

**MANHEIM TOWNSHIP  
PLANNING COMMISSION  
MINUTES  
Wednesday  
October 19, 2011**

A meeting of the Manheim Township Planning Commission was held on Wednesday, October 19, 2011 at 6:30 p.m. The following members were present: Mr. Michel Gibeault; Mr. Cory Rathman; Mr. Donald Reed; Mrs. Mary Ellen Hollinger and Mr. Michael Martin. Mr. Jeffrey Sturla and Mrs. Stacie Reidenbaugh were absent. The following Township staff was present: Mrs. Lisa Douglas and 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 September 21, 2011 Planning Commission meeting minutes.

On a motion by Mr. Reed, seconded by Mr. Rathman it was recommended to approve the September 21, 2011 meeting minutes.

Motion Approved 5-0.

**Presentation**

Representatives from the Lighten Up Lancaster County Coalition provided a brief overview about the mission of the coalition. Ms. Patty Neiles stated that the Lighten Up Lancaster County Coalition is a group of individuals, organizations and employers who want to increase the number of children and adults in Lancaster County who are at a healthy weight.

Ms. Neiles indicated that 60% of adults and children in Lancaster County are overweight and that one goal of the coalition is to reach out to all municipalities in Lancaster County and ask that each take great consideration and implement regulations for requiring walking environments during land planning in order to promote healthy lifestyles.

Mr. Gibeault indicated that Manheim Township has, over the past several years, really pushed for sidewalks and non-motorized paths throughout the Township to make connections to existing sidewalks/paths as well as the creation of new.

Mr. Gibeault thanked the Lighten Up Lancaster representatives for their overview of the coalition and commended their mission for reaching out to county communities.

### **Draft Zoning Ordinance**

Mrs. Jennifer Leister Reitz with TCA was present to answer any questions that the Planning Commission may have since the presentation of the draft zoning ordinance last month.

Mr. Gibeault asked Mrs. Leister Reitz if she could provide the planning members with an overview of the differences between the PCD (Planned Commercial Development) and PCD-1 provisions.

Mrs. Leister Reitz indicated that the PCD-1 is an alternative option to the regular PCD with a different angle which has more flexibility with the mix of uses, especially residential, a more flexible Main Street requirements and a necessity for a residential buffer when next to an existing residential development.

Mrs. Leister Reitz advised that the PCD is permitted in the B-4; I-1; I-3 Districts as well as the D-R and D-A Overlay Districts whereas the PCD-1 is permitted only in the D-R Overlay District.

Mrs. Leister Reitz indicated that the PCD calls for a main street design versus free flowing structures and asphalt, as well as boulevards whereas the PCD-1 does not require a main street, only residential streets and alleys.

Discussions took place regarding the PRD (Planned Residential Development) Component and the concern that a developer will choose to go the route of conventional development versus the PRD, in light that conventional development is an easier avenue, in which case would not require certain design standards that are desirable.

Planning members questioned if there was a way to incorporate some language within the conventional development that would guarantee certain design standards to get it closer to the desired elements of the PRD.

Mrs. Leister Reitz indicated that the PRD is a conditional use process which allows for certain design standards to be a condition of approval and that conventional development is a use by right, which is a mandatory requirement. Mrs. Leister Reitz indicated that possibly language could be placed in the ordinance which states that any development over 5 acres would be required to go through the conditional use process.

Discussions took place regarding the existing Cluster Development regulations and the proposal to eliminate such a development in the new ordinance. Mrs. Douglas indicated that the Cluster Development provisions mimic the PRD provisions; however, the existing PRD language requires the Commercial Component. Mrs. Douglas advised that with the updates to the PRD regulations and the removal of the mandatory commercial aspect, the committee determined that the Cluster provision is no longer needed.

Mr. Reed stated that he is not in support of the proposed ordinance in light of the increase in traffic congestion and the addition of the increase in building height from 3 floors versus up to 5 floors, which were soundly voted against in the Comprehensive Plan survey.

Mr. Reed stated that there are a few minor changes north of the Route 30 bypass, with the people south or just north absorbing all the changes regarding density. Mr. Reed stated that the latest meeting minutes mention the individual reviews with members of the public which were initially held when the proposed Zoning Ordinance got underway and indicated that he was one of those individuals that were interviewed and he feels as though his comments were totally ignored.

Mr. Reed stated that there were 3,300 responses to the Comprehensive Plan Survey out of about 11,000 mailings which indicated to him that the residents wanted to make input, which unfortunately, he feels has been ignored.

Mr. Gibeault asked for public comment.

Patron #1

Mr. Randy Harris, 314 W. Chestnut Street, Lancaster City, also former director of the Historic Preservation Trust of Lancaster County questioned if anyone from the Historic Preservation Trust was invited to participate in the individual interviews that took place at the start of the update process.

Mrs. Leister Reitz indicated no.

Mr. Harris questioned what the process is going forward.

Mrs. Douglas indicated that if there is a favorable recommendation by the Planning Commission this evening, the draft ordinance will be forwarded onto the Board of Commissioners to hold the public hearing on November 14, 2011.

Mr. Harris indicated that the ordinance has sufficient language and requirements for adaptive reuse and rehabilitation language, however, the weakness of the ordinance is that there is no ultimate protection from willful demolition of historic properties. Mr. Harris indicated that Manheim Township has the authority under the Municipalities Planning Code (MPC) to deny issuing demolition permits for historic structures.

Mr. Harris indicated that in 2009, as a part of the County Comprehensive plan, the Lancaster County Planning Commission published the Lancaster County Historic Preservation Guidelines to provide regulations for the review process of historic structures. Mr. Harris advised that in these guidelines, Manheim Township is recognized as adopting regulations in 1992 for certain activities that had an impact upon historic resources which created a review process but did not take steps to actually preserve historic buildings.

Mr. Harris indicated that the recognition went on to state that the Township should be commended for being among the first to do a comprehensive inventory and develop a review process for certain activities, however, since many years have passed, the inventory should be updated as well as the regulations based upon the amendments to the MPC in August 2000.

Patron #2

Mrs. Caroline Hoffer advised that her client had sent in comments/suggested revisions to Township Staff and Planning Commission and was wondering if any of suggested revisions were incorporated into the latest draft document.

Mrs. Douglas indicated that there were several comments received from Rettew Associates; LMS and Hanna Dunlap and that the comments particularly pertained to the T-5, Oregon Village and Neffsville Village Overlay; the T-6 Urban Transition Overlay; D-R Retrofit Overlay; D-A Airport Overlay and the D-C Corridor Overlay Districts.

Mrs. Douglas advised that some of the suggested revisions have been incorporated where it made sense; however, there were a few requested revisions which remain unchanged due to the extensive

discussions that were held and the decisions which were made over several months with the Zoning Ordinance Committee.

Mrs. Douglas indicated that one suggested revision was to raise the density from 10 dwelling units per acre to 12 dwelling units per acre. Mrs. Douglas advised that density was an item repeatedly discussed and the committee capped it at 10 dwelling units/acre.

Mrs. Douglas indicated that another suggested revision was to increase the building length of 150-feet for a mixed use building. Mrs. Douglas indicated that this was another issue repeatedly discussed and the committee chose to stay with the 150-foot building length.

Mrs. Douglas advised that there was also a comment regarding removing the requirement of purchasing Transferable Development Rights (TDRs) for increasing the building height in the T-5 Overlay. Mrs. Douglas indicated that this again was wholly discussed and is not intended to change.

Mrs. Hoffer, in response to the preceding paragraph, indicated that the idea would be to tie the use of TDRs with the number of acres instead of requiring TDRs for boosting density and building height, which would be a simpler process. Mrs. Hoffer stated that the other T-Zones do not have these requirements.

Mrs. Leister Reitz indicated that TDRs work differently in each of the T-Zones, there's a custom approach to each zone.

Mrs. Hoffer raised a concern regarding the maximum building length requirement of having a visual break every 30-feet with a minimum 4-foot recess or projection which she felt was not feasible and that 30-feet was too short.

The planning members held a brief discussion and advised that they will take a look at that requirement.

Mrs. Hoffer expressed the desire to bump up the density to 12 dwelling units/acre in the Village District in light that this is the area(s) that we would want to promote growth in.

Mrs. Hoffer also expressed concern regarding parking space sizing and felt that the requirement should be 9'X18' versus the 10'X18' dimension.

Mrs. Leister Reitz indicated that the committee decided to decrease the parking aisle width instead of changing the stall dimension.

There was no further public comment or planning member discussion.

On a motion by Mr. Martin, seconded by Mrs. Hollinger it was recommended to approve the proposed Zoning Ordinance and to forward onto the Board of Commissioners for a public hearing on November 14, 2011.

**Motion Approved 4-1**, with Mr. Reed voting no.

*\*\*Note: The above motion was amended during Public Comment.*

**Subdivision/Land Development Plans**

**1. Lancaster Bible College iLEAD Building Addition – Preliminary/Final Land Development Plan – 901 Eden Road – Zoned Institutional.**

Present representing this Preliminary/Final Land Development Plan was Mr. Dave Madary, Derck & Edson and Mr. John Yoder, Lancaster Bible College.

Mr. Madary indicated that the plan consists of an addition to the existing library to accommodate the college's iLEAD program as well as converting the existing library space into offices.

Mr. Madary advised that all improvements are being constructed over existing impervious area and that some impervious surfaces are being removed in an effort to have a slight net decrease in impervious coverage.

Staff indicated that staff's comments pertain only to administrative items.

There were no comments from the Planning Commission.

Mr. Gibeault asked for public comment. There was no response.

On a motion by Mr. Rathman, seconded by Mr. Reed it was recommended to approve this plan and modifications contingent upon a clean review letter.

**Motion Approved 5-0.**

**Conditional Use Request**

**1. The Crossings at Conestoga Creek - Planned Commercial Development – Conditional Use request - Harrisburg Pike and Farmingdale Road - Zoned I-1.**

Mr. Gibeault advised the applicant that Planning Commission member, Mrs. Stacie Reidenbaugh is absent this evening but would like to participate in this presentation and the vote for this Conditional Use application. Mr. Gibeault asked the applicants if they would permit Mrs. Reidenbaugh to participate via speakerphone.

Mr. Smithgall gave his consent to allow Mrs. Reidenbaugh to participate via phone. Mrs. Sinopoli proceeded with getting Mrs. Reidenbaugh on the phone and Mrs. Reidenbaugh was then a party to the discussions during the duration of the presentation and vote.

Mr. Gibeault announced that he would be abstaining from the discussions of this Conditional Use Application and turned the gavel over to Mr. Rathman.

Present representing this Conditional Use Request was Mr. Tom Smithgall and Mr. Steve Evans, High Real Estate Group; Mrs. Caroline Hoffer, Barley-Snyder; Mr. Joel Young and Mr. Jeri McClune, Rettew Associates; and Mr. Eric Mountz, Traffic Planning & Design.

Mr. Smithgall indicated that since last month's meeting and presentation, the applicants have received concurrence letters for the traffic impact study area from the City, County, East Hempfield Township and PADOT as well as a positive review from the Township Traffic Engineer.

Mr. Smithgall indicated that the applicants are present this evening to address any previous concerns or new concerns that the planning members may have in an effort to demonstrate compliance with the Planned Commercial Development Ordinance objectives.

Mr. Smithgall stated that there are ten objectives (Objectives A-J) in the ordinance for which he would like to address individually.

Mr. Smithgall indicated that Objective A states: *"To create a primarily retail environment, which emphasizes pedestrian circulation and attractive open spaces with a special sense of identity."*

Mr. Smithgall stated that sheets 3 and 12 identify the Main Street shops along with the larger format retail that is the focus of the entire development and that these components have been placed front and center dominating the front portion of the site and adjacent to the main entrance along Harrisburg Pike; which as a result, 100% of the frontage of the property along Harrisburg Pike will be presented with a Main Street appearance.

Mr. Smithgall indicated that additionally, 82% of the traffic generated by this development will be generated from the retail uses

Mr. Smith stated that the entire site has approximately 3.5 miles of pedestrian walkways interconnecting all the uses proposed as well as interconnectivity to Long's Park, proposed linkage to the Lancaster Conservancy's proposed Urban Forest project and .41 miles of sidewalks connecting towards Lancaster City. Mr. Smithgall indicated that they have also incorporated an opportunity for the connection to the Red Rose Transit Authority bus lines along Harrisburg Pike.

Mr. Smithgall indicated that Objective B states: *"To create a "Main Street" at the center of the planned development, with broad sidewalks and public spaces for a variety of pedestrian activities."*

Mr. Smithgall stated that the Main Street component is front and center on the site with the other uses towards the rear and that 24,000 square feet of Town Square plaza has been integrated at the entrance to Main Street which then transitions to retail shops along a series of wide sidewalks sited with benches, pedestrian level lighting and landscaping as well as a 2,300 square foot Pocket Park nestled among the Main Street shops.

Mr. Smithgall advised that, at the suggestion of the Planning Commission, the applicants have included opportunities for pedestrian interactions and connections with

the provision of a small community park area between the retail and residential uses and a residential community center with a pool as well as offering adaptive re-use of the existing farmhouse.

Mr. Smithgall stated that the applicants are committed to the Planning Commission's suggestion to have the Main Street and the other retail component built concurrently with the 2 restaurant pads which will likely be staggered.

Mr. Smithgall indicated that some of the planning members have expressed a desire to see a larger Main Street within the project which we have given this request serious consideration; however, it has been and still is our position that given the current economic climate and the ever-evolving nature of retail, it would not be in the best interest of the project or the community to increase the size of the Main Street.

Mr. Smithgall stated that he believes we have an appropriate amount and balance of the Main Street components and the larger format retailers for which there is sustainable national, regional and local retail demand; with some not presently in the market. Mr. Smithgall stated that this mix will ensure this project is not only environmentally sustainable but financially sustainable as well.

Mr. Smithgall stated that there are nearby (about 45 minutes East) examples of larger Main Street projects located in suburban metropolitan markets that have significant portions of "Main Street" boarded up. Mr. Smithgall provided the planning members with photo copies of such a project.

Mr. Smithgall stated that the applicants are very proud to have developed a plan through this collaborative process that they believe is new, creative and market driven.

Mr. Smithgall indicated that Objective C states: *"To incorporate site and construction design elements that will stimulate local patronage of the retail and other uses within the planned development."*

Mr. Smithgall stated that the applicants believe that they have presented the opportunity for a full array of stores with design elements that will be unique and attractive to the Lancaster community and that objective all along has been to develop a sustainable mix of retail stores that will serve the community and meet the requisite mix of stores; larger format, junior anchors and small shops.

Mr. Smithgall indicated that the applicants feel that a mix of residential will meet a need within this part of the County serving the growing health care and educational market in this area and that the hospitality use will serve the needs of people using the expanding hospital campus.

Mr. Smithgall indicated that Objective D states: *"To facilitate the creation of an overall pedestrian circulation system throughout the site linking, where feasible, to adjacent properties."*

Mr. Smithgall stated that there are 3.5 miles of walkways on site that connect all the proposed uses and that a connection to both Long's Park and the Lancaster Urban Forest project of the Conservancy is being proposed as well as an extensive sidewalk along Harrisburg Pike.

Mr. Smithgall indicated that Objective E states: *"To promote a high quality of design for the buildings signs, parking areas and streetscape."*

Mr. Smithgall advised that there were a series of architectural renderings in the conditional use application depicting the potential types of building that would be designed in compliance with the ordinance provisions.

Mr. Smithgall stated that the plan calls for 7 different and distinct open space areas for a diversity of uses which will include a Town Square, a pocket park, extensive streetscape, a community park, and a connection to the Conservancy interpretative trail system as well as the opportunities around the existing farmhouse.

Mr. Smithgall indicated that Objective F states: *"To create dispersed parking areas and discourage just large single-level parking lots."*

Mr. Smithgall advised that the revised plan discourages large parking areas and eliminates 3 of 4 that were presented in the prior plan. Mr. Smithgall indicated that 1 has been retained which is essential to the larger format retail tenants. Mr. Smithgall indicated that the parking layout was revised so that enhanced connection to Main Street could be provided as well as dispersing the landscaped islands. Mr. Smithgall stated that he feels the applicants meet the PCD ordinance as well as the required parking counts for the anticipated stores and that this plan is significantly better than the plan that was previously approved.

Mr. Smithgall indicated that Objective G states: *"To provide controlled interaction between motorized vehicles, bicycles and pedestrians."*

Mr. Smithgall indicated that pedestrian safety has been emphasized by the inclusion of wider sidewalks, pedestrian crosswalks (some of which will have distinction by means of different paving material and/or color throughout the site. Mr. Smithgall indicated that the road width (for the main loop road) was also decreased in width to 25 feet which will also aid in safe pedestrian crossing in the residential areas.

Mr. Smithgall indicated that Objective H states: *"To preserve the quality of the natural environment."*

Mr. Smithgall indicated that wetlands and stream improvements are shown on Sheets 3, 5, 6 and 9 and that early 70% of the wooded sections will be maintained and enhanced along with an extensive stream restoration program. Mr. Smithgall indicated that of the nearly 90 acres, 56% will be maintained as open space including the renovation of the existing farmhouse that is slated for adaptive re-use.

Mr. Smithgall indicated that Objective I states: *"To encourage energy conservation and sustainable design."*



Mr. Smithgall indicated that this plan calls for the latest design criteria developed by our organization that emphasizes energy conservation by encouraging walking and biking to using more native plantings to limit the need for irrigation.

Mr. Smithgall indicated that Objective J states: *“To avoid the traffic congestion and delays associated with other types of commercial development.”*

Mr. Smithgall indicated that the roadway improvement plan complies with the PCD ordinance as it provides congestion relief on the gateway Harrisburg Pike corridor and significant delay reduction at key intersections. Mr. Smithgall indicated that the applicants remain committed to deliver essentially the same roadway plan as was previously proposed, excluding the major interchange work.

Mr. Smithgall stated that the applicants have 6 Guiding Principles with this project, which are relatively basic business concepts but also meet spirit of the PCD ordinance as it relates to our project, which are: Collaboration – where the applicants have attended over 125 meetings since 2006 concerning this project, many of which were public meetings; Smart-Growth Location and Sustainable Concepts – where the applicants are focused within the urban growth boundaries and are working within the existing infrastructure or enhancing those deficient. The project will create jobs, generate significant tax revenues of approximately \$1.8 M annually and enhance the quality of life by adding new amenities to the community; Farmland Preservation – where the applicants have a deep respect for the farming heritage in Lancaster County and as such, have already invested in 56 TDRs equating to approximately 41 acres of preserved farmland; Stewardship and a Sense of Place – where High as a company, has spent three generations developing quality projects that are respectful of the environment. This project includes restoration and improvement of two waterways in the vicinity of the site. The applicant intends to preserve the farmhouse on site and promote its adaptive re-use and to create a new environment, a sense of place for residents, visitors and workers; Traffic Improvements - where the applicant remains committed to the same roadway improvements from the prior plan with the exception of the reconfiguration of the US 30 interchange; Project Funding – where beyond having the capability to fund & finance the on-site building program, the applicant/organization will bring funding for the roadway improvement plan as outlined and the investment in the Harrisburg Pike corridor amounts to over \$8.5 M of design and construction monies.

Mr. Smithgall stated that in closing, the projected tax revenues (based on an estimated \$78,000,000 of projected construction cost) for the Township would be approximately \$207,480.00; for the School District approximately \$1,328,332.00 and for the County approximately \$266,448.00 for a total of approximately \$1,802,260 in new tax revenue.

Mr. Rathman thanked the applicant for the presentation.

Mr. Rathman stated that he still feels as though this proposal does not meet the intent of a main street concept, nor the pedestrian connections and the sea of parking was never an intention. Mr. Rathman questioned whether or not there were any pedestrian connections from the hotel to the main street.

Mr. Smithgall indicated that there is a grading issue but that they are looking into some kind of connection.

Mr. Martin advised that he had similar concerns as Mr. Rathman and felt that the applicants could have created a plan more in line with the ordinance (without the need for additional square footage) by repositioning the Big Box and parking better.

Mrs. Hollinger stated that she felt this project is excellent and is excited about it.

Mrs. Reidenbaugh felt that the project will bring much needed public benefits and thanked the applicant.

Mr. Rathman asked for public comment. There was no response.

On a motion by Mrs. Hollinger, seconded by Mr. Reed it was recommended that the Manheim Township Planning Commission recommend approval in its entirety the proposed Motion relating to the Conditional Use Application for The Crossings at Conestoga Creek, a Planned Commercial Development presented at this meeting consisting of 3 pages and that such 3 page Motion be made part of the Minutes of this meeting.

**Motion Approved 3-2**, with Mr. Rathman and Mr. Martin voting no and Mr. Gibeault abstaining.

The public hearing is scheduled for November 14, 2011.

### **Public Comment**

Mr. Gibeault asked for public comment.

Mrs. Caroline Hoffer again raised the concern regarding the maximum building length requirement of having a visual break every 30-feet with a minimum 4-foot setback and indicated that if the Planning Commission was contemplating on revising this requirement, then they should do so prior to sending it to the Board of Commissioners public hearing.

After a brief discussion, the planning members felt that with a 150-foot maximum building length requirement, a visual break at 75-feet and a setback of 2-feet is more than appropriate.

On a motion by Mr. Martin, seconded by Mrs. Hollinger, it was recommended to amend the previous motion (under the Draft Zoning Ordinance above) by recommending to approve the proposed Zoning Ordinance with the condition that the visual break in the building façade be increased from 30-feet to 75- feet and that the recess or projection from the building at each break be reduced from 4-feet to 2-feet and to forward onto the Board of Commissioners for a public hearing on November 14, 2011 with such recommendation.

**Motion Approved 4-1**, with Mr. Reed voting no.

**Adjournment**

On a motion by Mr. Reed, seconded by Mr. Rathman, it was recommended to adjourn the meeting.

Motion approved 5-0 and the meeting adjourned at 9:00 p.m.

The next Regular Planning Commission meeting is scheduled for Wednesday, November 16, 2011 at 6:30 p.m.

Respectfully submitted,

Shannon L. Sinopoli

**MOTION FOR CONDITIONAL USE APPLICATION  
FOR THE CROSSINGS AT CONESTOGA CREEK**

I move that the Manheim Township Planning Commission recommend approval of the Conditional Use Application (“Application”) for The Crossings at Conestoga Creek, a Planned Commercial Development, subject to all of the following conditions:

1. TCCC - Lancaster Holding, LP (the “Applicant”) shall comply with all of Applicant’s promises and representations with respect to the development of The Crossings at Conestoga Creek including, but not limited to, the statements and materials submitted to the Township in support of the Application and the accompanying Concept Plans.
2. Applicant shall submit to the Township at or prior to the hearing(s) on this Application the executed documents (previously submitted to the Township in draft form) regarding the withdrawal of the prior conditional use application for The Crossings at Conestoga Creek which shall be effective upon the approval of the new conditional use request and which will disavow the previous conditional use approval as well as submit the joinder by the record owners of the two properties involved in the current conditional use application. The Applicant shall agree on the record at the conditional use hearing(s) to the imposition of a condition or conditions regarding the disavowal of the prior decision and the withdrawal of the prior application.
3. As required by Section 2319.2.Q(ii) of the Zoning Ordinance, the Board of Commissioners must approve the alternative to a single point urban interchange (SPUI). The Applicant must prove, to the satisfaction of the Board of Commissioners, that the alternative design (to a SPUI) exceeds the overall reduction in delay required by Section 2319 of the Zoning Ordinance.
4. The Applicant's Plan must meet both the intersection requirements for the intersections within the study area and the requirements for the two interchanges with a limited access highway (Route 30/Harrisburg Pike interchange and the Route 30/Manheim Pike interchange).
5. The reference at the bottom of page 7 of the Application should be to Section 2319.3.B(1) rather than to Section 2319.3(1).
6. The Applicant shall secure an additional nineteen (19) transferable development rights, and the agreement(s) of sale for these TDRs shall be a part of the application for preliminary land development plan approval. All required documentation including, but not limited to, the Deed(s) of Transferable Development Rights and the Declaration(s) of Restriction of Development for such transferable development rights shall be properly completed and executed in a form and content acceptable to the Township and to the Township Solicitor or Assistant Solicitor.
7. Upon any approval of the conditional use application, the Applicant shall include a note on the recorded land development plan disavowing the previous conditional use approval.

8. Upon any approval of the conditional use application, the Applicant shall provide proof that the specific permission previously granted by the Board of Commissioners was upheld by the courts or that the appeal of the previous specific permission approval has been withdrawn.

9. The Applicant shall indemnify and hold harmless the Township in a manner and in documentation satisfactory to the Township with respect to PennDOT's policies regarding the installation and maintenance of stormwater facilities, sidewalk or curb within state highway rights-of-way.

10. Although it is anticipated that the Lancaster County Transportation Authority will optimize traffic signal timings for the signalized intersections on Harrisburg Pike, the Applicant shall be required to undertake this optimization in a timely manner if for any reason it is not completed by the Lancaster County Transportation Authority.

11. The Applicant shall obtain any necessary approvals or permits from PennDOT for all roadway improvements which fall under PennDOT jurisdiction within the time required by the Township Zoning Ordinance and Subdivision and Land Development Ordinance and shall construct such improvements at Applicant's expense.

12. The Applicant shall obtain all other permits and approvals required by applicable Township Ordinances, regulations and specifications and by all county, state and federal laws and regulations relating to the development of The Crossings at Conestoga Creek as and when required.

13. The Applicant shall accommodate and coordinate with any recommended bike, walking path or linkage plan proposed by Manheim Township, or as set forth in the Township's Parks and Recreation Plan.

14. The Applicant shall ensure that all portions of all buildings are designed with compatible architectural themes and materials, whether constructed at one time or in stages over a period of time as required by Section 2319.3.F.(1) of the Zoning Ordinance.

15. The Applicant shall pay or reimburse the Township for all fees, charges, expenses, costs, and contributions in connection with all aspects of the Application including, without limitation, all inspection, plan review, engineering, traffic consultant, legal, court reporter and transcript, advertising, permit, building, recreation, utility, tapping and connection and transportation impact fees, charges, expenses, costs and contributions.

16. This recommendation is expressly and strictly limited to this Application. If the Board of Commissioners grants the Application, Applicant shall submit to the Planning Commission for future review and recommendations any modification and waiver requests, a Preliminary Plan Application and a Final Plan Application. Any future submissions will be reviewed in conjunction with the requirements of the Manheim Township Zoning Ordinance, the Manheim Township Subdivision and Land Development Ordinance, the MPC, and other applicable laws, ordinances and regulations.

17. No building or zoning permit for The Crossings at Conestoga Creek shall be issued unless and until (i) all transportation facilities required by Section 2319.2.P and Section 2319.2.Q of the Zoning Ordinance are in place or acceptable financial security has been posted with the Township and/or PennDOT to assure completion of the transportation facilities required by Section 2319.2.P and Section 2319.2.Q of the Zoning Ordinance.

18. Substantial completion of the infrastructure improvements depicted in the Application and the accompanying documents, including but not limited to the roadway improvement plan, shall be a condition of the issuance of a temporary or final Certificate of Use and Occupancy, in addition to those requirements for a Certificate of Use and Occupancy as provided for in Section 2105 of the Zoning Ordinance.