

APPROVED

**SPRINGETTSBURY TOWNSHIP  
PLANNING COMMISSION / BOARD OF SUPERVISORS  
WORK SESSION  
FEBRUARY 21, 2013**

**PLANNING COMMISSION**

**MEMBERS IN ATTENDANCE:**

Alan Maciejewski, Chairman  
Mark Robertson  
Mark Swomley  
Charles Wurster  
Charles Stuhre

**BOARD OF SUPERVISORS**

**MEMBERS IN ATTENDANCE:**

William Schenck, Chairman  
Don Bishop  
Mike Bowman

**ALSO IN**

**ATTENDANCE:**

John Holman, Township Manager  
Angela Liddick, Deputy Zoning Officer  
Charles Rausch, Township Solicitor  
John Luciani, First Capital Engineering  
Seth Springer, Solicitor  
Marion Hull, Planning Consultant  
Sue Sipe, Stenographer

**A. CALL TO ORDER:**

**1. Pledge of Allegiance**

Planning Commission Chairman Maciejewski called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

**B. TOWN CENTER OVERLAY**

Mr. Holman stated the purpose of the meeting was to review questions regarding the Town Center Overlay District and how to address conditions and waivers that occur with new projects, and to bring the Board of Supervisors and the Planning Commission together to arrive at an understanding to encourage economic development.

Marion Hull presented a PowerPoint presentation which reviewed the following points:

**1. Purpose and Goals**

- Ensure long-term strength of the Township's retail market
- Enhance existing retail success with amenities, streetscape and design improvements
- Provide multimodal access
- Encourage mix of uses
- Connect adjacent neighborhoods to the Town Center shopping area
- Create clear and attractive gateways

**2. Why an Overlay District?**

- MPC limits use of design standards

- Overlay permits some uses outright
- Permitted uses comply only with development standards
- Conditional uses comply with development standard and design guidelines contained in the conditional use process
- Conditional use process provides considerable leeway in evaluation
- 3. Development Standards vs. Conditional use Considerations
  - Minimum Standards
    - Setbacks
    - Signage
    - Landscaping
    - Underlying zoning provisions
    - Deviation from minimum standards require a variance
  - Guidelines
    - Design
    - Pedestrian access
    - Façade articulation
    - Deviation from guidelines is at discretion of Board
- 4. Reviewed development in the Town Center Overlay District
  - Patient First
  - IRS/SSA
  - Buffalo Wild Wings
  - Chick-Fil-A
- 5. Cleared or Vacant Sites
  - Development standards apply to all permitted and conditional uses
    - Setbacks
    - Signage
    - Landscaping
    - Underlying zoning provisions
  - Conditional uses must show how they comply with design and all other standards
  - Board of Supervisors can permit modification of design elements, but changes to development standards require a variance.
- 6. Expansion/Reuse of Existing Building
  - If no change in use, Town Center Overlay is not triggered
  - Existing structures are not required to meet new setbacks
  - If any expansion is planned, it should be designed in a way to make it better conform to the setbacks and other development standards.
  - Design standards; ‘The applicant shall illustrate how a new use within an existing structure attempts to accommodate’ design standard listed in §325-200.H.
- 7. Conditional Approval
  - When evaluating a conditional use application the Board of Supervisors shall consider the design standards contained in the T-C Overlay
  - Any proposed modifications should:
    - Better serve the intended purpose of the T-C Overlay
    - No result in adverse impacts to adjoining properties
    - No result in an increase in development densities
    - Provide the minimum relief needed

Discussion was held regarding the following items/issues:

- What constitutes an adverse effect on an adjoining property? Examples included uses in conflict, encroachment on another property, traffic, noise, residential district vs. commercial district.
- Whether the Board of Supervisors could grant a waiver for a property that has two front yards to provide the ability for the owner to have parking in one of the front yards; or is only to be granted by the Zoning Hearing Board. It was noted nothing is in the Ordinance that specifically addresses this issue.

- It was noted the expansion recently done to the Weaver Eye property was 4,000 sq. ft. and the owner did file a land development plan, however they did not conform to the Town Center Overlay requirements.
- Discussion was held as to regulating non-conforming structures in a residential district with a minimum lot size of 10,000 sq. ft. that was in existence before the zoning ordinance was passed.
- Discussion was held regarding the redevelopment projects of the prison and how that affects traffic on Concord Road and Rt. 24 in regards to the signal light.
- Discussion of the Town Center approach similar to Hunt Valley, which has built in internal roads allowing for easier circulation.
- Defined Section B of the land development – the addition of 3,500 or more sq. ft. of impervious coverage – parking spaces 200 sq. ft., travel aisles or; Section C – a commercial building addition of 1,000 or more sq. ft.
- Issue of what kind of transition to pursue and how to encourage redevelopment expansions. The MPC definition of land development is the combination or subdivision of two or more lots and anything other than a single family home development is considered land development. It was noted the last revision to the Ordinance allows a resident to expand their building 999 sq. ft. with a building permit. Adding a building of 3,500 sq. ft., with impervious coverage equaling at least 10 parking spaces can be done with a building permit. As a result there are no landscaping, sidewalk, curbing or potential road improvements. It was determined this change was made to the Ordinance at the time of the economic downturn.
- It was noted that the only conditional use plan submitted in the Town Center Overlay District is the Firehouse Station plan. This plan constitutes tearing down the building and changing the use. Since the permitted uses are limited it triggers the conditional use.
- Ms. Hall stated that since permitted uses are narrow for a retail area, this results in more conditional use plans. She noted the Township would need to revise the nonconforming standards or the Town Center Ordinance in an effort to trigger an expansion.
- Need to assess if the Town Center Overlay as it is presented right now is a deterrent to development in the Township and if it is, what can be done to change it so it is not too restrictive, but also holds the potential developer accountable to stay within the established guidelines.
- Mr. Springer pointed out the necessity to be cognizant of a piecemeal approach which occurred with the prison addition and the Weaver development. He stated that could be mitigated by specifying in the code/ordinance any increase of 50% would require a redevelopment plan.
- Mr. Holman stated the Town Center Overview plan was adopted in 2006. It will be reviewed again in 2014-2015 with the comp plan. In the interim this meeting will help Staff determine what needs to be evaluated to establish better controls and determine areas that need to be refined in the Ordinance, as well as any other aspects to be addressed.
- Discussion was held regarding the last four projects either completed or in the process – the SSA Building, Patients First, Chick-Fil-A and Buffalo Wild Wings, noting these are out of town majors who are taking advantage of the Town Center concept and working with it to the Township's specification. However, this may prevent smaller, local businesses from development in the Town Center Overlay district that may not have the resources the larger companies have and may be boxed in by larger development.

- Ms. Liddick suggested creating a guide that would clarify the Ordinance requirements for different building scenarios.
- Ms. Hull stated a clarification is also needed on the differences between standards and guidelines. Also clarification on what should be submitted and/or presented to the Zoning Hearing Board as opposed to what could be waived by the Board of Supervisors. Ms. Hull will work on establishing that criterion.
- Discussion was held in regards to a recently purchased lot across from the new SSA building on Industrial Highway, which is in the Town Center Overlay District. It was noted that perhaps the Economic Development Authority could monitor the project to assess how it progresses to determine any issues that present, i.e., any road blocks encountered to be reported to the Board and the Planning Commission.

**C. Chapter 325 of the Municipal Code – Zoning, Article XXIV, Signs**

**Discuss Amendment to Zoning Ordinance Regarding Mobile Signage.**

This amendment is in regards to a costumed individual working in the right-of-way, which came about because there is a discrepancy or contradiction in the signing ordinance which states “mobile signs are not permitted”. The other section indicates, “Mobile signs including costumes are not permitted in the right-of-way”, which presumes they are permitted if they are not in the right-of-way. Therefore it is necessary to provide clarification and remove the contradiction by deleting the mobile sign reference.

It was noted this was discussed by the Planning Commission and the following verbiage was decided upon: “Persons attempting to attract public attention either in costume or carrying mobile signing for the purpose of commercial advertising and/or solicitation of any kind are not permitted in the public right-of-way.

Att. Rausch noted he will add this to the code so it can be immediately enforced.

**D. PUBLIC COMMENT - None**

**E. ADJOURNMENT**

**CHAIRMAN MACIEJEWSKI ADJOURNED THE MEETING AT 8:40 P.M.**

Respectfully submitted,

Secretary

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