

# Mount Joy Borough Planning Commission Minutes

## December 9, 2020



The December 9, 2020, Planning Commission meeting was called to order at 7:00 PM virtually via ZOOM by Chairperson Wendy Melhorn. Commissioners Deering, Miller, Rebman and Dohl were present. The Mount Joy Borough Zoning Officer, Stacie Gibbs and Brad Stewart, Community Planner with the Lancaster County Planning Commission were also present.

### **MINUTES**

**On a motion by Miller and a second by Deering, the March 11, 2020, minutes were approved. Motion carried 5-0.**

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### **PUBLIC COMMENT**

Ned Sterling, 13 W. Main Street, asked if the Planning Commission will be reviewing the expansion of the Giant Food Store. Gibbs advised the expansion was part of the previously approved and recorded plan and no additional reviews are required just the Construction Permit.

Ned Sterling asked if the building on the Shawn Erb plan is a 1 ½ story or 2 story block building. Melhorn advised Mr. Erb can answer that. Gibbs advised Brian Cooley can address that during the Sketch Plan discussion. Sterling asked if the land to the North and the West of the Erb lot is railroad property. Melhorn advised Cooley can also answer that question during the sketch plan process. Gibbs advised she thought it is. Sterling advised that is the Lions Club pool property. Gibbs wondered why Sterling was asking the question if he knew the answer. Sterling advised the Zoning Hearing Board decision said it is the railroad property. Gibbs advised if Sterling had questions about a Zoning Hearing Board decision, he needs to address that with the Zoning Hearing Board Solicitor and not the Planning Commission. Sterling advised he did bring it up but since Shawn was present, he wanted to get some clarification. Gibbs advised the meeting was a legal meeting and the Decision is in draft form and he should address his concerns with the Solicitor.

Brad Stewart with LCPC advised they are at the stage of implementation for their comprehensive plan Places 2040. Stewart advised there were several workshops to discuss ag preservation and natural preservation and they discussed items like extension of urban growth areas and revitalization. Stewart advised there will be forums to get feedback and he is planning to set something up in early February to have municipalities to participate and provide feedback with some items that were discussed in the workshops. Stewart advised they will be virtual forums.

### **UPDATES**

The Planning Commission was provided a copy of the monthly Zoning and Code Officer report by email.

### **OLD BUSINESS**

None.

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### NEW BUSINESS

Brian Cooley with DC Gohn was present representing his client Shawn Erb with an address of 221 W. Henry Street, Mount Joy, PA 17552 and is requesting a Waiver of the Subdivision and Land Development Ordinance, Chapter 240, Article III to expand an existing storage building by 934 square feet located at 104 Rear Fairview Street, Mount Joy, PA 17552. Cooley advised this building is used to store construction equipment and it is not in great shape. Erb wants to renovate and expand the existing building to accommodate for additional storage space. Erb plans to install a security fence around a portion of the property and Cooley advised almost the whole site is existing impervious and no additional impervious is proposed and therefore, no stormwater management is required. Cooley advised they did seek approvals from the Zoning Hearing Board at their November 18, 2020. Because the property is in the Conservation District a special exception was required to expand a nonconforming use. Cooley also advised several Variances were requested and they received a favorable decision from the Board. Cooley advised those approvals are noted on the plan. Cooley advised after further discussion with Borough staff and recommendation from the Borough Solicitor they are here requesting a waiver of the Land Development Plan process. Cooley advised the property on the North and the West is the Rotary Park Pool property. Erb advised the building is a 16' high building with 8' ceilings and would be a 2-story building in his mind.

**On a motion by Miller and a second by Rebman the Planning Commission recommended Council grant a Waiver of the Subdivision and Land Development requirements of Chapter 240, Article III to expand an existing storage building by 934 square feet, located at 104 Rear Fairview Street, Mount Joy, PA 17552. Motion carried 5-0.**

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Brian Cooley with DC Gohn was present on behalf of his clients for the Mount Joy Senior Housing project to be located at 240 W. Main Street, Mount Joy. Cooley has submitted a Sketch Plan on behalf of his clients in accordance with Chapter 240, §240-63, to re-develop an existing building into 36 senior housing units consisting of 12-1-bedroom apartments, 24-2-bedroom apartments, 4000-6000 square feet of commercial space on the bottom floor elevation and 40 off-street parking spaces. Cooley is requesting the Planning Commission provide advisory comments in accordance with Chapter 240, §240-22. Cooley advised Steve Funk with Levefer Funk Architects and Andy Haines with Gatesburg Road Development who is the equitable owner of the property looking to settle on the property within the next few weeks are also a part of the meeting.

Cooley advised the project was awarded funding this year from PHFA. Cooley advised it is a 5-story building and they are proposing 36 senior housing apartments. Most of the existing building footprint will remain. Floors 1-4 will contain the apartments and the level that faces Main Street will have 4000-6000 square feet of commercial space. The property is in the Commercial Business District. Cooley advised in the rear there is existing paving, and they are providing 40 parking spaces and proposing 3 on-street parking spaces along Main Street. Cooley advised they are showing 10 additional future spaces along West Henry Street and those spaces will depend on the occupants of the commercial space. Cooley advised the access will still be off Henry Street and the existing alley. Rettew did a traffic assessment and was submitted. ARRO had a few comments. The overall assessment was because the project is senior housing it does not have an overall impact on traffic. Cooley advised the plan shows 2-way traffic along part of the existing alley.

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Cooley advised interior recreation that is part of this plan for a community type room and fitness room and other inside amenities for the residents. Therefore, Cooley advised they are requesting a waiver to submit a fee in lieu of recreation space. Cooley advised they are not proposing to dedicate land. They are providing private interior recreation space.

Cooley advised they are requesting a waiver of traffic study and instead submitted a traffic assessment. Cooley also advised that with it being senior housing they are further requesting a waiver of having to submit a fee if not submitting a traffic study because there is no serious impact with the senior housing.

Rebman advised since there are 36 apartments that means there is 1 apartment and 1 vehicle assumed. Cooley advised because the proposal is for 62 years and older there is 1 parking space per unit with 1 manager and 1 maintenance employee. Rebman also advised he likes traffic heading out onto Main Street rather than coming in. Rebman advised he has concerns about parking especially if they have visitors.

Miller asked if they were proposing to have a restaurant in the commercial space. He did not think a restaurant would move in there with no parking. Miller also asked if there would be changes to the façade. Andy Haines advised this is restricted to seniors that are 62 years or older and will make less than \$30,000 per year and they have about 5 other senior housing facilities like this and a lot of tenants do not have cars and therefore the 1 space was enough. They found there were less cars than units. Haines advised they would like to have a commercial use that is appropriate for the location. Haines advised it may be an office or studio. Haines advised he has been in discussions with Main Street Mount Joy. Steve Funk advised the plans currently show all the windows on Main Street being opened to look attractive and for natural light. But that might be contingent upon the tenant. Miller does not want the commercial space to be vacant. Haines advised this project is not Section 8 but affordable senior housing for 62 years or older. They are finding most of the tenants are single. Miller agrees with the others that the waiving of the fee in lieu of should not be granted. The developer would be willing to enter into an agreement regarding the proposed interior recreation. Miller advised he believes the fee in-lieu-of is for outdoor recreation in the Borough and not indoor facilities. Gibbs advised that is correct. Miller prefers there to be outdoor greenspace or funds to improve outdoor recreation. Melhorn agrees it should be outdoor recreation for the public.

Deering advised he is excited to see some movement on this project. Deering advised he is still concerned about parking. Deering advised he does not necessarily agree that folks will not have vehicles. He asked what the plan is for deliveries and trucks. Cooley advised they would come down Henry and into the office street parking lot. Deering advised a lot of people use that to access Pit Stop Hobbies so there is traffic going beyond the property. Deering asked why there is such a range in square footage for the commercial space. Funk advised they are not fully designed yet and have dedicated most of the front space facing Main Street for commercial as required by the ordinance. Funk said they have more space than they need and will come down to the demand. Deering thought the retail or commercial space was to be more or a retail or business space. Gibbs advised we cannot condition what the commercial space must be. Gibbs advised so long as it is a permitted by right use in the CBD. Deering advised the Borough just paved Williams Alley, and it will need to be restored to its current condition. Cooley advised if there is any cutting for utilities it will be restored. Deering has some concerns if any on-street parking is lost along Main Street because of clear sight distance when exiting the alley to Main Street. He would not be in favor of losing parking. He would like a traffic study to be done. He advised it is difficult turning left onto Main Street from Williams Alley. Deering advised if the one way were heading South like Lumber

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Street that would be better and he would be curious to see what a traffic study would say. Deering is ok with not having an additional outdoor space, but the indoor recreation should then be open to the public. Deering asked if there was a way to get additional parking spaces on the west side of the building. Cooley advised stormwater will be infiltrated on that side and it would be tight. Cooley further advised a new entrance would then have to be created and it would have to be a two-way entrance and on-street parking would be lost. Deering does not want to see another entrance. Haines advised they did a study of 6 similar senior projects that also had 1 space per unit, and they did a two-week period study of the number of cars on the lot. He advised 60%-70% of the spaces were used on the lot. He would be more than glad to provide that study. Deering asked if they all had commercial spaces as well. Haines advised some do and some do not.

Tod Dohl advised the MPC talks about private reservation of land and not the preservation of the inside of a building. He is very hesitant to grant the waiver for the fee-in-lieu of.

Wendy Melhorn is wondering why the main entrance is not on the West side of the building. Williams Alley is so narrow that is why it must be one way. Gibbs advised we cannot require them to create a second entrance. Melhorn further advised there could be access from the other end of the parking lot along Henry Street. She feels having the entrance and exit on Williams Alley is a big strain. She also has a concern about parking. Melhorn asked if Henry Street must be widened at Williams Alley. Cooley advised the alley would be widened to provide two-way access into the site. Melhorn further advised she would not be in favor of waiving the fee-in-lieu of.

Gibbs asked if the fee was determined. Cooley advised it is based on the Fair Market Value or the Sales Agreement. Cooley advised they do not have an appraisal. Cooley provided an example of \$100,000 by the total are of 1.3 acres and multiply .9acres required to be dedicated comes to about \$75,000. Cooley advised one of the main reasons why they are requesting this is because this is a redevelopment of a property that has sat vacant for several years and is providing affordable housing which is badly needed in the County. Gibbs suggested they get an appraisal or determine what the fee would be or provide an amount the applicants would be willing to pay as a reduction. Haines advised they are paying a very fair market value for the property and they want to contribute but if it must be based on the actual values it might jeopardize the project.

Gibbs advised the traffic memorandum refers to Williams Alley as an unnamed alley. Gibbs advised it is a public alley called Williams Alley and the Borough does maintain it therefore the traffic Memo would have to be corrected. Gibbs advised the parking currently as proposed meets zoning ordinances. Gibbs advised if the Commission feels there is a pattern and lack of parking requirements, the Commission could look to amend the zoning ordinance in the future. Gibbs advised the future parking area on W. Henry Street is Borough property. Staff brought up the possible use of this area. Gibbs advised it would provide additional visitor spaces. But it would not be specifically tied into the project unless Council specifically approved it that way. Gibbs also advised there would be a concern regarding maintenance of those spaces. Gibbs advised staff did determine the alley should be one way heading North since Lumber Street is heading South. Gibbs advised the traffic referendum did not recommend anything about a no left turn or clear sight issues heading North onto Main Street. Gibbs advised the traffic referendum should be revised to include this.

Gibbs further advised she sent the Sketch Plan to the Fire Department of Mount Joy and they did have concerns about ladder truck turning movements in the parking lot areas. They also wanted

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to know where the FDC connection would be. Gibbs advised moving forward that should be taken into consideration. Gibbs advised Rettew recommended the width of the alley for two-way traffic is 22'. Gibbs advised the Borough would like Rettew to determine if the 22' feasible for 2-way traffic as well as the other items previously mentioned.

Brad Stewart asked if they are considering bicycle parking or rack. Cooley advised they were not going to propose one. If the developer sees a need for that based on the use. Haines advised with their senior housing it is normally not proposed but they can look at it.

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**On a motion by Rebman and a second by Miller, the Planning Commission meeting of December 9, 2020 was adjourned. *Motion carried 5-0.***

Respectfully Submitted,

Stacie Gibbs, Zoning, Code and Planning Administrator