



## **Kardon Park**

## **Request For Proposal**

**Borough of Downingtown**  
**Chester County, PA**

## NOTICE TO BID

The Borough of Downingtown is soliciting bids and proposals from qualified parties for the redevelopment of a 51.7 acre tract of real property on the site known as Kardon Park, located in Downingtown, PA.

Necessary criteria established for the request for proposal (RFP) is further defined in bid packages available at the Borough of Downingtown Municipal Complex, 4-10 West Lancaster Avenue, Downingtown, PA 19335, Monday through Friday 8:30 am to 4:30 pm, for a fee of \$35.00. The purpose of this solicitation is to identify and award the best conceptual development plan for the Borough, through a public bidding process.

Bids and plans are to be clearly marked Kardon Park and submitted to the attention of Stephen T. Sullins, Borough Manager/Secretary, no later than 4:00 p.m. on September 21, 2006 at Borough offices located at 4-10 West Lancaster Avenue, Downingtown, Pennsylvania 19335. It is the intent of the Borough to have this property developed in accordance with the criteria established in this solicitation.

Questions and request to receive packages by mail should be directed to Stephen T. Sullins, (610) 269-0344, extension 203 or by e-mail at [ssullins@downingtwn.org](mailto:ssullins@downingtwn.org).

Stephen T. Sullins  
Borough Manager/Secretary

## Borough of Downingtown Solicitation for Property Bids

### PURPOSE

The Borough of Downingtown is soliciting bids from qualified parties for the redevelopment of parcels of real property further defined in this bid package. The purpose of this solicitation is the identification, through a public bidding process, of a developer who will acquire the majority of the property from the Borough of Downingtown for the purpose of development consistent with the Borough's objectives. Bids are to be submitted to the attention of Stephen Sullins, Borough Manager/Secretary, no later than 4:00 p.m. on September 21, 2006 at Borough Administration Office located at 4-10 West Lancaster Avenue, Downingtown, Pennsylvania 19335. It is the intent of the seller to have this property developed in accordance with the criteria established in this solicitation. It is expected that this project will stimulate economic development by increasing the Borough's inventory of taxable real estate and by enhancing revitalization of the Central Business District (CBD).

↳ Are we in CBD? Map.

### INTRODUCTION

The Borough of Downingtown seeks to redevelop Kardon Park (the "Site"), a 51.7-acre tract of land situated in the Borough and East Cain Township. Refer to **Enclosure 1**. The Borough of Downingtown and East Cain Township are also seeking, as part of this RFP, the construction of a new fire station for the Minquas Fire Department on a 4.2-acre parcel located adjacent to the Site in East Cain Township. The Minquas Fire Company provides fire and Emergency Medical Services (EMS) to both Downingtown Borough and East Cain Township. The Company is privately owned, but supported by an all-volunteer staff. For years, the Company has operated out of a historic building on Lancaster Avenue. Situated in the heart of the central business district (CBD), the building is best suited for commercial purposes. Its configuration is no longer conducive to the needs of a growing fire company. A new fire station will address the following site constraints:

- (1) Due to their large turning radius, emergency vehicles do not have the safest ingress/egress to Lancaster Avenue
- (2) The facility has limited capacity for storing fire-fighting equipment
- (3) There is not enough dedicated parking for fire trucks and volunteer fire fighters. At present, volunteers are utilizing an adjoining alley as an extended parking lot
- (4) The facility is not equipped with a social hall, which can provide the Company with opportunities to sponsor banquets and other events that might offset operational costs

The current building is land-locked, affording limited opportunity for on-site expansion. The Minquas Fire Company needs a facility that not only addresses its immediate needs, but also anticipates future growth. The site in East Cain Township affords the Company a more central and accessible location from which to serve this growing community. In addition, the relocation will afford Downingtown Borough the opportunity to convert the firehouse on Lancaster Avenue into a tax-generating commercial use, a strategy that is consistent with the Borough's Urban Center Revitalization Plan.

In May 2005, Arcus Design Group Architects, Inc. prepared preliminary plans for a new Minquas Fire Company facility. Attached as **Enclosure 2**, these preliminary plans should be utilized as a point of reference when developing a response to the RFP.

Since 1984, the Borough has maintained the "Site" as a public park, reserved for passive recreation. Prior to that time, the "Site" was devoted to a range of private and commercial purposes. The most outstanding visual feature of the "Site" is The Ponds, a 12-acre natural area that includes a series of four (4) freshwater ponds, connected by a surface water diversion channel. A paved, multi-use trail meanders its way through The Ponds, a popular attraction for nature lovers and outdoor enthusiasts alike. The Borough's objective is to facilitate a development concept that preserves the "Site's" unique environmental assets and maintains public access to the existing trail, which is part of the Brandywine Trail System. Located within walking distance of the CBD and nearby residential areas, the "Site" presents a unique opportunity to develop a mixed-use concept that is integrated, both architecturally and functionally, with the surrounding landscape. The Borough desires to promote neighborhood development that provides a transition from nearby existing commercial development to existing residential development.

The parcel that has been identified for the Minquas Fire Company station is 4.2 acres in size and is located along Norwood Road in East Caln Township. The parcel is currently vacant and includes meadow and wooded areas. The property is owned by East Caln Township.

An aerial showing the entire Redevelopment Area in relation to surrounding properties is attached as **Enclosure 3**.

### **BACKGROUND**

The Borough of Downingtown (7,589 pop.) is located 33 miles west of Philadelphia in the geographic center of Chester County. Approximately 2 square miles in area, the Borough is a diverse community, noted for its National Register Historic Districts, attractive downtown, and extensive public park system. The East Branch of the Brandywine Creek winds its way through town, providing a stunning visual backdrop for future development. Business Route 30 (Lancaster Avenue) forms the spine of Downingtown's CBD. This heavily traveled corridor links Downingtown to the Philadelphia/Camden metro area. It also lies at the heart of a multi-phase streetscape improvement initiative designed to improve pedestrian safety, ease traffic congestion, and enhance the historic charm of downtown. In *Landscapes*, Chester County's award-winning comprehensive plan, Downingtown is recognized as an important urban landscape – a traditional population center that offers the infrastructure and land use mix that are considered necessary for future growth. *Landscapes* calls for the revitalization of Chester County's urban centers through infrastructure improvements, housing rehabilitation, and Brownfield redevelopment. Recognizing an opportunity to generate renewed interest and support for downtown redevelopment, Downingtown Borough spearheaded an update to its comprehensive plan. Adopted in November 2004, the Urban Center Revitalization Plan was "...constructed with an emphasis on economic development, vehicular and pedestrian access, and infrastructure improvements in the Borough." It also emphasized initiatives that could be accomplished over the next 10 to 15 years. Working in concert with Thomas Comitta Associates, Inc. the project task force prepared an ambitious Vision Statement. This vision statement became the framework for identifying key projects and prioritizing implementation strategies:

- Induce revitalization through economic development
- Enhance recreational areas at parks and greenways
- Maintain and improve the variety of housing, while encouraging homeownership
- Integrate and connect networks for public transportation, vehicular and pedestrian circulation, bicyclists, and others
- Upgrade public infrastructure pertaining to flood control, utilities, and streets
- Maintain safe and peaceful neighborhoods
- The Urban Center Revitalization Plan recognizes the "Site" as the 2<sup>nd</sup> highest priority economic development initiative for the Borough. As a public statement of its commitment to economic growth, Borough Council adopted a resolution on July 20, 2005, (#2005-16), endorsing the Kardon Park Redevelopment project as a top Borough priority.

### **PROPERTY DESCRIPTION**

#### **OWNER:**

Borough of Downingtown

#### **PHYSICAL SETTING:**

The "Site" is a linear park featuring a series of freshwater ponds, adjacent wetlands, and pockets of wooded area. The topography of the property is relatively flat, sloping primarily west toward the East Branch of the Brandywine Creek. Land elevation is approximately 250 to 280 feet above mean sea level. The property is comprised of a mix of grass-covered areas and wooded areas. A jogging/bike path, known locally as the Lion's Trail, snakes its way through the property. Owned by the Borough of Downingtown, the Lion's Trail connects with Chester County's Struble Trail and is considered part of the Brandywine Trail System. The Brandywine Trail System is a regional trail system that links various municipal parks throughout the County. The trail is not deed-restricted. Portions of the property are located in the 100-year flood boundary. A small marsh area (approx. 1/3-acre) is located on the property's southwest border in a heavily wooded area. The "Site" was the subject of wetland restoration activity, overseen by the U.S. Fish and Wildlife Service, in the late 1980's. The "Site" is surrounded by urbanized development, including commercial, residential, industrial, and highway corridor.

The Minquas Fire Station portion of the "Site" is 4.2 acres in size and is located along Norwood Road. It is currently vacant and includes meadow and wooded land. According to the Remedial Investigation Report for the Planned Minquas Fire Station, the property is owned by East Caln Township and was formerly owned by Sonoco Products. There have been no buildings or structures on the property for the past 65 years.

An aerial showing the "Site" in relation to surrounding properties is attached as **Enclosure 3**. A map illustrating potential environmental constraints, exclusive of contamination, is attached as **Enclosure 4**.

#### **LOCATION & ACCESS:**

The "Site" is bordered by residential areas to the east, an abandoned railroad right-of-way to the west, Norwood House Road to the north, and Pennsylvania Avenue to the south. Primary access to the property is provided from Pennsylvania Avenue, one block north of Business Route 30 (Lancaster Avenue).

**TAX PARCELS & ZONING:**

The Redevelopment Area includes both the "Site" and the Minquas Fire Station parcel and is comprised of seven (7) tax parcels totaling 51.7 acres. A total of 27.8 acres are located in East Caln Township and 23.9 acres are located in Downingtown Borough. The tax parcel numbers and associated acreage are as follows.

| Tax Parcel ID# | Estimated Acreage | Municipality  | Current Zoning  |
|----------------|-------------------|---|---|
| 40-1-13-E      | 4.2 Acres         | East Caln Township                                    | R-1 – Low Density Residential   |
| 40-1-23-E      | 7.0 Acres         | East Caln Township                                    | R-1 – Low Density Residential   |
| 40-1-23.1-E    | 14.3 Acres        | East Caln Township                                    | R-1 – Low Density Residential   |
| 11-4-23-E      | 7.7 Ac            | East Caln Township and Downingtown Borough            | R-1 – Low Density Residential (2.3 acres in E. Caln Township)<br>P-Public Park (5.4 acres in Downingtown Borough) |
| 11-4-13-E      | 6.8 Ac            | Downingtown Borough                                   | C-3 – Highway Oriented Commercial   |
| 11-4-14-E      | 4.3 Ac            | Downingtown Borough                                   | C-3 – Highway Oriented Commercial   |
| 11-4-14.2-E    | 7.4 Ac            | Downingtown Borough                                   | C-3 – Highway Oriented Commercial   |
| <b>TOTAL</b>   | <b>51.7 Ac</b>    | East Caln Twp. 27.8 Ac<br>Downingtown Borough 23.9 Ac |   |

A map depicting the tax parcels and current zoning designations is attached as **Enclosure 5**.

Current zoning designations for the parcels located in the Borough of Downingtown are: P-Public Park and C-3 Highway Commercial. A copy of the Borough's zoning ordinance is on file at Borough Hall. Zoning for the East Caln Township parcels include R-1 Low Density Residential. A copy of the Township's zoning ordinance is on file at the Township offices.

East Caln Township and the Borough of Downingtown are willing to work with the selected development team to adopt zoning changes that adhere to smart growth principles and the mixed-use concept envisioned for the site.

**CURRENT USES:**

Current uses are primarily limited to passive recreation activities. With the exception of a small public parking lot and paved multi-use trail, there are no permanent improvements on the "Site". The most popular park user activities are walking, biking, and jogging. There are no formal picnic areas on the "Site".

**UTILITIES:**

Public Water – Downingtown Municipal Water Authority (DMWA)  
Public Sewer – Downingtown Area Regional Authority (DARA)  
Electric/Gas – PECO  
Telephone - Verizon

**TRANSPORTATION/TRANSIT SERVICE:**

The Borough is served by mass transit, provided by the Krapfs Transit Route A, which travels from West Chester through Downingtown and Exton, to Coatesville and Parkesburg. Downingtown is also a major stop on the SEPTA R5 commuter rail line, which features 16 inbound stops to Philadelphia and 20 outbound stops from Philadelphia on weekdays. The SEPTA line also runs on Saturdays.

**DEED RESTRICTIONS**

In 1999, the Pennsylvania Department of Environmental Protection (DEP) approved an Act 2 Final Report for the "Site." The Final Report demonstrated attainment of the Site Specific Standard for soil and groundwater media, in accordance with Section 304 of the Land Recycling and Environmental Remediation Standards Act (Act 2). The Act 2 compliance limits the "Site" to non-residential commercial uses on portions of the property in Downingtown Borough and to non-residential park uses on portions of the property located in Downingtown Borough and East Caln Township. These institutional controls are part of the property deed(s) that are available for review at the Borough offices.

**DESIGN STANDARDS**

The facilities must be designed and built to all applicable federal, state, and local regulations, codes, and standards.

**GENERAL**

Within the parameters of this solicitation, the Borough of Downingtown encourages developers to be creative in land use, landscaping, and tenant mix. In the interest of creating an economically viable project, the Borough of Downingtown will be flexible in the subdivision of parcels, so long as the proposed development meets the broad goals of the Borough and does not adversely impact remaining parcels. It is anticipated that the "Site", with the exception of the parcel that will house the Minquas Fire Station, will be purchased in its entirety.

**RESPONSIBILITIES**

Each response to this solicitation must demonstrate a clear understanding of the development opportunity. The Borough of Downingtown should be able to clearly evaluate the size, use, development costs, development timeline, proposed project financing, and any new challenges resulting from the proposed development project. The Borough is only interested in receiving bid

proposals from developers who have a plan, the experience, and financial strength to develop the property within a clear timeframe.

Responsibilities of the Borough/Seller:

- Zoning Ordinance
- Subdivision & Land Development Ordinance
- Utilities to the Property Line

Responsibilities of the Developer/Buyer:

- Provide a conceptual land development plan and conceptual architectural plan(s) to verify conformance with local zoning.
- Provide evidence of ability to obtain construction financing and the financial strength to complete the project.
- Provide evidence of prior experience redeveloping Brownfield sites, highlighting any relevant projects in Pennsylvania.
- Provide evidence of market demand for proposed use(s), including a discussion of estimated market absorption.
- Provide a bid for property based on cost per acre basis.
- Provide a discussion of the implementation strategy for the project. Include a project schedule, highlighting major milestones that will be critical from a cost and/or timing perspective.
- Development concepts proposing uses that are outside the scope of the deed restriction will necessitate an amendment to the original Act 2 clearance. It is the developer's responsibility to navigate the Act 2 remediation process with DEP. All costs associated with securing Act 2 clearance are born by the developer. The Borough makes no representation about the cost or time that will be required to secure Act 2 liability relief.
- Any new zoning challenges arising from the proposed project will be addressed and proposed solutions provided by the developer.
- The developer must identify any competing projects in which they are or will be engaged and a general statement as to current projects and the firm's ability to service additional clients.
- Provide evidence of professional liability insurance to include current limits, deductible, aggregate, and discovery period.

PROPOSAL FORMAT



Respondents to this solicitation will provide ten (10) copies of their proposal in the following format:

- Proposed financing plan
- Plans, renderings, and drawings of the proposed facilities
- A project schedule delineating time allocations by tasks to completion of the project
- Resumes of the team members assigned to this project and a brief history of the members as a project team
- An organizational chart of the project team
- Identification of similar projects and references
- Concept land development plan
- Concept architectural plan (*one front elevation and building footprint*)
- Recent financial statement of developer(s) and potential partners
- In a separate envelope labeled "Bid Proposal," include a price for the entire tract.

#### **EVALUATION CRITERIA, BIDDING, AND SALE PROCESS**

Downingtown Borough strives to promote economic development that solidifies its role as an urban center. The Borough has deliberately not defined the specific nature and extent of the anticipated private development in order to encourage creativity in responses. The quality of the submission itself and the proposed development will be a critical factor in selection. The developer must clearly describe the experience of the firm and other professional and key personnel in performing such a project, including the firm(s) that would be engaged by the developer for architectural design, engineering, and construction management. The Borough will evaluate the commitment of the developer in terms of experienced staff assigned to the project.

**Explanation of selection process.** The Borough of Downingtown invites developers to present responses to this solicitation to Borough Council. The Council will evaluate each response on a common set of criteria to determine a recommended developer. The following criteria will form the basis for final selection:

- Acceptability of the proposed development concept
- Proposed financing plan for the project
- Overall experience in development of similar projects

- Clear demonstration of the developer's financial strength, solvency, viability, as well as, the financial capability to undertake the project
- Clear demonstration of market demand
- Bid price

The Borough reserves the right to solicit an independent property appraisal to validate offers prior to issuing its decision.

Transfer of the ownership of the property pursuant to a Contract of Sale (See **Enclosure 6**) will occur within a timeframe, or in phases, as may be proposed by buyer and acceptable to seller. A 1% non-refundable deposit, from the successful bidder is due upon the signing of the Contract of Sale, 9% due 30 days after signing. The deposit will be deducted from the purchase price. Buyer and seller shall sign Contract of Sale within 10 days of the written acceptance of the bid by the Borough of Downingtown or the bid shall be deemed null and void.

### **OTHER TERMS AND CONDITIONS**

Award shall be made to the responsible bidder whose proposal will be most advantageous to the Borough, price and other factors considered. Among such "other" factors which may be considered by the Borough in awarding the contract for sale herein, are the bidder's qualifications, integrity, record of past performance with similar development, and other similar agencies, and financial resources, including commitments of financial institutions for project financing.

This solicitation does not commit the Borough to award a Contract for Sale, or to pay any costs incurred in the preparation of a proposal pursuant to this request. The Borough reserves the right to accept or reject any proposals received pursuant to this request, or to cancel in whole or in part this solicitation, if it is in the best interest of the Borough to do so.

### **ENVIRONMENTAL STUDIES AND GOVERNMENT AGENCY REVIEWS**

The developer must assume all risks pertaining to existing conditions. It is expressly understood that the Borough of Downingtown will not be responsible for any interpretation or conclusion drawn by the developer. The developer is expressly cautioned not to rely on the information provided, but to assume the possibility that existing conditions may differ from those shown and/or indicated in the data.

### **Historical Uses**

Throughout history, the property was used for borrow excavations and material/fill placement activities. The Borough uses a small amount of acreage in East Caln Township as a storage area to stockpile mulch, concrete pipe (storm sewer), and clean fill.

According to a Remedial Investigation Report prepared for the Minquas Fire Station site, Sonoco Products formerly owned the parcel. Soil and groundwater investigations have revealed the

presence of metals and organic compounds that are believed to be from land filling activities as no previous industrial or manufacturing uses have been identified on the site.

**U.S. Environmental Protection Agency (USEPA) Involvement**

From 1990 to 1996, the property was the subject of several investigations overseen by the USEPA. Evidence suggested that historic disposal activities had contributed to soil contamination, which included lead and other compounds such as polychlorinated biphenyls (PCB's) and polyaromatic hydrocarbons (PAH's). The USEPA conducted its investigations pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) to support possible inclusion of the "Site" on the National Priorities List (NPL). A total of 62 environmental samples have been collected at the "Site" by EPA and its contractors since 1990:

- 1 waste sample
- 17 surface soil
- 5 subsurface soil
- 18 sediment
- 18 surface water
- 3 fish tissue

Samples were analyzed for a broad spectrum of constituents using EPA approved methodologies.

**Pennsylvania Department of Environmental Protection (DEP) Involvement**

In a compromise agreement with the Borough of Downingtown, Sonoco Products, Inc., Kardon Industries, Inc., and DEP, stakeholders agreed that the "Site" would be assessed and remediated under Pennsylvania's Land Recycling Program. The Final Report for the Kardon Park "Site" was prepared by Golder Associates, Inc. and approved by the DEP on October 21, 1999. The Final Report demonstrated attainment of the Site Specific Standard for soil and groundwater media, in accordance with Section 304 of Pennsylvania's Land Recycling and Environmental Remediation Standards Act (Act 2).

In accordance with the institutional controls approved by DEP, liability protection under Act 2 is contingent upon future use of the "Site" as a park and limited commercial. Non-residential commercial use is limited to that portion of property bordered by the railroad right-of-way to the west, Pennsylvania Avenue to the south, the paved trail to the east, and Borough limits to the north. In accordance with the Pennsylvania Hazardous Sites Cleanup Act ("HSCA"), these institutional controls were amended to the deed. Should future property owners seek a change in the use assumptions on the property, they will have to demonstrate compliance with Act 2.

**Environmental Studies**

Copies of the following documents will be made available, upon request, to interested bidders. They shall be used for information purposes only. No representation is made as to the accuracy of these materials, as they may be subject to errors, omissions, or changes since the time of preparation. The **Final Site Characterization Report** considers future commercial uses south of the East Caln Township Line and future park use for the remaining areas of the "Site". It consists of the following documents:

- **Phase II & III Site Characterization Report, Kardon Park Site – Vol. I & II**  
Date: November 1998  
Prepared by: Golder Associates, Inc.
- **Supplemental Site Characterization Report, Kardon Park Site**  
Date: June 1999  
Prepared by: Golder Associates, Inc.

Other significant documents associated with the property are listed in chronological order:

- **Final Act 2 Report Kardon Park Site**  
Date: July 1999  
Prepared by: Golder Associates, Inc.
- **Phase II/III Site Characterization Work Plan, Kardon Park Site**  
Date: September 1997  
Prepared by: Golder Associates, Inc.
- **Monitoring and Boring Logs, Kardon Park Site**  
Date: November 1997  
Prepared by: Golder Associates, Inc.
- **Interim Risk Assessment Deliverable, Kardon Park Site**  
Date: August 1998  
Prepared by: Golder Associates, Inc.
- **Cleanup Plan, Kardon Park Site**  
Date: June 1999  
Prepared by: Golder Associates, Inc.

In 2003, Borough engineer, Schoor DePalma, performed a review of existing studies. At the time, the Borough of Downingtown was exploring the viability of site redevelopment for residential use. After reviewing the boring log data, Schoor DePalma found that approximately 20 percent of the "Site" appeared to have natural soils at the depth of typical footings. The remaining borings indicated non-natural soils in a slough or soft condition, considered unsuitable for conventional foundations.

The following reports document environmental conditions at the Minquas Fire Station property:

- **Remedial Investigation Report for the Planned Minquas Fire Station**  
Date: December 2003  
Prepared by: Hocage Consulting, Inc.
- **Addendum to Geotechnical Investigation Report – Final Subgrade Stabilization Procedures**  
Date: August 2003  
Prepared by: GeoStructures

**Government Agency Review(s)**

**Note:** May not apply to this project.

**ADDITIONAL STUDIES AND REPORTS**

A number of additional studies and reports have been prepared and are available for review at Borough offices:

- Urban Center Revitalization Plan (November 2004)

**ENCLOSURES**

- 1) Site Location Map
- 2) Minquas Fire Company Conceptual Plan
- 3) Redevelopment Area Map
- 4) Environmental Constraints Map
- 5) Zoning Map
- 6) Proposed Agreement of Sale (A response to this Solicitation should include this proposed agreement of sale with any changes suggested by the responder marked in black line on one copy, along with a clean copy, both of which should be in both paper and electronic format.)