

**MANHEIM TOWNSHIP
PLANNING COMMISSION
MINUTES
Wednesday
September 21, 2016**

A meeting of the Manheim Township Planning Commission was held on Wednesday, September 21, 2016 at 6:30 p.m. The following members were present: Chairman Michel Gibeault; Vice Chairman Jeffery Swinehart; Members: Mr. Walter Lee; Mr. John Hendrix and Ms. Stacey Betts. Members Mr. John Shipman and Ms. Maryann Marotta were absent. The following Township Staff was present: Mrs. Lisa Douglas; Mrs. Shannon Sinopoli.

Roll Call

Mr. Gibeault called the meeting to order at 6:30 p.m. and conducted roll call.

Minutes

Mr. Gibeault asked for a motion on the August 17, 2016 Planning Commission meeting minutes. On a motion by Mr. Hendrix, it was recommended to approve the August 17, 2016 meeting minutes, seconded by Ms. Betts.

Motion Approved 5-0.

Conditional Use Request

- i. **Oregon Village Center** - Conditional Use Request - Master Site Planned Development - Oregon Pike; East Oregon Road; Creek Road; Jake Landis Road - Zoned B-3 and B-4 Business Districts and T-5 and T-1 Overlay Districts.

Present representing this Conditional Use Request was Mr. Joel Young and Mr. John Schick, Rettew Associates; Ms. Caroline Hoffer, Barley-Snyder and Mr. Victor Hurst, Hurst Family Estate.

Mr. Young indicated that there were a few minor revisions to the plans since the August Planning Commission meeting which includes realigning the access drive through the mixed use portion of Site A in order to provide better connectivity; the shifting of one of the workforce apartment buildings on Site A in order to not encroach within the clear sight triangle; the addition of screening along the rear of the single family dwellings on Site A in order to provide a screening and buffer from the existing residences along East Oregon Road and the creation of an alternative area on Site B to allow for flexibility of where the 18,000 square feet of retail could be built.

Mr. Young indicated that the applicants received approvals from the Zoning Hearing Board on September 6, 2016 for several variances that were requested.

Mr. Young advised that the total Transferable Development Rights (TDRs) necessary for the development has increased to 95 TDRs due to building height increases.

Mr. Young indicated that there were a few other modifications being requested which includes building lengths for the apartment and restaurant buildings on Site A; the building length of the community club on Site B; the building setback and build-to-line for the apartments; sidewalk width in the commercial areas and the location of parking within the mixed use center.

Mr. Schick stated that since the August meeting the applicants have received Township comments and have submitted the traffic study to PennDOT to begin the process of review.

Mr. Schick provided a recap of the proposed traffic improvements and indicated that the traffic study evaluated traffic levels to the year 2033. Mr. Schick advised that there would be 6 new traffic signals proposed at existing and proposed intersections, 5 of which currently warrant the need for signals under today's conditions. Mr. Schick stated that PennDOT would have the final say of approval for all of the proposed improvements.

Mr. Hendrix questioned if any improvements were proposed at the Butter Road/Jake Landis Road intersection.

Mr. Schick indicated that this intersection is still being looked at since it doesn't warrant the need for a traffic signal. Mr. Schick stated that the applicants will need to talk to Township staff (since these roadways are Township owned) to look into the possibility of making this intersection a 3-way stop or switching the stop movement from Jake Landis Road to Butter Road.

Mr. Swinehart expressed his concern over the potential for development sprawl into the agricultural lands adjacent to Site A for which the applicants have ownership of and which are currently Zoned Agriculture but are not preserved. Mr. Swinehart indicated that these parcels have allocated TDRs and questioned whether or not the applicants had the intention of utilizing those TDRs for this project in order to protect the adjacent agricultural farmlands.

Mr. Hurst indicated that it has not yet been determined where the required TDRs would be coming from, but advised that Agritourism is being planned for that Agricultural land and that the applicants do not want to impede such usage with land preservation.

Mr. Swinehart mentioned that obtaining the additional right-of-way for roadway improvements along East Oregon Road, which is subject to a restriction of development, for the new collector road is a condition in the staff's review letter which will need to be addressed at some point but wondered if there were any updates on the status of this right-of-way.

Ms. Hoffer advised that the property, known as the Landis Tract, was acquired by the applicants and that the applicants will be seeking the cooperation of the Board of Commissioners to work towards a resolution for this right-of-way.

Mr. Gibeault stated that the length of the community club building seems less than the length of the hotel, yet no modification is requested for the hotel building length.

Mr. Young indicated that the hotel has a greater building length requirement and that they are in compliance.

Mr. Gibeault indicated that all roadway improvements will be dictated by PennDOT and that the roadway improvements will be funded by the developers not the state.

Mr. Gibeault asked for public comment.

Ms. Dot Lang, 1224 Creek Road stated that she lives along the portion of Creek Road that is proposed to be cut off and redirected. Ms. Lang stated that with all of the cars currently cutting thru Creek Road and the speeding and numerous accidents, she is supportive of this project and looks forward to eliminating all of the cut thru traffic.

Ms. Diane Lindsay, 808 Creek Road (Warwick Township) expressed concern with regards to the overall increase in traffic in the area, which has doubled in the past 6 years, as well as speeding. Ms. Lindsay recommended building just single family detached and duplex dwelling units versus apartments and on a smaller scale to reduce the number of residents. Ms. Lindsay stated that the proposed traffic signal plan will be a circus.

Mr. Jim Yoder, 234 River Edge Drive stated that he was in favor of the store, restaurant and hotel, but was not in favor of the retail component nor 600 new residential units, especially the apartments which will add more traffic. Mr. Yoder stated that the proposed number of signal lights are too many and questioned if public sewer and water would be brought to the site.

Mr. Young indicated that both public sewer and public water are proposed and that the applicants are currently having discussions with the Lancaster Area Sewer Authority (LASA).

Mr. Mike Flanagan, 1515 Hillcrest Avenue expressed his concern with regards to the threat to the adjacent Agricultural Zoned lands and feared that once this project is built someone else could come along 20 years from now, rezone the land and push the development even further out. Mr. Flanagan agreed with Mr. Swinehart that the TDRs should be coming from the adjacent, applicant owned, lands. Mr. Flanagan suggested that the Planning Commission impose a condition that the TDRs required for this project be acquired from the lands adjacent to the project site. Mr. Flanagan stated that several years ago there was a survey mailed out throughout the Township and one of the questions was what should the Township be focused on and 85% of the responses were to preserve agricultural land.

Mr. Martin Wenrich, 1021 Creek Road expressed his concern with regards to the eastern intersection of Creek Road and East Oregon Road because of the constant cars and the danger of trying to turn left onto East Oregon Road.

Mr. Gibeault stated that after the proposed improvements are installed the majority of the traffic will go to the new access road and out to the signal at Oregon Pike.

Mr. Wenrich expressed his concern with regards for the need of right-of-way at the new intersection with East Oregon Road in light of the land along there being preserved land. Mr. Wenrich further expressed his concern with the number of dwelling units and additional traffic.

Mr. George Mummert, 126 River Edge Drive stated that PennDOT traffic counts are not accurate and that when an accident happens on Route 222, Route 272 is jammed. Mr. Mummert questioned how many students would be added to the school system and wondered if the system could handle all of the new students.

Ms. Audrey Wenrich, Creek Road expressed her support for saving farmland and the valuable soils in the area. Ms. Wenrich stated that she was not in favor of high density housing and asked the planning members to vote this plan down and have the developers build elsewhere on rocky soil instead of prime soil. Ms. Wenrich expressed her desire to keep the area a true farming community with the local grocery store, family farm days, etc.

Mr. Jim Garland, owner of Reflections Restaurant expressed his support for the project and stated that he has witnessed numerous accidents and without this proposed project this area wouldn't get these much needed improvements that everyone complains about. Mr. Garland stated that if these applicants don't make these improvements, no one will.

Mr. Linford Good, Landis Homes stated that he supports this project primarily due to the traffic improvements as such improvements in the area are not on PennDOT's 20-year plan. Mr. Good stated that he is also glad to see the Shawnee property being redeveloped which has been a blighted site for years and declines the neighborhood. Mr. Good stated that Landis Homes employs 500 people and that many of them are interested in living close to work and being able to walk or bike to work.

Mr. David Wenrich, 815 Creek Road (Warwick Township) questioned if there were any buffer zones planned for the agricultural land and expressed his concern over the magnitude of the project. Mr. Wenrich suggested that an independent traffic study be done.

Ms. Rebecca Thompson, 1130 Creek Road expressed her respect for the Hurst's, however, she felt as though the project was too much. Ms. Thompson appreciated that the buildings and layout still looks farmy, but feels that the overall project will completely change the area. Ms. Thompson stated that she understands that there has to be money to put in all of these traffic improvements which in most cases falls upon the developer.

Mr. Shawn Musser, 1211 Creek Road stated that in his mind, closing off the portion of Creek Road will not solve the cut thru traffic and that there will still be people flying down and cutting thru the new development. Mr. Musser stated that he likes the plan and thinks Site B is great, he just wishes there were more single family dwelling units versus apartments which seems to be overboard.

Ms. Diane McMahon, 55 Valleybrook Drive expressed her concerns with regards to traffic along Oregon Pike and questioned if citizens have a voice.

Mr. Jeff Sholly, 1115 John Landis Road questioned if any bicycle routes were being proposed and suggested that roundabouts be considered along the new connector road and possibly at Butter Road and Jake Landis Road. Mr. Sholly stated that one of his future concerns will be the management of stormwater.

Mr. Richard Moyer, (Ephrata) questioned if bus stops were being proposed and if the wide shoulders along Oregon Pike would remain.

Mr. Fred Daum, 2142 New Holland Pike (East Lampeter Township) stated the need to continue farmland preservation in the northeast portion of the Township is important.

There was no further public comment.

Mr. Gibeault explained the Conditional Use process. Mr. Gibeault stated that although a portion of Site A is currently being farmed, it is not zoned Agricultural and instead is zoned for residential and mixed use as proposed and that the Township is and has always been very strident about farmland and keeping farmland.

Mr. Gibeault indicated that the Conditional Use process is to strictly decide if the *use* of a property is in line with the zoning ordinances and land use documents, whereas traffic, stormwater, water and sewer will all be dealt with in more detail during land development if the Conditional Use request gets approved. Mr. Gibeault stated that with Conditional Use requests, the Planning Commission can recommend the imposition of reasonable conditions to the Board of Commissioners, however, the Board of Commissioners have the final say.

In response to an earlier comment about conducting an independent traffic study, Mr. Gibeault stated that traffic will be thoroughly reviewed by the Township's Traffic Engineer as well as the states engineers prior to any final roadway improvement approvals.

Mr. Swinehart stated that the proposal follows the Manheim Township Comprehensive plan as well as the Lancaster County Comprehensive Plan and is a part of the urban growth area. The subject area, as well as all designated growth areas are important so that farmland as well as natural, cultural and historical resources are protected and preserved.

There were no further discussions.

On a motion by Mr. Lee, it was recommended to approve this Conditional Use Request with the recommendation to the Board of Commissioners that the applicants be required to transfer a significant number of the required Transferable Development Rights to the project site from the Agricultural Zoned parcels owned by the applicant and the applicants partner adjacent to Site A, respectively known as 2890 Oregon Pike, Acct. No. 390-97879-0-0000 and 2870 Oregon Pike, Acct. No. 390-89405-0-0000.

Motion failed due to the lack of a second, business moves forward.

On a motion by Mr. Swinehart, it was recommended to approve this Conditional Use Request conditioned upon the applicants being required to transfer a significant number of the required Transferable Development Rights to the project site from the Agricultural Zoned parcels owned by the applicant and the applicants partner adjacent to Site A, respectively known as 2890 Oregon Pike, Acct. No. 390-97879-0-0000 and 2870 Oregon Pike, Acct. No. 390-89405-0-0000.

Mr. Swinehart stated that he is in favor of this project however he just wants to ensure that additional sprawl does not occur in this area. Mr. Gibeault stated that he also is in favor of this project however, he prefers that the use of TDRs be a recommendation to the Board of Commissioners versus a condition. Mr. Gibeault explained that if this was a different project and the applicant did not own any TDRs then such a condition could not be placed

on the recommendation. Mr. Gibeault stated that due to this unfair imposition, he would have to vote to the negative on this motion although he thinks the project is a good use.

Motion seconded by Mr. Hendrix. Motion failed 2 yes votes, 3 no votes.

On a motion by Ms. Betts, it was recommended to approve this Conditional Use Request, seconded by Mr. Gibeault.

Motion failed 2 yes votes, 3 no votes.

On a motion by Mr. Hendrix, it was recommended to table this Conditional Use Request, seconded by Ms. Betts.

Motion approved 5 yes votes, 0 no votes.

The public hearing scheduled for October 10, 2016 will be rescheduled for November 14, 2016.

Adjournment

On a motion by Mr. Swinehart, it was recommended to adjourn the meeting, seconded by Mr. Lee.

Motion approved 5-0 and the meeting adjourned at 8:40 p.m.

The next Regular Planning Commission meeting is scheduled for Wednesday, October 19, 2016 at 6:30 p.m.

Respectfully submitted,

Shannon L. Sinopoli