



MEMORANDUM

TO: Planning Commission
FROM: John R. Weller, AICP
Director of Planning and Zoning
SUBJECT: Weston Tract re-zoning
DATE: September 13, 2024

Background

In 2023, we discussed the zoning of the Weston Tract at length in response to a development proposal from the Willow Hill Development Group. In September of that year, the Commission recommended approval of an amendment to the Zoning Ordinance and Map that would have changed the zoning district from Office/Laboratory (O/L) to R-1 Residential and also amended the R-1 district regulations to accommodate the Willow Hill project. Following a public hearing on October 25, the Board of Supervisors voted against those changes; however, in the course of the hearing, a number of residents expressed opposition to the Willow Hill project (due to the almost entirely to the number of proposed dwellings), but quite a few stated that they supported the map change to R-1.

The Commission continued to discuss the matter, and at the Board of Supervisors' meeting on July 10, 2024 formally requested the Board direct them to prepare an amendment of the Zoning Map consistent with the provisions for amendment found in §325-125 of the Zoning Ordinance. The Board agreed, but other business has prevented us from moving forward on this direction until now.

PLEASE NOTE: The next three sections are repeated from a December 2023 Staff memo to the Planning Commission. They are included both as a refresher and to provide background to the newest members of the Commission. New text resumes at the "Next Steps" section.

History of the Weston Tract

The property now owned by Weston Solutions comprises nine contiguous tax parcels with a total area of about 54 acres along the south side of King Rd. east of the US Route 202 expressway. For the proposed re-zoning, Staff added seven lots not owned by Weston that were also zoned O/L so that the Zoning Map amendment would have re-zoned the entire O/L zone south of King Rd. to R-1. Those additional lots had a total area of about 3.7 acres and were mostly in residential use and therefore not in compliance with the O/L regulations. The total area was shown on an Exhibit prepared by Staff for the hearing, which is attached.

Roy F. Weston, Inc. opened for business in 1957, but it appears that they did not occupy the King Rd. site until sometime between 1966 and 1974. At its peak, their offices occupied the historic Morstein Mansion, a modern addition to the mansion, the nearby historic stable com-

plex, two large stand-alone office buildings, and several smaller out-buildings. Now called Weston Solutions, the company website states that they still occupy the property, but to a lesser extent than in the past.

The Township's first Zoning Ordinance was adopted on March 4, 1957. That Zoning Map included the Weston Tract¹ in the R-1 Residential zoning district. The designation remained unchanged until the comprehensive re-zoning in 1974, when the Tract was included in the Office Laboratory district (then abbreviated P-1) due to the presence of the Weston operation. All Zoning Maps since then have included the Tract in a district that accommodated Weston by right, up to and including today's O/L designation.

In March 2022 the Township amended the Future Land Use portion of the Comprehensive Plan to include the entire Tract in the Low Density Residential (LDR) category, matching all the surrounding property south of King Rd. The Plan text defines this a residential development with a maximum density of two dwelling units per developable acre² (du/ac). The text also states that most of this development would be in the form of single-family detached homes, but accessory dwelling units and attached homes (i.e., carriage houses, townhouses) "may be appropriate in some settings."

Tract Description

The developed portion of the Weston campus is at the southeastern corner of their property; most of the remaining land is wooded such that the Weston buildings are not visible from either King Rd. or Route 202. Most of the land is gently to moderately sloping with the steepest areas being along the southern edge, adjacent to the homes along Amstel Way. There are no FEMA-designated floodplains on the Tract.

The principal access to the campus is Weston Way, a private street that intersects King Rd. along the north side of the Tract, across from the Johnson Matthey campus. There is a well-hidden secondary access to the west side of the campus via Lewis La., which leads to Old Phoenixville Pk. Old Phoenixville also provides access to the non-Weston lots in the Tract. There is a potential third access along the east side of the campus via Whiteman Way in the Mill Valley community. At this time, the improved portion of Whiteman ends at the Weston property line, where a wooden post-and-beam fence prevents vehicle access, although it has a gap that appears to accommodate pedestrians. On the Weston side of the fence, there is a short stretch of broken asphalt pavement between the fence and Weston Way.

Two pipelines traverse the campus: an Energy Transfer (Sunoco) pipeline crosses the center of the site diagonally in a north-south direction, and a Williams Transco pipeline runs parallel to the east side of Weston Way.

¹ For the purposes of this memo, the term "Weston Tract" or "Tract" refers to the entire area outlined on the Exhibit, both the Weston campus and the seven smaller properties not owned by Weston.

² The term "developable acre" appears in a number of Township ordinances. Developable acreage excludes rights-of-way, easements, FEMA-designated floodways and 1% flood hazard areas (aka, the 100-year floodplain), wetlands, and slopes in excess of 25%.

The Township has identified the following historic features on the Tract:

- The Morstein Mansion complex, which includes the following five designated resources and one non-contributing resource.
 - Site No. 1.01, Morstein Mansion – The principal building of the complex and used as offices by Weston.
 - Site No. 1.02, Stable Complex
 - Site No. 1.03, Whiteman House
 - Site No. 1.04, Morstein Gatehouse – Located along Lewis La. near Old Phoenixville Pk.
 - Site No. 1.05, gates and gateposts at Lewis La. entrance from Old Phoenixville Pk.
 - Site No. 1.06, shed adjacent to Site 1.04 – This is the non-contributing resource.
- Site No. 3.01, Morstein Station – Meticulously restored train station along the long-gone West Chester branch of the Pennsylvania Railroad, which ran parallel to King Rd. in this area. The station is a designated resource and the only one listed here that is on the National Register of Historic Places.

Zoning and Development Options

OPTION 1: DO NOTHING

Under the current O/L zoning designation, the property can be used by right for office buildings, medical services, research and development facilities, facilities for the care of animals, and uses allowed by the Institutional Overlay district. Day care facilities and fitness facilities are permitted by conditional use. Note that conditional use review is also required for any land development that proposes a non-residential use that will occupy more than 20,000 sq.ft. of floor area, even if that use is permitted by right.

The following institutional uses are permitted on lots of at least 4 acres (unless a larger minimum lot size is indicated below) that are connected to both public sewerage and water supply, pursuant to Article X of the Zoning Ordinance:

- Places of worship, including any accessory residential accommodations
- Colleges and universities, including any accessory residential accommodations
- Convents and monasteries
- Institutional headquarters for educational, fraternal, professional, religious, or other non-profit organization
- Hospitals, clinics, sanitarium, and philanthropic institutions
- Institutions for the care of the aged or children
- Schools and other educational facilities
- Municipal buildings and uses
- Camps, recreational facilities, and open space preservation areas

- Libraries
- Cemeteries (10 acre minimum lot size)
- Licensed nursing or convalescent home
- Life-care³ and personal care⁴ living facilities for senior citizens
- Conference center, which may include a hotel, restaurant(s) or other dining facilities, and recreational facilities (25 acre minimum lot size)
- Active adult community

As above, conditional use review would be required for these uses if they involve a land development plan that will add 20,000 sq.ft. or more of non-residential floor space or fifteen or more dwelling units.

The following uses are permitted in the O/L district by right (BR) or by conditional use (CU) only within a Township-designated historic structure. For some of these uses, the Zoning Ordinance specifies additional requirements.

- Single-family dwelling (BR)
- Home occupation as an accessory to a dwelling (BR)
- Apartments (CU)
- Cultural facilities, defined as a museum, art gallery, botanical garden, or zoo that is “not operated commercially” (BR)
- Bed-and-breakfast as an accessory to a single family dwelling (BR)
- Hotel (CU)
- Restaurant and/or bar (CU)
- Uses permitted in the Neighborhood Commercial district (CU). Some of these uses are already allowed by the O/L regulations or are in the preceding list. Other uses permitted only by this provision are retail sales and services (maximum of 12,000 sq.ft. of floor space) and banks and related financial institutions.
- Combinations of the above (CU)

OPTION 2: RE-ZONE TO R-1 RESIDENTIAL

The R-1 district is the most restrictive in the Township. By-right uses are limited to agriculture, publicly owned recreational facilities, and single-family detached dwellings (including group homes and home occupations); the Institutional Overlay district DOES NOT apply here. Re-zoning to R-1 is consistent with the Comprehensive Plan.

³ Same as a continuing care retirement community, which includes a range of care options from fully independent living to assisted living and memory care, but typically excludes full-time nursing care.

⁴ Short-term assisted living or rehabilitation facility, defined by the Pennsylvania Department of Health as a facility that provides care for at least 14 days, but is not considered a “long-term care facility.”

The base provisions require a minimum lot size of one developable acre for a residential lot, but §325-26 of the Zoning provides two design alternatives.

- **Lot averaging** is allowed for tracts of five acres or more. Only single-family detached homes are permitted. Individual lots may be as small as 22,000 sq.ft. (0.51 acre), but the average (mean) size of all the lots in the community must be at least 1.00 acre. All lots must be served by public sewerage and water supply. Lot averaging is allowed by right; conditional use review is required only if the project proposes fifteen or more new dwellings.
- **Cluster development** is allowed on tracts of 25 acres or more. This option also allows only single-family detached homes on lots of at least 22,000 sq.ft., but instead of requiring larger lots to create a larger average size, the project must include permanent open space: a minimum of 30% of the developable acreage must be set aside in this way. There is also a slight density bonus: anyone wishing to use this option must first prepare a “yield plan” of their site showing how many 1-acre lots could be accommodated. Cluster designs are entitled to a 20% bonus in the number of dwellings shown on the yield plan. Ryerss Hunt along the north side of King Rd. is the largest R-1 cluster community in the Township. While nominally allowed by right, the minimum tract size all but guarantees that there will be at least fifteen new dwellings, which triggers the conditional use review requirement.

The following uses are permitted in the R-1 district by right (BR) or by conditional use (CU) only within a Township-designated historic structure. For some of these uses, the Zoning Ordinance specifies additional requirements.

- Apartments (CU)
- Professional and business offices (CU)
- Cultural studios, defined as the place of work for an artist, photographer, artisan, musician, dancer, and similar vocations (CU)
- Cultural facilities, defined as a museum, art gallery, botanical garden, or zoo that is “not operated commercially” (CU)
- Bed-and-breakfast operation as an accessory to a single family dwelling (BR)
- Hotel (CU)
- Restaurant and/or bar (CU)
- Combinations of the above (CU)

In addition to these uses, §325-91 of the Zoning allows additional lots in cluster developments where those lots accommodate a “historic resource to be preserved as part of the development plan.”

OPTION 3: RE-ZONE TO R-2 RESIDENTIAL

The uses allowed in the R-2 district are nearly identical to the R-1 district. The principal difference is that a higher density is allowed: single-family detached homes are allowed

on lots with at least 22,000 sq.ft. (0.51 acre) of developable acreage. This density is still consistent with the Comprehensive Plan as it works out to 1.98 du/ac.

Neither lot averaging nor cluster development are allowed in the R-2 district. Instead, the "carriage home cluster" option is allowed by conditional use on tracts of at least twenty acres. This option allows carriage homes (townhouse-type attached units with no more than three dwellings per structure) at a maximum density of 2.1 du/ac. At least 60% of the tract must be set aside as common open space. Woodledge (across Lincoln Hwy. from the main entrance to Oaklands Corporate Center), Waterloo Reserve, and the Reserve at GlenLoch are all examples of carriage home cluster communities. Woodledge includes the historic Woodledge manor house, which was preserved by taking advantage of the bonus for historic structures described above.

Like the R-1 district, the Institutional Overlay district provisions cannot be applied in the R-2 district; uses allowed in historic structures are the same as for the R-1 district.

Next Steps

While all the preceding options are valid, Staff favors the re-zoning to R-1, based upon our past informal discussions and the comments from neighboring residents during the October 2023 hearing and the meetings leading up to that hearing. Staff contacted a Weston representative via e-mail on August 29 to advise that the Commission would be discussing re-zoning of the Tract tonight. Weston's Director of Corporate Real Estate, William MacFarland, responded by stating that they had no questions; we are not expecting any Weston representation at tonight's meeting.

According to §325-125.A of the Zoning Ordinance, the amendment process begins with the Board of Supervisors passing a resolution fixing a time and place for a public hearing on the proposed change. Should the Commission come to agreement on a Zoning Map change tonight, you should pass a motion stating the recommended change and requesting the Board to pass the resolution to set the time and place of the public hearing. Please note that there are specific advertising requirements for a change to the Zoning Map, and – as we did in 2023 – it is our intent to send letters to the owners of each of the affected properties to advise them that their property may be re-zoned. For this reason, we suggest that any such motion not include any specific date. We offer the following draft language for your consideration:

SUGGESTED MOTION: To request that the Board of Supervisors pass a resolution setting the time and place of a hearing to present and to receive public comment regarding an amendment to the Township Zoning Map that would change all of the lands south of King Rd. that are currently zoned O/L Office/Laboratory to (new district), pursuant to the requirements of §325-125.A of the Zoning Ordinance.

Attachments

1. Zoning Map highlighting the Weston Tract (Exhibit A from the amendment hearing), dated October 2023.