



## West Chester Borough Planning Commission

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### Meeting Minutes

Regular Meeting - May 29, 2018

6:30 pm

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Call to Order - 6:30 PM by Chair John Theilacker

Present: J. Theilacker, A. Burke, Z. Barner, C. Patriarca, M. Mixner, S. Moran, S. Adams, K. Gore

T. Comitta - WC Borough Planner

### **Call to Order**

1) Citizen Comments of Items not on the Agenda – None

2) Approval of Minutes

JT indicated that the Minutes from the April 24<sup>th</sup> PC meeting would be combined with notes from the continued SALDO review meeting from May 14<sup>th</sup> for approval as one document at the next PC meeting.

3) Old Business

a) Continued Review of Draft SALDO Amendments (tabled until after Sketch Plan discussion)

4) New Business

a) Sketch Plan Submittal of Eli Kahn for the Mosteller Property.

JT proposed to rearrange Agenda to view a presentation from E Kahn (EK) regarding a sketch plan for the Mosteller property at the SE corner of Church and Gay street.

SA inquired if the preliminary land development submission had been fully submitted yet. JT indicated that the applicant's submission was deemed incomplete by Borough staff.

Mr. Kahn stated that his representative in attendance at PC's work session on 5/22/18, and Eli wanted to address some of the PC's comments from that work session. EK stated that additions were being added this week, and technically, tonight's presentation was a sketch plan. He indicated that they were eager to break ground and go before HARB on Thursday.

EK presented a general overview of the plan, noting a 10,000 sq. ft. area to be kept open for a plaza, and retail store space on Gay & Church in front of the plaza. EK indicated that the first floor design was to accommodate premier restaurant space, servicing two outdoor dining areas. All upper floor office tenants would enter through central main lobby doors. Mr. Kahn noted that much consideration was placed on greenspace, hardscape, and water features, the rebuilding of all sidewalks on Church & Gay. Mr. Kahn noted his team's belief that this was the premier intersection in WC.

EK stated that there was no parking to be provided on-site and noted that discussions have occurred with WC Borough about leasing parking on the Borough's Lot 10.

EK stated that the existing 70,000 sq. ft. of gross floor area would be reduced to approximately 40,000 sq. ft. Courthouse Alley would be widened from 12 feet to 17 feet in order to accommodate delivery vehicles and trash trucks to the rear of the proposed building as well as an adjoining building that Eli owns. Noting the past delivery & traffic issues on Gay St., he indicated that the increased access to Courthouse Alley would relieve traffic congestion. Trash for all tenants was in the rear on Courthouse Alley, EK hoped to increase in the curb cut at the Church St. entrance to the alley to improve turning movements. EK indicated that the old Courthouse Building had been purchased as well and would share Courthouse Alley delivery and trash removal space. The Mosteller plan's goal was providing valuable leasable space. Large windows, high ceilings, and modern amenities were noted. EK indicated that companies already wanted to lease space.

EK - Elevation would include steps on Gay St., but the plaza was on grade at Church St. All planters are proposed at seating height to limit the extent to which restaurants could be expanded into the plaza, but included movable tables and lots of seating to encourage some layout flexibility.

EK noted the public nature of the plaza and that work was ongoing with prime concerns including security, lighting, and the landscape plan. The design intent was to produce a user friendly space in the plaza. The plaza's primary purpose is to provide an attractive entrance to the three floors of office space above. The goal was adequate access, safety, and security for the office tenants' employees. The plaza functions as a central gathering space in the Borough, stating that it doesn't have that now; just doesn't exist. Mr. Kahn concluded noting the focus was making the building's retail and office space work in harmony with the plaza.

SA inquired how the Courthouse Alley delivery throughway would operate. EK indicated that it functions now, noted the widening for functionality, and offered that buildable area and private land was being given up for an alley.

JT asked if both sidewalks were being rebuilt and if the curb line would remain the same. EK Yes, both Gay & Church rebuilt. JT asked about stormwater management. EK indicated that the stormwater requirement would be met under the plaza. EK mentioned

that the Borough had requested replacement of a large underground pipe on previously approved plans for this property. Noting that the pipe to be installed would replace the existing one, and that it is currently a basement under the plaza site.

CP inquired about the location of HVAC. EK stated it was roof mounted and oriented to be out of view. CP asked if it could be located in the renderings. A representative from the Kahn team stated the HVAC was low profile equipment and would be set back from the edge of the roof. CP asked if the trash cans or dumpster areas would be on the alley. EK indicated that trash containers could be cans or compactors, and was still being studied. EK further asserted that one will not see trash on Church or Gay St.

AB indicated that the property was large and hard to envision in context. He noted his main concern was the plaza, specifically the restaurants, questioning what would prevent the plaza from becoming one big outdoor restaurant? EK stated that the tenants would be prioritized first. AB noted the restaurants pay rent as well. EK described the plaza as segregated by elevation, with fronting on Gay St. on grade; the grade difference limiting the restaurant area. EK noted that the rest of the plaza space was for client entrance and public gathering.

SA questioned if the other restaurants would have outdoor seating. EK stated each would have about 5000 ft.<sup>2</sup> and that the whole building would have basements. SA asked if these plaza areas would be “defined” areas. EK - Yes, we want the design to be flexible. Fixed seating was originally considered but it limited the flexibility of the space. All the furniture is flexible with few fixed objects. Plaza would be flexible for borough events, offering that WC has become a restaurant town and that the project correlated outdoor dining with a preservation of outdoor public space. EK noted the building wings are on separate elevators.

SA inquired if the plaza would be leased. EK said no, his tenants will pay the highest rent in West Chester and want the plaza, it's not a revenue-based model. SA inquired if the restaurants could participate in the WC Compost pilot program. EK noted the trash area was tight, again indicating the possibility of a compactor.

JT referenced the design standards referenced in the recent HO60 overlay district amendments and asked the applicant if the application will comply with those. EK stated they will be in compliance. JT inquired if there was a meeting with the Sustainability Commission. EK stated he was unsure if it had to be done, again indicating compliance. KG noted that they have submitted details in regard to this. EK stated that they would return with a full submission for preliminary land development plan approval.

TC stated that he testified on behalf of borough council in support of the zoning amendment for this project. TC inquired about the curved feature on the corner of the plaza at the intersection of Church and Gay. EK said it was undecided as of yet. TC noted Hinds Plaza in Princeton, New Jersey and the functionality of the moving tables.

EK indicated expanding the intersection was considered, and that designs were also in progress for a corner fountain, that would be a focal point today and for the future. TC recommended tree preselection include consideration for both shade and easy cleanup. TC asked what was the target date for breaking ground. EK indicated as soon as possible; 3 to 4 months of demolition; seeking approvals and to submit for demolition permit as soon as soon as possible. TC inquired if there were any other approvals pending with long lead times; PENNDOT, Emergency Services, etc.

SA asked if this may displace the growers market; Lot 10. EK - I don't think that's the case, we will work with the borough. SA inquired about any possibility for the Growers Market on the plaza on Saturday morning. EK indicated that he couldn't see that working.

KG indicated that the borough is considering not permitting groundbreaking until late fall into early winter, due to the dust that will be generated. KG said that was the condition as of now.

### 3) Return to Old Business

#### a) Continued Review of Draft SALDO Amendments

TC presented copies of 3rd complete draft of the SALDO amendments, and a memorandum dated May 29<sup>th</sup> to the PC.

TC indicated he would describe the final edits. He indicated that he could come back next Tuesday for continuance if the PC wanted to fully examine the volume released today. (3rd Draft).

TC - referring to the provided memo, prompted a PC discussion on the items not included.

#### MEMORANDUM of May 29<sup>th</sup>:

AB noted his concern about MEMO item #3 - correlation between the proposed Plan Submittal Application Procedures language and how the process actually functions in the Borough. TC noted that he wasn't sure if it was right yet. JT noted that Council's Smart Growth Committee usually sees the submission first. KG - This process with SGC is not what is stated in the ordinance today. KG indicated that the ordinance does not prescribe any order.

KG indicated the request for MEMO item #5 Design Standards 5.1 (Street Light type specifications) had been sent to Borough Public Works and the information was pending.

AB questioned MEMO Item #5.3 Tree Management, concerning overgrown properties that get purchased, cleared, and replaced most often with smaller trees than what is required by Borough ordinance. KG noted that minimum caliper requirements are present in the SALDO draft.

AB asked if there were any concerns under MEMO Item #6.1 (Fire Safety) in terms of the Barkley property. KG indicated building code and fire code manage in this situation.

TC MEMO Item #1.2 (Alley w/ Principle Street Address) – TC indicated that this was likely a zoning issue.

MEMO Item #1.3 TC indicated the metrics were in the zoning.

AB questioned if the Fire Chief should part of the draft recommendation process. SA suggested fire components of a plan that affect SALDO might be included in plan submissions. TC indicated that too much mixing of process isn't practical in practice.

SA indicated that she'd emailed some additional concerns today. JT noted that the PC had determined at its last meeting to take action on the SALDO this evening, as WC Borough staff wants our recommendations ASAP.

JT asked if the PC was comfortable voting on the SALDO draft tonight. KG expressed concerns about prolonging the process. CP indicate he could vote tonight and shared KG concerns of delay.

JT inquired if TC had spoken to Kristen about Fee in Lieu. SA suggested that the Fee in Lieu / Recreation Revision was not strong enough. SA indicated that the design standards for Alleys could be upgraded with an illustration, noting that alleys are unsafe for pedestrians. ZB Agreed, -alleys have no sidewalks.

JT indicated there should be more time for resolution of some of these outstanding items to be addressed by Tom before Borough Council approved the draft for advertising and for transmittal to the County for Act 247 review.

TC suggested, citing procedure in Delaware County, that requesting a preliminary review from CHESCO Planning Commission was an option. ZB noted it would be advantageous if CHESCO Planning would do a review. KG suggested that the draft SALDO get to Borough Council and Smart Growth first, then to County.

TC noted that the tree commission sent their approved wish list for trees, shrubs, etc., and he included what they provided with two exceptions, and theses exceptions were both invasive species.

SA inquired if the PC could add to the memorandum before it goes to Borough Council. TC stated that there will have to be spot amendments later in zoning.

JT asked SA what was the item of the primary concern? SA - Alleys: design standards, curbs, sidewalks. TC most alleys in the borough are 14 or 16 feet wide; turning radius becomes a problem. KG indicated that alley requirements would likely end up before the Council as a waiver situation. SA stated the result allowed a building to face on an alley without standards to address its relation to or improvements for alleys.

**MOTION JT Recommend the 3rd Draft SALDO Amendments.  
CP Recommend the 3rd Draft SALDO Amendments and MEMORANDUM, as well as  
edit to Fee in Lieu. ZB Second.**

**UNANIMOUSLY APPROVED** by the PC.

TC - Inquired if the PC would be returning to the Draft on Tuesday. JT - No, no need since the draft SALDO is now recommended for Council consideration.

4) New Business

b) Chester County Landscapes3 Comprehensive Plan Update

JT Re: Urban Landscapes category, studied it further and now find no objection. The proposed Urban Landscape is shown as a smaller area than in LS2, but E Market St & E Gay St are still included in this Landscapes. The proposed area for Urban Landscape does not jeopardize the Borough's comprehensive plan, particularly those recommendations that expand the town center along E. Market and E. Gay Street.

5) Reports

a) MM provided the HARB summary:

Report to Planning Commission from HARB meeting of April 26, 2018

HARB reviewed four applications at their meeting of April 26, 2018:

- 135 East Gay St. (Luxey Little Ones)- Install hanging sign and two gooseneck lights on front façade. HARB recommended approval with the clarification that the sign be mounted between the second-floor windows, and that the gooseneck light be mounted with no exposed conduit.
- 100 West Gay St. (Penn's Table) - Install planters on the corner of Church and Gay Streets, which will provide some protection for diners seated outdoors. HARB recommended approval for two planters of 36" wide X 32" high and one planter of 24" wide X 32" high, with both types of planters made of vertical wood panels and painted black or dark green.
- 121 East Market St. (interiors by DECO) - The applicant presented two options (historic and modern) for reconfiguration of the first-floor storefront window. HARB recommended approval of the modern option, but without exposed fasteners.
- 119 East Market St. (Zukin Realty) - Construct rear two-story building addition. HARB recommended approval as submitted.

HARB also reviewed one continued/tabled application:

- 135 East Gay St. (Scott Zukin) - Renovation to first floor storefront. The applicant returned before HARB because the previously-submitted design drawings differed from what was actually built. What was built was consistent with the design that had been approved by HARB. The applicant submitted updated drawings. HARB recommended approval of the drawings (record drawings) that reflect the final HARB approval and alterations made in the field during construction.

JT - Any other issues?

**MOTION** to adjourn at 8:30 PM (ZB/SA) Unanimous.