

**MANHEIM TOWNSHIP
PLANNING COMMISSION
MINUTES
Wednesday
April 16, 2008**

A meeting of the Manheim Township Planning Commission was held on Wednesday, April 16, 2008 at 6:30 p.m. The following members were present: Mr. Jeffrey Sturla; Mr. Michel Gibeault; Mr. Robert Wolf; Mr. Cory Rathman; Mr. Donald Reed; Mrs. Mary Ellen Hollinger and Mr. Michael Martin. 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 March 19, 2008 meeting minutes.

On a motion by Mr. Reed, seconded by Mr. Rathman, it was recommended to approve the March 19, 2008 meeting minutes.

Motion Approved 7-0.

Comprehensive Plan Update

Mrs. Douglas provided the planning members and audience with an update of the progress of the Comprehensive Plan.

Mrs. Douglas indicated that the Steering Committee held a publicized interim meeting in the afternoon on Friday, April 11, 2008 to follow-up on land use and density.

Mrs. Douglas indicated that, since 1946, the average gross density in Manheim Township had been around 2.11 dwelling units per acre and that since 2000, the average gross density of development has been 1.65 dwelling units per acre.

Mrs. Douglas advised that the County Comprehensive Plan and the Lancaster Intermunicipal Plan has density targeted at 7.5 dwelling units per acre in growth boundary areas, such as Manheim Township.

Mrs. Douglas indicated that one of the questions on the recent Township wide survey was whether or not to support the creation of developments equal to the County's goal of 7.5 dwelling units per acre. Mrs. Douglas pointed out that out of the responses 43.99% agreed with the County's goal.

Mrs. Douglas mentioned that some of the Steering Committee members indicated that increasing densities cannot be considered until traffic related issues are resolved and that increased densities would only be possible if traffic is adequately addressed.

Mrs. Douglas indicated that the majority of the members were in favor of keeping the current densities as they are and to raise the densities in R-1 to 5.0 units per acre with the purchase of Transferable Development Rights (TDRs); R-2 to 7.0 units per acre with the purchase of TDRs and R-3 to 10.0 units per acre when utilizing TDRs.

Mrs. Douglas indicated that the next Steering Committee meeting will be held April 23, 2008 at 7:00 a.m. here at the Township offices.

Old Business

A. Rezoning/Text Amendment/Conditional Use/Ordinances

1. Berkshire-Lancaster LLC – Planned Commercial Development – Conditional Use request – Granite Run Drive – Zoned I-1.

Present representing this Conditional Use request for a Planned Commercial Development was Mr. Charlie Suhr, Attorney, Stevens and Lee; Mr. Steve Horst, property owner; Mr. William McCollum, Berkshire Development and Ms. Jodie Evans, McMahon Transportation Engineers.

Mrs. Evans indicated that, in response to the planning members suggestions at the March Planning Commission meeting, they expanded their traffic study scoping area to include the entire Fruitville Pike Corridor from Route 30 to Petersburg Road and that the levels of service, pre-development and post-development, were analyzed.

Mrs. Evans advised that the entire Fruitville Pike arterial was analyzed as a whole as well as in sections and that three additional improvements have been added to the plans.

Mrs. Evans presented a brief Power Point presentation outlining all of the proposed improvements.

Mr. Reed questioned how many feet of front yard the residents along the west side of Fruitville Pike (from Granite Run Drive to Delp Road) would be losing with the creation of the center turn lane.

Mrs. Evans indicated that it would vary, but at most, it would be 10 feet.

Questions were raised concerning the lack of improvements proposed at the southbound intersection of Fruitville Pike and Delp Road.

Mrs. Evans stated that their initial submission of traffic improvements proposed a southbound right turn lane on Fruitville Pike, however, the Township Traffic

Engineer recommended other improvements on Fruitville, Manheim, and Granite Run in lieu of this improvement for that intersection.

The planning members recommended that the applicants still provide the southbound right turn lane in addition to the northbound turning movements.

Mr. Suhr indicated that they would add the southbound right turn lane back onto the proposed drawings.

Discussions took place in regards to pre- and post trip generations and the calculation methodology.

Mr. Gibeault questioned the necessity for zoning relief.

Mr. Suhr indicated that they will be going to the May Zoning Hearing seeking an appeal from the Zoning Officer's interpretation of an interchange; a variance from providing the 33% reduction and a dimensional variance to allow to remain parking within the 30 foot required improvement area.

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

On a motion by Mr. Gibeault, seconded by Mr. Rathman, it was recommended to table this Conditional Use request pending the decision of the Zoning Hearing Board.

Motion Approved 7-0.

New Business

A. Development Plans

1. 2257 Lititz Pike - Preliminary/Final Subdivision/Land Development Plan - 2257 Lititz Pike - Zoned R-2.

Present representing this Preliminary/Final Subdivision and Land Development Plan was Mr. Derek Potter, Harbor Engineering and Mr. Bill Bashore, applicant.

Mr. Potter provided an overview of this plan and indicated that the plan consists of three existing residential lots, one lot currently has a single family detached dwelling existing and the other two are vacant.

Mr. Potter indicated that a total of four single family residential lots are proposed. The lot with the existing dwelling is proposed to be subdivided into two parcels and the two vacant lots.

Mr. Potter advised that access for all four lots would be via a private street and will require a Highway Occupancy Permit and approval by PADOT.

Discussions regarding the private road and the maintenance of took place. Mr. Potter indicated that a shared access easement will be prepared and will include maintenance responsibilities for the individual lot owners.

Discussions took place regarding the requested modifications.

Mr. Potter indicated that the applicant was seeking relief from reconstructing private roadways to public street standards as well as relief from the paved with requirement of 27 feet to allow an 18 foot wide paved width.

Cross easements and storm drainage issues were discussed.

Mr. Sturla raised his concerns over the maintenance responsibilities that the future homeowners will have pertaining to the private road and the private on-lot stormwater seepage pits. Mr. Sturla wanted to ensure that the future buyers are made well aware of their responsibilities.

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

On a motion by Mr. Gibeault, seconded by Mr. Reed it was recommended to table this plan until the Township Solicitor reviews the proposed private road agreement and further discussions regarding the paved private roadway width.

Motion Approved 7-0.

2. RLPS Partners New Office Building - Preliminary Subdivision/Land Development Plan - Valleybrook Drive and Oregon Pike - Zoned B-1.

Present representing this Preliminary Subdivision and Land Development Plan was Mr. Derek Potter, Harbor Engineering and Mr. Craig Kimmel, RLPS.

***Note: Planning member Michael Martin announced that he would be refraining from these plan discussions.*

Mr. Potter provided an overview of the proposal which consists of a 40-acre tract of land on the corner of Oregon Pike and Valleybrook Drive.

Mr. Potter indicated that currently the land is vacant and that the applicants are proposing to subdivide the tract into two separate parcels.

Mr. Potter indicated that Lot #1 is proposed to house a new RLPS office building and Lot #2 is currently proposed as vacant land.

Mr. Potter advised that the tract consists of wetland and floodplain site constraints which involve working within the floodplain, the placement of porous pavement within the floodplain and a proposed pedestrian bridge which would cross over the floodplain.

Mr. Potter indicated that they are seeking Specific Permission from the Commissioners in order to allow such work and encroachments within the floodplain.

Mr. Potter noted that five years ago there was a floodplain study done on this area and that they plan on going back to take a look at the study to see if it was more restrictive than necessary per Township requirements.

Mr. Potter indicated that this plan is a completely new concept and requires several modifications in addition to the Specific Permission for the floodplain.

Mr. Potter discussed some of the modification requests.

Mr. Rathman questioned if the re-creation of the floodplain would still have the same quality and value as it does today.

Mr. Kimmel advised that the floodplain is currently farmed and should retain the same quality and value and indicated that the wetlands are a bigger constraint for which they are not proposing to touch at all.

Mr. Reed questioned the maintenance of the porous access drive, parking lot and pedestrian path.

Mr. Kimmel indicated that with porous pavement, it is always recommended that an annual power washing and/or vacuum of the pavement be conducted in order to keep the pores clean.

Mr. Potter indicated that staff is recommending that the public waterline be extended to the property boundary and questioned whether or not this would be mandatory.

Mr. Sturla indicated that the extension of public utilities has always been a request and is expected of all applicants.

Mr. Kimmel indicated that the proposed building is approximately 30,000 square feet and parking spaces consist of 117 for the construction phase one and an additional 15 spaces will be provided during construction phase two.

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

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

Motion Approved 6-0, with Mr. Martin abstaining.

B. Rezoning/Text Amendment/Conditional Use/Ordinances

1. Manheim Township – Text Amendment Request to amend the Manheim Township Zoning Ordinance (regarding apartments, building height and TDRs in Cluster Developments in R-1, R-2 and R-3 Districts).

Mrs. Douglas, Manheim Township Planning and Zoning Director presented this text amendment request.

Mrs. Douglas provided the planning members and all audience members with detailed material to follow along with during the presentation.

Mrs. Douglas stated that a few years ago, in an attempt to find other ways to utilize Transferable Development Rights (TDRs), the Planning Commission proposed increased apartment building heights and adding apartments to the cluster provisions of the zoning ordinance in the R-1, R-2 and R-3 Residential Districts.

Mrs. Douglas indicated that at that time, there was concern raised by township residents in regards to the increase in building height and the potential for the blocking of sight by existing developments.

Mrs. Douglas indicated that inevitably that proposed text amendment was withdrawn in order to revisit the ideas and to look at ways to lessen the effect of adjoining properties by means of increased setbacks, mandatory landscaping requirements, etc. so that adjoining developments and existing users wouldn't be negatively impacted.

Mrs. Douglas stated that at the February 2008 Planning Commission meeting, she was directed by planning members to begin working on such amendment and that is what is in front of them this evening.

Mrs. Douglas indicated that originally there was one proposed text amendment that included both the Cluster Development provision amendments and the increase in apartment building height and TDRs in the R-3 District. Mrs. Douglas advised that the Township, in trying to keep the two ideas separate, is now proposing two separate amendments which are on this evening's agenda.

Mrs. Douglas provided a detailed overview of the Cluster Development and the requirements of such development including the necessity for a minimum lot area of ten (10) acres and the need for Conditional Use approval in order to develop under such requirements.

Mrs. Douglas indicated that currently, apartments are permitted in the cluster development regulations in the R-2 with Bonus Density Overlay and in the R-3 District.

Mrs. Douglas indicated that the first amendment proposal is specific to the Cluster Development and that the amendments to the Cluster Provisions would

include the addition of apartment dwellings as permitted dwelling types in Cluster Developments within the R-1 and R-2 Residential Districts without bonus density overlay and with the purchase of TDRs, and to permit the increase in apartment building height also only with the acquisition of TDRs and only when utilizing a Cluster Development.

Mrs. Douglas outlined the policies of the current Comprehensive Plan and highlighted the areas of the plan that support this text amendment.

Mrs. Douglas spoke briefly on the history behind the TDR program and the allocation of Agricultural Land.

Mrs. Douglas indicated that the R-1 & R-2 currently are the only receiving areas and that the township has been trying to find other ways to use the 1,342 TDRS that were assigned to properties located in the Agricultural Area.

Mrs. Douglas indicated that this text amendment would allow the building height of apartments to be increased from thirty-five (35') feet to fifty (50') with the purchase of TDRs and that it would be isolated to only cluster developments by conditional use and that there would be an exaggerated setback requirement which would provide a deeper buffer area.

Mr. Sturla asked if this would increase the amount of homes that someone can build on a ten (10) acre parcel.

Mrs. Douglas indicated that the densities would remain the same as they are today and that this amendment is not intended to increase densities. It's intended to permit smaller lot sizes, but not more density. Mrs. Douglas stated that cluster developments consist of reduced lot sizes and more open space, but the density of a cluster development cannot increase without the use of TDRs.

Mrs. Douglas advised that there would also be percentage requirements for dwelling types in the cluster development.

Mrs. Douglas indicated that when the Agricultural Area was created there were a total of 1,342 TDRs assigned and that 380 have been severed and approximately 214 of those TDRs have been assigned or used for development projects.

Mr. Reed supplied the planning members and audience with a list of questions and/or comments that he had.

Mr. Reed raised concerns regarding the results of the Township wide community survey whereby the majority of those who responded indicated that the Township is growing too fast; there's too much congestion and that apartments were being marginally discouraged.

Mr. Reed also expressed his concern that a high percentage of those same respondents voted for a maximum building height of three (3) stories and he was wondering why they were only given the chance to vote on three (3) or more stories and not two (2) stories.

Mr. Reed thought that the survey was deliberately misleading regarding the height versus number of stories.

Mr. Reed also wondered why the Township isn't waiting until the approval of the Comprehensive Plan.

Mrs. Douglas indicated that discussions have been on going for approximately three years in an effort to find ways to use TDRs because of the decrease in acreage available from 1990 versus today and that our receiving areas are quickly disappearing and need to make the changes is now. Mrs. Douglas advised that the Township is currently short on where they need to be and it's apparent that they need to find more opportunities to utilize these available TDRs.

Mr. Reed stated that two of the Commissioners did not even know about this the night that it was on the Commissioners agenda to accept the proposal and move it forward to the Planning Commission.

Mr. Sturla indicated that the February Planning Commission minutes indicated that this was discussed and that the Planning Commission asked staff to look into amendments for TDR utilization. Mr. Sturla questioned whether or not the Commissioners read the Planning Commission minutes that are provided to them.

Mr. Sturla asked for public input.

Patron #1: Darlene Walton, 1574 Crescent Avenue

Mrs. Walton expressed her concerns in regards to the Hess Farm which is located behind her residence and the potential building height increase.

Mr. Sturla indicated that the committee has also been very concerned with height and that is why they are proposing the increased setbacks far enough back that the line of sight of a neighboring property owner would not change.

Patron #2: Mr. Jerome Sensenig, 1616 Oak Lane Resident

Mr. Sensenig questioned why the previous text amendment was withdrawn and what changed.

Mrs. Douglas indicated that the 2005 proposed text amendment combined both amendments and now they are separated. One for cluster provisions and then one for just the increase in building height for apartments in the R-3 district.

Mr. Sensenig indicated that when he received the Township wide survey, he almost threw it away because he thought the Township was trying to direct him in a way that they wanted and he didn't appreciate that, but he did answer the survey to the best of his ability to get the results. Mr. Sensenig wondered why the option for a two story maximum building height wasn't an option on the survey.

Patron #3: Mrs. Donna Sensenig, 1616 Oak Lane Resident

Mrs. Sensenig expressed her concerns about the neighboring Hess property and felt that single family homes would make better sense on that particular property.

Mrs. Sensenig stated that she is worried about increased crime that apartment duplexes may bring and had concerns about the landscape screening because of people walking through her yard out to Lititz Pike. Mrs.

Mrs. Sensenig indicated that additional police could possibly be needed with the addition of apartment complexes which may become a tax burden for the residents.

Planning members indicated that the Hess Farm is zoned R-3 which currently permits apartments by right, therefore a builder could come in today and build apartments without this amendment and that with this amendment, a builder would have to have further setbacks and landscape buffers which under current regulations, a builder would not be required to provide any landscape screening.

Mr. Sturla thanked all of the residents for their comments.

Motion by Mr. Rathman, seconded by Mr. Gibeault, it was recommended to table this text amendment request.

Motion Approved 7-0.

2. Manheim Township - Text Amendment Petition to amend the Manheim Township Zoning Ordinance (regarding apartment building height and TDRs in the R-3 District). (Hearing Date 6/9/08)

Mrs. Douglas, Manheim Township Planning and Zoning Director presented this R-3 text amendment request.

Mrs. Douglas indicated that this text amendment is also a spin off of the 2005 proposal as mentioned in the above discussions.

Mrs. Douglas indicated that this proposed text amendment is to permit apartment dwelling height to increase in the R-3 Residential District.

Mrs. Douglas advised that apartment dwellings are currently permitted by right in the R-3 District and that the present permitted apartment building height is thirty-five (35') feet.

Mrs. Douglas stated that the proposed amendment would allow the height to be increased to fifty (50') feet in the R-3 only when purchasing and utilizing TDRs and that any increase in apartment building height would require a larger side yard and rear yard setback.

Mrs. Douglas advised that a buffer planting area to provide a screening from existing, abutting residential uses would also be required.

Mrs. Douglas indicated that, if this text amendment is approved, the TDR article in the Zoning Ordinance would also need to be revised to reflect the change and to add R-3 as a third TDR receiving area.

Brief discussions took place regarding landscaping requirements if this were to go through, currently there is no landscape screening required.

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

***Note: Refer to any public comments regarding either text amendment above.*

Motion by Mr. Rathman, seconded by Mr. Gibeault, it was recommended to table this text amendment request.

Motion Approved 7-0.

Public Comment

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

Adjournment

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

The meeting was adjourned at 11:05 p.m.

The next Regular Planning Commission meeting is scheduled for Wednesday, May 21, 2008 at 6:30 p.m.

Respectfully submitted,

Shannon L. Sinopoli