

APPROVED

**SPRINGETTSBURY TOWNSHIP
PLANNING COMMISSION
APRIL 17, 2014**

MEMBERS IN

ATTENDANCE: Alan Maciejewski, Chairman
Charles Wurster
Charles Stuhre

ALSO IN

ATTENDANCE: Trisha Lang, Director of Community Development
Angela Liddick, Community Development Coordinator
John Luciani, First Capital Engineering
Seth Springer, Solicitor
Attorney Amanda Sundquist
Sue Sipe, Stenographer

NOT PRESENT: Mark Swomley
Mark Robertson

1. CALL TO ORDER:

A. Pledge of Allegiance

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

2. ACTION ON THE MINUTES

A. MARCH 20, 2014

THE MINUTES WERE TABLED DUE TO LACK OF QUORUM.

3. BRIEFING ITEMS - None

4. ZONING & WAIVER RECOMMENDATIONS - None

5. ACTION ITEMS

A. CU-13-03 First Capital Federal Credit Union

Jim Barnes, James Holley & Assocs.

Project Narrative: This plan involves the construction of a new 3,680 square foot credit union branch office with three drive-through lanes in addition to a drive-up ATM on this now-vacant site. The construction represents the relocation of the same operation from an existing Springettsbury Township location.

Plan Background: This project is presented for zoning review only. The applicant has made some revisions to the proposal since their last appearance before the Commission on March 20, 2014. A final land development plan will follow the required acquisition of conditional use approval. First Capital Federal Credit Union Conditional Use Application

After review of the plan and materials submitted for consideration, Township staff notes the following areas where the application submitted is not consistent with the Conditional Use Design Standards as specified in Section 325-200. The application did not include any request(s) for modification of the standards in accordance with Section 325-208 or 325-207.C.1.o:

1. Zoning 325-200.C. Conditional Use design standards; refuse areas. Outdoor refuse areas are to be designed in a manner that is architecturally compatible with the building.
The applicant's business does not require the use of a dumpster. As a result, no space for an outdoor refuse area is included as part of the site design. It should be noted that this situation is unique to this user and would not be established as "existing non-conforming" for future re-development/re-use of the site. No modification has been requested but one should be granted for compliance with this standard that would run with the currently proposed use of the site.
2. Zoning 325-200.D. Conditional Use design standards; screening. A service/loading area of 12'X50' is required to be provided and must be visually screened from the street and pedestrian ways.
The applicant has located the loading area to one side of the building but provides no screening of this area. If the proposed use does not utilize a loading area, the applicant should, as with the criteria listed above, request a modification from compliance with this standard. A modification has been requested and should be granted that would run with the currently proposed use of the site and not create a future "non-conforming" situation.
3. Zoning 325-200.E. Conditional Use design standards; signs.
All signage for the site will be reviewed/approved as part of the sign permitting process.
4. Zoning 325-202.A Pedestrian Circulation. The ordinance requires that, where feasible, existing pedestrian routes shall be retained and enhanced.
Related to the issue of pedestrian circulation, it is noted that the project does not include the provision of a pedestrian crosswalk south from the site across Eastern Boulevard. A ramp and crosswalk are required in this location.
5. Zoning 325-204.N Public Plazas. The public plaza is required to be designed to incorporate "public art, amphitheater, water feature or other amenity deemed similar by the Board of Supervisors".
The applicant is proposing to utilize an existing flag pole to meet this condition. The Commission should determine if this adequately meets the intent of the T-C design criteria.
6. Zoning 325-204.T Public Plazas. An agreement with the community for public access to a plaza constructed by a private entity is required.
This agreement has not been provided. The Commission can recommend that this accompany the submission of a final land development plan for this site.
7. Zoning 325-205.A. Streetscape Elements; Pedestrian Scale Streetlights. Lights shall be spaced between 60' and 100' apart.
With over 300' of frontage, a minimum of four (4) streetlights should be provided. The applicant proposes only two (2) lights. The distance of these lights from the property boundary as well as the site's location on a corner are important considerations in determining the adequacy of what has been proposed.
8. Zoning 325-205.C. Streetscape Elements; Street Trees.
It is noted that a Type II buffer is required in the MU-district where development is adjacent to an arterial or collector street. This planting would be required along both Northern Way and Eastern Boulevard but is not shown on the plan. Although it is a criterion associated with the SALDO, Section 325-198.E. specifically identifies that "all other requirements of this chapter and other Township ordinances shall apply within the Town Center Overlay". If the plan should be approved without this landscaping shown, it is not clear that the Township can require that it be added at the LDP stage. No modification of this buffer has been requested however, the Commission members

should determine if they would be willing to grant such a request which might accompany the land development plan for the project. Also, it is noted that Chapter 325, section 205.C.1 requires that the “street trees be planted parallel to the street in the planting strip along all streets.” The applicant has located the street trees on the north side of the sidewalk along Eastern Boulevard rather than in the grass strip located between the south edge of the sidewalk and the curb. A modification has been requested and should be granted to allow a deviation from this standard that would permit placement of the street trees as shown. A note should be included on this plan, as well as the land development plan, that identifies this grant of relief as well as the developer’s obligation to maintain these trees.

9. Zoning 325-206.A. Off-street parking. General Design Requirements. Surface parking lots shall have perimeter landscaping a minimum of 3’ wide. The landscaping shall include one or a combination of one or more of the items in (a), (b), or (c), to provide a continuous screen of the surface parking lot. The applicant’s proposal does not provide sufficient evidence to determine compliance with the height or width specifications and, for planting located on the east side of the site, does not show the plant material in the appropriate location, and does not include the required pedestrian breaks at 30’-50’ intervals. This buffer planting should be at the perimeter of the paved parking lot and not along the property boundary. Additionally, the Heller’s Japanese Holly does not meet the minimum installation height of 4’ and no breaks have been located in this buffer.
10. Zoning 325-206.B. Off-street parking. Access. Driveways for parking facilities shall be a maximum of 16’ wide for one-way drives. The curb radii shall be the minimum possible dependent upon width of driveway, location of parking.
The proposal continues to include an 18’ driveway width with a curb radius of 10’ for the one-way exit onto Eastern Boulevard.

Mr. Barnes indicated they have made adjustments and revisions to the plans based on discussion at the March meeting. He reviewed the changes which include:

- Adjusted the entrance off Northern Way to provide a 40 ft. distance from the closest parking space back to the curb line of Northern Way, which will provide queue space for vehicles coming in or out without interruption of the travel lane northbound on Northern Way.
- Widened the sidewalk from the 5 ft. wide to the 8 ft. width to accommodate the multi-use path as discussed last month.
- Adjusted the landscape plantings along the northern and eastern side of the properties, with gaps in the plantings at different locations to allow pedestrian access.
- Show the crosswalk from the intersection on the northeast corner to the intersection on the southeast corner at the AAA building.
- Relocated the street tree plantings on Eastern Boulevard due to an existing 15 ft. wide sanitary sewer easement across their frontage as well as the other properties to the east.

Mr. Barnes reviewed the conditional use design standard items as identified on the case summary as follows:

#1 Refuse area – Mr. Barnes pointed out the refuse area at the corner in relation to the footprint of the building, noting it is outside the door and they only use totes. The criteria for refuse areas indicates the storage of refuse shall be provided either inside the building or within an outdoor area enclosed by either walls or opaque fencing. He felt they met that requirement because they are screening it with an existing wall.

#2 – Screening – Mr. Barnes stated since there will be no deliveries for this business they are requesting a modification to not have to screen a space that will not be used. It was noted this would be a modification based on current use and would not be valid if and when a different business was placed on the site in the future.

#3 – Signs - Mr. Barnes stated the signs will be reviewed as a separate application and part of the sign permitting processing.

#4 – Pedestrian Circulation - Ms. Lang confirmed what is shown on the plan meets the requirement.

#5 Public Plaza – Mr. Barnes stated the planting area of the public plaza was enlarged. The requirement is 500 sq. ft. and they have approximately 800 sq. ft. They have included all the benches along both Northern Way and Eastern Boulevard as well as the two benches along the planting area. The trash receptacle is the same style so that everything coordinates and the flagpole is adjacent to the sitting area on Northern Way. Ms. Lang confirmed this enhanced the plaza area from the last review.

#6 - Public Plaza – Ms. Lang indicated the Township would be willing to postpone the agreement until the final land development plan is submitted.

#7 – Streetscape Elements - Mr. Barnes stated that the lighting was designed to the performance standards in the zoning ordinance for outdoor lighting and meets the minimum foot candle requirements for what is necessary along the streetscape. Ms. Lang stated although it meets the ordinance, the problem is that the properties adjacent are at the farthest end of that 100 ft., so development of those properties on either end will require a streetlight because of the way the applicant set the lights on their property. Upon discussion it was the recommendation of the Planning Commission that 3 streetlights are needed for this location.

#8 - Streetscape Elements –In regards to the Type II buffer requirement, Mr. Barnes stated they would ask for a waiver of this at the land development stage. In regards to the street trees, it was noted the applicant has asked for a modification for the placement of the street trees. Staff is recommending granting that modification.

#9 – Off Street Parking relating to perimeter landscaping - Mr. Barnes stated they show the plantings along the northern boundary adjacent to the parking lot and the property line. They have shown locations of where those gaps can be also plantings along the eastern property line to screen the property and they have left a gap in two areas. Discussion was held as to the paving of the gaps. Ms. Lang stated some type of hard surface is necessary, focusing on the eastern boundary of the lot where plantings are identified on the property line. She noted there is no planting required on the property line, but planting is required at the edge of the surface parking lot. The materials shown on the boundary line do not meet the requirements of the types that are permitted or expected to be provided in that area. Ms. Lang also noted that the plantings chosen need to be placed in the correct location to provide a buffer that is 3 ft. wide installed at a height of 4 ft. The holly proposed for this area is only 2½ or 3 ft. in height.

Mr. Barnes pointed out since this is a financial institution, from a security standpoint it is impractical in this particular narrow area to put a screen planting right along here where the access to the ATM would be behind that screen. Therefore, because it is so narrow at this location he indicated they believe they have met the intent of screening that even though it is not right up against the curb line. He noted the applicant would agree to a planting of 4 ft. in height. It was the consensus of the Planning Commission that due to bank security safety issues the site has specific criteria and needs.

#10 - Off-Street Parking, Access Driveways - Mr. Barnes confirmed that although the entrance drive was reduced to 16 ft. the exit drive was not changed. Consequently, they will agree to change the exit drive to a 16 ft. wide drive and the curb radius would change from a 10 ft. radius to an 8 ft. radius which is the width of the grass strip.

MR. WURSTER MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE THE CONDITIONAL USE FOR CU-13-03 FIRST CAPITAL FEDERAL CREDIT UNION SUBJECT TO THE MASTER PLAN BEING REVISED TO IDENTIFY COMPLIANCE WITH THE CRITERIA AS DETAILED IN #1 THROUGH 10 ON THE PLAN SUMMARY WITH THE FOLLOWING AMENDMENTS:

#7 – THREE STREETLIGHTS SHALL BE INSTALLED AS OPPOSED TO TWO

#8 – GRANTING ONLY THE BOTTOM SECTION WITH REGARD TO THE STREETScape ELEMENTS AND STREET TREES.

#9 – ACCEPTANCE OF THE APPLICANT’S MODIFICATION OF THE LOCATION OF THE PLANTS AND RECOGNIZING THEIR WILLINGNESS TO PUT IN PLANTS AT A HEIGHT OF 4 FT.

#10 – THE APPLICANT WILL BE PUTTING IN THE PROPOSED DRIVEWAY IN ACCORDANCE WITH THE TOWNSHIP ORDINANCE.

MR. STUHRE SECONDED. MOTION UNANIMOUSLY PASSED.

6. NEW BUSINESS – None

7. ADJOURNMENT – EXECUTIVE SESSION – 6:35 PM

THE MEETING RECONVENED AT 7:10 PM

8. OLD BUSINESS

A. CU-13-01 Springetts Commons

Attorney Springer was excused from the meeting.

Joshua George, Site Design Concepts

Attorney Matt Creme

Attorney Creme stated due to the challenges presented by meeting the criteria of the Town Center Overlay on the site, the approach suggested by Counsel is to defer compliance with some of the terms and criteria of the Ordinance to the land development stage.

Mr. George distributed copies of the plan and reviewed the plan to point out changes they have already made. He noted the plan has not changed significantly since they presented several months ago. Recently they were asked to make a minor change to the plan to increase the size of the proposed assisted living facility. The portion of the project closest to the intersection of Industrial Highway and Northern Way is the same as before. The portion shaped as a hockey stick includes a retail strip center and a potential restaurant. The portion of the property behind the stream would be another proposed restaurant along Industrial Highway and then the new assisted living facility footprint which has slightly increased.

Mr. George proceeded to review the modifications as provided in the packet.

Tab 15 – Mr. George noted there are 5 modifications provided as part of the additional information. The first - §325-200.G.5 parking facilities shall be permitted on to the rear or side of the principal structure. No parking shall be permitted in the front. Mr. George stated in their view this is an interpretive modification as it relates to what is determined to be the front. He noted upon discussion with Staff they stated provided that the parking facilities are no closer to the street than the front of the building that is closest to the street, it would not be considered to be in the front yard. Mr. George stated their design incorporated that instruction such that the parking is at or behind the face of both buildings. They are requesting a modification to permit this specific design subject to the interpretation.

Discussion was held regarding the parking as it relates to the assisted living facility and the interpretation applied by the Ordinance.

Mr. George explained the main entrance of each principal structure shall direct pedestrian access through a network of sidewalks, pedestrian pathways and crosswalks. He pointed out on the plan the direct entrances to the specific buildings illustrating the connectivity from the sidewalks to each of the buildings, including the assisted living building, noting that since it must be located farther away from the street they are proposing a series of sidewalks originating along Industrial Highway through the site to the front entrance. He noted they believe that is consistent with the requirements based on the interpretation. Attorney Creme noted that what the applicant is proposing is for an approval that would permit construction of what is shown on this plan. He further noted they are not asking for anything that would

be an authorization to us to change the plan further or to not build what is being shown. He reiterated what they are requesting is that some of the level of design be deferred to the land development stage. He stated they understood if anything should change in the conditional use approval of this building as discussed, it would require another analysis of whether a return to a conditional use approval is required, which was delineated by the Staff and Engineer.

Mr. George referred to Item #3 – at least one public entrance of all principal structures shall be oriented towards the street and vehicular openings shall not constitute a public entrance. He stated the question is where is the public entrance and is it oriented towards the street. He pointed out where the front door of the proposed restaurants would be, noting the front entrance is in compliance with the requirements and pointing out the secondary entrance. Mr. George indicated since this is a strip retail center, there will be several entrances all oriented towards the street and each individual use within that center would have its own door. He also pointed out the primary entrance of the assisted living facility noting it is oriented towards the street.

Item #4 – Addresses the width of the driveways, the maximum being 24 ft. for a two-way drive and 16 ft. for a one-way drive. Mr. George explained they have proposed several different vehicular accesses to the overall property. Starting on the Industrial Highway side there is a proposed entrance which complies with the 24 ft. requirement when measured where the radii becomes tangent to the curb. It is not directly at the street because of the radius at that location, but back where the driveway becomes its normal width. Because this particular driveway serves the assisted living facility and also the restaurant, they are contemplating a larger entrance which would require two means of egress. This will result in a lane dedicated to make right turns out of the site and a lane dedicated to left turns. There is also one lane dedicated to incoming traffic. That necessitates three lanes which would not be compliant with a 24 ft. wide maximum. Because of that they are asking for the modification for this particular driveway. This issue will also occur with the entrance on the other end if constructed. Discussion has been held as to whether this is feasible given the existing traffic patterns and the circulation at the corner of Concord Road and Northern Way.

Item #5 – Maximum front yard setback as it relates to the assisted living facility. Mr. George stated the ordinance requires a minimum setback of 18 ft. and a maximum setback of 50 ft. The three proposed buildings near the roadway frontage all comply with those requirements. Since the assisted living facility is along Industrial Highway it would not comply with that requirement, therefore they are asking for a modification of the maximum setback, which would be more than 50 ft.

Mr. George stated as they examined the site through the beginning of the project they could not determine a way to feasibly develop this site in compliance with that particular requirement given that it is 14 acres and does not have a new public street.

Discussion was held relating to the creation of a public street. Ms. Lang pointed out there could be a public street since the property does have a specific block width and length requirement as required by the ordinance, which would provide for many of the items they are requesting modifications.

Attorney Crème point out that would require another intersection in this location which they have already identified as challenging.

Mr. George indicated that given the location of the existing streets and the fact that the stream bisects the property diagonally, they are restricted on the ability to construct a public street. They are of the opinion there is no reasonable justification for a privately owned and maintained development to have a public street, when it can be done privately and maintained by the overall community.

He noted they are proposing a pedestrian bridge, with the theory that the assisted living facility is a residential area and minimizing past through traffic is wise rather than having people who are coming for retail purposes passing through a residential area.

Ms. Lang reminded the Planning Commission there are no permitted residential uses in the underlying Flexible Development District. The assisted living facility is being approved as an institutional use and would not be considered residential.

It was noted by the Planning Commission there are other outstanding issues that require input from the applicant, some of which are not site specific, i.e., §325-207- applicant must include information that identifies all adjacent land uses and lot lines. It was noted there is no narrative on how the proposed development will impact resources and specific measures. It was determined the information presented is not enough overall to allow the Planning Commission to make a recommendation.

Attorney Creme indicated their position is that the time has passed in which the Township should have convened a hearing on the application. He noted they have waived any additional complaints about the passage of time while attempting to reach accommodation with the Township on an acceptable decision. However, their position is that the Township has not convened the hearing within the required time and that there is a deemed decision. He further stated they are asking for a recommendation to defer compliance with the criteria of the ordinance to the land development stage with the exception of the five modification requests. However, they would accept no recommendation and leave the matter to the discretion of the Board of Supervisors at their meeting on May 8.

Chairman Maciejewski called for a motion.

No motion was presented.

9. OTHER BUSINESS

A. Discussion of Proposed York Township Comprehensive Plan Update

Ms. Lang distributed a memorandum explaining the reasons for reviewing York Township's Comprehensive Plan. This included determining what they are planning to do along the boundary of Springettsbury Township and making a determination of whether that is consistent with the Township's plans for growth, or if there would be negative impacts on what they are proposing on areas for residents in the Springettsbury community. She noted the entire plan is available on CD if anyone would like to review it more in-depth. Mr. Lang indicated that reviewing the maps can provide information about what they are planning to do. She indicated it is a fairly non-aggressive plan. She provided the following information:

- York Township is one of the fastest growing municipalities in the county. They had approximately 18% growth between 2000 and 2010, which is above Springettsbury Township's population.
- They have a growth boundary and the area of the community that abuts Springettsbury is within that growth boundary.
- The maps illustrate that primarily the area is zoned for high density residential but in fact contains a lot of non-residential uses.
- One of the maps is called a map of high inconsistency between the land use and the zoning.
- The area adjacent to Springettsbury is highlighted on the map. They are projecting this area to be mixed use in the future, since that area is residential and non-residential mixed.
- The area is served by public water but not public sewer. They have a total of 1800 properties in the community that are not attached to public sewer. They have good soils so they have not had a lot of difficulty with failures with on-lot systems. However, even though it is in the growth boundary there is no plan to connect to public sewer. Discussion was held as to whether they are members of the Springettsbury Sewer Authority. Mr. Luciani stated that some of their sewage does flow to Springettsbury Township, It was noted that would be included as a comment, since increased consumption would impact the Township's capacity.
- The transportation map showed areas of concern – on Mt. Rose Avenue which is a joint project between the intersection on Edgewood Road and Mt. Rose Ave. with Springettsbury. It was noted they are not showing a traffic concern on Mt. Rose Avenue at the location of Carroll Road, which

should be identified. Ms. Lang noted in the transportation map the green indicates roadways of concern but in their planning they have very few project plans to address those areas of concern. Camp Betty Washington Road is one of the roads they have identified. So while they have plans for high intensity either mixed use or non-residential development, essentially there is no plan to deal with the transportation infrastructure in that location. She also noted the transportation map does not have the road names on it.

Ms. Lang stated her deadline to send comments to York twp. is May 1.

10. ADJOURNMENT

CHAIRMAN MACIEJEWSKI ADJOURNED THE MEETING AT 8:05 P.M.

Respectfully submitted,

Secretary

/ses