

**WEST WHITELAND TOWNSHIP**  
**Planning Commission**  
**Agenda**  
**Tuesday, October 6, 2020**  
**7:00 P.M.**

**Meeting will be held virtually via Zoom**

**CALL TO ORDER**

**REVIEW OF MEETING MINUTES**

1. Approval of Meeting Minutes: September 15, 2020

**PUBLIC COMMENT/CONCERNS/QUESTIONS**

**PLANS**

1. Boot Road Storage  
Address: 200 King Rd.  
First Review: Subdivision  
Request: Lot line change from one to two parcels to fulfill Conditional Use approval
2. Weston Tract  
Address: 1400 Weston Wy.  
Second Review: Sketch Plan  
Request: Construction of 76 single-family homes.

**NEW BUSINESS**

1. Township Local Economy Presentation

**ANNOUNCEMENTS**

**ADJOURNMENT**

**Next Meeting:** October 20, 2020

Option 1:

Click this link to register: [https://us02web.zoom.us/meeting/register/tZMvduCqrD0tG9fm7e8\\_7q-CUh\\_HnSOd4CT8](https://us02web.zoom.us/meeting/register/tZMvduCqrD0tG9fm7e8_7q-CUh_HnSOd4CT8)

Use your phone and call +1-646-558-8656. When asked, enter the Meeting and Password.

[Virtual Meeting Etiquette](#)

[Zoom Instructions](#)

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# MEMORANDUM



**DATE:** October 2, 2020  
**TO:** Planning Commission  
**FROM:** John R. Weller, AICP  
Director of Planning and Zoning

**SUBJECT:** **Boot Road Storage / Lexington, Ltd.**  
Subdivision plan

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**APPLICANT:** BNP Boot Road, LLC  
c/o Richard A. Bates  
P.O. Box 1454  
Exton, PA 19341

**SITE ADDRESS:** 200 King Rd.  
Exton, PA 19341

**TAX PARCEL:** 41-5-271

**ZONING:** R-3, Residential

**DESCRIPTION:** Subdivision to provide an existing dwelling on a commercial property with its own lot.

**EXPIRES:** December 13, 2020

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## Background

The subject property is the site of Extra Space Storage, a self-storage facility at the intersection of Boot and King Rds., near the Exton Station residential community and directly across the road from the West Chester Gun Club property. The existing irregularly shaped lot covers 6.2 acres and includes an existing single-family house fronting Boot Rd. in addition to the much larger self-storage operation, which has access from King Rd. The property has some man-made steep slopes between the storage buildings, but there are no FEMA-designated floodplains, special flood hazard areas, or any other environmental constraints.

On April 25, 2000, the Board of Supervisors approved the conditional use application of Lexington, Ltd. for the construction of a self-storage facility on this lot. At the time of application, there were two buildings fronting Boot Rd. on the property. The western building, since demolished, was a garage with an apartment on the second floor; the remaining eastern building is a single-family detached dwelling. Condition 2 of the Decision and Order (D&O) approving the conditional use stipulated the demolition of the western building and the creation of a separate, conforming lot for the eastern building following the approval of the land development plan for the self-storage facility. The Board approved the final land development plan on October 17, 2000, and the facility built as we see it today.

Single-family detached dwellings are permitted by right in the R-3 Residential zoning district, pursuant to §325-11.B(1) of the West Whiteland Township Zoning Ordinance (Zoning). The

drawing features the area and bulk standards for the R-3 district; however, it appears that the residence has (and will continue to have) on-site water supply and sewage disposal, so the applicable standards are those of the R-1 district, as per §325-11.C(10)(a) of the Zoning. Even so, we note that the proposed lots both appear to satisfy the R-1 requirements. Although no information is provided about the size of the dwelling, the scale indicates that the building coverage for Lot 1 will be between 5% and 6% and impervious cover will be approximately 6½% - both well within the limits allowed by the Zoning and Condition 1 of the D&O. The dwelling does not comply with the front yard setback requirement, but this is an existing condition that is not affected by the proposed subdivision, so no relief is required. Condition 2 of the D&O allowed the developer to include the lot area for the single-family dwelling when calculating the coverages for the self-storage facility, as noted on the drawing. While the creation of the new lot will therefore not affect the coverage figures for Lot 2, the drawing should show the existing buildings - or at least those nearest the proposed property line - in order to confirm that the proposed subdivision will not create any violation of the setback requirements relative to the existing buildings on that lot.

Tonight is the Applicant's first presentation to the Commission.

### **Consultant Reviews**

Since the plan proposes only a subdivision and no physical improvements, Staff found no reason to request reviews from any of our consultants. The County Planning Commission is still required to review the plan, but we have yet to receive their comments; the review period mandated by the Municipalities Planning Code will expire around October 16, 2020. The Township may not act on the plan until the County comments are received or the review period expires, whichever comes first.

### **Staff Comment**

While this appears to be a simple and straightforward plan, Staff has several concerns.

- As noted above, the drawing does not show the applicable Zoning provisions, and the plan does not show the correct setbacks. Regardless, Lot 1 appears to comply with the applicable Zoning standards, but it is not possible to make such a determination for Lot 2 since the plan does not show the existing structures on that part of the site.
- It appears that the well serving Lot 1 will be on Lot 2.
- No sidewalks are shown, as required by §281-31 of the Subdivision and Land Development Ordinance. Staff notes that the Township's Bicycle and Pedestrian Plan and Official Map call for sidewalks along the entire Boot Rd. frontage as well as the King Rd. frontage between Boot Rd. and Bonnie Blink Dr. Since the Applicant does not own a significant portion of the King Rd. frontage, Staff suggests that sidewalks be required along the Boot Rd. frontage and then along King Rd. as far as the storage facility driveway. Rather than require construction of a short sidewalk segment along the King Rd. frontage leading to Bonnie Blink Dr., Staff suggests it would be preferable to have the Applicant make a contribution to the sidewalk fund equivalent to the construction cost of that segment, pursuant to Township practice. The Commission may wish to discuss this point with the Applicant.

Until the Applicant can confirm that both proposed lots will comply with the Zoning and that Lot 1 will be guaranteed access to their well, Staff suggests that action on this plan is

premature. Finally, the Commission should note that this property is within the Transportation Service Area, but since there will be no new construction or additional use of the property, there is no basis for payment of a traffic impact fee. Similarly, there is no basis for requiring any additional permanent open space or a fee in lieu of such space.

### **Attachment**

1. Plan by Edward B. Walsh & Associates, Inc. dated July 15, 2020, no revision date.

Plans\JKLM\Lexington\PC memo 201002

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# MEMORANDUM



**DATE:** October 2, 2020  
**TO:** Planning Commission  
**FROM:** John R. Weller, AICP  
Director of Planning and Zoning  
**SUBJECT:** **Weston Property**  
Sketch plan

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**APPLICANT:** U.S. Home Corporation / Lennar  
610 E. Baltimore Pk., 3<sup>rd</sup> fl.  
Media, PA 19063

**SITE ADDRESS:** 1400 Weston Way  
West Chester, PA 19380

**TAX PARCELS:** 41-6-77, 41-6-80, 41-6-81, 41-6-82, 41-6-83, 41-6-84,  
41-6-87, 41-6-88.2, and 41-6-88.2A

**ZONING:** O/L, Office/Laboratory

**DESCRIPTION:** Construction of 75 single-family detached dwellings on  
a tract consisting of nine parcels with a total gross  
area of approximately 54 acres.

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## Background

The subject property is an office campus owned by Weston Solutions, an environmental consulting and engineering firm. The 54-acre site is bounded by King Rd. on the north (the principal point of access), on the west by the US Route 202 expressway, and by residential neighborhoods on the south and east. These residential areas are characterized by single-family homes on lots ranging in size from about two-thirds of an acre up to one acre. The existing improvements include office buildings, parking lots, and three historic structures:

- Morstein manor house, near the southeastern corner of the tract - Class II, Township Site #001
- Morstein Station, at the southwest corner of King Rd. and Weston Way - Class I (listed on the National Register of Historic Places), Township Site #003
- Morstein Gatehouse, 1401 Lewis La. - Class II, Township Site #004

There are no significant steep slopes or floodplains on the property; the northern section is heavily wooded. As shown on the plan, two pipeline rights-of-way cross the tract.

The Commission will recall that we have seen several sketch concepts for this site, all of them for residential development of some kind, which is not currently permitted at this location. On June 16, 2020, the Applicant presented a concept to the Commission showing

104 single-family dwellings. While the Commission agreed that residential development may be appropriate for this site, there were concerns about the density of what was proposed. The Applicant returned for a brief discussion on August 4, 2020 with a revised sketch similar to what we see tonight with 75 new single-family dwellings (plus an additional dwelling in the historic Gatehouse building), larger lots, and a wider buffer from the existing homes along Amstel Way and Tulip Dr. While the Commission agreed that this design was an improvement, it was noted that the project would still require an amendment to the Zoning Ordinance and that neighboring residents have already expressed concern about the future of this property. The Commission recommended that the Applicant meet with the neighbors separately to discuss their concerns and how they might be resolved.

The Applicant convened a virtual meeting (via Zoom) with the nearby residents on September 10, 2020; Commission member Ray McKeeman (who is also lives near the property) and Township Planner Justin Smiley were also in attendance. The following morning, Matt Caffrey of Lennar reported to Staff that he thought the meeting was productive and he was generally encouraged. He noted that the neighbors' principal concern appeared to be the impact of stormwater runoff. Changing the use to residential appears to be less of an issue, as the prevailing opinion seems to be that continuing the office use is neither feasible nor desirable. Mr. McKeeman and Mr. Smiley confirmed Mr. Caffrey's summary. At the Planning Commission meeting on September 15, 2020, Mr. McKeeman reported that the residents responded positively to other aspects of the design, including the accommodation for the historic Mansion building, additional buffers and open space, and the trail system.

The attached concept is the same as what was presented to the neighboring residents on September 10. Seventy-five new single-family detached homes are proposed on lots ranging from 7,800 sq.ft. (0.18 acre) to 19,368 sq.ft. (0.44 acre); the historic Gatehouse building will also be retained as a single-family dwelling on a 11,590 sq.ft. lot. The design retains the historic Mansion and Train Station buildings as well as the non-historic farmhouse at the northeast corner of the lot, but no use is indicated for any of these buildings. With 76 dwellings, the project will have a gross density of about 1.4 dwelling units per acre. Weston Way will remain the principal point of access to the site, with a secondary access to Old Phoenixville Pk. at roughly the same location as an existing driveway.

As noted above, this property is in the O/L - Office/ Laboratory zoning district, which does not allow residential use. Furthermore, this design is not consistent with any existing residential zoning district in the Township, the table of area and bulk regulations in the lower right corner of the plan notwithstanding. These (apparently) recommended regulations are substantially similar, but not identical, to the high-density single family option allowed in the O/R - Office/Residential zoning district by §325-15.1.D(3) of the West Whiteland Township Zoning Ordinance (Zoning).

Sketch plans are not a required step in the development process, so Applicants have the option of having one or more of our consultants review the plan or proceeding with just a Staff review. The Applicant requested reviews by Spotts, Stevens and McCoy and Theurkauf Design and Planning for the prior design, but not this one, so only Staff comments are provided here.

### **Staff Comment**

Staff is of the opinion that the present design is a clear improvement over the previous versions. As stated by Mr. McKeeman in his report to the Commission on September 15, there are fewer units, more open space, larger buffers from the existing residences, and the

historic structures are incorporated more suitably. We offer the following observations for your consideration:

- As before, we are glad to see that the wooded areas along King Rd. will be preserved as well as the existing farmhouse on the east side of Weston Way.
- We appreciate that the Applicant is taking advantage of the pipeline easement to create a green corridor with a walking trail. We suggest that the Applicant explore the possibility of making this corridor wider and more prominent - a true centerpiece for the community and more appropriate for this area than a “village green” concept. Given the wide range of lot sizes, it appears that this could be done without reducing the total number of dwelling units.
- While the Gatehouse has been integrated into the design, the future use(s) of the other structures to remain is not shown. Staff strongly supports conversion of the Mansion into apartments, and the other buildings could either be residential or some other use accessory to the community. The Applicant should advise as to what they are considering as this would affect the total number of dwelling units on the site and thereby the content of any Zoning amendment we may consider.

If the Commission decides to support a Zoning amendment to accommodate this project, there are at least two options to consider.

- Based upon the previous office use and the similarity of this design to the existing high-density single family option, we could rezone the tract from O/L to O/R. This would be consistent with the office use while allowing residential development similar to what the Applicant is showing here, including the potential conversion of the Mansion into a multi-unit residence. Of course, because the O/R district allows multi-family residences, there would be the potential for a different developer to propose a project less suitable for this neighborhood than what we see here.
- Rezoning this tract from O/L to R-1 would be consistent with the surrounding residential areas would assure compatible development even if this Applicant decides not to pursue this project. The R-1 regulations already permit cluster-type residential development, and while the Applicant’s design is not consistent with the current cluster regulations, it would be simpler to amend those regulations than to create a new set of regulations for this project.

Should the Applicant wish to pursue this project, the next step would be for them to submit an application for a Zoning Ordinance amendment.

## Attachments

1. Sketch plan dated March 16, 2020, plotted July 10, 2020.

<https://westwhitelandtownship.sharepoint.com/sites/ProjectPortal/Weston SKP/Project Documents/Weston SKP PC memo 201002.docx>

# MEMORANDUM

**TO:** Planning Commission  
**FROM:** Beth Jones, Finance Director  
Mimi Gleason, Township Manager  
**SUBJECT:** The Local Economy  
**DATE:** October 2, 2020

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While there is not unemployment or GDP data specifically for West Whiteland, we do have information that provides some indication about how our local economy is doing. With the Planning Commission's role in planning for the future of Exton Crossroads and the upcoming ULI technical assistance panel in mind, we are sharing the information we have on the following pages as context for your future discussions.

The information stems from Township tax collections and federal unemployment data by zip code. The tax collection is specific to West Whiteland, but not necessarily reflective of the total economic reality of the residents and businesses here due to the limited nature of local taxes. The unemployment data for West Chester and Exton includes residents who live outside of West Whiteland and excludes the small areas in the Township with Malvern and Downingtown zip codes, but it still provides a high level estimate of how many residents in the community are unemployed.

The tax data summarizes the major revenue sources of the Township's general fund along with a brief discussion of how COVID-19 is impacting the budgeting process and revenue streams. Unsurprisingly, COVID-19-related *uncertainty* is impacting our 2020 projections (and our 2021 budget), driving us to a *very conservative approach*. We may get September data in before the PC meeting, in which case we will provide updated numbers to you at the meeting.

Even with our current conservative projections, 2020 revenue is higher than we expected following the shut down earlier this year. West Whiteland's relative affluence probably explains the relatively small decrease in earned income tax – about 70% of receipts come from residents, many of whom have jobs that allowed them to work from home this year. However, given the large retail presence in the Township, it is surprising that the local service tax (paid only by people who work in West Whiteland) is holding up as well as it is. The biggest difference compared to last year is in tax receipts from the sale of properties (transfer tax) and building permits, but both of those categories are rebounding now.

While unemployment is up, we are trending better than the national unemployment rate of 8.4% and the state unemployment rate of 10.3%, both from August of this year.

## Types of General Fund Revenue

The graph (right) illustrates the general fund revenue sources. Below are definitions of the main general fund sources.

There are other revenue sources, example – cable TV franchise tax, but these sources are smaller than the five sources listed below which, when combined, account for approximately 75% of all general fund revenue (not including transfers from other WWT funds).

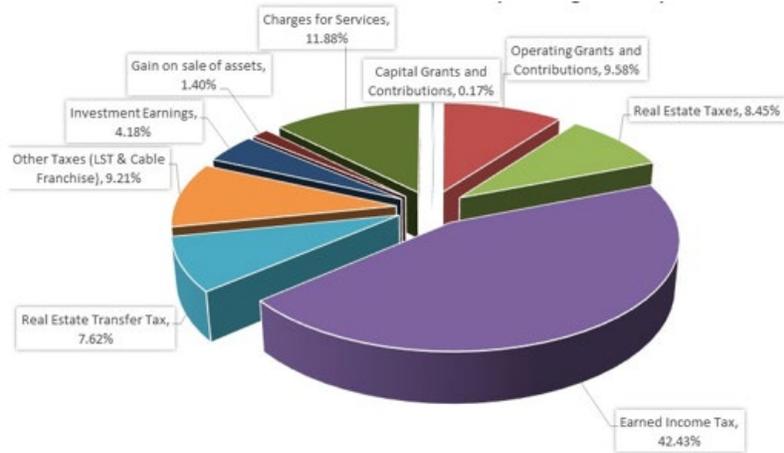


Figure 1: 2019 Revenue Sources, from audited annual finances

**Earned income tax (EIT):** paid by WWT residents who work and those non-residents who work in WWT whose home municipality does not have an EIT. In general, for every \$100,000 in earnings, WWT receives \$500 in taxes.

**Local services tax (LST):** \$52/year paid by all employees in WWT who earn more than \$12,000 annually. Some exceptions apply.

**Property/real estate tax:** paid annually by property owners based on the mileage rate (set by WWT BoS) and the property's value (determined by the Chester County Tax Assessment Office). This is the only tax that the WWT BoS can raise/lower. All other taxing rates are set by the state. West Whiteland's property tax rate is very low and leads to smaller property tax bills compared to surrounding Townships. Almost all residents are paying \$250/year or less, some considerably less. Example – a property with a current market value of approximately \$450,000 and an assessed value of \$178,000 pays \$127/year in WWT property taxes.

**Real estate transfer tax:** paid at the time a piece of real estate in the Township changes owners. The amount is based on 0.5% of the price of the sale.

**Permit fees<sup>1</sup>:** paid at the time a permit is applied for. Amount of a permit varies depending upon the permit type and the cost of the project(s) included in the permit application.

	EIT	LST	Property tax	R/E transfer tax	Permit fees
2017A	\$5,817,094	\$918,738	\$1,072,944	\$1,792,813	\$483,935
2018A	\$5,809,599	\$896,709	\$1,057,126	\$790,877	\$2,140,667
2019A	\$6,082,048	\$907,565	\$1,085,110	\$1,095,376	\$1,123,420
2020B	\$6,250,000	\$905,000	\$1,191,000	\$950,000	\$1,000,000
2020P (actuals as of end of Aug 2020 + projections Sept-Dec)	\$6,037,500	\$894,000	\$1,172,000	\$600,000	\$741,000
Difference (2020B & 2020P)	(\$212,500)	(\$11,000)	(\$19,000)	(\$350,000)	(\$259,000)
% Change (2020B v. 2020 P)	-3%	-1% <sup>2</sup>	-2%	-37%	-26%

<sup>1</sup> Permit Fees are represented in the "service fees" section of the pie graph and represent the majority of the revenue in that 'slice of the pie'.

<sup>2</sup> An \$11,000 difference equates to about 211 few people working in West Whiteland v. 2019