/Gina M. Gerber, Esquire
MAILING ADDRESS:	717 Constitution Drive, P.O. Box 1265, Exton, PA 19341
PHONE NUMBER:	610-458-4400
FAX NUMBER:	610-458-4441
E-MAIL ADDRESS:	lou@rrhc.com / ginag@rrhc.com

PROJECT ENGINEER:	Ryan Whitmore, P.E. Landcore Engineering Consultants, P.C.
MAILING ADDRESS:	8614 Montgomery Avenue, Wyndmoor, PA 19083
PHONE NUMBER:	610-724-4322
FAX NUMBER:	_____
E-MAIL ADDRESS:	rwhitmore@landcoreconsulting.com



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 www.calntownship.org

BASIS FOR CONDITIONAL USE APPLICATION	
SECTION(S) OF ZONING ORDINANCE INVOLVED	PROVIDE A BRIEF DESCRIPTION OF ACTION REQUESTED
§155-79.A	Applicant previously received conditional use approval for a Taco Bell restaurant with attendant commercial drive-through. Applicant herein seeks amended conditional use approval to permit a commercial drive-through with two (2) drive-through lanes attendant to the Taco Bell restaurant.

THE APPLICANT SHALL SUBMIT THE FOLLOWING DOCUMENTATION WITH THIS APPLICATION:

- (1) ONE (1) ORIGINAL APPLICATION.
- (2) TEN (10) COPIES OF A PLOT PLAN OR TAX MAP, ACCURATELY DRAWN TO SCALE.
- (3) TEN (10) COPIES OF A SKETCH PLAN ILLUSTRATING THE ACTION REQUESTED.
- (4) A CD OF ALL FILES SUBMITTED WITH APPLICATION. PDF FILE OF PLAN REQUIRED.
- (5) PHOTOGRAPHS OF THE PROPERTY.
- (6) PROOF OF OWNERSHIP OR THE RIGHT TO UTILIZE THE PROPERTY FOR THE ACTION REQUESTED.
- (7) THE REQUIRED APPLICATION FEE AS PRESCRIBED BY CALN TOWNSHIP.
- (8) TOWNSHIP WILL PROVIDE LIST OF NAMES AND ADDRESSES OF ALL PROPERTY OWNERS.
- (9) A DETAILED WRITTEN DESCRIPTION OF THE ACTION REQUESTED BY THIS APPLICATION.



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I Robert J. Nasuti (AUTHORIZED REPRESENTATIVE OF THE APPLICANT) HEREBY REQUEST REVIEW OF THIS APPLICATION BY CALN TOWNSHIP. TO THE BEST OF MY KNOWLEDGE, ALL OF THE INFORMATION CONTAINED WITHIN THIS APPLICATION IS TRUE, CORRECT AND COMPLETE.

- (1) I HEREBY PERMIT ANY ELECTED, APPOINTED AND/OR ASSIGNED STAFF MEMBER OF CALN TOWNSHIP TO ENTER THE EXTERIOR PREMISES OF THE PROPERTY, IN WHICH THIS APPLICATION PERTAINS, FOR THE PURPOSES OF CONDUCTING SITE INSPECTIONS WHILE THE PROPOSED APPLICATION IS BEING CONSIDERED BY CALN TOWNSHIP.
- (2) I HEREBY AGREE TO PAY ALL CONSULTANT, ADMINISTRATIVE AND/OR APPLICATION FEES REQUIRED FOR THE REVIEW OF THIS APPLICATION.
- (3) I HEREBY UNDERSTAND THAT THE CALN TOWNSHIP BOARD OF COMMISSIONERS ARE NOT OBLIGATED TO APPROVE THIS CONDITIONAL USE APPLICATION.

Robert J. Nasuti  
 SIGNATURE OF APPLICANT OR AUTHORIZED REPRESENTATIVE

6-23-2020  
 DATE OF APPLICATION

[Signature]  
 SIGNATURE OF WITNESS

6-23-2020  
 DATE

FOR MUNICIPAL USE ONLY

AUTHORIZED STAFF MEMBER: \_\_\_\_\_

APPLICATION NAME: \_\_\_\_\_

APPLICATION # \_\_\_\_\_

SUBMISSION DATE: \_\_\_\_\_

SUBMISSION NUMBER: \_\_\_\_\_

CALN TWP. FEE: \_\_\_\_\_

CHECK NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_

DATE APPLICATION WILL BE REVIEWED BY TOWNSHIP PLANNING COMMISSION: \_\_\_\_\_

DATE APPLICATION WILL BE CONSIDERED BY THE TOWNSHIP BOARD OF COMMISSIONERS: \_\_\_\_\_

APPLICATION COMPLETENESS REVIEW: \_\_\_\_\_

DATE: \_\_\_\_\_

Emailed to DW  
7/1/2020

**NOTICE IS GIVEN** that the Board of Commissioners of Caln Township will conduct a public hearing on **Thursday, July 30, 2020 at 6:00 p.m.** via Zoom, an online video conferencing service to consider the conditional use application of Downingtown Investors, LLC ("Applicant"). Applicant is the owner of approximately 1.74 acres of property located at 50 Rock Raymond Road, more particularly described as TPN: 39-2-27. The property is approved to be developed as a Taco Bell restaurant with one drive through lane pursuant to a conditional use Decision dated September 13, 2018. Applicant is seeking a modification of the Decision to allow a second drive through lane.

Due to COVID-19 , the hearing will be held remotely via Zoom. Instructions on how to participate in the Zoom hearing will be posted on the Township's website, [www.calntownship.org](http://www.calntownship.org) at least one week in advance of the hearing. Any person with questions on how to participate in the Zoom hearing may call the Township at (610) 384-0600 x148 or email to [info@calntownship.org](mailto:info@calntownship.org).

Copies of the application, plans and materials accompanying the application may be obtained by calling the Township's administrative offices during normal business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday.

If any person who wishes to attend the hearing has a disability and/or requires an auxiliary aid, service or other accommodation to observe or participate in the hearing, he or she should contact the Township Building at (610) 384-0600 X148 to discuss how those needs may be accommodated.

Kristen Denne, Township Manager

*Please advertise on July 15, 2020 and July 22, 2020*



**RECORD NOTES**

- THE PROJECT SITE LIES OUTSIDE OF THE ONE HUNDRED YEAR FLOODPLAIN BOUNDARY AS INDICATED ON FLOOD INSURANCE RATE MAP NO. 130200485, EFFECTIVE DATE 9/29/2017.
- A BLANKET EASEMENT IS HEREBY GRANTED TO THE MUNICIPALITY FOR ACCESS AND INSPECTION OF THE STORMWATER BEST MANAGEMENT PRACTICES (BMP) AS INDICATED ON THESE PLANS. THE MUNICIPALITY SHALL HAVE THE RIGHT, BUT NOT THE DUTY, OF REASONABLE ACCESS AT REASONABLE TIMES TO EVERY BMP AND CONVEYANCE FROM A PUBLIC RIGHT-OF-WAY OR ROADWAY ONTO THE PROPERTY TO CONDUCT PERIODIC INSPECTIONS AS OUTLINED IN THE EASEMENT AGREEMENT AND TO UNDERTAKE OTHER ACTIONS THAT MAY BE NECESSARY TO ENFORCE THE REQUIREMENTS OF THE CALN TOWNSHIP STORMWATER MANAGEMENT ORDINANCE AND ANY APPLICABLE OPERATION AND MAINTENANCE PLANS AND OPERATION AND MAINTENANCE AGREEMENTS.
- STATEMENT OF PROPOSED IMPROVEMENTS: THE PROJECT PROPOSES THE INSTALLATION OF A FAST FOOD RESTAURANT WITH ASSOCIATED APPURTENANCES, UTILITY SERVICE CONNECTIONS, INSTALLATION OF AN ACCESS DRIVEWAY TO HORSESHOE PIKE CONNECTION TO AN EXISTING ACCESS DRIVEWAY ON THE ADJACENT PARCEL, AND INSTALLATION OF A SANITARY FORCE MAIN ALONG HORSESHOE PIKE.
- THE ASSOCIATED PLANS ARE IN GENERAL CONFORMANCE WITH ENGINEERING, ZONING, BUILDING SANITATION AS OTHER APPLICABLE TOWNSHIP ORDINANCES AND REGULATIONS. FOR PORTIONS OF THE PROJECT NOT IN CONFORMANCE, APPROPRIATE RELIEF HAS BEEN REQUESTED FROM THE ZONING VARIANCE APPROVAL AND THE ZONING VARIANCE APPROVAL AND WAIVER REQUESTS LISTED ON THE COVER SHEET OF THE PLANS (SHEET CL).
- SEED RESTRICTION SHALL BE PLACED UPON THE PROPERTY FOR THE OWNERSHIP AND MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITIES IN ACCORDANCE WITH THESE PLANS AND THE APPROVED AND RECORDED EASEMENT PLANS.
- NO ALTERATION OR REMOVAL OF THE STORMWATER MANAGEMENT FACILITIES, THE STORMWATER MANAGEMENT FACILITIES AS DEPICTED HEREIN ARE PERMANENT STRUCTURES. NO PERSON SHALL MODIFY, REMOVE, FILL, LANDSCAPE OR ALTER STORMWATER MANAGEMENT FACILITIES WHICH MAY HAVE BEEN INSTALLED ON A PROPERTY UNLESS A STORMWATER MANAGEMENT PLAN REVISION HAS BEEN SUBMITTED TO AND APPROVED BY THE BOARD OF COMMISSIONERS, WITH THE ADVICE OF THE TOWNSHIP ENGINEER AND THE COUNTY CONSERVATION DISTRICT, WHICH AUTHORIZES SUCH MODIFICATION, REMOVAL, FILLING, LANDSCAPING OR ALTERATION. NO PERSON SHALL PLACE ANY STRUCTURE, FILL, LANDSCAPING OR VEGETATION WITHIN A STORMWATER MANAGEMENT FACILITY WITHIN A DRAINAGE EASEMENT WHICH HAS THE EFFECT OF OR TO ANY DEGREE LIMITS OR ALTERS THE FUNCTIONING OF THE FACILITY OR EASEMENT IN ACCORDANCE WITH ITS DESIGN AND INTENDED FUNCTION.
- THE LAND BETWEEN THE TITLE LINE AND THE ULTIMATE RIGHT-OF-WAY LINE IS HEREBY OFFERED FOR DEDICATION TO PENDOT.
- THE PROPERTY IS REQUIRED TO COMPLY WITH SECTION 155-58(B)(5) OF THE TOWNSHIP CODE. THE PROPOSED RESTAURANT PRODUCE NO EMISSIONS WHICH VIOLATE ANY STATE OR FEDERAL AIR QUALITY STANDARDS.
- ALL PLANT MATERIAL AS REQUIRED ON THE APPROVED PLANS SHALL BE PERMANENTLY MAINTAINED. PLANT MATERIAL WHICH DOES NOT LIVE SHALL BE REPLACED.
- APPLICANT AND ANY SUCCESSOR ASSIGNS IN TITLE WHO USES THE COMMERCIAL DRIVE THROUGH SHALL PROHIBIT DELIVERIES TO THE RESTAURANT DURING ANY HOURS THAT THE RESTAURANT IS OPEN FOR BUSINESS. ALL DELIVERIES MUST OCCUR WHEN THE RESTAURANT IS CLOSED.
- NO TRACTOR-TRAILERS WITH REFRIGERATION UNITS SHALL BE PERMITTED TO MAKE DELIVERIES TO THE RESTAURANT. DELIVERY VEHICLES SHALL BE PROHIBITED FROM IDLING IN THE PARKING LOT AT ANY TIME.
- TRASH PICKUP TO THE RESTAURANT MAY NOT OCCUR DURING THE RESTAURANT'S PEAK HOURS OF 12:00 P.M. TO 1:00 P.M. AND 4:00 P.M. TO 9:30 P.M. AND MUST COMPLY WITH ALL OTHER RELEVANT PROVISIONS IN THE CALN CODE.
- IF PENDOT REQUESTS THE PROPERTY TO BE A PERMITTED ON-ANY SIGNALS ASSOCIATED WITH THE MID-BLOCK CROSSING OF ROCK RAYMOND ROAD, APPLICANT SHALL MAKE A CONTRIBUTION TO THE TOWNSHIP IN THE AMOUNT OF \$5,000.00 TO PROVIDE SUFFICIENT FUNDS TOWARDS REIMBURSEMENT TO THE TOWNSHIP FOR MAINTENANCE OF THE PEDESTRIAN SIGNALS ASSOCIATED WITH THIS MID-BLOCK CROSSING, SUCH CONTRIBUTION SHALL BE MADE UPON ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE RESTAURANT.
- THE PROPERTY IS REQUIRED TO ADHERE TO THE NOISE REGULATIONS IN SECTION 155-185 OF THE ORDINANCE. THESE STANDARDS INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING RESTRICTION: NO PERSON SHALL LOAD OR UNLOAD TRUCKS OR OTHER MOTOR VEHICLES OR OPEN, CLOSE OR OTHERWISE HANDLE BOXES, CRATES, CONTAINERS, BUILDING MATERIALS, GARBAGE CANS OR OTHER OBJECTS BETWEEN THE HOURS OF 10:00 P.M. OF ONE DAY AND 7:00 A.M. OF THE FOLLOWING DAY IN SUCH A MANNER AS TO BE PLAINLY AUDIBLE ACROSS THE PROPERTY LINE.
- FINAL AS-BUILT PLANS PREPARED IN ACCORDANCE WITH 913-502 SHALL BE SUBMITTED TO THE TOWNSHIP FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR THE BUILDING.
- IF A FIRE SUPPRESSION SYSTEM IS REQUIRED IT SHALL BE INSTALLED AS PER SECTION 107-417.
- ALL CONNECTIONS FOR FIRE SUPPRESSION SYSTEMS SHALL COMPLY WITH SECTION 107-417.
- A KNOX BOX SHALL BE INSTALLED ON THE FRONT OF THE BUILDING NO FURTHER THAN 10 FEET FROM THE FRONT ENTRANCE, AND THE BOTTOM OF THE BOX SHALL BE NO HIGHER THAN FIVE FEET FROM FINISHED GRADE.

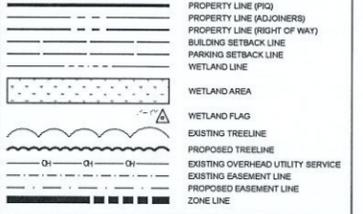
**SITE PLAN NOTES**

- ALL WORK AND MATERIALS SHALL COMPLY WITH ALL TOWNSHIP / COUNTY REGULATIONS AND CODES AND OSHA STANDARDS.
- CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF SIDEWALKS, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
- ALL DISTURBED AREAS ARE TO RECEIVE SIX INCHES OF TOPSOIL, SEED, MULCH AND WATER UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED.
- ALL DIMENSIONS AND RAUM ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED. ALL RADII SHALL HAVE A MINIMUM 5 FOOT RADIUS UNLESS OTHERWISE NOTED.
- EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REINFORCED OR RELOCATED AS NECESSARY. ALL COSTS SHALL BE INCLUDED IN BASE BID.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS AND POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES' SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
- THE SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED MUNICIPAL STANDARDS.
- THIS SITE SHALL BE SERVICED BY PUBLIC WATER AND SANITARY SEWER.
- BY APPROVAL OF THIS PLAN THE MUNICIPALITY HAS NEITHER CONFIRMED NOR DENIED THE EXISTENCE AND/OR EXTENT OF ANY WETLAND AREAS WHETHER OR NOT DELINEATED ON THE SAID PLAN AND ANY ENCROACHMENT THEREON FOR ANY DELINEATED ON THE SAID PLAN AND ANY ENCROACHMENT THEREON FOR ANY REASON WHATSOEVER SHALL BE THE SOLE RESPONSIBILITY OF THE DEVELOPER. HIS HEIRS AND ASSIGNS SHALL BE SUBJECT TO THE JURISDICTION OF THE ARMY CORPS OF ENGINEERS AND/OR THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES AS THE SAID ENCROACHMENT SHALL CONFORM TO THE RULES AND REGULATIONS OF THE JURISDICTIONAL AGENCIES.

**GAS PIPING R/W NOTES**

- WARNING TAPE PER APWA COLOR CODE SHALL BE INSTALLED ABOVE THE PROPOSED GAS AND WATER SERVICE LINES, 12" BELOW GROUND, FOR THE LENGTH OF TRANSCANADA'S RIGHT-OF-WAY.
- THE PROPOSED GAS AND WATER SERVICE LINES SHALL BE MARKED WITH THE PROPER SIGNAGE AT THE BOUNDARY EDGES OF TRANSCANADA'S RIGHT-OF-WAY.
- THE PROPOSED GAS AND WATER SERVICE LINES SHALL BE INSTALLED WITH A TRACER WIRE FOR THE LENGTH OF TRANSCANADA'S RIGHT-OF-WAY.
- CONTINUOUSLY POURED, STEEL REINFORCED CONCRETE SIDEWALK SHALL NOT BE PERMITTED WITHIN TRANSCANADA'S RIGHT-OF-WAY.
- A HEAVY EQUIPMENT CROSSING INFORMATION FORM SHALL BE SUBMITTED TO TRANSCANADA FOR REVIEW AND APPROVED BEFORE ANY CONSTRUCTION ACTIVITY TAKES PLACE WITHIN THE TRANSCANADA'S RIGHT-OF-WAY.
- A COMPANY REPRESENTATIVE SHALL BE ON SITE DURING ALL CONSTRUCTION ACTIVITY TAKING PLACE WITHIN TRANSCANADA'S RIGHT-OF-WAY.

**SITE PLAN LEGEND**

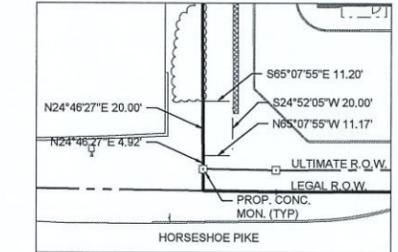


**LINE TABLE**

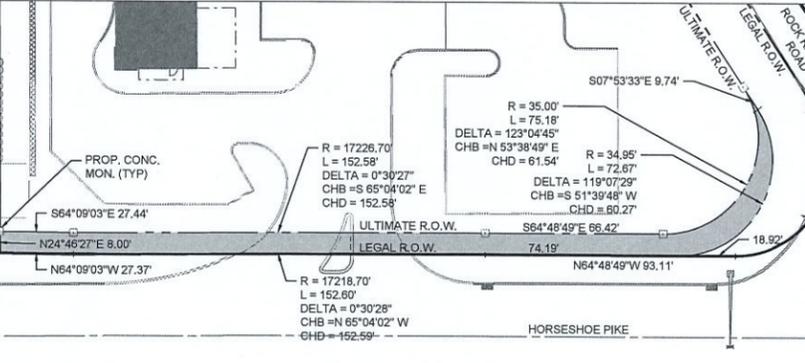
ID	BEARING	DISTANCE
L1	S 07° 53' 33" E	312.91'
L2	N 64° 48' 49" W	18.92'
L3	N 07° 53' 33" W	154.91'
L4	N 04° 08' 25" W	149.01'
L5	S 82° 53' 33" E	6.54'
L6	N 24° 46' 27" E	8.07'
L7	N 24° 46' 27" E	265.00'
L8	S 82° 53' 33" E	131.98'
L9	N 07° 53' 33" W	146.17'

**SITE TABLE**

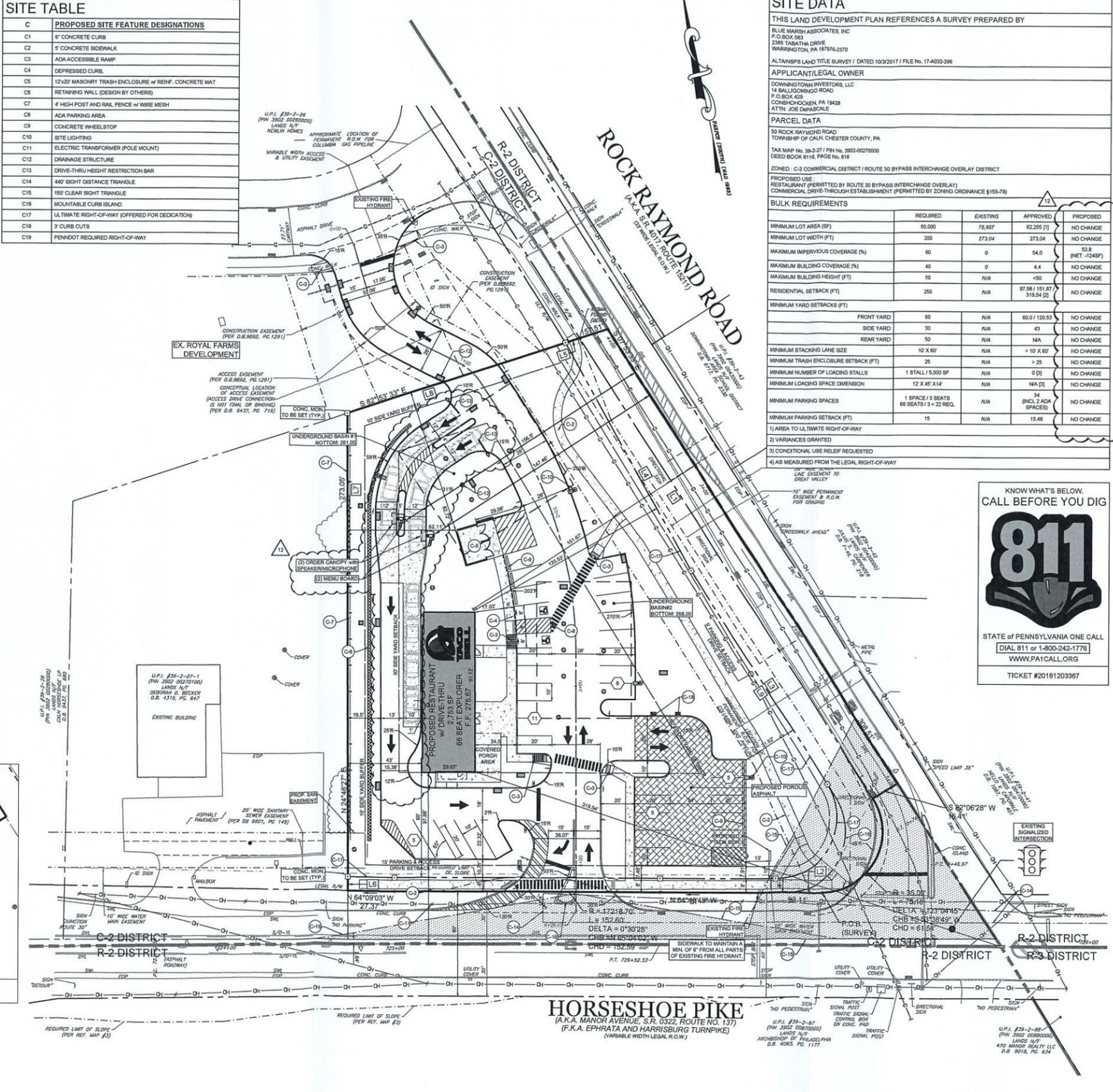
C	PROPOSED SITE FEATURE DESIGNATIONS
C1	6" CONCRETE CURB
C2	5" CONCRETE SIDEWALK
C3	ADA ACCESSIBLE RAMP
C4	DEPRESSED CURB
C5	12x20" MASONRY TRASH ENCLOSURE w/ REINFC. CONCRETE MAT
C6	RETAINING WALL (DESIGN BY OTHERS)
C7	4" HIGH POST AND RAIL FENCE w/ WIRE MESH
C8	ADA PARKING AREA
C9	CONCRETE WHEELSTOP
C10	SITE LIGHTING
C11	ELECTRIC TRANSFORMER (POLE MOUNT)
C12	DRAINAGE STRUCTURE
C13	DRIVE-THRU HEIGHT RESTRICTION BAR
C14	40' SIGHT DISTANCE TRIANGLE
C15	150' CLEAR SIGHT TRIANGLE
C16	MOUNTABLE CURB ISLAND
C17	ULTIMATE RIGHT-OF-WAY (OFFERED FOR DEDICATION)
C18	7' CURB CUTS
C19	PENDOT REQUIRED RIGHT-OF-WAY



**SANITARY EASEMENT**



**HORSESHOE PIKE RIGHT-OF-WAY**



**SITE DATA**

THIS LAND DEVELOPMENT PLAN REFERENCES A SURVEY PREPARED BY BLUE MARSH ASSOCIATES, INC. P.O. BOX 493 2385 TABATHA DRIVE WARRINGTON, PA 18976-2370

ALTANSPS LAND TITLE SURVEY / DATED 10/3/2017 / FILE NO. 17-4032-296

**APPLICANT/LEGAL OWNER**  
DOWNINGTOWN INVESTORS, LLC  
14 BALLOCHMONG ROAD  
P.O. BOX 429  
CONSHOHOCKEN, PA 19428  
ATTN: JOE CHENAIKALE

**PARCEL DATA**  
52 ROCK RAYMOND ROAD  
TOWNSHIP OF CALN CHESTER COUNTY, PA  
TAX MAP No. 39-2-27 / PH No. 3902-0027000  
DEED BOOK 6116, PAGE No. 616

**ZONED:** C-2 COMMERCIAL DISTRICT / ROUTE 30 BYPASS INTERCHANGE OVERLAY DISTRICT  
**PROPOSED USE:** RESTAURANT (PERMITTED BY ROUTE 30 BYPASS INTERCHANGE OVERLAY)  
COMMERCIAL DRIVE-THRU ESTABLISHMENT (PERMITTED BY ZONING ORDINANCE §155-70)

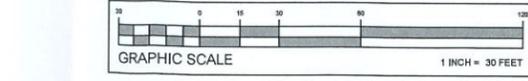
**BULK REQUIREMENTS**

	REQUIRED	EXISTING	APPROVED	PROPOSED
MINIMUM LOT AREA (SF)	50,000	75,857	62,255 (1)	NO CHANGE
MINIMUM LOT WIDTH (FT)	200	273.04	273.04	NO CHANGE
MAXIMUM IMPERVIOUS COVERAGE (%)	60	0	54.0	53.8 (NET -124SF)
MAXIMUM BUILDING COVERAGE (%)	40	0	4.4	NO CHANGE
MAXIMUM BUILDING HEIGHT (FT)	50	N/A	<50	NO CHANGE
RESIDENTIAL SETBACK (FT)	250	N/A	97.98 / 151.67 / 319.54 (2)	NO CHANGE
MINIMUM YARD SETBACKS (FT)				
FRONT YARD	60	N/A	60.0 / 120.53	NO CHANGE
SIDE YARD	30	N/A	43	NO CHANGE
REAR YARD	50	N/A	NA	NO CHANGE
MINIMUM STACKING LANE SIZE	10' X 60'	N/A	> 10' X 60'	NO CHANGE
MINIMUM TRASH ENCLOSURE SETBACK (FT)	25	N/A	> 25	NO CHANGE
MINIMUM NUMBER OF LOADING STALLS	1 STALL / 5,000 SF	N/A	0 (3)	NO CHANGE
MINIMUM LOADING SPACE DIMENSION	12' X 45' X 14'	N/A	NA (3)	NO CHANGE
MINIMUM PARKING SPACES	1 SPACE / 3 SEATS 66 SEATS / 3 = 22 REQ.	N/A	34 (INCL 2 ADA SPACES)	NO CHANGE
MINIMUM PARKING SETBACK (FT)	15	N/A	15.46	NO CHANGE

- AREA TO ULTIMATE RIGHT-OF-WAY
- VARIANCES GRANTED
- CONDITIONAL USE RELIEF REQUESTED
- AS MEASURED FROM THE LEGAL RIGHT-OF-WAY

KNOW WHAT'S BELOW.  
CALL BEFORE YOU DIG

STATE OF PENNSYLVANIA ONE CALL  
DIAL 811 or 1-800-242-1776  
WWW.PA1CALL.ORG  
TICKET #20181203367



PROJECT: 171027  
DRAWN BY: M. TORI  
CHECKED BY: R. WHITMORE  
DATE: 06 SEP 17 00:27

RYAN T. WHITMORE  
PROFESSIONAL ENGINEER  
PENNSYLVANIA LICENSE NO. 01959

LANDCORE  
Engineering Consultants, P.C.  
PHONE 610-353-8587 | FAX 610-353-4248  
PHILADELPHIA, PENNSYLVANIA 19104-0835  
LANDCORECONSULTING.COM

PROJECT: DOWNINGTOWN INVESTORS, LLC  
50 ROCK RAYMOND ROAD  
CALN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA

TITLE: SITE / RECORD PLAN

SCALE: (H) AS NOTED (V)  
DATE: 2018-04-27  
SHEET: 6 of 26 REV. No.

SP 12



**Daily Local News**

Publication Name:

**Daily Local News**

Publication URL:

Publication City and State:

**West Chester, PA**

Publication County:

**Chester**

Notice Popular Keyword Category:

Notice Keywords:

**Caln Township**

Notice Authentication Number:

**202007230935528012111****2905709331**

Notice URL:

[Back](#)

Notice Publish Date:

Wednesday, July 15, 2020

**Notice Content**

NOTICE IS GIVEN that the Board of Commissioners of Caln Township will conduct a public hearing on Thursday, July 30, 2020 at 6:00 p.m. via Zoom, an online video conferencing service to consider the conditional use application of Downingtown Investors, LLC ("Applicant"). Applicant is the owner of approximately 1.74 acres of property located at 50 Rock Raymond Road, more particularly described as TPN: 39-2-27. The property is approved to be developed as a Taco Bell restaurant with one drive through lane pursuant to a conditional use Decision dated September 13, 2018. Applicant is seeking a modification of the Decision to allow a second drive through lane. Due to COVID-19, the hearing will be held remotely via Zoom. Instructions on how to participate in the Zoom hearing will be posted on the Township's website, [www.calntownship.org](http://www.calntownship.org) at least one week in advance of the hearing. Any person with questions on how to participate in the Zoom hearing may call the Township at (610) 384-0600 x148 or email to [info@calntownship.org](mailto:info@calntownship.org). Copies of the application, plans and materials accompanying the application may be obtained by calling the Township's administrative offices during normal business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday. If any person who wishes to attend the hearing has a disability and/or requires an auxiliary aid, service or other accommodation to observe or participate in the hearing, he or she should contact the Township Building at (610) 384-0600 X148 to discuss how those needs may be accommodated. Kristen Denne, Township Manager DLN 7/15, 7/22; 1a

[Back](#)

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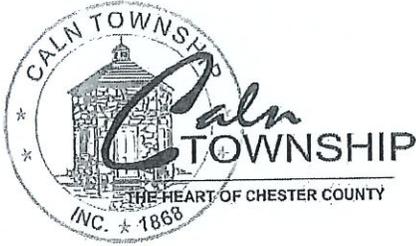
Wednesday, July 22, 2020

**Notice Content**

NOTICE IS GIVEN that the Board of Commissioners of Caln Township will conduct a public hearing on Thursday, July 30, 2020 at 6:00 p.m. via Zoom, an online video conferencing service to consider the conditional use application of Downingtown Investors, LLC ("Applicant"). Applicant is the owner of approximately 1.74 acres of property located at 50 Rock Raymond Road, more particularly described as TPN: 39-2-27. The property is approved to be developed as a Taco Bell restaurant with one drive through lane pursuant to a conditional use Decision dated September 13, 2018. Applicant is seeking a modification of the Decision to allow a second drive through lane. Due to COVID-19, the hearing will be held remotely via Zoom. Instructions on how to participate in the Zoom hearing will be posted on the Township's website, [www.calntownship.org](http://www.calntownship.org) at least one week in advance of the hearing. Any person with questions on how to participate in the Zoom hearing may call the Township at (610) 384-0600 x148 or email to [info@calntownship.org](mailto:info@calntownship.org). Copies of the application, plans and materials accompanying the application may be obtained by calling the Township's administrative offices during normal business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday. If any person who wishes to attend the hearing has a disability and/or requires an auxiliary aid, service or other accommodation to observe or participate in the hearing, he or she should contact the Township Building at (610) 384-0600 X148 to discuss how those needs may be accommodated. Kristen Denne, Township Manager DLN 7/15, 7/22; 1a

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AFFIDAVIT OF POSTING

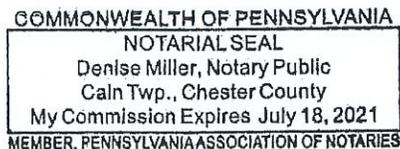
COMMONWEALTH OF PENNSYLVANIA:

ss

COUNTY OF CHESTER :

Joseph Arvay, Caln Township Inspector, being duly sworn according to law, deposes and says that I did post a Notice for a Conditional Use Hearing for the property located at 50 Rock Raymond Road, Tax Parcel No. 39-2-27, Caln Township, Chester County, Pennsylvania on Wednesday, July 8, 2020. A copy of the Notice is attached hereto and marked Exhibit "1". A photograph of the posted property is attached hereto and marked Exhibit "2".

Sworn and Subscribed  
Before me this 9th Day  
of July 2020.



DEPARTMENT OF BUILDING & LIFE SAFETY

Raymond Stackhouse, Director

253 Municipal Dr, Thorndale, PA 19372 | Phone: 610-384-0600 | Fax: 610-384-0689

codes@calntownship.org | www.calntownship.org

# ROUTE 322 SIDE

**NOTICE IS GIVEN** that the Board of Commissioners of Caln Township will conduct a public hearing on Thursday, July 30, 2020 at 6:00 p.m. via Zoom, an online video conferencing service to consider the conditional use application of Downingtown Investors, LLC ("Applicant"). Applicant is the owner of approximately 1.74 acres of property located at 50 Rock Raymond Road, more particularly described as TPN: 39-2-27. The property is approved to be developed as a Taco Bell restaurant with one drive through lane pursuant to a conditional use Decision dated September 13, 2018. Applicant is seeking a modification of the Decision to allow a second drive through lane.

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Kristen Denne, Township Manager

*Please advertise on July 15, 2020 and July 22, 2020*

POSTED

7-8-20

9:30 AM

JA



ROUTE 333, SIDE

**NOTICE IS GIVEN** that the Board of Commissioners of Cain Township will conduct a public hearing on **Thursday, July 30, 2020 at 6:00 p.m.** via Zoom on state wide teleconferencing service to consider the conditional use application of **David Johnson Investment, LLC (Applicant)**. Applicant is the owner of approximately 1.74 acres of property located at **Rock Raymond Road**, more particularly described as **TRN 19-2-27**. The property is approved to be developed as a **1st floor residential with one drive through lane** pursuant to a conditional use Decision dated **September 15, 2018**. Applicant is seeking a modification of the Decision to allow a second drive through lane.

Due to **COVID-19**, the hearing will be held remotely via Zoom. Instructions on how to participate in the Zoom hearing will be posted on the Township's website [www.caintownship.org](http://www.caintownship.org) at least one week in advance of the hearing. Any person with questions on how to participate in the Zoom hearing they call the Township at **(610) 334-6500 x148** or email to [info@caintownship.org](mailto:info@caintownship.org).

Copies of the application, plans and materials accompanying the application may be obtained by calling the Township's administrative office during normal business hours **8:00 a.m. to 4:30 p.m. Monday through Friday**.

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Kristen Detrow, Township Manager

Please advertise on **July 15, 2020 and July 22, 2020**

POSTED

7-8-20

9:30 AM

DP

# ROCK RAYMOND ROAD SIDE

**NOTICE IS GIVEN** that the Board of Commissioners of Caln Township will conduct a public hearing on Thursday, July 30, 2020 at 6:00 p.m. via Zoom, an online video conferencing service to consider the conditional use application of Downingtown Investors, LLC ("Applicant"). Applicant is the owner of approximately 1.74 acres of property located at 50 Rock Raymond Road, more particularly described as TPN: 39-2-27. The property is approved to be developed as a Taco Bell restaurant with one drive through lane pursuant to a conditional use Decision dated September 13, 2018. Applicant is seeking a modification of the Decision to allow a second drive through lane.

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Kristen Denne, Township Manager

*Please advertise on July 15, 2020 and July 22, 2020*

POSTED

7-8-20

9:30 AM

JA



## ROCK RAYMOND ROAD SIDE

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Kristen Denne, Township Manager

Please advertise on July 15, 2020 and July 22, 2020

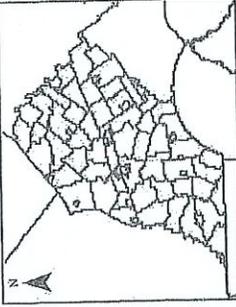
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JA

COUNTY OF CHESTER  
PENNSYLVANIA



Find Address Information

PARID: 3902 00270000  
 UPR: 39-2-27  
 Owner1: DOWNINGTOWN INVESTORS  
 LLC  
 Owner2:  
 Mail Address 1: 14 BALLIGOMINGO RD  
 Mail Address 2: CONSHOHOCKEN PA  
 Mail Address 3:  
 ZIP Code: 19428  
 Deed Book: 19894  
 Deed Page: 633  
 Deed Recorded Date: 3/15/2019  
 Legal Desc: 1: NW CORN RT 322 & ROCK  
 RAYMOND  
 Legal Desc 2: 2 AC  
 Acres: 2  
 LCC: V-10  
 Lot Assessment: \$ 63,420  
 Property Assessment: \$ 0  
 Total Assessment: \$ 63,420  
 Assessment Date: 12/19/2019  
 Property Address: 50 ROCK RAYMOND RD  
 Municipality: CALN  
 School District: Conestoga Area

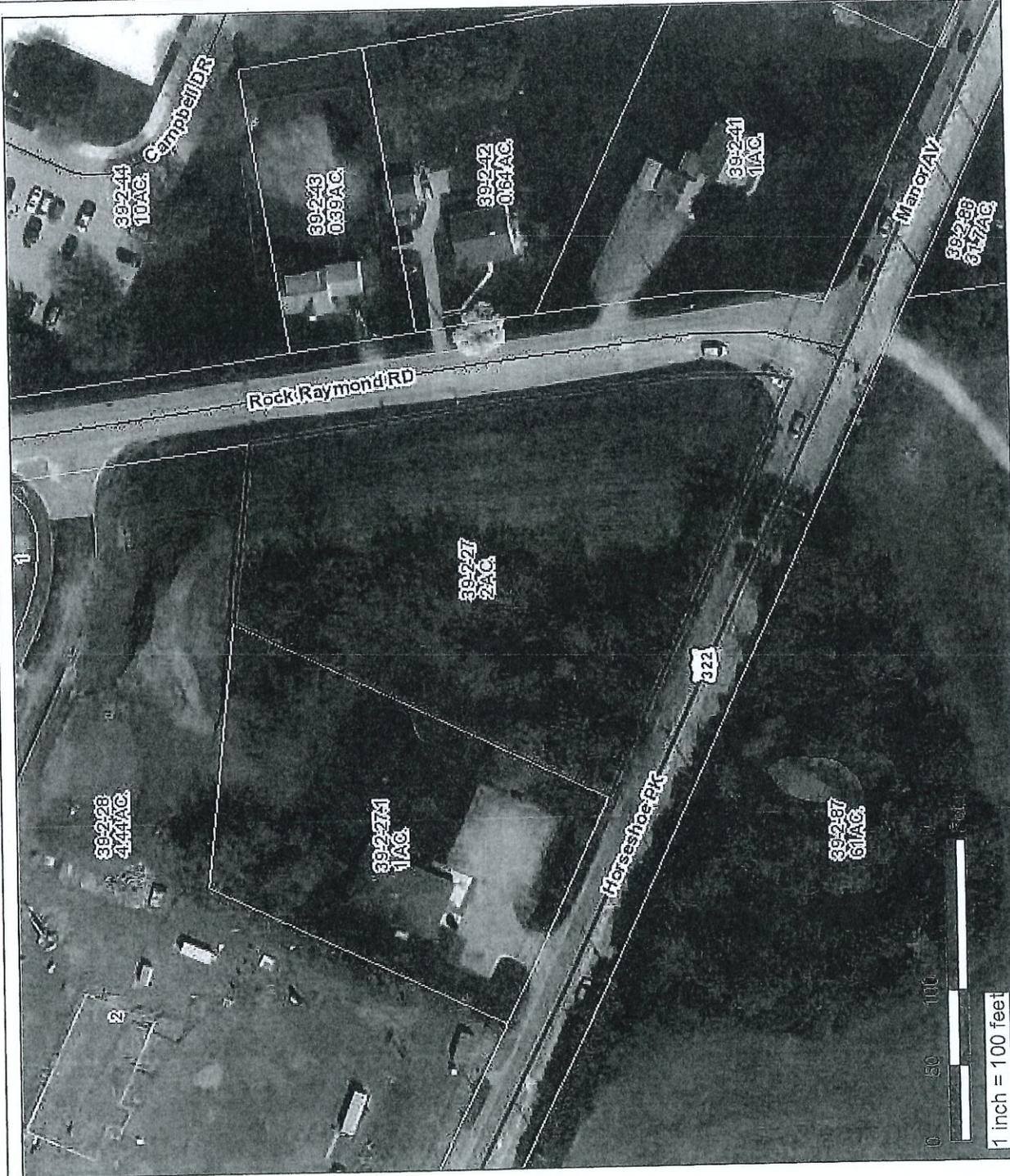


Map Created:  
Wednesday, July 8, 2020

County of Chester

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 For information on data sources visit the GIS  
 Services page listed at [www.chespe.org/gis](http://www.chespe.org/gis).

Map



**NOTICE IS GIVEN** that the Board of Commissioners of Caln Township will conduct a public hearing on Thursday, July 30, 2020 at 6:00 p.m. via Zoom, an online video conferencing service to consider the conditional use application of Downingtown Investors, LLC ("Applicant"). Applicant is the owner of approximately 1.74 acres of property located at 50 Rock Raymond Road, more particularly described as TPN: 39-2-27. The property is approved to be developed as a Taco Bell restaurant with one drive through lane pursuant to a conditional use Decision dated September 13, 2018. Applicant is seeking a modification of the Decision to allow a second drive through lane.

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Kristen Denne, Township Manager

*Please advertise on July 15, 2020 and July 22, 2020*



BUCKLEY, BRION, McGUIRE  
& MORRIS LLP  
By: KRISTIN S. CAMP, Esquire  
Attorney I.D. # 74593  
118 West Market Street, Suite 300  
West Chester, Pennsylvania 19382  
(610) 436-4400

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**IN RE: CONDITIONAL USE** : **BEFORE THE CALN TOWNSHIP**  
**APPLICATION OF**  
**TACO BELL** : **BOARD OF COMMISSIONERS**

### **DECISION AND ORDER**

Downingtown Investors, LLC (the "Applicant"), the equitable owner and developer of a 1.74 acre parcel of property located at 50 Rock Raymond Road in Caln Township, Chester County, Pennsylvania, filed a conditional use application on April 30, 2018 (the "Application"). Applicant seeks conditional use approval from the Board of Commissioners of Caln Township (the "Board") pursuant to Section 155-79.A of the Caln Township Zoning Ordinance of 2005, as amended (the "Ordinance") to develop a commercial drive-through establishment to be used in conjunction with a proposed Taco Bell restaurant.

The Board scheduled a public hearing for June 28, 2018 and advertised the hearing in the *Daily Local News* on June 13, 2018 and June 20, 2018. See Exhibit B-3. The Township posted the property on June 19, 2018 and Applicant mailed notices of the public hearing to property owners within 500 feet of the subject property. See Exhibits B-4 and A-4.

The hearing which was scheduled for June 28, 2018 was continued on the record at the request of Applicant until August 9, 2018. At the conclusion of the hearing on August 9, 2018, the evidentiary record was closed. The Board met at a duly advertised public meeting on September 13, 2018 and voted to approve this Decision and Order.

At the hearings, the Township was represented by its Solicitor, Kristin S. Camp, Esquire and Applicant was represented by Louis J. Colagreco, Jr., Esquire. No individuals requested party status.

From the testimony and exhibits presented at the hearing, the Board makes the following:

### **FINDINGS OF FACT**

1. All facts set forth in the introductory paragraphs above are incorporated herein by reference and are deemed to be factual findings of the Board.
2. Applicant is the equitable owner of the 1.74 acre parcel of property located on the north side of Horseshoe Pike (also referred to as Manor Avenue and S.R. 0322) and to the west of Rock Raymond Road (S.R. 4017) at 50 Rock Raymond Road, identified as Chester County Tax Parcel No. 39-2-27 (the "Property.") See Agreement of Sale admitted as Exhibit A-5.
3. The Property is currently owned by P. McLaughlin Builders, Inc. who authorized Applicant to file the Application and obtain all required permits and approvals for the proposed development of the Property with a Taco Bell restaurant and commercial drive-through. See Exhibit A-6.
4. The Property is currently a vacant, wooded lot located in the C-2 Regional Commercial Zoning District, the Route 30 Bypass Interchange Overlay District and the Carbonate Geology Overlay District.
5. Applicant submitted conditional use plans prepared by Landcore Engineering Consultants, P.C. dated April 27, 2018 with the Application. Between the time the Application was filed and the first hearing, Applicant revised the plans and

submitted new plans with a last revision date of July 10, 2018. See Exhibit A-7 (the "Plans").

6. The Caln Township Zoning Hearing Board granted Applicant a variance from Section 155-79.B(4) of the Ordinance on January 4, 2018 to permit the proposed commercial drive-through establishment to be located less than 250 feet from an existing residential use or residential zoning district, as measured from the property line.

7. The Plans propose the development of a 2,753 square foot restaurant building with 66 seats and a drive-through. See Exhibits A-7 and A-8.

8. Applicant presented the testimony of Joseph DePascale, the development manager for Applicant. Mr. DePascale explained that when designing the layout of the site, he paid particular attention to the proximity of the residential properties along the east side of Rock Raymond Road. The restaurant building was located as far to the west as it could be located in order to provide a buffer for the residential properties along the east side of Rock Raymond Road.

9. The closest residential property on Rock Raymond Road is approximately 209 feet, as measured from the property line.

10. Mr. DePascale testified that the proposed hours of operation for the restaurant are 7:00 a.m. to 11:00 p.m., with the drive-through open until 2:00 a.m.

11. According to Mr. DePascale, deliveries occur once or twice a week between the hours of 2:00 a.m. and 7:00 a.m. when the restaurant is closed. The owner is able to restrict deliveries to the hours when the restaurant is closed.

12. According to Mr. DePascale, deliveries do not occur from refrigerator trucks and there will be no trucks idling in the lot while waiting to unload.

13. Mr. DePascale testified that he expects 5 to 6 employees to be employed at the proposed restaurant during the busiest shift. He indicated that many of these employees do not drive their own vehicles and are either dropped off or take public transportation to work.

14. The Plans propose 34 off-street parking spaces, which exceeds the minimum requirements in Section 155-139.R of the Ordinance by 12 spaces.

15. Applicant seeks the Board's approval pursuant to Section 155-46.G(7) to allow the off-street parking spaces and loading area to be located in the front yard instead of on the side or rear of the principal building. Applicant explained that because the Property has two front yards, it is difficult to provide the off street parking to the rear or side of the building while still maintaining the drive-through lane and building as far to the west as they can be while still meeting setbacks.

16. The drive-through lane is 10 feet wide by approximately 150 feet long and meets the requirements of Section 155-79.B(9). According to Mr. DePascale, the lane is long enough to accommodate the stacking of 8-9 vehicles.

17. The restaurant will be built with masonry decorative split block as depicted in the architectural building elevations which were admitted as Exhibit A-9.

18. In order to meet the requirements in Section 155-138 of the Ordinance for a designated loading area, Applicant proposes to designate 6 parking spaces in the parking lot directly to the east of the building for use as the loading area. If required, Applicant will install signs at these spaces to indicate that no parking is permitted when loading and unloading occurs.

19. Applicant seeks the Board's approval pursuant to Section 155-46.G(4) to allow the dumpster to be located in the front yard along Rock Raymond Road to the northeast of the building instead of in the rear yard.

20. The Plans propose a trash enclosure to the northeast of the restaurant building which will be enclosed on three sides. This trash enclosure must meet the requirements in Section 155-79.B(13) and be screened with a secure fence and landscape materials. According to the Applicant, this location was selected because of the desire to locate the drive-through as far west as it could be on the Property away from the residential properties along Rock Raymond Road.

21. The trash enclosure will be masonry block with a decorative split face to match the colors for the restaurant building.

22. Applicant presented the testimony of Ryan T. Whitmore, P.E., a licensed professional engineer in the Commonwealth of Pennsylvania who works for Landcore Engineering and who prepared the Plans. Mr. Whitmore's curriculum vitae was admitted as Exhibit A-17.

23. Mr. Whitmore testified that the Plans comply with the area and bulk requirements for a restaurant and for a commercial drive-through in the Ordinance except for the requirement in Section 155-79.B(4) which Applicant obtained a variance for in the zoning decision dated January 4, 2018.

24. Mr. Whitmore testified that the proposed use of the Property is consistent with the Comprehensive Plan, specifically the Land Use and Housing Plan which designates the Property as highway commercial.

25. Mr. Whitmore testified that there will not be any lighting ascertainable beyond the Property boundaries.

26. In addition to requesting conditional use approval for the commercial drive-through, Applicant also seeks the Board's approval of a modification of landscaping requirements in Section 155-119 pursuant to the authority in Section 155-46.H. This modification is necessary to allow different species of landscaping along the buffer planting strip proposed to be installed along the western Property boundary than are specified in the approved plant list. Applicant desires to plant species that thrive in a wet environment.

27. Applicant intends to install a minimum four-foot tall buffer landscaping screen consisting of a combination of evergreen and deciduous trees at the back of the parking spaces which face Rock Raymond Road. This buffer planting screen is depicted on the rendered plans which were admitted as Exhibit A-8 and are designed to buffer the lights from the vehicles that are parked in these spaces.

28. The Plans propose a 10-12 foot tall retaining wall on the western boundary of the Property which will have a 6 foot tall fence on top.

29. Applicant also proposes to install an evergreen buffer along the western Property boundary to the west of the retaining wall.

30. Applicant will be required to demonstrate compliance with the Ordinance criteria for landscaping during land development.

31. The Plans propose the installation of sidewalk along the frontage of the Property where it abuts Horseshoe Pike and Rock Raymond Road. The new sidewalks

will connect into the sidewalks that were recently installed when the Royal Farms convenience store was built.

32. Applicant submitted a Transportation Impact Assessment prepared by Traffic Planning and Design, Inc. ("TPD") dated January 23, 2018, last revised April 24, 2018, which was admitted as Exhibit A-16 (the "TIA").

33. Applicant presented the testimony of Matthew I. Hammond, P.E., a professional engineer licensed in the Commonwealth who specializes in transportation and traffic and who is a principal of TPD and who prepared the TIA. See Exhibit A-18.

34. The TIA projected that the proposed development will generate 123 trips during the weekday morning peak hour, 88 trips during the weekday evening peak hour and 159 trips during Saturday midday peak.

35. The Township traffic consultant, Albert Federico, P.E. reviewed the TIA and the Plans and issued review letters dated May 22, 2018 and August 9, 2018. See Exhibits B-5 and B-11.

36. Applicant revised the Plans to comply with several suggestions in Mr. Federico's letters.

37. Mr. Federico agreed with Mr. Hammond's assessment that a significant portion of the traffic generated by the development will be pass-by traffic from Horseshoe Pike or diverted from the Route 30 Bypass and will not be "new" trips.

38. In the TIA, Mr. Hammond confirmed that the measured sight distances for the access driveways will exceed PennDOT safe stopping sight distance criteria.

39. The Plan proposes two access driveways to the Property- one from Horseshoe Pike- which is proposed to allow right in/right out and left in and a second full

access driveway from Rock Raymond Road which will provide access to the shared driveway to the rear of the Property which currently provides access to the Royal Farms convenience store which is located to the west of the Property.

40. The access from Horseshoe Pike will be designed with a raised pork chop island and signs to prohibit left turn egress movement.

41. Mr. Hammond recommended in the TIA that the following improvements be made to accommodate the increased traffic generated by the proposed development:

Intersection	Recommendation
<p align="center"><b>General</b></p>	<p>Coordinate improvements with the future Wild Meadows Development, should that development move forward in a timely fashion, in order to ensure consistency between the two adjacent sites.</p>
	<p>As requested by PennDOT, if feasible, provide sidewalk along both the Manor Avenue and Rock Raymond site frontages. These sidewalks should provide connectivity to the existing pedestrian facilities at the adjacent Study Area intersections.</p>
<p align="center"><b>Manor Avenue (S.R. 0322) &amp; Rock Raymond Road (S.R. 4017)</b></p>	<p>Provide minor signal timing optimization during the weekday A.M. peak hour</p>
	<p>As requested by PennDOT, further investigate contributing ROW on the NW corner for the construction of a future SB right-turn lane on Rock Raymond Road</p>
	<p>As requested by PennDOT, investigate the feasibility of providing pedestrian connectivity from this intersection to the existing sidewalk located along the northern side of Manor Avenue, to the east of the Study Area</p>
	<p>Work with PennDOT and Caln Township to upgrade Pedestrian/ADA facilities at this intersection, to the extent feasible</p>
<p align="center"><b>Manor Avenue (S.R. 0322) &amp; WB Route 30 Ramps</b></p>	<p>Provide minor signal timing optimization during the weekday A.M. and weekday P.M. peak hours</p>
<p align="center"><b>Manor Avenue (S.R. 032 on 2) &amp;</b></p>	<p>Restrict left-turn egress from the proposed site via a raised pork-chop island</p>
	<p>Provide adequate egress radii to facilitate access from the site</p>

<b>Proposed RILIRO Driveway</b>	In lieu of deceleration lane which is not warranted, maximize the ingress radii on WB Manor Avenue in order to facilitate ingress to the site
	Provide a "STOP"-sign on the SB egress approach of the driveway
	Restripe the existing EB left-turn lane at the signal of Manor Avenue and Rock Raymond Road to extend 125' past the proposed driveway
	Work with PennDOT and Caln Township to upgrade Pedestrian/ADA facilities at this intersection, to the extent feasible
<b>Royal Farms Driveway &amp; Proposed Full-Access Driveway</b>	Provide adequate ingress/egress radii to facilitate access to/from the site
	Provide a "STOP" – sign on the NB egress approach of the driveway
	Work with PennDOT and Caln Township to upgrade Pedestrian/ADA facilities at this intersection, to the extent feasible

42. According to the TIA, all study area intersections will satisfy PennDOT's standards for intersection level of service after the proposed restaurant is built, provided Applicant makes the site -related recommendations set forth in finding of fact No. 41 above.

43. According to Mr. Hammond, PennDOT has reviewed the Plans and has indicated that it will require Applicant to install a rapid red flashing beacon and associated signage which will have passive detection and active detection with a push button at the existing midblock pedestrian crossing on Rock Raymond Road. The details of the pedestrian signals will be determined by the Pennsylvania Department of Transportation ("PennDOT") with input from the Township as part of the issuance of a highway occupancy permit and approval of the land development plans.

44. Mr. Hammond agreed that the Township will have to be a permittee of the pedestrian signals and enter an agreement with PennDOT to agree to maintain such pedestrian signals at the midblock crossing.

45. Mr. Hammond testified that the interior traffic circulation and proposed access driveways are adequate to provide safe and convenient circulation and ingress/egress to the site.

46. Applicant proposes to provide public sewer to the restaurant by connecting to the Caln Township Municipal Authority's sewer system. Applicant presented a letter from the Township's Municipal Authority which confirmed that there is sufficient sanitary sewer capacity to service the proposed development. See Exhibit A-11.

47. The Municipal Authority's engineer, Gilmore and Associates Inc., reviewed the Plans and Application and issued a review letter dated May 30, 2018 which was admitted as Exhibit B-6.

48. Applicant proposes to provide public water to the development by connecting into the Downingtown Municipal Water Authority ("DMWA") water system. Applicant presented a letter from DMWA which confirmed that sufficient public water service for the development is available and accessible. See Exhibit A-12.

49. Applicant's engineers have conducted preliminary stormwater testing and believe that they can design stormwater facilities to handle the proposed storm water from the development. See Exhibit A-15. The preliminary design proposes the installation of two stormwater beds underneath the parking lot and an above ground rain garden or bio retention area which will pipe water to the stormwater retention bed.

50. Mr. Whitmore testified that he performed a truck turning template using a WB-50 truck and based on the results of such template he believes that the largest fire truck that will service the restaurant can safely navigate into and around the site.

51. Applicant also performed a fire hydrant flow test which demonstrates that there will be sufficient water pressure for firefighting purposes. See Exhibit A-10.

52. The Township Planning Commission reviewed the Application and made a recommendation at the June 19, 2018 meeting that the Board approve the same. See Exhibit B-8.

53. The following exhibits were admitted on behalf of the Board:

B-1: Conditional Use Application dated April 30, 2018

B-2: Conditional Use Plans prepared by Landcore Engineering Consultants, P.C. dated April 27, 2018

B-3: Proof of Publication of Notice published in Daily Local News on June 13, 2018 and June 20, 2018

B-4: Affidavit of Posting

B-5: Traffic Engineering review letter from Albert Federico, P.E., PTOE, Project Manager with Kimley Horn dated May 22, 2018 to Cedarville Engineering Group, LLC

B-6: Sanitary Sewer Plan review letter from William K. Dingman, P.E., Senior Municipal Engineer with Gilmore & Associates, Inc., dated May 30, 2018 to Kristen Denne, Township Manager

B-7: Township Engineer review letter dated June 14, 2018

B-8: Memorandum dated June 26, 2018 from Bryan Kulakowsky, P.E., Township Engineer, to Board of Commissioners regarding Planning Commission recommendation

B-9: Email correspondence from Louis J. Colagreco, Esquire, to Kristin S. Camp, Esquire, dated June 22, 2018 requesting continuance of hearing

B-10: Township Engineer Review Letter dated August 2, 2018

B-11: Traffic Engineering review letter from Albert Federico, P.E., PTOE, Project Manager, dated August 9, 2018 to Cedarville Engineering Group, LLC

54. The following exhibits were admitted on behalf of Applicant:

- A-1 Conditional Use Application with cover letter dated April 30, 2018 (*accompanying documents and plan incorporated by reference*).
- A-2 Letter Date July 16, 2018 enclosing amended Conditional Use Application plan and materials in response to Township's review letters.
- A-3 Copy of the Caln Township Zoning Ordinance of 2005, as amended (*incorporated by reference*).
- A-4 Affidavit of Notice to neighboring property owners within 500 feet of the property.
- A-5 Agreement of Sale dated October 19, 2017 between P. McLaughlin Builders, Inc. (seller) and Downingtown Investors, LLC (buyer) for property known as 50 Rock Raymond Road, Downingtown, PA, UPI No. 39-2-27 (redacted).
- A-6 Letter of Authorization from the legal owner, P. McLaughlin Builders, Inc. dated April 27, 2018.
- A-7 Conditional Use Plan prepared by Landcore Engineering Consultants, P.C., consisting of 24 sheets, dated April 27, 2018, last revised July 10, 2018 (*incorporated by reference due to size*).
- A-8 Rendered Version of the Conditional Use Plan prepared by Landcore Engineering Consultants, P.C., dated April 27, 2018, last revised August 9, 2018.
- A-9 Exterior Rendered Elevations prepared by Petit Group, LLC, dated April 27, 2018.
- A-10 Hydrant Flow Test of October 16, 2017.
- A-11 Caln Township Municipal Authority Will Serve Letter of July 10, 2018.

- A-12 Downingtown Municipal Water Authority Will Serve Letter of June 7, 2018.
- A-13 Amendment to Easement Agreement between Caln Horseshoe, L.P., Deborah D. Becker and P. McLaughlin Builders, Inc., recorded August 21, 2017.
- A-14 Erosion and Sediment Pollution Control Report prepared by Landcore Engineering Consultants, P.C., dated April 27, 2018 *(incorporated by reference due to size)*.
- A-15 Stormwater Management Report prepared by Landcore Engineering Consultants, P.C., dated April 27, 2018, last revised July 10, 2018 *(incorporated by reference due to size)*.
- A-16 Transportation Impact Assessment prepared by Traffic Planning and Design, Inc., dated January 23, 2018, last revised April 24, 2018.
- A-17 C.V. of Ryan T. Whitmore, P.E.
- A-18 C.V. of Matthew I. Hammond, P.E.

### **CONCLUSIONS OF LAW**

1. Applicant, as equitable owner of the Property, has standing to file the Application.
2. The conditional use hearings were duly advertised in accordance with the provisions of the Pennsylvania Municipalities Planning Code ("MPC") and the Ordinance and the Property was posted in accordance with the requirements of the MPC.
3. The Property is zoned C-2 Regional Commercial and Route 30 Bypass Interchange Overlay District.
4. The proposed restaurant use with a building of less than 7,500 square feet is permitted by right in the underlying C-2 District pursuant to Section 155– 28.B(7).

5. A commercial drive-through establishment is permitted pursuant to Section 155-79.A by conditional use within the Route 30 Bypass Interchange Overlay District.

6. Section 155-46.G(4) allows the Board to approve the location of the dumpster as presented on the Plans as part of the Application.

7. Section 155-46.G(7) allows the Board to approve the location of off-street parking spaces and loading spaces in the front of the building as part of the Application.

8. Applicant has proven compliance with the objective criteria in Section 155-79 of the Ordinance which apply to commercial drive-through establishments except for the criteria for which Applicant obtained a variance.

9. Applicant has proven compliance with the subjective criteria in Section 155-172 of the Ordinance which apply to all conditional use applications.

### **DISCUSSION**

A conditional use is a permitted use, subject to an applicant's proof of compliance with all applicable conditions and criteria imposed by the Ordinance and reasonable conditions of approval imposed by the Board. A conditional use is not a use which the Board has the unfettered discretion to approve or deny. Rather, the Board is governed by the objective criteria and standards enunciated in the Ordinance when determining whether to grant an application. If the applicant can prove that it complies with the terms of the Ordinance authorizing a conditional use, the Board must grant the conditional use unless substantial evidence indicates that the use will result in substantial injury to the public interest. Susquehanna Twp. Board of Commissioners v. Hardee's Food Systems, Inc., 59 Pa. Cmwlth. Ct. 479, 430 A.2d. 367 (1981; Appeal of Estate of Achey, 86 Pa. Cmwlth. Ct. 385, 484 A.2d. 874 (1984), aff'd 501 A.2d. 249 (Pa. 1985).

In granting a conditional use, the Board has the authority to impose reasonable conditions and safeguards in addition to those expressed in the Ordinance if such conditions are necessary to implement the purposes of the Ordinance and to protect the health, safety and welfare of the surrounding property owners. See Pennsylvania Municipalities Planning Code, Section 603(c)(2).

The scope of the Application is narrow. The fast food restaurant is a permitted use in the C-2 District. The only zoning approval that is necessary from the Board is for the commercial drive-through establishment which is allowed by conditional use in the Route 30 Bypass Interchange Overlay District pursuant to Section 155-79.A. Applicant presented all required information and plans specified in Section 155-79.C with the Application. Applicant's expert civil engineer testified that the proposed commercial drive-through establishment met all of the objective criteria in Section 155-79.B except for the 250 foot minimum separation from existing residential uses for which Applicant was granted variance relief by the Zoning Hearing Board. Applicant's traffic expert testified that the proposed means of ingress and egress are safe to the traveling public and patrons to the commercial drive-through establishment. The Board specifically approves the location of the means of ingress and egress as required by Section 155-79.B(7). Mr. Hammond also testified that the interior traffic circulation was designed to minimize traffic congestion at points of ingress and egress and to promote public safety for the patrons using the commercial drive-through feature. The Township hired its own traffic consultant, Al Federico, who requested changes to the circulation pattern which Applicant complied with and submitted the revised plans. The Board is satisfied that Applicant has designed

the layout of the site in a manner which will mitigate potential negative impacts on the residential properties located along the eastern side of Rock Raymond Road.

One issue that was raised at the conditional use hearings was the noise from the exterior speaker or microphone system for the drive-through. Section 155-79.B(14) requires that all exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other audible sounds are reduced by 80% from the source to any property line. Applicant's witness testified that they will comply with this standard. The Township Zoning Officer can conduct tests to determine if the standard is met after the microphone system is installed.

The Board finds that Applicant has demonstrated compliance with the objective criteria in Section 155-79 of the Ordinance and the more subjective criteria in Section 155-172.F of the Ordinance to justify the grant of conditional use approval and will therefore vote to approve the Application subject to the conditions listed below.

### **ORDER**

AND NOW, this 13<sup>th</sup> day of September, 2018, the Board approves a conditional use pursuant to Section 155-79.A of the Ordinance to allow the development of a commercial drive-through establishment for the proposed Taco Bell fast food restaurant on the Property pursuant to the conditions set forth hereinbelow. Pursuant to the authority in Section 155-46.G, the Board approves the location of the dumpster as shown on the Plans. The Board also approves the location of the parking spaces and loading area in the front yard as depicted on the Plans.

### CONDITIONS OF APPROVAL

1. The commercial drive-through establishment shall be developed in accordance with the testimony and evidence presented at the conditional use hearings and the Plans, as such plans are revised to comply with the conditions of approval imposed herein and to obtain final land development approval from the Board.

2. The Plans shall be revised to comply with all outstanding comments from the following Township consultants' review letters:

- Letter dated August 9, 2018 from Albert Federico;
- Letter dated May 30, 2018 from Gilmore & Associates; and
- Letter dated August 2, 2018 from Cedarville Engineering, LLC.

Applicant shall demonstrate compliance with these letters to the satisfaction of the respective Township consultant prior to issuance of final land development approval from the Board.

3. Applicant and any successor or assign in title who utilizes the commercial drive-through shall prohibit deliveries to the restaurant during any hours that the restaurant is open for business. All deliveries must occur when the restaurant is closed.

4. No tractor-trailers with refrigeration units shall be permitted to make deliveries to the restaurant. Delivery vehicles shall be prohibited from idling in the parking lot at any time.

5. Applicant shall locate the speaker/microphone for the drive-through window in a location that is screened by the trash enclosure or building. The location of the speaker shall be approved by the Board as part of land development approval.

6. Trash pickup to the restaurant may not occur during the restaurant's peak hours of 12:00 p.m.-1:00 p.m. and 4:00 p.m. to 5:30 p.m. and must comply with all other relevant provisions in the Caln Code.

7. Applicant shall implement all traffic improvements suggested by its traffic consultant which are set forth in the TIA and finding of fact number 41 above. The details of how Applicant demonstrates compliance with implementation of these recommendations shall be determined by the Board and PennDOT during final land approval.

8. If PennDOT requires the Township to be a permittee on any signals associated with the mid-block crossing of Rock Raymond Road, Applicant shall make a contribution to the Township in the amount of \$5,000.00 to provide sufficient funds towards reimbursement to the Township for maintenance of the pedestrian signals associated with this midblock crossing. Such contribution shall be made upon issuance of the certificate of occupancy for the restaurant.

9. Applicant shall adhere to the noise regulations in Section 155-185 of the Ordinance. These standards include but are not limited to the following restriction: No person shall load or unload trucks or other motor vehicles or open, close or otherwise handle boxes, crates, containers, building materials, garbage cans or other objects between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day in such a manner as to be plainly audible across a property line.

10. All lighting on the exterior of the building shall comply with the requirements in the Ordinance and all light fixtures in the parking lot must be directed downwards and appropriately shielded to prevent glare on adjacent residential properties.

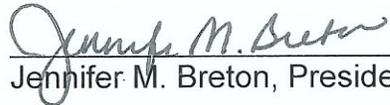
11. Applicant shall provide energy efficient lighting fixtures that meet the Illuminating Engineering Society illumination standards for commercial uses. The IES standard in effect at the time of final plan approval shall apply.

12. Applicant and its successors and assigns in interest to the Property shall be strictly bound by:

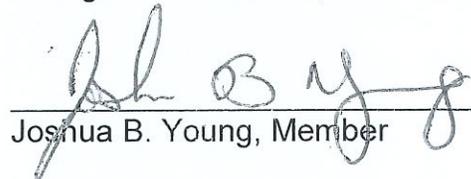
- a. All the representations, warranties and commitments made by or on behalf of the Applicant and the testimony, plans or other exhibits that were introduced into the record on these proceedings whether or not express reference is made to said representations, warranties and commitments in this Decision; and
- b. All of the foregoing conditions of approval.

13. Applicant shall accept the conditions of approval within fifteen (15) days of this Order by sending written notice of acceptance addressed to the Board.

**CALN TOWNSHIP  
BOARD OF COMMISSIONERS**

  
Jennifer M. Breton, President

  
George M. Chambers, Vice President

  
Joshua B. Young, Member

  
John D. Contento, Member

  
Lorraine Tindaro, Member



**MOTION OF THE BOARD OF COMMISSIONERS OF CALN TOWNSHIP,  
CHESTER COUNTY, PENNSYLVANIA  
FINAL LAND DEVELOPMENT APPLICATION OF  
DOWNTOWN INVESTORS, LLC**

RE: Downtown Investors, LLC – 50 Rock Raymond Road  
Chester County Tax Parcel Number: 39-2-27  
Final Land Development Plan Application

The Board of Commissioners of Caln Township (the "Board") renders this Motion granting approval of the Final Land Development Application of Downtown Investors, LLC (the "Applicant"), subject to certain conditions more fully set forth below.

**FINDINGS OF FACT/DISCUSSION**

Applicant is the owner and developer of the property at 50 Rock Raymond Road, in Caln Township, Chester County Tax Parcel No. 39-2-27 (the "Property"). The Property consists of 1.74 acres and is located in the C-2 Regional Commercial Zoning District, the Route 30 Bypass Interchange Overlay District and the Carbonate Geology Overlay District. Applicant seeks to develop a Taco-Bell restaurant with a commercial drive-through establishment (the "Development") in accordance with Final Land Development Plans entitled "Downtown Investors, LLC – Proposed Taco Bell with Drive-Thru Service", prepared by Landcore Engineering Consultants, P.C., dated April 27, 2018, last revised January 31, 2019, consisting of 25 sheets (the "Plans").

Applicant sought conditional use approval for the commercial drive-through establishment associated with the Taco Bell restaurant as required pursuant to Section 155-79.A of the Caln Township Zoning Ordinance, as amended (the "Zoning Ordinance"). In the Decision and Order dated September 13, 2018 (the "CU Decision"), the Township's Board of Commissioners granted conditional use approval subject to certain conditions which are set forth in the CU Decision and remain applicable to the development of the Property and are incorporated herein. In particular, the CU Decision approved specific locations for the dumpster, parking spaces and loading areas as depicted on the Plans. Compliance with review letters from the Township consultants was a condition required to be satisfied prior to the issuance of final land development approval.

Applicant also received variance relief as granted by the Caln Township Zoning Hearing Board pursuant to a Decision dated January 17, 2018 (the "ZHB 2018 Decision"). The Zoning Hearing Board granted Applicant a variance from the requirement under Section 155-79(B)(4) of the Zoning Ordinance to permit a proposed commercial drive-through establishment to be located less than 250 feet from an existing residential use/zoning district. In January of 2019, the Zoning Hearing Board granted the Applicant a time extension from the one (1) year requirement as set forth in Section 155-170.F of the Zoning Ordinance in order to allow for an eight (8) month extension of time within which to act upon and commence construction at the Property. Thus, pursuant to the

Decision dated January 3, 2019 ("ZHB 2019 Decision") the time within which to act upon and commence construction at the Property has been extended to September 18, 2019. Both decisions rendered by the Zoning Hearing Board remain applicable to the development of the Property and are incorporated herein.

Applicant received preliminary land development approval from the Township Board of Commissioners on January 31, 2019 which approval included the grant of certain waivers. A copy of the Motion granting preliminary land development approval is attached hereto and incorporated herein (the "Preliminary Plan Approval").

Applicant now seeks final land development approval of the Plans. At its March 19, 2019 public meeting, the Township Planning Commission recommended that the Board of Commissioners grant final land development approval and approve an additional waiver from Section 137-67.H of the Caln Township Subdivision and Land Development Ordinance ("SALDO") to permit the use of the PennDOT approved growth rate in the traffic study for future traffic demand calculations. The Township Traffic Engineer supports this waiver. The Planning Commission's recommendation to approve the above-described waiver is conditioned upon Applicant satisfying all outstanding items in ARRO's review letter dated March 17, 2019 ("ARRO Review Letter") and all conditions set forth in the CU Decision.

The ARRO Review Letter describes the manner in which most of the conditions set forth in the CU Decision have been satisfied but notes that certain conditions have not yet been satisfied as follows:

- 1) PennDOT approval of the traffic improvements associated with the Development must be obtained prior to final land development approval; and
- 2) Compliance with all Township consultant review letters issued as part of the CU Decision approval process prior to final land development approval.

An additional review letter dated February 5, 2019 has been issued by the Township sewer consultant, Gilmore & Associates, Inc. The Gilmore letter listed above and the ARRO Review Letter are collectively referred to as the "Latest Township Review Letters". Comments offered by Township Traffic Engineer Albert Federico Consulting, LLC have been incorporated into the ARRO Review Letter.

### DECISION

AND NOW, this 11<sup>th</sup> day of April 2019, the Caln Township Board of Commissioners hereby GRANTS final land development approval of the Plans, subject to Applicant's compliance with all of the notes and conditions therein contained, and all of the foregoing conditions:

1. The Property and the Development shall comply with all relevant terms and provisions of the Zoning Ordinance, the SALDO, the Stormwater Ordinance and all other applicable regulations, except as otherwise modified and/or waived by the Board of Commissioners through the Preliminary Plan Approval, this Decision, or by variance granted by the Caln Township Zoning Hearing Board.
2. Applicant shall comply with any outstanding comments in the Latest Township Review Letters to the satisfaction of the Township staff and their consultants.
3. Applicant shall adhere to the Sanitary Sewer Capacity Reservation Agreement executed with the CTMA which shall be recorded simultaneously or prior to recording of the final plans.
4. Applicant shall adhere to the Operation and Maintenance Agreement executed with the CTMA which shall be recorded simultaneously or prior to recording of the final plans.
5. Applicant shall comply with the CU Decision and the conditions set forth in the CU Decision.
6. Applicant shall comply with the ZHB 2018 Decision, as extended by the ZHB 2019 Decision, and the conditions set forth in such Decision.
7. The Plans submitted contemplate waivers or modifications from the Township's SALDO. In addition to the previous waivers granted in the Preliminary Plan Approval, the following additional waiver is hereby GRANTED as part of this Decision:
  - a) Section 137-67.H of the SALDO to allow for the use of PennDOT approved growth rate in the traffic study for future traffic demand calculations.
8. Applicant shall execute a Development Agreement and Financial Security Agreement and post financial security in an amount approved by the Township engineer and in form and substance acceptable to the Township, the Township Engineer and the Township Solicitor prior to the Plans being released by the Board of Commissioners for recording.

9. Prior to the release of the Plans for recording, Applicant shall reimburse the Township for all outstanding reasonable engineering, administrative, legal and other review fees associated with the Township's review of the plans for Applicant's land development for the Property. If Applicant disputes any of the review fees, the parties shall adhere to the procedures in Section 10503 of the MPC. If the Township incurs engineering, administrative, legal and other consultant fees associated with the inspection of the improvements associated with Applicant's land development, it shall, within thirty (30) days of receipt of any subsequent invoices from the Township or its professional consultants, remit payment to the Township for all reasonable engineering, administrative, legal and inspection fees associated with Applicant's land development for the Property. Should Applicant wish to dispute any of the above-referenced inspection fees, the parties shall adhere to the procedures in Section 10510(g) of the MPC. Any balance not paid within such thirty (30) day period shall bear interest at the rate of one and one-half percent (1-1/2%) per month.
10. Pursuant to SALDO Section 137-31, prior to the release of the Plans for recording, Applicant shall make payment in the amount of \$2,353.82 (calculated as \$855.00 per 1,000 gross square feet of building space for 2,753 square feet based) as a fee in lieu of land dedicated for open space.
11. Applicant shall secure all regulatory permits as applicable, including but not limited to the Pennsylvania Department of Environmental Protection ("DEP") Planning Module exemption, NPDES permit issued by the DEP and letter of adequacy for the erosion and sedimentation control issued by the Chester County Conservation District.
12. A Highway Occupancy Permit shall be obtained by the Applicant for the proposed driveway connection to Horseshoe Pike. This permit and approved permit plans shall be provided to the Township upon receipt.
13. Applicant shall revise the Plans to provide the installation of additional sidewalk within the site quadrant of Manor Avenue and Rock Raymond Road to create a reasonable path for pedestrians traveling around the corner consistent with the sketch plan prepared by the Traffic Engineer which was included with the ARRO Review Letter and is attached hereto. The specifications and details for the area of additional sidewalk shall be depicted on the Plans and

approved by the Township engineer prior to the Plans being released for recording.

14. Applicant shall amend the Plans to update the approval and expiration dates for regulatory approvals as listed on the permit/approval chart on the stormwater management site plan. All state and federal permits must be submitted to the Township prior to the Plans being recorded.
15. Prior to release of the Plans for recording, the Caln Township Department of Building and Life Safety shall review and approve the ADA accessible features, including but not limited to, the accessible path from the public way to the building and all accessible features on the exterior as required by the UCC.
16. Prior to the release of the Plans for recording, the Stormwater Management Operations and Maintenance Agreement, as prepared by the Township Engineer, must be completed, executed and submitted to the Township by the Applicant.
17. Applicant shall enter a Drainage Improvement Operations and Maintenance Agreement for any stormwater facilities that are installed along the Property frontages in the right of way of Manor Avenue and Rock Raymond Road. This Agreement shall require Applicant and its successors and assigns in title to the Property to maintain these stormwater facilities. The Agreement shall be executed by Applicant and recorded simultaneously with the final plans.
18. It is noted that no signage plans have been reviewed as part of the application, and any future planned signage for the Property will be required to receive the appropriate approvals and permits.
19. Applicant shall provide the Township with a digital file of the Plans as specified in the Township Code.
20. Applicant shall record every sheet in the Plans with the Chester County Recorder of Deeds. This effort will be coordinated by the Township. Five (5) copies of the recorded Plans shall be retained by the Township with a minimum of two (2) sets containing original signatures and recordation stamps.
21. Applicant shall provide the Township with a copy of the recorded Plans in 11x17 format.

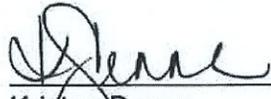
IN THE MATTER OF:  
Final Land Development Application of DOWNTOWN INVESTORS, LLC  
50 Rock Raymond Road  
Chester County Tax Parcel No.: 39-2-27

22. To the extent that any of the above conditions are determined to be invalid, the invalid condition(s) are severable and the invalidity shall not affect the validity of the remaining conditions imposed.
23. This Decision and conditions contained herein are binding on Applicant, its successors and assigns, for the benefit of the Township in general and the ultimate users/property owners of the subject Property.

This Decision shall be accepted in writing by Applicant within fifteen (15) days of receipt thereof, failing which the application shall be deemed denied by the Board of Commissioners as failing to comply with the provisions of the Caln Township SALDO referenced and described hereinabove.

A motion made at the public meeting of the Board of Commissioners on this 11 day of April, 2019 by Commissioner Gundaro, seconded by Commissioner Chambers and carried by a vote of 5-0.

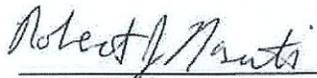
ATTESTED BY:

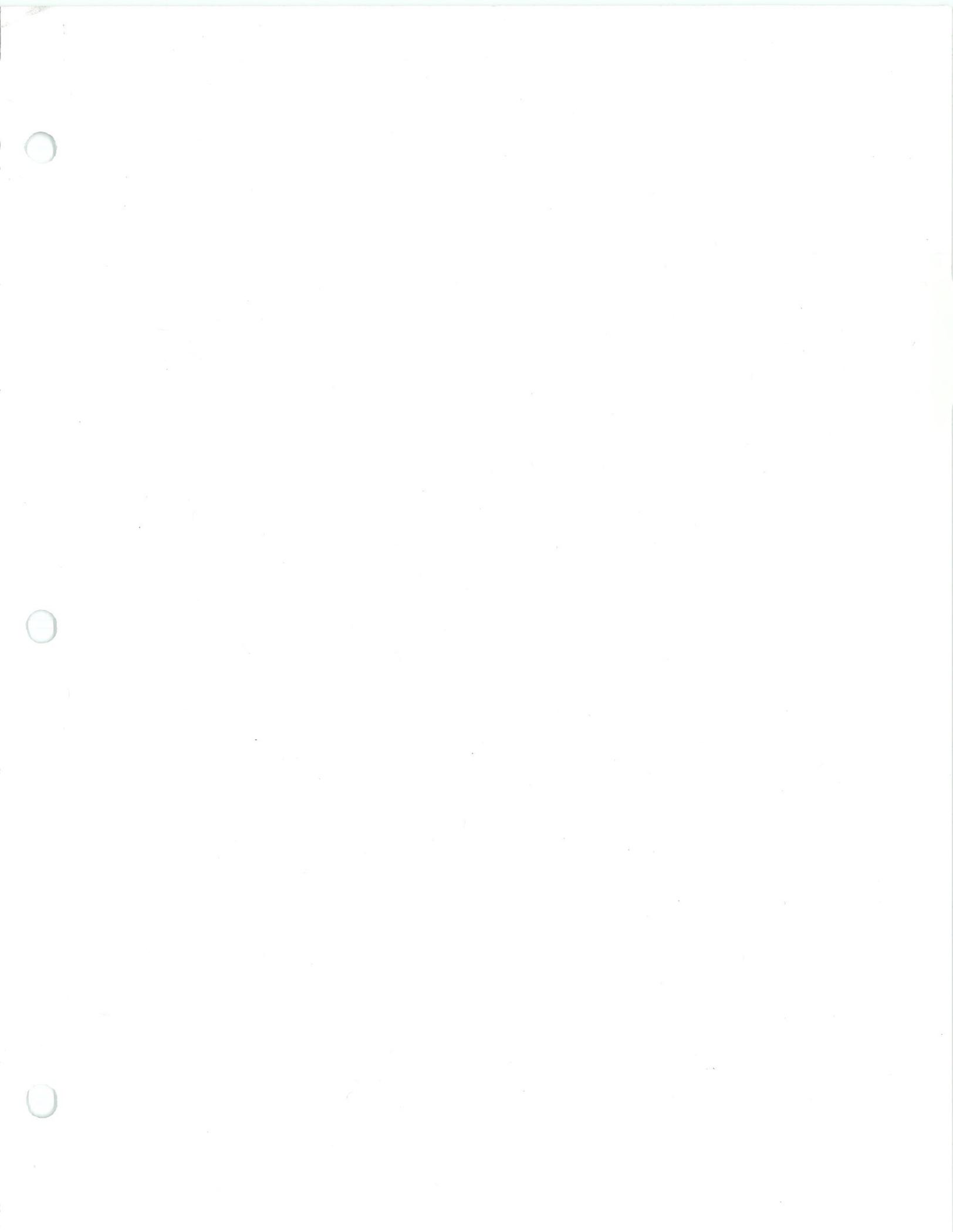
  
\_\_\_\_\_  
Kristen Denne  
Township Secretary

By counter-signature below, Applicant agrees to and accepts each of the conditions to the grant of its application for final land development approval set forth above.

Date: 19-Apr-2019

By:

  
\_\_\_\_\_  
Authorized Agent for Applicant  
Robert J Nault  
\_\_\_\_\_  
Printed Name



# FINAL LAND DEVELOPMENT PLANS

FOR

# DOWNINGTOWN INVESTORS, LLC

PROPOSED TACO BELL with DRIVE-THRU SERVICE  
50 ROCK RAYMOND ROAD  
CALN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA

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COVER SHEET		1 OF 25
EROSION and SEDIMENT CONTROL PLAN	ES	2 OF 25
EROSION and SEDIMENTATION CONTROL NOTES	INE 7	3 OF 25
EROSION and SEDIMENT CONTROL DETAILS	DE 1	4 OF 25
EXISTING CONDITIONS & DEMOLITION PLAN	ECD	5 OF 25
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TRUCK MOVEMENT PLAN	TR1-TR2	23 - 24 OF 25
DRIVEWAY/ STORM PROFILES	PR	25 OF 25

KNOW WHAT'S BELOW.  
CALL BEFORE YOU DIG



STATE OF PENNSYLVANIA ONE CALL  
DIAL 811 or 1-800-242-1778  
WWW.PA1CALL.ORG  
TICKET #20181203367

REVISION LOG		
1	2018-07-10	PER TWP REVIEW LTRS (8/14/18 ENG; 5/22/18 TRAFFIC; 5/30/18 SEWER)
2	2018-09-04	PER UTIL. SRVY. (GAS ELEVLS.), TWP/ZONING REV. LTRS: NPDES SUBM.
3	2018-10-10	REV PER NPDES COMPLETENESS REVIEW COMMENTS
4	2018-12-06	REVISIONS PER TOWNSHIP ENGINEER COMMENTS
5	2018-12-12	REV PER SEWER ENG. REV. LTR.
6	2019-01-17	REV PER SEWER ENG. REV. LTR., NPDES PERMIT REVIEW LTR
7	2019-01-31	FINAL LAND DEVELOPMENT APPLICATION
8	2019-03-15	REV PER D.M.W.A. ENGINEER COMMENTS
9	2019-08-08	REV. PER PYLON LOCATION & FINAL PLAN RESOLUTION COMPLIANCE
10	2019-12-08	REV. PER TWP REVIEW LETTER AND TO ISSUE FOR FINAL RECORDING



RYAN T. WHITMORE  
PROFESSIONAL ENGINEER  
PENNSYLVANIA LICENSE NO. 076558

### WAIVER RELIEF GRANTED

THE FOLLOWING WAIVERS FROM THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE WERE APPROVED BY THE BOARD OF COMMISSIONERS AT A PUBLIC MEETING HELD ON JANUARY 31, 2019:

§135-309. REQUIRING INFILTRATION OF THE INCREASED VOLUME OF RUNOFF FROM THE PARCELS DUE TO THE REDUCTION IN RECHARGE FROM THE CREATION OR EXPANSION OF IMPERVIOUS SURFACES.

§135-307 A AND §135-308 A. REQUIRING THE POST-DEVELOPMENT TWO-YEAR TWENTY-FOUR HOUR DESIGN STORM BE REDUCED TO THE PRE-DEVELOPMENT ONE-YEAR, TWENTY-FOUR HOUR DURATION PRECIPITATION, USING THE SCS TYPE II DISTRIBUTION.

§135-307 D. REQUIRING THE MINIMUM ORIFICE SIZE IN THE OUTLET STRUCTURE TO THE BMP SHALL BE THREE INCHES TO PERMIT A ONE INCH ORIFICE WITH A GRAVEL FILTER IN ACCORDANCE WITH SECTION 135-307 E.

§135-311.C. REQUIRING STORMWATER PIPES TO HAVE A MINIMUM SLOPE OF 1%.

§135-311.K. REQUIRING THE UNDERGROUND BASIN BOTTOMS TO BE SLOPED A MINIMUM OF ONE PERCENT.

§137-60. REQUIRING SHADE TREES BE PLANTED ALONG THE FRONTAGE AT FORTY-FOOT INTERVALS, OR AS DIRECTED BY THE TOWNSHIP ENGINEER. (ROCK RAYMOND ROAD)

THE FOLLOWING WAIVERS FROM THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE WERE APPROVED BY THE BOARD OF COMMISSIONERS AT A PUBLIC MEETING HELD ON APRIL 11, 2019.

§137-67.H. ESTABLISHING TOTAL FUTURE TRAFFIC DEMAND AND PERMIT THE USE OF PENNDOT APPROVED GROWTH RATE.

### ZONING RELIEF GRANTED

ZONING HEARING BOARD VARIANCES

THE ZONING HEARING BOARD, AT A MEETING HELD ON JANUARY 4, 2019, GRANTED THE FOLLOWING VARIANCES FROM THE TOWNSHIP ZONING ORDINANCE:

§135-307 A AND §135-308 A. REQUIRING THE POST-DEVELOPMENT TWO-YEAR TWENTY-FOUR HOUR DESIGN STORM BE REDUCED TO THE PRE-DEVELOPMENT ONE-YEAR, TWENTY-FOUR HOUR DURATION PRECIPITATION, USING THE SCS TYPE II DISTRIBUTION.

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§137-60. REQUIRING SHADE TREES BE PLANTED ALONG THE FRONTAGE AT FORTY-FOOT INTERVALS, OR AS DIRECTED BY THE TOWNSHIP ENGINEER. (ROCK RAYMOND ROAD)

### ORDER OF CONDITIONAL USE

AND NOW, THIS 13TH DAY OF SEPTEMBER, 2019, THE BOARD APPROVES A CONDITIONAL USE PURSUANT TO SECTION 155-70.4 OF THE ORDINANCE TO ALLOW THE DEVELOPMENT OF A COMMERCIAL DRIVE-THROUGH ESTABLISHMENT FOR THE PROPOSED TACO BELL FAST FOOD RESTAURANT ON THE PROPERTY PURSUANT TO THE CONDITIONS SET FORTH HEREIN BELOW, PURSUANT TO THE AUTHORITY IN SECTION 155-46.G. THE BOARD APPROVES THE LOCATION OF THE DUMPSTER AS SHOWN ON THE PLANS. THE BOARD ALSO APPROVES THE LOCATION OF THE PARKING SPACES AND LOADING AREA IN THE FRONT YARD AS DEPICTED ON THE PLANS.

CONDITIONS OF APPROVAL:

- THE COMMERCIAL DRIVE-THROUGH ESTABLISHMENT SHALL BE DEVELOPED IN ACCORDANCE WITH THE TESTIMONY AND EVIDENCE PRESENTED AT THE HEARING AND THE PLANS, AS SUCH PLANS ARE REVISED TO COMPLY WITH THE CONDITIONS OF APPROVAL IMPOSED HEREIN AND TO OBTAIN FINAL LAND DEVELOPMENT APPROVAL FROM THE BOARD.
- THE PLANS SHALL BE REVISED TO COMPLY WITH ALL OUTSTANDING COMMENTS FROM THE FOLLOWING TOWNSHIP CONSULTANTS' REVIEW LETTERS:
  - LETTER DATED AUGUST 3, 2018 FROM ALBERT FEDERICCO;
  - LETTER DATED MAY 26, 2019 FROM GILMORE & ASSOCIATES, LLC;
  - LETTER DATED AUGUST 2, 2018 FROM CESHVILLE ENGINEERING, LLC
- APPLICANT SHALL DEMONSTRATE COMPLIANCE WITH THESE LETTERS TO THE SATISFACTION OF THE RESPECTIVE TOWNSHIP CONSULTANT PRIOR TO ISSUANCE OF FINAL LAND DEVELOPMENT APPROVAL FROM THE BOARD.
- APPLICANT AND ANY SUCCESSOR OR ASSIGN IN TITLE WHO UTILIZES THE COMMERCIAL DRIVE-THROUGH SHALL PROHIBIT DELIVERIES TO THE RESTAURANT DURING ANY HOURS THAT THE RESTAURANT IS OPEN FOR BUSINESS. ALL DELIVERIES MUST OCCUR WHEN THE RESTAURANT IS CLOSED.
- NO TRACTOR-TRAILERS WITH REFRIGERATION UNITS SHALL BE PERMITTED TO MAKE DELIVERIES TO THE RESTAURANT. DELIVERY VEHICLES SHALL BE PROHIBITED FROM IDLING IN THE PARKING LOT AT ANY TIME.
- APPLICANT SHALL LOCATE THE SPEAKER/MICROPHONE FOR THE DRIVE-THROUGH WINDOW IN A LOCATION THAT IS SCREENED BY THE TRASH ENCLOSURE OR BUILDING. THE LOCATION OF THE SPEAKER SHALL BE APPROVED BY THE BOARD AS PART OF LAND DEVELOPMENT / APPROVAL.
- TRASH PICKUP TO THE RESTAURANT MAY NOT OCCUR DURING THE RESTAURANT'S PEAK HOURS OF 10:00 P.M. - 1 P.M. AND 4:00 P.M. TO 5:30 P.M. AND MUST COMPLY WITH ALL OTHER RELEVANT PROVISIONS IN THE CALN CODE.
- APPLICANT SHALL IMPLEMENT ALL TRAFFIC IMPROVEMENTS SUGGESTED BY ITS TRAFFIC CONSULTANT WHICH ARE SET FORTH IN THE TIA AND FINDING OF FACT NUMBER 41 ABOVE. THE DETAILS OF HOW APPLICANT DEMONSTRATES COMPLIANCE WITH IMPLEMENTATION OF THESE RECOMMENDATIONS SHALL BE DETERMINED BY THE BOARD AND PENNDOT DURING FINAL LAND APPROVAL.
- IF PENNDOT REQUIRES THE TOWNSHIP TO BE A PERMITTEE ON ANY SIGNALS ASSOCIATED WITH THE MID-BLOCK CROSSING OF ROCK RAYMOND ROAD APPLICANT SHALL MAKE A CONTRIBUTION TO THE TOWNSHIP IN THE AMOUNT OF \$3,000.00 TO PROVIDE SUFFICIENT FLADE TOWARDS REMBURSEMENT TO THE TOWNSHIP FOR MAINTENANCE OF THE PEDESTRIAN SIGNALS ASSOCIATED WITH THIS MIDBLOCK CROSSING. SUCH CONTRIBUTION SHALL BE MADE UPON ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE RESTAURANT.
- APPLICANT SHALL AGREE TO THE NOISE REGULATIONS IN SECTION 155-185 OF THE ORDINANCE. THESE STANDARDS INCLUDE BUT ARE NOT LIMITED TO: BOWLS, CRATES, CONTAINERS, BUILDING MATERIALS, GARBAGE CANS OR OTHER MOTOR VEHICLES OR OTHER NOISE SOURCES ON OPEN, CLOSED OR OTHERWISE HANDLE OF THE FOLLOWING DAY IN SUCH A MANNER AS TO BE PLAINLY AUDIBLE ACROSS A PROPERTY LINE.
- THE FOLLOWING RESTRICTION: NO PERSON SHALL LOAD OR UNLOAD TRUCKS OR OTHER MOTOR VEHICLES ON OPEN, CLOSED OR OTHERWISE HANDLE OF THE FOLLOWING DAY IN SUCH A MANNER AS TO BE PLAINLY AUDIBLE ACROSS A PROPERTY LINE.
- ALL LIGHTING ON THE EXTERIOR OF THE BUILDING SHALL COMPLY WITH THE REQUIREMENTS IN THE ORDINANCE AND ALL LIGHT FIXTURES IN THE PARKING LOT MUST BE DIRECTED DOWNWARDS AND APPROPRIATELY SHIELDED TO PREVENT GLARE ON ADJACENT RESIDENTIAL PROPERTIES.
- APPLICANT SHALL PROVIDE ENERGY EFFICIENT LIGHTING FIXTURES THAT MEET THE ILLUMINATING ENGINEERING SOCIETY ILLUMINATION STANDARDS FOR COMMERCIAL USES. THE IES STANDARD IN EFFECT AT THE TIME OF FINAL PLAN APPROVAL SHALL APPLY.
- APPLICANT AND ITS SUCCESSORS AND ASSIGNS IN INTEREST TO THE PROPERTY SHALL BE STRICTLY BOUND BY:
  - ALL THE REPRESENTATIONS, WARRANTIES AND COMMITMENTS MADE BY OR ON BEHALF OF THE APPLICANT AND THE TESTIMONY, PLANS OR OTHER EVIDENCE THAT WERE INTRODUCED INTO THE RECORD ON THESE PROCEEDINGS WHETHER OR NOT EXPRESS REFERENCE IS MADE TO SAID REPRESENTATIONS, WARRANTIES AND COMMITMENTS IN THIS DECISION; AND
  - ALL OF THE FOREGOING CONDITIONS OF APPROVAL.
- APPLICANT SHALL ACCEPT THE CONDITIONS OF APPROVAL WITHIN FIFTEEN (15) DAYS OF THIS ORDER BY SENDING WRITTEN NOTICE OF ACCEPTANCE ADDRESSED TO THE BOARD.

### PERMIT/APPROVAL SUMMARY TABLE

PERMIT / NPDES	APPROVAL DATE	EXPIRATION	PERMIT #
CHESTER COUNTY CONSERVATION DISTRICT HIGHWAY OCCUPANCY PERMIT	2/26/2019	2/25/2024	PA161502
CALN TOWNSHIP MUNICIPAL AUTHORITY DOWNINGTOWN MUNICIPAL WATER AUTHORITY COLUMBIAN/TRANSCANADA	3/2/2019	2/4/2019	152572

### STORMWATER / EROSION CONTROL CONSISTENCY NOTE

THE FOLLOWING PLANS HAVE BEEN PREPARED AND DESIGNED TO BE CONSISTENT WITH THE DESIGN REPORTS FOR POST-CONSTRUCTION STORMWATER MANAGEMENT AND EROSION AND SEDIMENT POLLUTION CONTROL. THE PLANS AND REPORTS SHALL BE CONSIDERED THE COMPLETE POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN AND EROSION CONTROL PLAN RESPECTIVELY.

REPORT	TITLE	DATE	REVISED
PSM	POST-CONSTRUCTION STORMWATER MANAGEMENT REPORT - PROPOSED TACO BELL WITH DRIVE-THRU SERVICE	4/23/2018	10/1/2019
ES	EROSION & SEDIMENT POLLUTION CONTROL REPORT - PROPOSED TACO BELL WITH DRIVE-THRU SERVICE	4/2/2018	1/31/2019

### APPROVAL BLOCKS

#### OWNER'S STATEMENT

I, ROBERT J. NASUTI OF WINTERSTAR CORPORATION, A PENNSYLVANIA CORPORATION, MANAGER OF DOWNINGTOWN INVESTORS, LLC, THE LEGAL OWNER OF TAX PARCEL 36-03-27 HEREBY APPROVE AND ADOPT THE PLAN AND UNDERSTAND THIS PLAN COMPLIES WITH SECTION 137-45 OF THE CALN TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

BY: Robert J. Nasuti DATE: 12-10-2019

TITLE: President

#### BOARD OF COMMISSIONERS

APPROVED BY RESOLUTION OF THE BOARD OF COMMISSIONERS OF CALN TOWNSHIP ON THE 14th DAY OF December, 2019.

Quinn M. Burns  
PRESIDENT

Joe Hill  
MEMBER

Chris  
MEMBER

#### OWNER'S ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF Montgomery

ON THIS THE 10th DAY OF December, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE COMMONWEALTH OF PENNSYLVANIA, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED ROBERT J. NASUTI, WHO ACKNOWLEDGED HIMSELF TO BE THE PRESIDENT OF WINTERSTAR CORPORATION, A PENNSYLVANIA CORPORATION, MANAGER OF DOWNINGTOWN INVESTORS, LLC, AND THAT HE, AS SUCH OFFICER BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

#### CALN TOWNSHIP ENGINEER CERTIFICATION

REVIEWED BY THE TOWNSHIP ENGINEER OF CALN TOWNSHIP THIS 17th DAY OF December, 2019.

SIGNATURE: [Signature]

#### WITNESS MY HAND AND SEAL THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC

Alexandra Desjardins  
ALEXANDRA DESJARDINS  
Notary Public  
WEST CONSHOCKER BORO, MONTGOMERY COUNTY  
My Commission Expires Aug 7, 2021

#### CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT THE SURVEY DESCRIBED HEREON, IS TRUE AND CORRECT TO THE ACCURACY OF THE SURVEYING INSTRUMENTS AND THE MUNICIPAL ORDINANCES AND ACCEPTED ENGINEERING PRACTICES.

RYAN WHITMORE, PE  
PENNSYLVANIA LICENSE NO. 076558  
LANDCORE ENGINEERING CONSULTANTS, P.C.  
PO BOX 375386  
PHILADELPHIA, PENNSYLVANIA 19101-0325

DATE: 12/10/19

#### RECORDING CERTIFICATION

RECORDED IN THE RECORDER OF DEEDS IN AND FOR CHESTER COUNTY, IN SUBDIVISION BOOK \_\_\_\_\_ VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_ WITNESS MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

RECORDER OF DEEDS - RICK LOUGHERY

#### CHESTER COUNTY PLANNING COMMISSION

THE CHESTER COUNTY PLANNING COMMISSION, AS REQUIRED BY THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, ACT 247 OF 1958 AS AMENDED, REVIEWED THIS PLAN ON \_\_\_\_\_ AND A COPY OF THE REVIEW IS ON FILE AT THE OFFICE OF THE PLANNING COMMISSION IN FILE NO. \_\_\_\_\_ CALN

Blair N. Olney  
SECRETARY

Land Dev ID: PR-004914-2018  
Plan Number: LD-09-18-15604

#### SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY TO CALN TOWNSHIP, THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ON DECEMBER 10, 2019, THIS PLAN AND SURVEY WERE PERFORMED IN ACCORDANCE WITH THE LATEST DECISIONS OF THE BOARD OF PROFESSIONAL LAND SURVEYORS IN THE COMMONWEALTH OF PENNSYLVANIA, AS ADOPTED BY THE PENNSYLVANIA SOCIETY OF LAND SURVEYORS, HEREBY CERTIFY THE ACCURATE BOUNDARY LINES WHICH PROVIDE A SURVEY OF THE TRACT, CLOSE WITH ERROR OF NOT MORE THAN ONE FOOT IN 10,000 FEET.

SIGNATURE: [Signature]

DATE: 12-10-2019

JOSEPH JAMES WRIGHT  
LAND SURVEYOR

#### LANDOWNER CERTIFICATION

THE LANDOWNER ACKNOWLEDGES THAT, PER THE PROVISIONS OF THE MUNICIPALITY'S STORMWATER MANAGEMENT ORDINANCE, IT IS UNLAWFUL TO MODIFY, REMOVE, FILL, LANDSCAPE, ALTER OR IMPAIR THE EFFECTIVENESS OF, OR PLACE ANY STRUCTURE, OTHER VEGETATION, YARD WASTE, CUTTINGS, OR OTHER WASTE OR DEBRIS INTO ANY PERMANENT STORMWATER MANAGEMENT BMP OR CONVEYANCE DESCRIBED IN THIS O&M PLAN OR TO ALLOW THE BMP OR CONVEYANCE TO EXIST IN A CONDITION WHICH DOES NOT CONFORM TO THIS O&M PLAN, WITHOUT WRITTEN APPROVAL FROM THE MUNICIPALITY.

Robert J. Nasuti  
LANDOWNER

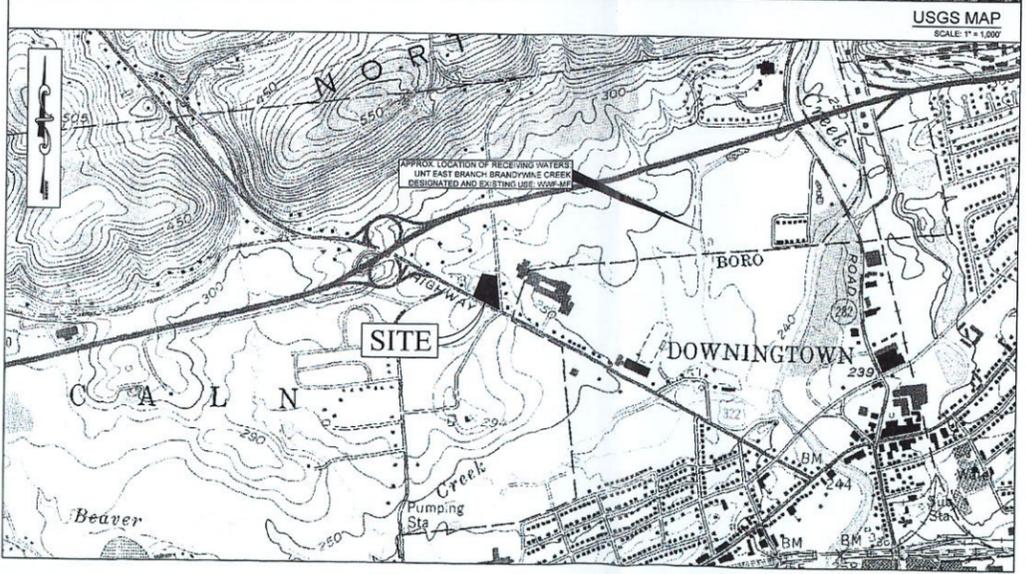
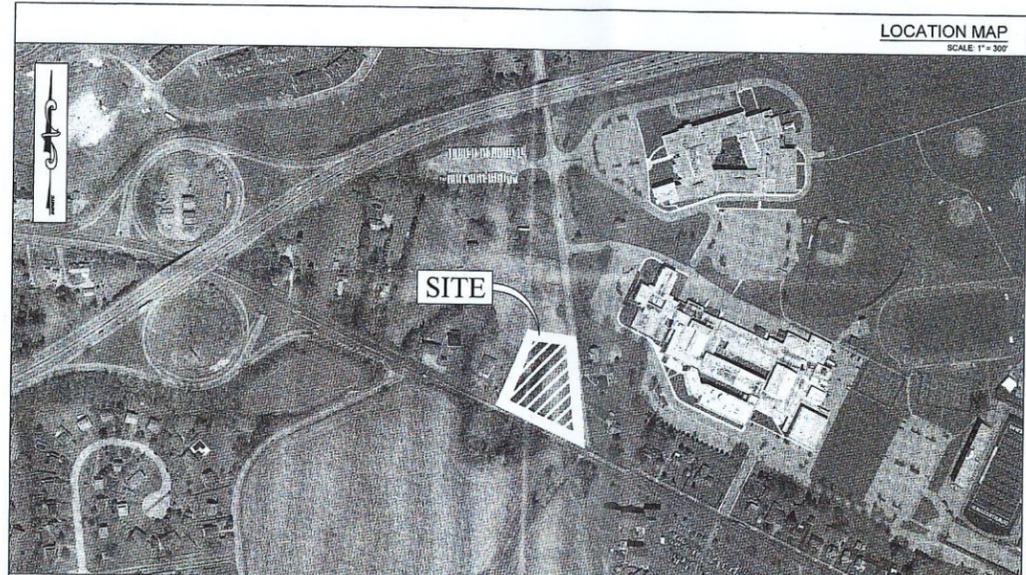
DATE: 12-10-2019

### PLANS PREPARED FOR

## DOWNINGTOWN INVESTORS, LLC

39-2-27 ✓

11 BALLGOWN ROAD, P.O. BOX 626  
CONSHOCKER, PA 19328  
ATTN: MR. JOSEPH DUPASCALE  
(610) 528-1000 X132  
JDUPASCALE@SUMMERWOOD.BZ



PROJECT: 171921  
DRAWN BY: M. BISH  
CHECKED BY: R. WHITMORE  
CAD FILE: 01\_CL\_170027

LANDCORE Engineering Consultants, P.C.  
PHONE: 215-488-5101 | FAX: 215-532-4243  
PHILADELPHIA, PENNSYLVANIA 19101-0325

PROJECT: DOWNINGTOWN INVESTORS, LLC  
PROPOSED TACO BELL WITH DRIVE-THRU SERVICE  
50 ROCK RAYMOND ROAD  
CALN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA

TITLE: COVER SHEET

SCALE: AS NOTED

DATE: 2018-04-27

SHEET: 1 of 25 REV. NO.

CL 10

11710169 B1/18/202001.22 PM  
Doc No: 11710169 B1/18/202001.22 PM  
Recorder of Deeds  
Chester County, Pennsylvania

**RECORD NOTES**

- THE PROJECT SITE USE OUTSIDE OF THE ONE HUNDRED YEAR FLOODPLAIN BOUNDARY AS INDICATED ON FLOOD INSURANCE RATE MAP NO. 420290145G, EFFECTIVE DATE 9/28/2017.
- A BLANKET EASEMENT IS HEREBY GRANTED TO THE MUNICIPALITY FOR ACCESS AND INSPECTION OF THE STORMWATER BEST MANAGEMENT PRACTICES (BMP) AS INDICATED ON THESE PLANS. THE MUNICIPALITY SHALL HAVE THE RIGHT, BUT NOT THE DUTY, OF REASONABLE ACCESS AT REASONABLE TIMES TO EVERY BMP AND CONVEYANCE FROM A PUBLIC RIGHT-OF-WAY OR ROADWAY INTO THE PROPERTY TO CONDUCT PERIODIC INSPECTIONS AS OUTLINED IN THE EASEMENT AGREEMENT AND TO UNDERTAKE OTHER ACTIONS THAT MAY BE NECESSARY TO ENFORCE THE REQUIREMENTS OF THE CALN TOWNSHIP STORMWATER MANAGEMENT ORDINANCE, AND ANY APPLICABLE OPERATION AND MAINTENANCE PLANS AND OPERATION AND MAINTENANCE AGREEMENTS.
- STATEMENT OF PROPOSED IMPROVEMENTS: THE PROJECT PROPOSES THE INSTALLATION OF A FAST FOOD RESTAURANT, WITH DRIVE-THRU TWO UNDERGROUND STORMWATER MANAGEMENT BASINS, WITH ASSOCIATED UTILITIES (UTILITY SERVICE CONNECTIONS; INSTALLATION OF AN ACCESS DRIVEWAY TO HORSESHOE PIKE; CONNECTION TO AN EXISTING ACCESS DRIVEWAY ON THE ADJACENT PARCEL; AND INSTALLATION OF A SANITARY FOREMAN ALONG HORSESHOE PIKE).
- THE ASSOCIATED PLANS ARE IN GENERAL CONFORMANCE WITH ENGINEERING, ZONING, AND SANITATION AS OTHER APPLICABLE TOWNSHIP ORDINANCES AND REGULATIONS. FOR PORTIONS OF THE PROJECT NOT IN CONFORMANCE, APPROPRIATE RELIEF HAS BEEN REQUESTED FROM THE TOWNSHIP REFER TO THE ZONING VARIANCE REGULATIONS AND WAIVER REQUESTS LISTED ON THE COVER SHEET OF THE PLANS (SHEET CL).
- A DEED RESTRICTION SHALL BE PLACED UPON THE PROPERTY FOR THE OWNERSHIP AND MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITIES IN ACCORDANCE WITH THESE PLANS AND THE APPROVED AND RECORDED NPDES PERMIT PLANS.
- NO ALTERATION OR REMOVAL OF THE STORMWATER MANAGEMENT FACILITIES, THE STORMWATER MANAGEMENT FACILITIES AS DEPICTED HEREIN ARE PERMANENT STRUCTURES. NO PERSON SHALL MODIFY, REMOVE, FILL, LANDSCAPE OR ALTER STORMWATER MANAGEMENT FACILITIES WHICH MAY HAVE BEEN INSTALLED ON A PROPERTY UNLESS A STORMWATER MANAGEMENT PLAN REVISION HAS BEEN SUBMITTED TO AND APPROVED BY THE BOARD OF COMMISSIONERS, WITH THE ADVICE OF THE TOWNSHIP ENGINEER AND THE COUNTY CONSERVATION DISTRICT, WHICH AUTHORIZES SUCH MODIFICATION, REMOVAL, FILLING, LANDSCAPING OR ALTERATION. NO PERSON SHALL PLACE ANY STRUCTURE, FILL, LANDSCAPING OR VEGETATION WITHIN A STORMWATER MANAGEMENT FACILITY OR WITHIN A DRAINAGE EASEMENT WHICH HAS THE EFFECT OF OR IN ANY MANNER LIMITS OR IMPAIRS THE FUNCTIONING OF THE FACILITY OR EASEMENT IN ACCORDANCE WITH ITS DESIGN AND INTENDED FUNCTION.
- THE LAND BETWEEN THE TITLE LINE AND THE ULTIMATE RIGHT-OF-WAY LINE IS HEREBY OFFERED FOR DEDICATION TO PENNSYLVANIA.
- THE PROPERTY IS REQUIRED TO COMPLY WITH SECTION 155-88(B) OF THE TOWNSHIP CODE. THE PROPOSED RESTAURANT WHICH DOES NOT EMISSIONS WHICH VIOLATE ANY STATE OR FEDERAL AIR QUALITY STANDARDS.
- ALL PLANT MATERIAL AS REQUIRED ON THE APPROVED PLANS SHALL BE PERMANENTLY MAINTAINED. PLANT MATERIAL WHICH DOES NOT LIVE SHALL BE REPLACED.
- APPLICANT AND ANY SUCCESSOR OR ASSIGN IN TITLE WHO UTILIZES THE COMMERCIAL DRIVE THROUGH DRIVEWAY TO THE RESTAURANT SHALL BE RESPONSIBLE FOR ANY DAMAGE THAT THE RESTAURANT IS OPEN FOR BUSINESS. ALL DELIVERIES MUST OCCUR WHEN THE RESTAURANT IS CLOSED.
- NO TRACTOR TRAILERS, WITH REFRIGERATION UNITS SHALL BE PERMITTED TO MAKE DELIVERIES TO THE RESTAURANT. DELIVERY VEHICLES SHALL BE PROHIBITED FROM IDLING IN THE PARKING LOT AT ANY TIME.
- TRASH PICKUP TO THE RESTAURANT MAY NOT OCCUR DURING THE RESTAURANT'S PEAK HOURS OF 12:00 P.M.-1:00 P.M. AND 4:00 P.M. TO 5:30 P.M. AND MUST COMPLY WITH ALL OTHER RELEVANT PROVISIONS IN THE CALN CODE.
- IF PENNDOT REQUIRES THE TOWNSHIP TO BE A PERMITTEE ON ANY SIGNALS ASSOCIATED WITH THE MID-BLOCK CROSSING OF ROCK RAYMOND ROAD, APPLICANT SHALL MAKE A CONTRIBUTION TO THE TOWNSHIP IN THE AMOUNT OF \$5,000.00 TO PROVIDE SUFFICIENT FUNDS TOWARDS REIMBURSEMENT TO THE TOWNSHIP FOR MAINTENANCE OF THE PEDESTRIAN SIGNALS ASSOCIATED WITH THIS MID-BLOCK CROSSING. SUCH CONTRIBUTION SHALL BE MADE UPON ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE RESTAURANT.
- THE PROPERTY IS REQUIRED TO ADHERE TO THE NOISE REGULATIONS IN SECTION 165-185 OF THE ORDINANCE. THESE STANDARDS INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING RESTRICTIONS: NO PERSON SHALL LOAD OR UNLOAD TRUCKS OR OTHER MOTOR VEHICLES OR OPEN, CLOSE OR OTHERWISE HANDLE BOXES, CRATES, CONTAINERS, BUILDING MATERIALS, GARbage CANS OR OTHER OBJECTS BETWEEN THE HOURS OF 10:00 P.M. OF ONE DAY AND 7:00 A.M. OF THE FOLLOWING DAY IN SUCH A MANNER AS TO BE PLAINLY AUDIBLE ACROSS A PROPERTY LINE.
- FINAL AS-BUILT PLANS PREPARED IN ACCORDANCE WITH 155-502 SHALL BE SUBMITTED TO THE TOWNSHIP FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR THE BUILDING.
- IF A FIRE SUPPRESSION SYSTEM IS REQUIRED IT SHALL BE INSTALLED AS PER SECTION 137-47 B.
- ALL CONNECTIONS FOR FIRE SUPPRESSION SYSTEMS SHALL COMPLY WITH SECTION 137-47 F.
- A KNOX BOX SHALL BE INSTALLED ON THE FRONT OF THE BUILDING NO FURTHER THAN 10 FEET FROM THE FRONT ENTRANCE, AND THE BOTTOM OF THE BOX SHALL BE NO HIGHER THAN FIVE FEET FROM FINISHED GRADE.

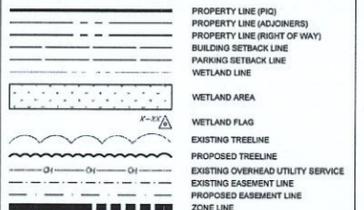
**SITE PLAN NOTES**

- ALL WORK AND MATERIALS SHALL COMPLY WITH ALL TOWNSHIP / COUNTY REGULATIONS AND CODES AND OSHA STANDARDS.
- CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
- ALL DISTURBED AREAS ARE TO RECEIVE SIX INCHES OF TOPSOIL, SEED, MULCH AND WATER UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED.
- ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED. ALL RADII SHALL HAVE A MINIMUM 5 FOOT RADIUS UNLESS OTHERWISE NOTED.
- EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED OR RELOCATED AS NECESSARY. ALL COSTS SHALL BE INCLUDED IN BASE BID.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE SIGNS, TRAFFIC SIGNALS AND POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES' SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COSTS SHALL BE INCLUDED IN BASE BID.
- THE SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED MUNICIPAL STANDARDS.
- THIS SITE SHALL BE SERVICED BY PUBLIC WATER AND SANITARY SEWER.
- BY APPROVAL OF THIS PLAN THE MUNICIPALITY HAS NEITHER CONFIRMED NOR DENIED THE EXISTENCE AND/OREXTEND OF ANY WETLAND AREAS WHETHER OR NOT DELINEATED ON THE SAID PLAN AND ANY ENCROACHMENT THEREON FOR ANY REASON WHATSOEVER SHALL BE THE SOLE RESPONSIBILITY OF THE DEVELOPER. HIS HEIRS AND ASSIGNS AND SHALL BE SUBJECT TO THE JURISDICTION OF THE ARMY CORPS OF ENGINEERS AND/OR THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES AS THE SAID ENCROACHMENT SHALL CONFORM TO THE RULES AND REGULATIONS OF THE JURISDICTIONAL AGENCIES.

**GAS PIPELINE R/W NOTES**

- WARNING TAPE, PER APVA COLOR CODE, SHALL BE INSTALLED ABOVE THE PROPOSED GAS AND WATER SERVICE LINES, 12" BELOW GROUND, FOR THE LENGTH OF TRANSCANADA'S RIGHT-OF-WAY.
- THE PROPOSED GAS AND WATER SERVICE LINES SHALL BE MARKED WITH THE PROPER SIGNAGE AT THE BOUNDARY EDGES OF TRANSCANADA'S RIGHT-OF-WAY.
- THE PROPOSED GAS AND WATER SERVICE LINES SHALL BE INSTALLED WITH A TRACER WIRE FOR THE LENGTH OF TRANSCANADA'S RIGHT-OF-WAY.
- CONTINUOUSLY POURED, STEEL REINFORCED CONCRETE SIDEWALK SHALL NOT BE PERMITTED WITHIN TRANSCANADA'S RIGHT-OF-WAY.
- A HEAVY EQUIPMENT CROSSING INFORMATION FORM SHALL BE SUBMITTED TO TRANSCANADA FOR REVIEW AND APPROVED, BEFORE ANY CONSTRUCTION ACTIVITY TAKES PLACE WITHIN THE TRANSCANADA RIGHT-OF-WAY.
- A COMPANY REPRESENTATIVE SHALL BE ONSITE DURING ALL CONSTRUCTION ACTIVITY TAKING PLACE WITHIN TRANSCANADA'S RIGHT-OF-WAY.

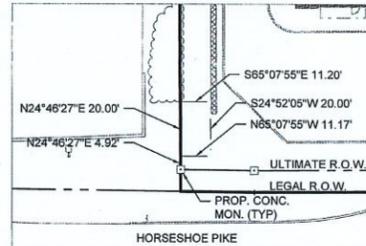
**SITE PLAN LEGEND**



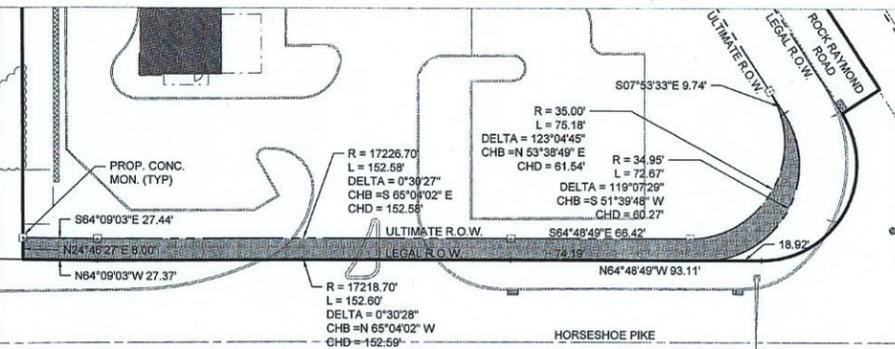
**SITE TABLE**

C	PROPOSED SITE FEATURE DESIGNATIONS
C1	6" CONCRETE CURB
C2	5" CONCRETE SIDEWALK
C3	ADA ACCESSIBLE RAMP
C4	DEPRESSED CURB
C5	12"x20" MASONRY TRASH ENCLOSURE w/ REIN. CONCRETE MAT
C6	RETAINING WALL (DESIGN BY OTHERS)
C7	4" HIGH POST AND RAIL FENCE w/ WIRE MESH
C8	ADA PARKING AREA
C9	CONCRETE WHEELSTOP
C10	SITE LIGHTING
C11	ELECTRIC TRANSFORMER (POLE MOUNT)
C12	DRAINAGE STRUCTURE
C13	<LABEL REMOVED>
C14	44' SIGHT DISTANCE TRIANGLE
C15	15' CLEAR SIGHT TRIANGLE
C16	MOUNTABLE CURB ISLAND
C17	ULTIMATE RIGHT-OF-WAY (OFFERED FOR DEDICATION)
C18	3" CURB CUTS
C19	PENNDOT REQUIRED RIGHT-OF-WAY

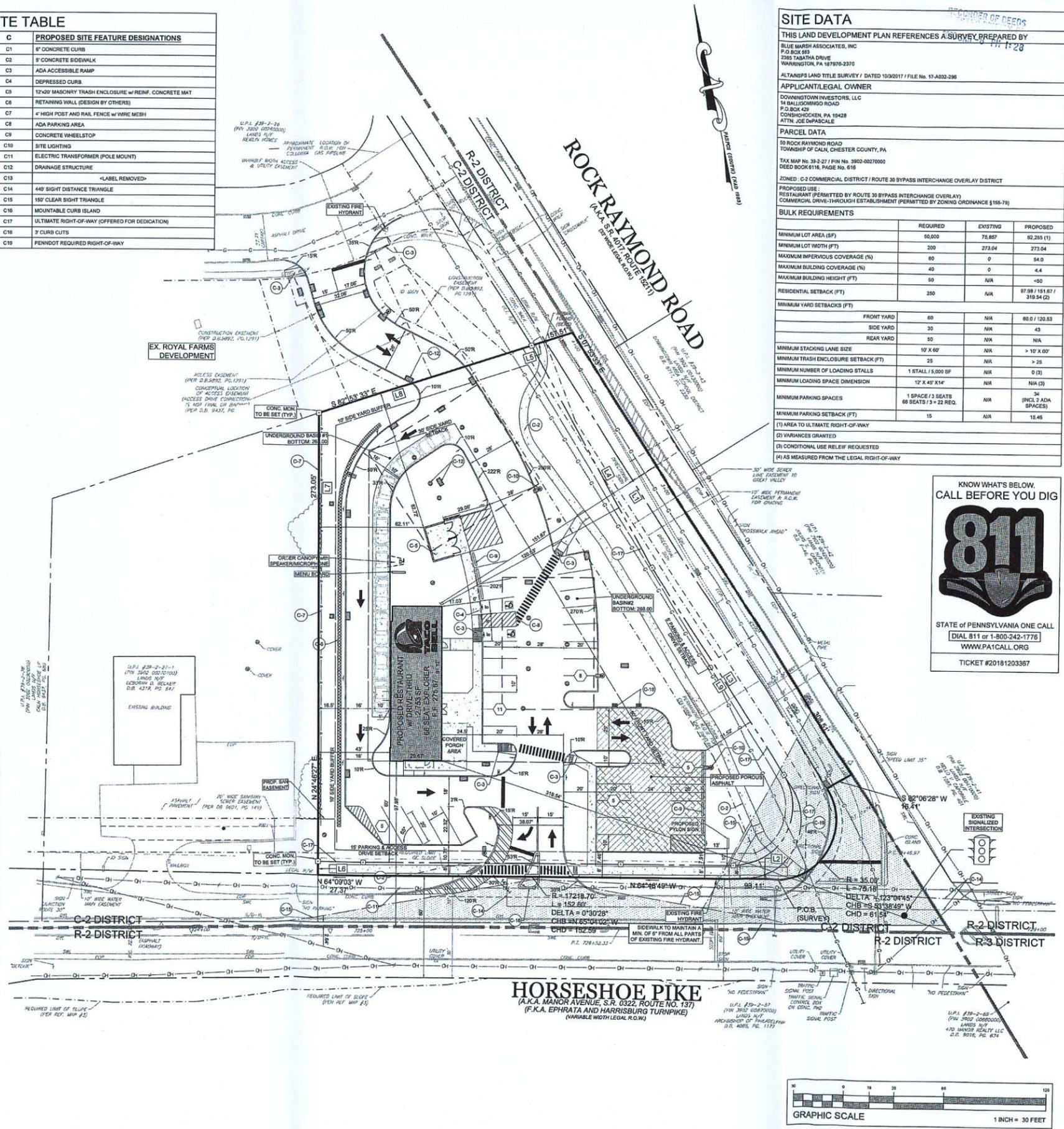
ID	BEARING	DISTANCE
L1	S 01° 53' 33" E	312.91'
L2	N 64° 48' 49" W	18.92'
L3	N 01° 53' 33" W	154.91'
L4	N 04° 28' 25" W	149.01'
L5	S 82° 53' 33" E	8.54'
L6	N 24° 48' 27" E	8.00'
L7	N 24° 48' 27" E	265.05'
L8	S 82° 53' 33" E	131.99'
L9	N 01° 53' 33" W	145.17'



**SANITARY EASEMENT**



**HORSESHOE PIKE RIGHT-OF-WAY**



**SITE DATA**

THIS LAND DEVELOPMENT PLAN REFERENCE A SURVEY PREPARED BY BLUE HARRIS ASSOCIATES, INC. P.O. BOX 663 2385 TAYLOR DRIVE WARRINGTON, PA 15783-2370

ALTOPS LAND TITLE SURVEY / DATED 10/30/17 / FILE NO. 17-0032-298

**APPLICANT/LEGAL OWNER**  
DOWNTOWN INVESTORS, LLC  
14 HALLINGWOOD ROAD  
P.O. BOX 429  
COVINGTOWN, PA 16828  
ATTN: JOE D'APASCALO

**PARCEL DATA**  
50 ROCK RAYMOND ROAD  
TOWNSHIP OF CALN, CHESTER COUNTY, PA  
TAX MAP NO. 39-2-27 / PIN NO. 3902-0027000  
DEED BOOK #116, PAGE NO. 616

ZONED: C-2 COMMERCIAL DISTRICT / ROUTE 30 BYPASS INTERCHANGE OVERLAY DISTRICT

PROPOSED USE: RESTAURANT (PERMITTED BY ROUTE 30 BYPASS INTERCHANGE OVERLAY) COMMERCIAL DRIVE-THROUGH ESTABLISHMENT (PERMITTED BY ZONING ORDINANCE §155-79)

**BULK REQUIREMENTS**

	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA (SF)	60,000	73,867	62,255 (1)
MINIMUM LOT WIDTH (FT)	200	273.04	273.04
MAXIMUM IMPERVIOUS COVERAGE (%)	40	0	54.0
MAXIMUM BUILDING HEIGHT (FT)	60	0	4.4
MAXIMUM BUILDING HEIGHT (FT)	60	N/A	<50
RESIDENTIAL SETBACK (FT)	250	N/A	87.98 / 151.87 / 319.54 (2)
MINIMUM YARD SETBACKS (FT)			
FRONT YARD	60	N/A	80.0 / 120.63
SIDE YARD	30	N/A	43
REAR YARD	50	N/A	N/A
MINIMUM STAGING LANE SIZE	10' X 60'	N/A	> 10' X 60'
MINIMUM TRASH ENCLOSURE SETBACK (FT)	25	N/A	> 25
MINIMUM NUMBER OF LOADING STALLS	1 STALL / 5,000 SF	N/A	0 (3)
MINIMUM LOADING SPACE DIMENSION	12' X 45' X 14'	N/A	N/A (3)
MINIMUM PARKING SPACES	1 SPACE / 3 SEATS 66 SEATS / 3 = 22 REQ.	N/A	34 (INCL ADA SPACES)
MINIMUM PARKING SETBACK (FT)	15	N/A	15.45

(1) AREA TO ULTIMATE RIGHT-OF-WAY  
(2) VARIANCES GRANTED  
(3) CONDITIONAL USE RELIEF REQUESTED  
(4) AS MEASURED FROM THE LEGAL RIGHT-OF-WAY

KNOW WHAT'S BELOW.  
CALL BEFORE YOU DIG

STATE OF PENNSYLVANIA ONE CALL  
DIAL 811 or 1-800-242-1776  
WWW.PA1CALL.ORG  
TICKET #20181203357

RECEIVED  
DEC 11 2019  
CODES DEPARTMENT  
CALN TOWNSHIP

PROJECT: DOWNTOWN INVESTORS, LLC  
PROPOSED TACO BELL WITH DRIVE-THRU SERVICE  
50 ROCK RAYMOND ROAD  
CALN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA

TITLE: SITE / RECORD PLAN

SCALE: (4) AS NOTED (1) = 1"

DATE: 2018-04-27

SHEET: 6 of 25 REV. NO.

SP 10

RYAN T. WHITMORE  
PROFESSIONAL ENGINEER  
PENNSYLVANIA LICENSE NO. 87836

PROJECT NO. 171027  
DRAWN BY: M. TORI  
CHECKED BY: R. WHITMORE  
CADD.#: 06\_SP\_171027

**LANDCORE**  
Engineering Consultants, P.C.  
PO BOX 1345 BERRY  
PHILADELPHIA, PENNSYLVANIA 19104-0305  
PHONE 215-626-5300 | FAX 215-626-4248  
LANCORECONSULTING.COM



## Kristin Camp

---

**From:** Ray Stackhouse <rstackhouse@calntownship.org>  
**Sent:** Monday, July 06, 2020 6:52 AM  
**To:** Kristin Camp  
**Cc:** Kristen Denne  
**Subject:** Fwd: Caln Township - Taco Bell - CU Modification  
**Attachments:** image001.gif

FYI

Sent from my iPhone

Begin forwarded message:

From: Ray Stackhouse <rstackhouse@calntownship.org>  
Date: July 6, 2020 at 6:50:59 AM EDT  
To: Pam Henrichon <phenrichon@calntownship.org>  
Subject: Fwd: Caln Township - Taco Bell - CU Modification

?

Sent from my iPhone

Begin forwarded message:

From: Albert Federico <albert@federico-consulting.com>  
Date: July 3, 2020 at 3:39:46 PM EDT  
To: "Kulakowsky, Bryan" <bryan.kulakowsky@arroconsulting.com>  
Cc: Ray Stackhouse <rstackhouse@calntownship.org>  
Subject: RE: Caln Township - Taco Bell - CU Modification

?

Bryan,

The proposed drive-through modification is not anticipated to materially change to external site traffic. As such an amended traffic study of the site accesses or off-site impacts does not appear warranted.

A statement from the Applicant's Traffic Engineer regarding the impact to on-site circulation does appear warranted.

It is also noted that the current plan provides 60' stacking per lane, the minimum required per ?155-79.B(9). The ordering position in the previous plan was closer to the building providing 80' of stacking (in the one lane).

Be well and have a nice weekend,

Albert Federico, P.E., PTOE  
Albert Federico Consulting, LLC.  
610.608.4336  
albert@federico-consulting.com<mailto:albert@federico-consulting.com>

From: Kulakowsky, Bryan <bryan.kulakowsky@arroconsulting.com>  
Sent: Monday, June 29, 2020 6:05 PM  
To: Albert Federico <albert@federico-consulting.com>  
Cc: Ray Stackhouse <rstackhouse@calntownship.org>  
Subject: Caln Township - Taco Bell - CU Modification

Al,

As discussed, here is the new cover letter from RRHC, site plan and signage & striping plan, which mentions the previously approved traffic study, for the modification to the Taco Bell drive-thru.

The proposed modification is to add a second order point, with a second menu board and speaker.

Please return any comments you may have to me by Friday, July 10th.

Please let me know if you have any questions or have any problems with the attachments.

Thanks,

Bryan

Bryan D. Kulakowsky, P.E.

Assistant Vice President & West Chester Office Manager ARRO Consulting, Inc.

1450 E Boot Road, Bldg 100, Suite 100-B, West Chester, PA 19380

Office: 484.999.6150

[www.arroconsulting.com](http://www.arroconsulting.com)<<http://www.arroconsulting.com/>>

[Description: <http://www.thearrogroup.com/images/emailSignew.gif>]

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[cid:4B5CD52E-245F-49CF-9456-FA5206310978]





TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

## TRAFFIC STUDY ADDENDUM

To: Joe DePascale, Downingtown Investors, LLC  
From: Matthew I. Hammond, P.E., TPD  
Cc: Caln Township  
Raymond Stackhouse, Caln Township  
Albert Federico, P.E., PTOE, Albert Federico Consulting, LLC.  
Project Team  
Date: July 16, 2020

**Additional Drive-Thru Lane – Addendum to April 24<sup>th</sup>, 2018 Traffic Impact Study**  
Re: Proposed Taco Bell  
Caln Township, Chester County, PA  
TPD# SUMM.00005

As you are aware, Downingtown Investors, LLC previously obtained Conditional Use Approval on September 13, 2018 ("Conditional Use Approval") from the Caln Township Board of Commissioners for a commercial drive-through attendant to the Taco Bell restaurant (located at 50 Rock Raymond Road) use pursuant to Section 155-79.A of the Caln Township Zoning Ordinance. The previously approved conditional use plan depicted a single drive-through lane for vehicles. In light of the impact the COVID-19 pandemic has had on the restaurant industry and its customers, Downingtown Investors, LLC has identified a need for a second drive-through lane for vehicles utilizing the food and beverage pick-up service. An Amendment to the Conditional Use Approval was filed relating to a change in the Drive-Thru area associated with the restaurant, which would eliminate a portion of the previously approved by-pass lane and replace it with an additional drive-thru order lane. The purpose of this Addendum is to provide an opinion as to the effect this change will have on the development from a traffic perspective. To that end, two (2) specific aspects of the development were reviewed and the following are TPD's opinion(s).

### TRIP GENERATION

One main aspect of any Land Development project proposed is traffic (trip) generation and the number of vehicular trips which will be generated by the subject development. The amount of traffic generated by a development is typically based on the size of the development (i.e. square footage, number of units, etc.) being proposed. As mentioned, the proposed revision to the plan, which is the subject of the Amendment to Conditional Use, relates to the elimination of a portion of the previously proposed drive-thru by-pass lane and its replacement with an additional drive-thru order lane. Since the size of the subject development is not proposed to change, and no additional units are proposed, it is TPD's opinion the previously proposed number of trips to be generated by the Taco Bell restaurant as outlined in the Traffic Impact Study dated April 24<sup>th</sup>, 2018, prepared by TPD,

will also not change as a result of the additional drive-thru order lane proposed.

### **INTERNAL CIRCULATION/DRIVE-THRU**

As previously mentioned, the addition of the second drive-thru order lane requires the removal of a portion of the previously approved full drive-thru by-pass lane. It should be noted the by-pass lane will remain beyond the order board, which would allow a customer to by-pass the payment/pick-up area in the event the customer enters one of the drive-thru order areas by mistake, or decides not to place an order. Studies have shown that the provision of an additional drive-thru lane will decrease the time a customer has to wait for their order. This means that if a customer were to inadvertently enter one of the drive-thru order areas, the amount of time they may have to wait to exist this area and enter the by-pass area is minimized. In addition to reduced wait times, the drive-thru lanes are located in close proximity to the proposed "rear" driveway which connects into the existing "loop road" constructed as part of the Royal Farms development. This is important, as it will allow customers the ability to exit the facility and access Manor Avenue (Route 322) or Rock Raymond Road in the event they travel towards the Drive-Thru area assuming a by-pass lane is present.

### **CONCLUSIONS**

Based on the above, and TPD's review of the revised plan(s), it is TPD's opinion the changes proposed to the drive-thru area associated with the Taco Bell restaurant subject to the Amendment to Conditional Use Application, will not adversely affect the previously approved layout, from a traffic perspective.

If you have any questions, or need anything further, do not hesitate to contact me.

Attachments: Site Plan dated April 27, 2018, last revised June 15, 2020 prepared by Landcore Engineering Consultants, P.C.





## Kristin Camp

---

**From:** Kulakowsky, Bryan <bryan.kulakowsky@arroconsulting.com>  
**Sent:** Wednesday, July 22, 2020 6:00 PM  
**To:** Kristin Camp  
**Cc:** 'Kristen Denne'; Ray Stackhouse  
**Subject:** Caln Township - July 21, 2020 Planning Commission Meeting - Taco Bell Conditional Use Recommendation

Kristin,

At last night's Planning Commission meeting, the Commissioners voted to recommend the Board of Commissioners grant the Amendment to the Taco Bell Conditional Use without any new conditions.

Please let me know if you have any questions or need additional information.

Thanks,  
Bryan

**Bryan D. Kulakowsky, P.E.**

*Assistant Vice President & West Chester Office Manager*

**ARRO Consulting, Inc.**

1450 E Boot Road, Bldg 100, Suite 100-B, West Chester, PA 19380

Office: 484.999.6150

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