

July 19, 2023

Borough of West Chester  
Building, Housing, and Code Enforcement  
Attn: Kevin Gore  
401 East Gay Street  
West Chester, PA 19380

**RE: Preliminary Land Development Review  
330 West Market Street**

Dear Kevin:

Attached, please find revised plans for your review. The plans have been revised in accordance with the Borough of West Chester review comments dated June 6, 2023. For ease of reference, this letter follows the format of that letter.

**112-401.A:** A proposed building, structure or part thereof in excess of 45 feet and up to 60 feet within the HO-60 Overlay District as shown on the Zoning Map and Height Option Overlay Map[1] and the parcel the building is constructed on shall comply with the standards set forth in this § 112-401.

**Bernardon Response: Acknowledged. The proposed building complies with the standards set forth in § 112-401. Refer to comments below for further clarification on compliance.**

**112-401.B(1)(a)[1]:** In order to increase the height of a building, other structure or any portion thereof from 45 feet up to 60 feet, the following standards and criteria shall be met:

Building uses.

First-floor/ground-floor use. Except for buildings which are used as public parking garages which are permitted as governmental uses or municipal uses, the first floor/ground floor of all buildings shall: Be used to promote a continuation and continuity of retail shops and stores, restaurants, personal service shops, indoor motion-picture theaters, lobbies, and reception spaces, and, where applicable, comply with the provisions of the Retail Overlay District within the Town Center District as set forth in this chapter.

**Bernardon Response: The proposed building complies with the requirements of section 112-401.B(1)(a)(1) of the Zoning Ordinance. Residential lobby, reception space, and residential amenity areas are primary uses on the first-floor/ground floor. The site is not within the Retail Overlay District therefore the provisions of the Retail Overlay District are not applicable.**

**112-401.B.7: Architectural design standards.**

- a) The following architectural design standards shall be met for buildings where the height of the building is proposed to be over 45 feet up to 60 feet:

1. The Design Guidelines for the West Chester Historic District, July 2002, as may be amended from time to time, shall be used for elements including but not limited to massing, scale, proportion, rhythm, building materials, roofs, building placement, building width, windows and streetscapes.

**Bernardon Response: The proposed architecture conforms to the guidelines as set forth within the HARB Design Guidelines for West Chester, Chapter IV Design Guidelines, Section C, Guidelines for New Construction. The proposed design was developed in accordance with the design principles.**

2. If a new building has a flat roof, then it shall have a wraparound parapet wall sufficient in height to screen the building's mechanical and other rooftop equipment from view from public streets.

**Bernardon Response: All HVAC roof top equipment will be setback from the building perimeter so that it is not visible from public streets. In addition, wraparound parapets are provided to further screen roof top equipment from neighboring property lines and public streets.**

3. All rooftop mechanical equipment and structures shall be screened from view from public streets.

**Bernardon Response: Refer to comment 2 above.**

4. The HO-60/HO-75 Supplementary Design Guidelines, which are attached to this chapter as an appendix, shall apply.[3]

**Bernardon Response: Refer to the attached color Elevations with key notes specifying proposed exterior materials, prepared by Bernardon and dated June 22, 2023. The proposed design was developed in accordance with the design principles listed in the HO-60 / HO-75 Supplementary Design Guidelines. The design principles include; a simplified composition of materials and colors, vertical fenestration to tame the horizontal mass, façade variation with recesses and projections, using pilasters and balconies, minimizing the use of bright colors, street wall continuity, and utilizing solar oriented recesses to tame the building mass.**

**112-401.B.8: Historic preservation standards.**

- a) The applicant shall make every effort to retain existing contributing resources located on the subject property and incorporate them into the new use of that property. The applicant shall demonstrate this effort to the Borough Council as part of land development.

[1] A "contributing resource" is defined as being a resource that is listed as contributing, as defined by the National Register of Historic Places Standards, in the West Chester

Borough Historic Resource Inventory of 2003, as amended, and that is shown to be a contributing resource on the accompanying Historic Resource Inventory Map.

[2] A "noncontributing resource" is defined as being a resource that is listed as noncontributing, as defined by the National Register of Historic Places Standards, in the West Chester Borough Historic Resource Inventory of 2003, as amended, and that is shown to be a noncontributing resource on the accompanying Historic Resource Inventory Map.

(b) If permission is granted to demolish a contributing resource by Borough Council, then, unless otherwise required by another code of the Borough, no resources shall be demolished until the building permits for new construction and financing for the entire project are secured and documented and the following is completed and filed, when appropriate, with the Borough Council:

[1] A full historic documentation of the resources and the property shall be prepared by the applicant according to the Historic American Building Survey (NABS) guidelines and provided to the HARB and Borough Council with a copy to the Chester County Historical Society (CCHS) and a letter to the Pennsylvania Historical and Museum Commission (PHMC) informing it that such documentation is available; and

[2] A plaque or marker shall be provided by the applicant relating the history of the resources. The plaque or marker shall contain accurate information about the history of the resources which has been approved by HARB and the Borough Council and shall be placed at a location on the site that is recommended by HARB and approved by Borough Council.

**Applicant Response: We have determined that the existing building cannot be renovated to achieve the program requirements of a market rate residential project. Therefore, we are seeking permission from the Borough Council for the demolition of the existing structures. If required by the Borough Council, historic documentation of the resources as well as a plaque or marker will be provided in accordance with the Historic Preservation Standards in Section 112-401.B.6(b)(1)-(2) of the Borough Code.**

**97-31.D:** Brick sidewalks shall be constructed to replace any brick sidewalk that has been removed or disturbed. Brick sidewalks shall be installed and maintained in the TC-Town Center and HARB Districts. *Several areas of sidewalk along Market Street are shown to be constructed of concrete.*

**Howell Response: Acknowledged. The plans have been revised to show brick replacement. A detail has been added to the construction details sheet for the brick sidewalk.**

**97-38.1.C(1):** The applicant shall make an irrevocable offer of dedication of park and recreational land to the Borough per the requirements of this section. The Borough Council may authorize the transfer of the land to a homeowners' association or other appropriate third party, including but limited to a nonprofit association or nonprofit corporation organized to acquire and maintain real property for the preservation, conservation and stewardship of park and recreational land where consistent with the Borough's Recreation Plan, as adopted from time to time by Council. In lieu of dedicating park and recreational land

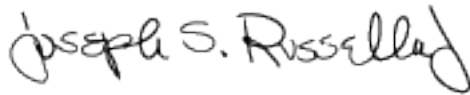
to the Borough, the applicant may elect to pay a fee in lieu to the Borough consistent with the requirements in § 97-38.1E below.

*How does the applicant propose to provide an irrevocable offer of dedication for recreation areas that are contained within a private building to comply with the section provided above?*

**Howell Response: A fee in lieu of dedication shall be provided. A note has been added to the coversheet general notes.**

I trust that all the above responses indicate how comments are to be addressed. Please do not hesitate to contact me at 610-918-9002 with any questions.

Sincerely,  
Howell Engineering



Joseph Russella  
Director of Operations

CC: West Chester Borough Council  
Sean Metrick, Borough Manager  
Eli Khan - Applicant