

WESTTOWN TOWNSHIP
PLANNING COMMISSION MEETING AGENDA
Wednesday, August 21, 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 August 8, 2024

Announcements

Public Comment – Non-Agenda Items

New Business

1. Ordinance Amendments - Signage

Religious institutions, Advent Lutheran Church located at 1601 Green Lane and Westminster Presbyterian Church located at 10 W Pleasant Grove Road, proposed to replace their existing freestanding signs and to incorporate digital display into their new sign design. Pursuant to Section 170-1812.D(4)d, digital displays are only permitted on lots with a principal educational or school use. Representatives from both churches kindly request an ordinance amendment to similarly allow digital displays on lots with religious use. Watchfire Signs will provide a demonstration of digital displays on the parking lot.

2. Sketch Plan for Funeral Home – 1115 Wilmington Pike & 12 E Pleasant Grove Road

The owners, John and Bonnie Ruffenach, proposed to develop the property at 1115 Wilmington Pike with a funeral home, parking areas and stormwater management facility. The existing 2-story stone dwelling is proposed to remain with a new 3,000 square foot addition. The access will be off the Wilmington Pike and E Pleasant Grove Road. The property at 1115 Wilmington Pike is located within the Planned Office Campus (POC) Zoning District where funeral home is a permitted by right use. The property at 12 E Pleasant Grove Road is located within R-1 Residential Zoning District where funeral home is not a permitted by right use. The applicant is seeking access easement across the Township-owned property where Public Works garages are located.

Old Business

1. Ordinance Amendments – Visual Arts Center (VAC)

The Chester County Planning Commission has reviewed the proposed 2024-06 Zoning Ordinance amendment pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Section 609(e) and issued a review letter. The Planning Commission's feedback is requested.

2. Ordinance Amendments – Fences

The Commission continues its discussion on potential changes to fence ordinance, including their applicability, regulated setbacks, maximum height, and use of barbed wire

and/or other anti-trespassing materials.

Public Comment

Reports

1. Board of Supervisors Meeting August 19, 2024 – Jack Embick/Tom Sennett

Adjournment

Next PC Meeting:

- **September 4, 2024, 7:00 PM**

PC Representative at next Board of Supervisors Meeting:

- **Tuesday September 3, 2024, 7:30 PM** – Jim Lees/Russ Hatton

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

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

Present

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

Call to Order and Pledge of Allegiance

Mr. Hatton called the meeting to order at 7:02 PM.

Adoption of Agenda (TS/JF) 4-0

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

Approval of Minutes (TS/BK) 4-0

Mr. Sennett made a motion to adopt the meeting minutes from July 17, 2024. Mr. Knaub seconded. All were in favor of the motion.

Announcements

None.

Public Comment – Non Agenda Items

None.

New Business

1. Land Development Application – 1502 West Chester Pike

Mr. Hatton stated that 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. He further provided that the property is located in the C-1 Neighborhood and Highway Commercial Zoning District and consists of 18.45 acres. Mr. Hatton noted that 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. He pointed out that banks and similar financial institutions are permitted by right in the C-1 Zoning District.

Gregg Adelman, the applicant's attorney, recapped that the Commission has seen this application in various forms over the past year. He stated that the applicant submitted an application to the Zoning Hearing Board (ZHB) to seek variances, some of which were granted, and others were denied. Mr. Adelman explained that the applicant provided a parking analysis to the ZHB for the overall shopping center to receive a relief from the number of parking space requirements, but that was denied. He noted that subsequently, the Township modified the off-street parking ordinance to address various parking related issues, including the permitted reduction of the required amount of parking spaces for existing shopping centers, which allowed for this land development application to move forward.

Mr. Adelman summarized the overall site plan for a drive-thru bank to be located in front of the Giant grocery store in the northeastern corner of the property. He described the overall movements around the proposed building, which were previously discussed with the Commission, and noted that the plan was modified to create a one-way circulation coming

out of the drive thru, as opposed to originally proposed two-way circulation. Mr. Adelman further pointed out that the ZHB denied the variance request for trash container in terms of setback from side property line; therefore, the applicant proposes to store trash indoors until scheduled pick up. He referred to the site plan that displayed two drive thru lanes at the rear of the building, required amount of parking spaces, ADA complaint parking and access, and subsurface stormwater basin. Mr. Adelman noted that preliminary infiltration testing has not been done yet, but he intended for the proposed stormwater facility to be compliant with the Township ordinances. He described proposed landscaping and lighting around the property. He anticipated the applicant might need several waivers pertaining to landscaping requirements. He provided an example of the requirement for planting tall trees at the entrance, which for security reasons and to maintain a clear line of sight were not desirable by the bank. Mr. Adelman further noted that the applicant is not proposing any trees along West Chester Pike, which is required by the ordinance. He argued that due to grade differential, planting trees will not create the street tree effect that the Township might be looking for and reasoned there were no plantings along West Chester Pike anywhere in the shopping center.

Mr. Adelman added that the applicant intends on requesting a waiver to review preliminary and final land development applications simultaneously and that a traffic impact study was in the works. He explained that the applicant's engineer has been in contact with the Township traffic consultant to receive feedback whether such study is really necessary for this project and whether there was anything specific that the applicant should be looking at from traffic standpoint. He provided one suggestion to optimize the signal timing for traffic exiting the shopping center and traveling west on Route 3, which would require analysis of traffic counts to determine the total green time and the queue study. Mr. Adelman recapped that the applicant submitted an overall parking trip generation study that demonstrated parking availability on the site which was as expected. He acknowledged that the applicant received review letters from the Township consultants, and wanted the Commission's feedback on a discussion involving the existing bus stop at the shopping center.

Mr. Adelman referred to the site plan that showed a bus stop on the other side of the center, which has no impact on the proposed bank. He noted that there were no pedestrian facilities from the subject bus stop to cross to West Chester Pike, where another bus stop is located. He acknowledged that the Township would like the applicant to create pedestrian connection from the center to the bus stop, and pointed out the existing pedestrian facilities on the site along the frontage of the building and the lack of those across the parking lot areas. Mr. Adelman believed that the applicant was open to evaluating a connection between the edge of the parking lot and the bus stop. Mr. Adelman asked Ms. Carter to bring up Google street view of the shopping center. He indicated the grade differential between West Chester Pike, the bus stop, and the edge of parking area, and a lack of sidewalks within and adjacent to the center. He felt that some sort of a switchback might be possible to provide the ability for people to at least walk from the shopping center right up to the bus stop. The Commission members brainstormed various ideas. Mr. Sennett commented that a lot of people use the bus stop to get into the center and he has observed a lot of pedestrian traffic all over the parking lot, and felt that any improvement, like a walkway or stairs, would be beneficial. Mr. Adelman noted that stairs would trigger an ADA analysis, thus, a ramp might be more doable. He agreed to have the applicant look into potential options.

Mr. Sennett asked whether the applicant had any concerns over the review letters. Tom Newman, the applicant's engineer, provided that he was working with the Township's engineer on addressing the outstanding items. Mr. Adelman added that based on the infiltration testing results, the stormwater facility might be revised and relocated in another area of the center.

Mr. Frisco suggested that the applicant consider some sort of landscaping along West Chester Pike for aesthetic purposes. Mr. Adelman agreed to consider it.

Mr. Hatton asked about the sanitary sewer connection. Mr. Adelman referred to the site plan that shows a sanitary sewer line running under the parking lot all the way behind the Giant.

Mr. Hatton suggested to consider some sort of markings from Giant to the area of the parking lot where the new building is proposed. Mr. Adelman suggested to potentially add a crosswalk and maybe look into creating a pedestrian plan, but suspected that the only option was to utilize the landscaping islands. Mr. Sennett noted that the existing islands are not very wide. The Commission discussed that the addition of pedestrian facilities across parking areas might require taking down trees and further reducing parking spaces. Mr. Knaub felt that it might be a waste of money to implement some of these pedestrian connectivity ideas.

Mr. Hatton asked about signage. Mr. Adelman believed there would be a wall sign, some directional signage, and one on the shared freestanding sign for the center. He stated that the applicant intends to come back before the Commission when outstanding items as per review letters and tonight's discussion have been addressed.

Old Business

None.

Public Comment

None.

Reports

1. Ms. Carter gave the report from the August 5 BOS meeting.

Adjournment (TS/JF) 4-0

The meeting was adjourned at 7:50 PM.

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

Respectfully submitted,
Mila Carter
Planning Commission Secretary



Advent/Westminster Sign Ordinance Request

Why We Are Here:

- To request that leadership enable the electronic sign code of Westtown Township to be inclusive of religious institutions

Who We Are:

- Two communities of faith in the Westtown Township
- Partners in the community
 - Several Boy Scout Troops (We sponsor three troops)
 - Pinewood Derby
 - Girl Scout events
 - Mahjong weekly
 - Mahjong for Memories Annual Fundraiser to raise money for Alzheimer's Research
 - Archery
 - Jugglers
 - Upward Basketball
 - Rustin Athletic Special Events. Most recently Jacket Presentation/Banquet for the Football team.
 - WCASD Bus Transfer station (and drivers sometimes use our restrooms)
 - Pickleball. Multiple times every week.
 - West Chest Food Cupboard meetings and fundraisers

- Zumba classes
- Graduation/Birthday/Special Events for area residents
- WCCEC. West Chester Christian Evangelical Church (A Chinese Congregation)
- Condo Association Meetings
- Wedgewood Swim Club Board Meetings
- Childcare/Preschool/Summer Camp/Vacation Bible study
- Red Cross Blood Drives
- Community Gardens, growing fresh produce for the WC Foodbank
- Appalachia Service Project meetings - A joint ministry with SSJ Catholic Church
- Flea Markets

- Craft Fairs
- Soccer Shots
- Yoga
- Rise Against Hunger meal packing
- Westtown Twp. backup site for movies in Social Hall
- Celebrate Recovery – addiction recovery groups
- CARON Parent Support Group
- AL-ANON
- Family Services of Chester County
- Chester County Department of Aging
- Chester County Hospital Auxiliary Group
- Alzheimer's Dementia Support Group
- Community Volunteers in Medicine meetings
- Main Line Music Teachers Association

- West Chester University Music Department performances and conferences
- Westtown Township community meetings
- Westminster Thrift Shop collections
- West Chester Senior Center collections
- Domestic Violence Center of Chester County fundraisers
- Camera Club of Chester County
- Chester County Lifelong Learning classes
- Westminster Preschool with 135 children enrolled
- Good Fellowship Ambulance Education Dept.- CPR/AED classes
- Numerous study groups throughout the week
- Free commuter parking
- NARCAN trainings
- Indoor and outdoor places for prayer and reflection

A Change in Sign Ordinance

- To allow us to upgrade our worn signs to modern signs that can be adjusted for upcoming opportunities and events:

Existing Sign



Proposed Sign

Existing Sign



Proposed Location #1

Proposed Sign



Existing

Main ID Monument Sign - Option #4

Overall size of 6' H x 9' W x 2' Deep - 54sq.ft.

4' H x 6' W 10mm Watchfire Electronic Message Center - 24sq.ft.

6' H x 9' W x 2' Deep HDU Faux Stone Base to match Driveway Entrance Stone Columns and building with hidden Aluminum posts and a visible Lacquered Cedar post to match driveway entrance sign.

1/2" thick Aluminum letters and logo stud mounted to Faux Stone



Materials

HDU Faux Stone

Watchfire EMC

Aluminum post

Cedar Post

Aluminum Letters

Colors

Digital Print

Vinyl

Color Sample Supplied

PMS Match

Vinyl Colors

Additional Notes

The Attic
Sign Shop



Oxford, Pa
610-952-0985
theatticsignshop@gmail.com

Proof Prepared For: Westminster Presbyterian Church Date: 6/24/24

Approved _____ Date: _____

Please revise _____ Signature when approved

This drawing is a representation of the work described and shows all applicable materials, colors and dimensions of the work being planned. This drawing may not be copied, reproduced or shown to anyone outside of the organization stated above, unless in conjunction with another project being done with multiple entities / clients but retaining a copyright of The Attic Sign Shop.

Job #

1087

Design #

Opt #4

A Suggested Change in Sign Ordinance

This change could be accomplished by including "religious" in the electronic sign ordinance 170-1812.D(4)d

Suggested change:

"d) Digital display on lots with a principal educational, school, **or religious** use"

-or any change that allows for electronically updatable signs for communities of faith.

Thank you!



§ 170-1812. Signs located on lots with institutional use.

In addition to the exempt signs described in § 170-1804, Exempt signs, the following numbers and types of signs may be erected for institutional uses, including schools, religious institutions, municipal buildings, hospitals, clubs, or permitted uses of a similar nature subject to the conditions specified here.

- A. Any limited duration, temporary or portable sign as defined and regulated in § 170-1808, Regulations by sign type (limited duration, temporary and portable signs), subject to the following regulations:
 - (1) One large sign with a maximum area of 24 square feet shall be permitted on a lot with a principal educational or school use at any time.
 - (2) No more than four small signs with a maximum area of six square feet shall be permitted on a lot with a principal educational or school use at any time.
 - (3) Small signs on a lot with a principal educational or school use shall be no closer than 50 feet to another small sign measured as a straight-line distance between the closest edges of each sign.
- B. The total area of all wall, awning/canopy, freestanding, and projecting signs shall not exceed an area equal to two square feet for every one linear foot of building wall parallel to, and facing, any particular street. The sign area for each street frontage shall be computed separately, and any allowable sign area not used on one frontage may not be used on another street frontage.
- C. Signs on a lot with a park or open space use in an institutional district shall comply with § 170-1810.
- D. Freestanding signs on a lot with an institutional use, other than parks and open space, shall be permitted subject to the following regulations:
 - (1) Number: one ground sign is permitted per street upon which the property has direct frontage.
 - (2) Area: ground sign, 24 square feet except on lots with a principal educational or school use, which shall have a maximum area of 50 square feet.
 - (3) Height: ground sign, six feet except for lots with a principal educational or school use, which shall have a maximum height of 15 feet.
 - (4) Illumination. The following illumination types shall be permitted subject to the regulations in § 170-1805F, Sign illumination:
 - (a) Internal illumination.
 - (b) External illumination.
 - (c) Message center sign.
 - (d) Digital display on lots with a principal educational or school use.

- E. Freestanding signs located on the interior of the site at least 25 feet from the nearest property boundary line are exempt from permit requirements, subject to the following:
- (1) Area: Each sign shall have a maximum area of 10 square feet.
 - (2) Height: Each sign shall have a maximum height of six feet.
 - (3) Illumination. Illumination of these signs shall be prohibited.
- F. Wall signs shall be permitted subject to the following regulations:
- (1) Number: one sign per street frontage, up to a maximum of two signs. Where an educational use has entrances facing both a street and a parking lot, a second sign is permitted to face the parking lot.
 - (2) Area: The total area for all wall signs is subject to the regulations in § 170-1806A(2).
 - (3) Height: Signs shall have a maximum height equal to the eave line of the structure where it is placed.
 - (4) Illumination. The following illumination types shall be permitted subject to the regulations in § 170-1805F, Sign illumination:
 - (a) Internal illumination.
 - (b) External illumination, lit from above.
 - (c) Halo illumination or backlit letters.
- G. Awning or canopy signs shall be permitted subject to the following regulations.
- (1) Height: Signs shall have a maximum height equal to the eave line.
 - (2) Illumination. The following illumination types shall be permitted subject to the regulations in § 170-1805F, Sign illumination:
 - (a) External illumination, lit from above.
- H. Projecting signs on lots with an educational use shall be permitted subject to the following regulations.
- (1) Number: one sign per building entrance.
 - (2) Area: Each sign shall have a maximum area of 20 square feet per sign face.
 - (3) Height: Signs shall have a maximum height equal to the eave line.
 - (4) Illumination. The following illumination types shall be permitted subject to the regulations in § 170-1805F, Sign illumination:
 - (a) External illumination, lit from above.

SKETCH PLAN SUMMARY

Date: August 13, 2024
From: Liudmila Carter, Director of Planning & Zoning

PROJECT: Funeral Home
APPLICANT: John and Bonnie Ruffenach
ADDRESS: 1115 Wilmington Pike and 12 E Pleasant Grove Road, West Chester, PA 19382
UPI: 67-4-54.1 and 67-4-52

APPLICATION

This application calls for renovation of existing 2-story stone dwelling, construction of a new 3,000 square feet addition, parking areas and stormwater management facility on the property located on the eastern side of Route 202 between Wilmington Pike and Kolbe Lane. The secondary access is proposed via an 18-foot wide driveway from E Pleasant Grove Road across the property owned by the applicant at 12 E Pleasant Grove Road and the Township-owned property at 10 E Pleasant Grove Road where the Public Works garage is located. The secondary access driveway is proposed to transverse areas of wetlands.

LOCATION AND DESCRIPTION OF SITE

1115 Wilmington Pike is located on the eastern side of Wilmington Pike in the western portion of the Township across from the Westminster Presbyterian Church and between Wilmington Pike and Kolbe Lane. The property address per County records is 1115 Wilmington Pike and the mailing address is 4900 Township Line Road, Drexel Hill, PA 19026. The 5.7-acre property is located in the POC Planned Office Campus District where the proposed use is a permitted by right use. The property is improved with a 2-story stone dwelling, garage building and a paved drive, and served by a cesspool and a well. The property is included on the Westtown Township Historic Resources Map as Class 1 – On or eligible for the National Register of Historic Places (NRHP). The eastern portion of the property is within flood zone X. The existing dwelling is nonconforming with minimum building setbacks.

12 E Pleasant Grove Road is located on southern side of E Pleasant Grove Road across from St. Max Kolbe church. The property address per County records is 12 E Pleasant Grove Road and the mailing address is 1212 Anderson Ave, Drexel Hill, PA 19026. The 0.69-acre property is located within R-1 Residential District where the proposed use is not a permitted by right use. The property is improved with a single-family dwelling and a shed and served by an on-lot sewage system and a well.

10 E Pleasant Grove Road is located on the southeastern corner of E Pleasant Grove Road and Wilmington Pike and extends from said corner to Kolbe Lane. This Township-owned 3.8-acre property is between above mentioned properties owned by the applicant. The property is improved with the Public Works garages and appurtenant structures, and a stormwater management facility (pond with a spillway). The property also includes areas of precautionary slopes.

All three properties include areas of wetlands.

SUBMISSION AND REVIEW

The applicant submitted the following materials to the Board of Supervisors for their workshop on June 17, 2024 with a request for access easement:

1. Funeral Home Sketch Plan dated January 4, 2023.

APPLICABLE STANDARDS

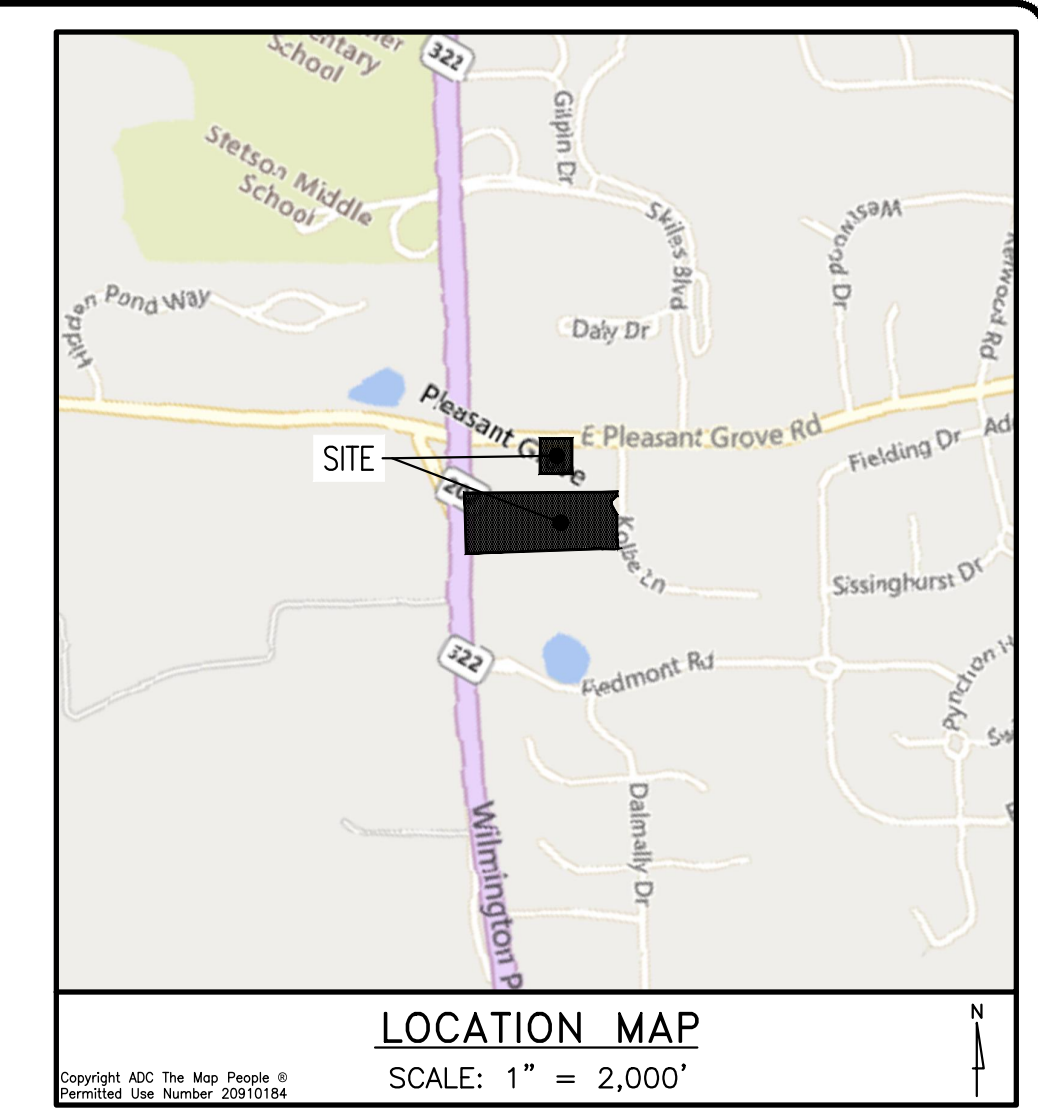
General standards for review of sketch plan are contained within Article V Sketch Plan of the Township Subdivision of Land Ordinance.

General standards for area and bulk regulations are contained within Article XII Planned Office Campus District of the Township Zoning Ordinance.

General standards for driveways are contained within Article IX Development and Design Standards of the Township Subdivision of Land Ordinance.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission will discuss discussed the proposed sketch plan at their August 21st meeting.



GENERAL NOTES

- RECORD OWNER/MAILING ADDRESS:
 - JOHN RUFFENACH & BONNIE RUFFENACH
 - 1212 ANDERSON AVE
 - DREXEL HILL, PA 19026
- RECORD OWNER/MAILING ADDRESS:
 - JOHN RUFFENACH & BONNIE RUFFENACH
 - 1212 ANDERSON AVE
 - DREXEL HILL, PA 19026
- SITE ADDRESS:
 - 1115 WILMINGTON PIKE
 - WEST CHESTER, PA 19382
- TAX PARCEL #: 67-4-52
- TAX PARCEL #: 67-4-54.1
- SOURCE OF TITLE: RECORD BOOK 9792, PAGE 225
- SOURCE OF TITLE: RECORD BOOK 3805, PAGE 109
- LOT AREA: 28,509 S.F.
- LOT AREA: 5,362 ACRES

- BOUNDARY, TOPOGRAPHY AND PHYSICAL IMPROVEMENTS SHOWN ARE FROM FIELD SURVEY BY HOWELL SURVEYING, LLC. PERFORMED ON 11/06/2023.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT, WHICH WOULD DISCLOSE ANY RIGHTS, RESERVATIONS, EASEMENTS, ETC., OF RECORD.
- CONTOURS PLOTTED FROM FIELD RUN TOPOGRAPHIC SURVEY BY HOWELL SURVEYING, L.L.C. DATUM: NAVD 88 (COMPUTED USING GEOID18) & NAV 83 (2011) (EPOCH2010.0000) (AS DETERMINED BY GPS OBSERVATION). SITE BENCH = SANITARY MANHOLE RIM LOCATED AT THE INTERSECTION OF KOLBE LANE & E. PLEASANT GROVE ROAD, ELEVATION= 331.61', CONTOUR INTERVAL: 2 FEET.
- UNDERGROUND UTILITIES SHOWN WERE PLOTTED FROM OBSERVABLE EVIDENCE AT THE TIME OF SURVEY AND INFORMATION FROM PLANS SUPPLIED BY UTILITY COMPANIES. NO GUARANTEE IS MADE THAT UNDERGROUND UTILITIES ARE ACCURATELY OR COMPLETELY SHOWN HEREON.
- ZONING INFORMATION OBTAINED FROM TOWNSHIP ZONING ORDINANCE (AS POSTED ON THE TOWNSHIP WEBSITE) AT TIME OF SURVEY, PROJECT ENGINEER IS RESPONSIBLE FOR CHECKING LATEST TOWNSHIP ORDINANCES FOR ANY & ALL UPDATES OR TOWNSHIP REVISIONS.
- THE VARIABLE WIDTH RIGHT-OF-WAY OF KOLBE LANE & THE 45' WIDE RIGHT-OF-WAY OF E. PLEASANT GROVE ROAD WERE TAKEN FROM PLANS & DEEDS OF RECORD, & THE VARIABLE WIDTH.
- THIS PROPERTY IS LOCATED WITHIN FLOOD HAZARD ZONE X, AN AREA OF 0.2% ANNUAL CHANCE FLOOD HAZARD AREA OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE PER THE NATIONAL FLOOD INSURANCE RATE MAP FOR CHESTER COUNTY, PA, MAP NO. 420290260C, PANEL 260 OF 380, DATED SEPTEMBER 29, 2017. FLOOD PLAN BOUNDARIES SHOWN HEREON WERE SCALED FROM THE ABOVE MENTIONED MAP.
- WETLANDS BOUNDARY LINES WERE DELINEATED BY WOLF BIOSERVICES AND FLAGS LOCATED BY HOWELL SURVEYING, LLC. PERFORMED ON: NOVEMBER 6TH, 2023.

- REFERENCE PLAN(S)**
- PLAN ENTITLED, "THE ENCLAVE AT PLEASANT WOODS", PREPARED BY ENGINEERING DESIGN CONSULTANTS, INC. UMCHLAND, PA, DATED 08/15/1995, LAST REVISED 03/06/1996, RECORD PLAN BOOK #13392.
 - PLAN ENTITLED "FINAL LOT LINE CHANGE PLAN", PREPARED BY DL HOWELL ENGINEERING & LAND PLANNING, WEST CHESTER, PA, DATED 07/04/2014, LAST REVISED 08/28/2014, RECORD PLAN BOOK #19708.

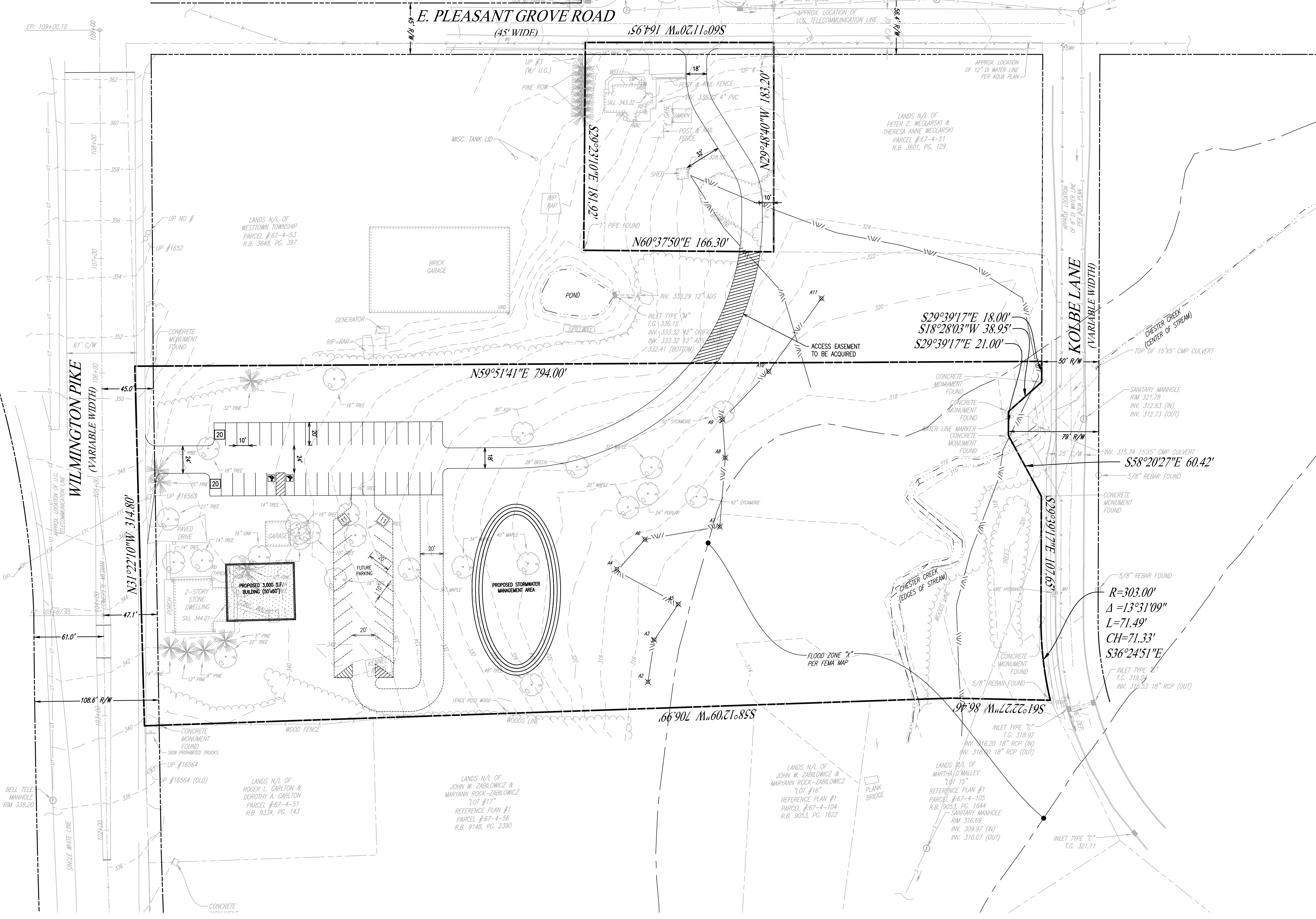
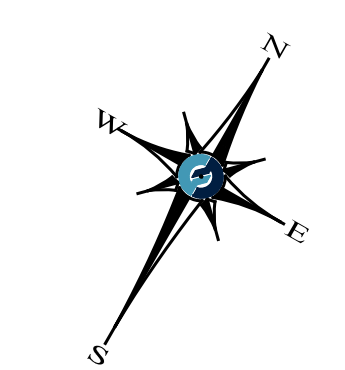
REV.	DATE	DESCRIPTION
8		
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SKETCH PLAN

CLIENT: JL ARCHITECTS
PROJECT: 12 E. PLEASANT ROAD & 1115 WILMINGTON PIKE
LOCATION: 12 E. PLEASANT ROAD & 1115 WILMINGTON PIKE
WESTTOWN TOWNSHIP, CHESTER COUNTY, PA.

DATE:	01/04/2023
SCALE:	1"=50'
DRAWN BY:	DAU
CHECKED BY:	MGW
PROJECT NO.:	4851
CAD FILE:	4851 PL.dwg
PLOTTED:	01/04/2023
DRAWING NO.:	SK-01
SHEET:	01 of 01

DRAFT



SKETCH PLAN
SCALE: 1" = 50'



LEGEND

— — — — — EX. PROPERTY LINE	— — — — — EXISTING CONTOUR	— — — — — PROP. LIGHT POLE	— — — — — PROP. ELEC. LINE	— — — — — PROP. STORM INLET	— — — — — PROP. WATER LINE
— — — — — PROP. PROPERTY LINE	— — — — — PROPOSED CONTOUR	— — — — — EX. FENCE	— — — — — EX. UTILITY POLE	— — — — — PROP. STORM INLET ID	— — — — — WL PROP. WATER LATERAL
— — — — — EX. RIGHT-OF-WAY	— — — — — EXISTING SPOT ELEV.	— — — — — EX. MAIL BOX	— — — — — PROP. UTILITY POLE	— — — — — PROP. SEEPAGE BED	— — — — — FW PROP. FIRE WATER LINE
— — — — — PROP. RIGHT-OF-WAY	— — — — — NEW SPOT ELEV.	— — — — — EX. SIGN	— — — — — EX. GUY ANCHOR	— — — — — EX. SANITARY SEWER LINE	— — — — — WVA EX. WATER VALVE
— — — — — PROP. MONUMENT	— — — — — SOILS TYPE	— — — — — PROP. SIGN	— — — — — EX. GAS LINE	— — — — — EX. SANITARY SEWER LINE	— — — — — WVA EX. WATER VALVE
— — — — — EX. REBAR	— — — — — EX. CONC. CURB	— — — — — EX. CONC. PARKING SPACES	— — — — — PROP. GAS LINE	— — — — — PROP. SAN. SEWER LINE	— — — — — FH PROP. HYDRANT
— — — — — PROP. REBAR	— — — — — PROP. CONC. CURB	— — — — — EX. CONC. PARKING SPACES	— — — — — EX. GAS VALVE	— — — — — PROP. SAN. SEWER LATERAL	— — — — — EX. MANHOLE
— — — — — EX. EASEMENT	— — — — — PROP. CONC. CURB	— — — — — EX. CONC. PARKING SPACES	— — — — — EX. TELE. LINE	— — — — — PROP. SANITARY MH. ID	— — — — — O EX. MANHOLE
— — — — — PROP. EASEMENT	— — — — — PROP. EDGE OF PAVING	— — — — — EX. CONC. PARKING SPACES	— — — — — PROP. TELE. LINE	— — — — — EX. WATER LINE	— — — — — ● EX. PERC TEST
— — — — — EX. WETLANDS	— — — — — EX. LIGHT POLE	— — — — — EX. CONC. PARKING SPACES	— — — — — EX. ELEC. LINE	— — — — — EX. WATER LINE	— — — — — ▲ EX. TEST PIT

ARTICLE XII

POC Planned Office Campus District

[Amended 5-1-1995 by Ord. No. 95-2; 10-27-1997 by Ord. No. 97-5; 3-3-2003 by Ord. No. 2003-2]

§ 170-1200. General provisions.

- A. Intent. In addition to the goals presented in §§ 170-101 and 170-102, this district is intended to provide for flexible standards for appropriate office, administrative, or research development in a campus setting. A mix of housing types are also allowed. This district is also intended to assure suitable design for the protection of residential development on adjacent parcels; minimize traffic congestion and maximize the efficient movement of vehicular traffic through proper parking, ingress, and egress along U.S. Route 202, and development of an internal street system; and preserve and enhance the natural, scenic, aesthetic, and historic character of the landscape.
- B. Traffic improvements. As deemed necessary by the Board of Supervisors, an approval for uses within the POC District may be conditioned upon agreement by the applicant to provide selected on-site and/or off-site transportation improvements. Off-site improvements shall be limited to those improvements that bear a direct relationship to the mitigation of impacts from the proposed activity.

§ 170-1201. Use regulations.

- A. Use by right. A building may be erected, altered, or used, and a lot may be used or occupied, by right, for any of the following purposes and no other:
- (1) Office, corporate headquarters, administrative or professional buildings or centers.
 - (2) Accessory uses. The following accessory uses shall be permitted:
 - (a) Storage in conjunction with a permitted use.
 - (b) Noncommercial recreation facilities, primarily for the use of those employed at the site.
 - (c) Major or minor home occupations.
 - (3) Buildings, structures and uses owned and/or operated by Westtown Township.
 - (4) Funeral home.
 - (5) Single-family detached dwellings meeting the regulations of the R-1 District and not the regulations of the POC District.
 - (6) Medical services. **[Added 7-16-2018 by Ord. No. 2018-01]**
- B. Conditional uses. The following uses shall be permitted only upon approval as a conditional use by the Board of Supervisors in accordance with the terms of this article and § 170-2009 of this chapter:

- (1) Research and/or laboratory facility for scientific, agricultural, or industrial research and development, excluding facilities with the potential for creating environmental or genetic hazards.
- (2) Ancillary services designed primarily for the convenience of those employed at the site, including but not limited to such uses as pharmacy, coffee shop, restaurant, newsstand (when the previous uses are totally enclosed in an office building), financial institution, automated bank machine, financial services, travel consultant, private club, and other uses of similar character.
- (3) Conference facilities.
- (4) Private, vocational, business, and professional schools except those of industrial character.
- (5) Day-care center.
- (6) Residential care facilities for senior citizens, as regulated in Article XVI, § 170-1613, of this chapter.
- (7) Multifamily dwellings meeting the requirements of § 170-1206 of this chapter. **[Amended 5-2-2005 by Ord. No. 2005-4]**

§ 170-1202. Area and bulk regulations.

The following regulations shall apply in the POC District for uses other than single-family detached dwellings:

- A. Ownership. The tract of land to be developed shall be held in single ownership or shall be the subject of an application filed jointly by the owners of the entire tract, and it shall be agreed that the tract shall be developed according to a single plan, under single direction, and in a manner and within a time period approved by the Board of Supervisors. All contiguous areas zoned POC District that are controlled by an applicant must be the subject of a single application.
- B. Minimum gross area of tract: five acres, not including those areas within an existing street right-of-way.
- C. Minimum vegetative cover. Not less than 40% of the gross area of the tract shall be planted and maintained with existing and/or installed vegetative material.
- D. Minimum lot area: five acres, except if either of the following apply:
 - (1) The Township may approve new lots or use of an existing undersized lot with a minimum of two acres if each lot has fully coordinated traffic access onto an interior road and if there is a coordinated system for stormwater management.
 - (2) A five-acre tract may be divided through an executed financial subdivision. With reference to a financial subdivision, where the Board of Supervisors has approved a multibuilding land development plan, the owner thereof may subdivide, for mortgage purposes only, the land upon which such buildings are to be constructed and the

individual lots which are created as a result of such subdivisions shall be exempt from area, setback, buffer, frontage and other similar requirements which are intended for application to the development as a whole.

- (a) The foregoing shall be approved only if there is provided a duly executed and acknowledged agreement, to be recorded at the time of subdivision in a form acceptable to the Township Solicitor, which requires each of the subdivided lots to be operated and maintained as an integral part of the previously approved development plan in accordance with these regulations, which insures that each lot will have permanent means of access and adequate parking and which prohibits said lots from being treated as separate development parcels at a future time, and which governs the formation of an association responsible for the maintenance of all common areas, said areas to be jointly owned by the owners of the individual development parcels.
 - (b) Where parking areas are included within a lot and are intended to be used by more than one building or lot, such areas shall be included within the common area maintenance agreement, or shall be governed by a separate cross-easement agreement. Such agreement shall further provide that, for all purposes, the entire development shall be treated as one lot subject to all of the Township's then-enacted chapters and regulations.
- E. Minimum building setbacks. Any building shall be set back not less than the distance indicated from the following:
- (1) Controlled or semi-controlled access highway arterial street: 120 feet.
 - (2) Collector, local, and other street: 75 feet.
 - (3) Residentially zoned land: five times the height of the building, but with an absolute minimum of 120 feet.
 - (4) Internal streets: 50 feet.
 - (5) Parking areas: 20 feet.
 - (6) Lot lines (in separate ownership): 50 feet.
 - (7) Adjacent buildings. The distance between buildings shall be determined in accordance with the requirements of § 170-802B(7).
- F. Minimum lot width: 200 feet.
- G. Maximum building coverage: 15% of the tract area.
- H. Maximum impervious coverage: 55% of the tract area.
- I. Maximum building height: 38 feet above natural grade, except that 50% of the buildings on the tract may be a maximum of 50 feet in height with the approval of the Board of Supervisors.
- J. Maximum floor area ratio: 0.2 times the tract area, as established by § 170-1519 this chapter.

§ 170-1203. Design standards.

The following standards shall apply for all uses:

- A. Natural features/resources protection. The natural features protection standards contained in Article IV shall apply. In addition:
- (1) Accurate detailed topography shall be provided.
 - (2) Wetlands shall be delineated in accordance with the terms of § 170-403B of this chapter.
 - (3) Existing vegetation shall be denoted as to type, including tree masses, treelines, and hedgerows; individual freestanding trees over six inches dbh; wetland vegetation; meadow, pasture, or cropland; orchard; cultivated and ornamental garden areas; etc.
 - (4) To the extent possible, floodplains, steep slopes, woodlands, and other natural features identified in the site analysis shall be preserved and integrated into the landscape design. In addition, every effort should be made to preserve scenic views.
 - (5) Stormwater management. The applicant shall submit a proposed stormwater management plan, to be approved by the Township Engineer in accordance with Chapter 149, Subdivision and Land Development. In addition, the Board may require the submission of a study of the off-site and overall groundwater impacts of the proposed stormwater management system.
- B. Landscaping and open space. A unified landscaping and open space plan shall be submitted in accordance with §§ 170-1507 and 170-1508 of this chapter and Chapter 149, Subdivision and Land Development, unless otherwise stated below.
- (1) Landscaping and/or earth shaping (berming or screening) shall be used to screen surface parking and mechanical service areas.
 - (2) There shall be a landscaped buffer strip of no less than 10 feet between interior roads and parking areas. Interior drives shall be landscaped.
 - (3) Landscaping shall be designed so as not to create hazardous interior movement, specifically regarding visibility at interior intersections.
 - (4) There shall be a landscaped buffer strip of no less than 50 feet from any tract boundary and from the ultimate right-of-way line of any arterial or collector street; where the tract fronts collector or arterial streets, the setback will be from the ultimate right-of-way.
 - (5) Within the tract, a totally separate pedestrian walkway system shall link open space to pedestrian places and buildings and provide for general pedestrian movement among buildings and parking areas. Such walkways shall be buffered from vehicular traffic through landscaping and/or earth shaping (berming or screening).
 - (6) Areas of retention and/or detention as part of an overall approved stormwater management plan shall be integrated into the overall open space design.
 - (7) Where applicable, every effort should be made to retain existing natural vegetation or utilize existing site vegetation for screening purposes.

- (8) Open space shall be laid out to the satisfaction of the Board in accordance with the best principles of design. The applicant is encouraged to provide amenity areas such as benches, sitting areas or other amenities conducive to the comfort and convenience of the prospective users of the office campus.
 - (9) The plan shall designate the type of maintenance to be provided for landscaped areas, as well as open space areas. A planting plan or schedule shall be submitted.
 - (10) As may be required by the Board of Supervisors, open space may be subject to deed restrictions, duly recorded in the office of the Chester County Recorder of Deeds, if in the opinion of the Board such an agreement would facilitate the preservation of open space.
- C. Parking: as required by Article XVII of this chapter, provided no parking area is located within the required buffers or within 50 feet of a property line.
 - D. Access and interior circulation. Provisions shall be made for safe and efficient ingress and egress to and from public streets and highways serving the development without causing undue confusion or interference with normal traffic flow. All uses within the POC District shall take access from a street other than U.S. Route 202. No new street and no new driveway shall directly enter onto Route 202, unless specifically required otherwise by the Board of Supervisors and PennDOT. The Board, with the advice of the Township Engineer, shall satisfy itself as to the adequacy of the thoroughfares and access points intended to accommodate the traffic generated by the proposed use in accordance with the provisions of §§ 170-1510, 170-1511, 170-1512, and 170-1513. If alternative access is available from a secondary street without impacting the quality and character of the residential environment of surrounding neighborhoods, secondary access to the tract from this street may be allowed.
 - E. Traffic impact. Provisions shall be made to prevent traffic congestion and hazards from the tract through the preparation of a traffic impact study. The traffic impact study shall meet the requirements for such a study that are established in Chapter 149, Subdivision and Land Development. The study shall document any on-site or off-site improvements proposed by the applicant to mitigate any projected adverse impacts.
 - F. Signs: Article XVIII shall apply, including but not limited to § 170-1804B.
 - G. Utilities. All utility lines shall be placed underground. As-built plans for all utilities shall be submitted to the Township.
 - H. Development in stages. The development of a tract carried out in stages shall be executed in accordance with a development agreement. The owner, developer and Township shall enter into said agreement embodying all details regarding compliance with this article to assure the binding nature thereof on the overall tract and its development, which agreement shall be recorded with the final development plan. No single stage of development shall exceed three years in duration.
 - I. Loading and unloading. All loading and unloading operations shall be carried on within the facade of any building(s) in accordance with the requirements of § 170-1710.
 - J. Storage: As required by § 170-1509 of this chapter.

- K. Lighting. All streets, parking areas, and pedestrian walkways shall be adequately lit in accordance with § 170-1514. Particular care must be taken to assure that direct light shines down and that no direct or reflected light from any lighting fixture creates glare which would be a potential traffic hazard or negative impact on adjacent land use.
- L. Impact on character of surrounding neighborhood. The applicant must show that the proposed office campus will not adversely effect the neighborhood by reason of noise, odors, smoke, glare, light, or vibration. In addition, the Township may prescribe further reasonable conditions regarding design with respect to the suitability of the office campus in harmonious relationship to surrounding areas.
- M. Environmental standards: As required by § 170-1506 of this chapter. In addition, the handling and disposal of red bag waste associated with medical or veterinary practices shall conform to applicable state regulations.

§ 170-1204. Plan submission requirements.

- A. Any proposal for development within the POC District shall be submitted in the form of a subdivision or land development plan; such plan shall comply with all requirements of Chapter 149, Subdivision and Land Development, and shall, in addition, clearly demonstrate compliance with all requirements of the POC District. The plan shall clearly designate the proposed use(s) of each area of the tract. The applicant is strongly encouraged to submit a sketch plan to the Township for informal discussion, prior to the submission of a preliminary plan.
- B. The following are specific requirements to be included as part of any submitted plan, whether or not they are stipulated by Chapter 149, Subdivision and Land Development:
 - (1) A plot plan of the tract showing the location, height, and bulk of all proposed buildings and other structures; pedestrian walkways and other areas to be devoted to pedestrian use; open space; drives, including the location and width of such parking lots; loading and unloading areas and other construction and/or physical features as required herein and in accordance with the provisions of this article.
 - (2) Architectural plans for the facade of any proposed buildings, including a written description of the types of exterior materials.
 - (3) A description of any of the land uses proposed in sufficient detail to indicate the positive and negative impacts of such on-site features, public and private views, historic resources and public and community services.
 - (4) Engineering and architectural plans for the treatment and disposal of sanitary sewage and surface and stormwater (including the general drainage system), and provisions of water supply and fire hydrants as determined by a professional engineer registered in the State of Pennsylvania.
 - (5) The stages which will be followed in the construction of the development.
 - (6) A description of the on-site improvements and, as deemed necessary, off-site improvements which are planned, or the contribution which will be made in lieu of such

improvements.

§ 170-1205. Additional standards for conditional uses.

Conditional uses may be subject to such other restrictions and conditions as are deemed necessary by the Board of Supervisors. This may include, but is not limited to, reasonable limitations on the hours of operation.

§ 170-1206. Regulations for multifamily dwellings. [Added 5-2-2005 by Ord. No. 2005-4]

The following regulations shall apply for multifamily dwellings in place of the regulations contained in § 170-1202:

A. Minimum lot area: five acres. The lot area shall not be separated by any public street or other publicly owned vehicle thoroughfare from any other land area. A rental or condominium form of ownership shall be allowed.

B. Maximum density:

(1) The maximum density shall be calculated as provided in § 170-1519A. The maximum density per acre of tract area shall be: 10 dwelling units per acre for dwellings of one bedroom or less; eight dwelling units per acre for dwellings of two bedrooms; and four dwelling units per acre for dwellings of three or more bedrooms. If a lot includes a mix of numbers of bedrooms in different units, then the density shall be calculated proportionately. For example, on a five-acre lot, two acres could be considered as having one-bedroom units, allowing 20 units and three acres could be considered as having two-bedroom units, allowing an additional 24 units for a total of 44 units on five acres.

(2) Density and building length bonuses.

(a) Age-restricted bonus. If all of the multifamily dwellings are limited by deed enforceable by the Township and by lease to occupancy by persons age 55 and older and their spouses, then the maximum multifamily dwelling density shall be increased by 20% above the density that would otherwise be allowed. The age restrictions shall be in legal form acceptable to the Township Solicitor.

(b) Landscaping bonus. When a multifamily dwelling development involves substantially greater amounts and sizes and a higher quality of landscaping than would otherwise be required by Township ordinances, as determined by the Board of Supervisors, then the maximum multifamily dwelling density shall be increased by 10% above the density that would otherwise be allowed.

[1] The applicant shall provide a planting plan sealed by a registered landscape architect.

[2] The planting plan shall be reviewed by the Planning Commission and be subject to approval by the Board of Supervisors. The determination of whether a planting plan justifies a bonus under this section should be based upon a review by an independent landscape architect chosen by the Township.

The Township may require the applicant to fund the reasonable costs of such independent review.

- (c) Architectural bonus. If the Board of Supervisors, based upon Planning Commission review, determines that the proposed development would have high architectural quality consistent with the character of Westtown Township as viewed from public streets, then an additional density bonus of 5% shall be approved above the density that would otherwise be allowed. The Township may require the applicant to fund reasonable costs for an independent review of the architectural plans by a registered architect chosen by the Township.
 - [1] The architectural design shall be intended to blend the buildings with their surroundings. The architectural design shall include finishes, textures, extensions, placement of glass and other features to visually reduce the bulk of the building as viewed from a street and to make a large building appear more like two or more connected smaller buildings.
 - [2] A preliminary architectural design shall be provided in accordance with Subsection L below.
 - (d) The density bonuses shall be added and not multiplied upon each other. Therefore, if a bonus of 20% and a 5% bonus apply, the resulting total bonus shall be 25%.
 - (e) In no case shall the density bonuses of this section result in a maximum density exceeding 12 dwelling units per acre.
 - (f) See Subsection H below for how these bonuses also can allow a longer building length.
- C. Minimum vegetative cover. A minimum of 40% of the gross area of the tract shall be planted and maintained with new and/or preserved trees and other vegetative material.
- D. Minimum building setbacks. Any building shall be set back the following minimum distances from the following:
- (1) Controlled or semicontrolled access highway; arterial street: 120 feet.
 - (2) Collector, local or other public street with two-way traffic: 75 feet.
 - (3) Internal street or street with one-way traffic: 50 feet.
 - (4) Parking areas, other than underground parking: 20 feet.
 - (5) Lot lines in separate ownership: 50 feet.
 - (6) Minimum separation distance between principal buildings on the lot: 35 feet.
- E. Maximum building height: four stories or 50 feet, whichever is more restrictive. A level used for vehicle parking that is in a basement level shall not be counted towards the maximum number of stories. Extensions of roof lines above 50 feet shall be permitted to accommodate architectural roof pitches. However, the horizontal area that extends above 50 feet shall not be greater than 15% of the horizontal area covered by the building on the ground level.

- F. Maximum building coverage: 20%.
- G. Maximum impervious coverage: 55%.
- H. Maximum building length. No building shall have a maximum length greater than 165 feet. However, the maximum building length may be increased to 200 feet if the landscaping and architectural bonuses provided in Subsection B(2) are both approved.
- I. For a multifamily development, §§ 170-1203 and 170-1204 shall apply, except for the following:
 - (1) The minimum landscaped buffer strip provided in § 170-1203B(5) shall be 30 feet. This 30 feet may be located on two sides of an existing access drive, so that 20 feet is on one side of the drive and 10 feet on another side of the drive.
 - (2) The fifty-foot minimum setback for parking in § 170-1203C shall be reduced to 30 feet.
 - (3) The sign provisions of the R-3 District shall apply in place of the sign provisions in § 170-1203. Only one freestanding sign shall be allowed, with a maximum sign area on each of two sides of 50 square feet. This freestanding sign shall have a maximum total height of eight feet. This freestanding sign shall not be internally illuminated, and may be attached to a decorative masonry wall with a maximum total height of 8 feet and a maximum length of 12 feet.
 - (4) A market analysis shall not be required.
- J. Emergency access. The applicant shall prove that adequate access is available to all sides of all principal buildings by emergency vehicles. This access may include, but is not limited to, grass pavers. The access shall be able to support the weight of emergency vehicles during wet weather conditions.
- K. Maximum floor area ratio (as defined in § 170-201): 0.4: 1.0.
- L. Architectural design. A preliminary architectural rendering or exterior cross section shall be submitted, showing the proposed designs of sides of the buildings visible from public streets. Such submittal shall be based upon a design by a registered architect. The applicant shall provide a written description of the types of exterior building materials and finishes. Details of the architectural design may be modified after conditional use approval, provided that the overall architectural design and exterior materials are consistent with the plan submitted with the conditional use, unless the Board of Supervisors specifically allows a different architectural design as part of land development approval.

§ 149-915. Driveways.

- A. Township approval is required for construction of a driveway. The approval request may be included with a building permit application in the case of new construction.
- B. A plan shall be submitted with each application for approval of a driveway and shall include the following:
 - (1) Site plan to scale at least one inch equals 50 feet.
 - (2) Location of building, septic tank and disposal field, well and all other structures.
 - (3) Adjacent driveways within 100 feet.
 - (4) Plan of driveway.
 - (5) Topography of lot by field or photogrametric survey with contours at two-foot intervals.
 - (6) Profile of proposed driveway from edge of road to end of driveway, showing existing and proposed grades.
- C. Private driveways for residences, except for townhouses, apartments and mobile home parks, shall be located at least 60 feet from the point of intersection of the nearest street right-of-way lines and at least five feet from every property line.
- D. Private driveways in commercial, industrial and business park zoning districts and for townhouse, mobile home parks and apartments shall be located at least 100 feet from the point of intersection of the nearest street right-of-way lines and at least 10 feet from every property line.
- E. Driveways used jointly by more than one property owner may straddle the property line. The appropriate easement restrictions shall be noted on the final plan.
- F. All driveways shall be located, designed and constructed in such a manner as not to interfere or be inconsistent with the design, maintenance and drainage of the highway.
- G. Driveways shall be located in such manner that they will not cause the following: interference to the traveling public; a hazard to the free movement of normal highway traffic; or areas of undue traffic congestion on the highway. In accordance with this principle, driveways should be located where the highway alignment and profile are favorable, i.e., where there are no sharp curves or steep grades, and where sight distance in conjunction with the driveway access would be adequate for safe traffic operation.
- H. Driveways should not be located in such sections that would interfere with the placement and proper functioning of highway signs, signals, detectors, lighting or other devices that affect traffic control. The location of a driveway near a signalized intersection that has an actuated traffic signal may include a requirement that the permittee provide (without expense to the Township or PennDOT) additional detectors and signal poles and heads for the control of traffic movement from his establishment or for relocation of existing detectors. **[Amended 7-22-2002 by Ord. No. 2002-5]**
- I. Where highway curbs exist, driveway approaches shall be installed 1 1/2 inches above the

adjacent highway or gutter grade to maintain the proper drainage.

J. Where highway curbs do not exist, driveways shall be constructed in such a manner as not to interfere with the drainage grade line of shoulders. If, in the opinion of the Township Engineer, a pipe is required to maintain the grade line, the permittee shall install such pipe at his expense, parallel to the pavement edge and at a minimum distance of 10 feet therefrom and on the grade line as directed by the Township Engineer. Where a pipe is placed in the shoulder line, the driveway may slope away from the roadway at a lesser gradient than the normal shoulder slope but not less than 1/4 inch per foot from the paving edge to the pipe. The minimum pipe length shall be equal to the width of the driveway plus 10 feet.

K. Design requirements.

- (1) The grade of the driveway within 20 feet of the pavement edge or the curblin of the public road, Township or state, shall not exceed 4%. The maximum grade permitted beyond this point is 15%. Vertical curves shall be used at a change of grades exceeding 5%.
- (2) Width of driveway within the legal right-of-way of the public road shall be at least 10 feet, and shall be nine feet within the property line. Adequate turnaround surface shall be provided on the property so egress to the street is in a forward direction. Where the grade of the driveway exceeds 10%, at least one level parking space shall be provided just within the property line for emergency parking.
- (3) The driveway within the legal right-of-way of the public road shall be constructed with crushed aggregate meeting the requirement of Section 350 of PennDOT Form 408 Specifications, compacted to a minimum depth of six inches. It shall be surfaced with a minimum of 2 1/2 inches of ID-2 surface course or approved equal. The remaining length of driveway may be constructed of any suitable stabilized material or bituminous surface adequate for the intended use and vehicle loads. **[Amended 7-22-2002 by Ord. No. 2002-5]**
- (4) Discharge of roof drains or downspouts onto the driveway which slopes toward the street shall not be permitted. No drain pipe from any basement sump pump, foundation drain, disposal field, terrace, roof or pavement shall be discharged onto the public right-of-way.
- (5) The sight distance at the intersection of a Township or state roadway and the proposed driveway shall be provided in accordance with the following tabulation. The clear sight line shall be described by a line from a point within the driveway, 10 feet from the edge of pavement or curblin, to a point in the center of the near lane of the roadway.

Posted Speed (miles per hour)	Required Sight Distance (feet)
20	200
25	250
30	350

Posted Speed (miles per hour)	Required Sight Distance (feet)
35	440
40	540
45	635
50	760
55	875

- (6) In addition to these requirements, all driveway intersections with state highways shall also be designed in accordance with PennDOT criteria. A PennDOT highway occupancy permit shall be obtained for all driveway intersections with state highways. **[Amended 7-22-2002 by Ord. No. 2002-5]**

ORDINANCE 2024 - 06

**WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF WESTTOWN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 170, ZONING, ARTICLE VIII, R-3 RESIDENCE-OFFICE DISTRICT REGULATIONS AND ARTICLE XVII, OFF-STREET PARKING AND LOADING, OF THE CODE OF WESTTOWN TOWNSHIP REGARDING A VISUAL ARTS CENTER USE AND SHARED PARKING.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Westtown Township, Chester County, Pennsylvania, that Chapter 170, Zoning, of the Code of Westtown Township, as amended, be amended as follows:

SECTION 1. Amends Article II, Definitions, §170-201, Definitions, to delete the following terms and their accompanying definitions: Visual Arts Center (VAC) and Visual Communication Technology (VCT).

SECTION 2. Amends Article VIII, R-3 Residence-Office District, §170-800, Statement of Intent, Subparagraph A, to read as follows:

- A. In addition to the goals presented in the general purpose and the community development objectives sections of this chapter, the purpose of this district is to make specific provisions for appropriate multifamily residential and limited office uses in selected locations, particularly along major highways, which can serve as logical transitional districts between single-family residential development and areas of heavier traffic, and which produce fewer hazards and less interference with highway traffic than conventional commercial areas by:

SECTION 3. Amends Article VIII, R-3 Residence-Office District, §170-800, Statement of Intent, Subparagraph A, to delete Subpart (6) regarding Visual Arts Center (VAC) use.

SECTION 4. Amends Article VIII, R-3 Residence-Office District, §170-801, Use Regulations, Subparagraph B, Conditional Uses, to delete Subpart (10), Visual Arts Center (VAC).

SECTION 5. Amends Article VIII, R-3 Residence-Office District, §170-802, Area and Bulk Regulations, to delete Subparagraph G, Visual Arts Center (VAC).

SECTION 6. Amends Article XVII, Off-Street Parking and Loading, §170-1706, Shared Parking, Subparagraph A, to read as follows:

- A. Up to 50% of the parking spaces required for a theater or other place of primarily evening entertainment, for a church, for multifamily dwelling

units, or for a school may be provided and used jointly by banks, offices, certain retail stores, repair shops, service establishments, and similar uses which are not normally open, used or operated during evening hours (beyond normal business hours of 8:00 a.m. to 5:00 p.m.) if specifically approved by the Board.

SECTION 7. Amends Article XVII, Off-Street Parking and Loading, §170-1706, Shared Parking, Subparagraph D, to read as follows:

- D. Upon approval of the Board, as prescribed in Subsection B above, two or more uses may satisfy their individual parking requirements in a common parking lot, provided that the number of parking spaces in the lot equals the sum of the parking spaces required for each use. Parking spaces shall be located so that no space is greater than 500 feet from the building or use it is intended to serve.

SECTION 8. If any sentence, clause or section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or validity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal, invalid sentence, clause, section or part thereof not been included herein.

SECTION 9. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

SECTION 10. This ordinance will be effective five (5) days after enactment.

ENACTED AND ORDAINED by the Board of Supervisors of Westtown Township, Chester County, Pennsylvania, this _____ day of _____, 2024.

Attest:

**Westtown Township
Board of Supervisors**

Secretary

Thomas Foster, Chair

Edward Yost, Vice Chair

Richard Pomerantz,
Police Commissioner



THE COUNTY OF CHESTER



COMMISSIONERS
Josh Maxwell
Marian D. Moskowitz
Eric M. Roe

Brian N. O'Leary, AICP
Executive Director

PLANNING COMMISSION
Government Services Center, Suite 270
601 Westtown Road
P. O. Box 2747
West Chester, PA 19380-0990
(610) 344-6285 Fax (610) 344-6515

August 14, 2024

Liudmila Carter, Manager
Westtown Township
1039 Wilmington Pike
West Chester, PA 19382

Re: Zoning Ordinance Amendment - Visual Arts Center Use
Westtown Township – ZA-07-24-18166

Dear Ms. Carter:

The Chester County Planning Commission has reviewed the proposed Zoning Ordinance Amendment as submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Section 609(e). The referral for review was received by this office on July 16, 2024. We offer the following comments to assist in your review of the proposed amendment.

DESCRIPTION:

1. The Township proposes the following amendments to its Zoning Ordinance:
 - A. Delete the following definitions from Section 170-201: Visual Arts Center (VAC), and Visual Communication Technology (VCT);
 - B. Amend Subparagraph A of Section 170-800, the Statement of Intent of the R-3 Residence-Office District, by deleting the phrase “visual arts center uses” from this subparagraph;
 - C. Delete subsection (6) of Section 170-800.A, pertaining to visual arts center uses;
 - D. Delete Visual Arts Center Use from the list of uses permitted by conditional use in the R-3 District, along with deleting the area and bulk regulations for a visual arts center set forth in Section 170-802.G; and
 - E. Amend subsections A and D of Section 170-1706 – Shared Parking.

BACKGROUND:

2. The County Planning Commission previously reviewed a zoning amendment to allow a Visual Arts Center in the Township’s R-3 Residence-Office District by conditional use (CCPC# ZA-10-13-8818, dated November 25, 2013). According to the online copy of the Township Zoning Ordinance located at <https://ecode360.com/12396615>, this zoning amendment was adopted by the Township on December 16, 2013 (Township Ordinance No. 2013-6).

It is our understanding that the purpose of the zoning amendment adopted in 2013 was to allow for the construction of a visual art center use on a 3.8 acre parcel located at 1632 West Chester Pike. It is also our understanding that the conditional use application for the construction of a visual arts center on this site was recommended for denial by the Township Planning Commission on June 5, 2024, and that the conditional use application was subsequently withdrawn by the applicant.

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Re: Zoning Ordinance Amendment - Visual Arts Center Use
Westtown Township – ZA-07-24-18166

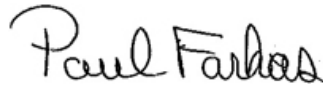
COMMENTS:

3. The proposed ordinance language, which would repeal the provisions adopted in 2013, appears to be appropriate.

RECOMMENDATION: The County Planning Commission supports the adoption of the proposed zoning ordinance amendment.

We request an official copy of the decision made by the Township Supervisors, as required by Section 609(g) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,

A handwritten signature in black ink that reads "Paul Farkas". The signature is written in a cursive, slightly slanted style.

Paul Farkas
Senior Review Planner

Notes on meeting with Jim and Joe and Tom of July 31st, 2024.

Jim Lees, Joe Frisco and Tom Sennett met on July 31st, 2024, to review Westtown's Fence Ordinance, found in the Township code at Sec. 170-1505. We have attached the Code section hereto for easy reference.

Before reviewing the Code itself, we had a discussion about our objectives. We agreed that whatever recommendations we might make should also include our rationale for the recommendations, so that any future reviewers would have the benefit of understanding why the ordinance is in place. (Examples of the benefit of this approach may be seen below). This should also help applicants for permits or variances understand what the Township is trying to accomplish with its code provisions.

We also had a general discussion about principles, and agreed that generally we prefer no fence to having fences. (Many have heard the phrase, "Good fences make good neighbors, from the Robert Frost poem "Mending Wall" but just repeat the quote without reading the poem. The statement in the poem is not made by Frost as the first person author, but rather by his neighbor, and in the poem, Frost was questioning the need for the very wall he and his neighbor were mending, and Frost was lamenting, metaphorically, the things that divide us, going on to ask later in the poem "Before I built the wall I'd ask to know, What I was walling in or walling out, And to whom I was like to give offence".) Many of us have personally seen neighborhoods in our area and in other parts of the county where every backyard is enclosed with a stockade fence. We don't think Westtown is that kind of place, nor do we want it to be. Others on the Planning Commission (PC) may disagree and any discussion of any ordinance and its language deserves such discussion, but the three of us lean "no fence" rather than "fence".

One other point is that we would like to see cross references in the ordinance where possible. For example, is Sec. 170-1505 C. (1), which refers to "the required front building setback", we could then include the section in parentheses that defines "front building setback", particularly because we have some definitions specific to Sec 170-1505, and others that cover the entire code. We seek to eliminate as much ambiguity as possible.

Turning to the Fence ordinance, subsection B. requires a permit for fences exceeding 40 feet in length. Here we run up against the problem of lack of rationale – why 40 feet? Why not 50 feet? Or 30 feet? We recognize that we do not want residents to be required to pull a permit every time they build any sort of fence, as that would be potentially burdensome, both for the resident and for township staff. However, the township has an interest in regulating fence building, so some standard is needed, but that standard should be set for a reason, and we do not have in place a system for coupling the ordinance to its rationale. (Most state statues include some "legislative history" or

something equivalent. We believe that providing staff and residents with rationale could help eliminate disputes and ease the permitting process.)

RECOMMENDATION – Settle on a parameter, and include a rationale for whatever parameter we set for requiring a fence permit. Also, the requirement of a permit should reflect the Township’s interest in safety, as a poorly installed fence could pose a safety hazard.

Section B. also limits the application of the section to only those fences “within the front, rear or side setback areas”, and again, in the absence of a record describing the rationale for this limitation, we can’t say why this limitation applies. We think it should apply to all fences erected on a property that fit whatever parameter we settle on, so this language can be stricken from the section.

RECOMMENDATION – remove phrase “Within the front, rear or side setback areas”.

Section C. covers the height of fences in various parts of the lot surrounding the structure on the lot, and the general idea is to have no tall fences in the front of the lot, where the lot faces the street, and no more than six feet anywhere on a lot. We agreed that the six foot maximum still made sense, as most people are five to six feet tall, and a six foot fence doesn’t feel like an enclosure like an eight or even seven foot high fence would feel to most people. A six foot fence affords significant privacy, but does not cut off light and air to a neighbor as much as a higher fence would. We may need to see the language tightened up, but the front fence being limited to three feet seemed to be aesthetically pleasing to us.

RECOMMENDATION – Continue with the same height restrictions, but redraft the ordinance to reflect the earlier change that eliminates setback areas.

Section C.(5) is a carve out exception for fences that enclose recreational areas like a tennis court. This makes sense, but we had concerns that it could allow for a very tall enclosure on a property that blocks light and air if the landowner did not use the kind of chain link fence typically found in this type of enclosure.

RECOMMENDATION – Add language requiring this carve out category to be only for fences that would be chain link or some equivalent material that would not be a solid barrier.

Section H. calls for fencing to be entirely within the boundaries of the of the property being fenced. We think the PC should consider whether we should require fences to be setback some distance from the property line, such as one foot or more. A fence affects not just the landowner installing it, but also the adjacent property, so an adjacent yard that could simply be mowed for maintenance now has a structure that must be trimmed or maybe even landscaped to maintain its attractiveness. A setback could keep that

burden on the property owner installing the fence, instead of shifting it to the adjacent landowner.

RECOMMENDATION – Consider requiring fencing be set back from the property line.

We also discussed adding a section to carve out an exception for “Garden fences”. This would require additional definitions in Section 170-201, and we do not want to see a requirement for permits for these types of fences. We are not aware of whether we can limit these to rear yards but do not want to open the door to over-height fences in front yards under this carve out.

We also discussed that this exercise will require a review of the definitions section, particularly with regards to yards and setbacks.

In discussing safety, we do not see any requirement in the ordinance for access and egress. While a landowner may have reasons for not wanting any type of gate or door in a fence, we think the Township’s interest in protecting the safety of the citizens requires some type of entrance to a fenced in area, and this should be added to the ordinance.

RECOMMENDATION – Amend the ordinance to require a gate, with dimensions, to allow for access to enclosed areas.

We discussed the issue of fence materials. For some reason, we seem to think there was some opposition from our solicitor about limiting what materials would be acceptable for fencing, but we think the Township’s interest in safety mandates that we restrict certain materials like razor wire or barbed wire. We would like clarification on what limitations we have on restricting the type of materials that can be used in fencing.

Respectfully submitted,

Tom Sennett

Jim Lees

Joe Frisco