

**MANHEIM TOWNSHIP
PLANNING COMMISSION
MINUTES
Wednesday
June 15, 2011**

A meeting of the Manheim Township Planning Commission was held on Wednesday, June 15, 2011 at 6:30 p.m. The following members were present: Mr. Michel Gibeault; Mr. Jeffrey Sturla; Mrs. Mary Ellen Hollinger; Mr. Michael Martin and Mrs. Stacie Reidenbaugh. Mr. Cory Rathman and Mr. Donald Reed 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 May 18, 2011 Planning Commission meeting minutes.

On a motion by Mr. Sturla, seconded by Mrs. Reidenbaugh it was recommended to approve the May 18, 2011 meeting minutes.

Motion Approved 5-0.

Announcement

Mr. Gibeault announced that the applicants for the Brooklawn Preliminary Subdivision/Land Development plan have asked to be scratched from this evening's meeting.

Conditional Use Request

1. **Worthington Planned Residential Development – Conditional Use Request - Signage - Oregon Pike -Zoned R-2.**

Present representing this Conditional Use Request was Mr. Mark Johnson, RGS Associates and Mr. Phil Saunders, Sign Medix.

Mr. Johnson indicated that the modification requests have revised per instruction from the May Planning Commission meeting.

Mr. Johnson indicated that the applicants also looked into other alternative locations for a possible freestanding sign for the gas pricing, however, there are numerous site constraints, but the applicants would try and make it work if the planning members preferred.

Planning members agreed that having an additional free-standing sign was not a desirable resolution and felt that placing the signage on the canopy for this particular project was the least intrusive location.

Planning members requested that a dimmer switch be installed on the gas price signage and to ensure that the signage would be dimmed daily from dusk to dawn.

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

On a motion by Mr. Sturla, seconded by Mrs. Hollinger it was recommended to approve this Conditional Use request provided that a dimmer is installed on the gas price signage and is activated daily from dusk to dawn.

Motion Approved 5-0.

Subdivision/Land Development Plans

1. Grandview – Preliminary Subdivision and Land Development Plan – New Holland Pike, Pleasure Road and Esbensen shade Drive – Zoned R-3 & B-1.

Present representing this Preliminary Subdivision and Land Development Plan was Mr. Jamie Brubaker and Mr. Jim Shultz, Charter Homes.

Mr. Brubaker indicated that they were present this evening just to provide a brief update since there has been a year time lapse since they were last in front of the Planning Commission.

Mr. Brubaker indicated that steps have been taken to work through the land title issues and that the process of filing the quiet title actions for the strip along Esbensen shade and the unopened portion of Helen Avenue has begun and is expected to take another 60 days or so.

Mr. Brubaker indicated that the alley issue with the three existing neighbors along Pleasure Road has been worked out and agreements have been executed so that the existing property owners will have full access to the proposed alleyway. The existing alleyway will be removed once the construction of the proposed alleyway is complete.

Mr. Brubaker advised that a resubmission was made to address some of the comments from the May 2010 staff review letter.

Mr. Gibeault asked for public comment.

Patron #1 - John Hershey, 1005 Pleasure Road.

Mr. Hershey stated that he was glad that Charter Homes is working on this project and taking the steps to try and match the existing Grandview development as best possible.

Mr. Hershey expressed his concerns regarding the proposed street scape. Mr. Hershey indicated that Esbleshade Road is presently at a width of 30-feet, curb to curb and is proposed to be widened. Mr. Hershey stated that with widening Esbleshade Road, not only is additional impervious surface being added, but the removal of the existing trees is also negative.

Mr. Hershey suggested keeping the existing trees that line Esbleshade Road.

Patron #2 – Joan Hawkins, 1025 Grandview Boulevard

Ms. Hawkins echoed Mr. Hershey's comments and stated that Janet and Helen Avenues are presently constructed at a 30-foot paved width and she would also like to see the trees remain along Esbleshade.

There was no further public comment.

On a motion by Mrs. Reidenbaugh, seconded by Mr. Martin it was recommended to table this plan and modification requests until all outstanding comments can be adequately addressed.

Motion Approved 5-0.

2. 630 Valley Road – Preliminary/Final Subdivision/Land Development Plan – 630 Valley Road – Zoned R-2.

Due to lack of representation for this plan, there was no presentation or discussion.

On a motion by Mrs. Reidenbaugh, seconded by Mrs. Hollinger it was recommended to table this plan and modification requests until all outstanding comments can be adequately addressed.

Motion Approved 5-0.

3. Stonehenge Reserve – Final, Phase II Subdivision/Land Development Plan - Northwest corner of Fruitville Pike and Koser Road – Zoned R-1 w/ TDR option.

Present representing this Final, Phase II Subdivision and Land Development Plan was Mr. Robert Shenk, Herbert Rowland & Grubic.

Mr. Shenk indicated that this plan is Phase II of the Stonehenge Reserve project and stated that in light of all technical issues and modifications being addressed during the preliminary plan approval stage, the only comments are of administrative nature.

There were no questions or comments from the planning members.

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

On a motion by Mr. Sturla, seconded by Mrs. Reidenbaugh it was recommended to approve this plan contingent upon a clean review letter.

Motion Approved 5-0.

Text Amendment Petition

1. **The Crossings at Conestoga Creek - Planned Commercial Development – Text Amendment Petition - Harrisburg Pike and Farmingdale Road - Zoned I-1.**

Mr. Michael Gibeault announced that he would be abstaining from the discussions of this text amendment petition request and turned the gavel over to Mr. Sturla.

Present representing this Text Amendment Petition was Mr. Tom Smithgall, High Real Estate Group and Mr. Mike Davis, Barley-Snyder.

Mr. Smithgall indicated that this text amendment proposal is specific to Article 23, the Planned Commercial Development (PCD) regulations.

Mr. Smithgall stated that it is the developer's desire to return with a new plan and conditional use request to significantly reduce the project size from 650,000 square feet of commercial space to 210,000 square feet and to introduce 250-260 residential apartments and 90,000 square feet of hospitality into the PCD.

Mr. Smithgall indicated that in order to move forward with this new plan, a couple of language revisions need to occur.

Mr. Smithgall stated that the first revision would be to modify the definition for apartment dwellings in light of an existing inconsistency where in one part of the regulations it states that apartment dwellings are a permitted use and then in a different section it states that apartment dwellings are a permitted use when secondary to commercial use.

Mr. Smithgall indicated that their proposed definition would help define how apartments actually fit within the PCD. Mr. Smithgall indicated that the proposed

definition also places a cap on the number of units which would be 3 dwelling units per acre.

Mr. Smithgall indicated that the second proposed text amendment is in regards to remove the use, Full and Limited Service Hotels from the excluded overall project square footage. Mr. Smithgall indicated that this is necessary in light of the substantial reduction of the retail component.

Mr. Sturla indicated that unfortunately with a text amendment, the Township has to look at the proposal globally and not just for a single project or applicant. Mr. Sturla advised that when zoning changes are requested, the planning members need to consider all of the potential future developments that may come in under the PCD regulations.

Mr. Sturla indicated that the Township is presently in the middle of updating the Zoning Ordinance. Mr. Sturla stated that in the past, the planning members had to say no to good projects and yes to bad projects because of the existing ordinance. Mr. Sturla indicated that although Mr. Smithgall proposes nice buildings and a great development, his fear is that the next developer/applicant will come and perverse the ordinance and the Township will have to approve an undesirable project that does not hold the same high standards.

Mr. Smithgall indicated that the proposed text amendment is a diminutive request and doesn't change all of the other components of the PCD such as the provisions for design standards, quality of buildings, etc.

Mrs. Reidenbaugh suggested that instead of proposing up-market apartments, the applicants should consider proposing apartments that would be desirable and affordable for the potential employees of the businesses in the PCD. Mrs. Reidenbaugh also suggested incorporating connectivity for the residents of the PCD.

Mr. Sturla indicated that it is being suggested by the planning members to keep the existing apartment definition intact in order to maintain the secondary and incidental standard for apartment dwellings while adding on the applicant's definition.

Mr. Sturla stated that this is being recommended in order to avoid the potential for the next developer to come in with a PCD and at the end of the day, the PCD is a project with merely apartment dwellings, which is not the intent of the ordinance.

Mr. Smithgall indicated that the words secondary and incidental are not desired, it either is a permitted use or it's not.

Mr. Smithgall advised that it is not the intent to make apartment dwellings a primary use which is why a maximum cap was placed in the definition.

Mr. Sturla reiterated the planning commission's position and stated that, for the Township's benefit and protection, there needs to be some language in the definition of apartment dwellings to ensure that such units are secondary or non-primary.

Mr. Sturla asked for public comment.

Patron #1 – Bill Cluck, Attorney

Mr. Cluck indicated that he represents the parties of the appeal to the previous PCD proposal. Mr. Cluck indicated that the appeal has been pending for over two years.

Mr. Cluck questioned how he could obtain copies of the proposed text amendment petition.

Staff indicated that an Open Records request form can be found on the Township's website which Mr. Cluck can complete and return to the Township for fulfillment.

Patron #2 – Joan Hawkins, 1025 Pleasure Road

Mrs. Hawkins questioned if form based codes were being introduced with the updating of the Zoning Ordinance.

Planning members indicated yes. Mrs. Hawkins embraced the use of form based codes.

Mrs. Hawkins stated that the federal government denied both requests for the previous traffic improvement proposals for the Harrisburg Pike Interchange because of public opposition.

Mrs. Hawkins questioned the appointment of Dale High, by the Governor, to modify the interchange of Harrisburg Pike.

Mrs. Hawkins stated that her desire for this property has been and still is to make this an extension of Long's Park.

Mr. Smithgall responded to Mrs. Hawkins comments and indicated that Dale High was appointed by Governor Corbett as an advisor technician to bring transportation funding ideas.

Mr. Smithgall stated that the reason the requests for funds for the Harrisburg Pike interchange improvements were denied is not because of opposition, but because of the substantial applications submitted and the competition for the monies. Mr. Smithgall indicated that there were \$7 billion worth of applications and only \$1.2 available.

On a motion by Mrs. Reidenbaugh, seconded by Mr. Martin it was recommended to table this Text Amendment Petition request.

Motion Approved 4-0 (with Mr. Gibeault abstaining).

**Note: Mr. Gibeault exited the meeting due to another commitment.

Public Comment

Mrs. Lisa Douglas provided an update to the Zoning Ordinance revisions and indicated that the work group will be meeting again on June 16, 2011 from 3:00 p.m. to 5:00 p.m. to discuss general provisions, transferable development rights, parking and the planned commercial development regulations.

Mrs. Douglas indicated that as the draft form is updated, it is continually available for viewing on the Township website as well as available at the Township office.

Mrs. Douglas indicated that the consultant will be presenting another update to the Planning Commission at the June 20, 2011 Planning Commission meeting.

There was no further public comment.

Adjournment

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

Motion approved 4-0 and the meeting adjourned at 8:00 p.m.

The next Regular Planning Commission meeting is scheduled for Wednesday, July 20, 2011 at 6:30 p.m.

Respectfully submitted,

Shannon L. Sinopoli