



UPPER UWCHLAN TOWNSHIP  
PLANNING COMMISSION  
AGENDA

**JULY 11, 2024**

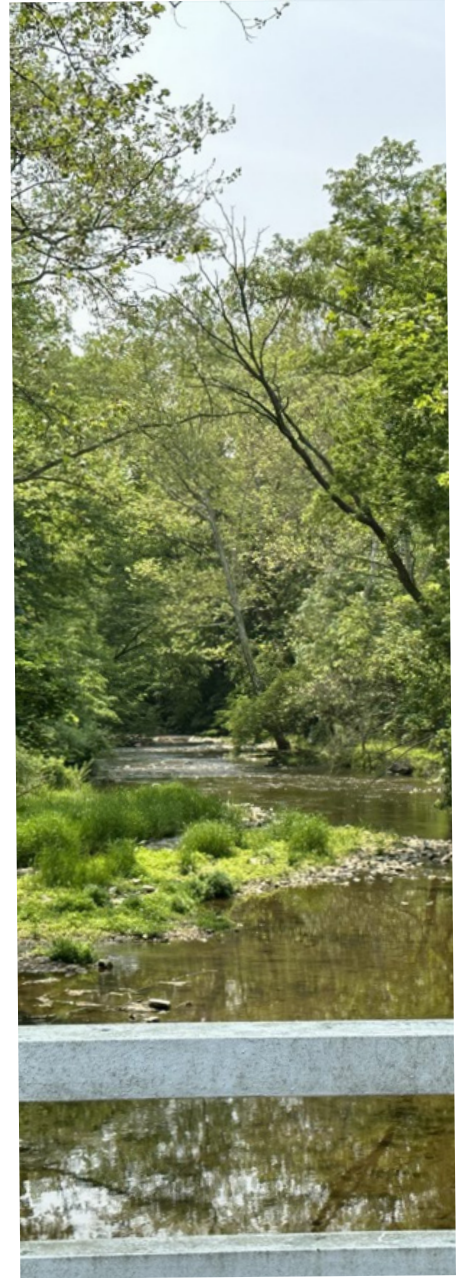
**6:00 p.m. Workshop, 7:00 p.m. Meeting**

LOCATION: Upper Uwchlan Township Building, 140 Pottstown Pike, Chester Springs PA 19425

|  | Packet Page # |
|--|---------------|
| I. 6:00 Workshop   |               |
| Village Concept Plan - review June 2024 draft of the updated Village Concept Plan;   | 2             |
| Landscaping/Screening Ordinances~ review County Planning Commission's analysis   | 42            |
| II. 7:00 PM Meeting Call to Order  |               |
| III. 241 Park Road - Planebrook Partners ~ Ducklings Daycare   | 47            |
| Revised Preliminary / Final Land Development Plan  |               |
| Review Plans revised May 28, 2024 addressing Conditional Use Approval conditions; discuss consultants' and Historical Commission's comments. Consider recommending approval to the Board of Supervisors. |               |
| IV. Village Concept Plan   |               |
| Continue review from Workshop, if necessary. Consider recommending approval/adoption to the Board of Supervisors.  |               |
| V. Meeting Updates ~ Reports   |               |
| A. Environmental Advisory Council (EAC)  |               |
| B. Historical Commission (HC)  |               |
| C. Village Concept Plan / Village Design Guidelines (VCP / VDG)  |               |
| D. Comprehensive Plan Update (CompPlan)  |               |
| VI. Approval of Minutes: June 13, 2024 Meeting minutes   | 101           |
| VII. Next Meeting Date: August 8, 2024 7:00 p.m.   |               |
| VIII. Open Session   |               |
| IX. Adjournment  |               |

# Upper Uwchlan Township

## Village Concept Plan 2024



Prepared by



**BRANDYWINE  
CONSERVANCY**



**RICHARD GRUBB  
& ASSOCIATES**

# **Upper Uwchlan Township Village Concept Plan Update 2024**

**Upper Uwchlan Township  
140 Pottstown Pike, Chester Springs, PA 19425**

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Jim Dewees – Member  
Stephen Fean – Member  
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**Adopted Month Day, 2024**

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## Introduction

The Village Concept Plan is a narrative and guidance document that describes the features envisioned by the Upper Uwchlan Township boards and commissions when new development, redevelopment and infill occurs within the Historic Eagle Village, Byers Station Village, and the identified surrounding landscape. This Plan is not intended to prescribe specific development of properties. It intends to promote the creation of economically and socially integrated, coherent, functional, and vibrant places while preserving historic resources and the integrity of historic and cultural areas, maintaining historical aesthetics, encouraging open space preservation, and providing a wider range of recreational opportunities. This Plan also serves as a steppingstone in developing recommendations for fulfilling the Village Concept Plan vision: maintaining the identity of Upper Uwchlan Township as a community of rural character, especially within the historic crossroads that is the significant social and cultural center of the Township today. That can be accomplished by analyzing the existing features, identifying challenges, recognizing opportunities, and formulating implementation strategies for the future.

According to the Merriam-Webster dictionary,

“village” has several meanings, including a settlement usually larger than a hamlet and smaller than a town or an incorporated minor municipality. The term generally describes a small assemblage of houses in the countryside or a predominantly residential district within more densely developed areas. The “Village” has been a well-recognized land use pattern in Chester County for as long as people settled and inhabited the region. Originally developed to be vital for central places with services and amenities to support rural communities, the village became a part of residential settings with a unique, distinctive characteristic that continues to play a role in our heritage. Villages provide residents and visitors with opportunities for social interaction, education, employment, cultural events and activities, access to transportation and other functions that were also essential to the rural residents of the past. Chester County has long recognized the importance of preserving such heritage and developed the Rural Center Design Guide in December 2022 to provide information on planning a community for purpose with a sense of unity around its diverse characteristics. Modern demands on services, population growth and the attractiveness of historically significant places propel municipalities to devise creative ways to preserve these places of local, regional and/or national historic significance while accommodating the needs of their residents and planning for future growth.

Upper Uwchlan Township has identified the future of the Historic Eagle Village, Byers Station Village, and the surrounding landscape as a high planning priority. In 2010, the Committee was appointed to develop the Concept Plan and the conceptual sketch plan specific to the Village of Eagle/Byers Station (2010). The completed Concept Plan was incorporated within the 2014 Comprehensive Plan Update. The 2010 Plan's purpose was to develop a framework to:

1. Protect and enhance the visual and compositional integrity of the Village of Eagle and Byers (Station Historic District), including other historical assets that lie outside.
2. Determine any additional infrastructure required due to the construction of Graphite Mine Road.
3. Develop access management standards.
4. Recommend architectural standards for new construction and redevelopment in the overlay district and village.
5. Assess existing zoning districts, and evaluate permitted uses based on zoning to determine if adopting additional ordinances supports the goals and vision of the Township.

As a result, several recommendations of that Concept Plan were implemented, including:

1. Successful implementation of a mixed-use development within the Village of Eagle.
2. Adaptive reuse of historic resources throughout the Township.
3. Implementation of an Access Management Ordinance to provide vehicular access to developments in a manner that preserves the safety and efficiency of the transportation system.

4. Development of Village Design Guidelines to encourage a historically sensitive and consistent design within the Village areas.

Since the development of the original Concept Plan, additional challenges have been identified, including the need for developing amendments to existing municipal ordinances to implement the Plan's Village Design Guidelines, the unwillingness of applicants and/or developers to follow the design guidelines due to their branding or other circumstances and a lack of incentives to promote the use of Village Design Guidelines to property owners and developers.

In 2022, the new Village Concept Plan Committee convened to review and revise the 2010 Concept Plan to reflect any changes within the Township and build upon the previously completed efforts to preserve the character of its historic villages and surrounding landscapes.

This Village Concept Plan update is a foundation for updating the Village Design Guidelines developed in 2010. The guidelines are a separate companion document that provides detailed design guidance for all construction, development, and redevelopment in the identified area. The Village Design Guidelines are intended to be used by Township officials, boards and commissions, landowners, developers, and others as an instruction document to balance growth with the preservation of historic resources, maintain a village atmosphere, and to enhance existing economic, social, and cultural assets.

The Plan includes a glossary, mission statement and goals, background information, and Village Concept guiding principles. It also analyzes existing conditions (i.e., land use, zoning regulations, pedestrian and bicycle amenities, access management and circulation), defines visions for distinctive sub-areas and provides recommendations for fulfilling the goals and visions identified in the Plan.

# Glossary

For the purposes of this Plan, the following terms are used as follows:

**Adaptive Reuse:** The process of repurposing existing structures, including historic buildings and structures, for new purposes, consistent with the Township zoning, SLDO and Village Design Guidelines.

**Byers Station Historic District:** a collection of historic resources centered around the Byers railroad station, with several historic resources nationally designated.

**Civic Spaces:** Publicly accessible open spaces in the form of parks, courtyards, forecourts, plazas, greens, pocket parks, playgrounds, etc. They may be privately or publicly owned.

**Class I Historic Resource:** A resource that is either listed in the National register of Historic Places or has received a Determination of Eligibility from the Pennsylvania Historical and Museum Commission (PHMC)

**Class II Historic Resource:** A resource that is deemed historically or architecturally significant at the local level.

**Clean Energy:** Energy that comes from renewable, zero-emission sources that do not pollute the atmosphere when used, as well as energy saved by energy efficiency measures.

**Committee:** The selected Village Concept Plan Committee responsible for developing this Plan Update.

**Compatible Land Uses:** Single or combination of uses of land adjacent to a different type of land use that does not create concerns of public safety, health and welfare or aesthetic consistency between sub area [see definitions] for community.

**Climate Resilience:** Capacity of a system to

maintain function in the face of stresses imposed by climate change and to adapt to be better prepared for future climate impacts.

**Concept Plan:** A written guidance document that outlines the vision for future development of the specific area and proposes implementation strategies to fulfill that vision. The Concept Plan usually addresses future land use, transportation, and zoning, illustrating improvements including but not limited to historic preservation, recreation, and redevelopment.

**Development:** Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities, filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

**Eagle Village Historic Area:** An area designated by the Township that includes a concentration of historic resources within the village of Eagle adjacent to Pottstown Pike (PA Route 100) between Park Road and Byers Road.

**Green Stormwater Infrastructure:** Range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspiration stormwater and reduce flows to sewer systems or to surface waters.

**Historic District:** One or more structures, properties or sites making up a historic district that is listed in or determined eligible for the National Register of Historic Places (a list maintained by the U.S. Department of the Interior, or in the case of a determination of eligibility of the Department or the Pennsylvania Historical and Museum Commission).

**Historic Resources:** All buildings, sites, structures, objects and districts identified by

the Upper Uwchlan Historical Commission and approved by the Board of Supervisors.

**Human-Scale Architecture:** Proportion of space in relation to human dimension. It is also known as the natural design scale.

**Infill Development:** New buildings constructed in the space available between existing structures.

**Mixed-Use:** a land development containing two or more types of uses (typically a mix of residential, commercial, office, and/or institutional).

**Multi-Modal Transportation:** Transportation involving several modes of transportation, including vehicular, pedestrian, bicyclist, public transit, and ride sharing services.

**Pedestrian-Oriented:** An area of a community with an interconnected network of sidewalks, crosswalks, and walkways both within the community and to existing pedestrian thoroughfares and/or parks.

**Rural Character:** A community's identity with the history of the original village, surrounding countryside, while appealing to many rural, rural conveys natural or limited alteration and the Park and Lake are significant alternations. This identity is made of a combination of rolling and wooded hills, farmland landscapes, historic resources and historic district, parks and recreational areas, small shops, and both a strong sense of home and place, and a community spirit of belonging.

**Redevelopment:** The action or process of developing something again or differently.

**Sense of Place:** Feeling of emotional connection to a place and/or attachment people develop and/or experience in specific location.

**Smart Growth:** Range of development and conservation strategies to help protect our health and natural environment and make our communities more attractive, economically stronger and more socially diverse.

**Streetscape:** Space along a road corridor between the front facades of opposing structures that includes the street, any parking or shoulder area, pedestrian facilities (i.e., trash receptacles, benches, light fixtures), front yards, building facades, porches, landscaping, and all other features in accordance with Township standards.

**Sub-Areas:** Specific breakdowns of the Village Planning Area based on unique characteristics, including location, existing land use, zoning conditions, building patterns and architecture, the extent of historic resources and degree of development potential.

**Village:** A unique land use pattern developed in forming settlements that is organized by an intersection of two main streets to create a consolidated community with unique characteristics surrounded by a rural landscape (i.e., village fringe)

**Village Planning Area (VPA):** The specific geographic area within the Upper Uwchlan Township identified as appropriate for implementation of the planning and design principles set forth in the Plan; in this Plan, the VPA encompasses an area made up of Byers Station Village, the Historic Eagle Village, and other geographically defined areas surrounding them (see map #5 and description on page 10).



## Introduction

The mission statement incorporates priorities identified by the Board of Supervisors for the entire Township and the Village Concept Plan Committee's mission for the future of the Village Planning Area.

*The purpose of the Village Concept Plan is:*

To identify recommendations for accomplishing defined goals while providing considerations for historic and open space preservation, active and passive recreation opportunities, responsible commercial zoning, and protection of environmental resources to continue maintaining a robust and vibrant community that attracts residents and visitors to this Village Planning Area



## Goals

The following goals have been identified by the Board of Supervisors, Village Concept Plan Committee, and other stakeholders involved in the Plan update process:

1. Improve and maintain the visual integrity of the historic areas by:
  - a. Preserving Class I and Class II historic resources.
  - b. Developing and/or revising existing standards for new construction and redevelopment (including but not limited to alterations to existing structures).
  - c. Amending, as needed, the uses permitted in each zoning district under existing Township ordinances, as well as adding and/or revising, as needed, existing architectural standards and guidelines.
  - d. Reducing and managing vehicular traffic.
  - e. Implementing consistent streetscapes.
2. Improve walkability for pedestrians and encourage bicycle use.
3. Offer opportunities, such as seasonal events, history walks, a weekly farmers market or restaurant week, to attract more people to the villages of Eagle and Byers.
4. Improve the environmental resiliency of the village area with native plantings, green stormwater infrastructure, and shade trees.
5. Offer vibrant civic spaces that can also provide open green space and preserve or enhance natural resources.



## Introduction

The Village Planning Area (VPA) spans approximately 315 acres from the north of the Pennsylvania Turnpike on its southern side to the intersection of Station Road and Graphite Mine Road on the northern side and from past Park Road on the western side to Township Line Road on the eastern side (See Map 3.1). It is predominantly designated based on the Township's main historic, cultural, social, and business core location, and historically significant resources and their connections with surrounding landscapes, natural features and the built environment.

In terms of general planning area designations, the VPA includes the following Sub-Areas (See Map 3.1):

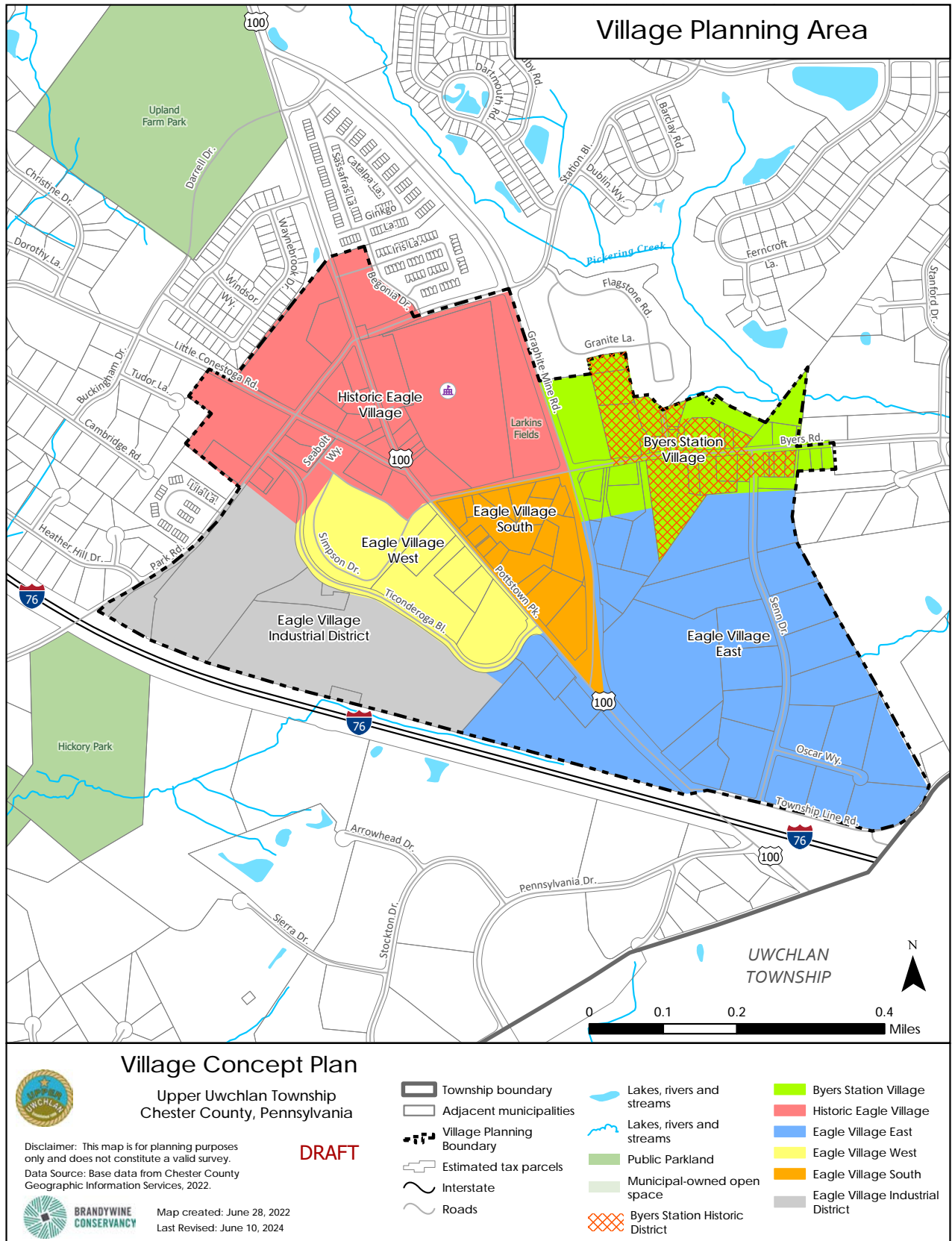
1. Historic Eagle Village— an area centered around Eagle Village and the Township designated cluster of historic resources known as the Eagle Village Historic Area
2. Byers Station Village— a collection

of historic resources centered around the Byers railroad station. This Sub-Area of the VPA includes the nationally designated Historic District of Byers Station, as well as several adjacent properties that either contain historic resources or small commercial enterprises.

3. Supporting Landscapes— designated by the Committee (Eagle Village East, Eagle Village West, Eagle Village South and the Eagle Village Industrial District) to be included in the Concept Plan due to each of the area's proximity to historic resources and opportunities to implement the Village Design Guide lines.

Map 3.1 shows the extent of the VPA boundary and designations within the community.

The Historic Eagle Village has a linear form roughly organized along both sides of Pottstown Pike and Byers Road. The core of the Historic



Map 3-1



Eagle Village has traditionally centered around the cluster of buildings at the intersection of Pottstown Pike and Little Conestoga Road, including the Township Building.

The core of the Byers Station Village is centered at the intersection of Byers Road and old Eagle Farms Road, now terminated at the Byers Station housing community. The Historic Eagle Village and Byers Station Village are perceived as separate entities because there are few historic resources in the intervening parcels and although public roads connect them, there are gaps in the sidewalks in the Historic Eagle Village that discourage pedestrian connections between the two cores. Significant areas of open space or underdeveloped parcels are found between the Historic Eagle Village and Byers Station Village (such as Larkin's Field, Pickering Valley Elementary School campus, and small residential parcels along Byers Road) that also contribute to the separation of the Historic Eagle Village and Byers Station Village.

Map 3.2 depicts the location and extent of the Historic Eagle Village and Byers Station Historic District and the Township's historic resources from the "Historic Resources Inventory: Upper Uwchlan Township, Chester County, Pennsylvania (Wise Preservation Planning, 2001)" and the Historic Resources Map Update (Richard Grubb and Associates, 2007) that are located within the VPA.

### ***Byers Station Historic District***

The Byers Station Historic District is listed on the National Register of Historic Places and consists of twenty-six contributing historic resources at the time of its listing in 2002. The community grew around the Byers railroad station after its opening in 1871 to support the Township residents' rail shipment of agricultural products via Phoenixville to Philadelphia, and the community continued to grow after plumbago (graphite) was discovered in 1875. Byers Station Historic District includes several Italianate and Greek Revival buildings, including the former Byers Hotel (c. 1874), the John Todd House (c. 1875) and a Masonic Hall (1894). With the exception of one reconstructed residence (#67b), all contributing historic resources are Class I historic resources.

### ***Historic Eagle Village***

The Eagle Village Historic Area includes eleven historic resources. These historic resources generally date to the 18th or 19th century. Notable buildings include a variety of residences (c. 1750 to c. 1875), a one-room schoolhouse (1858) and a tavern (c. 1858). The Eagle Village Historic Area grew around the tavern located at the crossroads of Pottstown Pike and Little Conestoga Road.

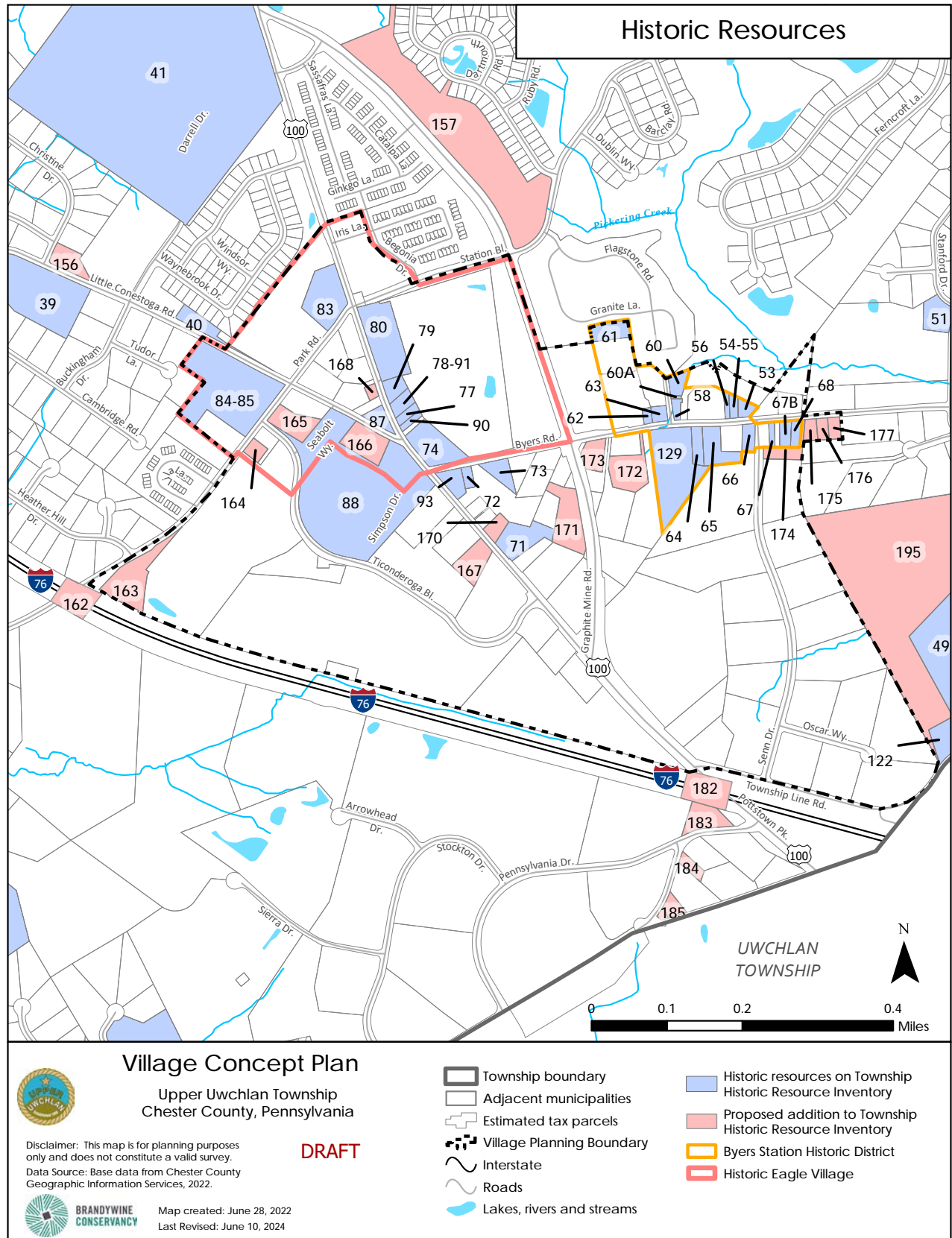
All the historic resources in the Eagle Village Historic Area are generally classified as Class II, recommended to Class I. The exceptions to this are historic resources #74 (Class I) and #168 (Class II).

### ***Supporting Landscape/Village Growth Area***

The VPA includes additional areas surrounding the Eagle Village Historic and Byers Station Village. The main rationale for including the supporting landscape in the VPA includes but is not limited to:

1. Guide preservation and any development adjacent to the Historic Eagle Village and Byers Station Village to protect both areas and their village settings.
2. Promote residential use of all historic resources that are former residences within the VPA, including the upper floors of the historic resources being used for commercial purposes.
3. Create a transitional buffer area between both the Historic Eagle Village and Byers Station Village and adjacent land uses.
4. Allow for consistency in landscaping, streetscaping and architectural aesthetics with the Historic Eagle Village and Byers Station Village.
5. Provide opportunities for potential redevelopment and infill that maintain the historic character of the Historic Eagle Village, Byers Station Village and adjacent areas, per guiding principles described in the Plan.
6. Integrate and recognize all the historic





Map 3-2

resources within the VPA (not just those within the Historic Eagle Village or Byers Station Village).

7. Highlight opportunities for bicycle and pedestrian connections beyond the Historic Eagle Village and Byers Station Village.
8. Explore potential for civic spaces within walkable distance to the Historic Eagle Village and Byers Station Village.

Additional historic resources are found throughout the VPA's C-1 and C-3 zoning districts. These additional historic resources are classified as Class II resources. There are no historic resources in the LI zoning district.

## Village Guiding Principles

Although many residents recognize the Historic Eagle Village and the Byers Station Village as traditional "Village" centers, there is a high risk of these traditional "village" centers slipping into obscurity as future commercial and retail chains build "branded" buildings that could become more dominant on the Village landscape. Therefore, the Committee has developed specific guiding principles for the entire VPA to maintain the community's sense of place and belonging while supporting continuing growth.

The Village guiding principles incorporate standards of best planning practices relevant to the Plan's goals noted above, the Committee's feedback and consultants' recommendations to define the planning framework for the future vision of the VPA. The best planning practices consist of planning elements that influence the future look, feel, character and quality of life depending on how they are integrated into the community. They also provide ideas for specific recommendations and implementation strategies to fulfill the Village Concept Plan vision.

### Smart Growth

"We envision a country where no matter where you live, or who you are, you can enjoy living in a place that is healthy, prosperous, and resilient."

*SmartGrowthAmerica.org*

Smart Growth Principles are design principles developed by the Smart Growth Network and

are widely recognized and accepted in the planning community. The main idea behind smart growth is to encourage development that supports strong communities, environmental health, and economic growth. That can be achieved by implementing creative strategies to preserve natural lands and critical environmental areas, protect water and air quality and reuse already-developed land. Based on the experience of communities across the U.S., the following main Smart Growth Principles are generally utilized in drafting future planning policies and programs:

1. Mix land uses.
2. Take advantage of compact building design.
3. Create a range of housing opportunities and choices.
4. Create walkable neighborhoods.
5. Foster distinctive, attractive communities with a strong sense of place, including but not limited to communities that preserve historic resources.
6. Preserve open space, farmland, natural beauty, and critical environmental areas.
7. Strengthen and direct development toward existing communities.
8. Provide a variety of transportation choices.
9. Make development decisions predictable, fair and cost-effective.
10. Encourage community and stakeholder collaboration in development decisions.

Additionally, Smart Growth principles recognize that the renovation of any historic property, structure or site is frequently a starting point and anchor for the redevelopment of a street, neighborhood or district. Rehabilitating and repurposing historic properties and old buildings promotes energy efficiency, reduces the need

for new buildings, promotes open space preservation and sustainable use of existing resources and maintains the sense of place and a desired character of the community.

Several areas within the VPA, including the Byers Station Village and the Historic Eagle Village, already meet or exceed many elements of smart growth, such as encouraging a mixture of land uses, providing a range of housing options, pedestrian connections, and the protection and adaptive reuse of historic resources. An element that may need additional planning and careful consideration is preservation of remaining open space, or redevelopment of remaining open space for opportunities to create civic spaces for recreation and community gatherings.

### ***Village Planning Guide***

“A successful village is one in which many needs are satisfied within the community without detracting from its residential character or degrading its natural resources.”

*Chester County Planning Commission*

The Village Planning Handbook: Guide for Community Planning developed by the Chester County Planning Commission (1993) provides background information on the history of the development of villages in Chester County and outlines specific characteristics that are typical of village use patterns, including:

1. Central clustered arrangement of structures and buildings surrounded by a relatively rural landscape.
2. Distinctive mix of land use types, including residential and non-residential uses compatible and mutually supportive of each other.
3. The mix of housing types in various configurations, including detached, semi-detached, attached or individual units in a complex.
4. The presence of open space sustains the village’s rural character, including a surrounding buffer (“village fringe”) of open

land which separates the compact built environment from adjacent land areas and within the core of the village.

5. Balance of residential and non-residential use to ensure that community functions are maintained.
6. Pedestrian-oriented streets and pedestrian amenities.
7. Retention of specimen trees, tree lines and woodlands to retain the sense of association with the village feel.

Considering the history of how the area has developed, many characteristics typical of the Villages are still visible today in the Byers Station Village and the Historic Eagle Village. These characteristics are clustering of buildings and structures at the main core, compatibility of distinctive mix of land uses and housing types, and pedestrian oriented streets and amenities. The Township has also been very proactive with implementing regulations aiming to retain specimen trees and healthy woodlands during the land development process. One area of improvement is to potentially invest in green infrastructure and planting of trees to create a visual separation between the VPA and surrounding landscapes.

### ***Landscapes Designations***

The Chester County Comprehensive Plan, Landscapes 3 (2018), and the associated “Livable Landscapes” map provided guidance for accommodating expected future growth while maintaining the quality of life in the County. Livable Landscapes recognized the unique character of each community and provided recommendations to maintain that character based on the mix and intensity of land use. The Livable Landscapes map was divided into two core areas — growth areas and rural resource areas, as prescribed by the Pennsylvania Municipalities Planning Code (MPC). Growth Areas consisted of the urban landscape and suburban landscapes and suburban centers meant to accommodate future growth. Rural Resource Areas consisted of the rural landscape, the agri-

cultural landscape, and rural centers and were least appropriate for additional growth. Since 2020, the County has been developing design guides pertaining to each Landscapes category to provide examples and sample ordinance language for creating developments and zoning consistent with the Livable Landscapes map.

It is important to note that the position of Upper Uwchlan Township is unique with its geographic location between very different areas: Exton (West Whiteland Township), designated as a suburban center, to the south, the rural center at Ludwigs Corner (West Vincent Township) to the northeast, and the rural designations in West Vincent, East Nantmeal, and Wallace to its east north and west. Exton has emerged as a desirable hub of activity and social life, surrounded by suburban landscapes, and includes Main Street with restaurants, shopping centers, higher density residential, pedestrian amenities, and connections, and convenient access to major transportation networks running east to west and north to south. On the other hand, Ludwigs Corner is a quaint place at the intersection of Conestoga Road and Pottstown Pike, surrounded by rural landscapes, including small businesses and shops, low-density residential and recently developed apartment complexes, and Class II historic resources.

As with Ludwigs Corner, the VPA is organized at historic crossroads of Byers Road and Pottstown Pike and Little Conestoga Road and Pottstown Pike; it has small-scale businesses, pedestrian amenities, a mixture of low-density residential and commercial structures and clusters of historic resources. Like Exton, the area provides quick access to major regional transportation routes and is surrounded by higher density residential neighborhoods, which have developed at a higher density over the past decade. However, the desired future is to maintain the existing sense of place and strong community bonds by limiting growth and focusing on improvements meant to support the dynamic of modern village life while preserving historic resources and providing opportunities for walkable recreational access.

### ***Rural Center Design Guide***

The Chester County Rural Center Landscapes Design Guide (December 2022) provides rec-

ommendations for implementing planning activities in designated rural centers (i.e., Ludwigs Corner) to foster new development that is compatible with the community and historic character, protect residential neighborhoods from adverse impacts, encourage walkability and alternative modes of transportation, protect and restore the environment and guide appropriate development. The guide's purpose and recommendations are more consistent with the vision for the future of the VPA and its sub-areas than the design guide for suburban center landscapes, although the latter does include helpful planning principles and design elements that are applicable for this Village Concept Plan, including stormwater management through green infrastructure, limited parking in front of buildings and interconnected open space systems to encourage recreation. The following are the key planning principles introduced in the Rural Center Landscapes Design Guide:

#### ***Growth Outlook***

- Limited future growth that contains a mix of housing, commercial, and institutional uses at a village scale and is highly walkable at its core.
- Maintains economic viability that supports local employment and meets fair share housing requirements (the need to provide its fair share of all housing types, including multi-family).
- Serves surrounding rural and agricultural landscapes by creating an economic strategy that enhances the viability of surrounding agricultural lands and conserves natural landscapes and scenic vistas to preserve the sense of place.

#### ***Preservation Focus***

- Preservation of historic buildings to connect with a community's past, provide a sense of continuity and permanence, and maintain character.
- Reuse of historic buildings to support sustainability.

#### ***Land Use Patterns***

- Encouraging a variety of housing types



to provide affordable opportunities for diverse populations and local workforce.

- Encouraging a variety in commercial buildings to boost employment opportunities and potential for adaptive reuse of historic buildings.
- Concentrating a mix of uses within the core of rural centers to strengthen community walkability, interaction, and viability.
- Compatibility of institutional (i.e., schools, municipal buildings, and places of worship) in scale and form with existing settings.
- Encouraging farmers' markets and other appropriate agricultural activities.

### *Infrastructure*

- Developing small parks or town squares for community gatherings to facilitate community identity and support civic bonds.
- Creating bicycle and pedestrian facility connections between residential areas and core areas of communities with multiple activities.
- Encouraging infill and development in areas planned for village center growth before extending sewer and water infrastructure.
- Encouraging appropriately scaled road ways that are context sensitive and provide for non-vehicular travel.
- Incorporating modern high quality communication infrastructure (wireless networks, fiber optics, and broadband communications) to support residents and businesses and local economy.

Several areas of the VPA are historically organized and developed as per rural center design elements, including emphasis on walkability in the VPA core, mix and compatibility of land uses and encouraging local business vitality, preservation, and reuse of historic buildings, and focus on multi-modal improvements. The Township can continue sustaining that rural character and sense of place by moving forward

with implementation strategies proposed in this Plan.

## **Guiding Principles for the VPA**

The Committee has developed the following guiding principles that align with the Plan's mission and goals and serve as a foundation for recommendations on implementing the Village Concept Plan in the future. The principles also include recommendations on how each of these principles can be achieved.

### *Distinctive Sense of Place.*

- Implement the Village Design Guide lines to ensure that the rural village feel remains in the community.
- Provide public open spaces, pocket parks and other opportunities for outdoor community gatherings where appropriate.
- Install interpretive signage highlighting the village's history and culture, as well as in the historic district.
- Promote effective emergency management that blends with the community's character while providing a sense of safety.

### *Mix of Compatible Land Uses.*

- Encourage clustering of buildings to preserve unique historic, cultural, and environmental resources.
- Provide opportunities for mixed uses such as shops, offices, services, recreation, apartments, live/work units.
- Encourage a mixture of housing choices to foster housing affordability.

### *Flexibility in Site and Building Design.*

- Incentivize creative parking solutions, including shared parking, where appropriate.
- Maintain setback requirements for principal buildings (where appropriate) to maintain the rural character and historic village feel.
- Foster pedestrian connections to near

by areas where opportunities exist to expand walking connectivity network.

- Encourage the use of green infrastructure and innovative stormwater management.

#### *Managed Vehicular Access.*

- Promote interconnected village streets to disperse traffic.
- Provide design standards for village parking areas.

#### *More Walking and Biking, Less Driving.*

- Develop streetscape design standards to include street trees, sidewalks, cross walks, and village light standards to facilitate walking among businesses, shops and restaurants where opportunity exists.
- Provide civic space for outdoor leisure and interpretation of historic resources.
- Provide seating and bicycle racks to promote active transportation and reduce vehicular traffic.
- Facilitate various non-motorized transportation choices.
- Consider bicycle and/or scooter-sharing programs.
- Promote parking facilities for bikes, scooters, compact cars, etc.
- Encourage shared parking among compatible land uses to reduce the amount of required parking.

#### *Quality Architecture and Site Design.*

- Promote human-scale (the proportion of space in relation to the human body), architecture.
- Promote the local architectural vernacular.
- Regulate signage.
- Encourage extensive landscaping in parking lots.

#### *Inclusion and Accessibility.*

- Provide opportunities for accessibility within the village and connected shopping areas.
- Encourage addressing accessibility issues during the redevelopment process and/or new construction.

#### *Environmental Resiliency.*

- Promote the use of clean energy where appropriate within the village planning area while retaining the historic character.
- Promote electric vehicle (EV) charging stations.

### **Area Analysis**

The analysis includes an assessment of existing land use, relevant zoning regulations, building patterns, circulation and assessment management, pedestrian and bicycle amenities, opportunities for clean energy systems and potential future developments expected within the VPA.

#### *Existing Land Use*

The Village Planning Area is characterized by a variety of land uses. Map 3.3, Village Planning Area Land Use, displays the extent of a variety of land uses, including commercial, residential, industrial and others within the VPA. The map is based on the existing tax assessment records of the Chester County Office of Tax Assessment, supplemented by aerial analysis and confirmation by the Concept Plan Committee and the Township staff to confirm the current classification of uses according to the current use of the property. The land use categories are summarized below in the table with acreage with most dominant at the top.

| Land Use Category         | % of Total  | Total Acres |
|---------------------------|-------------|-------------|
| Commercial                | 44%         | 172         |
| Residential               | 5%          | 21          |
| Vacant                    | 15%         | 59          |
| Municipal-owned           | 5%          | 19          |
| Mixed-use residential     | 1%          | 5           |
| Open space                | 15%         | 60          |
| Institutional             | 7%          | 29          |
| Utilities                 | 1%          | 5           |
| Multi-family              | 6%          | 23          |
| Public/Private recreation | <1%         | 0.4         |
| <b>Total</b>              | <b>100%</b> | <b>393</b>  |

Table 3.1. Land Use categories with percent of total VPA (2022).

There are approximately 393 acres of total developed and undeveloped land within the VPA. The predominant land use is commercial (43%), followed by open space (15%) and vacant (14%). There are several vacant parcels with a total of approximately 68 acres: an area at the intersection of Byers Road and Graphite Mine Road (currently in the development phase), an area off Darrell Drive, an area at the corner of Station Blvd and Pottstown Pike, areas along PA Turnpike and the area between E. Township Line Road and PA Turnpike. Vacant lands provide great opportunities for open space preservation and/or creating civic spaces for passive recreation and community gatherings.

There is also a sizeable commercial property located in the core of the VPA, surrounded by existing commercial development. If redeveloped as per the vision identified in the Plan in the future, there might be an opportunity to create much-needed public civic space while preserving additional open space near the main VPA core that is currently primarily commercial.

It is important to note that several vacant properties are located along the boundary of the VPA, in some instances adjacent to recreational areas. The future preservation of these properties and/or appropriate landscaping will create a village fringe, one of the unique characteristics of rural village character.

Overall, several areas have the potential for new development, redevelopment, or infill development, including:

- Park Road, Little Conestoga Road, and Pottstown Pike core
- West of Pottstown Pike and east of Ticonderoga Boulevard
- Both sides of Byers Road
- Along both sides of Pottstown Pike south of Graphite Mine Road
- Along portions of Graphite Mine Road
- Along both sides of Ticonderoga Road
- Along both sides of Township Line Road

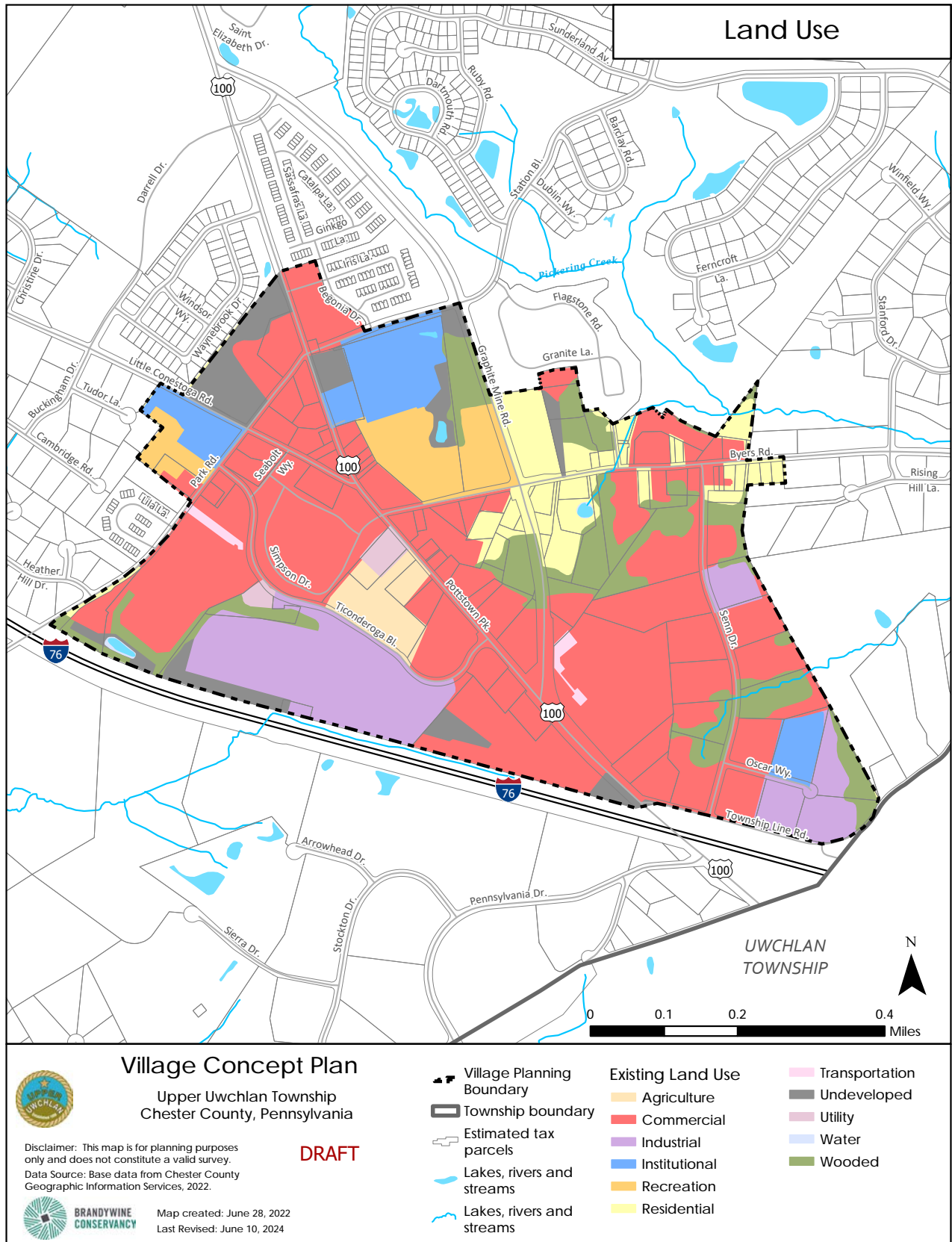
## Township Regulations

The Village Planning Area includes the following municipal zoning districts: C-1, C-3, R-2, R-3, R-4, R-2 and LI, as shown on Map 3.4, Existing Zoning Districts . A summary of regulations pertaining to each zoning district, including provisions for historic preservation and adaptive reuse and their relevance to the VPA is described in this section.

### *Historic Resources Protection Standards*

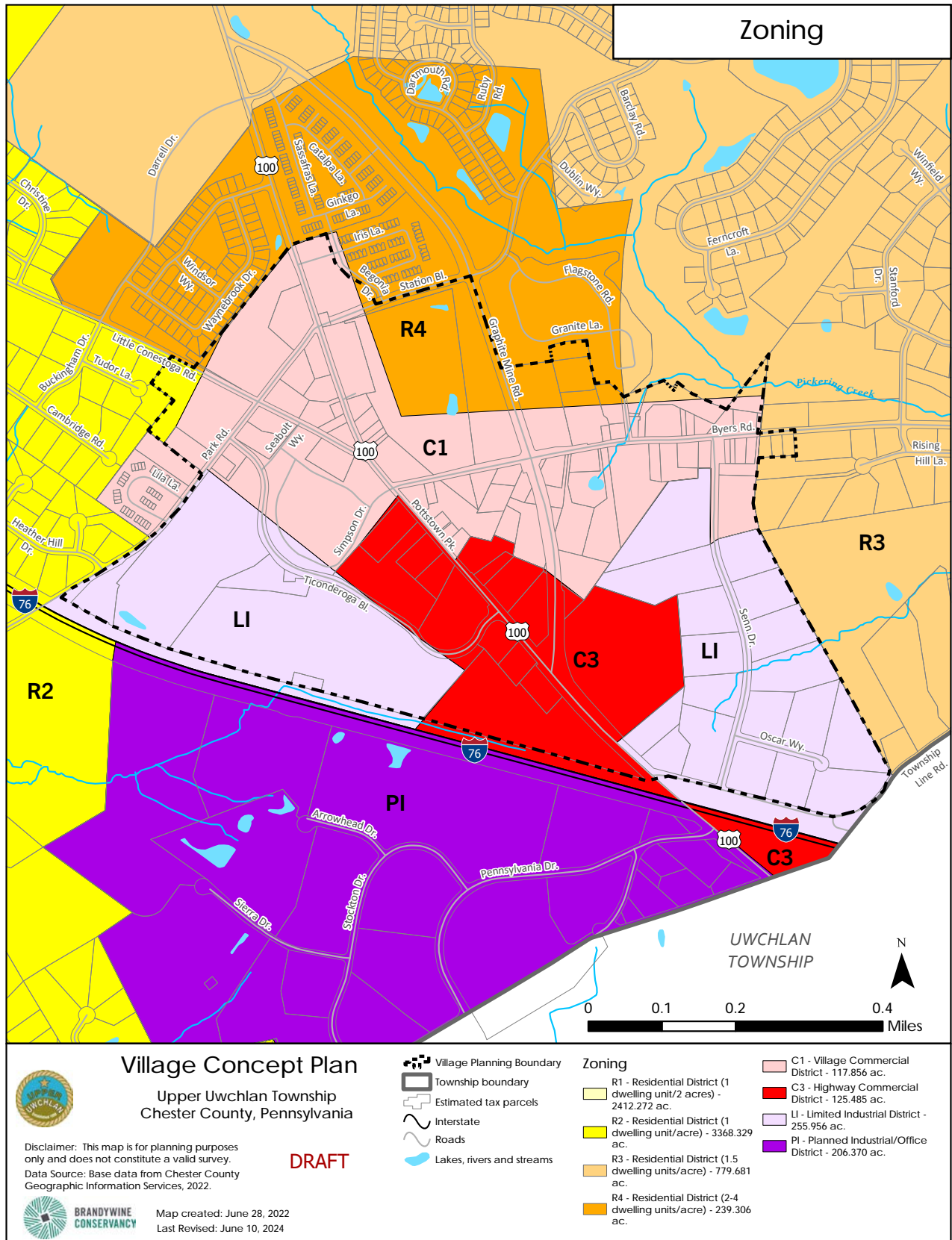
Currently, there are provisions in the Zoning Ordinance and Subdivision and Land Development Ordinance, which are intended to help preserve and protect the Township's historic features.

The subdivision and land development design standards encourage maintenance and preservation of historic resources (i.e., historically, culturally, or architecturally significant buildings, monuments, sites or potential archaeological sites, unique historic landscapes). That includes requirements to consider all available adaptive reuse options that may keep the historic resource viable, as well as tax and other



Map 3-3





Map 3-4

incentives available to preserve the historic resource, limiting opportunities for relocating historic resources, and requirements for interpretive signage, easement, and maintenance responsibilities.

Adaptive reuse of historic preservation regulations encourages reuse of any identified historic structures located on a tract listed in the Historic Resources Inventory of Upper Uwchlan Township. Home occupation, professional or business office, cultural studio, day-care center, bed-and-breakfast, and other uses of a similar nature and similar community impact are permitted by right in the C-1, C-3, LI, and PI Zoning Districts. Home occupation and no-impact home-based businesses are permitted by right in the residential zoning districts. Adaptive reuse of any structure as an additional principal use on the same lot is permitted via conditional use process in any zoning district. Professional or business office, cultural studio, day-care center, bed-and-breakfast, and other uses of a similar nature and similar community impact, and multiple-family dwelling are permitted via conditional use process in residential districts. Adaptive reuse provisions also include specific modifications to area and bulk regulations and specific requirements for adaptive reuse for multiple-family dwellings.

Specific design standards for the preservation of historic resources are included in the C-1 Village District and applicable to C-3 Highway Commercial District and R-2, R3, and R-4 Districts as described below (see the Township's Ordinances for any updates since the adoption of this Plan).

### *C-1 Village*

The purpose of the C-1 Village District is to preserve the historical development patterns of the Village of Eagle and the Byers Station Historic District and establish standards for new development and coordinate street and landscape improvements and pedestrian amenities to complement the village setting and provide safe and convenient access and provide for a variety of uses in a manner which facilitates and promotes pedestrian travel within the village setting and preserves historical resources.

Business or professional offices, financial in-

stitutions, individual retail stores, shops, grocery stores, bakeries, personal service establishments and medical marijuana facilities are allowed by right. Educational, cultural studios or facilities, day-care centers, financial institutions with drive-throughs, individual retail stores, mixed-use dwellings, bed-and-breakfast inns, restaurants, and adaptive reuse for historic preservation are allowed via the conditional use process.

The C-1 district regulations include design standards for preserving historic resources, architectural design, pedestrian and vehicular access, streetscape design, and stormwater management, and reference to supplemental land use regulations pertaining to a specific use (i.e., adaptive reuse for historic preservation, shopping center standards), common regulations about specific development features (i.e., parking, landscaping, screening) and signage. These design standards apply to all uses by right and/or conditional use approval and include (as described in the current Zoning Ordinance):

- Preservation of historic structures and historic resources, including historic landscapes, to the greatest degree practicable.
- Required Township's approval for the removal of historic resources.
- Standards for certain modifications of historic resources in compliance with the Secretary of the Interior's Standards for Rehabilitation.
- Requirements for the use of authentic period materials and colors for historic resources visible from any existing or proposed right-of-way.
- New construction is to be designed with either traditional village architectural character or a contemporary expression of traditional styles and forms, respecting scale, proportion, roof pitch, character, and materials of historic examples in Byers Station Historic District, Village of Eagle, and the surrounding area.
- Pedestrian access to be designed to provide convenient, safe, and direct

access between various uses and other nearby concentrations of development.

- Vehicular access is designed to limit the number of new access points to public roads.
- Parking areas are to be landscaped and appropriately screened and not be provided in the front yard.
- Streetscape landscaping and pedestrian amenities to be provided to meet overall village planning objectives, including potential requirements for trash receptacles, public benches, bike racks, planting strips and pedestrian paving materials.
- Additionally, there are architectural design guidelines for new construction in the C-1 district. These guidelines include maximum façade length, desired materials, color, and aesthetics for pitched roofs, types of exterior wall materials and specific structural elements, and a building size restriction of 6,000 square feet.

### *C-3 Highway Commercial*

The purpose of the C-3 Highway Commercial District is to provide retail and service uses in an area of the Township accessible to a regional highway system. The C-3 District establishes standards for a unified and organized arrangement of buildings, service, and parking areas, to facilitate access management and provide for safe, convenient, and attractive commercial activity in the Township.

Business or professional offices, financial institutions, passenger station for public transportation, individual retail stores, restaurants, personal service establishments (i.e., beauty salons, tailor, barbershop), retail or wholesale establishments, educational or religious and medical marijuana dispensaries are allowed by right. Day-care center, hotel or motel, bed-and-breakfast inn, indoor amusement center, gas stations, auto sales establishments and car wash, mixed-use dwelling, and adaptive reuse for historic preservation are allowed via conditional use process. Additionally, uses permitted in the C-1 Village District whether by right, con-

ditional use process or special exception are permitted in the C-3 district.

The C-3 District regulations also provide a reference to supplemental land use regulations pertaining to a specific use (i.e., adaptive reuse for historic preservation, shopping center standards) and common regulations on specific development features (i.e., parking, landscaping, screening). The design standards specified in the C-1 Village District that are described previously are also applicable within the C-3 District under certain circumstances.

### *R-2 Residential*

The purpose of the R-2 Residential District is to provide for low to moderate density residential development in areas of the Township which are not generally characterized by steep slopes or floodplains, but which nevertheless contain soils conditional for on-lot sewage disposal systems and variable groundwater yields; to encourage continued agricultural, open space and conservation uses in the R-2 District while also permitting low to moderate density residential development compatible with established use patterns; and to encourage and promote phased development throughout the Township by permitting low to moderate density residential uses in the R-2 District until other areas of the Township more accessible to adequate services and transportation are fully developed in medium and high density residential uses. The R-2 District establishes maximum density standards which provide the conservation of surface water and groundwater supplies, soils for on-lot sewage disposal systems, and the control of soil erosion and flooding.

Any uses permitted by right in the R-1 Residential District, including single-family detached and semi-detached (twin) and two-family detached dwellings (duplex), group homes and agriculture, are allowed by right. Educational or religious use, cemeteries and adaptive reuse for historic preservation are allowed via conditional use.

The specific design standards are not included but provide a reference to supplemental land use regulations pertaining to a specific use (i.e., adaptive reuse for historic preservation, shopping center standards), common regulations

pertaining to specific development features (i.e., parking, landscaping, screening) and signage.

### *R-4 Residential*

The purpose of the R-4 Residential District is to provide the opportunity for high-density residential development to occur in areas that are compatible with established use patterns, located in areas of the Township which contain environmental features generally suitable for such development and accessible to transportation systems and community facilities appropriate for such development. The R-4 District is designed to provide the opportunity for accommodating multifamily units at a density consistent with the character of the Township.

Any uses permitted by right in R-1 and R-3 Residential Districts, including single-family detached and semi-detached dwellings (twin) and two-family detached dwellings (duplex), group homes and agriculture, are allowed by right. Multi-family dwellings and adaptive reuse for historic preservation are allowed via conditional use.

The specific design standards are not included but provide a reference to supplemental land use regulations pertaining to a specific use (i.e., adaptive reuse for historic preservation, shopping center standards), common regulations pertaining to specific development features (i.e., parking, landscaping, screening) and signage.

### *LI Limited Industrial*

The purpose of the LI Limited Industrial District is to provide for limited industrial and other related intensive activities in the Township, to encourage the establishment of industrial uses which will offer additional employment opportunities and an increased tax base for the Township; to establish reasonable standards governing industrial development to ensure its compatibility with the character of the area and adjacent land uses, and to locate industrial uses within proximity to major roads to provide safe and efficient access by industrial-related traffic.

Light manufacturing, medical marijuana grower/processor, laboratories, public utility operating facilities, printing or publishing establish-

ments, office buildings, wholesale warehouse and distribution, churches and other religious uses are allowed by right. Surface mining operations, sanitary landfills, junkyards, recycling collection centers, auto body repair, indoor health spas, tower-based communication facilities, adult-oriented uses, and municipal or public uses are allowed via the conditional use process. Additionally, bakeries, retail sales, restaurants and adaptive reuse of historic preservation are allowed via conditional use approval when those uses are established on a property designated by the Township as a Class I or Class II Historic Resource where historic buildings shall be adaptively reused.

Similar to R-4 District regulations, specific design standards are not included but provide a reference to supplemental land use regulations pertaining to a specific use (i.e., adaptive reuse for historic preservation, shopping center standards) and common regulations pertaining to specific development features (i.e., parking, landscaping, screening).

In summary, in both the C-1 and C-3 Districts, mixed-use developments via provisions for any two or more principal uses and mixed-use dwellings are permitted when approved by the Board of Supervisors as a conditional use. Also, opportunities for twins, duplexes, group homes and multifamily dwellings exist within the R-4 district. There is a 35-foot height limitation on structures in all zoning districts. Additionally, all districts within the Village Planning Area highly encourage adaptive reuse for historic preservation. However, only the C-1 Village District and C-3 Highway Commercial District provide specific design guidelines for historic preservation.

## **Building Patterns**

A mixture of historic and modern, residential, and commercial structures is currently located in the Village Planning Area. The historic building patterns are erratic, with various street setbacks, building footprints, and building materials. Historically, building footprints had been small, ranging from 600 to 1,200 square feet. Modern structures, including a grocery store/mall and pharmacy, have footprints in the range of 2,800 to 20,000 square feet. Most structures are either single- or two-story. Several new structures and uses have been added to His-



toric Eagle Village and surrounding areas since 2010 that have influenced the village dynamic:

- Expansion of municipal building and pocket park on Pottstown Pike south of Park Road
- Expansion of Profound Technologies building on Little Conestoga Road
- Construction of daycare on Little Conestoga Road
- Introduction of Starbucks drive-through on Pottstown Pike north of Byers Road
- Introduction of municipal playing fields north of Byers Road at Graphite Mine Road
- New commercial offices on Little Conestoga Road south of Park Road
- A new multi-use trail connects [Village of] Eagle with neighborhoods west of Hickory Park and Marsh Creek State Park
- New sidewalks and trails connect surrounding neighborhoods to the Village Planning Area
- New Upland Farm Park and refurbished barn on Darrell Drive west of Pottstown Pike

Within the Historic Eagle Village and Byers Station Village, historic residential structures along Pottstown Pike and Byers Road continue to be successfully adapted to commercial or office uses and, in some instances, offer residential apartments on upper floors.

### *Circulation and Access Management*

The VPA includes parcels bordering Park Road, Little Conestoga Road, Pottstown Pike, and Graphite Mine Road, as depicted on the Village Planning Area map. The most heavily traveled road within the Historic Eagle Village is Pottstown Pike (PA Route 100). Graphite Mine Road was constructed to alleviate congestion along Pottstown Pike through the Historic Eagle Village. However, since its completion in 2009, Graphite Mine Road has yet to successfully divert through traffic around the Village. The Township is currently in discussions with

the Pennsylvania Department of Transportation (PennDOT) to realign the designated route for PA Route 100 to Graphite Mine Road to help alleviate traffic through the Village's core.



In 2010, the Township implemented the Access Management Ordinance to provide vehicular access to land development that preserves the transportation system's safety and efficiency. The provisions apply to C-1, C-3, and LI districts and include limitations on the number of driveways, driveway location and spacing, restriction to one roadway access, and specific requirements for driveway design. The regulations apply to new land development and applications for building permits. They are beneficial in limiting direct lot access to main roadways within the VPA, facilitating traffic flow and diverting traffic from the main core.

The Township identified two village streetscape projects in 2014: along Byers Road and a portion of Pottstown Pike. The Pottstown Pike streetscape redesign was completed with street light installation, sidewalk improvements and tree plantings. However, the existing streetscape treatments are not consistent throughout the VPA. There is no clear theme of the appearance or view of streets for the Village beyond that established along Pottstown Pike in the Eagle Village core.

## *Pedestrian and Bicycle Amenities*

The VPA includes a multi-use Township trail, side paths and neighborhood trails that connect the Eagle Village Historic Area and Byers Station Village with nearby residential communities, the Pickering Valley Elementary School, Larkin's Field, Upland Farm Park with a restored barn, Hickory Park and other trail systems. The sidewalks in the Village are currently fragmented (i.e., disconnected from each other), which prevents many residents and visitors from walking throughout the Village. Several marked crosswalks along Pottstown Pike have a button crosswalk system to provide safe crossings to Pottstown Pike. However, those are primarily within the Eagle Village core. Opportunities for safe biking within the VPA are minimal, and bike-supporting amenities are lacking, such as defined bike lanes, signage, and bike racks.

The Township recently completed the Active Transportation Plan that illustrates a network of facilities that allow residents and visitors in the Township to access a broad range of destinations and uses without needing to use an automobile. Furthermore, the study aims to increase the sense of community and recreation opportunities in Upper Uwchlan Township while increasing overall health benefits for its residents.

## *Clean Energy Systems*

The Committee recognizes the potential for future installation of alternative energy systems within the VPA, including rooftop or ground-mounted solar systems, solar panel components and/or electric vehicle (EVs) charging stations. Alternative energy systems, including solar, wind and geothermal, are allowed as an accessory use in all districts, including those parts of the VPA with several limitations, including:

- Solar and wind energy systems are prohibited in all public open spaces, within wastewater reclamation areas, greenways, and riparian buffer areas.
- Wind energy and geothermal systems are prohibited in the C-1 Village District and designated historic districts.
- Wind energy systems are permitted in the LI Limited Industrial District as an

accessory use via conditional use approval.

Currently, no regulations address the installation of rooftop solar systems on historic resources. And there are no regulations for installing Electric Vehicle charging stations in the Township, and none exist within the VPA. Considerations shall be given on encouraging the use of alternative energy systems while retaining the VPA's sense of place and rural character.

## **Future Development**

Several new/pending developments will also influence the Village dynamic:

- Ongoing construction of continuing care facility on Graphite Mine Road north of Byers Road.
- Once entirely constructed, Byers Station Parcel 5C (the commercial uses of which are located within the VPA) will include 172 townhomes, a daycare facility, a drive-through restaurant, and 13,200 square feet of retail space.
- Pending development of 301 Park Rd.
- Pending development on the south side of Byers (164 Byers).



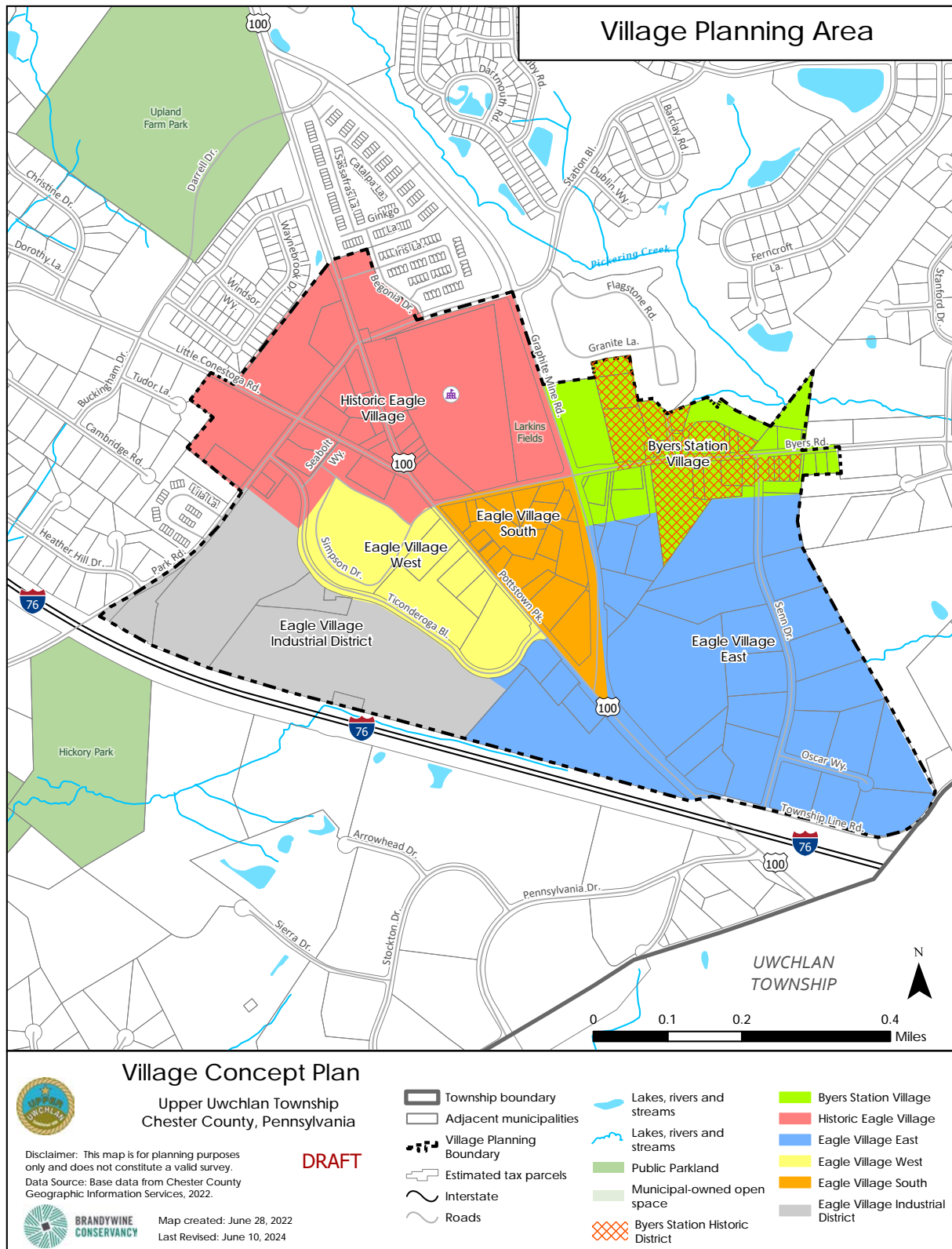
## Introduction

Due to the extent and unique characteristics of different geographic areas within the VPA, the Committee identified six sub-areas (see Map 4-1) to evaluate conditions for future growth and/or redevelopment and develop a vision. Each sub-area has distinctive features of how it was developed in the past, including physical location, existing land use, zoning conditions, building patterns and architecture, the extent of historic resources and degree of development potential. The map below represents the six sub-areas:

### Main Core Sub-Areas

1. Byers Station Village
2. Historic Eagle Village (*includes the Eagle Village Historic Area*)
3. Eagle Village South
4. Eagle Village East
5. Eagle Village West
6. Eagle Village Industrial District





Map 4-1

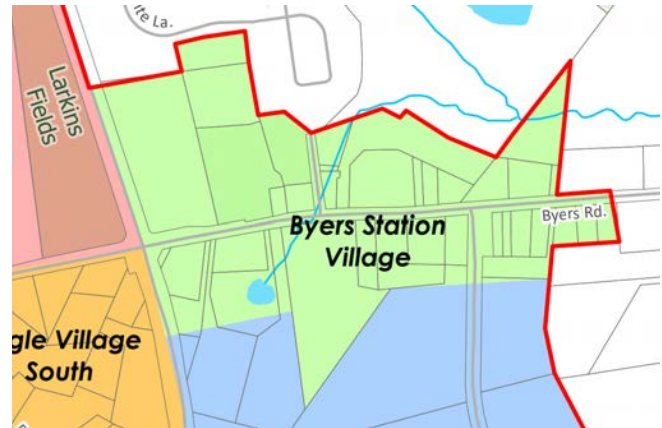


## Byers Station Village

This sub-area is defined predominantly by the officially designated Byers Station Village on Byers Road that is listed on the National Register of Historic Places, and other areas near Byers Road zoned C-1 Village District. There is a low density of buildings and structures within the area, with most classified as historic resources. This sub-area primarily consists of single-family houses and individual medical, professional services, and small-scale retail offices.

The following is envisioned in the Byers Station Village (including the C-1 Village Commercial areas):

1. A small village of single-family and multi-family residences with small-scale office/retail use.
2. Historic resources are preserved, maintained and used to the extent practicable or through adaptive reuse for apartments, offices, services, or retail.
3. Limited light redevelopment and limited infill development, as well as additions or modifications to existing structures, are consistent with and maintain the historic architecture and character of the Byers Station Village (i.e., Victorian façade).
4. Enhanced streetscape along Byers Road, including, but not limited to, street trees, lights, and sidewalks.
5. Signage unique to the Byers Station Village, including interpretive signage.
6. A replica of the now demolished, c. 1870s train station located north of Byers Road, known as Byers Station.
7. Pedestrian-oriented streets encourage walking and bicycle use.
8. Walking connection between Byers Station Village and the Eagle Village.

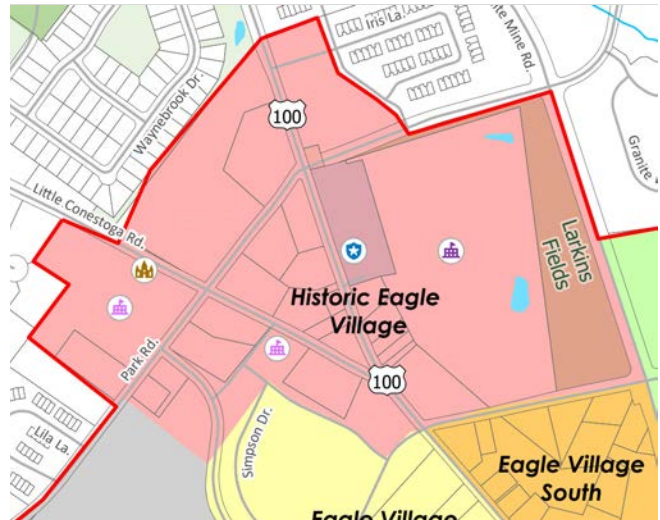


## Historic Eagle Village

This sub-area, the core of the Historic Eagle Village, is defined by a cluster of retail uses centered within the boundaries of Park Road, Little Conestoga Road, Byers Road, Pottstown Pike and adjacent areas. There is a high concentration of existing structures in this area that consists of historic resources and contemporary structures. Pedestrian connections have been improved, but sidewalk gaps still exist.

The following is envisioned in the Historic Eagle Village:

1. A walkable village that also encourages bicycle and e-bike use.
2. Historic resources that are preserved, maintained, and used as originally intended or through adaptive reuse.
3. Small-scale businesses that attract and encourage visitors to walk and stay in the Eagle Village, including, but not limited to, restaurants, ice cream parlors, spas, antique stores, hardware stores, bookstores, artists and crafts people.
4. Enhanced streetscape along Pottstown Pike, Little Conestoga Boulevard, Byers Road and Park Road, including street trees, lights, sidewalks, site furniture, signage, banners and seasonal planters.
5. A completed sidewalk connection between the Wawa and Starbucks.
6. Limited light redevelopment and limited light infill development, as well as additions to existing structures, which are consistent with and maintain the historic architecture and character of the Historic Eagle Village.
7. Civic space creation—critical to establishing a village core into which all other sub-areas are connected, becomes a central gathering place where Township activity is centered.
8. Coordinated vehicular access points to limit pedestrian crossings of driveways.
9. Adequate parking at the rear of the buildings and shared or open parking where applicable.



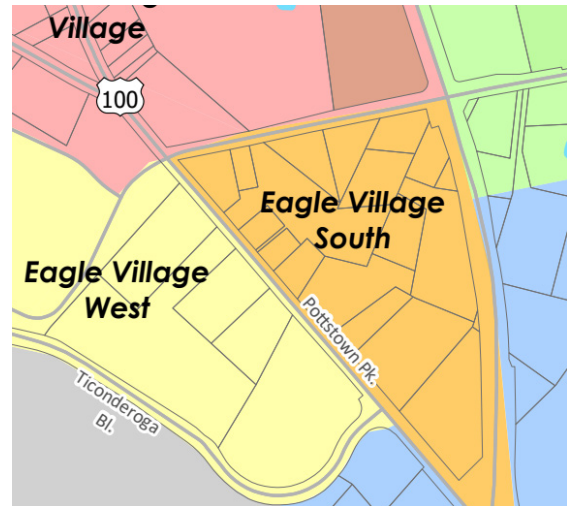


## Eagle Village South

This sub-area is bordered by Pottstown Pike to the west, Byers Road to the north and Graphite Mine Road to the east. There is a high concentration of existing structures in this area along Pottstown Pike and Byers Road, consisting of six historic resources and more contemporary structures.

The following is envisioned in the Eagle Village South sub-area:

1. Function as a gateway to the Historic Eagle Village and continuation of the Historic Eagle Village that is walkable and encourages bicycle use, consistent with the view of Pottstown Pike as a small town “Main Street.”
2. Historic resources that are preserved, maintained, and used as originally intended or through adaptive reuse.
3. Small-scale office and retail businesses that attract and encourage visitors to walk and spend time in Historic Eagle Village.
4. Limited light development, redevelopment and infill, as well as additions and modifications to existing structures that are consistent with and maintain the historic architecture and character of the Historic Eagle Village.
5. Larger building footprints potentially along Graphite Mine Road.
6. Controlled access to Graphite Mine Road.
7. Residential uses above commercial/retail; shared parking only.
8. Coordinated access among uses.
9. Parking at the rear of the building.
10. Rear alley for coordinated access.



11. Consistent streetscape treatment along Pottstown Pike, Byers Road, and Graphite Mine Road to strengthen the view of the area as a gateway to and continuation of Historic Eagle Village.



## Eagle Village East

This sub-area is defined by the Pennsylvania Turnpike to the south of Ticonderoga Boulevard, north across Pottstown Pike to the east side of Graphite Mine Road. There is a low concentration of existing structures in this area. Two existing structures are historic resources, and the others are more contemporary.

The following is envisioned in the Eagle Village East:

1. Single-story office park or commercial/retail space includes residences.
2. Capitalize on scenic views to the north overlooking the Historic Eagle Village without damaging views, the historic contexts and/or historic resources with in the Historic Eagle Village, Byers Station Village and supporting landscapes.
3. Centralized parking plazas or parking structures consistent with and maintain the historic architecture and character of the Historic Eagle Village.
4. Pedestrian-oriented buildings with interconnected sidewalks, public plazas, and pocket parks.
5. Pedestrian connections to Byers Station Village and the Historic Eagle Village shops, restaurants, and services.
6. Landscape buffer along Graphite Mine Road.
7. Landscape screening to buffer Byers Station Village.
8. Coordinated access among uses; rear parking areas; rear alleys.
9. Strong pedestrian orientation around the perimeter and into Eagle Village South and Byers Station Village.
10. Consistent streetscape treatment along Pottstown Pike and Graphite Mine Road.



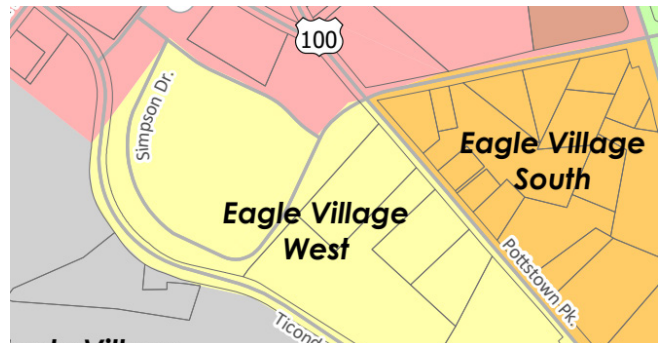


## Eagle Village West

This sub-area includes lands east of Ticonderoga Boulevard, south to the Wawa and east to Pottstown Pike. There is a relatively low density of existing structures in this area, and they are primarily contemporary commercial structures with one historic structure, #167.

The following is envisioned in Eagle Village West:

1. The part of this sub-area along Pottstown Pike serves as a gateway to the Historic Eagle Village and a continuation of the Historic Eagle Village, which is walkable and encourages bicycle use.
2. Other parts of this sub-area are walkable areas that encourage bicycle use within easy walking distance to shops, restaurants, groceries, trails, Hickory Park, and Marsh Creek State Park.
3. Limited light infill development, redevelopment and development, as well as additions and modifications to existing structures that are consistent with and maintain the historic architecture and character of the Historic Eagle Village.
4. Small shops, live/work units and retail businesses attract and encourage visitors to walk and spend time in Eagle Village West and Historic Eagle Village.
5. Residential uses above commercial/retail.
6. Civic and open spaces that are accessible from Pottstown Pike.
7. Enhanced streetscape, street trees, lighting, and sidewalks along Pottstown Pike, all consistent with streetscape in Historic Eagle Village.
8. Integrated vehicular and pedestrian access between the Eaglepointe Village shopping center and future infill uses to reduce local traffic on Pottstown Pike and Ticonderoga Boulevard.



## Eagle Village Industrial District

This sub-area north of the PA Turnpike is bordered by Ticonderoga Boulevard to the north.

The following is envisioned in the Eagle Village Industrial District sub-area:

1. To reduce industrial and residential traffic through the Historic Eagle Village, consider through development or redevelopment scenario an extension of Township Line Road north to Park Road (would parallel the Turnpike and provide a second means of access to industrial sites).
2. Two new connector roads between Ticonderoga Boulevard and the Township Line Road extension.
3. Community/active recreation center with multi-use outdoor public space.
4. Some commercial with office buildings, limited light industrial that are compatible and complementarily to existing land uses and character of surrounding sub-areas.
5. High visibility from the Turnpike, the orientation of buildings towards the Turnpike.
6. Landscape screening/buffer between LI District and other Eagle Village sub-areas.







To achieve the visions identified for the Historic Eagle Village and Byers Station Village, the following are primary recommendations:

- Obtain greater historic resource protection within the Village Planning Area by implementing the recommendations within the Historic Resource Protection Plan contained in the Township's Comprehensive Plan (2024).
- Evaluate the adoption of Act 167 Historic District Ordinance (i.e., establishing a HARB) for the Byers Station Village.
- Plan events to showcase the Historic Eagle Village and Byers Station Village's architecture and help promote the Historic Eagle Village by coordinating with residents, businesses, and service groups, such as the Lions. Additionally, schedule events to attract visitors to the Historic Eagle Village, including but not limited to walking tours, fall and holiday festivals, July 4th parades and artist/craft fairs.
- Evaluate ways to attract more businesses to the Historic Eagle Village that encourages more foot traffic.
- Review the parking ordinance to determine the need to adjust/reduce/increase the Township zoning ordinance's parking requirements in the VPA to encourage pedestrian movement in and around the Village Planning Area to attract visitors to the Historic Eagle Village and the

Byers Station Village. This may include evaluating shared parking opportunities within the Village Planning Area or its immediate surroundings.

- Enhance the architectural design guide lines within the C-1 and C-3 Zoning Districts to address streetscape improvements, pedestrian facilities, civic spaces and other appropriate features.
- Incorporate by reference the Village Design Guidelines in the C-1 and C-3 Zoning Districts and the Township's Subdivision and Land Development Ordinance.
- Review the sign ordinance for its suitability in the C-1 and C-3 Zoning Districts.
- Review the zoning and SLDO lighting ordinance to ensure consistency with the goals of the Village Concept Plan and Village Design Guidelines.
- Review the zoning and SLDO street design ordinance (i.e., benches, trash receptacles) to ensure consistency with the goals of the Village Concept Plan and Village Design Guidelines.
- Review the zoning and SLDO signage ordinance to ensure consistency with the goals of the Village Concept Plan and Village Design Guidelines.
- Evaluate options to install village gate ways that enhance sense of place, reduce traffic speeds, and provide landscaping and green stormwater opportunities.
- Along with PennDOT, evaluate the feasibility of redesignating Graphite Mine Road as State Route 100 to divert traffic from the Historic Eagle Village. Consider appropriate traffic studies to better understand existing traffic flows in and adjacent to the VPA. This recommendation must be implemented to make the vision for the Historic Eagle Village possible. Without this change, the vision for the Historic Eagle Village is severely limited.
- Consider adopting the Official Map to add planned (new) roads and trails. Showing these planned facilities does not mean that the Township can take the right-of-way when needed. However, showing them on the Official Map informs landowners of the Township's desired village street network and allows for appropriate Township/developer negotiations at the time of land development application.
- Adopt a Complete Streets ordinance consistent with the Chester County Planning Commission model ordinance, after review and revisions to customize the model to reflect the VPA.
- Consider updating the C-1 and C-3 Districts to provide incentives for applicants to construct residential dwellings above commercial/retail/office space or establish free-standing residential dwellings.
- Consider adding a Village Overlay zoning district that conforms to the C-1 and C-3 District boundaries that could be applied when landowners/developers seek greater use options and development flexibility. Village Design Guidelines are codified in the Village Overlay to reflect village planning objectives.
- Encourage alternative modes of travel to and from the Historic Eagle Village and Byers Station Village by requiring active transportation facilities.
- Intersection improvements at the north and south of the Historic Eagle Village recommended in the Village Transportation Plan should be revisited and updated as necessary.
- Consider opportunities to implement green stormwater infrastructure and improve landscaping to help provide visual separation between the VPA and surrounding landscapes.
- Consider installing solar light structures along trails for increased accessibility and visibility at night.



- Conduct parking study within the VPA to evaluate opportunities for additional parking and/or shared or open parking.

## Implementation Strategies

The Village Concept Plan attempts to unify how the Eagle Village Historic Area and Byers Station Village can develop without detracting from or diminishing the area’s visual and historic integrity and continue to meet other planning objectives. Supportive participation by both public and private sectors will be essential to realizing many implementation strategies described below.

### ***Village Concept Plan Implementation Task Force***

To ensure that recommendations developed in this Plan are being implemented, the development of a dedicated Task Force to oversee the progress is recommended. Said Task Force can be appointed to meet on an as-needed basis to discuss the next steps and identify specific priorities to move forward. In addition, providing feedback on pending subdivision and land developments and any proposals within the VPA can be a dedicated task for that committee.

### ***Official Map***

An Official Map is a “land use ordinance” with the map as a primary component of an official map ordinance that provides for planned future public lands and facilities, including streets, trails, parks and open spaces where there is a municipal interest in acquiring lands for public purposes sometime in the future. An Official Map is a legal document adopted in accordance with the Pennsylvania Municipalities Planning Code.

An Official Map can be used to provide for future pedestrian expansions, designate bikeway routes and multi-use trails, reserve land for pocket parks and civic spaces and historical and archaeologically significant areas. Identifying these planned facilities on the map does not mean that the Township can take the right-of-way when needed. However, it informs landowners of the Township’s desired village layout and allows for appropriate Township/developer negotiations at the time of land development

application. Landowners should be incentivized to comply with the Official Map so that the Township’s infrastructure needs can be satisfied without burdening existing Township residents and businesses. That can be achieved by the following:

1. Adopt an Official Map and ordinance to include planned roads, pedestrian extensions, trails and bike routes and other civic spaces recommended in the Upper Uwchlan Township Comprehensive Plan (2024), Active Transportation Plan (2023), Village Transportation Plan (2015), and other relevant plans.

### ***Village Overlay Zoning District***

New zoning tools may be appropriate to help realize the Village’s vision, such as creating a Village Overlay zoning district applicable to areas that do not include designated historic buildings or structures which fall under the historic preservation provisions in the Township code. This will allow for an aesthetic transition between historic structures and buildings that are not designated historic by Upper Uwchlan Township.

An overlay is an effective regulatory tool that creates a particular zoning district with unique area and bulk regulations, design guidelines and provisions supportive of the identified vision for the area. The extent of the overlay district can be pre-mapped to a specific geographic area, for example, the Historic Eagle Village and the Byers Station Village or the entire Village Planning Area.

A Village Overlay can forward historic preservation efforts by providing additional provisions of the lot and bulk regulations and additional uses, protecting remaining open space, enhancing provisions for screening, landscaping, and lighting, signage, implementing traffic calming and encouraging consistent signage along the streetscape and throughout the village area. This can be achieved by the following:

1. Designate the Village Overlay District to provide consistency among zoning regulations within the Village Planning Area.

## ***Historic Resources Protection Standards***

Obtain greater historic resource protection within the Village by adding appropriate provisions to the zoning ordinance that will provide landowners and developers with incentives for the adaptive reuse of historic buildings and prevent historic resource demolition. Historic resources protection standards can be applied in two ways: through changes to the existing historic preservation regulations in zoning and subdivision and land development provisions (Act 247) and/or by designating a local historic district (Act 167). A historic district is certified by the Pennsylvania Historical and Museum Commission with standards administered by the Township with the assistance and review of a local Historical Architectural Review Board (HARB). While historic preservation regulations in zoning are used to limit alterations and demolition of historic resources, provisions of historic districts allow for the preservation of character and architecture of historic areas for existing structures and new construction. Variations of these standards can be used to ensure the continuous distinctive character of both the Historic Eagle Village and Byers Station Village while allowing for the reuse of historic resources to fit the needs of the existing population. That can be achieved by the following:

1. Establish the designated historic district, for example, the existing Byers Station Village boundary, with specific standards to be administered by the appointed HARB.
2. Strengthen historic resource provisions that apply to all historic resources within the Township, including those in the Village Planning Area.

## ***Zoning and Subdivision and Land Development Ordinance Provisions***

The current provisions of the C-1 Village District allow for mixed-use when approved as conditional use. However, there may not be sufficient incentives to encourage new residential units in the village. A balance of residential and non-residential uses will enhance the vitality of the Village, as Village residents will bring activity to the village's businesses, sidewalks, and civic

spaces, enhancing the sense of place and village community. Additionally, the architectural design guidelines are only included in zoning provisions within the C-1 District and the C-3 District (in more limited circumstances), which limits the extent of potential improvements to align with the historic character of the entire Historic Eagle Village and the Byers Station Village.

That can be achieved by the following:

1. Update underlying zoning language within the Village Planning Area to codify the Village Design Guidelines, including streetscape improvements, pedestrian facilities and civic spaces, and provide incentives to use design guidelines.
2. Evaluate the existing street lighting requirements for opportunities for improvements to encourage more walking and use of civic spaces.
3. Consider updating landscape requirements and tree planting regulations to encourage landscape buffers and landscaping of parking areas.
4. Include by reference the Village Design Guidelines in the C-1 and C-3 Zoning Districts and in the Township's Subdivision and Land Development Ordinance.
5. Consider provisions for the installation of electric vehicle charging stations in designated parking areas.
6. Evaluate regulations as they pertain to rooftop solar for historic buildings and structures and adjust accordingly.

## ***Village Design Guidelines***

The Village Design Guidelines (Guidelines) have been developed to help property owners and Upper Uwchlan Township preserve the historic character of the Township's Village Planning Area (VPA). The Guidelines are designed for use within the VPA as may be required by Township Ordinances, however, property owners are encouraged to use the Guidelines voluntarily throughout the Township.

The Guidelines are intended to provide proper-

ty owners and Township officials with a “go to” illustrated manual for preserving, rehabilitating, and enlarging historic resources, designing new buildings, and making changes to street-scapes and historic settings within the VPA. Their purpose is to help ensure changes in the VPA will be compatible with and sensitive to the VPA’s historic resources and settings, particularly in the villages of Eagle and Byers. The Village Design Guidelines can be viewed at the Township Offices or on the Township’s website.

### ***Incentives for Landowners and Developers***

The Township’s C-1 and C-3 zoning districts include several commercial, institutional, and residential use options for landowners and developers when developing vacant properties, changing an existing use, or redeveloping a site. In addition, the C-1 District includes specific building and site design standards that apply to all proposed uses, and the C-3 District applies those standards for uses subject to conditional use approval.

Sufficient incentives must be offered in the C-1 and C-3 Districts to gain landowner participation in realizing the Township’s vision for the Historic Eagle Village and Byers Station Village. For example, obtaining landowner/developer cooperation in a public street extension or new street construction may require providing additional incentives within the Zoning Code.

### ***Pedestrian and Bicycle Accessibility Improvements***

The Village’s success will depend upon a safe network of supporting roads and pedestrian facilities. Using green infrastructure (i.e., street trees, green streets) is important for aesthetics and the comfort of pedestrians, as trees provide shade and visual relief from hard surfaces. Good pedestrian connectivity would include a civic space network to invite public use and informal gathering areas outside shops and businesses. Visitors from nearby residential developments will be encouraged to walk to the village and leave their cars at home. In the future, using structured parking for village use may also be financially feasible. Nevertheless, a well-designed network of sidewalks and civic spaces will be needed, as well as opportunities

to access public transportation and revisions to the Township’s parking requirements.

That can be achieved by the following:

1. Adopt a Complete Streets ordinance consistent with the Chester County Planning Commission model ordinance, after review and revisions to customize the model to reflect the VPA.
2. Complete village streetscape improvement projects to encourage walking, reduce localized traffic, support the Village’s character and feel, and provide additional recreational benefits for the community. Consider installing pedestrian amenities, such as benches, trash and pet waste receptacles, street lighting and additional landscaping along the sidewalks and trails.
3. Consider the location for installing Emergency Call Box systems within the village planning area for safety.
4. Consider various lighting options for pedestrian safety along sidewalks and/or trails.
5. Consider the installation of trail markers and wayfinding signage within the village planning area to guide residents and visitors in the right direction.

### ***Circulation Improvements***

It is likely that multi-family residential uses, as well as apartments on upper stories of commercial buildings, could be proposed for the Village in the future. Such development would be consistent with the Village plan, but there would likely be insufficient surface parking to accommodate this build-out scenario. A vibrant village will depend on an appropriate mix of residential, commercial, light industrial, and institutional uses, which may not be easily achieved based on the current parking requirements of the Zoning Ordinance.

The Township is interested in limiting direct lot access to Graphite Mine Road to facilitate traffic flow and divert traffic from the Historic Eagle Village. A goal of the Township is to have Graphite Mine Road formally designated by PennDOT as Pottstown Pike to reduce traffic through the



Historic Eagle Village further. Reduced traffic volumes would allow the former Pottstown Pike to again function as the Historic Eagle Village's traditional "main street."

1. Work with PennDOT to formally redesignate Graphite Mine Road as State Route 100 to divert traffic away from the Historic Eagle Village's "main street."
2. Review the parking ordinance to determine the need to adjust/reduce/increase the Township zoning ordinance's parking requirements in the Village and to encourage greater pedestrian movement in and around the Village.
3. Ensure that the zoning ordinance allows structured parking in select areas.
4. Encourage alternative modes of travel to and from the Village by requiring active transportation facilities.
5. Revisit the need for intersection improvements at the north and south of the Historic Eagle Village recommended in the Village Transportation Plan. Consider village gateway treatments at key village entry points.

### ***Heritage Interpretation Plan***

Considering the abundance and variety of historic resources within the Village Planning Area, it is beneficial to provide consistency when interpreting local history and community culture for residents and visitors. The development of the Heritage Interpretation Plan for the Village Planning Area is beneficial to educate residents, attract visitors and encourage walking. The Plan generally includes locations of significant historic and cultural sites, potential improvements (i.e., interpretive signage, public amenities), potential physical connections to other sites and points of interest and steps to develop and implement a walking/biking tour within the area.

### ***Environmental Resilience Planning Initiatives***

Climate resilience is the ability to adapt to and withstand the impacts of climate change. For a

successful future into 2035 and beyond, the Village Planning Area recommendations consider clean energy initiatives and implementation of green infrastructure. Regarding redevelopment in the Villages, the recommendations suggest implementing alternate energy solutions for new buildings or additions to include solar or LED lighting. This can be expanded to the Village Planning Area sidewalks and crosswalks with lighting, stoplights and charging stations within parking lots for electric vehicles. As this technology continues to develop, climate-related recommendations could expand, requiring further action from the Township. These climate resilient recommendations can be achieved by the following.

1. Complete a Local Climate Action Plan (LCAP) to inventory greenhouse gas emissions while assessing response to climate-related events or vulnerabilities.
2. Promote alternative energy solutions in new and redevelopment projects (i.e., solar panels).
3. Incentives for businesses/landlords to install solar.
4. Installation of EV charging stations.
5. Implementation of Green Stormwater Infrastructure (GSI) practices throughout the Villages.
6. Installation of solar light structures along trails for increased accessibility and visibility at night.
7. Installation of recycling stations within the Village Districts.



### Reference Documents

Chester County Comprehensive Plan,  
Landscapes3 (2018)

*Chester County Planning Commission*

Rural Center Landscape Design Guide  
(2022)

*Chester County Planning Commission*

Village Planning Handbook (1993)

*Chester County Planning Commission*

Smart Growth Online

*Smart Growth Network*

Upper Uwchlan Township  
Comprehensive Plan (2024)

*Upper Uwchlan Township*

Village Design Guidelines

*Upper Uwchlan Township*

Village of Eagle and Byers Station  
Concept Plan (2010)

*Upper Uwchlan Township*

Upper Uwchlan Zoning Ordinance



# THE COUNTY OF CHESTER



COMMISSIONERS  
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(610) 344-6285 Fax (610) 344-6515

June 28, 2024

Gwen Jonik  
Township Secretary  
Upper Uwchlan Township  
140 Pottstown Pike  
Chester Springs PA 19425

Dear Ms. Jonick,

On June 5, 2024 you requested the Chester County Planning Commission review and provide comment on Upper Uwchlan Township's landscaping requirements in its Zoning and Subdivision ordinances. Specifically, you reported that most applicants seek waivers from the landscaping requirements and requested we review the required number of plantings.

We reviewed the following ordinance sections and have provided our comments herein:

- Zoning Ordinance Section 200-77: Screening
- Zoning Ordinance Section 200-78: Landscaping
- Subdivision and Land Development Ordinance Section 162-57: Landscape design, Installation, and maintenance requirements

In general, here is a summary of our comments:

- Recommend making the standards for "immediate screens" consistent between ZO and SLDO
- Recommend requiring multiple species be planted as part of a screen, or in landscaping requirements in general.
- Recommend including provisions that allow for screen plantings to be staggered and grouped within the buffer area for improved aesthetics.
- Recommend removing the provision for modifications to the landscaping requirements within the ZO.
- Consider including stronger requirements for native plants.
- Recommend removing on-center spacing requirements for screening plants and requiring the applicant to demonstrate the screen will be adequate within the period of time deemed appropriate by the Township.
- Recommend specifying that required screening plantings are included within the overall requirements for plant quantities.



- Consider moving toward requirements that specify landscaping performance rather than quantity (e.g., requiring landscaped parking islands and foundation plantings rather than a total number of plantings for the site).
- If the Township plans to address these comments it is recommended you work with a professional planner to do so, particularly if amendments are complex in nature.

### **ZO 200-77- Screening**

In general, screening is required where a proposed commercial, industrial or institutional use abuts an existing residential use or residential district or where any proposed multifamily residential use abuts another residential district or an existing single-family or two-family dwelling. This zoning requirement applies to both existing properties as well as those that are part of a land development proposal.

- For non-residential and multifamily properties, the portion of the tract that abuts the residential use must install a 30' wide screen.
- 200.77.B.1.c- Plant materials used in the screen planting shall be at least six feet in height when planted and be of a species which will produce within two years a complete visual screen of at least eight feet in height.
  - o Comment: To avoid this requirement resulting in a wall of a single type of evergreen tree planted too closely together, I recommend adding requirements for multiple types of species, grouping and staggering plantings, and including some deciduous trees and shrubs. If a property owner is permitted to install a single row of trees that will create a complete visual screen in 2 years the plants would have to be planted much closer together than they ought to, causing plant crowding and poor aesthetics in future years.

### **ZO 200-78- Landscaping**

200.78.A.2- Applicability: Requiring a landscaping plan for all zoning permits and variance applications seems onerous. The Township may want to include exclusions for proposals below a certain size or for certain types of proposals. This broad applicability statement could relate to the number of requests for relief from landscaping requirements.

200.78.A.3- Applicability: This section notes that landscape requirements in zoning ordinance are meant to capture projects that won't be going through the SD/LD process, and that those that will be SD/LDs will only be required to meet the requirements of 162-57. The Township might consider ensuring consistent landscaping standards between ZO and SLDO.

200.78.B. Modifications- The Township may be receiving so many waiver requests because the ordinance specifies that the applicant can request modifications to the landscaping requirements in the Zoning and Subdivision ordinances. The intent of this Section seems to provide a pathway to circumvent the variance process. As an alternative, the Township might consider adding more specificity to the types of applications (as noted in 200.78.A.2) that require a landscaping plan.

## **SALDO Section 162-57: Landscape design, Installation, and maintenance requirements**

162.57.A.2. Applicability- A 20'-wide perimeter buffer is required for all SD/LD applications, except where a 30' screen is required by 200-77 of the ZO.

162.57.B.2. Landscape Plan – In (f), I recommend specifying “plants native to the Piedmont Region of Pennsylvania and the mid-Atlantic states” instead of “plant material which is acclimated to local conditions”. I also recommend adding a (g) “Shade trees provided in locations that will encourage passive solar gain for energy conservation in proposed and existing buildings, and for shade of existing or proposed impervious surfaces to reduce surface temperatures and heat islands.” Or something to that effect.

172.57.B.3.b. Landscape Plan- In (b), I recommend adding “existing vegetation, as well as the species and DBH of any existing specimen trees” to the description of what site analysis elements should be included in the landscape plan.

172.57.C.4: Landscape Design Standards: For perimeter buffers, recommend not allowing plantings that are part of the perimeter buffer to be located in private yard areas. Property owners will likely not realize the plantings are part of the approved plan and overall design, and may remove them.

(5)(a) Screening: “Vegetative screening shall include a variety of evergreen species so as to provide a year-round visual barrier. Evergreen plantings shall be provided that are at least seven to eight feet in height, planted at intervals no less than 10 feet on center. Where the Township agrees that an eventual screen (in three to five years) is acceptable in lieu of an immediate screen (to buffer future development, for example), evergreen plantings shall be at least four to five feet in height, substituted at a ratio of three to one and planted at intervals of five feet on center. See Appendix I for the minimum screening sample calculation.”

- Comments:
  - o There are now three different screening requirements including the one listed in ZO 200-77 (which requires plantings be at least six feet in height when planted and be of a species which will produce within two years a complete visual screen of at least eight feet in height). I would recommend keeping the standards for immediate screens consistent between ZO and SALDO. If an immediate screen is needed I would recommend keeping the plant size at 7-8' rather than reducing it to 5'. Additionally, I would keep plant spacing at 10' on center\* rather than 5' on center, and perhaps consider allowing fences to be permitted as part of the screen. (\*See next comment below- I recommend removing the term “on center” and requiring a certain number of plants per linear foot of screen needed, but allowing plants to be planted in groups.)
  - o To avoid ending up with a straight wall of evergreen trees all of the same species (not very aesthetically pleasing, and susceptible to them all dying at once), I recommend introducing some language about varying species (e.g., at least 3 types of evergreen species). I also recommend requiring shade trees and shrubs within the screen area. Staggering groups of plantings within the 30-50' buffer area can help with visual screening.

- Upper Uwchlan's screening requirements appear to be in line with other nearby townships' requirements (with the exception of Uwchlan that appears to have very few stated standards for landscaping):
  - West Whiteland: for every 50' of screen needed, 1 shade tree, 2 evergreen trees and 3 shrubs are required. Screens should be 50' wide. (UUT's code would require 4-5 evergreen trees for 50' in length of screen)
  - West Vincent: Per 100 linear feet of property boundary along adjoining residential or institutional properties or districts, 3 evergreen trees and 10 evergreen shrubs are required
  - East Vincent: landscape and screening requirements are nearly identical to Upper Uwchlan's.

162.57.C.6.c: Street Trees- Recommend a caliper size of 2-2 1/2". This size typically has the best outcomes- larger trees have a higher mortality rate in the urban conditions that a street tree experiences.

162.57.D: Minimum planting standards- The ordinance's minimum planting standards are as follows:

| <b>Improvement/Conditions</b>  | <b>Deciduous Trees</b> | <b>Evergreen Trees</b> | <b>Shrubs</b> |
|--|------------------------|------------------------|---------------|
| a. Per 1,000 SF gross building area, ground floor only                           | 2                      | 1                      | 8             |
| b. Per 2,000 SF of off-street parking  | 1                      | 1                      | 4             |
| c. Per 100 LF of new and existing public or private road frontage                | 2                      | 1                      | 5             |
| d. Per 100 LF of existing tract boundary, where no coincident with road frontage | 1                      | 2                      | 8             |

An example is provided in Appendix 2 of a 500' x 750' lot (approx. 8.6 acres) with a 90,000 building and 72,000 SF of parking (43% impervious cover, approx. 4.8 acres remaining for planting). Using the calculations listed above and shown on Appendix 2, a total of 254 deciduous trees, 164 evergreen trees, and 1,027 shrubs would be required. It is not clear if this is in addition to the perimeter buffer/screening requirements.

In this example, looking at just the requirement of 418 total trees (254+164), if these trees were evenly spaced throughout the remaining pervious part of the lot they would be spaced at roughly 22' on center. If these trees are required above and beyond the perimeter planting and screening requirements, it does seem the requirement is too high. If the screening plants can be included in this figure, the screening plants will be planted closer together than 22' on center, leaving fewer required trees to be planted throughout the rest of the site, and the requirement is probably right on target. Although the number of shrubs is more difficult to judge given that shrubs vary greatly in their mature size, the number of required shrubs in the example (1,027) seems high intuitively, especially since the examples of shrubs provided in Subsection H are all large shrubs/small trees.



The Township might look at examples of ordinances that do not require a certain number of site-wide plantings based on the size of the building and parking area, but specify certain areas, such as building foundations, boulevard planting strips, retention basins, and buffer yards, be planted with a specified number of plants. [North Coventry Township's SLDO](#) takes this approach.

162.57.D.4.a: Plantings- Required planting sizes are on the high side. Larger plants have a more immediate impact, but also tend to have higher mortality rates. I would recommend reducing the size for deciduous trees to 2-2.5" caliper.

162.57.H: Recommended Plant List: A few comments on suggested species:

- Canadian Hemlock no longer thrives in our warming climate, and it gets attacked by the wooly adelgid insect.
- White ash and green ash are dying all around our region right now because of the Emerald Ash Borer insect. They will likely not thrive and should not be counted toward required tree numbers.
- Sugar maple is expected to decline in our area because of climate change.

BUCKLEY, BRION, McGUIRE,  
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**IN RE: CONDITIONAL USE : BEFORE THE UPPER UWCHLAN**  
**APPLICATION OF PLANE BROOK : TOWNSHIP BOARD OF SUPERVISORS**  
**PARTNERS, LLC : CHESTER COUNTY, PENNSYLVANIA**

### **DECISION AND ORDER**

On or about December 4, 2023, Planebrook Partners, LLC ("Applicant") filed an application (the "Application") seeking conditional use approval pursuant to Section 200-33.B(3) of the Upper Uwchlan Township Zoning Ordinance of 1989, as amended (the "Ordinance"), to develop property located at 235 Park Road (Chester County Tax Parcel No. 32-4-38.8) and 241 Park Road (Chester County Tax Parcel No. 32-4-37) with a day-care center.

The Board conducted a public hearing on the Application on April 9, 2024. On May 1, 2024 Applicant requested that the Board re-open the record and continue the hearing to allow it to present additional evidence. The Board readvertised a public hearing for May 14, 2024 at 5:00 p.m. and re-posted the Property with a public notice of the new hearing date.

Applicant appeared at the hearings represented by its counsel, Michael Malloy, Esquire from Obermeyer Rebmann Maxwell & Hippel LLP. The Board was represented by Township Solicitor, Kristin S. Camp, Esquire.

Leah Seace, who resides at 7 Lila Lane, was admitted as a party.

The Board voted at the May 20, 2024 public meeting to approve the Application with the conditions listed in this Decision.

From the testimony and exhibits presented at the hearings, 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. The hearing scheduled for April 9, 2024 was advertised in the *Daily Local News* on March 28, 2024 and April 1, 2024. See Exhibit B-4.

3. The Property was posted with a copy of the public notice of the April 9, 2024 hearing on March 15, 2024. See Exhibit B-5.

4. The hearing scheduled for May 14, 2024 was advertised in the *Daily Local News* on March 28, 2024 and April 1, 2024. See Exhibit B-16.

5. The Property was posted with a copy of the public notice of the May 14, 2024 hearing on May 2, 2024. See Exhibit B-17.

6. 241 Park Avenue, LLC is the owner of the Property pursuant to a deed recorded June 12, 2019 in the Chester County Recorder of Deeds in Book 9939, page 1137. See Exhibit B-14.

7. Applicant is the equitable owner of the Property.

8. The Property consists of two parcels that Applicant intends to consolidate. Parcel 32-4-37 has an address of 241 Park Road, contains 0.447 acres and is improved



with a 1 ½ story dwelling. Parcel 32-4-38.8 has an address of 235 Park Road, contains 0.443 acres and is improved with a shed.

9. The Property is located on the east side of Park Road across the street from the Windsor Baptist Church, south of Ticonderoga Boulevard, to the west and north of the Federal Express facility.

10. The Property fronts on Park Road in an area which is designated as a school zone for the Windsor Christian Academy with a 15 mile per hour flashing beacon.

11. The Property is located in the C-1 Village District.

12. Applicant proposes to consolidate the two parcels to form a 0.819 acre (34,404 sq ft) tract and build a two-story day care building with a building footprint of 6,000 square feet, a 3,258 square foot pervious surface outdoor play area for toddlers, a 1,281 square foot pervious surface play area for infants and 39 off-street parking spaces.

13. Applicant intends to build the day-care center and then lease it to Jody Thompson, the owner of Ducklings Early Learning Center Franchise.

14. Ms. Thompson testified at the hearing and explained that she expects to have a maximum enrollment of 110-120 children ranging in age from six weeks to five years of age.

15. The proposed day-care does not plan to transport children or to operate a before or after care school program.

16. Ms. Thompson testified that not all of the students are enrolled five days a week so that a maximum enrollment of 120 children does not mean that there will be 120 children at the day-care five days a week.

17. Ms. Thompson provides the parents/guardians with an app that allows them to communicate directly with the children's teacher throughout the day which decreases the amount of time that parents/guardians spend dropping off and picking up their child.

18. Ms. Thompson expects to hire 18-20 employees for the day-care.

19. Ms. Thompson testified that the day-care will not have deliveries by large trucks after the day-care is open and that typical deliveries are from Federal Express or Amazon trucks.

20. In addition to the Application, Applicant filed preliminary/final land development plans prepared by Commonwealth Engineers, Inc. dated December 4, 2023, consisting of 12 sheets (the "Plans").

21. Mr. Kelly presented a revised plan at the May 14, 2024 hearing with a last revision date of May 10, 2024 (the "Revised Plans") which designated 4 spaces in front of the building and 6 spaces on the eastern side of the building as drop off/pick up spaces for parents/guardians to use when dropping off and picking up their children. These 10 parking spaces shall be designated with signs that indicate that they are reserved for drop off and pick up. See Exhibit A-7.

22. The Revised Plans propose that access to the Property will be from a 24-foot wide full service driveway located on Park Road approximately 210 feet south of the intersection of Park Road and Ticonderoga Blvd.

23. Applicant presented the testimony of Victor Kelly, Jr. P.E., a civil engineer from Commonwealth Engineers, Inc., who testified as an expert in civil engineering and who prepared the Plans and Revised Plans.

24. Mr. Kelly explained that Section 200-64.A of the Ordinance requires that the minimum lot area of a lot used for a day-care is 1,000 square feet per child, but no lot containing a day-care center shall be less than 30,000 square feet.

25. Mr. Kelly testified that this is an unreasonable and overly restrictive requirement.

26. Mr. Kelly testified that the lot area of the Property (34,000 square feet) is large enough for the day-care operation and is similar to the lot sizes for other day cares that he has designed for other Duckling franchises in and around the Property.

27. Section 200-64.B of the Ordinance requires the day-care to provide an indoor play area of 50 square feet per child and an outdoor play area of 75 square feet per child.

28. Mr. Kelly asked that the Board interpret Section 200-64.B based on the number of children using the play area at any one time, not the total number of children enrolled at the day-care.

29. Mr. Kelly testified that given the proposed sizes of the proposed play areas, a maximum of 42 children may be in the 3,258 square foot outdoor play area for toddlers, a maximum of 16 children may be in the 1,281 square foot play area for infants and a maximum of 16 children may be in the indoor play area.

30. Applicant intends to provide two different playground areas- one which is 3,258 square feet for toddlers and another which is 1,281 square feet for infants. See Ex. A-1.



31. The Commonwealth of Pennsylvania regulates day-care centers and imposes minimum sizes for the classrooms and for play areas based on the number of children and the age of the children in the classroom or play area.

32. Mr. Kelly testified that employees will be instructed to park in the spaces on the southeast side of the parking lot and parents will be instructed to park in the 10 spaces designated for drop-off and pick-up.

33. Parents will be required to park their vehicles in these 10 designated parking spaces and walk their child into and out of the day-care where they meet their teacher for drop off/pick up.

34. The majority of the children are dropped off between 7:00 a.m. to 9:00 a.m. and picked up between 3:00 p.m. and 6:00 p.m. However, Ms. Thompson testified that some parents drop off and pick up their children at different times of the day.

35. Mr. Kelly testified that a Ducklings day-care with 110-120 children typically has anywhere from 10-12 parents dropping off their children at the same time.

36. Mr. Kelly testified that they estimate that there will be 21 parking spaces available for parent drop off and pick up.

37. Mr. Kelly testified that special events at the Ducklings will be broken into age categories so that not all children and their parents will be attending the same events at the same time.

38. There is not sufficient parking on the Property to allow the day-care to conduct special events and parties for all children who are enrolled in the day-care at the same time and thus these parties will have to be staggered or alternative parking arrangements must be made.

39. Section 200-73.H of the Ordinance requires one space per 300 square feet of gross floor area, plus one space per employee of the day-care, which equates to 50 off-street parking spaces for the proposed day-care center.

40. Applicant seeks the Board's approval pursuant to Section 200-73.K(2) of the Ordinance to provide only 37 parking spaces.

41. Section 200-73.H(1) of the Ordinance authorizes the Township to reduce the minimum number of off-street parking spaces where the applicant justifies the reduction and still provides adequate parking facilities.

42. Section 200-73.K(2) of the Ordinance allows the Board to modify the applicable off street parking requirements as part of a conditional use application.

43. Section 200-73.C of the Ordinance requires parking spaces to be a minimum dimension of 9 feet by 18 feet. The Revised Plans provide 39 parking spaces with dimensions of 9 feet by 18 feet.

44. Applicant would prefer to increase the dimensions of 25 of the parking spaces to be 10 feet wide by 18 feet long which would reduce the overall number of spaces to 37.

45. Mr. Kelly testified that many of the other Ducklings franchises that he has worked on for locations in other municipalities have between 35 to 39 parking spaces and that number is more than enough.

46. Applicant proposes to connect the day-care center to public sewer and public water.

47. Applicant proposes to install two subsurface infiltration beds underneath portions of the parking lot to the north and east of the day-care building.

48. Mr. Kelly testified that Applicant intends to replace or supplement the curb line along the Property frontage along Park Road and widen Park Road to 16 feet from the center line.

49. Applicant intends to install a five foot wide sidewalk on the east side of Park Road along a portion of the Property frontage and around the south and east side of the day-care building.

50. Applicant submitted a Fiscal Impact Analysis dated November 15, 2023 prepared by EH Creative Services, LLC with the Application. See Exhibit B-8.

51. The Fiscal Impact Analysis concluded that the day-care would generate an annual net positive impact of \$266 to the Township and \$37,961 to the Downingtown Area School District.

52. Applicant submitted a Trip Generation Analysis prepared by Heinrich & Klein Associates, Inc. dated November 27, 2023 ("TGA") with the Application. See Exhibit B-9.

53. Applicant submitted a Memorandum dated May 9, 2024 from Andreas Heinrich, P.E., which was an update to the TGA and was admitted as Exhibit A-4.

54. The TGA analyzed the anticipated traffic generation for the day-care center using data from the Institute of Transportation Engineers *Trip Generation Manual 11th Edition*. Based on the ITE Manual, Mr. Heinrich estimated that the 12,000 square foot day-care center would generate 320 external trips, 74 in the morning peak hour and 76 in the afternoon peak hour.



55. Mr. Heinrich estimated that of the 320 trips, 252 of the trips will be “pass-by trips” meaning that these trips are from vehicles that are already travelling on the surrounding roads and pass by the day-care to drop off their children.

56. Mr. Heinrich opined that with proper grading and removal of vegetation along Park Road, there will be in excess of 450 feet of sight distance at the intersection of the access driveway and Park Road in both directions which he believes is acceptable.

57. Mr. Heinrich completed a volume/capacity analysis for the intersections and driveways in the vicinity of the site based upon peak hour traffic volumes in accordance with standard procedures contained in the Highway Capacity Manual.

58. After conducting this analysis Mr. Heinrich concluded that there will be little change in levels of service due to the addition of new traffic generated by the proposed day-care center. The increase in peak hour traffic delay will be such that there is no requirement for mitigation in accordance with PennDOT criteria.

59. Charles Scull, AIA was admitted as an expert in architecture and designed the floor plans and architectural renderings which were admitted as Exhibits A-2 and A-3 respectively.

60. According to Mr. Scull, the architectural elevations of the proposed day-care building prepared by Skull Architecture, LLC dated December 13, 2023 were designed in compliance with the architectural design guidelines in Section 200-36.B of the Ordinance. See Exhibit B-10.

61. Section 200-36.B of the Ordinance has architectural design guidelines that apply to the construction of buildings in the C-1 District. See Exhibit B-10.

62. Mr. Scull testified that he revised the architecture renderings of the day-care building to address concerns raised by the Historical Commission.

63. The exterior building materials include thin stone, horizontal siding, vertical board and batten siding, and straight cut siding, all in earth tones.

64. Mr. Scull testified that he designed the facade of the day-care building to meet the requirements in Section 200-36.B(1)(a) of the Ordinance which provides that if any individual building facade is visible from any public right-of-way or public space (including internal public spaces within a development) and exceeds 60 feet in length, there shall be a clear dimensional differentiation of roofline (i.e., an obvious difference in height) and/or an offset in facade of at least 10 feet, effectively breaking the single facade into two or more facades each no more than 60 feet in length.

65. Mr. Scull and Mr. Kelly were asked by the Board if the facade on the eastern side of the building which will be visible from Ticonderoga Blvd. was also designed to meet the requirements in Section 200-36.B(1)(a).

66. The facade on the eastern side of the building which will be visible from Ticonderoga Blvd. exceeds 60 feet in length and does not have a clear dimensional differentiation of roofline (i.e., an obvious difference in height) and/or an offset in facade of at least 10 feet, effectively breaking the single facade into two or more facades each no more than 60 feet in length.

67. Mr. Kelly testified that Applicant seeks the Board's approval to modify this requirement for the facade on the eastern side of the building.

68. Mr. Scull testified that the roof is a gable roof with charcoal asphalt shingles.

69. The architectural floor plans for the proposed day-care building were introduced as Exhibit A-2. These floor plans depict 12 classrooms which are broken down by age of children, offices, a lobby area, a gymnasium and a kitchenette.

70. Mr. Kelly introduced revised architectural plans dated May 12, 2024 for the proposed day-care building as Exhibit A-7. The revised architectural plans depict fences around the playground areas and the HVAC system on the western side of the building.

71. Mr. Scull testified that they plan to locate the HVAC mechanical units on the western side of the building closest to Park Road and intend to shield the HVAC with a four foot high vinyl fence.

72. The Historical Commission did not provide any input on the location of the HVAC mechanical units or the fence details.

73. The dumpster for the day-care is located on the southeastern side of the parking lot and will be enclosed by a six foot high privacy fence on three sides.

74. Mr. Scull testified that the building will be connected to a sprinkler system.

75. Mr. Scull testified that Applicant intends to install a 5 foot tall white vinyl privacy fence around the play areas.

76. The Plans also depict a proposed rock landscape wall less than 4 feet in height along the southern Property boundary and northern Property boundary where it abuts Ticonderoga Blvd.

77. The Township Planning Commission expressed concern over the safety of this wall.

78. Michael Esterlis, in his capacity as Chief of the Glenmoore Fire Company, reviewed the Plans and confirmed that the fire company has adequate facilities to reach



the height of the day-care building with ladders and hoses. In addition to the building being fully sprinkled, the fire company has access to two fire hydrants within 500 feet of the proposed building. See Exhibit A-5.

79. Mr. Scull provided correspondence dated May 10, 2024 to confirm that a water supply and fire plan will be prepared by a certified licensed sprinkler designer or engineer and submitted with building permit application. See Exhibit A-6.

80. The Township consultants reviewed the Plans and issued a comprehensive review letter issued by Gilmore & Associates, Inc. dated April 5, 2024 ("Township Review Letter"). See Exhibit B-11.

81. The majority of the comments in the Township Review Letter must be addressed by Applicant prior to the Board issuing preliminary subdivision and land development approval.

82. The Township Historical Commission reviewed the Plans and architectural elevations and concluded that it was not necessary for Applicant to prepare a historic resource impact statement.

83. The Historical Commission provided recommendations which are summarized in a report dated April 2, 2024, which was admitted as Exhibit B-13.

84. The Historical Commission agreed that the dwelling on the Property lacked architectural and historical significance and thus they had no objection to it being demolished.

85. The Township Planning Commission reviewed the Application and Plans at its meeting on March 14, 2024.

86. The Planning Commission recommended that the Application move forward in the hearing process and that Applicant do the following: (i) evaluate the adequacy of the structural wall along Ticonderoga Blvd.; (ii) consider installation of a protective barrier in the parking lot near the outdoor play area; (iii) break up the architecture of the facades along the long side of the buildings; (iv) evaluate the flow of traffic in the parking lot. See Exhibit B-12.

87. Christopher Williams, P.E., the Township traffic engineer from the Bowman Company, testified at the hearing and commented that the location of the access driveway is in the preferred location away from the busy intersection of Park Road and Ticonderoga Blvd.

88. Mr. Williams suggested that Applicant be required to upgrade the ADA curb ramps at the intersection of Park Road and Ticonderoga Blvd. on both the southeast and northeast side of the intersection.

89. Ms. Seace did not offer any testimony at the hearing.

90. The Board entered the following exhibits, without objection by Applicant or the parties:

B-1: Conditional Use Application and Impact Statement dated December 4, 2023

B-2: Email from Victor Kelly dated December 21, 2023 waiving time frame to hold hearing

B-3: Letter to Michael Malloy, Esquire dated March 7, 2024 confirming date and time of hearing

B-4: Proof of publication in Daily Local News on March 28, 2024 and April 1, 2024

B-5: Affidavit of Posting on March 15, 2024

- B-6: Preliminary/Final Land Development Plans prepared by Commonwealth Engineers, Inc. dated December 4, 2023 consisting of 12 sheets
- B-7: Presentation Plan prepared by Commonwealth Engineers Inc. dated December 14, 2023
- B-8: Fiscal Impact Analysis prepared by EH Creative Services LLC dated November 15, 2023
- B-9: Trip Generation Analysis prepared by Heinrich & Klein Associates, Inc. dated November 27, 2023
- B-10: Architectural Plan prepared by Scull Architecture, LLC dated December 13, 2023
- B-11: Review Letter from Gilmore & Associates, Inc. dated April 5, 2024
- B-12: Draft Planning Commission Minutes from March 14, 2024 meeting
- B-13: Historical Commission Recommendations dated April 2, 2024
- B-14: Aerial Tax Map of Properties
- B-15: Correspondence from Michael Malloy re: Request to Reopen Hearing received May 1, 2024
- B-16: Proof of publication in Daily Local News on May 3, 2024 and May 6, 2024
- B-17: Affidavit of Posting on May 2, 2024

91. Applicant entered the following exhibits without objection by the Township or any of the parties:

- A-1: Presentation rendering of the Plans prepared by Commonwealth Engineers, Inc. dated December 14, 2023
- A-2: Floor plan of proposed day care building prepared by Scull Architecture LLC dated April 5, 2024
- A-3: Architectural plan of proposed day care building prepared by Scull Architecture LLC dated April 5, 2024

- A-4: Traffic Impact Assessment from Heinrich & Klein Associates, Inc. dated May 9, 2024
- A-5: Email Opinion from Mike Esterlis dated May 13, 2024 re: Access by Fire Company
- A-6: Letter from Scull Architecture dated May 10, 2024 re: water availability
- A-7: Plan prepared by Scull Architecture, LLC dated May 12, 2024

### **CONCLUSIONS OF LAW**

1. Applicant as equitable owner of the Property has standing to file the Application.
2. The conditional use hearing was 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 located in the C-1 District.
4. Section 200–33.B(3) of the Ordinance allows a day-care center in the C-1 District by conditional use of the Board of Supervisors subject to compliance with the provisions in Sections 200–64 and 200-116.
5. The Revised Plans comply with the applicable area and bulk regulations in Section 200-34 for lots in the C-1 District.
6. The Revised Plans do not comply with the minimum lot size requirement in Section 200-64.A which requires a minimum lot size of 1,000 square feet per child for a lot improved with a day-care.
7. The Board may approve a modification of the minimum lot area pursuant to Section 200-34.A(1) of the Ordinance.



8. The Board agrees that the minimum size for the play area required by Section 200-64.B should be interpreted to apply to the number of children using the play areas at any one time and not the total number of children enrolled at the day-care.

9. Section 200-64.D of the Ordinance requires an area suitable for drop off and pick up which is removed from both the parking and ingress/egress for the site.

10. The Revised Plans designate 10 parking spaces immediately in front and along the eastern side of the building that must be signed and designated solely for drop off and pick up of the children.

11. The Revised Plans do not comply with the minimum required parking spaces in Section 200-73.H of the Ordinance.

12. The Board may approve a reduction in the minimum number of parking spaces pursuant to the authority in Sections 200-73.H(1) and 200-73.K(2) of the Ordinance.

13. The building facade along the eastern side of the building will be visible from Ticonderoga Blvd. and therefore must comply with Section 200-36.B(1)(a) and have a clear dimensional differentiation of roofline and/or an offset of 10 feet to break up the single facade into two or more facades. each no more than 60 feet in length.

14. Subject to Applicant's compliance with the conditions imposed herein by the Board, Applicant has proven compliance with the objective requirements for conditional use in Section 200-117 of the Ordinance.

### **DISCUSSION**

A conditional use is a use permitted in a particular zoning district pursuant to the provisions in Article VI of the MPC, 53 P.S. §10603. A conditional use concerns only a

proposed use of land, not particular design details of the proposed development. *Joseph v. North Whitehall Township Board of Supervisors*, 16 A.3d 1209 (Pa.Cmwlt. 2011). A conditional use is a special exception which falls within the jurisdiction of the municipal legislative body rather than the zoning hearing board. 53 P.S. §10603(c). *Id.* A conditional use is not an exception to the zoning ordinance, but rather a use to which the applicant is entitled provided the specific standards enumerated in the ordinance for conditional use are met by the applicant. *In Re Appeal of AMA/American Marketing Association*, 142 A.3d 923 (Pa.Cmwlt. 2015). The fact that a use is permitted as a conditional use, rather than prohibited, reflects a legislative decision that the use is not *per se* adverse to the public interest. *Appeal of Richboro CD Partners LP*, 89 A.3d 742 (Pa Cmwlt. 2014).

An applicant seeking a conditional use initially bears the burden of establishing that the application complies with the objective standards and criteria in the zoning ordinance. *Id.* Once the applicant has satisfied this initial burden, there is a legislative presumption that the use is consistent with the health, safety and welfare of the community. *Id.* The burden then shifts to the objectors to rebut this presumption by establishing that the use will have a detrimental impact on the surrounding community. The objectors must prove with a high degree of probability that allowing the conditional use will create a substantial risk of harm to the community and will impose detrimental impacts exceeding those ordinarily to be expected from the use at issue. *Id.* The degree of harm required to justify denial of a conditional use must be greater than that which normally flows from the proposed use. *In Re Cutler Group, Inc.*, 880 A.2d 39 (Pa. Cmwlt. 2005).

In granting a conditional use, the Board has the authority to impose reasonable conditions and safeguards 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. 53 P.S. §10603(c)(2). Conditions imposed by the Board are designed to protect the public interest of surrounding property owners. *Ford v. Zoning Hearing Bd. Of Caernarvon Twp.*, 616 A.2d 1089 (Pa. Cmwlth. 1992).

The Board finds that a day-care use is an appropriate use of the Property and is willing to grant a modification to the minimum lot area requirement. Given Applicant's request to reduce the minimum number of parking spaces to 37, as opposed to the Ordinance requirement of 50, the Board will restrict the maximum enrollment at the daycare to 120 children. Applicant will be required to provide its enrollment log of the number of children that are enrolled to demonstrate compliance with this condition.

The Board is willing to interpret Section 200-64.D(4) to apply to the maximum number of children using the playground areas at any one time and will impose a condition that limits the number of children playing in each playground based on the size limits in the Ordinance.

Given that the Property is located in the C-1 Village District, the Board will require compliance with the architectural standards in Section 200-36.B(1)(a) and will not agree to grant a modification of that requirement. Applicant will be required to revise the facade and potentially roofline of the eastern building facade so that it has a clear dimensional differentiation of roofline (i.e., an obvious difference in height) and/or an offset in facade of at least 10 feet, effectively breaking the single facade into two or more facades each no more than 60 feet in length.

Wherefore, the Board will vote to approve the conditional use requested subject to Applicant's compliance with the conditions imposed in this Decision and Order.

### **ORDER**

AND NOW, this 20<sup>th</sup> day of May, 2024, the Board hereby approves the Application and grants the following approval:

1. A conditional use pursuant to Section 200-33.B of the Ordinance to develop the Property with a 12,000 square foot day-care center consistent with the Revised Plans which were admitted as Exhibit A-7 as such plans are revised to comply with this Order and to obtain final land development approval.

2. A modification of the minimum lot area in Section 200-64.A to allow a minimum lot area of 34,404 square feet which is less than 1,000 square feet per child enrolled at the day-care.

3. A modification pursuant to Sections 200-73.H(1) and 200-73.K(2) of the Ordinance to allow Applicant to install a minimum of 37 parking spaces with 25 of those spaces having dimensions of 10 X 18 and the remaining spaces at 9 X 18.

### **CONDITIONS OF APPROVAL**

1. The day-care development shall be built and designed generally in accordance with the Revised Plans which were admitted as Exhibit A-7 and the Presentation Plan that was admitted as Exhibit A-1 as such plans are revised to comply with this Order and to obtain land development approval from the Board of Supervisors.

2. Applicant shall address to the satisfaction of the Board all outstanding comments in the Township engineer's review letter dated April 5, 2024 which was



admitted as Exhibit B-11, unless recommendations in that letter are modified by the Board through the imposition of conditions in this Decision and Order.

3. The maximum enrollment at the day-care center shall be limited to 120 children and the age of the children which may be registered is limited to infants to five years of age. By September 1 of every year after the day care is open, Applicant shall provide the Township with a certification that its enrollment does not exceed 120 children.

4. There shall be no bus or van transportation to the day-care center.

5. The day-care may not operate a kindergarten.

6. If the day-care conducts special events or parties, these must be staggered by age group or classroom so that there is sufficient parking for the attendees of the event.

7. If after the day-care is open, there are not sufficient spaces in the parking lot which causes vehicles to back up onto Park Road or Ticonderoga Blvd. creating a dangerous traffic condition, Applicant must institute a drop off/pick up policy with staggered assigned times, or make another modification to the drop off/pick up procedures to mitigate the traffic congestion. The Township traffic engineer and Board must approve the mitigation measures.

8. Applicant shall upgrade the ADA pedestrian ramp at the intersection of Park Road and Ticonderoga Blvd. on the southeastern and northeastern leg of the intersection.

9. Applicant shall install sidewalks along Park Road in the location depicted on the Revised Plans.

10. Applicant shall evaluate the adequacy of the structural wall along Ticonderoga Blvd. and install protective barriers in the parking lot near the outdoor play

area. The design and specifications for the protective barriers shall be approved by the Board as part of land development.

11. Applicant shall make all road improvements depicted on the Revised Plans and described by Mr. Kelly in his testimony and shall coordinate such traffic improvements with Windsor Baptist Church.

12. Trash pick-up shall be restricted to hours when the day-care center is not open.

13. Applicant shall present to the Historical Commission the plans and details of the fences that are intended to enclose the outdoor play areas. The Board shall approve the fence details as part of land development.

14. The HVAC mechanicals that are installed on the west side of the building near Park Road shall be screened so that they are not visible from Park Road. The specifications of the screening shall be approved by the Board as part of land development.

15. Applicant shall revise the architectural details of the eastern facade of the building that can be seen from Ticonderoga Blvd. so that it has a clear dimensional differentiation of roofline (i.e., an obvious difference in height) and/or an offset in facade of at least 10 feet, effectively breaking the single facade into two or more facades each no more than 60 feet in length as required by Section 200-36.B(1)(a) of the Ordinance.


16. The final landscaping plan for the development shall be approved by the Board during land development and shall comply with the Township Code unless the Board grants waivers of certain provisions of the Code.

17. Applicant shall pay the Township's transportation impact fee based on Chapter 79 of the Township Code as calculated by the Township Traffic Engineer.

18. A maximum of 42 children may be in the 3,258 square foot outdoor play area for toddlers at one time, a maximum of 16 children may be in the 1,281 square foot play area for infants at one time and a maximum of 16 children may be in the indoor play area at one time.

19. Applicant and its successors and assigns in interest to the Property shall be strictly bound by this Decision.

**UPPER UWCHLAN TOWNSHIP  
BOARD OF SUPERVISORS**

  
\_\_\_\_\_  
Jennifer F. Baxter, Chairperson

  
\_\_\_\_\_  
Andrew P. Durkin, Vice Chairperson

  
\_\_\_\_\_  
Sandra M. D'Amico, Supervisor



# COMMONWEALTH ENGINEERS, INC.

114 East Lancaster Avenue ~ Second Floor ~ Downingtown, PA 19335  
Telephone: (610) 518-9003 ~ Fax: (610) 518-9004 ~ comeng@cei-1.com

May 29, 2024

Mr. Tony Scheivert  
Township Manager  
Upper Uwchlan Township  
140 Pottstown Pike  
Chester Spring, PA 19425

Re: 241 Park Road (Daycare Facility)  
Preliminary Land Development

Dear Mr. Scheivert:

The following revisions are offered in response to the review letter dated April 5, 2024, issued by David N. Leh, P.E., Vice President of Gilmore & Associates, Inc., Township Engineer, for the above-referenced plan submission. Township Engineer review comments are shown in *italics*. Commonwealth Engineers, Inc., responses shown in **bold**.

## II. ZONING OFFICERS COMMENTS

1. *The Applicant should provide sufficient information supporting the proposed reduction in parking.*
  1. **The Conditional Use has been approved and the decision is referenced on the plans.**

## III. TOWNSHIP ENGINEER COMMENTS – ZONING ORDINANCE, GILMORE & ASSOCIATES

1. (CU) §200-33.B.(3) – *A daycare center is permitted as a principal use when authorized by conditional use by the Board of Supervisors. The applicant is seeking conditional use.*
  1. **Noted**
2. (CU) §200-36.B.(1)(a) – *Where any individual building facade is visible from any public right-of-way and exceeds 60 feet in length, there shall be a clear dimensional differentiation of roofline and/or an offset in facade of at least 10 feet, effectively breaking the single facade into two or more facades each no more than 60 feet in length. Where approved by the Board of Supervisors as a conditional use, single facades greater than 60 feet in length may be permitted in accordance with this section. The building façade facing Park Road is 100-feet in length and no break is proposed. Therefore, approval by conditional use is required.*

*The response letter states that architectural plans will be provided to show compliance at the Conditional Use hearing.*

2. **The Conditional Use has been approved and the decision is referenced on the plans.**

PROFESSIONAL CIVIL ENGINEERING





TO: Mr. Tony Scheivert, Upper Uwchlan Township  
RE: 241 Park Road (Daycare)  
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3. §200-36.B.(1)(b) – The architectural rendering indicates a pitched roof. Desired materials on pitched roofs include slate (either natural or man-made), shingle (either wood or asphalt composition), and metal formed to resemble “standing seams.” Roof color should reflect local traditional use of color, and shall specifically exclude white, tan, or blue shingles, red clay tiles, and corrugated metal or other corrugated material. The use of facias, dormers, and gables is encouraged to provide visual interest. The applicant shall provide information on the roofing to show compliance with these requirements.

*The response letter states that information regarding the roof color and material will be provided at the Conditional Use hearing.*

3. The Conditional Use has been approved and the decision is referenced on the plans.

4. §200-36.B.(1)(c) - Exterior wall materials may include stucco, wood clapboard (including vinyl or aluminum imitation clapboard siding), native stone, brick or other material of a shape, color, and texture similar to that found on historic structures in the vicinity. The applicant shall provide information on the exterior wall materials to show compliance with these requirements.

*Architectural plans have been provided that show the proposed exterior wall material. We defer to the Board of Supervisors regarding this.*

4. The Conditional Use has been approved and the decision is referenced on the plans.

5. §200-36.B.(1)(d) – All facilities and equipment for heating/air conditioning, trash collection and compaction, and other structural elements not in keeping with historical architectural themes shall be concealed architecturally or otherwise screened from view from any public right-of-way or public space. The applicant shall clarify where HVAC equipment is located to determine if screening is required.

*A fence detail has been provided for the fence surrounding the outdoor play areas. Note #2 in the Vinyl Privacy Fence Detail on Sheet 8 states that the fence height is “designated on the plan”; Sheet 2 notes “Proposed 6’ Privacy Fence (Typ.)”. The detail shall be revised to specify a 6-foot fence.*

5. The location of the HVAC units has been added to the plans. A 4-foot-high privacy fence and landscape screening is proposed around the units. The Plans and Privacy Fence Detail have been revised. All privacy fencing is to be 4 feet high.

6. §200-36.B.(2) – For all principal uses permitted by conditional use approval, applicant shall provide drawings of sufficient detail to illustrate the character of the intended exterior design of structures, including scale, height, roof pitch, relationship between varying facade elements, and principal exterior materials. The Township may require that material samples also be provided. It shall be the burden of the applicant to demonstrate that submitted architectural designs are consistent with, and promote, the purposes and standards set forth for the C-1 Village District.

6. Noted.



TO: Mr. Tony Scheivert, Upper Uwchlan Township  
RE: 241 Park Road (Daycare)  
DATE: May 29, 2024  
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7. §200-36.B.(3) – Where the Board of Supervisors determines that architectural design, as presented by applicant, is an essential means by which the proposed use will comply with the purposes and standards set forth for the C-1 Village District, as a condition of approval of any conditional use, the Board may require adherence to the intended architectural character as proposed by the applicant.

7. The Conditional Use has been approved and the decision is referenced on the plans.

8. §200-36.D. – Streetscape landscaping and pedestrian amenities shall be provided as necessary to meet overall village planning objectives and shall be coordinated with adjacent properties. Where appropriate, the Township may require any of the amenities outlined herein, including provision for their regular upkeep and maintenance. We defer to the Township Planning Commission and Land Planner in this matter.

8. Noted. The Planning Commission recommended sidewalk along Park Road as proposed on the plans.

9. §200-64.A. – The minimum lot area for each child shall be 1,000 square feet, but no lot containing a day-care center shall be less than 30,000 square feet. The Conditional Use Impact Statement states an anticipated capacity of 120-125 children; therefore, the minimum lot area is 120,000 SF to 125,000 SF. The proposed lot area is 34,000 SF, which appears to be inadequate.

*The response letter states that this shall be addressed at the Conditional Use hearing, and that the applicant will comply with state guidelines.*

9. The Conditional Use has been approved and the decision is referenced on the plans.

10. §200-64.B. – There shall be an indoor play area of 50 square feet per child and an outdoor play area of 75 square feet per child provided. The Conditional Use Impact Statement States an anticipated capacity of 120-125 children. Therefore, 6,000 sf to 6,250 sf of indoor play area is required. The outdoor play area is required to be 9,000 sf to 9,375 sf; a 3,000-sf outdoor play area with a 900-sf infant outdoor play area are proposed. The play areas appear to be inadequate.

*The response letter states that this shall be addressed at the Conditional Use hearing, and that the applicant will comply with state guidelines.*

10. The Conditional Use has been approved and the decision is referenced on the plans.

11. §200-64.C. – The outdoor play area shall be fenced on all sides, and fencing shall be a minimum height of four feet. Provide a fence detail.

*A fence detail has been provided. Note #2 in the Vinyl Privacy Fence Detail on Sheet 8 states "fence height shall be either 4 and 6 feet where designated on the plan"; Sheet 2 notes "Proposed 6' Privacy Fence (Typ.)". Note #2 should be revised to state 6 feet.*





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11. Note #2 of the Privacy Fence Detail have been revised to specify which fence is to be 6 feet high and which is to be 4 feet high. (See Sheet 8 of 15)
12. §200-64.D. – Off-street parking spaces shall be in accordance with §200-73. In addition, during the Conditional Use hearing, it should be discussed how the discharge and pickup of children shall be handled.
- The response letter states that this shall be addressed at the Conditional Use Hearing.*
12. The Conditional Use has been approved and the decision is referenced on the plans.
13. §200-64.E. – The facility shall be licensed by the applicable departments of the Commonwealth of Pennsylvania and their regulations.
13. Noted.
14. §200-73.B.(2). and §200-74. – Please indicate where delivery vehicles are intended to park.
- The response letter states that delivery trucks are limited to local carriers who will utilize the proposed parking spaces. We would recommend one parking space be designated as a "Delivery Space."*
14. Delivery trucks will be able to use the child loading and unloading spaces that have been added to the plans, as they will be standard size delivery vans.
15. (CU) §200-73.K.(2) and (4) – Where any use or activity is subject to application for approval of a conditional use, modification(s) to the provisions of this section may be requested as part of such application. In approving any application pursuant to Subsection K(2), the Board of Supervisors, as a condition of approval of such application, may permit specific modification(s) to the provisions of this section subject to the conditions outlined in K(4). The applicant does not provide the required number of parking spaces (50) and is seeking a modification to reduce the number provided (39).
- The response letter states that a traffic study has been prepared and that this shall be addressed at the Conditional Use Hearing. We defer to the Township Traffic Engineer in this matter.*
15. The Conditional Use has been approved and the decision is referenced on the plans.
16. §200-93. – The applicant shall clarify what signage is proposed. We defer to the Zoning Officer regarding proposed signage.
- Proposed signage is shown on the plans, and building mounted signage is indicated on the architectural plans. We defer to the Zoning Officer regarding proposed signage.*
16. Noted.



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1. (RW) §162-9.B.(2) – *A waiver is being requested to allow preliminary and final plan submission. Due to the scope of the project, we have no objection to this request.*

1. Noted.

2. (RW) §162-9.B.(1)(b) – *Provide a legal description for the consolidated lot.*

2. The closure report has been added to the plans (See Sheet 1 of 15) and the legal description is attached herewith.

3. §162-9.B.(2)(b)[18] – *Location and elevation of the datum to which contour elevations refer shall be stated, and the datum used shall be a known established benchmark. Provide the benchmark used.*

*Benchmark is indicated as an existing 1-inch iron pin. Provide a known, established benchmark.*

3. A boundary and topographic survey have been conducted by Abacus Surveying in September 2023. The bench mark has been noted on the plans and is tied to PA state plane NAD 83 and NAVD 88 with GPS. (See Sheet 1 of 15)

4. (RW) §162-9.H.(1)(b) and §162-9.H.(5) – *We defer to the Township's Historical Commission whether an Historic Impact Statement is required.*

*A waiver from the Historic Impact Statement is being requested.*

4. Noted.

5. §162-9.H.(4) – *All of our previous comments regarding the fiscal impact statement have been adequately addressed in the engineers response letter. However, the impact statement itself should be updated with this information and submitted.*

5. The impact statement has been updated with the fiscal impact statement previously submitted to the township.

6. §162-49.D – *Wherever a public or community water system is provided, fire hydrants or acceptable alternatives shall be installed for fire protection. We note the plans show a fire hydrant on the opposite side of Park Road. We defer to the Fire Marshal.*

6 Noted.

7. §162-55.B.(2) – *No specimen tree(s) shall be removed from any lot or tract except where the applicant demonstrates to the satisfaction of the Board of Supervisors that such removal is essential to eliminate hazardous condition(s) or otherwise permit lawful use of the lot or tract; where permitted, removal of specimen trees shall be minimized. It appears some specimen trees are proposed to be removed. This should be discussed with the Planning Commission.*





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7. Noted.
8. *(RW) §162-55.B.(7) Replacement trees are required for each tree greater than six inches dbh removed. Based on the size and number of trees proposed to be removed, either four (4) replacement trees (at 4-6.5" caliper) or twenty-three (23) replacement trees (at 3-3.5" caliper) are required to be planted and are in addition to other required landscaping. The applicant is requesting a waiver from this requirement.*
8. A waiver is being requested due to the limited space on the property for plantings.
9. *(RW) §162-57.C.(7). - The interior of each parking area shall have at least one shade tree for every five parking spaces. Based on 39 proposed spaces eight (8) shade trees are required but only four (4) are proposed. A waiver has been requested from this requirement.*
9. A waiver is being requested due to the limited space on the property for plantings.
10. *(RW) §162-57.D.(1) - Per 1,000 SF of gross building area two (2) deciduous trees, one (1) evergreen tree and eight (8) shrubs are required to be planted and are in addition to any required replacement plantings due to woodland disturbance. Based on the 6,000 SF proposed building 12 deciduous trees, 6 evergreen trees and 48 shrubs are required. The applicant is requesting a waiver from providing 12 deciduous trees and 6 evergreen trees. (48 shrubs are provided.)*
10. A waiver is being requested due to the limited space on the property for plantings.
11. *(RW) §162-57.D.(1) – Per 100 linear feet of existing tract boundary where not coincident with existing road frontage, 1 deciduous tree, 2 evergreen trees, and 8 shrubs are required. Based on the eastern and southern property lines linear footage, 4 deciduous trees, 8 evergreen trees and 32 shrubs are required. The applicant is requesting a partial waiver from providing 3 evergreen trees (5 are provided) and 2 shrubs (30 are provided). The applicant is requesting a waiver from this requirement.*
11. A partial waiver is being requested due to the limited space on the property for plantings. The proposed wall has been revised and will be less than 4 feet high.
12. *§162-58.C(1) – Illumination levels: Building Entrance light levels are not provided. Levels shall be in accordance with IES RP-43-22.*
12. The building entrance light levels have been added to the plans. (See LP-3 Sheet 11 of 15)
13. *§162-58.(C)1 – Illumination levels: Sidewalk light levels are not provided. Levels shall be in accordance with IES RP-43-22.*
13. The sidewalk light levels have been added to the plans. (See LP-3 Sheet 11 of 15)
14. *§162-58.C(2)(d) – Light fixtures shall be equipped with shielding devices to reduce glare and light spill. It appears that significant light spill is proposed where LS-3 light fixtures are directly*



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*adjacent to the neighboring properties. Backlight shields shall be utilized to reduce the spill to the extent possible. Note #6 also indicates that lights shall be "effectively shielded from neighboring properties", however it does not appear that backlight shielding is proposed.*

14. The lighting plan has been revised and house side shields are proposed to reduce light spill onto neighboring properties. (See LP-3 Sheet 11 of 15)
15. *§162-58.C(2)(h) – 3000K color temperature shall be utilized in commercial areas. Catalog numbers provided I the lighting schedule on Sheet 11 of 15 appear to indicate that 4000K color temperature fixtures are proposed.*
  15. The lighting plans has been revised and 3000K color temperature is proposed. (See LP-3 Sheet 11 of 15)
16. *§162-58.C(3)(d) – Requires lights to be extinguished after 11 PM. Note #7 on Sheet 11 of 15 indicate that lights would be reduced by 75%, although Note #4 indicates shall be controlled as per local codes". Clarification shall be provided.*
  16. The lighting plans have been revised and a note has been added under the luminaire schedule. (See LP-3 Sheet 11 of 15)
17. *§162-58.(c)(4)(b) – Light poles shall be a minimum of five (5') feet outside paved area or on pedestals thirty inches (30") high above the pavement. It is noted that the Base Detail provided on Sheet 11 of 15 does not address the location of the pole bases as they relate to the adjacent paved parking area. Plan and detail shall be revised accordingly to provide the required paved parking area. Plan and detail shall be revised accordingly to provide the required setback or modified pole base. Also, see General Comment regarding coordination between light pole base locations and proposed retaining wall structures.*
  17. The lighting plan has been revised and the light pole base detail has been revised to indicate a 30" pedestal for light pole within 5 feet of the parking spaces. (See LP-2 Sheet 10 of 15)
18. *§162-58.D(1)(a) – Site plan shall show all lighting including building and architectural lighting. The plan does not indicate any additional lighting beyond the proposed area lights. The applicant shall verify that no additional architectural lighting is proposed.*
  18. There no known architectural lighting proposed at this time. Any proposed architectural lighting will not significantly contribute to the photometrical levels.
19. *§162-58.D(1)(a) – The lighting plan should be revised to show proposed plantings or the landscaping plan should be revised to show proposed lighting to verify that there are no conflicts.*
  19. The lighting plan has been revised and the landscape locations have been added. (See LP-3 Sheet 11 of 15)





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20. §162-58.D(1)(c) – *Plan shall include fixtures and pole cut sheets.*

20. The fixture and pole cut sheets have been added to the plans. (See LP-3 Sheet 11 of 15)

21. §162-58.D(3)(o) – *Wall mount fixtures shall not be used to provide area lighting unless it can be demonstrated that pole mounted lights are not possible. A majority of the site lighting appears to be accomplished by utilizing seven (7) wall mounted fixtures mounted at an unknown mounting height. Pole mounted fixtures shall be utilized.*

21. Pole mount fixtures are provided along the far side of the parking area. Wall mount fixtures are utilized on building side to provide entrance lighting and will be integrated into the building facade. (See LP-3 Sheet 11 of 15)

V. STORMWATER MANAGEMENT ORDINANCE REVIEW

1. §152-110 – *The applicant shall post financial security to the municipality for the timely installation and proper construction of all stormwater management facilities as required by the approved SWM site plan and this chapter.*

1. Noted.

2. §152-306.I(3) – *Setbacks from property lines and rights-of-way for all infiltration practices are to be consistent with accessory structures in the Zoning Ordinance, for the applicable zoning district. Note that the Zoning Ordinance states that no accessory structure shall be located within the front yard, nor within 10-feet of any rear or side lot line. SB-2 is located within the front yard setback from Ticonderoga Blvd. The applicant is requesting a partial waiver from this requirement.*

2. Noted.

3. §152-306.O – *Provide maintenance procedures for the Snout devices in the Stormwater O&M Plan.*

3. Maintenance procedures for the SNOUT devices have been added to the plans. (See Sheet 8 of 15)

4. §152-402.F(2) and §152-701.D.(1), (2) and F(1) and (2), and §152-703.A – *An Operation and Maintenance agreement shall be prepared and submitted to the municipality for review and approval. The Stormwater Management Plans and the agreement shall be recorded.*

4. Noted.

5. §152-702.D. and §152-702.E – *The statements in these sections shall be added to the Stormwater Management Plan.*



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5. The statements in section 152-702.D. have been added to the plans (See PCSM Facility Schedule of Inspections notes paragraph three on Sheet 8 of 15). The statements in section 152-702.E. have been added to the plans. (See Post Construction Responsibilities on Sheet 8 of 15).
6. *Verify 51 LF fully perforated pipe dimension in the SB-1 detail, as the pipe outside the bed (i.e., pipe segments from Inlets 101 and 102 to SB-1) should not be perforated.*
6. The pipe labels for these pipes have been revised to specify that the pipe is to be fully perforated within the bed. (See Sheet 7 of 15)
7. *Fencing is proposed along the edge of SB-2. The detail indicates the fence line posts are 36-inches below grade minimum, with concrete 10-inches minimum diameter. The fence should be adjusted to avoid conflict.*
7. The fence has been relocated to avoid any conflicts with the infiltration beds. (See Sheet 7 of 15)
8. *Add the "Blanket Stormwater Management Easement" to the Stormwater Management Plan (Sheet 7).*
8. The Blanket Stormwater Management Easement has been added to the Stormwater Management Plan. (See Sheet 7 of 15)

#### VI. GENERAL COMMENTS

1. *A preliminary design shall be provided for the retaining walls to verify that any required tie-backs will not conflict with the adjacent FedEx property.*

*The retaining walls are now indicated to be rock landscape walls. Provide details for the proposed rock retaining walls. IN addition, it appears at least a temporary construction easement will be needed from FedEx for their installation.*

1. A detail for the rock landscape walls has been added to the plans. (See Sheet 8 of 15)
2. *Detail how the level spreader (3-feet deep) will be constructed directly adjacent to the retaining wall. Provide details for the proposed rock retaining walls.*
2. A detail for the rock landscape walls has been added to the plans. (See Sheet 8 of 15)
3. *Remove reference to the Conservation District from the Sequence of Construction.*

*Remove references to the "Local Conservation District" and "the Department from the Standard E&S Control Plan Notes #2, #4 (replace with Township), #9 (replace with Township), #11 (replace with Township), #16 (replace "regulatory agency officials" with Township), #29 (replace with Township),*





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*#30 (replace with Township), #32 (replace with Township) on Sheet 13. Replace "Chester County Conservation District" with "the Township" in the Erosion Control Plan Revision Note (Sheet 13).*

3. References to the "Local Conservation District" and "Department" have been removed and replaced with "Township." (See Standard E&S Control Notes #2, #4, #9, #11, #16, #29, #30, #32 and Erosion Control Plan Revision Note on Sheet 13 of 15)
4. *Existing features to be removed (TBR) should not be shown on any proposed conditions plans. Currently existing features TBR are shown on most proposed conditions plan sheets.*
4. The existing features to be removed (TBR) have been removed from all proposed conditions plans. (See Sheets 2, 4, 5, 7, 9, 11, 12, 14, and 15 of 15)
5. *Provide a detail for the roof drain connection into the perforated piping in SB-2.*
5. The 6" roof drain shall have a saddle connection to the perforated pipe within infiltration bed SB-2 and has been added to the SB-2 detail. (See Sheet 7 of 15)
6. *It appears there is a significant drop off between the edge of sidewalk and the top of curb at the bend in the sidewalk along Park Road. At a minimum, fencing should be provided and possibly a small retaining wall.*
6. The sidewalk location and grade have been revised and the significant drop off between the edge of sidewalk and the top of curb has been reduced. We now feel that a fence or wall is not needed.
7. *Two (2) SL3 light fixture locations appear to conflict with the proposed retaining wall. Locations shall be coordinated.*
7. The lighting plans has been revised and any lighting fixture conflicts with the rock landscape walls have been avoided. (See LP-3 Sheet 11 of 15)
8. *Lighting Plan scale is noted as 1" = 50'; however, the plan appears to be scaled at 1" = 20'*
8. The noted Lighting Plan Scale has been corrected to be 1" = 20'. (See LP-3 Sheet 11 of 15)

### VII. TOWNSHIP TRAFFIC CONSULTANT COMMENTS: BOWMAN

1. SALDO §162-9.H(1)(a) – *Based on the results of the traffic study, the traffic generated by the proposed development can be accommodated at the study intersections without the need for any off-site traffic improvements. Furthermore, auxiliary turn lanes are not warranted at the site access intersection based on PennDOT guidelines.*
1. No response required.



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2. SALDO §162-27.1 – This project is located within the C1 zoning district, and is subject to the Township's access management standards. Based on the plan, we offer the following comments with respect to these standards:
  - a. §162-27.1.K(1) – The plans include truck turning templates at the access, and within the site, for a delivery truck and trash truck. The plans do not include turning templates for a fire truck. The applicant's engineer indicates that fire trucks are not able to turn around within the site, and instead, it is the applicant's position, that based on the location of the building, fire response will occur from Park Road and Ticonderoga Boulevard. This approach should be reviewed with the Township's emergency service personnel.
    - a. The Fire Marshall has confirmed the accessibility is acceptable to the fire department.
    - b. We understand that Windsor Baptist Church may be proposing an expansion to their existing facilities, and we previously requested the applicant coordinate with Windsor Baptist regarding any proposed roadway improvements that should be considered for planning purposes between the two developments. Regardless, the proposed daycare access is acceptable in our opinion; however, the applicant should inform the Township whether that has been any coordination with Windsor Baptist Church.
    - b. We are not aware of any planning involving Windsor Baptist Church at this time.
3. SALDO §162-36 – Provide a typical road widening section of the proposed widening along Park Road that includes the following information:
  - a. The existing Park Road pavement edge.
  - b. A two-foot sawcut line into the existing pavement.
  - c. The proposed pavement section for the widening, which meets the Township's pavement specification.
  - d. Mill and overlay of Park Road to the double yellow center line.
  - e. The proposed five-foot wide sidewalk.
3. A typical road widening detail including the above items has been added to the plans. (See Sheet 4 of 15)
4. The plans show replacement of all curb along Park Road as part of the proposed widening, except for a short 15-foot section of curb near the corner of Ticonderoga Boulevard. This additional section of curb should also be replaced as part of the proposed widening and curb ramp work.
  4. The 15-foot section of curb near the corner of Ticonderoga Boulevard has been specified to be replaced. (See Sheet 2 and 4 of 15)
5. Modify the grading at the southern driveway radius in order to end the curb at the PC and remove the short section of curb which ties into the existing edge of road.





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5. The grading at the southern driveway radius has been revised and the short section of curb has been removed. (See Sheet 2 and 4 of 15)
6. *There appear to be several signs along the Park Road site frontage that must be relocated to accommodate the proposed driveway, the Park Road widening, and sidewalk. In addition, it appears that at least one utility pole relocation is required. The plans should show the relocation of these signs and utility poles, as needed.*
6. The sidewalk has been relocated and the signs and utility pole will no longer need to be relocated.
7. ZO §200-73.H and 200-73.K – *The proposed daycare requires one parking space per 300 sf of gross floor area, and one parking space per employee, which equates to 50 parking spaces (i.e., 40 parking spaces for the building size, plus 10 parking spaces for the employees) as outlined in the parking tabulation on Sheet 1. However, the plans propose a total parking supply of 39 parking spaces, and the applicant requests a modification of the parking requirements per ZO §200-73.K to allow a reduction in the required parking supply. Prior to the Township rendering, a decision on this requested parking supply reduction, the applicant should provide technical justification to support the proposed parking supply. Furthermore, the Township Solicitor should require the requested parking reduction based on the requirements described in §200-73.K.*
7. The Conditional Use has been approved and the decision is referenced on the plans.
8. ZO §200-75.H(3) – *The following comments pertain to the sight distance plans for the proposed site access intersection shown on Sheet 14.*
  - a. *The sight line for left-turn entering vehicles looking ahead should be revised to start at a location 35 feet east of the centerline of the proposed driveway. In addition, this sight line should extend to a point 324 feet west of the centerline of the proposed driveway in the center of the eastbound Park Road travel lane.*
  - a. The sight line for left-turn entering vehicles has been revised and now starts 35 feet east of the centerline of the proposed driveway. It has also been adjusted to extend to a point 324 feet to the west and in the center of the eastbound Park Road travel lane. (See Sheet 14 of 15)
  - b. *The plan view should be revised to show the grading contours for the proposed regrading in order to determine whether the regrading can be achieved within the existing legal right-of-way, or whether a grading easement will be necessary along the adjacent property (Parcel No. 32-3-69.4).*
  - b. The proposed grading has been added to the plan sheet. We feel that the grading can be achieved within the Park Road right-of-way and a grading easement will not be needed. (See Sheet 14 of 15)



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9. *The ADA curb ramp on the southeast corner of the Park Road/Ticonderoga Boulevard should be revised to a Type 1 curb ramp, as opposed to a Type 1A curb ramps as currently shown. In addition, we continue to recommend the receiving ramp on the northeast corner should also be upgraded to meet current ADA requirements. Detailed curb ramp designs should be provided for review. As previously requested, the detailed designs for these ramps should include separate grading details (including spot elevations at all proposed grade changes), and all dimensions, including widths, lengths, and all slopes to assist during construction. In addition, please label all proposed curb ramp types, and provide appropriate PennDOT curb ramp details and notes on the detail sheets.*
9. The ADA curb ramps have been revised to be Type 1 curb ramps. A detailed curb ramp design for each curb ramp has been added to the plans. (See Sheet 4 of 15)
10. Chapter 79-8.C – *The proposed redevelopment is located in the Township's Act 209 Transportation Service Area, and as such, this development is subject to the Townships Transportation Impact Fee of \$2,334 per weekday afternoon peak hour trip. As such, based on the trip generation calculations provided by the applicant's traffic engineer, the site will generate 34 new weekday afternoon peak hour trips. Furthermore, the existing home on the site would generate one new weekday afternoon peak hour trip, which can be credited against the total Transportation Impact Fee for the site. As such, the number of trips subject to the Township's Transportation Impact Fee is 33 and the resultant Transportation Impact Fee is \$77,022.*
10. Noted.

#### VIII. TOWNSHIP PLANNING CONSULTANT COMMENTS: BRANDYWINE CONSERVANCY

1. *As noted in our prior review letter, the applicant shows the landscape plan on the current topography of the site. We suggest the landscape plan incorporates the as-built topography for improved accuracy.*
  1. The landscape plan has been revised and incorporates the as-built topography. (See LP-1 Sheet 9 of 15)
2. *We note the changes in plant material choices from the last plan set. However, we suggest that consideration be given to replacing the boxwoods with the inkberries shown on other areas of the plan, or another alternative small native shrub.*
  2. The proposed boxwood shrubs have been changed to inkberries. (See LP-1 Sheet 9 of 15)
3. *For ease of referencing the plants shown on the landscape plan, the plant schedule should be placed on the same sheet, rather than on the next sheet.*
  3. The planting schedule has been added to the Landscape Plan. (See LP-1 Sheet 9 of 15)





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4. *It is unclear from the plans what is proposed for ground cover within the planting areas and around the building. While not clearly marked on the landscape plan, but seen on other plan sheets, it appears that a shallow depression will exist in the northwest corner of the property. If so, and this is part of the proposed stormwater management for the property, consideration should be given to incorporating native vegetation into this swale for added interest, improved infiltration properties, and enhanced environmental benefits. Turf grass provides little environmental benefit and can, over time, limit infiltration. Could a mix of native grasses and perennial plugs be incorporated into what appears to be a stormwater swale?*
4. Native grass seeding is proposed in the swale at the northwest corner of the site. (See LP-1 Sheet 9 of 15)
5. *The Conservancy recognizes that Inkberry is widely used in the landscaping plan already, and that choices for native evergreen shrubs are limited, but we encourage the applicant to seek an alternative native plant material for along the property where the skip laurels are proposed.*
5. The skip laurels have been proposed to provide adequate screening along the property line. (See LP-1 Sheet 9 of 15)

*In addition to the comments above, below I have listed again the general comments included in our first review.*

6. *The proposed development is located within the area identified in the 2014 Upper Uwchlan Comprehensive Plan's Future Land Use Map as Village, areas that would continue to be limited to residential infill that is consistent with current historic structures, considers adaptive reuse of historic buildings for residential purposes, and that consider open space, buffering, and pedestrian needs. More specifically, the proposed development falls within the Eagle Village- Village of Eagle/Byers Concept Plan of the 2014 Comprehensive Plan, an update to which is currently underway.*

*The 2014 Village Concept Plan identifies several planning objectives for the village, which include maintaining its visual integrity, preserving Class I and Class II historic resources, providing controlled access to Graphite Mine Road, ensuring traffic access management, enhancing interconnectivity for pedestrians, and providing consistent streetscapes and ample civic spaces throughout.*

*The proposed development sits on the very edge of the Turnpike sub-area for the 2014 Village Concept Plan, which envisions this area being utilized for larger scale commercial uses, as well as office buildings and light industrial uses.*

*While the proposed development appears to align with the general goals of the 2014 Village Concept Plan, it does sit at the edge of an area designated for heavier land uses. As such, the Township and applicant should ensure the plant material chosen for the southern property boundary adjacent to parcel 32-3-69.4 is appropriate and would provide adequate screening between the two uses.*

6. Plantings along the southern property line are proposed. (See LP-1 Sheet 9 of 15)



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7. *The Brandywine Conservancy notes the applicant intends to seek modifications to the parking requirements under Section 200-73K of the Zoning Ordinance. Given the nature of the proposed use (pick-up and drop-offs at a day care facility tend to occur over a more prolonged time than at a traditional K-12 institution), the Brandywine Conservancy is in support of this modification request. However, the Township and applicant might consider exploring options for shared parking that might be utilized by staff who work at the day care center.*

**7. Addressed in Conditional Use Decision.**

8. *The Township should ensure the applicant has made every effort to conform to the landscaping requirements under Section 162-57 of the Township Code.*

**8. Noted.**

9. *The Brandywine Conservancy notes the inclusion of a 5' pedestrian sidewalk along most of the frontage along Park Rd. This will provide for pedestrian access to the facility from nearby residential areas, such as the Townes at Chester Springs, reducing the need for additional vehicular trips and lowering parking needs at the site during drop-off and pick-up times. It also enhances the growing pedestrian network in the Township.*

**9. Noted**

10. *Given the proposed development is within the C-1 zoning district, the Township should ensure the applicant is in compliance with the applicable design standards set forth in Section 200-36 of the Township Code, including that the structure be designed with either a traditional village architectural character or be a contemporary expression of traditional styles and forms. Given the proximity of the development to Windsor Baptist Church, a historic resource in Upper Uwchlan Township, the Brandywine Conservancy suggests the Historical Commission review the plans and architectural drawings. In addition, the Township might consider seeking the advice of the Township's Historic Resource Consultant on the proposed schematic of the facility.*

**10. Addressed in Conditional Use Decision.**

**IX .TOWNSHIP SEWER CONSULTANT COMMENTS: ARRO CONSULTING, INC.**

1. *The site is currently a single-family dwelling. Plans proposed the demolition of the existing single- family home and the construction of a two-story office daycare facility, a play area and parking lot. Based on discussions with the applicant's engineer, the anticipated building capacity is 120- 125 children with approximately 20 employees. We estimate the anticipated usage to be 675 gallons per day (GPD) or three (3) equivalent dwelling units (EDUs). The required capacity will need to be purchased by the applicant. We recommend the Township reserve the right to review water usage in the future and require the purchase of additional sanitary sewer capacity if warranted.*

**1. Noted.**





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2. *Sewage facilities planning approval will need to be obtained by the Pennsylvania Department of Environmental Protection (PADEP). The current planning approval for this site should be confirmed prior to submission.*
2. The PaDEP issued a Sewer Exemption Approval to the Upper Uwchlan Township on April 29, 2024. .
3. *The proposed lateral should connect into the sanitary sewer main, not the terminal manhole.*
3. The sanitary sewer design has been revised and the sewer lateral will connect directly into the existing sewer manhole located in Park Road North of the site. The lateral will be direct bored to minimize disturbance within Park Road. (See Sheet 5 of 15)
4. *An appropriately-sized grease interceptor shall be provided for any proposed kitchen facilities.*
4. The kitchen is for employee use only. No group meals will be prepared. Therefore, no grease trap is proposed.
5. *The necessary financial security shall be posted with the Township, which shall be in a form and amount acceptable to the Township.*
5. Financial security shall be posted in the form and amount acceptable to the township prior to plan recording.

### X. TOWNSHIP FIRE MARSHAL COMMENTS.

1. *What is the width of the entrance from Park Road into the parking lot and the aisle in the parking lot?*
  1. The width of the entrance from Park Road and the aisle in the parking lot are 24 feet.
2. *The property is served by fire hydrants on Park Road. Please provide the location of each and the distance from the proposed building to each of the fire hydrants.*
  2. There is a fire hydrant on the northern corner of Park Road and Lila Lane and it is approximately 500 feet from the proposed building.
3. *The needed hydrant flow is 2,000 GPM @ 20 PSI residual pressure.*
  3. Noted.

### XI. HISTORIC COMMISSION COMMENTS.

1. *Approve daycare center as conditional use.*



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1. Noted.
2. *Since the 241 Park Road existing house is not within 250 feet of Windsor Baptist Church or the parsonage, the house is of relatively recent vintage and lacks architectural significance, is not included in the 2001 Historic Resources Inventory and there is uncertainty if it was later formally added to the Inventory, as long as the proposed new building complies with the §200-36, C-1 Village District design standards and the side facing Park Road is landscaped to shield it from view, the historic resources impact statement may be waived.*
2. Noted.
3. *Although it is unclear if 241 Park Road house is a protected "historic structure" under §200-36, due to its relatively recent 1951 building date and lack of architectural significance, the house (and more modern outbuildings) may be demolished.*
3. Noted.
4. *Request that Planebrook Partners, LLC explain how its architectural designs for the proposed daycare center are consistent with, and promote, purposes and standards set forth for the C-1 Village Zoning District, including, but not limited to, by providing more information about the proposed design reflects the "traditional village architectural character or contemporary expression of traditional styles and forms...of historic examples in Byers, Eagle and the surrounding area" (e.g., what the massive size, stacked stone portions and three different types of siding contribute) and reducing the 100 foot facade facing Park Road to less than 60 feet or inserting "breaks" as required under §200-36B.*
4. The Conditional Use has been approved and the decision is referenced on the plans.
5. *If not already provided, request that Planebrook Partners, LLC provide more information on the proposed signage to determine if it complies with the C-1 Village zoning District signage requirements under Ordinance §200-98H and other applicable signage sections.*
6. Noted.

We hope that the above plan revisions satisfy your requirements. If you have any questions or need further clarification of the revisions we have made, please feel free to contact me.

Sincerely,

Michael Cowen, EIT  
Project Manager





# COMMONWEALTH ENGINEERS, INC.

114 East Lancaster Avenue ~ Second Floor ~ Downingtown, PA 19335  
Telephone: (610) 518-9003 ~ Fax: (610) 518-9004 ~ [comeng@cei-1.com](mailto:comeng@cei-1.com)

## LOT CONSOLIDATION LEGAL DESCRIPTION

TAX ID/PARCEL NO. 3204 0038 0800 (32-4-38.8) and;  
TAX ID/PARCEL NO. 3204 0037 0000 (32-4-37)

Project #202317  
241 Park Road  
May 29, 2024

ALL THAT CERTAIN lot or piece of ground situate in the Township of Upper Uwchlan, County of Chester and Commonwealth of Pennsylvania, bounded and described according to a plan entitled "Preliminary/Final Land Development Plan for 241 Park Road" and prepared by Commonwealth Engineers, Inc. Downingtown, PA., dated December 4, 2023, last revised May 24, 2024 and recorded in Chester County as Plan # \_\_\_\_\_, as follows, to wit:

**BEGINNING AT A POINT** a mag spike set in the cartway of the southeasterly intersection of Park Road and Ticonderoga Boulevard; thence, leaving said cartway and passing through the southeasterly right-of-way of Ticonderoga Boulevard, being 60 feet wide, South 51 Degrees 02 Minutes 54 Seconds East, a distance of 33.62 feet to a point;

thence, continuing along said right-of-way, South 51 Degrees 02 Minutes 54 Seconds East, a distance of 128.11 feet to a point;

thence, leaving said right-of-way and traveling along lands N/F of FedEx National LTL, Inc. the following two (2) courses and distances:

- (1) South 37 Degrees 24 Minutes 27 Seconds West, a distance of 219.67 feet to a point;
- (2) North 51 Degrees 15 Minutes 28 Seconds West, a distance of 157.81 feet to a point;

thence leaving said lands and traveling along the easterly right-of-way of Park Road the following two (2) courses and distances:

- (1) North 37 degrees 41 minutes 23 seconds East, a distance of 191.60 feet to a point;
- (2) On a line curving to the left having a delta angle of 91 Degree 15 Minutes 43 Seconds, an arc of 44.60 feet and a radius of 28.00 feet to the **POINT OF BEGINNING**.

Containing 0.790 Acres, more or less.

**BEING THE SAME PREMISES** which 241 Park Avenue, LLC, a Pennsylvania limited liability company by Deed dated June 7, 2019 and recorded June 12, 2019 in the Office of the Recorder of Deeds in and for the County of Chester, Commonwealth of Pennsylvania, in Deed Book #9939, Page #1141, granted and conveyed unto 241 Park Road, LLC, a Pennsylvania limited liability company.

PROFESSIONAL CIVIL ENGINEERING







1 Front Elevation  
SCALE: 1/8" = 1'-0"



2 Left Elevation  
SCALE: 1/8" = 1'-0"



3 Rear Elevation  
SCALE: 1/8" = 1'-0"



4 Right Elevation  
SCALE: 1/8" = 1'-0"

## ELEVATION KEYED NOTES

### EXTERIOR FINISH MATERIALS SCHEDULE

| TAG | MATERIAL                                | MANUFACT'R                       | COLOR / NO.       | NOTES   |
|-----|---|----------------------------------|-------------------|---|
| 100 | THIN STONE                              | BEST STONE WORKS                 | DARBY FIELD LEDGE | DRystack  |
| 101 | PRE-ENG ROOF TRUSS W/ ASPHALT SHINGLES  | T.B.D.                           | T.B.D.            | FINISH TYPE TO BE DETERMINED BY OWNER             |
| 102 | BRICK (STANDARD MODULAR)                | GENERAL SHALE                    | CAMBRIDGE 6060    | MORTAR COLOR TO BE NATURAL GRAY                   |
| 103 | 8" AZEK RAKE BOARD & TRIM               | AZEK                             | WHITE             | SMOOTH  |
| 104 | PRECAST SILL                            | -                                | NATURAL           | MORTAR COLOR TO MATCH SILL                        |
| 105 | EXTERIOR DOOR                           | AS SCHEDULED                     | BY OWNER          | AS SCHEDULED                                      |
| 106 | GLASS STOREFRONT SYSTEM                 | BY OWNER                         | CLEAR ANODIZED    | REFER TO DETAILS IN THIS DRAWING SET              |
| 107 | TPO ROOFING MATERIAL                    | GAF OR APPROVED EQ.              | WHITE             | FULLY ADHERED, REFER TO DETAILS IN DRAWINGS       |
| 108 | PRECAST / PRE-MFR. BASE OR CAP          | -                                | NATURAL           | MORTAR COLOR TO MATCH BASE OR CAP                 |
| 109 | ALUM. DOWNSPOUT                         | SELECTED BY OWNER                | MATCH CORNICE     | PVC BOOT TO STORM WATER SYSTEM                    |
| 110 | ALUM. CONT. GUTTER                      | SELECTED BY OWNER                | MATCH CORNICE     | -   |
| 111 | PRE-MANUFACTURED ALUMINUM CANOPY        | -                                | BLACK             | AS APPROVED BY OWNER                              |
| 112 | PRE-MANUFACTURED ALUM. METAL AWNING     | -                                | BLACK             | AS APPROVED BY OWNER PROVIDE SUPPORT BRACKETS     |
| 113 | PRE-MANUFACTURED ZEE BOX                | ATAS INTERN'L, INC.              | BLACK             | INSTALL PER MFR'S DETAILS AND INSTRUCTIONS MANUAL |
| 114 | 10" AZEK FRIEZE BOARD TRIM              | AZEK                             | WHITE             | SMOOTH  |
| 115 | 12" AZEK BAND TRIM                      | AZEK                             | WHITE             | SMOOTH  |
| 116 | AZEK FASCIA TRIM                        | AZEK                             | WHITE             | SMOOTH  |
| 117 | 8" HORIZONTAL SIDING                    | HARD-BOARD OR VINYL (CERTAINTED) | T.B.D.            | FINISH TYPE TO BE DETERMINED BY OWNER             |
| 118 | STRAIGHT-CUT SIDING                     | HARD-BOARD OR VINYL (CERTAINTED) | T.B.D.            | FINISH TYPE TO BE DETERMINED BY OWNER             |
| 119 | DECORATIVE VINYL VENT                   | CERTAINTED                       | WHITE             | -   |
| 120 | FRT PLYWOOD AT SIGNAGE                  | -                                | -                 | PROVIDE BEHIND EXTERIOR SIGNAGE                   |
| 121 | BEAMS / BEAM ENDS TRIM                  | AZEK                             | WHITE             | SMOOTH  |
| 122 | 12" FIBERGLASS COLUMN SURROUND (SMOOTH) | BUILDER'S STANDARD               | WHITE             | PROVIDE MATCHING BASES & CAPITALS                 |
| 123 | SPLIT-FACE CMU                          | T.B.D.                           | T.B.D.            | MORTAR COLOR TO BE DETERMINED                     |
| 124 | DECORATIVE VINYL GABLE TRIM             | CERTAINTED                       | WHITE             | -   |
| 125 | STANDING SEAM METAL ROOF                | ATAS                             | BLACK             | PREFINISHED                                       |
| 126 | 6" VINYL FENCE PRIVACY PLANK BOARDS     | CERTAINTED                       | WHITE             | 56" H. VINYL PLANKS BOARDS FASTENED TO METAL RAIL |

NOTE: ALL NEW CMU ON THIS PROJECT SHALL BE "DRY BLOCK" TYPE CMU & ALL MORTAR TO HAVE WATERPROOFING ADDITIVE AGENTS.



COMMONWEALTH ENGINEERS, INC.  
114 EAST LANCASTER AVENUE - SECOND FLOOR  
DOWNTOWN PA 19355  
TELEPHONE: (610) 516-9003 • FAX: (610) 516-9004  
CME040527-01-COM

PROPOSED BUILDING & FIT-OUT  
FOR  
DUCKLINGS EARLY LEARNING CENTER  
241 PARK ROAD  
EAGLE PENNSYLVANIA 19355  
CHESTER COUNTY

DATE: May 8, 2024  
SCALE: AS NOTED  
DRAWN BY: CMS  
CHECKED BY: CMS  
DWG. NAME: DUCKLINGS  
PROJECT No. 2023.07

### EXTERIOR ELEV.

These plans, elevations, sections, foundations and other design information are prepared by the Architect and are to be used for the construction of the building. It is the responsibility of the owner to obtain all necessary permits and to ensure that the construction is in accordance with the approved plans and specifications. The Architect is not responsible for the construction of the building or for the safety of the building or for the safety of the occupants of the building.

**SCULL ARCHITECTURE LLC**  
Tel 610.909.4715  
610 Chadds Ford Drive, Suite M21  
Chadds Ford, PA 19317  
cscull@scull-architecture.com  
www.Scull-Architecture.com

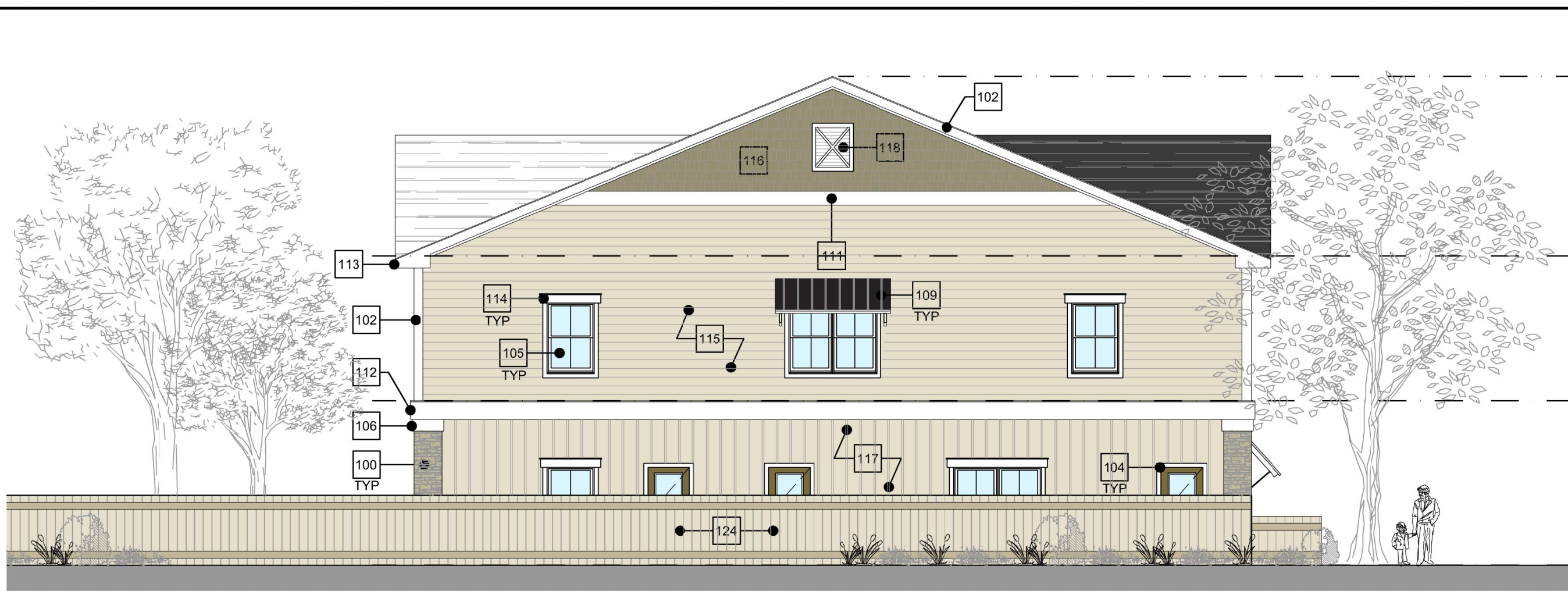
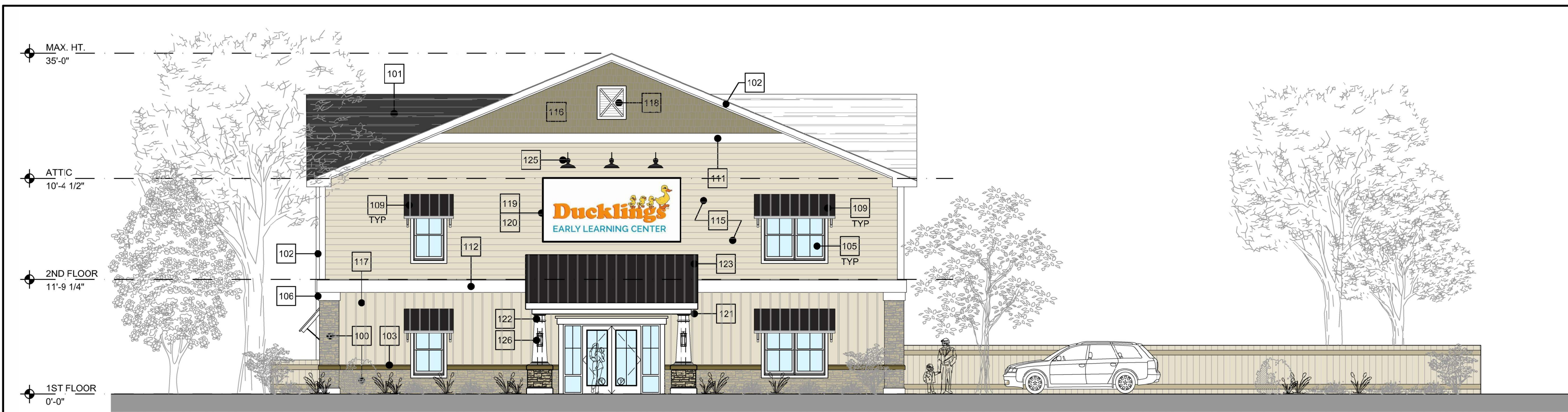
PROFESSIONAL CERTIFICATION:  
I certify that these documents were prepared or approved by me, and that I am a duly Licensed Architect under the laws of the Commonwealth of Pennsylvania, license number RA408707, expiration date 06/30/2025.

CHARLES M. SCULL, R.A.

REGISTERED ARCHITECT  
PENNSYLVANIA LICENSE NO. RA408707  
DELAWARE LICENSE NO. 95-019146

SHEET NUMBER:  
**A200**  
8 OF 16





1 Elevation  
SCALE:  $\frac{1}{8}$ " = 1'-0"

4 Elevation  
SCALE:  $\frac{1}{8}$ " = 1'-0"



2 Elevation  
SCALE:  $\frac{1}{8}$ " = 1'-0"



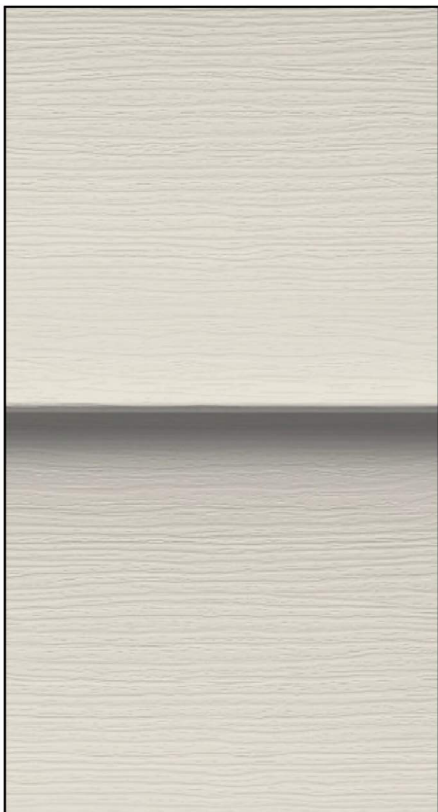
3 Elevation  
SCALE:  $\frac{1}{8}$ " = 1'-0"

| EXTERIOR FINISH MATERIALS SCHEDULE |  |  |                             |   |
|------------------------------------|--|--|-----------------------------|---|
| TAG                                | MATERIAL                                   | MANUFACT'R                                 | COLOR / NO.                 | NOTES   |
| 100                                | THIN STONE                                 | STONE CRAFT                                | LAUREL CAVERN LEDGE 'ASHER' | DRystack  |
| 101                                | PRE-ENG ROOF TRUSS W/ ASPHALT SHINGLES     | GAF TIMBERLINE HDZ                         | CHARCOAL                    | -   |
| 102                                | 8" AZEK RAKE BOARD & CORNER TRIM           | AZEK                                       | WHITE                       | SMOOTH  |
| 103                                | PRECAST SILL                               | T.B.D.                                     | BROWN                       | -   |
| 104                                | EXTERIOR DOOR                              | AS SCHEDULED                               | TO MATCH ADJACENT           | AS SCHEDULED                                      |
| 105                                | VINYL DOUBLE HUNG WINDOW SYSTEM            | ANDERSEN                                   | WHITE 400 SERIES            | REFER TO DETAILS IN THIS DRAWING SET              |
| 106                                | PRECAST / PRE-MFR. BASE OR CAP             | -  | NATURAL                     | MORTAR COLOR TO MATCH BASE OR CAP                 |
| 107                                | ALUM. DOWNSPOUT                            | SELECTED BY OWNER                          | MATCH CORNICE               | PVC BOOT TO STORM WATER SYSTEM                    |
| 108                                | ALUM. CONT. GUTTER                         | SELECTED BY OWNER                          | MATCH CORNICE               | -   |
| 109                                | PRE-MANUFACTURED ALUM. METAL AWNING        | -  | BLACK                       | AS APPROVED BY OWNER PROVIDE SUPPORT BRACKETS     |
| 110                                | PRE-MANUFACTURED ZEE BOX                   | ATAS INTERN'L, INC.                        | BLACK                       | INSTALL PER MFR'S DETAILS AND INSTRUCTIONS MANUAL |
| 111                                | 12" AZEK BAND TRIM                         | AZEK                                       | WHITE                       | SMOOTH  |
| 112                                | 16" AZEK BAND TRIM                         | AZEK                                       | WHITE                       | SMOOTH  |
| 113                                | 10" AZEK FASCIA TRIM                       | AZEK                                       | WHITE                       | SMOOTH  |
| 114                                | 4" AZEK JAMB / SILL TRIM 8" AZEK HEAD TRIM | AZEK                                       | WHITE                       | SMOOTH  |
| 115                                | HORIZONTAL SIDING                          | CERTAINTEED 'CERTAPLANE'                   | HERRINGBONE                 | SINGLE 7" LAP SIDING                              |
| 116                                | STRAIGHT-CUT SIDING                        | CERTAINTEED CEDAR IMPRESSIONS 'PERFECTION' | NATURAL CLAY                | 'STRAIGHT EDGE' DOUBLE 7"                         |
| 117                                | BOARD & BATTEN SIDING                      | CERTAINTEED                                | HERRINGBONE                 | 8" VERTICAL SIDING PANELS                         |
| 118                                | DECORATIVE VINYL VENT                      | CERTAINTEED                                | WHITE                       | -   |
| 119                                | FRT PLYWOOD AT SIGNAGE                     | -  | -                           | PROVIDE BEHIND EXTERIOR SIGNAGE                   |
| 120                                | SIGNAGE                                    | -  | -                           | BY OWNER / TENANT                                 |
| 121                                | BEAMS & BEAM END TRIM                      | AZEK                                       | WHITE                       | SMOOTH  |
| 122                                | FIBERGLASS COLUMN SURROUND (TAPERED)       | BUILDER'S STANDARD                         | WHITE                       | PROVIDE MATCHING BASES & CAPITALS (SMOOTH)        |
| 123                                | STANDING SEAM METAL ROOF                   | ATAS                                       | BLACK                       | PREFINISHED                                       |
| 124                                | 6" VINYL FENCE PRIVACY PLANK BOARDS        | CERTAINTEED                                | SAND (TAN)                  | HEIGHT AS DETERMINED BY OWNER / TENANT            |
| 125                                | GOOSE NECK LIGHTING                        | T.B.D.                                     | BLACK                       | BY OWNER / TENANT                                 |
| 126                                | SCONCE LIGHTING                            | T.B.D.                                     | BLACK                       | BY OWNER / TENANT                                 |
| 127                                | DECORATIVE VINYL GABLE TRIM                | T.B.D.                                     | WHITE                       | BY OWNER / TENANT                                 |

NOTE: ALL NEW CMU ON THIS PROJECT SHALL BE "DRY BLOCK" TYPE CMU & ALL MORTAR TO HAVE WATERPROOFING ADDITIVE AGENTS.



THIN STONE



HORIZONTAL SIDING



BOARD & BATTEN SIDING



STRAIGHT-CUT SIDING



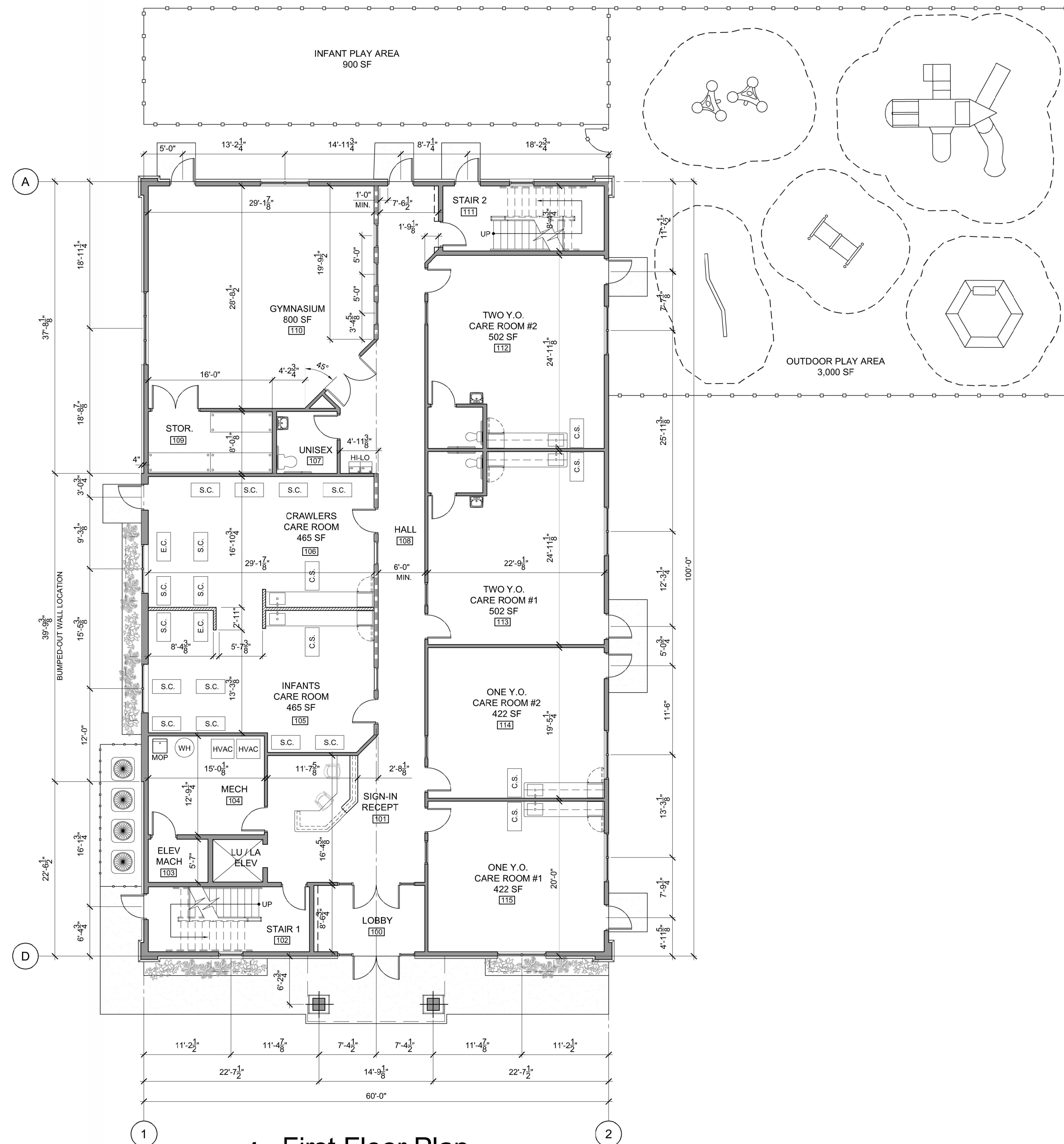
SCHEMATIC  
241 PARK ROAD  
EAGLE, PENNSYLVANIA 19355

COMMONWEALTH ENGINEERS, INC.  
114 EAST LANCASTER AVENUE ~ SECOND FLOOR  
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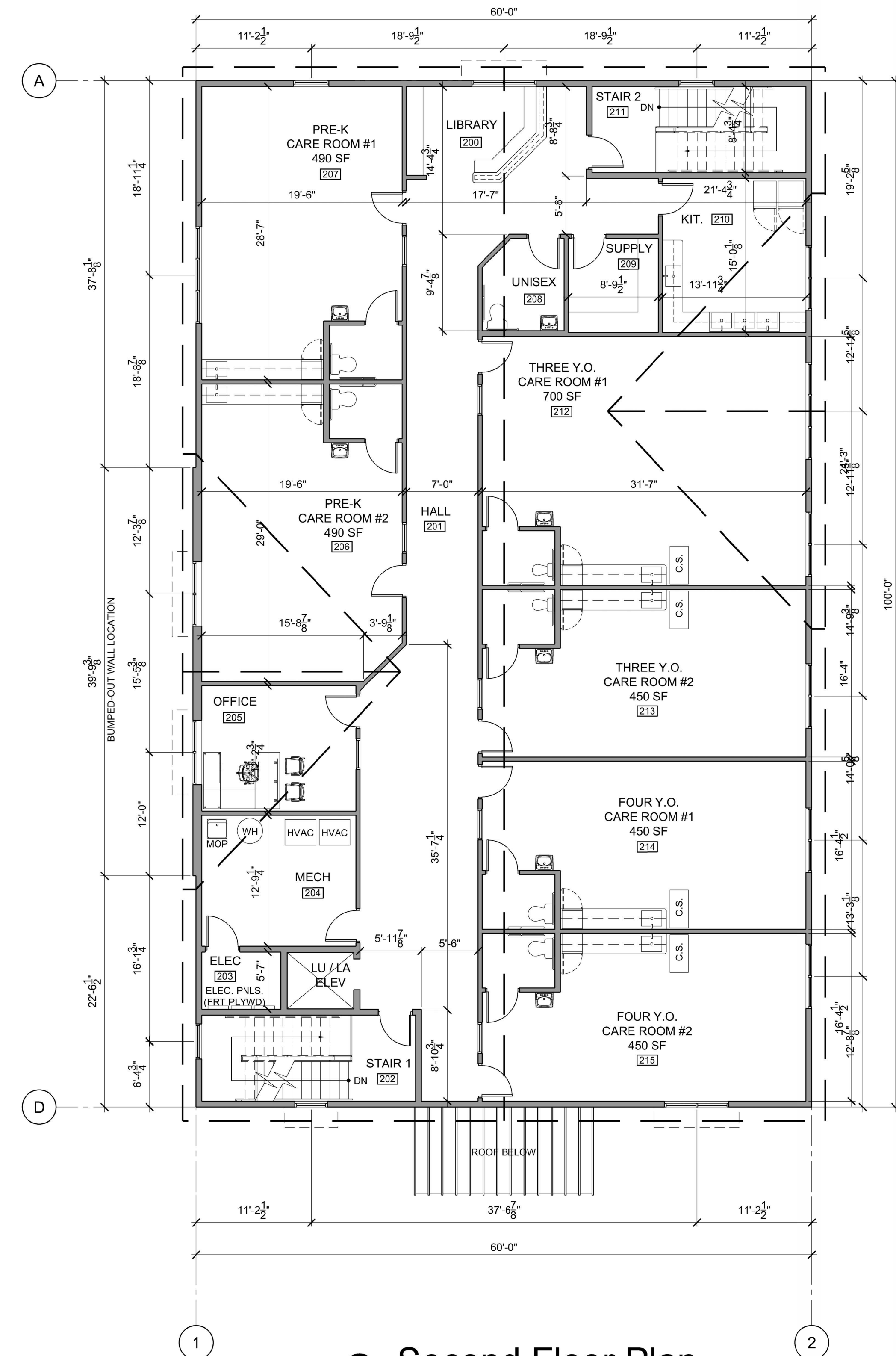


SK-7.2  
July 9, 2024  
SA Project No. 2023.67





**1 First Floor Plan**  
SCALE:  $\frac{1}{8}" = 1'-0"$



**2 Second Floor Plan**  
SCALE:  $\frac{1}{8}" = 1'-0"$





GILMORE & ASSOCIATES, INC.  
ENGINEERING & CONSULTING SERVICES

July 3, 2024

File No. 23-12026

Mr. Tony Scheivert  
Upper Uwchlan Township Manager  
140 Pottstown Pike  
Chester Springs, PA 19425

Reference: 241 Park Road  
Preliminary Land Development Review  
Upper Uwchlan Township, Chester County, PA

Dear Tony:

Gilmore & Associates, Inc. (G&A) is in receipt of the following documents prepared by Commonwealth Engineers, Inc. unless stated otherwise:

- Letter of Transmittal for 241 Park Road Preliminary/Final Land Development Plans submission to Upper Uwchlan Township dated May 29, 2024;
- Letter to Upper Uwchlan Township dated May 29, 2024 responding to G&A's April 5, 2024 review letter;
- Plan set consisting of fifteen (15) sheets titled "Preliminary/Final Land Development Plans for 241 Park Road" dated December 4, 2023 and revised May 28, 2024;
- Lot Consolidation Legal Description TPN 32-4-38.8 and TPN 32-4-37 dated May 29, 2024.

The subject site is comprised of two (2) parcels (TMP 32-4-37 and TMP 32-4-38.8) located at the intersection of Park Road and Ticonderoga Blvd. The property is located in the C-1 Village Commercial Zoning District.

G&A, as well as other Township Consultants, has completed our third review of the above referenced preliminary land development application for compliance with the applicable sections of the Township's Zoning Ordinance, Subdivision and Land Development Ordinance, and Stormwater Management Ordinance, and wish to submit the following comments for your consideration.

Please note that for the Township Engineer's portion of the letter, comments with an **(RW)** denotes a requested waiver from the Township Ordinances. Comments in *italics* are from our previous review letter, and comments in **bold text** require resolution from the applicant. Previous comments that have been satisfactorily addressed are not repeated herein.

184 West Main Street | Suite 300 | Trappe, PA 19426 | Phone: 610-489-4949 | Fax: 610-489-8447

**I. OVERVIEW**

The Applicant is proposing to consolidate two existing lots and construct a 6,000 SF (footprint) two-story building with outdoor play areas, parking and stormwater management in the C-1 Village District. The parking area has access from Park Road. The total impervious surface coverage onsite is approximately 20,359 square feet, and the total proposed disturbance for the construction is approximately 0.865 acres. Two underground infiltration beds, inlets and piping are proposed to control the runoff from the proposed improvements. Retaining walls approximately 3.5-feet in height at their maximum are proposed along three sides of the property. There are no floodplains on the site.

**II. TOWNSHIP ENGINEER COMMENTS - CONDITIONAL USE DECISION AND ORDER**

1. Condition Number 10 requires evaluation of the adequacy of the structural wall along Ticonderoga Blvd.; we note a boulder retaining wall is now proposed. Additional information should be provided regarding the size of the boulders. Further, protective barriers in the parking lot near the outdoor plan area were to be installed; none are shown on the plans. This shall be addressed.
2. The detail for the proposed Privacy Fence should be provided to the Historical Commission for review to satisfy Condition Number 13.
3. Architectural Plans should be provided which demonstrate Condition Number 15 will be satisfied.

**III. TOWNSHIP ENGINEER COMMENTS – ZONING ORDINANCE  
GILMORE & ASSOCIATES**

1. §200-33.B.(3) – *A daycare center is permitted as a principal use when authorized by conditional use by the Board of Supervisors.*

The applicant has received conditional use approval. **The Conditional Use Approval provided on the plans shall be revised to include the Order and the Conditions of Approval (verbatim).**

2. §200-36.B.(1)(d) – *All facilities and equipment for heating/air conditioning, trash collection and compaction, and other structural elements not in keeping with historical architectural themes shall be concealed architecturally or otherwise screened from view from any public right-of-way or public space. The applicant shall clarify where HVAC equipment is located to determine if screening is required.*

HVAC equipment is now shown on the plan with a 4-foot-high privacy fence and seven (7) deciduous shrubs. **Plans should be revised to include a mix of evergreens to screen the**

**mechanical equipment so that it is not visible from Park Road to meet the conditions of the approval and to demonstrate compliance with the ordinance.**

3. §200-73.B.(2). and §200-74. – *Please indicate where delivery vehicles are intended to park. The response letter states that delivery trucks are limited to local carriers who will utilize the proposed parking spaces. We would recommend one parking space be designated as a “Delivery Space.”*

The response letter states that delivery trucks (to will be standard size delivery vans) will be able to use the child loading and unloading spaces that have been added to the plans. **Confirm whether the spaces indicated with an “L” are for child drop off / pickup.**

**IV. TOWNSHIP ENGINEER COMMENTS – SUBDIVISION AND LAND DEVELOPMENT ORDINANCE - GILMORE & ASSOCIATES**

1. (RW) §162-7.B.(2) – *A waiver is being requested to allow preliminary and final plan submission. Due to the scope of the project, we have no objection to this request.*
2. §162-8.F – The applicant shall execute a land development agreement, to be approved by the Township, pending the review of the Township Solicitor, before the final plan is recorded.
3. §162-8.G – The applicant shall deposit with the Township financial security in an amount sufficient to cover the cost of all improvements. A cost estimate, signed and sealed by a Professional Engineer, shall be provided for review.
4. §162-9.B.(1)(b) – *Provide a legal description for the consolidated lot.*

A legal description has been provided. **The distance from the POB to the first course should be verified and labeled on the plans. Course #2 distance along FedEx lands does not match the plans; the existing right-of-way distance along this line should also be labeled on the plans. The courses along Park Road are not labeled on Sheet 2, and the POB is incorrectly identified in course #2. Finally, the tract boundary shown on the plans (i.e., dark outline) does not match the consolidated legal description and shall be revised once dedication of the right-of-way has been determined.**

5. (RW) §162-9.H.(1)(b) and §162-9.H.(5) – *We defer to the Township’s Historical Commission whether an Historic Impact Statement is required. A waiver from the Historic Impact Statement is being requested.*
6. §162-9.H.(4). – *All of our previous comments regarding the fiscal impact statement have been adequately addressed in the engineer’s response letter. However, the impact statement itself should be updated with this information and submitted.*



The response letter states the impact statement has been updated with the fiscal impact statement previously submitted to the township. **However, no updated statement was submitted. Please provide.**

7. **§162-47.A.(4) – Provide concrete monuments at changes of direction of the ultimate right-of-way as well as at intersections with property lines.**
8. (RW) §162-55.B.(7) – *Replacement trees are required for each tree greater than six inches dbh removed. Based on the size and number of trees proposed to be removed, either four (4) replacement trees (at 4-6.5" caliper) or twenty-three (23) replacement trees (at 3-3.5" caliper) are required to be planted and are in addition to other required landscaping. The applicant is requesting a waiver from this requirement.*
9. (RW) §162-57.C.(7) – *The interior of each parking area shall have at least one shade tree for every five parking spaces. Based on 39 proposed spaces eight (8) shade trees are required but only four (4) are proposed. A waiver has been requested from this requirement.*
10. (RW) §162-57.D.(1) – *Per 1,000 SF of gross building area two (2) deciduous trees, one (1) evergreen tree and eight (8) shrubs are required to be planted and are in addition to any required replacement plantings due to woodland disturbance. Based on the 6,000 SF proposed building 12 deciduous trees, 6 evergreen trees and 48 shrubs are required. The applicant is requesting a waiver from providing 12 deciduous trees and 6 evergreen trees. (48 shrubs are provided.)*
11. (RW) §162-57.D.(1) – *Per 100 linear feet of existing tract boundary where not coincident with existing road frontage, 1 deciduous tree 2 evergreen trees and 8 shrubs are required. Based on the eastern and southern property lines linear footage, 4 deciduous trees, 8 evergreen trees and 32 shrubs are required. The applicant is requesting a partial waiver from providing 3 evergreen trees (5 are provided) and 2 shrubs (30 are provided). The applicant is requesting a waiver from this requirement.*
12. **§162-58.C(4)(b) – Plans shall clarify that the Base Detail provided on Sheet 11 of 15 does not apply to the historic fixtures along Park Road. Additional detail/information shall be provided for those pole bases.**
13. §162-58.D(1)(a) – *Site plan shall show all lighting including building and architectural lighting. The plan does not indicate any additional lighting beyond the proposed area lights. The applicant shall verify that no additional architectural lighting is proposed.*

Architectural lighting appears to be proposed in the form of wall mounted gooseneck fixtures as well as sconce fixtures. **Cut sheets and information regarding architectural lighting shall be included in the overall site lighting plan.**

14. §162-58.D(1)(c) – *Plan shall include fixtures and pole cut sheets.*

**Fixture cut sheets shall include architectural fixtures.**

15. §162-58.D(3)(o) – *Wall mount fixtures shall not be used to provide area lighting unless it can be demonstrated that pole mounted lights are not possible. A majority of the site lighting appears to be accomplished by utilizing seven (7) wall mounted fixtures mounted at an unknown mounting height. Pole mounted fixtures shall be utilized.*

The number of wall mounted lights has increased to 9 fixtures. **We question the need for wall mounted site light fixtures at doorways which appear to be only utilized for emergency egress. If the doorways are only for emergency egress, they would only need to comply with code requirements for emergency egress and not site lighting requirements. Applicant shall clarify if outdoor areas surrounding the building are anticipated to be used after dark. It appears that lighting of the walkway and parking areas may be able to be accomplished utilizing pole mounted fixtures rather than the proposed wall mounted fixtures.**

**V. TOWNSHIP ENGINEER COMMENTS – STORMWATER MANAGEMENT ORDINANCE REVIEW - GILMORE & ASSOCIATES**

1. §152-110. – *The applicant shall post financial security to the municipality for the timely installation and proper construction of all stormwater management facilities as required by the approved SWM site plan and this chapter.*
2. (RW) §152-306.J(3) – *Setbacks from property lines and rights-of-way for all infiltration practices are to be consistent with accessory structures in the Zoning Ordinance, for the applicable zoning district. Note that the Zoning Ordinance states that no accessory structure shall be located within the front yard, nor within 10-feet of any rear or side lot line. SB-2 is located within the front yard setback from Ticonderoga Blvd. The applicant is requesting a waiver from this requirement.*
3. §152-402.F.(2) and §152-701.D.(1), (2) and F(1) and (2), and §152-703.A. – *An Operation and Maintenance agreement shall be prepared and submitted to the municipality for review and approval. The Stormwater Management Plans and the agreement shall be recorded.*

**VI. TOWNSHIP ENGINEER COMMENTS – GENERAL COMMENTS  
GILMORE & ASSOCIATES**

1. *A preliminary design shall be provided for the retaining walls to verify that any required tie-backs will not conflict with the adjacent FedEx property.*

**We believe at a minimum a temporary construction easement will be required for construction of the proposed wall along the southeast property line as there is only approximately 4' between the back of curb and property line.**

**The Boulder Landscape Wall Detail (Sheet 8 of 15) should be revised to include approximate size and type of boulders proposed.**

**There are areas where the wall height appears it may exceed 4'. It shall be confirmed this is not the case or in the contrary, addition design information should be provided.**

2. *Existing features to be removed (TBR) should not be shown on any proposed conditions plans. Currently existing features TBR are shown on most proposed conditions plan sheets. **The existing signs shown in the entrance drive and in curbing (on Park Road) should be shown as to be relocated on the existing conditions plan and the relocated signs shown on all proposed plans.***
3. *Two (2) SL3 light fixture locations appear to conflict with the proposed retaining wall. Locations shall be coordinated. The designer has indicated that there is adequate space. **Please provide a detail as to how this will be constructed.***
4. **All signs to be relocated should be labeled on the Existing Conditions Plan, and their existing locations not shown on any proposed conditions plans.**
5. **Remove the sight distance lines from all proposed conditions plans (except Sheet 14 ); remove the ISO candle values from the Landscaping Plan (Sheet 9); show the "Limit of Abacus Surveying Boundary" on the existing conditions plan only.**
6. **Verify the width of vertical slats in the Vinyl Privacy Fence Detail on Sheet 8 (Notes #5 width 72 inches vs. 10 ft on detail).**
7. **Mounting Height for site lighting fixtures is noted as 16'; however, the pole selected is 15' and the poles will be mounted to a 30" high base. Clarification shall be provided.**

**VII. TOWNSHIP TRAFFIC CONSULTANT COMMENTS**  
**BOWMAN**

1. **Conditional Use Decision and Order Condition 7 – If on-site parking causes traffic to back up into Park Road, then the applicant must implement revised pick-up/drop-off procedures with staggered assigned times, or other modifications, to mitigate the traffic congestion. These measures must be approved by the Board of Supervisors and our office.**

2. Conditional Use Decision and Order Condition 8 – The following comments pertain to the proposed curb ramp designs at the intersection of Ticonderoga Boulevard and Park Road shown on sheet 4:
  - a. The curb ramp grading plans should be revised so the depressed portion of the curb ramp adjacent to the roadway is flush with the adjacent road pavement for both curb ramps.
  - b. Typically, two separate curb ramps should be provided on the southeast corner of the Park Road/Ticonderoga Boulevard intersection (one for the pedestrian crossing of Park Road and one for the pedestrian crossing of Ticonderoga Boulevard). However, in this situation, this is a challenge, as this would impact the location of the decorative crosswalks on the south and east legs of the intersection. Therefore, in order to allow a single curb ramp, the ramp should be revised as a Type 2 ramp, and spot elevations should be provided in the pavement area adjacent to the curb ramp to show a level turning area is provided within the existing crosswalk area.
  - c. The plans appear to show the same elevation for the top of curb and bottom of curb elevations at the top of the southern rolled flare at the northeast Ticonderoga Boulevard curb ramp.
3. Conditional Use Decision and Order Condition 9 – Satisfied. The plans show sidewalk along Park Road, which is consistent with the conditional use plan.
4. Conditional Use Decision and Order Condition 11 – Partially Satisfied. The plans include the proposed roadway improvements, including widening the northbound Park Road travel lane, and grading improvements to the south of the access to provide adequate sight distance. However, please note the following:
  - a. Provide half-width mill and overlay of Park Road along the site frontage to the double yellow centerline. This should be reflected on the Park Road widening detail on sheet 4.
  - b. The Park Road Widening Detail provided on sheet 4 should be revised to show new full depth pavement replacement within the full width of the two-foot saw cut area.
5. ZO Section 200-75.H(3) – The sight line for left-turn entering vehicles looking ahead should be revised to extend to a point 324 feet west of the centerline of the proposed driveway in the center of the eastbound Park Road travel lane.
6. Chapter 79-8.C and Conditional Use Decision and Order Condition 17 – The proposed redevelopment is located in the Township's Act 209 Transportation Service Area, and as such, this development is subject to the Townships Transportation Impact Fee of \$2,334 per weekday afternoon peak hour trip. As such, based on the trip generation calculations provided by the applicant's traffic engineer, the site will generate 34 new weekday afternoon peak hour



Mr. Tony Scheivert, Upper Uwchlan Township Manager  
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trips. Furthermore, the existing home on the site would generate one new weekday afternoon peak hour trip, which can be credited against the total Transportation Impact Fee for the site. As such, the number of trips subject to the Township's Transportation Impact Fee is 33 and the resultant Transportation Impact Fee is **\$77,022**.

**VIII. TOWNSHIP PLANNING CONSULTANT COMMENTS**  
**BRANDYWINE CONSERVANCY**

In response to these submitted plans and the applicant's response letter, the Brandywine Conservancy is satisfied that the applicant has addressed or resolved our prior comments included in our review letters dated January 3rd, 2023, and April 2, 2024. Currently, the Conservancy has no additional comments on the application.

**IX. TOWNSHIP SEWER CONSULTANT COMMENTS**  
**ARRO CONSULTING, INC.**

1. The necessary financial security shall be posted with the Township, which shall be in a form and amount acceptable to the Township.

This concludes our third review of the above referenced preliminary land development application. We would recommend the plans be revised to address the above referenced comments. If you have any questions, please do not hesitate to contact me.

Sincerely,

*David N. Leh*

David N. Leh, P.E.  
Vice President  
Gilmore & Associates, Inc.

cc: Upper Uwchlan Township Planning Commission Members  
Upper Uwchlan Township Board of Supervisors  
Upper Uwchlan Historic Commission  
Gwen Jonik, Township Secretary  
Kristin Camp, Esq., BBM&M  
G. Matthew Brown, P.E. – Upper Uwchlan Township Municipal Authority  
Rob Daniels, ASLA, Brandywine Conservancy  
Christopher J. Williams, P.E., McMahon Associates, Inc.  
David Schlott, P.E., ARRO Consulting, Inc.  
Victor Kelly, Jr., P.E., Commonwealth Engineers, Inc.

Mr. Tony Scheivert, Upper Uwchlan Township Manager

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Andrew Pancoast, 241 Park Avenue, LLC

Scott Risbon, Planebrook Partners, LLC

Mike Malloy, Esq. - Obermayer Rebmann Maxwell & Hippel LLP

# **Upper Uwchlan Township Historical Commission — 241 Park Road Land Development Plan**

## **Approved Recommendations from July 2, 2024 HC Meeting**

### **Recommendations to Planning Commission and Board of Supervisors, as applicable, Regarding Latest Proposed Design:**

- ▶ Since the Historical Commission's prior request that Planebrook Partners, LLC (Planebrook) explain how its architectural designs for the proposed daycare center are consistent with, and promote, purposes and standards set forth for the C-1 Village Zoning District, including, but not limited to, by providing more information about how the proposed design reflects the "traditional village architectural character or contemporary expression of traditional styles and forms...of historic examples in Byers, Eagle and the surrounding area" (e.g., what the massive size, stacked stone portions and three different types of siding contribute) has not been addressed and the latest proposed building design is not an improvement, the Historical Commission recommends that Planebrook's architect meet with the Historical Commission and an architect engaged by the Township to discuss the design to make sure that the design complies with Ordinance Section 200-36B and fits in with the traditional Village character.
- ▶ The Historical Commission also recommends that the new "gable" features actually come out from the building in compliance with the Ordinance and are not just set flush with the building.
- ▶ In addition, the Historical Commission recommends that Planebrook provide a rendering of the proposed design in color



## UPPER UWCHLAN TOWNSHIP

Planning Commission

June 13, 2024

6:00 p.m. Workshop

7:00 p.m. Meeting

Minutes

**Draft**

LOCATION: Township Building, 140 Pottstown Pike, Chester Springs PA 19425

### Attendees:

Sally Winterton, Chair; Joe Stoyack, Vice-Chair; Jim Dewees, Jeff Smith (Meeting), Jessica Wilhide, Taylor Young

Anthony Campbell, Zoning Officer (Workshop)  
Mary Lou Lowrie, P.E., Gilmore & Associates (Meeting)  
Gwen Jonik, Planning Commission Secretary

Absent: Chad Adams, David Colajezzi, Steve Fean

Sally Winterton called the Workshop to order at 6:01 p.m. There was 1 citizen in attendance.

### Short-Term Rental Ordinance ~ Draft.

Anthony Campbell re-introduced the draft ordinance which proposes allowing short-term rentals in single-family detached dwelling units in the R1 and R2 residential zoning districts; approval via conditional use process; requires an annual rental permit and annual inspection of safety requirements; occupancy is calculated per bedroom and a bedroom has to have a door, window, bed, and smoke detector inside the bedroom; rental cannot be for less than a 24-hour period nor longer than 30 days; requires adequate parking - 1 off-street parking space per bedroom. Anthony wants the Application to require a 24/7 local contact for the property, whether it be the owner or a manager, in case there are any emergencies or complaints.

Discussion included enforcement of violations – temporary stay of the permit, revoke the permit? Revocation of permits is already included in our zoning ordinance; the Application should require signature and provide an explanation of how violations are handled; favor toward the Application being contractual; allow periodic inspections upon reasonable notice; language regarding notice before an inspection is included in the property maintenance ordinance; there might be 12 short-term rental properties operating in the Township; this ordinance is drafted to address those houses that are not owner-occupied, purchased for the purpose of renting for short-terms and producing income; there is a desire to allow this use, with reasonable restrictions, minimum safety standards, and since it's not a by-right use, there's leverage.

The members request our Solicitor look at existing ordinances relating to violations of permits and to additional inspections and add language to this draft ordinance if not covered elsewhere.

Joe Stoyack moved, seconded by Taylor Young, to move the ordinance forward to the Board of Supervisors with Kristin Camp's modifications, if any, regarding the periodic inspections and revocation of a permit. Sally Winterton does not want to move it forward until Kristin has provided answers and she'd like to table it for now; they can act on this later, at the meeting. Several members noted they are okay with it going forward with whatever the Solicitor suggests.



Anthony noted there is no rush. Right now, short-term rentals are not allowed, but we'd like to get this in place.

#### Landscape Design Ordinance.

Gwen Jonik explained that the County Planning Commission is forwarding resources to assist us with our review of the species of trees and shrubs and the number of trees and shrubs required in our current ordinance(s). Sally Winterton would like a planning firm who can strategically place specific species that grow a certain way, or don't need to be pruned, so that they don't affect sight distance.

The Workshop was adjourned at 6:45 p.m.

#### 7:00 p.m. Meeting

Sally Winterton called the Meeting to order at 7:00 p.m. A quorum was present. Two citizens were present.

#### 301 Park Road / P.J. Reilly Headquarters Preliminary Land Development Plan

Stephen Bocker and Joe Mongeluzi of Wilkinson Apex Engineering, Phil Reilly, Sr. and Phillip Reilly, Jr. were present to answer questions raised at the May 9 Planning Commission meeting regarding the Preliminary Land Development Plan last revised March 28, 2024. Mr. Mongeluzi advised they are asking for 3 waivers: to not plant all required trees and shrubs, to not provide a sidewalk, and to allow a stormwater management structure within the rear setback.

Joe Mongeluzi advised that in answer to ADA accessibility for the office space on the second floor, based on its size, an elevator is not required; parts/maintenance/storage is now on the first floor. Sprinklers are not needed based on the size of building. The overall parcel was 3.12 acres, PennDOT took some frontage for the Park Road bridge over the turnpike and the County might have taken out the easement for the stormwater basin, with the net lot size 2.05 acres. They'll submit answers to the Fire Marshal with their next submission – the 2 fuel tanks will be 1,000 gallons each, one is off-road diesel and one is on-road diesel, no gasoline, and they have a spill prevention plan. They'll comply with all comments in the Gilmore/consultants' reviews except for the 3 waivers.

Phil Reilly, Sr. answered operational questions:

1. Site maneuverability – the turning radiuses were based on their longest trucks and trailers and there shouldn't be issues making the turns in or out of the property; the drivers are capable of pulling out without crossing the yellow lines. Turning templates will be in the next submission.
2. Outdoor storage area – there will be 2 trailers storing readily-needed materials such as straw, pipe fittings, pipe, traffic control signs and cones; outside the trailers will be spare buckets, steel plates. This area will be screened with fencing and evergreen trees.
3. Noise – they were on Fellowship Road for 20 years and received no complaints from residents in Eagle Hunt, the bungalows next to the Post Office or St. Elizabeth's. Their hours are 6:00 a.m. – 6:00 p.m., on the jobs 7:00-4:00.
4. Stormwater runoff from the yard goes in the basin; everything in the shop has spill kits, they have an emergency hazmat company on retainer, just in case, and the fuel tanks are in enclosures.
5. General – crews come in 6:00 a.m. and by 6:30 they're off to job sites; there are 6 employees in the office all day, 3 in the shop; most equipment stays on job sites and sometimes get fixed at the job site, but sometimes have to come to the shop for major repairs; a couple trucks come back for the evening and some can fit in the shop; 4 pickup trucks. Major repairs usually take a couple days during normal business hours.
6. The garage is for their equipment only. PA state inspection on their equipment only.

7. They have 30-40 pieces of equipment -- 3 dump trucks, low boy, excavators, loaders, skid steers, etc., all construction site equipment, most go from one job to the next.

Mr. Mongeluzi noted they will submit revised plans to address all comments in Gilmore's letter except the 3 waivers requested and they seek a recommendation for Preliminary Plan Approval tonight. The site maneuverability plan will be updated. Overnight vehicles include 3 dump trucks and a few pickup trucks, which may all fit in the garage but sometimes a few may be outside overnight.

Jim Dewees moved, seconded by Taylor Young, to recommend to the Board of Supervisors approval of the Preliminary Land Development Plan and granting the 3 waivers. The motion carried with five (5) in favor and one (1) abstention (Winterton).

There was a very brief discussion that the trucks cannot use Moore Road because of the weight limit on the bridge.

#### Meeting Updates

Environmental Advisory Council (EAC). There was no report.

Historical Commission (HC). Gerry Stein noted a lengthy discussion was held with a Byers Station HOA representative regarding the house for sale at 1180 Station Blvd., which is on the Township's historic resource inventory. The HOA may use their right of first refusal to buy the house - they're looking for ideas of how to use the building. The HC recommended they attend Planning Commission meetings to learn more about land development and zoning. Sally Winterton noted the HC recently hosted a great lecture on barns by Bob Wise and reminded all the HC is hosting one of the County's "Town Tours" June 27 at Upland Farm.

Village Concept Plan / Village Design Guidelines (VCP / VDG). Sally Winterton advised that the committee(s) approved both documents for review by the Planning Commission, and they will make a recommendation to the Board of Supervisors. The committee(s) were dissolved May 30, 2024.

Comprehensive Plan (CompPlan). This group will meet July 17 to review a revised draft.

#### Short-Term Rental Ordinance

The draft short-term rental ordinance was discussed earlier this evening, at the workshop. Jeff Smith moved, seconded by Taylor Young, to move the draft ordinance forward to the Board of Supervisors subject to any edits by the Township Solicitor. The motion carried unanimously.

#### Village Design Guidelines Draft

Sally Winterton advised that the Village Design Guidelines committee had numerous meetings over the last 18 months with Bob Wise of Richard Grubb Associates to update the Guidelines. The Guidelines were "developed to help property owners and Upper Uwchlan Township preserve the historic character of the Township's Village Planning Area, which includes, but is not limited to, the distinctive historic resources and settings of the villages of Eagle and Byers." The committee approved the draft document at their May 30, 2024 meeting and requested the Planning Commission review and approve it. If approved by the Planning Commission, they would make a recommendation of approval to the Board of Supervisors. The Village Design Guidelines will become a part of the Village Concept Plan, and ultimately, the Comprehensive Plan. Township Ordinances may be amended to incorporate the requirements of the Village Design Guidelines.

Joe Stoyack advised that the Village Concept Plan committee had completed their work, which included 3 steps: they reviewed and approved the Village Concept Plan and the Village Design Guidelines; they recommended the Planning Commission review both documents and make recommendations to the Board of Supervisors to approve both documents; and the Planning Commission will work to incorporate the requirements in the Village Concept Plan and Village

Design Guidelines as appropriate into enforceable items in the Subdivision/Land Development Ordinances.

Commission members reviewed the draft, dated May 30, 2024, and one revision was requested – update the village planning area boundaries in Figure 1 on page 5. Gwen Jonik will contact Bob Wise to update the boundaries.

Jim Dewees moved, seconded by Jeff Smith, to recommend the Board of Supervisors approve the Village Design Guidelines contingent on updating the Village Planning Area Boundary map on page 5. The motion carried unanimously.

#### Approval of Minutes

Jim Dewees moved, seconded by Jeff Smith, to approve as presented the minutes of the Planning Commission's May 9, 2024 meeting. The motion carried unanimously.

#### Next Meeting Date

Sally Winterton announced the next scheduled meeting of the Commission is July 11, 2024.

#### Open Session

Joe Stoyack noted he's been looking at the parking / share parking ordinances and commented that businesses with shared parking agreements need to promote the shared parking areas with their patrons or reduce their occupancy.

Joe Stoyack called attention to America's 250<sup>th</sup> birthday in 2026, and the U.S. is hosting a World Cup game in Philadelphia July 4, 2026.

Gwen Jonik advised that she won't be able to attend the August meeting. She also reminded folks the annual Block Party is this Saturday, June 15, starting at 6:00 p.m.

Joe Stoyack announced a Star Party at Marsh Creek State Park this Saturday at 9:00 p.m.

#### Adjournment

Jim Dewees moved, seconded by Taylor Young, to adjourn at 8:14 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik  
Planning Commission Secretary