



UPPER UWCHLAN TOWNSHIP

Planning Commission Meeting

November 14, 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, Sally Winterton (7:20), Joe Stoyack, Jim Dewees, Chad Adams, Jeff Smith, Mary Lou Lowrie – Gilmore & Associates (7:00), Gwen Jonik – Planning Commission Secretary

Invited Guest: John Theilacker, Brandywine Conservancy

6:00 Work Session

Bob Schoenberger called the Work Session to order at 6:12 p.m.

Adaptive Reuse of Historic Structures, Residential in Commercial District amendments.

John Theilacker presented Brandywine's assessment for an ordinance amendment that would prohibit residential uses in all commercial districts unless it's part of a mixed-use development, as requested during discussions of the adaptive reuse of historic structures ordinance. Within the Village Commercial (C-1) District, there are currently 83 residential parcels, some of which include apartments or townhouses; within the Limited Commercial (C-2) there are 8 residential parcels; within the Highway Commercial (C-3) there are 5 residential parcels. There are only 9 commercial parcels within the commercial districts.

Proposed ordinance amendments to commercial district sections would be to add the definition of "mixed-use dwelling", where the commercial use must be in place before any residential use would be considered; within commercial district Use Regulations, delete multiple-family dwelling language and include mixed-use dwelling. Discussion included restricting residential in the Limited Industrial (LI) and Planned Industrial/Office (PI) Districts. If there are existing residences within the commercial or industrial districts, they are considered legal, non-conforming uses.

Next step is for Brandywine to draft an ordinance proposing these amendments along with the previously discussed amendments to the adaptive reuse of historic structures ordinance for review and discussion at the Commission's December meeting.

Alternate Energy Systems Ordinance amendments.

The Commission discussed amendments to the Alternate Energy System Ordinance, drafted by Joe Stoyack. Joe Stoyack advised that Solicitor Kristin Camp had searched statewide case law regarding solar power; there were 2 cases but they weren't relative to the Commission's questions. He also advised that there are over 30 townships in Chester County that have alternate energy ordinances, most of which he reviewed and incorporated pieces into his draft.

Joe Stoyack talked about current trends, that homeowners contract with a company to install rooftop solar panels, the company owns the panels/system and the homeowner agrees to purchase power from that company for up to 20 years. There was discussion about repair and replacement of those panels and whether the Township should get involved if there are any safety

issues or unsafe conditions. The township can require safety issues to be fixed but wouldn't be involved in regular maintenance and repair. Discussion included: whether the property owner and/or system owner should be the responsible party to interact with the Township; and the potential for "solar easements". The discussion ended with the determination that Commission members, Al Gaspari, and Kristin Camp should review this draft and provide comments to Joe and Ms. Camp, for discussion at the Commission's December 12 work session.

The Work Session was adjourned at 6:58 p.m.

7:00 Meeting

Bob Schoenberger called the meeting to order at 7:02 p.m. A quorum was present.

Profound Technology – Land Development Plan

Kevin Busza, Chris Daily and Alyson Zarro, Esq., were in attendance. Ms. Zarro presented the Land Development Plan proposing a building addition, additional parking, and a loading dock for the existing business at 125 Little Conestoga Road. The Plan had recently received Conditional Use Approval. The November 6, 2019 consultants' review letter was discussed and they'll comply with the majority of the comments. The reduced parking count was addressed during conditional use, the storm water comments are addressed, several waivers were requested regarding preliminary/final plan, allowing 2 access points and allowing a reduced half-width of the roadway – 14' instead of 16'. Discussion included Brandywine's comment of providing 5 streetlights. The Applicant is proposing 1 at each driveway for a total of 2 -- Commission members wanted another added in between. All agreed on 3 village-style streetlights. Also discussed was the pedestrian walkway linking the roadside sidewalk to the front door. The Applicant did not feel the walkway was going to be necessary as they aren't a retail shop and wouldn't have the foot traffic. The October 28 architectural elevations were reviewed. The Planning Commission like the look with the black-color accents, just as the Historical Commission did. Samples of the exterior materials will be provided for review as requested by the Historical Commission.

Joe Stoyack moved, seconded by Jeff Smith, to recommend preliminary/final plan approval and granting the 3 waivers – preliminary/final plan, allow more than 1 access, allow 14' half-width cartway on Little Conestoga Road, and installing 3 streetlights instead of 5. The Motion carried with five (5) in favor and one (1) opposed (Adams)

Starbucks – Eaglepointe Shopping Center Final Land Development Plan

Tim Townes and Adam Loew were in attendance. Mr. Townes presented the Plan to convert the former Key Bank building in the Eaglepointe Shopping Center to a Starbucks store with a drive-through. They reviewed Gilmore's November 6, 2019 consultants' review letter, noting they have or will comply with the majority comments and requesting a waiver to consider this plan preliminary and final. Provision of a lighting plan was discussed. They're moving a light pole approximately 5 feet from where it stands. The Commission wants a full lighting plan provided. The comment regarding the ultimate Right of Way could affect the sidewalk and building frontage so they'll discuss this item with the Board of Supervisors. The drive-through configuration, allowing for 10 vehicles to stack within the lane, has an ideal setup for the ordering board location and the pickup window. Peak hours are 6:00 AM to 10:00 AM; those picking up mobile orders typically go in the store; the drive-through lane can accommodate a large pickup truck with full-size bed; there will be 78 seats inside; additional parking on neighboring shopping center lots; no change to the exterior of the building except the placement of the green/white Starbucks logo.

Jim Dewees moved, seconded by Sally Winterton, to recommend preliminary/final plan approval subject to compliance with all of the review letter comments, especially the lighting consultants' comment. The Motion carried unanimously.

DSM Biomedical – Eagleview Corporate Center Lot 2

Neal Fisher of Hankin, Rob Harris and Carl Holden of DSM Biomedical were in attendance. Mr. Fisher presented a preliminary/final land development Plan proposing the placement of a <500 SF prefabricated building next to the existing building, for outside storage, under cover, of chemicals that are currently stored inside, raw materials, not waste. It is proposed to address DSM's safety regulations which require room to easily move around the containers for inspection and the like. The Applicant received Mr. Gaspari's zoning determination, and they will comply with the consultants' comments. The screen wall is the building's wall, not an additional screen wall and they'll pull it back so it won't interfere with the drainage easement. The prefab structure is made for this type of chemical storage, has its own fire suppression system, its own containment area, is climate controlled, power backup, etc. It will be accessed from outside of the existing building. It is 10' high, is accessed by a pallet jack, not a forklift, and is @ 500' to the closest house. They're asking for 1 waiver, to consider the plan a preliminary and final plan.

Joe Stoyack moved, seconded by Jim Dewees, to recommend preliminary/final plan approval and grant the waiver, subject to compliance with Gilmore's review letter. The Motion carried unanimously.

Approval of Minutes

Joe Stoyack moved, seconded by Jeff Smith, to approve as presented the minutes of the September 12, 2019 Planning Commission Work Session / Meeting and the October 10, 2019 Planning Commission Work Session / Meeting. The Motion carried unanimously.

Open Session

Joe Stoyack commended the Township on the Park Road Trail between Hickory Park and Marsh Creek State Park, which is basically complete now.

Sally Winterton commented on Happy Days Farm, 'next door' in Uwchlan Township, might be developed by Audubon Land Development.

Adjournment

Jim Dewees moved, seconded by Sally Winterton, to adjourn at 8:42 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik
Planning Commission Secretary