

MINUTES
SOUTH MIDDLETON TOWNSHIP PLANNING COMMISSION
April 20, 2021

PRESENT: TROY TRUAX, TONY GONZALEZ, BARB WILSON, BRIAN ENGLE, TIM BERNDT – PLANNING COMMISSION, Bryan Salzman – Solicitor, Tim Duerr – Zoning Officer, Natalie Frye – Recording Secretary, Brian O’Neill – Engineer, Jerry & Sue Cohick, Robert Mastandrea, Charles Suhr, Greg Holtzman, John Snyder, and Todd Stager.

NOTE: This meeting was simulcasted via Zoom. Those observing the meeting from the public remotely will not be included in the Minutes unless they made a comment during the meeting.

PLEDGE OF ALLEGIANCE:

Chairman Gonzalez led the audience in the pledge of allegiance.

MINUTES: 03/16/21

Barb made a motion to recommend approval of the minutes. Tim Berndt seconded & the vote in favor was 5-0.

PUBLIC INPUT:

There was no public input.

#20170007 – WESTMOORELAND PHASE 1– Final Subdivision and Land Development Plan

The applicant is proposing to construct Phase 1, which consists of 37 townhomes and 1 single family lot of 103 attached dwelling (townhomes) and 2 single family homes project. The property is located within the RM (Residential Moderate) zoning district. Townhomes are allowed per special exception, which this application has received. The property is located within the Wellhead Protection District, which has received conditional use approval previously. The Preliminary Plan was submitted and approved concurrently with the conditional use application for the use of Transfer of Development Rights. The property is located on Walnut Bottom Road, Carlisle (RM District).

This plan was tabled.

#20190013 – KEYSTONE FIELDHOUSE – Final Land Development Plan

The applicant is proposing construction of a 30,000 square foot addition on to a recreational facility, currently used for indoor baseball training. The property is located at 1561 Holly Pike, Carlisle (C2 District).

This plan was tabled.

#20200007 – FRANCIS & KAREN CIAPANNA – Final Minor Subdivision Plan

The applicants are proposing a subdivision of a 70.74 acre property into 3 building lots. The property is located at 169 Old Town Road, Gardners (WC District).

As part of the application, the following modifications of requirements were requested:

- o Article X – Stormwater Management (deferral)

This plan was tabled.

#20200008 – JEFFERSON COURT II – Final Subdivision & Land Development Plan

The applicant is proposing Phase I of the Jefferson Court II development which consists of 13 single family detached building lots and a residual lot. The property is located on Petersburg Road, Carlisle (RL District).

This plan was tabled.

#20200020 – GEORGETOWNE – Conditional Use

The applicant is requesting a conditional use to construct a 206 lot Single Family Detached Dwelling Subdivision. The conditional use is for the development exceeding 25 total units/dwellings thus a large scale development and for the use of 3 transferable development credits/rights from the AC district. The property is located on E. Springville Road & S. Ridge Road, Boiling Springs (RM District).

This plan was tabled.

#20200021 – GEORGETOWNE – Preliminary Subdivision & Land Development Plan

The applicant is proposing a 206 lot single family detached dwelling subdivision through the use of Transferable Development Rights. The property is located on E. Springville Road and S. Ridge Road, Boiling Springs (RM District).

This plan was tabled.

#20200026 – DAVID & CAROL ADAMS – Final Subdivision Plan

The applicant is proposing to subdivide one single family residential lot. The property is located at 41 Fairfield Street (RH District).

This plan was tabled.

#20200035 – CUMBERLAND CROSSING COTTAGES EXPANSION – Final Minor Subdivision & Land Development Plan

The applicant is proposing to add ten (10) new single family detached dwelling units with private 2-car garages and driveways to the existing Cumberland Crossings Senior Living campus. The property is located at 1 Longsdorf Way, Carlisle (RH District).

As part of the application, the following modifications of requirements were requested:

- o Section 305 – Preliminary Plan

This plan was tabled.

#20210001 – STARBUCKS – Final Minor Land Development

The applicant is proposing to construct a 2,148 square foot Starbucks with a drive-through and associated improvements. The property is located at 950 Walnut Bottom Road, Carlisle (TC District).

As part of the application, the following modifications of requirements were requested:

- Section 706.f – Parking Islands

The following modifications to the requirements of the Town Center District have also been requested:

1. Ordinance 1503(3)(d)(1) – Allow the principal building to exceed the maximum front principal building setback of 20 feet.
2. Ordinance 1503(3)(d)(4) – Allow less than 80% of the building façade to be along the front setback line.
3. Ordinance 1503(3)(h) – Existing sidewalk along Walnut Bottom Road is not considered a pre-existing nonconformity, to have the existing sidewalk remain as is (± 5 ft. width).
4. Ordinance 1504(2)(b) – Allow the proposed building to not be “grouped” along with adjacent buildings along Walnut Bottom Road.
5. Ordinance 1504(3)(c) – Allow for a portion to the surface parking area to be located in front of the proposed building without screening from Walnut Bottom Road.
6. Ordinance 1504(3)(d) – Allow for parking located on street corners as shown on the plan.
7. Ordinance 1504(6)(c) – Allow the building to not be “along” a public street.
8. Ordinance 1504(12) – Allow outdoor trash receptacles to be located in a screened location in front of the building as shown on the plan.

Charlie Suhr, Stevens and Lee, Robert Mastandrea, Vastgood, and Greg Holtzman, BL Companies, were present to discuss the plan. Mr. Suhr gave a quick summary of the plan and modification requests. He explained the applicant and engineer investigated alternative designs for the layout. However, Starbucks did not waiver from their original idea, claiming there were safety concerns with the new layouts. Mr. Suhr mentioned he forwarded the Virginia Beach plan to the representative with Starbucks, who informed Mr. Suhr that layout was never approved or built. Mr. Suhr mentioned Greg Holtzman tried moving the building closer to the road and separated out the drive-through but that lead to safety concerns with entering and exiting and pedestrian movement within the site. He stated the original plan was the only option to try and satisfy both the Township and Starbucks.

Mr. Suhr stated they were contractually obligated to move forward with the plan and referenced the plan review memo from February 12, 2021. He mentioned most of the comments were okay but there were some clarifications. Troy asked Mr. Suhr why Starbucks denied the alternative plans. Troy added the Starbucks location in downtown State College does not have a drive-through and questioned why this location requires a drive-through. Troy mentioned he had a difficult time believing there were safety issues as walkability is the main goal of the Town Center District. Mr. Mastandrea explained he contacted the representative with Starbucks for the Central PA area and investigated the Virginia Beach layout. He mentioned one of Starbucks’

main concern was having pedestrians cross through the parking lot and drive-through lane with the new layouts. Troy appreciated the due diligence from the engineer. However, he had a hard time understanding corporate response as there are Starbucks' located in the middle of parking lots. Mr. Mastandrea commented the State College location does not have a drive-through but they will not construct the building without the drive-through in this location. Troy used Dollar General as an example of a corporation who altered their model to fit in downtown locations. He mentioned he was disappointed in the reluctance of corporate. Mr. Mastandrea stated Mr. Holtzman attempted to fit the Virginia Beach design into this location but wouldn't work for reasons, such as stacking, pedestrian flow, and safety. He added that he invited the Development Manager for Starbucks to come to the Planning Commission meeting but she declined. Troy stated that was commendable but implies Starbucks is not interested in South Middleton as they are unwilling to attend the meeting. Mr. Suhr understood the Planning Commission's disappointment with the plan and understood if they recommended denial to the Board of Supervisors. He also added there is a fundamental difference between the Walnut Bottom Road site and downtown State College. Troy responded he could give more examples of Starbucks locations. Mr. Suhr stated they went through their due diligence and ultimately Starbucks said no to different layouts. Troy stated he appreciated the time and effort from the gentleman to try and make it work but was disappointed in corporate for not taking the opportunity to attend the meetings. Troy considers South Middleton's Zoning Ordinance a higher priority than Starbucks' Corporation policies and added another corporation, such as Dunkin Donuts, may propose development in this location in the future.

Brian Engle asked if there were any modification requests eliminated by the attempted tweaking of the plan. Tim Duerr and Mr. Holtzman informed that Planning Commission that the plan being presented was the same as the February meeting and that no revised plan was submitted to the Township for review. Mr. Holtzman described the different layouts he showed to Starbucks. He mentioned corporate did not approve any layout that changed the drive-through or stacking. Brian Engle asked if there were any exhibits with the plan to which Mr. Holtzman replied no. Mr. Holtzman explained there were safety concerns with moving the front door to face Walnut Bottom Road as pedestrians would need to cross through the drive-through exit. He added he had worked with designers for Starbucks to try and achieve the goal of having the building up against the road for walkability and each layout was denied for safety reasons. Brian Engle asked if this project could work on a larger plot. Mr. Mastandrea responded perhaps. Mr. Holtzman stated it could work on a larger parcel of land as there is more area to work with the stacking and turning movements. Mr. Mastandrea admitted there was some inflexibility with Starbucks Corporate but that was their criteria.

Tony asked if the Starbucks location in Virginia Beach was ever built to which Mr. Mastandrea replied the project never came to fruition. Mr. Holtzman explained the safety concern with that design was the three points of access onto the site. Barb clarified that if the modification requests were not approved then the project couldn't move forward to which Mr. Suhr agreed. Tim Berndt asked about Giant's position on the project. Mr. Mastandrea mentioned it was a bit of a grey area but the lease was assumed by Giant from Nell's and they are not objecting to the Starbucks. Brian Engle asked if Giant would not be amendable to the Virginia Beach layout due to restrictive sight views. Mr. Mastandrea assumed Giant would have an issue with the restrictive sight view as it was stated in their lease agreement but the issue was never pursued with Giant. Mr. Suhr stated that Giant's lease may end the project but it is independent of this proposal to the Township.

Brian Engle stated that at the last meeting, the Planning Commission was clear that a lot of time and effort was spent into adopting this Ordinance and there is a certain vision for this area. He expressed his appreciation for the effort to try and alter the layout but he cannot support the current plan. Brian Engle mentioned the Township is not antidevelopment and tries to work with the applicants but does not feel this is the right site for this project. Tim Berndt mentioned it feels like there is a total inflexibility from Starbucks Corporation. Mr. Suhr stated it was not a total inflexibility but they required the drive-through at this location. Mr. Holtzman added that Starbucks did entertain the option of the patio and windows and tried the accommodations they felt comfortable with.

Brian Engle made a motion to recommend denial of the modification of requirements. Barb seconded & the vote in favor was 5-0.

Brian Engle made a motion to recommend denial of Starbucks Final Minor Land Development plan. Barb seconded & the vote was favor was 5-0.

#20210002 - SMITH FARM, LLC – Preliminary/Final Subdivision & Land Development

The applicant is proposing to subdivide the existing property into 8 lots (6 lots for future development and 2 open space lots) and construct the shared road network and utility mains for future connections to each. The property is located near South Spring Garden Street, Carlisle (SC District).

As part of the application, the following modifications of requirements were requested:

- Section 501 – Preliminary Plan
- Section 1010.D – Time of Concentration for Storm Sewers
- Section 1010.J – Minimum Channel & Pipe Velocities and Slopes
-

This plan was tabled.

#20210003 – 28 WESTMINSTER DRIVE – Final Minor Land Development

The applicant is proposing to construct an office building, equipment storage/garage, and a salt storage building. The applicant has received a variance approval from the Zoning Hearing Board and conditional use approval. The property is located at 28 Westminster Drive, Carlisle (C2 District).

As part of the application, the following modifications of requirements were requested:

- Section 501 – Preliminary Plan
- Section 502 g. – EIA Report
- Section 1010 A. – Emergency Spillway
- Section 1010 B. – One foot of freeboard between 100-yr water surface elevation and emergency spillway

This plan was tabled.

#20210005 - IRON FORGE STORAGE – Conditional Use

The applicant is requesting conditional use approval to add 2 self-storage buildings to an existing mini/self-storage facility. The property is located at 6 Westminster Drive, Carlisle (C2 District).

No representative was present to discuss the plan. Tim Duerr suggested to table until the next meeting. He mentioned a time extension will need to be granted in order to schedule the hearing within a reasonable amount of time after the May Planning Commission meeting. Tim Berndt stated the applicant should get approval from the Federal Aviation Administration since the site exists in the flight path. Barb asked if they were moving ground already. Brian O’Neill responded with yes, as long as they have NPDES and E&S permits they are allowed to move ground.

Bran Engle made a motion to table the plan until the next meeting as no representative was present to discuss the plan. Tim Berndt seconded & the vote in favor was 5-0.

#20210008 – KARNs BUILDING ADDITION – Preliminary/Final Land Development

The applicant is requesting approval for a subdivision and land development plan to construct a 15,000 square foot building expansion to the original store and create a new commercial building lot for the construction of a retail building. The property is located at 411-413 Forge Road, Boiling Springs (C1 District).

As part of the application, the following modifications of requirements were requested:

- Section 501 – Preliminary Plan
- Section 707 – Sidewalks
- Section 708 – Curbs and Gutters

This plan was tabled.

#20210009 – LAUREL FORGE PHASE I – Final Subdivision & Land Development

The applicant is requesting final subdivision approval for Phase I of the approved preliminary plan of 43 single family detached residential lots. Phase I contains 27 lots. The applicant is previously obtained a conditional use for the use of transferable development rights. The property is located on Lindsey Road, Carlisle (RM District).

John Snyder, SLD Planning & Consulting, was present to discuss the plan. Mr. Snyder described the plan and mentioned this is the first phase of the Laurel Forge plan to build 27 dwelling units on Ferrous Lane. Brian O’Neill referenced the plan review memo from April 23. He stated the Township had not received the approval letter for the NPDES permit, which Mr. Snyder provided, so that comment can be removed. He also mentioned Mr. Snyder addressed the comment in regards to certifying the stormwater management plan. Mr. Snyder added the other comments are mostly signatures and seals and a report from the LeTort Regional Authority.

Mr. Snyder stated the applicant would like to start construction in the Spring of 2021 and plans to submit Phase 2 in the fall. He stated that Brim Builders will be constructing the dwelling units and there are six different models.

Tim Duerr stated the applicant previously received conditional use approval and preliminary approval. Brian Engle asked if there were any other concerns from staff to which Brian O’Neill responded no. Tony asked what the conditional uses were for. Brian O’Neill stated the conditional use approval was for the Wellhead Protection District and a Large Scale Residential Development. Mr. Snyder also added he received conditional use approval for Transferable Development Rights. Tim Berndt asked if the cul-de-sac met the fire requirements to which Mr. Snyder replied yes. Troy asked where the stormwater ponds were located. Mr. Snyder showed the Planning Commission there are four BMPs on Phase 1. Troy asked if that leads into the existing stormwater easement. Mr. Snyder replied yes, it all flows into

the final BMP. Brian Engle mentioned the level spreader is wider than the easement and asked what happens to that off site. Mr. Snyder stated it is channelized for a portion off site then disappears. Brian O’Neill stated he had no issues with that. Mr. Snyder stated the basins should not see a discharge until the 25-year storm. He added that DEP has approved everything during the preliminary plan. Troy asked if screening was required between the existing property and the development. Mr. Snyder said it is all stormwater basins in that area and is left open.

Mr. Snyder mentioned the traffic impact study and sight distance was done during the preliminary plan. Troy asked if there were any offsite improvements. Mr. Snyder said they will be widening the road and Brian O’Neill added the applicant will be installing a sidewalk. Troy asked if potential buyers were aware there is an active farm next to the development. Mr. Snyder replied yes and there is an agricultural notification that is in the agreement sales. He added the applicant is working with the farmer about appropriate screening.

Brian Engle made a motion to recommend approval of Laurel Forge Phase I subject to discussion and outstanding comments from staff. Tony seconded & the vote in favor was 5-0.

#20210010 – BANNER OF TRUTH STORAGE FACILITY – Preliminary/Final Subdivision & Land Development

The applicant is proposing to construct a 25,000 square foot building for use as an online retail/storage and accompanying office. Additional project improvements include parking areas, landscaped areas, lighting, stormwater management, sewer main extension and other utility connections. The property is located at 610 Alexander Spring Road, Carlisle C1 District).

As part of the application, the following modifications of requirements were requested:

- Section 303a – Preliminary Plan (waiver)
- Section 711b(2)(g)(iii) – Street trees along existing street (modification)
- Section 711(2)(k)(iii) – Interior parking lot trees (modification)
- Section 716b(5)(c) – Access spacing for driveways along Rural Road (waiver)
- Section 1008 – Volume Control – Use managed release (modification)

The plan was tabled.

#20210011 – ZENITH APARTMENTS – Preliminary/Final Subdivision & Land Development

The applicant is requesting land development plan approval to construct 21 apartment buildings containing 250 apartment units. The project is part of a master plan approved by Conditional Use Decision. The property is located off of South Spring Garden Street, Carlisle (SC District).

As part of the application, the following modifications of requirements were requested:

- Section 501 – Preliminary Plan
- Section 711b(2)(h) – Maintain/replace existing trees
- Section 1010 J – Minimum channel slope on pervious surface (1% instead of 2%)

The plan was tabled.

#20210012 – CARLISLE CAR WASH – Sketch Plan

The applicant is seeking input from the Township on the proposed development. The applicant is proposing the consolidation of five properties into one and construct an enclosed car wash. The applicant was granted approval from the Zoning Hearing Board on several setback variances. The property is located at 1789-1795 West Trindle Road, Carlisle (I1 District).

Todd Stager, Pennoni, was present to discuss the plan. Mr. Stager gave a brief description of the sketch plan. He mentioned the Zoning Hearing Board approved five variances for this particular plan. Mr. Stager stated the biggest concern was the access on Fairview Street and would be requesting a modification of waiver during land development phase. He explained the applicant is requesting full access onto Fairview Street. Mr. Stager spoke with Brian O'Neill who suggested a right-in/right-out onto Fairview Street. Mr. Stager is requesting a right in, right out, and left in. He mentioned there is 471 feet from the Westminster Drive traffic light and the West Trindle Road traffic light. Mr. Stager believes that will be enough distance for traffic to be able to turn left into the car wash. He referred to the Planning Commission for their comments on the plan.

Troy expressed concern for traffic turning left into the car wash. Mr. Stager stated there is 250 feet between the traffic light and the access into the car wash. Brian O'Neill mentioned the person making the left into the car wash would have to cross over two lanes of traffic. Troy commented on the stacking issue that can occur by allowing a left into the car wash. He asked if the project would work without the left in to which Mr. Stager responded no. Brian Engle suggested access off of West Trindle Road. Mr. Stager stated there is one entrance and exit for the kiosk and car wash which would not work at the top right of the property. Brian Engle asked if there was another layout to be considered as he does not believe the applicant will receive the waiver request to allow for a left turn in. Troy asked where the existing car wash was and if the applicant was buying it out. Mr. Stager responded no and showed Troy where the existing car wash is located. Troy asked if they had access to the service drive there and Mr. Stager replied no as it is a private road.

Brian Engle stated he wasn't sure the Board of Supervisors would support the waiver request. Troy agreed. Mr. Stager mentioned during the peak hours, there would be about 17.5 cars exiting the car wash. Troy asked if Saturday would be the peak day. Mr. Stager replied he believes it would be during the weekend but a traffic study was not completed. He mentioned the applicant looked at the ITE for reference. Troy stated he believes a Saturday would be worse for traffic. Mr. Stager mentioned a traffic study may not show the courtesy people have to allow others to turn in front of them. Troy could understand if they were crossing over one lane but feels it's dangerous with two lanes. Barb mentioned she passed through that area in the morning and believes people would not be able to safely turn into the car wash.

Brian Engle suggested a turn lane off of West Trindle Road. Brian O'Neill stated the left turn lane off of West Trindle Road would be better as they could extend that lane. He added that PennDOT might require the right in, right out. Brian Engle asked if there were any building frontage issues and if it would be possible to construct the building towards the back of the property. Mr. Stager mentioned it could be possible to mirror the building and have access onto West Trindle Road. Tim Duerr advised the Planning Commission that the applicant did receive a number of variances for current plan and any adjustments will need to be approved by the Zoning Hearing Board again. Brian O'Neill asked what the setback variances were for. Tim Duerr replied for the building and car wash being 100 feet from West Trindle Road. Brian Engle stated revising the plan may make it less intrusive and could be better. Barb mentioned she does not believe the plan will work the way it is now.

ADJOURNMENT:

The meeting adjourned at 6:56p.m.

SOUTH MIDDLETON TOWNSHIP

WITNESS:

PLANNING COMMISSION CHAIRMAN:
