

**MIDDLETOWN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
MIDDLETOWN MUNICIPAL BUILDING
WEDNESDAY, APRIL 2, 2014**

PRESENT:

Sandy Farry
Charles Parkerson
Bill Rushwick
Fred Thomas
Robert Burnett
Mike McCann
Pat Duffy, Zoning Officer
Wayne Kiefer, Township Engineer

ABSENT

George Hyjurick

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL.

- a. Ms. Farry called the meeting to order at 7:00 PM. The Pledge of Allegiance was recited. Ms. Farry took roll call with six members present (listed above). Mr. Duffy and Mr. Kiefer were also present.

2. APPROVAL OF PRIOR MINUTES

- a. Mr. Rushwick motioned to approve the minutes of the March 5, 2014 regular meeting. Mr. McCann seconded. The vote was taken and the minutes were approved by vote of 5-0 as submitted (Mr. Thomas abstained).

3. REVIEW OF S/LD # 14-3 LAND DEVELOPMENT PLAN REVIEW FOR DRIVETIME (USE CAR DEALERSHIP), 1816 E. LINCOLN HIGHWAY, TMP 22-047-201-002

- Matt Chartrand, P.E. of Boehler Engineering represented DriveTime and presented the project that proposes to demolish an existing used car dealership and redevelop the 1.6 acre lot with a proposed 5,285 SF auto sales building. Improvements include parking, utilities, landscaping and stormwater management. DriveTime has 110 locations nationally.
- Mr. Duffy explained that the site is zoned "C" Commercial and M-1 Light Manufacturing District. The property was approved for car sales and repairs in the early 1980s, therefore the existing and proposed use does not require a use variance. Also, the site has numerous non-conforming zoning issues; however, no zoning is required since the proposed plan does not worsen any of the existing non-conformities.
- The Township Engineer review letter was discussed. Applicant confirmed that there would be no loading/unloading of vehicles on E. Lincoln Highway and this should be a condition in the developer's agreement. The applicant agreed to comply with the majority of issues and will ask for waivers on the remaining issues as follows:
 - 1) From Section 303.D.(7) to allow a trip generation report in lieu of a transportation impact study

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- 2) From section 410.B.(1) to not require curbs and sidewalks along E. Lincoln Highway
 - 3) From Section 417.A to not require street trees
 - 4) From Section 421.E.(1) to allow a row of parking spaces greater than 12 and without a planted raised island
 - 5) From Section 421.E.(4) to allow a parking area closer than 15 feet to the building
 - 6) From Section 421.E.(5) to allow the aisle servicing the rear parking spaces to be less than 24 feet wide
 - 7) From Section 421.E.(7) to allow the rear dead-end parking area insufficient area for backing and turning movements
 - 8) From Section 421.E.(17) to allow access drives to be a minimum of 12 feet from the side property lines and outside of required buffer yards
 - 9) From Section 421.G to allow a maximum parking lot grade to exceed 3%.
 - 10) From Section 421.J to not provide curb stops in the parking areas
 - 11) From Section 406.M.2 to allow a 12” storm pipe

The applicant relayed to Mr. Parkerson that most of the waiver requests are existing non-conformities on the site.

The applicant acknowledged they did submit a plan to PennDOT. Mr. Kiefer requested a copy of the PennDOT submittal.

- The Planning Commission discussed the project as follows:

Mr. Rushwick asked how many cars will be on the lot and Mr. Chartrand responded that there will be a total of 89 parking spaces for cars for sale, employees and customers.

Ms. Farry asked about the size and use of the building. The applicant stated that there are sales office areas, car display areas and a small portion of the rear building will be used for detailing and prepping cars. No car repairs or painting of cars are proposed for the site.

Mr. Burnett stated his concern about access and for the slope of the lot and the impact on car deliveries. The applicant stated the lot has housed car sales use for the past thirty years and some grading will alleviate some of the slope areas. The car transports would not travel on the steepest areas of the site.

The applicant verified to Mr. McCann that the building and layout is the basic standard footprint that DriveTime uses throughout its locations.

The applicant stated there would be about 6 employees at a time at the facility.

Mr. Thomas asked about ADA features. The applicant responded that the ADA requirements will be met at the front of the building. Employee parking will be at the rear of the building.

Ms. Farry and the board concurred that due to the many outstanding issues and waiver requests that the plan should come back for Final Plan approval.

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- Mr. Thomas made a motion to recommend Preliminary Plan Approval and to recommend granting of the waivers based on satisfying all the review comments by the Township Engineer, Township Traffic Engineer and Fire Marshal. Mr. Rushwick seconded. The motion passed 6 to 0.
 - Mr. Parkerson made a motion to table Final Plan approval. Mr. McCann seconded. The motion passed 6 to 0.

4. INFORMAL DISCUSSION OF THE SHOPPES AT FLOWERS MILL PROPOSED EXPANSION.

- The applicant's attorney, Mr. Ed Murphy, esquire introduced Mr. Jim McCaffrey who is the new owner of the shopping center and Mr. Ron Rusk. The applicant provided the following details to the proposed expansion:

- 1) A Giant gas station is proposed in the area where the old house is situated along N. Flowers Mill Road. The gas station is essential to the Giant Food Store business. As part of the plan, Forget Me Not Lane is proposed to be extended through to N. Flowers Mill Road with the access designates as "official use only" by the Middletown Township Police and Emergency Services. The future access would require the shopping center to acquire approximately 3,958 SF of Township owned property.
- 2) Santander Bank will be expanded from two drive-thru lanes to four.
- 3) Starbucks is proposed as a stand-alone building with a drive-thru ATM.
- 4) Outdoor seating is proposed to be added to Dawson's Restaurant.
- 5) A pad site is proposed for a 4,500 SF fast food restaurant with drive-thru service.
- 6) A pad site is proposed for a 5,500 SF casual restaurant.
- 7) A new pylon sign is proposed along the Route 1 frontage.

- The Planning Commission discussed the following:

Mr. Burnett voiced his concern for the crime potential at the proposed ATM spot.

The applicant told the board that the hours of service for the gas station would be the same as the food store.

The applicant will provide additional buffer plantings as required.

The kiosk for the gas station is for the attendant and gas sales only.

Mr. Parkerson stated he does business with the shopping center and he will excuse

himself from the formal land development process.

- Mr. Duffy stated variances are required for drive-thru service, a restaurant use in the M-1 zoning district portion of the site and a gas station in the R-1 Residence zoning district.
- Mr. Donald Slipp, Mr. Mark Mandel and Mr. Brian Ursic are three residents from St. James Court and they offered their objections to having a gas station on the shopping center site. They noted increased traffic and the unsightly appearance to the upscale shopping center.
- The applicant will submit formal plans at a future date.

5. ZONING ISSUES

Mr. Duffy stated there are five cases for the April 23, 2014 Zoning Hearing Board meeting.

6. OTHER BUSINESS

The next meeting will be held on May 7, 2014.

7. ADJOURNMENT

Mr. Burnett made a motion to adjourn the meeting, seconded by Mr. Rushwick. The vote was taken and the motion to adjourn was unanimously approved. The time of the adjournment was 8:45 P.M.

Respectfully submitted,

Pat Duffy, Zoning Officer

cc: Planning Commission
Township Manager
Township Engineer
Township Traffic Engineer
Fire Marshall