

1. 7:00 P.M. July 13, 2021 Planning Commission Meeting

Documents:

[JULY 13 2021 PC AGENDA.PDF](#)

2. 7:00 P.M. July 13, 2021 Planning Commission Meeting

Documents:

[WEST GOSHEN TOWNSHIP - LD-04-21-16725 REVIEW LETTER.PDF](#)
[ZONING RESTAURANTS 7-7-21.DOCX.PDF](#)

**WEST GOSHEN TOWNSHIP
PLANNING COMMISSION
(In Person Meeting)
July 13, 2021
AGENDA
7:00 PM**

1. Pledge of Allegiance to the Flag.
2. Open the floor for public comment.
3. Approval of the minutes from the June 8, 2021 meeting.
4. Initial Submissions
 - A. None.
5. Final Land Development Plan for Land Development Plan for a 1,064 square foot building addition at 220 Garfield Avenue for Envera LIC, LLC.
6. Discussion of a proposed text amendment to the Zoning Ordinance to change Section 84-8 to add definitions for various types of restaurants and to amend restaurant uses within various zoning districts.
7. Open Planning Commission discussion.
8. Open the floor for public comment.
9. Adjourn.



THE COUNTY OF CHESTER



COMMISSIONERS
Marian D. Moskowitz
Josh Maxwell
Michelle Kichline

Brian N. O’Leary, AICP
Executive Director

PLANNING COMMISSION
Government Services Center, Suite 270
601 Westtown Road
P. O. Box 2747
West Chester, PA 19380-0990
(610) 344-6285 Fax (610) 344-6515

June 15, 2021

Casey LaLonde, Manager
West Goshen Township
1025 Paoli Pike
West Chester, PA 19380

Re: Final Land Development - Envera LIC, LLC
West Goshen Township – LD-04-21-16725

Dear Mr. LaLonde:

A Final Land Development Plan entitled "Envera LIC, LLC", prepared by D.L. Howell, and dated March 18, 2021, was received by this office on May 21, 2021. This plan is reviewed by the Chester County Planning Commission in accord with the provisions of Section 502 of the Pennsylvania Municipalities Planning Code. We offer the following comments on the proposed Land Development for your consideration.

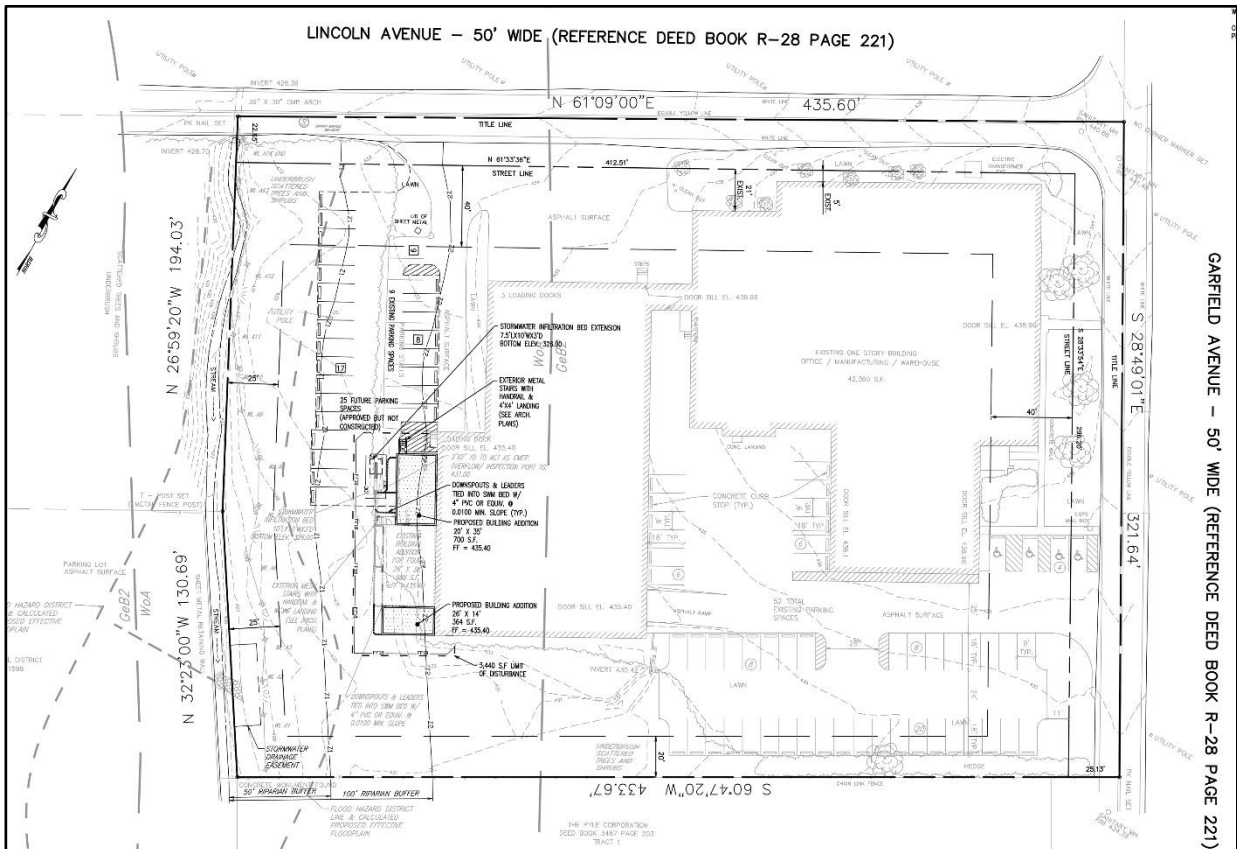
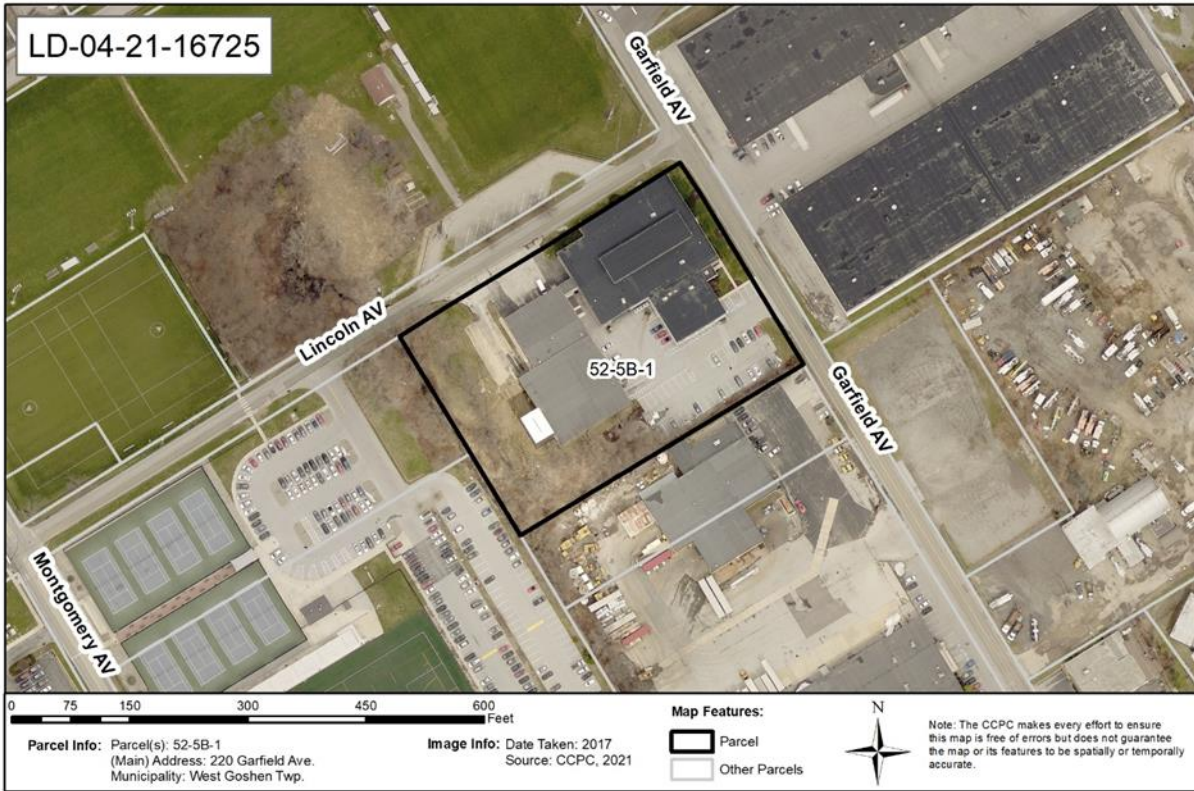
PROJECT SUMMARY:

Location:	southwest corner of Garfield Avenue and Lincoln Avenue
Site Acreage:	3.25
Lots/Units:	1 Lot
Non-Res. Square Footage:	1,064
Proposed Land Use:	Additions to existing industrial building
New Parking Spaces:	0
Municipal Land Use Plan Designation:	Commercial, Office, Industrial Infill
UPI#:	52-5B-1

PROPOSAL:

The applicant proposes the construction of two building additions totaling 1,064 square feet to an existing industrial building. No new sewage disposal or water supply is proposed as part of this project. We note the site plan depicts the location of 25 future parking spaces which have been approved, but not constructed. The project site is located in the I-3 General Industrial zoning district.

RECOMMENDATION: The County Planning Commission recommends that the issues raised in this letter should be addressed, and all Township issues should be resolved before action is taken on this land development plan.



BACKGROUND:

1. The Chester County Planning Commission has previously reviewed a land development proposal for this site. That review, CCPC# LD-4-16-13739, dated May 17, 2016, which addressed the construction of a 735 square foot building addition, was approved by the Township on June 29, 2016.

COUNTY POLICY:

LANDSCAPES:

2. The project site is located within the **Suburban Center Landscape** and **Natural Landscape** designations of [Landscapes3](#), the 2018 County Comprehensive Plan. The vision for the **Suburban Center Landscape** is regional economic, population and transportation centers with varying land uses, accommodating substantial future growth of medium to high intensity. As an overlay of all other landscapes, the county's **Natural Landscapes** consist of a network of streams, wetlands, floodplains, and forests that are protected by regulations or should be subject to limited disturbance. Conservation practices should protect and restore these natural resources. The proposed land development is consistent with the objectives of the **Suburban Center Landscape**.

WATERSHEDS:

3. **Watersheds**, the water resources component of [Landscapes3](#), indicates the proposed development is located within the Goose Creek subbasin of the Chester Creek watershed. **Watersheds'** highest priority land use objectives within this watershed are: reduce stormwater runoff, restore water quality of "impaired" streams, and protect vegetated riparian corridors. **Watersheds** can be accessed at www.chesco.org/water.

PRIMARY ISSUES:

4. We suggest that the applicant and Township consider the long-term feasibility of providing sidewalks for this site. Sidewalks are an essential design element in the Suburban Center Landscape.
5. General Note 2 on Sheet 1 indicates that the flood hazard district line shown on the plan was obtained from a prior plan submission entitled "West Chester Areas School District," prepared by CMX and dated November 21, 2007 and last revised February 21, 2008. Although it does not appear that any development activity will encroach into the floodplain area shown on the plan, we note that the County Planning Commission does not support development in the floodplain, and the Federal Emergency Management Agency and Pennsylvania Department of Environmental Protection regulate filling or development in the floodplain. Development within a floodplain can increase the magnitude and frequency of normally minor floods, and present health and safety problems. The applicant should be aware that the Federal Emergency Management Agency (FEMA) updated the floodplain maps for portions of Chester County, which went into effect on September 29, 2017. Further information on this matter, including links to interactive online FEMA mapping, is currently available at: <https://www.chesco.org/3458/Flooding-Floodplains>.

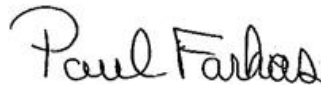
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ADMINISTRATIVE ISSUES:

6. Land disturbance and land development activities that occur within Chester County must comply with the *County-wide Act 167 Stormwater Management Plan for Chester County, PA* (July 2013) and the associated Act 167 stormwater management ordinance standards adopted by each municipality.
7. General Note 5 on Sheet 1 indicates that the soils information on the plan was obtained from the 1963 Chester County/Delaware County Soil Survey. Current soil surveys for Chester County are available online at: <http://websoilsurvey.nrcs.usda.gov/app/>.
8. A minimum of four (4) copies of the plan should be presented at the Chester County Planning Commission for endorsement to permit recording of the final plan in accord with the procedures of Act 247, the Pennsylvania Municipalities Planning Code, and to meet the requirements of the Recorder of Deeds and the Assessment Office.

This report does not review the plan for compliance to all aspects of your ordinance, as this is more appropriately done by agents of West Goshen Township. However, we appreciate the opportunity to review and comment on this plan. The staff of the Chester County Planning Commission is available to you to discuss this and other matters in more detail.

Sincerely,



Paul Farkas
Senior Review Planner

cc: Tallman Enterprises LP
Envera LIC, LLC
D.L. Howell

WEST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. _____

AN ORDINANCE OF WEST GOSHEN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE WEST GOSHEN TOWNSHIP CODE, CHAPTER 84 TITLED, "ZONING" SECTION 84-8 TITLED "DEFINITIONS", TO AMEND THE DEFINITION OF "RESTAURANT" AND ADD NEW DEFINITIONS FOR "STANDARD RESTAURANT", "FAST-FOOD RESTAURANT", "DRIVE-THROUGH RESTAURANT", AND "FOOD STAND"; SECTION 84-21.D TO AMEND RESTAURANT USES WITHIN THE C-2 DISTRICT; SECTION 84-28.J TO AMEND RESTAURANT USES WITHIN THE C-4 DISTRICT; SECTION 84-32.D TO AMEND RESTAURANT USES WITHIN THE C-5 DISTRICT; SECTION 84-38.A TO ALLOW FOOD STANDS IN THE I-2 LIGHT INDUSTRIAL DISTRICT; SECTION 84-52.B(1) TO AMEND THE DEFINITION OF A CONSTRUCTION SIGN; SECTION 84-57.11.A TO DELETE THE LIMITATION ON SIZE OF OUTDOOR DINING AREAS FOR A RESTAURANT, BREWERY PUB AND MICROBREWERY; AND TO ADD A NEW SECTION 84-57.28 TO ADOPT REGULATIONS FOR DRIVE THROUGH LANES.

BE IT ENACTED AND ORDAINED, and it is hereby enacted by authority of the Board of Supervisors of West Goshen Township that Chapter 84 of the West Goshen Township Code, titled, "Zoning", is hereby amended as follows:

SECTION 1. The definition of "Restaurant" in Section 84-8, titled, "Definitions" shall be amended to read as follows:

RESTAURANT- A retail establishment furnishing food and beverages to the public for consumption on the premises or for consumption off the premises, or both. Restaurants are further classified and defined as "Standard Restaurants", "Fast-Food Restaurants", "Drive-Through Restaurants" or "Food Stands".

SECTION 2. The following new definitions shall be added to Section 84-8, titled, "Definitions":

STANDARD RESTAURANT- A retail establishment furnishing food and beverages to the public which are primarily consumed within the building or on an approved outdoor dining area and where employees serve the food and beverages to patrons while the patrons are seated. Buffets and take-out shall be permitted within a standard restaurant.

FAST-FOOD RESTAURANT- A retail establishment that sells food and beverages to the public with customers making orders at an inside service area or cafeteria line, with the food consumed either at seating areas within the building or on an approved outside dining area or for take-out consumption off the premises.

DRIVE-THROUGH RESTAURANT- A building or portion thereof where food and/or beverages are sold in a form ready for consumption and where all or a significant portion of the consumption takes place or is designed to take place outside the confines of the building, which service to customers is either through an exterior window in the establishment or directly to parked vehicles on the premises.

FOOD STAND- An establishment that sells food and beverages to the public with customers being served at an exterior window or service area and where no inside seating facilities are provided and/or which primarily involves the off-site delivery of meals to the homes or businesses of customers. Licensed food trucks shall be permitted under this definition.

SECTION 3. Section 84-21.D, titled, "Use Regulations" for the C-2 Commercial Shopping Center District shall be amended as follows:

"D. Standard Restaurant, Fast-Food Restaurant, Drive-Through Restaurant, microbrewery and a brewery pub."

SECTION 4. Section 84-28.J, titled, "Use Regulations" for the C-4 Special Limited Business and Apartment District shall be amended as follows:

"J. Standard Restaurant, Fast-Food Restaurant, Drive-Through Restaurant, microbrewery and a brewery pub."

SECTION 5. Section 84-32.D, titled, "Use Regulations" for the C-5 General Highway Commercial District shall be amended as follows:

"D. Standard Restaurant, Fast-Food Restaurant, Drive-Through Restaurant, microbrewery and a brewery pub."

SECTION 6. Section 84-38 (A), titled, "Use Regulations" for the I-2 Light Industrial District shall be amended to add a new subparagraph (14.3) to allow the following use by right:

"(14.3.) Food Stand."

SECTION 7. The definition of "Construction Sign" in Section 84-52.B(1) shall be amended as follows:

"CONSTRUCTION- A sign identifying the architect(s), engineer(s), real estate broker and/or contractor(s) involved in construction and/or renovation on the property. Such sign shall be removed immediately upon completion of work."

SECTION 8. Section 84-57.11.A shall be revised to state as follows:

“A. An area which is on the sidewalk, patio or deck which directly abuts the restaurant, brewery pub or microbrewery building may be used for the purpose of furnishing food and beverages outside to the patrons of the restaurant.”

SECTION 9. A new Section 84-57.28 shall be adopted to provide as follows:

“§ 84-57.28. Drive Through Lanes.

The following regulations shall apply to any retail establishment that provides a drive through lane, including but not limited to a drive through restaurant:

- A. Interior traffic circulation shall be designed so as to minimize traffic congestion at points of ingress and egress and to promote public safety for those patrons parking or using the drive-through lane.
- B. Fire lanes shall be clearly established, as required by the Township Fire Code.
- C. The required loading and unloading zones shall be designed to minimize interference with interior traffic circulation and parking facilities.
- D. A ten-foot-wide stacking lane shall be provided for each service lane or bay. The length of the stacking lane shall be sufficient to accommodate the peak traffic anticipated to use the drive through lane as determined by the Township engineer after evaluation of a traffic study prepared by the applicant.
- E. All designated points of ingress and egress for all vehicles shall be designed to consider traffic volumes on existing streets and adjacent uses.

- F. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other audible sounds are reduced by 80% from the source to any property line.”

SECTION 10. SEVERABILITY. If any provision, sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included herein.

SECTION 11. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of any such inconsistency.

SECTION 12. EFFECTIVE DATE. This Ordinance shall become effective five (5) days following the enactment as by law provided.

