

**LOWER PROVIDENCE TOWNSHIP
VILLAGE COMMERCIAL COMMITTEE
SEPTEMBER 4, 2007 MEETING MINUTES**

1) Public Meeting: Call to Order

- a) Supervisor DiPaolo called the public meeting to order at 7:15 p.m.

2) Pledge of Allegiance

3) Roll Call:

- a) The following committee members were present: Mrs. Bateman, Mr. Comroe, Mr. DiPaolo, Mr. Ferraro, Mr. Hager, Mrs. Maris, Mr. Ozoroski, and Mrs. Satterwhite.
- b) Mr. Borai and Mr. Stemple were absent.
- c) Also present were Tolson DeSa from the Montgomery County Planning Commission, Joseph Dunbar, Township Manager, and Director of Community Development Michael Siegel.

4) Discussion of Potential Uses in VC District:

- a) Mr. DiPaolo noted that he was having trouble with his electronic file of the list of uses and still needs to distribute this to the committee.
- b) Mr. DiPaolo suggested that perhaps the ordinance could be written to indicate that if a use is not specifically listed, it is prohibited. He used the example of a broad category like “specialty retail” as one that could potentially provide problems.
- c) Mrs. Maris discussed limiting hours of operation and how this was set by ordinance for Evansburg back in 1981. Mr. Dunbar thinks this was probably set in 1998 or 1999.

5) Discussion of Legislative Intent:

- a) Mr. DeSa provided a legislative intent document for review by the committee. He requested that they take time to review this prior to the next meeting and take notes if they see duplications or areas that should be modified.
- b) Mr. DeSa noted that one of the suggestions from the last meeting was to encourage owner occupied mixed use small scale professional buildings, which is included near the end of the document.
- c) The document is broken down into the following categories:
 - i) Overall site design;
 - ii) Historic preservation;
 - iii) Adaptive re-use;
 - iv) Architectural scale and character;
 - v) Traffic control;
 - vi) Existing neighborhood protection;
 - vii) Signage;
 - viii) Lighting.
- d) Mr. DeSa provided a general overview of the above listed categories as stated in the document. He noted that legislative intent is to provide guidelines for conditional use standards, conventional standards, and uses that are allowed. It sets the stage for when they start writing code.

- e) Mr. Ferraro questioned how many of the buildings in the Evansburg Historical District (EHD) were constructed from 1900 to 1940, and then to the present. Perhaps the architectural standards from that design era should be discouraged to protect the buildings constructed prior to 1900.
 - i) There was a discussion of if this was an appropriate timeframe for architectural reference. 1940 is just a standards reference point for buildings. Mr. DeSa indicated that they could hash this out when they discuss the architectural design standards section.
 - ii) Mrs. Maris noted that a lot of the houses along Germantown Pike were constructed from 1790's to the 1850's. She looked up a lot of the records at the historical society.
 - iii) Mr. Siegel used the GIS system to identify historic parcels. He indicated that he could also go into county data to look up additional information on construction dates.
 - i) **ACTION ITEM** – Mr. DiPaolo asked Mr. DeSa to get everyone a list of all the historic homes in Evansburg.
 - ii) Mr. DeSa asked if they want to try to promote redevelopment of sites older than a certain date or between certain dates? There was a discussion of several properties in the EHD.
 - f) Mr. Ferraro asked if they want to set a specific type of street sign for the EHD to be used, as the signs need to be replaced? Mr. Comroe suggested a sign that would indicate you are entering the EHD. Mr. DiPaolo suggested these ideas be discussed when they go over design standards.
 - g) **ACTION ITEM** – Mr. DeSa suggested that they trim down the beginning of the legislative intent a little. He asked everyone to review this before the next meeting. The legislative intent is supposed to be broad and set the stage for the rest of the standards in the ordinance.
 - h) There was further discussion of specifics for the lighting standards
- 6) Discussion of Uses:**
- a) Mr. DeSa noted that these were the uses from the existing code, and that some of the uses such as “personal service” are clarified elsewhere in the code definitions.
 - b) Mr. DeSa strongly suggested that they look at multi-family conversions because there are a lot of rentals that exist. If the Township does not have a problem with that it is OK, but now is the time to look at them. They could be permitted by conditional use only with a specific set of standards. He asked if these have been a code enforcement problem? Mr. Dunbar does not think these have been a problem, but they could be reduced through the conditional use.
 - c) Mr. Ferraro questioned the problem with these properties? Mr. DeSa explained that they could be an enforcement nightmare with a high volume of people living in them and the buildings deteriorating. Additionally, with the college nearby they can become party houses etc.
 - d) Mr. Siegel encouraged them to remove eight units from multi-family conversions, and allowing four units under the conditional use. This may encourage some existing homes to be re-developed under the more desired standards.

- e) Mr. Ferraro asked if someone could get around this with a bed and breakfast? It was noted that the bed & breakfast is different because it is only bedrooms, not kitchens etc.
 - f) There was a discussion of “personal service,” and what that entailed. Mr. Dunbar suggested this be renamed to better represent the meaning of the use. Mr. DeSa will work on the definition to make it more user-friendly.
 - g) The committee discussed other uses. It was clarified that specialty retail is a use less than 7,500 sq. ft.
 - h) Mr. Ferraro thinks that they may be restricting the uses too much. He would not have a problem with something like Kinko’s coming in provided they meet the architectural standards etc. of the district.
 - i) There was a discussion of other uses, including funeral homes, and it was noted that they are typically very well kept and landscaped. It was decided the funeral homes would be included, without permitting crematories.
 - j) Mr. Hager commented that the text “uses similar in nature to the above by right uses” will cause too many problems and should not be listed. Mr. Siegel noted that if uses are not strictly specified they are difficult to control. It was decided that this text would be eliminated.
 - k) After discussion, communications towers were eliminated from the uses.
 - l) **ACTION ITEM** – Mr. DeSa asked everyone to consider any other uses that should be included and bring them to the next meeting. He would like the use chapter to be finalized by September 18th. They will vote on the permitted use list as well.
 - m) Mr. Ferraro asked that drive-thru facilities be prohibited. Tattoo parlors and pawnshops were also added to the prohibited use list.
 - n) Mr. DeSa further reviewed the conditional use list
 - o) **ACTION ITEM** – Mr. Dunbar asked that a list of all the dates for the rest of the year be put together so it can be advertised. He also asked Mr. DeSa if he could provide a better definition of health spa, citing various types of this use.
 - p) October 2, 2007 was added as a meeting date.
 - q) Mr. Hager questioned what documents they would be receiving via e-mail for review? These will include Mr. DeSa’s changes to the legislative intent, a list of specialty retail uses, and a spreadsheet containing the inventory of historical properties in Evansburg.
- 7) Discussion of Upcoming Agenda & Meeting Date:**
- a) None.
- 8) Public Comment:**
- a) Mr. Gerry Grover commented that when they were discussing the pre-1940 buildings, they need to look at earlier years. His house is from 1905. He asked if there were a definition limiting how many doctors etc. could occupy a professional use building? Mr. DeSa indicated that this would be limited by the size of building.
- 9) Adjournment:**
- a) **MOTION** – Mr. Hager made a motion to adjourn the meeting. Mr. Ferraro seconded the motion. The motion *passed 7-0*.

Upcoming Meetings: September 18, 2007
October 2, 2007