

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: March 10, 2020

The meeting was called to order by Ron Ruman at 7:00 P.M. Members present: Rich Gordon, Patrick Hein, Fred Walters and David Beecher. Others present: Rachelle Sampere, West Manchester Township Zoning Officer

APPROVAL OF MINUTES

MOTION: by Fred Walters to approve the February 11, 2020 meeting minutes.

SECOND: by David Beecher

MOTION PASSED: 4 – 0 (1 Abstain – Hein)

ZONING HEARING BOARD CASES

ZHB 20-03 Robert Vandermark, Jr. – requests a variance of Section 150-77.D.3 to reduce the required rear yard setback for a single-family detached dwelling **located at 504 South Adams Street** (Tax Map: 17; Parcel: 28A) in the R-6 Residential Zone.

Mr. Robert Vandermark, Jr. presented the variance request to the planning commission members. Mr. Vandermark explained that his property is located at the corner of South Adams Street and Old Salem Road. The property was purchased by his father in 1977 and improved to its current status in 1990. The property consists of a mobile home with an addition to the rear of the dwelling. The property has several nonconformities: lot size, lot depth, and the existing addition projects over the rear property line onto the quarry's property by six (6) feet. Mr. Vandermark explained that he desires to remove the existing mobile home and addition and replace it with a modular home on a permanent foundation. Due to the lot depth, it would be extremely difficult to place a dwelling on the lot and meet both front and rear yard required minimum setbacks. The property was surveyed by First Capital Engineering. Mr. Vandermark provided copies of the current survey and proposed. The property is not a perfect rectangle. The proposed modular dwelling would be situated between two (2) and four (4) feet from the rear property line, instead of the required twenty-five (25) minimum rear yard setback. Mr. Vandermark explained that granting this variance would allow him to make reasonable use of his property and would improve the situation by constructing the proposed dwelling wholly within the boundary of his own property.

MOTION: by David Beecher to recommend the Zoning Hearing Board approve the variance request, as presented by the applicant.

SECOND: by Fred Walters

MOTION PASSED: 5 – 0 (Unanimously)

ZHB 20-04 Lowe's (Delco Plaza) – requests a variance of Section 150-262.D.2 to hold seasonal sales within a parking lot longer than the permitted 45 days **located at 1175 Carlisle Road** (Tax Map: JH; Parcel: 0055B) in the Regional Commercial Zone.

Mr. Josh Linebaugh of Lowe's presented the variance request to the planning commission members. Mr. Linebaugh explained that the Zoning Ordinance allows for outdoor sales within a parking lot for a maximum of forty-five (45) days. Lowe's business relies on outdoor sales of mulch, plants, etc. Their outdoor selling season typically runs from March 1st through Labor

Day. Mr. Linebaugh stated that he recently obtained a permit for the maximum forty-five (45) day outdoor sales permit, however, in the past Lowe's was granted a variance to allow outdoor sales within their parking lot from March through September. The Zoning Hearing Board previously granted that variance for 2017, 2018 and 2019. Mr. Linebaugh requested that this variance would be granted for 2020, 2021 and 2022.

MOTION: by Richard Gordon to recommend the Zoning Hearing Board grant the variance request to allow outdoor sales within the parking lot from March 1st through October 1st for the years: 2020, 2021 and 2022.

SECOND: by David Beecher

MOTION PASSED: 5 – 0 (Unanimously)

ZHB 20-05 Bridgestone Retail Operations – requests a variance Section 150-135.H to be permitted to have an automobile parts store and service repair facility which is not accessory to a department or variety store and a variance of Section 150-283.B Permitted Permanent Signs (Sign Chart P-9A and P-9D) to increase the maximum number and size located at **715 Town Center Drive Lot 4** (Tax Map: JH; Parcel: 56U) in the Regional Commercial Zone.

Attorney Ron Lucas of Stevens and Lee in Harrisburg, Pennsylvania presented the application to the planning commission members. Attorney Lucas explained that the Bridgestone tire store should be considered as part of the West Manchester Town Center shopping center and that a use variance should not be required. Looking at §150-135.H of the Zoning Ordinance, it states: "Automobile parts stores and automobile service and repair facilities [are permitted uses] if accessory to a department store or variety store if those criteria contained within §312 have been satisfied." Attorney Lucas explained that the Zoning Ordinance does not define department or variety store. He also explained that shopping center is defined in the Zoning Ordinance as "A group of stores planned and designed for the property or properties on which it is built, functioning as a unit, providing common access, and off-street parking, stormwater management, or other similar common facilities, provided on the property or properties as an integral part of the unit." Attorney Lucas explained that this use, Bridgestone/Firestone, would be part of the shopping center as it shares in the overall stormwater for the mall's property. This use would also share parking with the other proposed building on Lot #4.

MOTION: by Richard Gordon to recommend the Zoning Hearing Board consider the Bridgestone/Firestone-use to be a part of the shopping center use and that no use variance be required.

SECOND: by Fred Walters

MOTION PASSED: 5 – 0 (Unanimously)

The planning commission members discussed that in the alternative, if the Zoning Hearing Board does not consider the Bridgestone/Firestone use to be a part of the shopping center use, a variance should be granted for the use §150-135.H since the automobile parts store and automobile service and repair facility is not accessory to a department or variety store. A similar variance was granted for an applicant on White Street in July 2019.

MOTION: by Richard Gordon to recommend the Zoning Hearing Board grant the use variance request to allow an automobile parts store and automobile service facility that is not accessory to a department or variety store.

SECOND: by Patrick Hein

MOTION PASSED: 5 – 0 (Unanimously)

Attorney Lucas presented the variance request for the attached business signs. Attorney Lucas explained that Bridgestone/Firestone is desirous of adhering to the Zoning Ordinance relating to attached signs, however, it is not possible to install the LED components into the signs if a variance is not granted for a slight increase in size. The lettering would be too small to house the LED components. Bridgestone/Firestone's national brand requires that the attached signs be internally lit. The variance request is to allow two (2) attached signs on the western façade instead of one (1) sign. The total square footage for the attached signs may not exceed 35.5 square feet. An attached sign will not be placed on the northern façade. The attached sign on the southern façade may not exceed 15.6 square feet. The attached sign on the eastern façade will be compliant at 29.7 square feet.

MOTION: by Patrick Hein to recommend the Zoning Hearing Board approve the variance request to allow two (2) attached signs on the western façade not to exceed 35.5 square feet total and to allow one (1) attached sign on the southern façade not to exceed 15.6 square feet.

SECOND: by David Beecher

MOTION PASSED: 5 – 0 (Unanimously)

Attorney Lucas presented the variance request for the freestanding (monument) sign to allow a second freestanding sign on the lot. Currently, there is a freestanding sign on the lot for the overall mall advertising many of the tenants. The applicant is requesting a variance to allow an additional freestanding sign on the lot advertising the tenants for Lot #4. Mr. Kevin Potter of Rhino Realty was in attendance on behalf of Manchester Mall Associates. Mr. Potter explained that he is the leasing agent for the West Manchester Mall/West Manchester Town Center. He stated that potential tenants have walked away from a leasing agreement because they had not been able to have their business advertised on freestanding signs on individual parcels. Since this parcel is believed to be a shopping center within a shopping center, a freestanding sign along the proposed access off of Haviland Road into Lot #4 is needed to advertise the tenants within Lot #4. Mr. Gordon asked if any tenants in other parts of the shopping center would be listed on this sign. Mr. Potter stated that is unknown at this point in time; but conveyed that this sign is needed to advertise shopping center tenants.

MOTION: by Richard Gordon to recommend the Zoning Hearing Board approve the additional freestanding sign to a maximum height of 10.5 feet and a maximum of 92 square feet as referenced on the drawing submitted by the applicant.

SECOND: by Patrick Hein

MOTION PASSED: 5 – 0 (Unanimously)

NEW BUSINESS

T-851 Preliminary/Final Land Development Plan for Lot 4 – Proposed Retail Development for West Manchester Town Center located at 715 Town Center Drive. *(Tabled at the February 11, 2020 Planning Commission meeting.)*

Zoning Officer Sampere explained that the applicant has once again requested this plan be tabled so they may work with their client to address changes to the plan. The applicant anticipates that they will have a revised plan available for review at the April 2020 Planning Commission meeting.

MOTION: by Patrick Hein to table T-851 Preliminary/Final Land Development Plan for Lot 4 – Proposed Retail Development for West Manchester Town Center until the April 14, 2020 meeting.

SECOND: by Fred Walters
MOTION PASSED: 5 – 0 (Unanimously)

DISCUSSION

The Planning Commission members discussed the importance of updating various sections of the Zoning Ordinance to address current zoning trends.

Meeting adjourned at 8:06 p.m.