



## UPPER UWCHLAN TOWNSHIP

Planning Commission Meeting

August 8, 2019

6:00 p.m. Work Session

7:00 p.m. Meeting

Minutes

Approved

LOCATION: Temporary Township Administration Office  
415 Eagleview Boulevard, Suite 116, Exton PA 19341

### In Attendance:

Bob Schoenberger, Chair, Sally Winterton, Vice-Chair, Jim Dewees, Joe Stoyack, Jim Shrimp, Brett Hand, Bob Davidson, Chad Adams, Gwen Jonik, Planning Commission Secretary

### Invited Guests:

Stan Stubbe, Township Lighting Consultant

Stephanie Armpriester and John Theilacker, Brandywine Conservancy, Township Planners

Bob Schoenberger called the work session to order at 6:03 p.m.

### Ordinance Review, Amendment Discussion

#### Existing Lighting Ordinance

Stan Stubbe, Township Lighting Consultant had suggested relocating lighting regulating within the Zoning Ordinances rather than in Subdivision/Land Development (SALDO) Ordinances, as concerns from residents are more enforceable by the Code Officer through Zoning. Mr. Stubbe suggested Sections of the Township's lighting regulations to update in relation to LED lighting, correlated color temperature (CCT) values, light fixture shields, daily extinguishment timing, sign illumination, lighting plan descriptions. Discussion included:

1. lighting in the SALDO may have made sense in the 1990s when there were so many proposed subdivisions for approval; however, now it would be better in zoning;
2. if moved to zoning, cross reference in SALDO or vice versa;
3. motion sensors provide for safety, yet some are too sensitive;
4. structure the ordinance to reference the industry's most current standards
5. residential zoning districts could have different lumen restrictions (exterior lighting) in order to decrease impact to neighbors.
6. Make sure the signs and billboard lighting requirements agree between the lighting ordinance and the sign ordinance.
7. The brightness of LED signs/billboards can be regulated and should be below 3000K

If the Commission members have further questions or modifications, they should be sent to Mr. Stubbe.

#### Existing Adaptive Reuse of Historic Structures Ordinance

Stephanie Armpriester and John Theilacker attended to assist with the Adaptive Reuse of Historic Resources ordinance. Ms. Armpriester distributed a memo and packet detailing the work completed and discussed with the Historical Commission - analysis of type and location of historic resources, reconciled the resource listing with subdivisions since 2001, reviewed the resource survey forms, updated the Master Resource spreadsheet – Wise Preservation had suggested adding 55 resources to the list in 2007/2008.

The results of the analysis are:

1. There were only 7-8 subdivisions completed since 2001;
2. 80% of the historic resources are in the R-1, R-2 (half of the resources) and C-1 Districts. (2-acre/dwelling, 1-acre/dwelling, Village Commercial District, respectively)

The adaptive reuse ordinance is an incentive for owners to use or adapt their historic structure; there's no requirements to retain or increase the historical integrity, especially if it's a by-right use; we might want to establish an historic district (overlay) to help preserve structures within certain areas.

Ms. Armpriester noted the edits to the Ordinance are basically what the Planning Commission discussed in March: recommend that the Historical Commission is involved in the review process; just the historic resource can be adapted, not the entire tract; multiple-family dwellings aren't by right in R-1, R-2, R-3 and R-4; if conditional use approval is needed, require a recommendation from the Historical and Planning Commissions; alterations shall be subject to conditional use approval following Historical Commission review and recommendations 200-72.1.D.(1)(d) and 200-72.1.D.(2)(d); suggested adding an internal procedure to building permits – add a checkbox as to whether it's a historic structure and if so, Historical Commission does a quick review/recommendation to Building Official, perhaps via email so the approval process isn't delayed.

The Planning Commission will review the information presented this evening and at their September meeting discuss the "Recommended Next Steps" included in the memo.

The Work Session was adjourned at 7:04 p.m.

Bob Schoenberger called the Planning Commission Meeting to order at 7:05 p.m.

#### Windsor Baptist Church – Conditional Use Application

Thom Ludgate – Ludgate Engineering, Phil Marks – Windsor Baptist Church and two representatives of the Church were in attendance. Mr. Ludgate responded to the Planning Commission's request at their last meeting, advising that the Code Administrator's Letter of Determination was distributed today, noting the building size restriction could be approved via a Conditional Use Approval by the Board of Supervisors rather than a Special Exception by the Zoning Hearing Board (200-34.H.). The requested waiver from providing a traffic impact study was discussed. Mr. Ludgate and Mr. Marks explained that the Academy's enrollment peaked in 2015/2016. The proposed building addition is to house the classrooms, removing them from the church building – no increased student population above the 2015/2016 school year is proposed.

Jim Dewees moved, seconded by Sally Winterton, to recommend the Church proceed to a Hearing with the Board of Supervisors and as a Condition of Approval, the Church shall annually advise the Township of the enrollment and when total enrollment (preschool and Academy) goes above 500 students, a traffic impact study should be required. The Motion carried unanimously.

#### Profound Technology (RIP Holdings) – Conditional Use Application

Alyson Zarro, Esq., Kevin Busza, Owner, and Chris Daily – Civil Engineer were in attendance. Ms. Zarro explained the Applicant, an existing I.T. / audio-visual business, seeks approval to allow a building over 6,000 SF and building length over 60'. The Applicant is proposing a building addition as the business is growing. They received a variance for the loading dock setback encroachment; retail customers are by appointment only; Applicant proposes changing the existing 2-way paved driveway and gravel drive to a 1-way paved drive for better circulation; providing sidewalk along the Little Conestoga Road frontage; deliveries are via short, box trucks; impervious coverage is close to maximum allowed; a traffic study wasn't submitted as the

Township's traffic engineer noted the threshold isn't reached; and stormwater management will be provided by 2 underground infiltration bed. Discussion focused on the parking calculation and adequacy, the entrance driveway's proximity to Route 100 and its impact on impervious coverage. The Commission would like to know what Use the Code Administrator used to determine the required parking and what Code allows for the reduction of the required spaces.

Ms. Zarro distributed elevations that were updated since the July 29 Historical Commission meeting, showing the proposed materials but not landscaping. The building is not a historic resource but is within the Village so it should blend. The elevation presented this evening continues to lack compatibility with the surrounding buildings; there are no features or elements proposed to provide similarity with the "Village look".

Following lengthy discussion of the above points, the Commission expressed their favor of the Use and expansion of the business. Joe Stoyack moved, seconded by Sally Winterton, to provide a recommendation for approval of the Use conditioned upon the Applicant working with the Historic Commission and Planning Commission throughout the land development review process on the façade and options for the driveway arrangement. The Motion carried unanimously.

#### Eagle Village Parking Expansion – Land Development Plan

Alyson Zarro, Esq., Fred Gunther, Chase Gunther and Joe Russella were present. Ms. Zarro advised that Mr. Gunther proposes expanding the existing parking lot to provide 128 spaces at the Shoppes at Eagle Village, to accommodate a new use. He has received Conditional Use Approval for an eating/drinking establishment (The Stables) and is seeking Land Development approval. Traffic will be directed to exit onto Park Road, not Route 100, during peak operation times -- the Route 100 access will be "in" only; the Park Road access will be in/out. The Conditional Use Approval included (2) Agreements for off-site parking. A mid-block crosswalk will be provided on Park Road. Stormwater management is underground. They'll comply with the comments in the Consultants' July 31, 2019 letter except regarding expanding the Route 100 right-of-way width at this time and they weren't proposing sidewalk on the north side of Park Road until the area is developed. They are requesting two waivers: submitting preliminary and final plan and reducing the size of the landscaped islands at the end of the parking bays, which the Consultants support.

Chad Adams moved, seconded by Sally Winterton, to recommend Preliminary and Final approval conditioned on compliance with Gilmore & Associates July 31, 2019 comment letter. Joe Stoyack requested the Township Solicitor provide their opinion regarding *how the application meets* the off-site parking Code [200-73.K.5.(a)], *specifically "contiguous" and "perpetuity" requirements*. Mr. Adams agreed to the addition to the Motion and the Motion carried with 6 in favor, 1 opposed (Deweese) and 1 abstention (Stoyack)

#### Byers Station 5C Commercial Lot 2 – Revised Alternate Plan

Bob Dwyer and Alyson Zarro, Esq. were present. Mr. Dwyer presented a revised Plan for the currently vacant commercial lot at Byers Station Parcel 5C. The original plan proposed 80,000+ SF of commercial space; however, they've not been successful signing tenants, so they revised the plan and are proposing (2) smaller commercial/retail/office buildings, @ 27,000 SF, and 55 townhouses, which is allowed via the 1999 PRD Plan provisions. One of the commercial buildings includes a drive-through – potentially a bank, pharmacy, food – and they'll comply with all parking requirements. A drive-through is allowed via the 1999 PRD Plan provisions. The townhouses will be 28' wide, 2-story, 2-car garages and 2 parking spaces in the driveways. There are 15 overflow parking spaces provided.

Commission members questioned whether there's room for patios and decks without going into the setbacks, expressed their understanding that the market for commercial tenants might be difficult but they don't favor more residential on this Lot.

Jim Dewees moved to deny this Plan. There was no second.

Mr. Dwyer advised the Plans would be revised to address the Consultants' July 31, 2019 comments and return in September.

Bob Schoenberger requested copy of the original 1999 PRD Approval – it will be forwarded to all Members.

#### Approval of Minutes

Jim Dewees moved, seconded by Sally Winterton, to approve as presented the minutes of the Planning Commission's July 11, 2019 meeting. The Motion carried unanimously.

#### Open Session

There were no comments offered.

#### Adjournment

Jim Dewees moved to adjourn at 9:50 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik  
Planning Commission Secretary