

**WARWICK TOWNSHIP**

315 Clay Road

P.O. Box 308

Lititz, PA 17543-0308

(Lancaster County)

**WARWICK TOWNSHIP ZONING HEARING BOARD MINUTES**

**August 10, 2016**

Chairman Gary Lefever convened the August 10, 2016 meeting of the Warwick Township Zoning Hearing Board at 6:35 p.m. Present were Board Members Gary Lefever, Dane St Clair, Thomas Matteson, Brent Schrock and Mark Will. Scott Goldman was absent. Also present were Zoning Solicitor Neil Albert, Zoning Officer Thomas Zorbaugh, Court Reporter Lisa Miller, Jonathan Wakefield, Caroline Hoffer, Bryan & Caroline Leithiser, Nancy Newman, Tracie Carter, Jim Wenger, Kristin Holmes, Kimberly Freimuth, and Daniel Bleznak.

**MINUTES APPROVAL:** On a motion by Goldman, seconded by Matteson, the Board voted unanimously to approve the minutes of the June 08, 2016 meeting with corrections. Schrock & Will abstained.

**POSTING, PROOF OF PUBLICATION AND NOTICE:** The Zoning Officer confirmed the posting, notice and proof of publication of the cases to be heard at this evening's hearing.

**HEARING PROCEDURES:** For the benefit of those present, the Zoning Hearing Board Solicitor explained the procedure to be followed for the evening's hearing. Albert then asked if anyone in the audience besides the applicants and representatives would like party status, no one replied.

**CASE #830 – CHB PRPOERTIES LITITZ, LLC – SPECIAL EXCEPTION/VARIANCE:** The Chairman read the application received requesting a Special Exception of Section 340-16.1.C(2) & 340-52 to allow an automotive service and repair facility in a (LC) zoning district and the following Variances' of Section 340-16.1.F(1) to allow the building to be placed further back than the front yard setback permits; 340-16.1.N(2) to revised the required planting strip; 340-35.D(1)[2] to reduce the landscaping strip and 340-38.B.1(i) to allow a larger sign on the face of the building. The Variance for Section 340-38.B.2(a)[2] was withdrawn by the applicant.

The following applicants and/or representatives were sworn in for this case: Jonathan Wakefield, Kristin Holmes, Kimberly Freimuth and the Zoning Officer.

Attorney Kimberly Freimuth started the presentation with entering the following items as exhibits: A1 was a summary of Christian Brothers Automotive business practices; A2 was the deed for the property and agreement of sale; A3 was an aerial view of the property; A4 was an aoustical study; A5 was a revised site plan; A6 was a set of building renderings and floor plans; A7 was a revised sign package; A8 was the portfolio from the lead site engineer; A9 was a layout of the permitted signs meeting the Township's Ordinance; A10 was a site plan of the entire Buckhill Farm subdivision plan along Crosswinds Drive; A11 was the package submitted to the Planning Commission; and A12 was the original site plan being shown on the smart board prior to revisions of A5.

Freimuth asked both Wakefield and Holmes if the items within the submitted Applicants Exhibits A1 – A12 truly represented the project and were if fact the minimum reliefs that are needed for this project to be situated on this site. Both Wakefield & Holmes agreed that the items presented represented the project completely to the best of their knowledge.

Freimuth then addressed the Special Exception for the use and the Variances being requested. She stated that the automotive service and repair facility meets all the requirements under Section 340-52 and no zoning relief is being requested for this section. She then stated that the actual Variance reliefs are dealing with the proposed location of the building, the existing easements and the proposed building sign. She shared with the Board that they had met with the Township Staff and Planning Commission (PC) prior to the Zoning Hearing Board meeting to get clarification and guidance on the visibility and easements located on this lot. Both the Staff and PC agreed that moving the building back and reducing plantings along Highlands and Crosswinds Drives' would be the best for this site due to limited visibility at the intersection.

Freimuth then asked both Wakefield and Holmes questions on the exhibits showing how and why the Variances for the site were being requested. She then stated that she was done with her presentation and did the Board have any questions?

The Zoning Officer stated that he had a memo from the PC and this was marked Board's Exhibit 1. He went on to share that the presentation that the applicants did represent changes as address at the PC meeting. He went on to share for those in the audience, how the site was to be laid out using the smart board and exhibit A12, which was the only plan the Township had at that time.

Bryan & Caroline Leithiser, 105 Wickshire Circle, both stated that they are concerned about the visibility at the intersection and wanted to make sure that as much vegetation along the rear of the tract would remain. Wakefield stated that they will work with the Township's PC and Board of Supervisors' during the planning process to maintain all that can be retained.

Tracie Carter, 346 Crosswinds Drive, stated the same concerns as the Leithsers'.

Nancy Newman, 509 Wickshire Circle, wanted to know how to be advised when a further meeting would be held. The Zoning Officer stated that they can log on to the website to find out but that the applicant will be at the Supervisor's meeting on August 17<sup>th</sup>.

The Zoning Officer inquired what the total frontage is on Crosswinds and on Highlands to determine if another ground sign is allowed. Holmes stated the frontage along Crosswinds is approximately 290 feet. The frontage along Highlands is approximately 320 feet. This is under 1,000 sf. which would allow for a second ground sign.

Relief of the 15 foot landscaping strip is being requested. The Zoning Officer questioned what the width is from the sidewalk to the curb line. Holmes stated the curb line is just over 16 feet at the smallest location. Due to easements the planting buffer will not be able to meet the 15 foot requirement.

Bryan Leithiser inquired if the macadam walkway along Highlands Drive would remain. Holmes stated it would remain. He also inquired since the property is close to the creek, what was in place for the disposal of automotive fluids. Wakefield explained everything is recycled. All the automotive fluids are stored aboveground so if there is a leak it can be detected immediately.

Matteson stated he would like to see as many of the existing plantings along Highlands Drive are maintained, or there be a reduction of the width of the driveway on that side of the building to allow additional plantings to be placed. This would ensure there will always be landscaping in this area. Wakefield shared that they want to keep what makes sense and is more than willing to plant what is required where it can be placed, and will work through the planning process with the Township. He stated that they feel that the two ways drive needs to be

there or people will drive down the wrong way. Wakefield stated he would prefer trees as opposed to shrubs planted along Crosswinds due to sight issues. Holmes stated the sight distance would be maintained with whatever was being proposed for plantings.

Matteson inquired how much lower the parking lot would be from Crosswinds. Holmes stated the design grading has not been completed yet. However, she would approximate a grade break from the back of the curb to the parking lot of 5 to 8 feet.

Will questioned if the size of the lettering difference on the wall sign in the packet. Holmes stated that the lettering on the permitted wall sign is smaller at 17 ½ inches versus 24 inches that they are requesting. Will is questioning the visibility of the letters. Holmes stated for the overall length and size of the building the wording at 17 ½ inches is less visible. Wakefield stated Christian Brothers typically asks for 24 inch lettering. The 40 foot sign was predicated on the building being 25 feet back. Now that the building is going to be 73 feet back, which is almost triple the distance, a larger sign/lettering is better from a visibility standpoint. Wakefield stated if the building sign cannot be larger than they would enlarge to pylon sign to the allowable 80 sf instead of the submitted 40 sf. Wakefield felt a smaller pylon sign in the intersection made better sense.

The Board went into executive session at 7:50 pm. and reconvened at 8:02 pm.

On a motion by Matteson and seconded by Lefever, the motion was approved 5-0 with the following conditions: 1) that the applicant work with the Township to maintain as much of the existing vegetation along the front as possible; 2) maintain the existing woodland to the rear of the property between the LC and R2 zoning districts; and the proposed pylon sign cannot exceed 40 sf as testified.

**CASE #832 – ARC ONE LITITZ, LP – VARIANCE:** The Chairman read the application received requesting the following Variances of Sections 340-19.M(2)(c) to allow an additional wall sign; 340-38.B & 340-19.M to allow offsite direction signage; and 340-120.K(1) to allow an extension of time.

The following applicants and/or representatives were sworn in for this case: Caroline Hoffer, Jim Wenger and Daniel Bleznak. The Zoning Officer was sworn in previously.

Attorney Caroline Hoffer started the presentation by submitting the following exhibits: A1 was the overall Master Plan of the Rock Lititz site; A2 was the layout plan for the hotel project; A3 was the drawing of the proposed canopy sign needing a Variance; A4 was the proposed pylon sign along Rock Lititz Blvd; A5 was the proposed pylon sign along Studio Drive; A6 was the proposed pylon directional sign along Route 501 & Ellen Avenue needing a Variance; A7 was a site plan indicating an easement for Rock Lititz along Ellen Avenue; and A8 was a rendering of the proposed hotel. She asked both Wenger and Bleznak if the exhibits submitted accurately represented the project. Both Wenger and Bleznak agreed that the items presented represented the project completely to the best of their knowledge.

Hoffer then addressed the use of the project and the Variance requests. She stated that the hotel is a permitted use in the CC zoning district and that the Variance requests were do the location and size of the structure. She stated that Section 340-19.M(2) allows for buildings over 20,000 sf to have additional wall signs indicating uses within the building by right. They will have two additional signs, one for the restaurant and one for the bar/lounge; but they are requesting a Variance to allow an additional hotel sign on the ground canopy, facing the interior of the site, so that customers can see where the actual drop of site is located. The second Variance was to allow a direction sign along Route 501 at Ellen Avenue, stating that the entrance to the hotel would be from E. Newport and Toll Gate Roads'. The third Variance was to allow an extension of time to start and complete the project.

She then asked both Wenger and Bleznak questions on the exhibits showing how and why the Variances for the project were being requested. She then stated that she was done with her presentation and did the Board have

any questions?

Solicitor Albert questioned what the elevation of the canopy sign would be? There was statement that it is a ground sign, but that they are calling it a canopy sign. Bleznak stated the sign would be attached to the canopy on the end of the carport overhang; however this canopy is attached to the ground and that the proposed sign would be closer to ground level than higher up on the canopy.

Lefever inquired of Zorbaugh if the Ellen Avenue sign request is actually a Variance. Zorbaugh stated the Township does allow directional signs however they are small in size and typically within the complex itself. The State would allow directional signs on their poles however these are also small in size. Lefever stated that Attorney Hoffer refers to a campus whereas he sees a Master Plan. The sign in question is along 501 at the end of Ellen Avenue at the original building and seems removed from the "campus." Zorbaugh stated from a Township aspect even though Claire Global stands on its own, it is part of the ownership of the complex; and even though Ellen Avenue is a private street is an entrance into the complex. Attorney Hoffer stated that since the hotel will be open to the general public, the applicant felt that the sign would direct people to the correct entrance off of West Newport Road.

Will stated he feels this sign is a "billboard", an advertisement for the hotel. Will feels if the Township wants to eliminate the use of Ellen Avenue, then Claire Global should apply for a sign. Attorney Hoffer stated Rock Lititz has the authority to ask for a sign on behalf of Claire Global.

Lefever stated there are more businesses that will be on this lot who will have the same need of a directional sign. Bleznak stated until that time when a comprehensive sign package is requested, he would be willing to agree to this sign with the condition that if in the future there is a comprehensive sign package for the campus, the hotel be added to it.

Matteson inquired if the sign could be directional only and not contain the hotel's name. Bleznak feels the hotel's name would be important to have on the sign.

Matteson was concern was the signage along Route 501 be kept under control. He did not like the idea of each individual business having a directional sign along Route 501.

The Board went into executive session at 8:45 pm. and reconvened at 9:05 pm.

On a motion by Matteson seconded by St, Clair, a motion to approve the Variance for the additional hotel canopy sign and the extension of time was approved 5-0, with a condition that the pylon signs along Studio Drive and Rock Lititz Blvd. could not exceed the size as shown on the applicants exhibits; and that the directional sign along Route 501 and Ellen Avenue was denied 5-0.

**ADJOURNMENT:** With no further business to come before the Board, the meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Thomas Zorbaugh  
Code & Zoning Officer