

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING AGENDA

Wednesday, August 7, 2024 – 7:00 pm

Stokes Assembly Hall – Township Administration Building
1039 Wilmington Pike, West Chester, PA

For general inquiries or questions about any of the items on this agenda, please contact the Township office either by phone (610) 692-1930 or via e-mail at administration@westtown.org.

Call to Order and Pledge of Allegiance

Adoption of Agenda

Approval of Minutes

Planning Commission Meeting July 17, 2024

Announcements

Public Comment – Non-Agenda Items

New Business

1. Land Development Application – 1502 West Chester Pike

The applicant, Westtown AM West TIC, LLC, has submitted a land development application for construction of a 3,294 square foot bank with drive-thru, parking, lighting, landscaping and other improvements at the Westtown Marketplace shopping center. The property is located in the C-1 Neighborhood and Highway Commercial Zoning District and consists of 18.45 acres. The property is improved with a 1-story building with grocery store, retail stores, restaurants, shops for personal service, a 1-story freestanding masonry building, parking areas, and stormwater management facility. Banks and similar financial institutions are permitted by right in the C-1 Zoning District.

Old Business

None.

Public Comment

Reports

1. Board of Supervisors Meeting August 5, 2024 – Joe Frisco/Kevin Flynn

Adjournment

Next PC Meeting:

- **August 21, 2024, 7:00 PM**

PC Representative at next Board of Supervisors Meeting:

- **Monday August 19, 2024, 7:30 PM** – Jack Embick/Tom Sennett

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

Stokes Assembly Hall, 1039 Wilmington Pike
Wednesday, July 17, 2024 – 7:00 PM

Present

Commissioners Jack Embick (JE), Russ Hatton (RH), Tom Sennett (TS), Jim Lees (JL), Brian Knaub (BK), Kevin Flynn (KF) and Joseph Frisco (JF). Township Manager and Director of Planning & Zoning Mila Carter was also present.

Call to Order and Pledge of Allegiance

Mr. Embick called the meeting to order at 7:01 PM.

Adoption of Agenda (TS/JL) 6-0

Mr. Sennett made a motion to adopt the agenda. Mr. Lees seconded. All were in favor of the motion.

Approval of Minutes (KF/JL) 6-0

Mr. Flynn made a motion to adopt the meeting minutes from June 19, 2024. Mr. Lees seconded. All were in favor of the motion.

Announcements

1. Ms. Carter announced that the Township received the land development application for construction of Chase Bank at Westtown Marketplace shopping center. She expects the applicant to present their proposal at the next Commission's meeting.

Public Comment – Non Agenda Items

1. Mr. Flynn asked whether there was any progress on the settlement agreement for the Stokes Estate Conditional Use application. Ms. Carter stated there was not.

New Business

None.

Old Business

1. Ordinance Amendments – Fences

Mr. Embick recapped that in 2023, Township staff evaluated the existing fence regulations and requested the Commission's feedback on potential changes, including their applicability, regulated setbacks, maximum height, and use of barbed wire and/or other anti-trespassing materials. He said that the Commission paused the review of amendments due to Mr. Patel's request for relief from the height restrictions to retain his fence, which was built without a permit. Mr. Embick stated that Mr. Patel came before the Commission several times, and that he also appeared before the Board of Supervisors with his request for ordinance amendments. Mr. Embick summarized that Mr. Patel attempted to obtain a variance from the Zoning Hearing Board (ZHB), but his request was denied. Mr. Patel appealed that decision to the Court of Common Pleas, which upheld the ZHB decision. Mr. Patel has returned to the Township asking for a legislative change.

Mr. Embick suggested to continue the discussion on potential amendments and address some of the issues that have been brought to the Commission's attention. He asked whether the Planning Commission had reviewed the previously provided summary of suggestions and was ready for the discussion. He also mentioned that someone suggested forming a subcommittee to review the issues in depth and provide better guidance to the Commission for possible action and recommendations to the Board of Supervisors.

Mr. Sennett expressed that an open meeting was a cumbersome way to draft an ordinance for various reasons. He supported delegating several members to perform that work, and suggested looking into obtaining input from a professional planner. Ms. Carter made a point that the purpose of the evaluation was to provide enough detail on the issues associated with fence requirements to get the necessary feedback from the Commission, which she could use to draft ordinance amendments. She also noted that she is a professional planner by education and experience, and did not see a need for an outside consultant. Ms. Carter referred to the memo outlining the issues with fence provisions, which she felt was a comprehensive list that can be further expanded via discussions with the Planning Commission. Mr. Sennett felt that the list was well thought out.

Mr. Flynn supported Mr. Sennett's idea of a subcommittee for ordinance amendments, which would then present their suggestions to the Commission. Mr. Embick recommended that the subcommittee be limited to three members due to the Sunshine Law. Mr. Sennett, Mr. Frisco, and Mr. Lees volunteered to meet in the next two weeks to work through the list. Mr. Hatton proposed that the subcommittee have parameters or common items to focus on rather than redo the entire fence ordinance. Mr. Embick asked whether Mr. Patel had any comments. Mr. Patel voiced that he would save his comments until after he sees what the subcommittee suggests.

2. Official Map – Continued Discussion

Mr. Embick pointed out that Ms. Carter provided additional details on trails and bikeways to the map. He noted that added features were the result of the previous discussion about building connectivity between Oakbourne Park, Crebilly open space, and other areas of the Township. Ms. Carter noted that some of those features have been included for reference purposes only, including proposed trails within the Township-owned open spaces, and there was no additional benefit of adding them to an official map. She explained that the focus should be on features that might require easements or additional land area needed to build that connectivity, for example a potential trail from Oakbourne Park to Westbourne Road along the railroad track and behind properties on Wood Lane. Ms. Carter also pointed out that trails proposed by the Commission are part of the adopted Comprehensive Plan (2019).

Mr. Sennett asked Ms. Carter if the Board had any feedback on the Commission's request to connect Oakbourne Park with the surrounding neighborhoods such as Pleasant Grove. Ms. Carter stated that connectivity was discussed previously at the Board's workshop during their discussion about designation of remaining ARPA funds. She noted that the Township staff proposed to dedicate the funds to parking and connectivity improvements at the park to build on the momentum. Ms. Carter believed that the Board was in support of addressing the parking deficiency, and wants to focus on creating a pedestrian connection between the Mansion Core and Cope Tract across S. Concord Road. She suggested that the Commission present their proposal to the Board.

Mr. Sennett asked if the official map can be amended in the future. Ms. Carter assured it can be, adding that several municipalities amend their official maps annually, as opportunities present themselves. Mr. Embick asked the Commission whether there was an interest in forming a group to brainstorm additional ideas for the official map. He also asked the Township staff for any suggestions. Ms. Carter suggested considering recreational opportunities on the east side of the Township. Mr. Hatton pointed out that it would be beneficial to depict sidewalks, for ease of evaluating future connection opportunities. Ms. Carter agreed and added that mapping pedestrian walkway easements will be helpful as well. She provided that the next step would be to obtain an ESRI license to perform this work internally or to obtain some assistance. Mr. Hatton and Mr. Knaub volunteered to work on additional features and report back to the Commission.

Public Comment

None.

Reports

1. Mr. Knaub gave the report from the July 15 BOS meeting.

Adjournment (JE/RH) 7-0

The meeting was adjourned at 8:18 PM.

Next PC Meeting:

- **August 7, 2024, 7:00 PM**

PC Representative at next Board of Supervisors Meeting:

- **Monday August 5, 2024, 7:30 PM** –Joe Frisco/Kevin Flynn

Respectfully submitted,
Mila Carter
Planning Commission Secretary

DRAFT

LAND DEVELOPMENT APPLICATION SUMMARY

Date: August 2, 2024
From: Liudmila Carter, Director of Planning & Zoning

PROJECT: Chase Bank at Westtown Marketplace
APPLICANT: Westtown AM West TIC, LLC
ADDRESS: 1502 West Chester Pike
UPI: 67-2-42.4

APPLICATION

This application calls for construction of a 3,294 square foot bank with drive-thru, parking, lighting, landscaping and other improvements at the Westtown Marketplace shopping center. The proposed bank will be served by the public water and sewer. The stormwater management facilities will include an infiltration basin to be located beneath the drive-thru area of a new building.

LOCATION AND DESCRIPTION OF SITE

1502 West Chester Pike is located on West Chester Pike in the northeastern portion of the Township between Manley Road and S Chester Road. The property address per County records is 1502 West Chester Pike and the mailing address is 120 N. Pointe Blvd, Suite 301, Lancaster, PA 17601. The property is located in the C-1 Neighborhood and Highway Commercial Zoning District and consists of 18.45 acres. The property is improved with a 1-story building with grocery store, retail stores, restaurants, retail bakery, shops for personal service, a 1-story freestanding masonry building (occupied by Burger King), parking areas in the front and rear of the building, and stormwater management facility. The property includes sanitary sewer easement. Banks and similar financial institutions are permitted by right in the C-1 Zoning District.

SUBMISSION

The applicant submitted the preliminary/final land development application on July 16, 2024. The list of items provided by the applicant and submission dates are noted below:

1. Letter from Kaplin Stewart dated July 16, 2024;
2. Preliminary Application form dated July 16, 2024;
3. Westtown Township Subdivision and Land Development information Sheet;
4. Chester County Subdivision/Land Development Information Form;
5. Act 247 County Referral;
6. Stormwater Management Plan Narrative prepared by Dynamic Engineering dated July 2024;
7. Email from Aqua America with supplemental information dated April 17, 2024;
8. Parking Assessment prepared by Dynamic Traffic, LLC dated January 23, 2019;
9. Preliminary/Final Land Development Plan for Westtown AM West TIC, LLC Proposed Chase Bank (sheets 1 to 21) prepared by Dynamic Engineering dated July 12, 2024;

RELEVANT APPROVALS

On May 8, 2023, the Zoning Hearing Board has granted the approval for parking in the front yard as and only as shown on the proposed plan and determined that the variance sought to permit parking stall to be nine feet by eighteen feet is unnecessary in that the configuration has previously been approved generally throughout the center and the spaces are permitted consistent with the other spaces in the center. A variance sought for diminution of the mandated number of parking spaces and a variance sought to permit the trash receptacle to be placed within the side yard and 9.2 feet from the property line was denied.

On February 20, 2024, the Board of Supervisors approved amendments to Chapter 170, Zoning, Article XVII, Off-Street Parking and Loading, including allowable reductions to the number of parking spaces for an existing shopping center.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission has previously reviewed the application as a part of the Zoning Hearing Board process. The Planning Commission will review the land development application at their August 7, 2024 meeting.