

**MANHEIM TOWNSHIP
PLANNING COMMISSION
MINUTES
Wednesday
January 20, 2016**

A meeting of the Manheim Township Planning Commission was held on Wednesday, January 20, 2016 at 6:30 p.m. The following members were present: Chairman Mr. Michel Gibeault; Vice Chairman Jeffery Swinehart; Members: Mr. Walter Lee; Mr. John Shipman; Mr. John Hendrix and Ms. Stacey Betts. Ms. Maryann Marotta was 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.

Reorganization

Chairman Gibeault turned the gavel over to Township Staff, Lisa Douglas. Mrs. Douglas asked for nominations for the 2016 Planning Commission Chairman.

Mr. Shipman moved to appoint Mr. Gibeault as Chairman of the Manheim Township Planning Commission, seconded by Mr. Swinehart. Nominations were closed and motion carried unanimously.

Mrs. Douglas turned the gavel over to Chairman Gibeault. Chairman Gibeault asked for nominations for the 2016 Planning Commission Vice-Chairman.

Mr. Lee moved to appoint Mr. Swinehart as Vice Chairman of the Manheim Township Planning Commission, seconded by Ms. Betts. Nominations were closed and motion carried unanimously.

Appointments

1. Planning Commission Solicitor

On a motion by Mr. Swinehart it was recommended that the Manheim Township Planning Commission appoint William Crosswell of the law firm of Morgan, Hallgren, Crosswell & Kane, P.C., as the Solicitor of the Manheim Township Planning Commission until the first Monday in January 2018 which would be consistent with the action taken by the Board of Commissioners on January 4, 2016 through the adoption of Resolution 2016-22, seconded by Mr. Hendrix.

Motion Approved 6-0.

2. Planning Commission Secretary

On a motion by Mr. Shipman it was recommended that the Manheim Township Planning Commission appoint Shannon Sinopoli as the Secretary

of the Manheim Township Planning Commission and the custodian of its records, seconded by Ms. Betts.

Motion Approved 6-0.

Minutes

Mr. Gibeault asked for a motion on the December 16, 2015 Planning Commission meeting minutes.

On a motion by Mr. Shipman, it was recommended to approve the December 16, 2015 meeting minutes, seconded by Mr. Swinehart.

Motion Approved 6-0.

Subdivision/Land Development Plan

- i. **Landis Homes** - Preliminary Land Development Plan - 1001 East Oregon Road - Zoned IN.

Present representing this plan was Mr. Craig Smith, RGS Associates and Mr. Linford Good, Landis Homes.

Mr. Gibeault advised that he would be recusing himself from this plan discussion.

Mr. Smith indicated that the intent of this latest plan is to create a campus center and new main entrance which will be developed into two phases.

Mr. Smith advised that Phase I will consist of the new main entrance, the main building which will house 22 apartments, underground parking, a bistro, a bank, a theatre, a pool and fitness center for common use by the residents. Mr. Smith stated that Phase II will consists of apartments and parking.

Mr. Smith indicated that in addition to the new entrance, which provides full movement access from East Oregon Road, improvements will also take place along East Oregon Road where a dedicated left turn lane is proposed. Mr. Smith advised that the existing access at East Oregon Road and Homebrook Drive will be changed from a full movement access to a right-in/right-out only.

Mr. Smith indicated that 37 existing cottages will be removed in order for the new construction to take place.

Mr. Smith stated that there will be a detention basin constructed in the vicinity of Homebrook Drive and East Oregon Road and that 3 bio-retention facilities are also proposed.

Mr. Swinehart questioned whether the stormwater facilities would be temporary or permanent.

Mr. Smith advised that they are being designed as permanent standalone facilities.

Mr. Smith read through the requested modifications.

Mr. Hendrix questioned the request to not provide curbing along the sidewalks and whether there were any safety concerns.

Mr. Smith indicated that the walkways consist of paved pathways around the new buildings and concrete sidewalk internal with the new construction and that a 3-foot grass strip is being provided between the edge of the access drive pavement and the walkways which is consistent with how the current campus exists.

Mr. Good advised that curbing is actually more of a safety issue due to the trip hazard for the residents.

There were no further discussions.

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

On a motion by Mr. Shipman, it was recommended to table this plan and modifications until all outstanding comments can be adequately addressed, seconded by Mr. Lee.

Motion Approved 5-0. (with Mr. Gibeault abstaining)

Text Amendments

- i. **Harrisburg Pike Holdings LP** – Request to amend the Manheim Township Zoning Ordinance by adding Motor Vehicle Sales as a use permitted by right in the T-6 Overlay District.

Present representing this Text Amendment Petition was Mr. Mark Stanley, McNees Wallace and Nurick, LLC.; Mr. Bill Swiernik, David Miller/Associates and Mr. Frank Nolt.

Mr. Stanley indicated that Mr. Nolt is an equitable owner of a piece of property that abuts Manheim Pike, Fruitville Pike and North Prince Street and that Mr. Nolt would like to develop as motor vehicle sales.

Mr. Stanley advised that this text amendment proposal consists of adding Motor Vehicle Sales as a permitted use by right in the T-6 Urban Transition Overlay District. Mr. Stanley indicated that the current ordinance permits Motor Vehicle Service Stations, but lacks the vehicle Sales component.

Mr. Stanley stated that in other zoning districts where vehicle repair is permitted so is vehicle sales, so in essence this request is more of a technical amendment.

Mr. Gibeault indicated that the vehicle sales use is a less intensive use than vehicle service stations and agreed that the lack of the vehicle sales language in the T-6 Overlay District was apparently an oversight when the new ordinance was drafted.

There were no further discussions.

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

On a motion by Mr. Lee, it was recommended to approve this Text Amendment Petition, seconded by Mr. Hendrix.

Motion Approved 6-0.

The public hearing is scheduled for March 14, 2016.

- ii. **Manbel Devco I, LP** – Request to amend the Manheim Township Zoning Ordinance Article 5, Farmers Market Definition and Article 21, Section 2113 Farmers Market Accessory Use criteria.

Present representing this Text Amendment Petition was Mr. Matthew Crème, Nikolaus & Hohenadel LLP and Mr. Mark Hughes, Whole Foods.

Mr. Crème indicated that this request consists of amending the definition of a Farmers Market and adding some additional criteria for a Farmers Market use.

Mr. Crème advised that the definition change proposes to add a Supermarket as one of the principal uses which would permit a Farmers Market as an accessory use.

Mr. Crème stated that because this is a text amendment which is not specific to one site or one parcel, there were several other criteria and/or requirements added to the Farmers Market Use as directed by the Township staff.

Mr. Hughes stated that, in almost all stores, Whole Foods provides this farmers market avenue for local produce operators to come and sell their wares; not for profit but to promote "Buy Local".

Mr. Gibeault questioned who would be responsible for managing the market day events.

Mr. Hughes indicated that Whole Foods would manage it and clean it up.

Mr. Shipman questioned if it was the intention of Whole Foods to attract more customers by having these market days.

Mr. Hughes stated that's not the goal, it's to promote local produce.

Mr. Gibeault questioned whether or not there have been any issues at the other store locations that would be causes for concern.

Mr. Hughes indicated that limiting what is sold has sometimes been an issue because Whole Foods would like to see local produce for the most part along with value added products such as bees wax that are produced locally and discourages vendors such as ice cream vendors or meat vendors, since meat sales cannot be regulated by the store.

Mr. Hughes stated that this particular text amendment actually has a specific list of what can be sold which should regulate or restrict such vendors.

Mr. Hendrix questioned whether the existing local markets in Lancaster will be against these operations.

Mr. Hughes indicated that the Town of Riverdale, Maryland have their own farmers market and at first they thought it would be a problem, however, the vendors now sell at both places which actually gives them more exposure. Mr. Hughes further explained that this type of accessory farmers market use is not your typical farmers market and it would not be a weekly event. Mr. Hughes stated that Whole Foods would host a farmers market 1 to 2 days a month during the seasonal months of May thru October.

There were no further discussions.

Mr. Gibeault asked for public comment.

Mr. Michael Flanagan, 1515 Hillcrest Avenue stated that this proposal sounds like a nice amenity, but wondered if the change in definition of a Farmers Market would affect the Agricultural Area District.

Mrs. Douglas indicated that selling produce on Agricultural zoned land falls under accessory use to an Agricultural Use and is a totally separate use and definition and that this proposal will not impact the Agricultural District at all.

On a motion by Mr. Swinehart, it was recommended to approve this Text Amendment Petition, seconded by Mr. Shipman.

Motion Approved 6-0.

The public hearing is scheduled for March 14, 2016.

General Public Comment

There was no public comment.

Adjournment

On a motion by Mr. Lee, it was recommended to adjourn the meeting, seconded by Mr. Swinehart . Motion approved 6-0 and the meeting adjourned at 7:28 p.m.

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The next Regular Planning Commission meeting is scheduled for Wednesday, February 17, 2016 at 6:30 p.m.

Respectfully submitted,

Shannon L. Sinopoli