

**WEST WHITELAND TOWNSHIP  
Planning Commission  
Agenda  
Tuesday, March 19, 2019  
7:00 P.M.**

**CALL TO ORDER**

**REVIEW OF MEETING MINUTES**

1. Approval of Meeting Minutes: March 5, 2018

**PUBLIC COMMENT/CONCERNS/QUESTIONS**

**PLANS**

**OLD BUSINESS**

1. Proposed Zoning Amendment to O/R District for Ship Rd./Lincoln Hwy. Development

**ANNOUNCEMENTS**

**ADJOURNMENT**

**Next Meeting:** April 2, 2019



# MEMORANDUM

**DATE:** March 15, 2019  
**TO:** Planning Commission  
**FROM:** John R. Weller, AICP  
Director of Planning and Zoning

**SUBJECT: Proposed amendment to the Township  
Zoning Ordinance: Office/Residential  
(O/R) district**

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## Background

Since early 2018, the Commission has been considering Zoning Ordinance amendments to accommodate projects around the intersection of Ship Rd. and Lincoln Hwy., principally the proposed re-development of the former Entenmann's property by 690 East Lincoln Associates for commercial use (including a Wawa convenience store with a gas station) and the development of the southern portion of the adjacent Laborers' Training Facility ("LTF") property by NVR Homes for residential use (90 single-family detached houses and 65 townhouse units). These two developers have been working together, and their plans accommodate the "Ship Road Couplet," shown in the Township's Transportation Capital Improvements Plan (an element of our Act 209 Plan) as a means of mitigating the impact of the traffic their projects will create.

At the meeting of February 5, 2019, the Commission heard presentations by Staff, our traffic consultant, and representatives of both NVR and 690 East Lincoln regarding the proposed amendment and the projects it would accommodate. Discussion at the meeting addressed not only the development projects, but also the construction of a new segment of Ship Rd. - the Ship Road Couplet - to enhance traffic flow through the Lincoln Hwy. intersection. The meeting was well-attended, and those attending expressed a number of concerns:

- By far, the most frequently voiced concern was the traffic that would be generated by the projects, especially by the proposed Wawa convenience store.
- Residents were also concerned about access to the properties immediately surrounding the intersection and how the couplet would change access.
- Our traffic consultant, Kevin Johnson of Traffic Planning and Design, gave a detailed presentation of how the couplet would function, including projections of how it would reduce congestion significantly when compared to making the limited improvements that can be accommodated at the existing intersection. Residents questioned what the impact would be if only the southern portion of the Couplet were built. There were also concerns about the impacts upon other intersections, especially the Ship Rd./King Rd. intersection.
- The Ss. Philip and James congregation was well represented, expressing concerns about the impact on St. Mary's Chapel and, to a lesser extent, the main campus.

The Commission took no action that night - consistent with the stated purpose of the meeting - but advised that this matter would be discussed again at a future meeting, date to be determined.

## Staff Comment

Since the February 5 meeting, Staff has been working to address the residents' concerns as well as to meet with the applicants regarding the proposed amendment language. We have also received written comments from several residents, most of them echoing the points that were made on February 5. Regarding these concerns, we note:

- The proposed projects will undeniably generate additional traffic, with the new homes being responsible for most of it. The Wawa will not generate much new traffic (since there are so many Wawas in the area, few customers will go out of their way to come to this one), but customers entering and leaving the site are likely to slow traffic and possibly create some congestion. As noted on February 5, the Couplet was first proposed in the Township's 2015 Transportation Capital Improvements Plan as way to mitigate the impact of traffic that would be generated when the LTF property<sup>1</sup> was developed. Mr. Johnson's presentation included an animation showing how traffic would move through the Couplet.

Much of the traffic at this intersection today is generated outside of the Township. Given the development activity in the Townships around us, the volume of traffic at this point will increase even if nothing more is built in West Whiteland.

- The Couplet design features a new south-bound leg west of the existing Ship Rd. alignment, starting just below the Chester Valley Trail, crossing Lincoln Hwy. at a new traffic signal, and rejoining the existing road before the bridge under the US Route 30 by-pass. The existing Ship Rd. will become north-bound between the Springdale Dr. intersection and the Chester Valley Trail crossing (where the southbound lane splits off).

A short connecting street between the two lanes near the north end assures that access will be preserved for the main campus of Ss. Philip and James.

- The Commission realizes that the presence of a pipeline easement cannot be the basis for denying approval of development. Staff notes that the proposed amendment and the NVR project it allows feature fewer homes than are accommodated by the existing Zoning.

The attached draft amendment is based upon what was originally provided by NVR and included with the information for the February 5 meeting. Staff has since revised this draft to address our own concerns, and the revisions have been reviewed and found satisfactory by the Township Solicitor and the legal counsel for both 690 East Lincoln and NVR Homes. The principal provisions are as follows:

- There are new definitions for "convenience store," "tract area, gross," and "tract area, net." None of these terms are currently defined in the Zoning Ordinance. The definition of "developable acreage" is revised to incorporate the newly defined term "gross tract area" in lieu of the existing phrase "gross acreage of a tract."

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<sup>1</sup> The LTF site was in "Character Area 1" of the Land Use Assumptions Report prepared in 2015 as part of the Act 209 Plan. Based upon the zoning, that Report assumed that the site would be developed with 298,000 sq.ft. of office space, 178,500 sq.ft. of light industrial/warehouse/flex space, and 28 dwelling units. The Roadway Sufficiency Analysis (the second element of the Act 209 Plan) estimated that this development would generate a total of 681 p.m. peak-hour trips. Information provided earlier by the Applicant states that their proposed development - including the Wawa, the two other commercial buildings, and 150 dwelling units - would create 676 p.m. peak-hour trips.

- Retail operations (including convenience stores) are allowed in the O/R zoning district, but only in buildings within 750 feet of the intersection of Ship Rd. and Lincoln Hwy.
- The O/R district now includes a “high-density single-family option” on tracts of forty acres or more. These regulations accommodate the NVR project and include provisions requiring permanent open space, establishing a maximum distance of 300 feet between a dwelling and a permanent open space area, and requiring sidewalks along at least one side of all streets.
- The regulations for gas stations (“vehicle fueling stations”) are revised to allow them in the O/R - Office/Residential zoning district in addition to the TC - Town Center district where they are currently allowed. The requirement for gas stations to have principal access to either Lincoln Hwy. or Pottstown Pk. has been retained.
- The Subdivision and Land Development Ordinance is amended to provide alternative design standards for streets in projects utilizing the high-density single-family option. These regulations allow the NVR project as shown.

By way of illustration, the applicants have provided the attached sketch plan showing how they intend to develop this site should this amendment be approved. The design is virtually identical to what was presented on February 5, but the notes in the upper right corner have been revised to be consistent with the attached draft of the proposed amendment. As we have noted, approving the proposed Zoning Ordinance amendment will not automatically approve this (or any) development plan: any development of this site will still need to be reviewed as a conditional use application followed by a land development plan review. The sketch plan is useful as it shows the kind of development that the amendment allows.

Staff continues to support the amendment. As we stated on February 5, the cooperation among the applicants and the owner of the LTF property and their willingness to construct a significant transportation improvement called for by a Township plan that includes a critical bicycle and pedestrian link is an unprecedented opportunity for the Township that is not likely to be repeated. Should the amendment not be approved, development would be permitted in accordance with the current regulations. While this would eliminate the Wawa and other commercial (retail) development, there could be significantly more residential units: a sketch provided by the applicants shows that 317 townhouses can be accommodated on the tract rather than the 155 units and commercial development now proposed. Such development would, of course, be required to pay a traffic impact fee, but the fee amount would be considerably less than the construction cost of the Couplet.

In conclusion, we find the proposed amendment to be in the best interest of the Township and recommend that the Commission pass a motion tonight recommending its approval to the Board of Supervisors.

### **Attachments**

1. Draft amendment to Zoning and Subdivision and Land Development Ordinances, March 15, 2019.
2. “500 East Lincoln Highway: Mixed Use Composite Concept Plan” sketch plan prepared by Heuser Design dated January 23, 2019, most recently revised March 14, 2019.

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**BOARD OF SUPERVISORS  
WEST WHITELAND TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 325, "ZONING," OF THE WEST WHITELAND TOWNSHIP CODE OF ORDINANCES TO DEFINE "CONVENIENCE STORE", "TRACT AREA, GROSS", AND "TRACT AREA, NET"; TO REVISE THE DEFINITION OF "DEVELOPABLE ACREAGE;" TO ALLOW CONVENIENCE STORES WITH VEHICLE FUELING STATIONS AND RETAIL STORES IN A PORTION OF THE O/R - OFFICE/RESIDENTIAL DISTRICT; AND TO PROVIDE A "HIGH-DENSITY SINGLE-FAMILY OPTION" IN THE O/R - OFFICE/RESIDENTIAL DISTRICT.**

**ALSO AMENDING CHAPTER 281, "SUBDIVISION AND LAND DEVELOPMENT," OF THE WEST WHITELAND TOWNSHIP CODE OF ORDINANCES TO PROVIDE MODIFIED STREET ALIGNMENT STANDARDS FOR DEVELOPMENT USING THE HIGH-DENSITY SINGLE-FAMILY OPTION.**

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**BE IT HEREBY ENACTED AND ORDAINED** by the Board of Supervisors of West Whiteland Township, Chester County, Commonwealth of Pennsylvania as follows:

**Section 1.** Section 325-8 of Chapter 325, "Zoning," of the West Whiteland Township Code of Ordinances, being Definitions, is hereby amended by (a) the addition of the following definitions of "Convenience Market", "Tract Area, Gross", and "Tract Area, Net" inserted in the proper alphabetical sequence; and (b) the revision of the definition of "Developable Acreage" as provided herebelow:

**CONVENIENCE STORE**

A type of RETAIL STORE with 10,000 square feet or less of floor area in which the principal items for sale include food, beverages, and merchandise. This use may include automatic teller machines, electric vehicle charging stations, customer seating, and the preparation and consumption of food and beverages. This use may also include drive-through service and a VEHICLE FUELING STATION, subject to compliance with the applicable provisions of this Chapter.

**DEVELOPABLE ACREAGE**

The gross tract area of a tract less the area occupied by existing rights-of-way, easements, floodplain area, wetlands, and slopes with a gradient of 25% or more.

**TRACT AREA, GROSS**

The total area contained within the limits of a tract, including all easements, rights-of-way, and otherwise constrained areas as may be so contained.

## TRACT AREA, NET

The developable acreage contained within the limits of a tract.

**Section 2.** Sub-section 325-15.1.B of Chapter 325, “Zoning,” of the West Whiteland Township Code of Ordinances, being the uses permitted in the Office/Residential District, is hereby amended by the addition of the following subsections:

- (10) Retail Store/Trade, provided that no part of any structure related to such use shall be farther than 750 feet from the intersection of the centerlines of Lincoln Hwy. and Ship Rd. Vehicle fueling stations are permitted only as a component of a convenience store.

**Section 3.** Sub-section 325-15.1.D(3) of Chapter 325, “Zoning,” of the West Whiteland Township Code of Ordinances is hereby renumbered as Sub-section 325-15.1.D(4).

**Section 4.** Sub-section 325-15.1.D of Chapter 325, “Zoning,” of the West Whiteland Township Code of Ordinances, is hereby amended by the addition of a new Subsection (3) as follows:

- (3) High-density single-family option.

Tracts with a gross tract area of forty (40) acres or more shall be eligible for development under the high-density single-family option. This option allows eligible tracts to be developed with a combination of single-family detached dwellings, two-family dwellings, and townhouse dwellings in accordance with the following regulations.

- (a) Minimum gross tract area: 40 acres.
- (b) Maximum building coverage: 25% of net tract area.
- (c) Maximum impervious coverage: 65% of net tract area.
- (d) At least one-third of the proposed dwelling units shall be single-family detached dwellings, which shall comply with the following regulations:
  - [1] Minimum lot size: 7,000 square feet.
  - [2] Minimum lot width at the building line: 70 feet.
  - [3] Minimum front yard: 20 feet.
  - [4] Minimum side yard: 5 feet; however, no portion of any single-family detached dwelling shall be closer than 15 feet to any portion of any other single-family detached dwelling.

- [5] Minimum rear yard: 25 feet. Covered decks that are not permanently enclosed and patios shall be permitted to project a maximum of 10 feet into the rear yard.
- [6] Maximum structure height: 35 feet.
- (e) Not more than two-thirds of the proposed dwelling units shall be two-family or townhouse dwellings, which shall comply with the following regulations:
  - [1] Two-family and townhouse dwelling units may be placed on individual lots with front and rear yards, on individual building footprint lots, or developed as condominium units under the Pennsylvania Uniform Condominium Act provided that twin and townhouse dwelling development is consistent with the area and bulk regulations below.
  - [2] Minimum building setback:
    - [a] From Lincoln Highway: 150 feet.
    - [b] Whitford Road: 75 feet.
    - [c] From all other public streets: 25 feet.
    - [d] From private streets: 10 feet.
    - [e] From tract perimeter where the perimeter is not defined by a street or otherwise provided for above: 40 feet.
  - [3] Minimum building separation: 30 feet.
  - [4] Maximum structure height: 40 feet, but not more than three stories above grade.
- (f) Minimum permanent open space: 30% of gross tract area.

Lands within road rights-of-way or within any residential lot for private ownership shall not be counted toward this requirement. Environmentally constrained lands and lands within other types of right-of-way may count toward this requirement; however, this section shall not be interpreted to supersede §281-47 of the Subdivision and Land Development Ordinance, so if the permanent open space fails to satisfy the minimum requirements of that section, the Developer may still be subject to payment of a fee in lieu of open space for the unmet portion.

The distance from a residential lot to a permanent open space area shall not exceed 300 feet.

- (g) As a minimum, sidewalks shall be provided on one side of all streets, except that sidewalks shall not be required along Lincoln Highway if an alternative means of pedestrian access satisfactory to the Township is provided through the development to connect to existing streets on the perimeter of the tract.

**Section 5.** Sub-section 325-28.2.A of Chapter 325, “Zoning,” of the West Whiteland Township Code of Ordinances, regarding the locations where vehicle fueling stations may be permitted, is hereby amended to read as follows:

- A. Vehicle fueling stations are permitted only in the Office/Residential (O/R) and Town Center (TC) zoning districts on lots that have direct vehicular access to either Lincoln Highway (also known as Business Route 30) or to Pottstown Pike and subject to any further restrictions imposed by the regulations for the said districts and other Township Ordinances. The principal point of access to the vehicle fueling station shall be from either Lincoln Highway or Pottstown Pike, although secondary access from another street may be permitted.

**Section 6.** Section 281-26 of Chapter 281, “Subdivision and Land Development,” of the West Whiteland Township Code of Ordinances, being Street Alignment, is hereby amended by the addition of a new Subsection E as follows:

- E. The following street design standards shall apply solely to projects designed in accordance with the high-density single-family option, pursuant to §325-15.1.D(3) of the West Whiteland Township Zoning Ordinance.
  - (1) The minimum center line radius for horizontal curves for streets shall be 50 feet.
  - (2) Tangents of at least 10 feet shall be required between reverse curves in streets.
  - (3) Streets entering from opposite sides of another street shall either be directly across from each other or offset by at least 100 feet measured from the center line.
  - (4) No center line of any driveway shall be closer than 40 feet to the center line of the road; however, no center line minimum shall be required for a driveway serving a townhouse unit from an alley.

**Section 7.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance.

**Section 8.** This Ordinance shall take effect and be in force five (5) days from the date of enactment.

**ENACTED AND ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

**BOARD OF SUPERVISORS  
WEST WHITELAND TOWNSHIP**

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Theresa Santalucia, Chair

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Michele Moll, Vice Chair

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Beth Jones, Member

ATTEST:

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Mimi Gleason, Township Manager