

**MANHEIM TOWNSHIP
PLANNING COMMISSION
MINUTES
Wednesday
November 17, 2010**

A meeting of the Manheim Township Planning Commission was held on Wednesday, November 17, 2010 at 6:30 p.m. The following members were present: Mr. Jeffrey Sturla; Mr. Michel Gibeault; Mr. Cory Rathman; Mr. Donald Reed; Mrs. Mary Ellen Hollinger; Mr. Michael Martin and Mrs. Stacie Reidenbaugh. The following Township staff was present: Mrs. Lisa Douglas and Mrs. Shannon Sinopoli.

Roll Call

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

Minutes

Mr. Sturla asked for a motion on the October 20, 2010 Planning Commission meeting minutes.

On a motion by Mr. Reed, seconded by Mr. Rathman it was recommended to approve the October 20, 2010 meeting minutes.

Motion Approved 7-0.

Subdivision/Land Development Plans

1. **Lancaster Bible College – Revised Final Phase 2A Land Development Plan – 901 Eden Road – Zoned Institutional.**

Present representing this Revised Final Phase 2A Land Development Plan was Mr. Dave Madary, Derck & Edson and Mr. John Yoder, Lancaster Bible College.

Mr. Madary indicated that this is the Revised Final Phase 2A Land Development Plan for the recently approved Revised Preliminary Plan for the College and that the review comments received are administrative since the technical issues were addressed during the Revised Preliminary Plan review.

There was no comment from the Planning Commission.

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

On a motion by Mr. Reed, seconded by Mr. Rathman it was recommended to approve this plan contingent upon the applicant addressing all outstanding stormwater and geotechnical comments prior to presenting this plan to the Board of Commissioners and contingent upon a clean review letter.

Motion Approved 7-0.

Other/Rezoning/Text Amendment/Conditional Use Reviews

1. Worthington Planned Residential Development – Revised Tentative Plan and Conditional Use Modification Requests - Oregon Pike - Zoned R-2; R-2 (Bonus Density); R-3 and B-1.

Present representing this Revised Tentative Plan was Mr. Mark Johnson and Mr. John Snyder, RGS Associates and Mr. Dave Minno, Minno & Wasko Architects and Planners.

Mr. Johnson indicated that, after several meetings with staff, the technical issues, as well as comments made by the Planning Commission, have now been addressed.

Mr. Minno presented architectural renderings as requested by the Planning Commission and discussed the consistency of the architecture and layout between the residential portion and the commercial portion in order to show continuity between all structures.

Mr. Sturla encouraged the applicants to ensure that any future signage proposals also have some continuity and to dictate a consistent architectural look versus random signs to satisfy individual businesses.

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

On a motion by Mrs. Hollinger, seconded by Mrs. Reidenbaugh, it was recommended to approve in its entirety the proposed Motion relating to the Application for Tentative Approval of the Revised Development Plan for Worthington, a Planned Residential Development, presented at this meeting consisting of 11 pages and that such 11-page Motion be made part of the Minutes of this meeting.

Motion Approved 7-0.

2. Cedar-Oregon Pike LLC - Rezoning Petition – 1611 Oregon Pike - Request to change zoning of property from B-2 Zone to B-3 Zone.

Present representing this Rezoning Petition request was Mr. Matthew Creme, Nikolaus & Hohenadel; Mr. Sandy Kime, David Miller/Associates and Mr. Dale Pears, Cedar Centers. Also in attendance were Ms. Libby Moose and Ms. Susan Wiley representing Patient's First as potential tenants for a portion of this parcel.

Mr. Creme indicated that the rezoning petition is for a parcel located along Oregon Pike. Mr. Creme indicated that this parcel fronts a major street and is surrounded by a mix of uses and lot sizes and he feels that the proposal, as submitted, will fit and fill in the area while being sensitive to the neighbors.

Mr. Kime indicated that the parcel is an 11-acre site which sits across the street from the Lancaster Shopping Center and presently houses a single family dwelling while the remainder of the property is vacant ground.

Mr. Kime indicated that the site is currently zoned in the B-2 Business District which limits office floor area to 4,000 square feet and that the desire of the landowner is to primarily provide for larger offices, such as Health Services, Dental and possibly a Urologist office as well as some retail as shown on the submitted sketch plan.

Mr. Kime indicated that the current comprehensive plan shows the front half of this parcel as being commercial use and the back half as being medium-high residential, however with Crown Avenue dead-ending and presently serving only commercial users and with no possibility of extending Rutledge Avenue out to Oregon Pike (per staff direction), there would be no residential access. Mr. Kime indicated that the parcel also has a natural separation from the residential users due to existing low spots on the land where stormwater currently runs to and where stormwater management would be proposed which would provide large buffers from the adjacent homes.

Mr. Kime indicated that all of the parcels existing in the B-2 district of the Township are made up of very small pieces of ground and that this parcel (excluding the Skyline Pool parcel) is the largest piece of ground located in the B-2 district.

Mr. Sturla, with consensus from the Planning Commission, indicated that although the proposal on the submitted sketch plan is favorable, unfortunately the Planning Commission is unable to rezone and then restrict uses to just what is proposed on the sketch plan. Mr. Sturla indicated that there is a fear that if this property was rezoned to the B-3 district, larger users could end up being built there next to the residential users. Mr. Sturla indicated that if the property is rezoned there are no guarantees that says the property owner won't eventually sell or develop as 100% retail which is a big concern.

Mr. Sturla indicated that this is an established residential neighborhood and while offices are a low impact user, we certainly do not want to introduce big retail users into this site. Mr. Sturla also expressed a concern regarding spot zoning.

Mr. Creme indicated that Mr. Sturla is correct and that, although the current property owners plans are to propose what is shown on the sketch plan, there is no guarantee that if a property is rezoned different uses that are permitted by right could go in there.

Mr. Creme advised that spot zoning is a rezoning that makes absolutely no planning sense and that this property is different and it should really transition especially in light that it is an infill piece of ground. Mr. Creme indicated that creating a transition can dictate a rezoning.

Mr. Sturla suggested that in order to maintain a transition between the residential users, the applicants could propose rezoning the front half of the property to B-3 while maintaining B-2 status for the rear portion.

Mr. Creme indicated that since the main concern of the Planning Commission is fear of other permitted B-3 uses with higher impacts potentially being proposed for the site, he could draft a restriction on future uses of the property that would run with the land and be flexible for property owner and comfortable for the Planning Commission.

The Planning Commission encouraged Mr. Creme and the applicants to move forward with drafting such a restriction for the property.

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

On a motion by Mr. Reed, seconded by Mr. Gibeault it was recommended to table this rezoning petition request.

Motion Approved 7-0.

Public Comment

Mrs. Lisa Douglas indicated that Thomas Comitta Associates was the selected consultant to assist with the preparation of the updated Zoning Ordinance and at this point, staff has supplied the consultant with various documents; has accompanied the consultant on a Township-wide tour allowing the consultant to see firsthand the diversity and challenges facing the Township and has assisted the consultant in conducting interviews organized to gain insight into some of the issues and/or changes facing Manheim Township.

Mrs. Douglas advised that throughout the process the consultant will be meeting with a small work group consisting of Township staff, as well as representatives from the Board of Commissioners, Planning Commission and Zoning Hearing Board to begin preparing draft sections of the Zoning Ordinance.

Mrs. Douglas indicated that the first two work group sessions are scheduled from 3pm – 5pm on Thursday, November 18, 2010 and Thursday, December 16, 2010.

Mrs. Douglas indicated that the meetings are intended as work sessions between the consultant and the work group, similar to the Comprehensive Plan process, and that the public is encouraged to attend and observe but the work group team will not be seeking public input during these sessions as public meetings will be conducted throughout the process for public input.

Mrs. Douglas indicated that updates will be provided through the Township newsletter and the new Township website.

There was no further public comment.

Adjournment

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

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Motion approved 7-0 and the meeting adjourned at 7:15 p.m.

The next Regular Planning Commission meeting is scheduled for Wednesday, December 15, 2010 at 6:30 p.m.

Respectfully submitted,

Shannon L. Sinopoli

-Attachment