

April 20, 2010
SPECIAL MEETING

The East Lampeter Township Board of Supervisors met on Tuesday, April 20, 2010, at 7:00 p.m. at the East Lampeter Township Office, 2250 Old Philadelphia Pike, Lancaster, PA 17602. The meeting was scheduled and advertised as a special meeting for the purpose of conducting a public hearing to consider a petition for rezoning filed by Chick-fil-A, Inc., which seeks to have a tract of land, consisting of approximately 1.907 acres, situated on the north side of Lincoln Highway (US Route 30) and east of Willowdale Drive, East Lampeter Township, Lancaster County, Pennsylvania, rezoned from Residential District R-2 to Commercial District C-2. The meeting was called to order by Mr. David Buckwalter, Chairman. Supervisors present were: Mr. Michael Landis, Mr. John Shertzer, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager. Mr. Roger Rutt was absent.

The following persons signed in as being present in the audience:

Donald Mallory, 13 Willowdale Drive, Lancaster, PA 17602
Sue Mallory, 13 Willowdale Drive, Lancaster, PA 17602
John Stoltzfus, 2456 Douglas Drive, Lancaster, PA 17602
Marian Stoltzfus, 2456 Douglas Drive, Lancaster, PA 17602
Robert Kelly, 20 Willowdale Drive, Lancaster, PA 17602
Matt Shaffer
Frank Hollingsworth, 2440 Creekview Drive, Lancaster, PA 17602
Joe Webber, 2487 Willow Hill Drive, Lancaster, PA 17602
Carey Hostetter, 2484 Willow Hill Drive, Lancaster, PA 17602
Gene Parsons, 466 Twin Elm Road, Strasburg, PA 17579
Susan Parsons, 466 Twin Elm Road, Strasburg, PA 17579
Joel Sweitler, 2460 Creekview Drive, Lancaster, PA 17602
Bessie McCauley, 2447 Douglas Drive, Lancaster, PA 17602
Cindy Rossos, 2444 Douglas Drive, Lancaster, PA 17602
Nick Rossos, 2444 Douglas Drive, Lancaster, PA 17602
Jim Moore Jr., 2436 Douglas Drive, Lancaster, PA 17602
Jay Hershey, 2431 Ellendale Drive, Lancaster, PA 17602
Dennis Hinerdeer, 2420 Willow Glen Drive, Lancaster, PA 17602
Michael J. Piascinski, 10 Willowdale Drive, Lancaster, PA 17602
Julie Hoover, 10 Willowdale Drive, Lancaster, PA 17602
W. Eugene Bledsoe, 2432 Willow Glenn Drive, Lancaster, PA 17602
Jeanette Zimmerman, 2486 Ellendale Drive, Lancaster, PA 17602
Edward S. Conway, Jr., 169 Park Place, Landisville, PA 17538
Michael M. Martin, 2432 Cypress Drive, Lancaster, PA 17602
Barb Huber, 2423 Creekview Drive, Lancaster, PA 17602
Arlen Huber, 2423 Creekview Drive, Lancaster, PA 17602
Joyce Weaver, 2448 Willow Glen Drive, Lancaster, PA 17602
Jay Weaver, 2448 Willow Glen Drive, Lancaster, PA 17602
Susan Tice, 2464 Douglas Drive, Lancaster, PA 17602
Robert Tice, 2464 Douglas Drive, Lancaster, PA 17602
Todd & Karin Nathan, 2436 Ellendale Drive, Lancaster, PA 17602
Ray & Joy Fisher, 2443 Willow Glen Drive, Lancaster, PA 17602
Joseph & Elaine Rovnan, 2447 Willow Glen Drive, Lancaster, PA 17602

Benjamin Krothe V, 2480 Ellendale Drive, Lancaster, PA 17602
Maria Krothe, 2480 Ellendale Drive, Lancaster, PA 17602
Andy Graybill, 2428 Willow Glen Drive, Lancaster, PA 17602
Mayo & Joyce Hutt, 2428 Creekview Drive, Lancaster, PA 17602
Mark Johnson, RGS Associates, 15 S. State Street, Brownstown, PA 17508
Jay Spritzler, 2422 Creekview Drive, Lancaster, PA 17602

Chairman Buckwalter opened the hearing and reviewed the agenda.

Mr. Mark Stanley, Esq. of Hartman Underhill & Brubaker introduced himself as representing the applicant Chick-fil-A, Inc. He explained that they are requesting the Township rezone a tract of land at the intersection of Lincoln Highway (US Route 30) and Willowdale Drive. Mr. Stanley then handed out to the Board members folders containing ten (10) documents containing background information.

Mr. Stanley introduced Mr. Scott Thigpen of Chick-fil-A, Mr. John Martinez of KZA Engineering, and Mr. Mark Henise of ELA Group. Mr. Stanley then reviewed the ten (10) documents that he had handed out.

Mr. Scott Thigpen, Development Manager of Chick-fil-A headquarters in Atlanta, GA, reviewed the history of the company. He explained that they operate nearly 1,500 restaurants throughout the United States and typically employ between 60 to 70 employees at each location of which 30% are full time employees. He added that their restaurants operate between the hours of 6:00 a.m. to 10:30 p.m. Monday through Saturday. Their restaurants are not open on Sundays.

Mr. John Martinez of KZA Engineering reviewed the site plan. He explained the restaurant would be approximately 4,500 square feet with seating for 138 patrons inside and seasonally 20 seats outside. The site would have 65 parking spaces and include a child play area at the front of the location that would be only accessible from inside the restaurant. There are three access points proposed, one on Willowdale Drive and two into the Quality Center. He added that they do have an easement agreement with Quality Center in hand. The site also has the capability for a drive through window.

Mr. Martinez continued that based on the recommendation of the Planning Commission, modifications were made to the plan to include landscaping and a fence on the north side of the property. He added that lighting was a concern previously and that they can provide basically zero foot candles along the parameter of the site and still fully light the parking areas. There was also a conflict about the location of a driveway. They have now moved this driveway as far south to Route 30 as possible. Mr. Martinez then displayed and reviewed an architect rendering of the building to be built. He added that approximately a half an hour after the closing of the restaurant, the facility would be dark.

Mr. Mark Henise, a traffic engineer with ELA group, reviewed a preliminary traffic study that had been performed to provide safe and efficient access to the site. He stated that minor signal timing changes would be necessary for the left turn lane onto Willowdale Drive.

Mr. Shertzer asked for more of an explanation of the drive-thru window. Mr. Martinez further explained the ordering area and the flow of the drive through.

Mr. Shertzer asked what the distance was from the restaurant exit onto Willowdale Drive to the intersection of Route 30 as far as how many cars could be lined up. Mr. Martinez stated that it is approximately 200 feet and added that they are proposing to make the exit from Willowdale Drive onto

Route 30 two lanes. The left lane would be for left turns only and the right lane would be for straight or right turns. The left turn only lane would be approximately 100 feet and able to stack four (4) cars.

Mr. Landis questioned the location of the driveway onto Willowdale Drive. Mr. Martinez further explained the location of the driveway. Mr. Landis then asked Mr. Thigpen about the outdoor seating area. Mr. Thigpen stated that the area would have small round table with umbrellas and aluminum chairs.

Mr. Eberly asked about the alignment of the traffic lanes with those coming out of Rockvale Square. Mr. Henise explained how the lanes would line up with the addition of a left turn only lane coming from Willowdale Drive.

Chairman Buckwalter questioned if the building would be two stories. Mr. Thigpen stated the building is only one story. It is 19 feet high with the highest peak area being 25 feet high. Chairman Buckwalter asked about the screening on the north side of the property. Mr. Martinez explained that there would be a white six foot high vinyl fence and the existing large trees on the property would remain. Mr. Martinez added that additional plantings would be around the utility easement. The sidewalk currently along Route 30 would be relocated to provide a grass strip between the curb and the sidewalk.

Mr. Shertzer asked about the proposed traffic movement into Quality Center. Mr. Martinez replied that Quality Center currently has three (3) access points onto Route 30 and two (2) onto Route 896.

Chairman Buckwalter then invited public comments and questions.

Mr. Donald Mallory, 13 Willowdale Drive, Lancaster, PA 17602, explained that his property will be bordering the site. Mr. Mallory suggested leaving the vacant lot at the corner of Willowdale Drive as R-2. He added that he is opposed to the access onto Willowdale Drive.

Mr. Benjamin Krothe, 2480 Ellendale Drive, Lancaster, PA 17602, asked if someone had counted the number of cars going in and out of Willowdale Drive during the traffic study. Mr. Henise replied yes. Mr. Krothe stated that traffic already cuts through the development and that this will add more traffic and that there is a concern about the safety of the children playing in the neighborhood.

Mr. Joe Webber, 2487 Willow Hill Drive, Lancaster, PA 17602, presented the Board with a petition of 157 signatures to reject the current application. He mentioned some of the concerns are the traffic, buffering, lighting, noise control, and trash control. He added that their main issue is the entrance/exit onto Willowdale Drive and the increase amount of traffic cutting through from Rt. 896 and Rt. 30.

Mr. Michael J. Piascinski, 10 Willowdale Drive, Lancaster, PA 17602, indicated that his house is directly across the street from the site. Mr. Piascinski expressed his concern about people turning around in their driveway, the safety of the children since a bus stop is in front of his home, and being able to get out of the driveway with the new lanes on Willowdale Drive. Mr. Piascinski also asked why the Township took no action to address these three vacant homes earlier and added that the lawns are currently a foot high at this time.

Ms. Julie Hoover, 10 Willowdale Drive, Lancaster, PA 17602, asked why they are considering changing this tract of land from R2 to C2 when there are so many vacant commercial properties already available. Ms. Hoover asked Mr. Henise on what day the traffic study was done. Mr. Henise

replied it would have been on either a Tuesday, Wednesday, or Thursday. He added that they also performed a study on a Saturday. Ms. Hoover stated that traffic is usually much heavier on weekends and tourist turning in by mistake adds to it. She commented that zoning this commercial does not mean that Chick-fil-A will stay and asked how this is being looked at. She added that if this does get rezoned commercial she would like to see a stipulation put on it that they cannot come onto Willowdale Drive, because no matter what, this is a residential neighborhood and she would like to keep it that way. Ms. Hoover asked about rules not being followed now, for example the grass cutting. How are these rules going to be enforced in the future? Chairman Buckwalter responded that this property owner has been notified numerous times about this issue and that it has not gone unnoticed by the Township. Ms. Hoover stated that with the removal of the three (3) homes they will lose the buffering zone for noise from the highway.

Mr. Michael M. Martin, 2432 Cypress Drive, Lancaster, PA 17602, commented about this being a residential neighborhood and children ride their bicycles throughout the development. He added that he believes that Chick-fil-A is a very good citizen and represent themselves well. He added that there are other locations in the Township where they could build and he would love to have them around, but just not in his development.

Mrs. Susan Mallory, 13 Willowdale Drive, Lancaster, PA 17602, explained that there is a home in the development known as Friendship Home which houses four handicap residents who they walk in wheelchairs. She also noted that there are residents who walk their dogs and elderly persons who walk in the development and cannot move out of the way quickly. Mrs. Mallory asked if the lighting is only going to be on the building. Mr. Martinez explained that there is lighting on the building, but also around the parimeters. Mrs. Mallory stated that she is not against Chick-fil-A, but is against the access to Willowdale Drive.

Mr. Jay Weaver, 2448 Willow Glen Drive, Lancaster, PA 17602, stated his concern of taking away the residential buffer for the development which will add more light pollution from Rt. 30. He also stated his concern of the noise from the trash dumpster trucks in the early morning hours.

Mr. Ed Conway, 169 Park Place, Landisville, PA 17538, stated that he is a resident of East Hempfield Township. He expressed his opinion that if Chick-fil-A would get the OK to build, his experience with this organization is that they would be a good citizen and address the concerns of their neighbors.

Mr. Michael J. Piascinski, 10 Willowdale Drive, Lancaster, PA 17602, asked if the Board rezones this tract of land, is there a possibility of more land along this development being rezoned in the future. He also asked what type of taxes will be collected from Chick-fil-A. Mr. Hutchison responded that the future land use map as it exist currently does show these properties being in the regional commercial area for future land use. It doesn't show any other properties in this vicinity being changed to commercial.

Mrs. Maria Krothe, 2480 Ellendale Drive, Lancaster, PA 17602, asked the Board to take into consideration what the residents are saying and added that she thinks it should stay residential.

Chairman Buckwalter then closed the hearing. No action was taken.