

*This meeting is being audio recorded for public record*

**A G E N D A**

Borough Council Worksession  
October 15, 2019 @ 7:00 PM  
401 East Gay Street  
West Chester, PA 19380

**Borough Council Members:**

Diane C. LeBold, President	President, 2 <sup>nd</sup> Ward	Term Expires: 2019
Michael Galey, Esquire	Vice President, 3 <sup>rd</sup> Ward	Term Expires: 2021
William J. Scott, Esquire	Member, 1 <sup>st</sup> Ward	Term Expires: 2021
Michael Stefano	Member, 4 <sup>th</sup> Ward	Term Expires: 2019
Donald Braceland	Member, 5 <sup>th</sup> Ward	Term Expires: 2021
Bernie Flynn	Member, 6 <sup>th</sup> Ward	Term Expires: 2019
Denise Polk, Ph.D.	Member, 7 <sup>th</sup> Ward	Term Expires: 2021

**Mayor:** Dianne Herrin

**Borough Manager:** Michael A. Perrone, C.B.O.

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**Borough Council Meeting:**

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Comments, suggestions, petitions by residents in attendance regarding items that are not on the agenda

**Public Works Committee**

- 4) Approve the sale of the 2005 Mack Trash Truck and Kohler Diesel generator through MunicuBID

*Committee Recommendation 3-0*

**Parking Committee**

- 5) Authorize the Solicitor to prepare an ordinance to remove the handicap parking space at 114 West Barnard Street (*attachment*)

*Committee Recommendation 2-0*

- 6) Approve a one-year extension of the Hannum Avenue parking lot lease agreement with the County of Chester (*attachment*)

*Committee Recommendation 2-0*

- 7) Approve changing the rate of the County of Chester monthly parking agreement at the Chestnut Street garage to \$90 per space (*attachment*)

*Committee Recommendation 2-0*

- 8) Approve free meter parking in the downtown on Saturday, November 30, 2019 for the celebration of Small Business Weekend (*attachment*)

*Committee Recommendation 2-0*

- 9) Approve the rate changes for the Chestnut and Bicentennial garages as follows, to become effective January 1, 2020 (*attachment*):

<b><i>Chestnut Street Garage:</i></b>		
Night & Weekend Rate	Monday thru Thursday 5 PM thru 8 AM	\$60/Month
	Friday 5 PM thru Monday 8 AM	
Day Rate:	Monday – Saturday 6:00 AM – 9:00 PM	\$90/Month
24/7 Rate:	Full Access 24/7/365	\$125/Month

<b><i>Bicentennial Garage:</i></b>		
Night & Weekend Rate	Monday thru Thursday 5 PM thru 8 AM	\$60/Month
	Friday 5 PM thru Monday 8 AM	
Day Rate:	Monday – Saturday 6:00 AM – 9:00 PM	\$95/Month
24/7 Rate:	Full Access 24/7/365	\$125/Month

*Committee Recommendation 2-0*

### **Public Safety, Events & Quality of Life**

- 10) Approve the County of Chester donation of a 2011 Ford F450 super duty crew cab XLT pick-up, 4 door MIRT truck and trailer

*Committee Recommendation 3-0*

- 11) Approve the request from the West Chester University Police Department to change the West Chester University homecoming parade route from West Rosedale Avenue to South Church Street; to temporarily close Sharpless Street from High Street to South Church Street; and, to temporarily post ‘No Parking’ on Sharpless Street between High Street and Church Street (*attachments*)

*Committee Recommendation 3-0*

### **Finance**

- 12) Approve advertising the 2020 Preliminary Budget and set a date of \_\_\_\_\_ (*to be determined*) to hold a Public Hearing to adopt the 2020 Budget (*attachments*)

*No Committee Recommendation*

- 13) Approve a budget modification in the amount of \$19,267 for a Graco Thermo Melter Marking Machine (*attachment*)

*Committee Recommendation 3-0*

## **Smart Growth**

### 14) Discuss Zoning Hearing Applications (*attachments*)

- a. ZHB #966 – 300 East Evans Street – Sharpless Works – Reinhold Residential / Amy McCall  
Applicant seeks variance relief from Signage Ordinance §112-83A (10) and §112-82, G (1).
  - i. Applicant seeks relief for internal illumination of site / property identification signs are two entry points;
  - ii. From the 2 sq. ft. requirement to allow 3 sq. ft. to identify the Leasing Offices of the facility;
  - iii. From the 2 sq. ft. requirement to allow 3.1 sq. ft. to provide direction to the Leasing Offices and Visitor parking and to illuminate one of two signs internally;
  - iv. From the 2 sq. ft. requirement to allow 7 sq. ft. to provide identification of the Parking Garage Entrance Identification and Naming, 3 locations.

*Committee Recommended 3-0 for further discussion of this application*

- b. ZHB #967 – 217 West Lafayette Street – Michael & Mary Kay O'Rourke  
Applicant seeks the following variances from the requirements of §112-21A to subdivide the Property into three (3) lots, construct two (2) semi-detached dwelling units that will front Lafayette Street and renovate the existing structure to be located on Lot 3 of the Property.
  - i. Applicant seeks a variance from the 2,500 sq. ft. minimum lot size for Lot 3 of the Property;
  - ii. A variance from the 10-foot minimum side yard for all three (3) lots at the Property;
  - iii. A variance from the 45% maximum building coverage for Lot 3 at the Property; and
  - iv. A variance from the 70% maximum impervious surface for all three (3) lots.

*No Committee Recommendation*

- c. ZHB #968 – 720 South New Street – Calvary Evangelical Lutheran Church  
Applicant seeks a special exception pursuant to §112-12.C(4) to permit the Property and the proposed pavilion thereon to be used for a religious use.

*No Committee Recommendation*

### 15) Authorize the Solicitor to draft an Ordinance to regulate Bamboo (*attachments*)

*Committee Recommendation 3-0*

### 16) Approve the amendments to the SALDO Ordinance and schedule a public hearing in December, 2019 (*attachments*)

*Committee Recommendation 3-0*

### 17) Approve the September 2019 HARB Certificates of Appropriateness (*attachments*)

- a) 2019-39: 116 East Gay St – Greg Radford / Avalon – Create new entryway for second restaurant to include transom surround and building mounted pin letters.
- b) 2019-41: 17 North Church St – 44 West Gay LLC / Adam Loew – Install blade sign on Gay St façade with new illumination and install building mounted sign between second and third floors on setback Gay St facing façade with no new illumination.

*Committee Recommendation 3-0 to approve HARB Certificate of Appropriateness Application (a)*

*Committee Recommendation 2-1 to approve HARB Certificate of Appropriateness Application (b)*

### 18) Approve September 17<sup>th</sup> and 18<sup>th</sup> 2019 Council Meeting Minutes

### 19) Other Business:

### ***Adjournment***

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***ITEMS ON OCTOBER 16<sup>TH</sup> AGENDA:***

***Public Hearing: 6:30 PM***

**Chapter 112 – Unified Mixed-Use Zoning Development**

An Ordinance of the Borough of West Chester, Chester County, Pennsylvania, amending Chapter 112 of the Code of the Borough of West Chester, entitled “zoning”, specifically amending Section 112-7 (definitions) to add definitions for “unified mixed use development” and “affordable housing”; amending Section 112-9 (zoning districts) to add Tax Parcel No. UPI 1-5-478 to the CS Commercial Service District; amending Sections 112-34 (CS Commercial Service District Purpose) and 112-35 (CS Commercial Service District Use Regulations), to provide for unified mixed-use development in the CS Commercial Service District and to create a subsection 112-35.D; and providing for severability, repealer and effective date.

In addition the Ordinance would re-zone the property at 501 East Miner St. currently owned by the Charles A. Melton Arts Education Center to CS Commercial Service District; allow a unified mixed-use development on properties in the CS District; define a unified mixed-use development to include affordable housing and a combination of community facilities or neighborhood amenities; specify appropriate area and bulk and parking requirements for such use.

***Public Hearings: 7:00 PM***

**Chapter 3: Anti-Discrimination**

An Ordinance of the Borough of West Chester, Chester County, Pennsylvania, amending Chapter 3, titled “Administrative Code” of the Code of the Borough of West Chester, to add a new Article IX and Section 3-39, titled “Antidiscrimination.”

**Chapters 77 & 104: Parking Program Residential and Vehicles & Traffic**

An Ordinance of the Borough of West Chester, Chester County, Pennsylvania, amending the Code of the Borough of West Chester, specifically, Chapter 77, titled, “Parking Program, Residential”, to amend Section 77-3.B(2)(a) to add the 50 block of South New Street to Residential Parking Permit Area B Monday through Friday, 8 a.m. to 12 a.m.; and to delete Section 77-3.B.(2)(d)[2]; Section 77-7.A “Parking Procedures for Permit Area G” to add 402 North Penn Street to Area G; and to amend Chapter 104, titled “Vehicles and Traffic,” Section 104-45 to add a handicapped parking space on the north side of the 500 block of East Rosedale Avenue.

**Chapter 94: Stormwater Management**

An Ordinance of the Borough of West Chester, Chester County, Pennsylvania, amending the Code of the Borough of West Chester, Specifically Chapter 94, titled, “Stormwater Management” Section 94-202 to define a “High Tunnel” and Section 94-106.C to exempt certain high tunnel facilities from the requirements of the Ordinance.

***Presentations:***

Presentation of Mayoral Citation of Congratulations to Trey Conrad for achieving the rank of Eagle Scout

Mr. Chris Englebert - *Englebert Financial Advisers, LLC*

## How to Engage in Public Comment During a Borough Council or Committee Meeting

Public Comment is heard at three different points during Borough Council meetings:

- **BEFORE CONSIDERATION OF ITEMS ON THE AGENDA** The public is permitted to make public comment on any matter not on the agenda. You will have three minutes to make your statement, unless the President or Chair has announced otherwise, so please come prepared.
- **BEFORE ACTION** on a motion or an agenda item. Public Comment at this stage is limited to the item under discussion. As above, please keep your comments to three minutes.
- **AFTER ACTION ON ALL AGENDA ITEMS HAVE BEEN ACTED.** Public Comment is open to any legitimate item of business that can be considered by Council or the Committee. Again, please keep your comments brief.

### How to make a comment:

- The President or Chair will announce an opportunity for public comment, either on a specific issue or generally, depending on where we are in the agenda (see above).
- After you are recognized by the President or Chair, come to the microphone and state your name and address for the record.
- You may then make your comment or ask your question. As noted above, you will have three minutes to make your statement, unless the President or Chair has announced otherwise.