

FAIRVIEW TOWNSHIP PLANNING COMMISSION

August 6, 2019

CALL TO ORDER

Mr. Thompson called the meeting to order at 6:02 PM

ROLL CALL

Present:

Chairman

Member

Member

Member

Codes Director

Codes Assistant

Michael E. Thompson

Anne K. Anderson, P.E.

Jason Stouffer

Michael Mehaffey, P.E.

Stephen M. Waller

Chris H. Strump

Absent:

Member

Township Engineer

H. Adam Williams, P.L.S.

Drew Bitner, P.E.

APPROVAL OF THE MINUTES

Mrs. Anderson, seconded by Mr. Mehaffey, made a motion to approve the minutes of the July 02, 2019, meeting as presented. Vote on the motion. All Aye. The motion carried.

DISCUSSION AND CORRESPONDENCE

There was no Discussion and Correspondence.

SKETCH PLANS

There were no Sketch Plans.

SUBDIVISION PLANS

1. Briarcliff Resubdivision – 19-1005-SD

Mrs. Anderson made a motion to table this matter as there were no representatives in attendance and representatives did not attend the Workshop meeting. Mr. Stouffer seconded. Vote on the motion. All Aye. The motion carried.

LAND DEVELOPMENT PLANS

There were no new Land Development Plans.

OLD BUSINESS

1. Rezoning Request – YMCA Drive

Mrs. Anderson made a motion to untable this matter. Mr. Stouffer seconded. Vote on the motion. All Aye. The motion carried.

Mr. Waller presented the request to the Planning Commission members and read the following staff comments into the record:

A zoning map change request was submitted to the Code Office on June 10, 2018. This request was presented to the BOS on June 24, 2019 to advise that a public hearing will be required in the future for this request. The Board was advised that once staff, York County Planning Commission and the Fairview Township Planning Commissions comments and recommendations were received, the public hearing could be conducted.

BACKGROUND: The proposed zoning map change would be going from RL (Rural Living) to RS (Single Family Residential). This would be an extension of the RS zoning district which was previously approved in the 2013 Zoning Map updated. During the Zoning Ordinance and Map updated in 2013, Mr. Grace requested the Advisory Committee and the Board of Supervisors to review a proposal to change the zoning of the ADJACENT Grace properties to a higher density residential use. Ultimately, the Advisory Committee and the Board determined that it WAS NOT in favor of the higher density residential use that was requested but felt that a lot to medium density residential use was more appropriate. The final version of the update was to rezone those tracts to the new RS zoning. This adjacent parcel was NOT a part of that request. Thus the reason it is being requested now.

As part of this review process, staff conducted a review of the submitted zoning map change request based on the general guidelines outlined in Section 300.98.C(2) of the Zoning Ordinance. Our comments are as follows:

1. The proposal map change IS NOT consistent with the 2010 Comprehensive Plan as it relates to the Future Land Uses for this area. The Comprehensive Plan shows this area to be “Rural Conservation” (RC). The RC definition outlined in the Comprehensive Plan does not support the proposed low to medium density residential uses.

2. The Zoning Ordinance general guidelines for a map change specifically note that there are three guidelines to use when reviewing a map change request. (Sec. 300.98.C(2)(c)[2]). “The township shall decide if the proposed rezoning or map change request is or is not generally consistent with the most recent version of the Fairview Township Comprehensive Plan...”. The next two criteria are dependent on the map change being consistent with the Comprehensive Plan. The read in part, “If the rezoning or map change request is found to be generally consistent with the most recent version of the Fairview Township Comprehensive Plan..., the township shall consider any projected beneficial and/or detrimental effects...”.
3. I think the designer may have misinterpreted the requirements for the pre-develop demands as outlined by the zoning ordinances. The evaluations should be associated with the land being developed under CURRENT zoning requirements. This would mean the 4.75 ac would be subject to the RL standards with public utilities. ZO 300.98.C(2)(c)(3)(c)(i-v).

Staff SUPPORTS the request as submitted. The decision was based on:

- **The proposal is an extension of the existing RS zoning district and would not be considered “spot zoning” of this tract;**
- **The Board of Supervisors and the Advisory Committee felt that the original request by the owner met the merits and development vision of the area in 2013 when the Zoning Map was updated to change the zoning of those parcels. Staff believes that this parcel was inadvertently missed during that process. The property has been owned by the applicant according to tax records since 2011.**

Rezoning Request Action:

Mrs. Anderson made a motion to approve and recommend the Rezoning Request. Mr. Stouffer seconded. Vote on the motion. All Aye. Motion carried.

2. 575 Old York – 17-1012-LD
3. Fairview Crossroads – 17-1008-LD
4. Fairview Township Yard Waste/Recycling Center
5. Fairview Summit – 17-1003-LD
6. Crossroads Middle School

NEW BUSINESS

1. Modification Request for 762 Corporate Circle

Mr. Waller presented the Modification Request to the Planning Commission members and read the following staff comments into the record:

General Comments:

1. The originally approved plan in 1995, is NOT what has been constructed on site. The parking spaces, paved area and access entrance are not per the approved LD plans. (Cannot answer as to how this took place).
2. What stormwater controls are in place at the site? The submitted plans note that they show the existing conditions from the approved 1995 plans. Are the originally approved controls (pond and swale) in place?
3. Did the SWM area accommodate the reconfigured paved areas? Does SW flow to the SWM features?
4. How were the number of provided parking spaces that are shown on the plan determined?

Staff has noted to the applicants engineer and applicant that our opinion would be that LD plan would be required during previous discussions. We also had to note that modification of the requirements could be requested for the entire ordinance. It is still staff's opinion that a LD plan should be submitted for the site. This will reflect actual conditions AND show that the proposed improvements to the site will be in compliance with current standards.

Modification Request Action:

Mrs. Anderson made a motion to table this Modification Request until the applicant provides more information regarding the existing conditions and SWM controls. Mr. Mehaffey seconded. Vote on the motion. All Aye. The motion carried.

ZONING HEARING BOARD

There were no new Zoning Hearing Board applications.

ADJOURNMENT

Mrs. Anderson made a motion to adjourn the meeting, seconded by Mr. Mehaffey. Vote on the motion. All Aye. The motion carried at 6:45 PM.