

# **MOUNT JOY TOWNSHIP**

LANCASTER COUNTY, PENNSYLVANIA

# Application for Consideration of a Subdivision and/or Land Development Plan

For Mount Joy Township Use Only:

M.J.T.P.C. File No.:	25-04-SLDP	Date of Receipt/Filing: February 25, 2025	
School District:	Donegal	X Elizabethtown	

The undersigned hereby applies for approval under Chapter 119, Subdivision and Land Development, of the Code of the Township of Mount Joy for the Plan submitted herewith and described below:

**Plan & Project Information** 

	Ject illiorillation	
Plan Name: Sketch Plan for Sloan's Pharm	ıасу	
Plan No.: 5139-20	Plan Date: Febru	uary 26, 2025
Location: Adjacent to Eagle Parkway		
Property Owner: Duane Hernley		
Owner Address: 101 Sparrow Lane Elizabethtow	vn, PA 17552	
Telephone No.:		
E-mail:	· · · · · · · · · · · · · · · · · · ·	
Deed Reference: 20246790985	Tax Parcel No.: 460-7914	45-0-0000
Plan Type: X Sketch	Preliminary	Final
Lot Line Change	Minor Agricul	ltural or Land Development
Description: Construct a new pharmacy, accutilities, sidewalks, and other sit	ess drives, parking lots e improvements.	, stormwater facilities,
Zoning District: C-2 General Commercial		
Is a zoning change necessary? No If ye	es, please specify:	
Is/was a zoning variance, special exception, or co	onditional N/A	If yes, attach ZHB decision.
use approval necessary?	INIA	
Total Acreage:		
Name of applicant (if other than owner):	Jacob Zuch LLC	
Address: 428 Cloverleaf Road Eliza	abethtown, PA 17022	
Telephone No.: 717-653-6888		
E-mail: rxpert101@aol.com	· · · · · · · · · · · · · · · · · · ·	
Firm which prepared plan: DC Gohn Associate	es	
Address: 32 Mount Joy Street Mount Joy, PA 17552	2	
Phone No.: 717-653-5308		
Person responsible for plan: Brian R. Cooley		
E-mail: bcooley@dcgohn.com		

**Proposed Lots and Units** 

	# of Lots	# of Units		# of Lots	# of Units			
Total #	2		Mixed Use					
Agricultural			Single Family De					
Commercial	1		Multifamily (attach	ed-sale)				
Industrial			Multifamily (attache					
Institutional			Other: Vacant	1				
Total Square Feet of Grou	and Floor Area	ı (building	footprint):	6,280		<del></del>		
Total Square Feet of Exis	ting Structures	(all floors)	:	0				
Total Square Feet of Prop	osed Structure	es (all floors	s):	6,280				
Total Square Feet (or Acr	es) of Propose	d Parkland,	/Other Public Use:	0				
Linear feet of new street:				0				
Identify all street(s) not proposed for dedication:		All access drives are	s are private					

Type of water supply proposed:

Х	Public (Live)	Community
	Public (Capped)	Individual

Type of sanitary sewage disposal proposed:

Х	Public (Live)	Community
	Public (Capped)	Individual

The undersigned hereby represents that, to the best of his knowledge and belief, all information listed above is true, correct and complete.

Zaln Ill	02/25/2025	
Signature of Landowner of Applicant	Date	

#### LAW OFFICES

ANTHONY P. SCHIMANECK JOSELE CLEARY ROBERT E. SISKO JASON M. HESS

WILLIAM C. CROSSWELL

RANDALL K. MILLER

OF COUNSEL

# MORGAN, HALLGREN, CROSSWELL & KANE, P.C.

P. O. BOX 4686

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FAX (717) 299-6170

E-MAIL: attorneys@mhck.com

GEORGE J. MORGAN (1971 - 2021)

<u>RETIRED</u> CARL R. HALLGREN MICHAEL P. KANE

700 NORTH DUKE STREET LANCASTER, PA 17602 717-299-5251

> 1536 W MAIN STREET EPHRATA, PA 17522 717-733-2313

659 E WILLOW STREET ELIZABETHTOWN, PA 17022 717-361-8524

March 1, 2025

#### VIA EMAIL

Kimberly Kaufman, Township Manager Mount Joy Township 8853 Elizabethtown Road Elizabethtown, PA 17022

Re: Sketch Plan for Sloan's Pharmacy

Our File No. 10221-1

Dear Kim:

Brian Cooley of D. C. Gohn Associates, Inc., forwarded the Sketch Plan for Sloan's Pharmacy (the "Sketch Plan") and supporting information to me. The Sketch Plan proposes a relocation of the existing pharmacy from the Norlanco complex to a lot to be created fronting on Eagle Parkway. That lot is presently part of a larger tract owned by Duane Hernley which was created by a subdivision plan recorded at Document No. 2024-0360-J. The Hernley lot was in turn created by the Final Subdivision, Land Development & Lot Add-On Plan for Westbrooke IV-Phase 1 recorded at Document No. 2023-0080-J (the "Westbrooke Plan").

The Westbrooke Plan proposes the construction of Eagleview Parkway as well as sidewalks. There were numerous documents recorded with the Westbrooke Plan, but they do not appear to impact the development shown on the Sketch Plan.

There will have to be a Storm Water Management Agreement and Declaration of Easement when a final plan is filed. Mr. Hernley, as the record owner of the land, must be a party to the Storm Water Management Agreement. The entity which will be purchasing the land will also have to be a party to the proceeding. The materials submitted to date do not indicate the identity of the purchaser. Sloan's Pharmacy, Inc., is a corporation, but another entity may be created to own the real estate.

The Sketch Plan does not propose to make any improvements to the limited frontage on Route 230, which is presently improved with an access drive serving the adjoining lot identified as 2147 South Market Street. The Township may wish to consider a Deferred Improvements Agreement for the installation of sidewalk or a trail along this street frontage.

Kimberly Kaufman, Township Manager March 1, 2025 Page 2

If you have any questions concerning these comments, please contact me.

Very truly yours,

Josele Cleary

JC:sle MUNI\10221-1(7)\250226\71

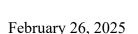
cc: Justin S. Evans, AICP, Community Development Director/Zoning Officer (via email)

Jackie Wilbern, Zoning Officer (via email) Benjamin S. Craddock, P.E. (via email)

Brian R. Cooley, Landscape Architect (via email)

Feb 25 2025

MOUNT JOY TOWNSHIP



Surveyors - Engineers - Landscape Architects

Onn
Associates, Inc.

Mr. Kim Kaufman Township Manager Mount Joy Township 8853 Elizabethtown Road Elizabethtown, PA 17022

SUBJECT: Sloan's Pharmacy

Sketch Plan Modification Requests DCG Project Number **5139-20** 

Dear Mr. Kaufman:

On behalf of Sloan's Pharmacy, we are requesting the following modifications from the Subdivision and Land Development Ordinance.

#### **Subdivision and Land Development Ordinance**

#### 1. Section 119-32.(2)—Traffic Study

We request relief from the requirement to provide a traffic study for nonresidential developments with buildings containing in excess of 1,000 square feet of usable space. The alternate is a traffic generation assessment.

The existing pharmacy with the drive thru is located at the existing Norlanco medical facility. The new location is 0.80 miles from the existing location. Since the new location is near the existing location and the existing customer base is already established and will continue to do business at the new location, the increase in new traffic is negligible. The proposed site is situated on a newly constructed street associated with the neighboring subdivision and the access to Route 230 is via a new PennDOT entrance.

#### 2. Section 119-52.J.(3)(a) – Improvement of Existing Streets

We request relief from the requirement to improve existing streets where land development abuts an existing street. The street shall be improved to the ultimate width in accordance with Subsection J or as indicated on the Township Official Map, whichever is greater, and additional right of way shall be provided, concrete curb and sidewalk, and any other street improvements shall be constructed. The Township Official Map includes the construction of a second eastbound/westbound through lane, concrete curbing, and sidewalks along Route 230. The request is not to install the required street improvements.

The proposed lot will have frontage in two locations along Route 230. The first is 53.83 lineal feet of frontage which includes a portion of the entrance to Century Spouting. The property line and right of way are 60 feet from the centerline of Route 230. There are no

proposed improvements associated with this project along Route 230 which would impact any future widening. The installation of curb would impede the existing entrance to Century Spouting. There is no sidewalk along the adjacent properties and the short section of sidewalk would not connect to any existing sidewalk system. The site access is via Eagle Parkway.

The second frontage is 28.52 lineal feet at the intersection of Eagle Parkway and Route 230. There is existing sidewalk and curb along the radius returns of the intersection which was part of the PennDOT improvements.

#### 3. Section 119-53.B(1) and 119-53.B(2) – Sidewalks

We request relief from the requirement that sidewalks are required on both sides of a new street and access drive and that sidewalks are required in any location within a land development for access to or within a commercial, industrial facility, or community facility. The alternate is to provide one sidewalk connection from the sidewalk associated with Eagle Parkway to the new building.

The subdivision plans for Westbrook IV – Phase 1 include a sidewalk along the western side of Eagle Parkway. There is a proposed sidewalk from the parking area and building which provides a connection to the sidewalk. The sidewalk location provides access to the crosswalk and main sidewalk directly to the building.

#### 4. Section 119-53.C(1) – Curbs

We request relief of the requirement that concrete curb shall be provided for all land developments along street frontage, access drives and along the edges of any landscaped portion of the parking facility.

There is proposed curbing along the landscape island between the drive thru and 7 parking spaces, along the drive thru and landscape island adjacent to the handicap spaces, and along the radius returns of the new access drive connection to Eagle Parkway. The curbing in these areas provides vehicular safety for the parking lot, landscape areas, and building drive thru. There is no proposed curb along the parking lot and sidewalk for the main entrance. The pharmacy has elderly customers which will utilize these spaces to access the pharmacy. The curbing will create a tripping hazard and an unsafe condition. There are concrete wheel stops along the parking spaces.

There is no curbing along the outer perimeter of the parking lot and access drives. There areas are adjacent to grass areas. These areas will sheet flow drain to the proposed stormwater facilities. Curbing will not be required to direct stormwater.

#### 5. **Section 119-62.B – Trails**

We request relief from the requirement to provide a trail with a minimum width of 6 feet along Route 230 which is shown on the Official Map and alternately, a 10 foot wide asphalt trail be constructed in lieu of a concrete sidewalk. The request is not to install the trail.

The proposed lot will have frontage in two locations along Route 230. The first is 53.83 lineal feet of frontage which includes a portion of the entrance to Century Spouting. There is no sidewalk or trail along the adjacent properties and the short section of sidewalk or trail would not connect to any existing sidewalk or trail system. The site access is via Eagle Parkway.

The second frontage is 28.52 lineal feet at the intersection of Eagle Parkway and Route 230. There is existing sidewalk and curb along the radius returns of the intersection which was part of the PennDOT improvements.

We respectfully request your consideration of the requested modifications.

Sincerely,

D. C. Gohn Associates, Inc.

Brian R. Coolsy Brian R. Cooley

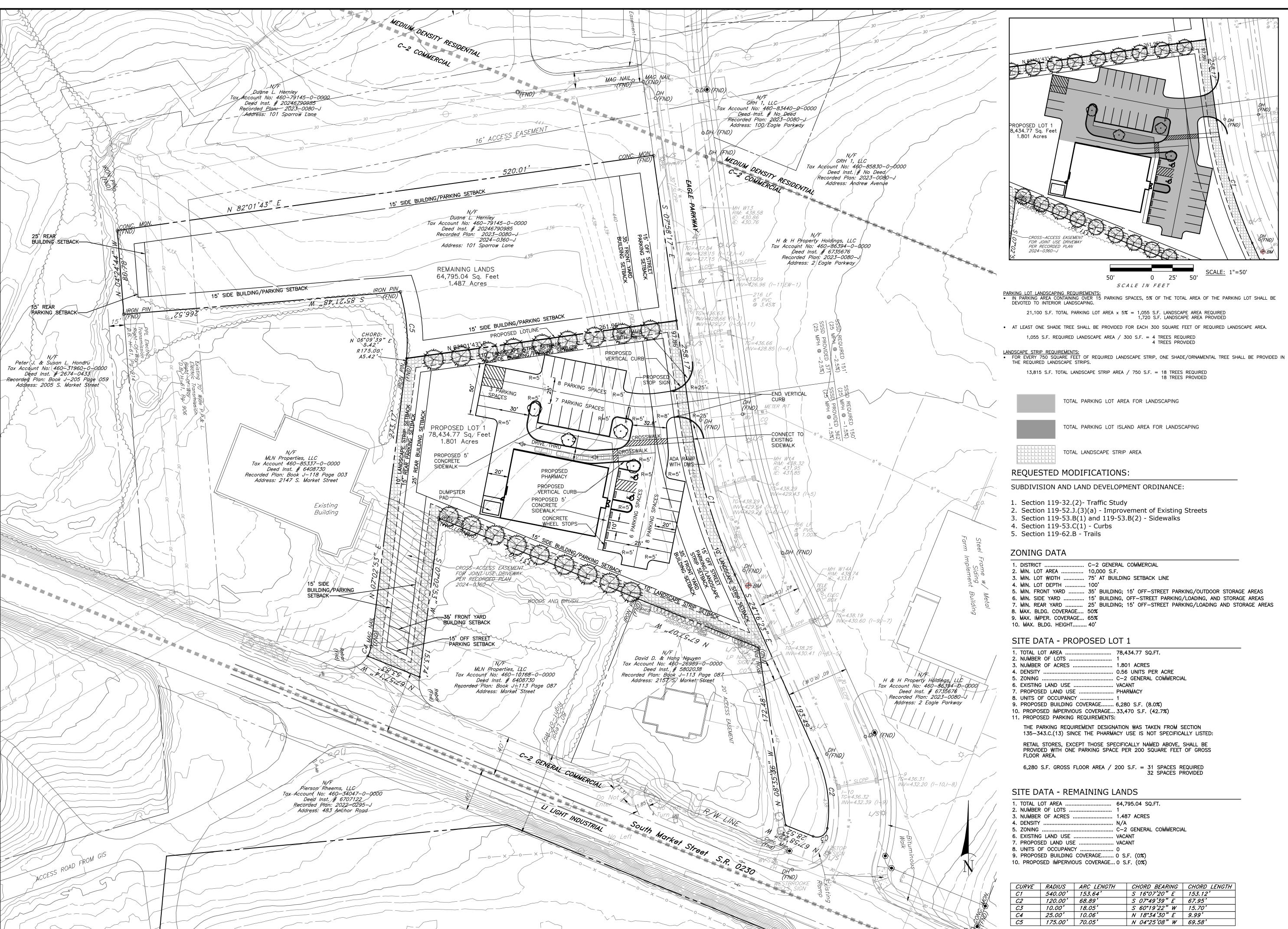
Staff Landscape Architect

Cc: Sloan's Pharmacy

Lancaster Civil

Josele Clearly, Esquire

File



261.95 A 270 A 3.2								DATE
								REVISIONS
50' 0 25' 50' <u>SCALE:</u> 1"=50'		DUANE L. HERNLEY	S: 101 SPARROW LANE ELIZABETHTOWN, PA 17022	3LE OWNER		.::	SOURCE OF TITLE: DEED REF: 20246790985 LANC. CO. TAX ACCT.: 460-79145-0-0000	N: 2023-0080-J; 2024-0360-J
MENTS: /ER 15 PARKING SPACES, 5% OF THE TOTAL AREA OF THE PARKING LOT SHALL BE ING.	OWNER	NAME:	ADDRES	EQUITABLE	NAME: ADDRESS:	TELEPHONE	SOURCE LANC. CO	SUB PLA
IG LOT AREA x 5% = 1,055 S.F. LANDSCAPE AREA REQUIRED 1,720 S.F. LANDSCAPE AREA PROVIDED								<u> </u>

DRAWING #: CG-3008 SHEET #: 1 OF 1

#### LAW OFFICES

ANTHONY P. SCHIMANECK JOSELE CLEARY ROBERT E. SISKO JASON M. HESS

WILLIAM C. CROSSWELL

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March 1, 2025

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Kimberly Kaufman, Township Manager March 1, 2025 Page 2

If you have any questions concerning these comments, please contact me.

Very truly yours,

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JC:sle MUNI\10221-1(7)\250226\71

cc: Justin S. Evans, AICP, Community Development Director/Zoning Officer (via email)

Jackie Wilbern, Zoning Officer (via email) Benjamin S. Craddock, P.E. (via email)

Brian R. Cooley, Landscape Architect (via email)

March 20, 2025

Kim Kaufman Township Manager Mount Joy Township 8853 Elizabethtown Road Elizabethtown, PA 17022

Re: Sloan Pharmacy

Sketch Plan

Township Permit No. 25-04-SLDP

LCEC Project No: 25-189

Dear Mr. Kaufman,



We have received a sketch plan submission from D.C. Gohn Associates, Inc. for the above-referenced project. The submission consisted of the following documents:

- Submission cover letter dated February 26, 2025
- Modification request letter dated February 26, 2025
- Sketch Plan dated February 26, 2025
- Trip Generation Assessment dated February 21, 2025

Based upon my review of the submitted information, I offer the following comments for the Township to consider:

#### **Zoning Ordinance**

- 1. The minimum lot size for retail uses with a drive-through facility shall be one acre (135-255). The Zoning Data shall be updated to include this requirement.
- 2. A clear sight triangle and stopping sight distances shall be shown at the proposed access point (135-299.E(2) & 119-31.D(12)).
- The applicant shall demonstrate that the proposed nonresidential use is compliant with the arterial road access management requirements found in Section 135-326.A(2). Consideration should be given to providing a shared access drive with the remaining lands.
- 4. Off street loading space information shall be shown on the plans (135-346).

#### Subdivision and Land Development Ordinance - Sketch plan requirements

- 5. The plans shall be signed and sealed by a registered engineer, surveyor or landscape architect (119-31.A(5)).
- 6. The total acreage of the existing tract shall be shown on the plans (119-31.B(6)).

- 7. The plan shall identify all prior plans, including all notes or restrictions affecting the current development, with a verification signed by the design professional that such list is complete and correct (119-31.B(14)).
- 8. The name and dimensions of the existing rights-of-way and cartway for Sparrow Lane shall be shown on the plans. The dimension of the existing cartway for South Market Street shall be shown on the plans. (119-33.C(2)(a)).
- 9. The dimensions of the existing access drives shall be shown on the plans (119-33.C(2)(a)).
- 10. A note shall be added to the plan indicating the types of sewer and water facilities to be provided (119-33.D(8)).

#### Subdivision and Land Development Ordinance – Land development requirements

- 11. If the above sketch plan requirements are addressed, the plan will have the right to proceed as a preliminary/final plan (119-27.B).
- 12. A traffic impact study is required since the development is a nonresidential development with buildings containing in excess of 1,000 square feet of usable space (119-32.C(2)). The applicant has requested a waiver of this requirement.

<u>Waiver response</u>: The applicant is proposing to provide a traffic generation assessment rather than provide a traffic impact study since the proposed pharmacy location is located within 0.8 miles of the existing pharmacy location.

In accordance with Section 119-32.C.6, if the applicant believes that the preparation of the traffic study is not warranted, a contribution in lieu of a traffic study may be provided. The estimated contribution shall be \$1.50 per square foot of usable building floor area. I have no objections to this waiver provided that the applicant satisfies the requirements of this section:

- a. Provide a certification of the usable building floor area.
- b. The contribution is in addition to traffic impact fees required under Chapter 125 and all other review fees.
- c. The applicant shall enter into an agreement with the Township setting forth the contribution in lieu of preparation of studies to be paid and the studies to be waived by the Township in a form acceptable to the Township Solicitor.
- d. All contributions shall be paid prior to recording of the final plan.
- 13. The frontage along South Market Street (SR 230) shall be improved in accordance with 119-52.J or as indicated on the Township Official Map, whichever is greater. Improvements shall include curbing, sidewalk, trail, and cartway widening along the entire front of the street (119-52.J(3)(a) & 119-53.B(2) / 119-53.C, 119-62.B). The applicant has requested a waiver of this requirement.

<u>Waiver response</u>: The adjoining properties are not developed with sidewalk, curbing, widening, or pedestrian/bicycle pathway. In addition, the width of the lot along S. Market Street is approximately fifty-four feet near the existing access drive and twenty-nine feet at the Eagle Parkway/S. Market Street intersection; therefore, constructing improvements at this location would not provide a meaningful improvement for Township residents. Based on these considerations, I have no objections to a deferral of these requirements with the condition a deferral agreement be executed in a form acceptable to the Township Solicitor.

March 20, 2025 Page 2 of 4

- 14. The cartway edge at the intersection of the proposed access drive and Eagle Parkway Drive (an arterial street) shall be rounded with a radius of 35' (119-52.K(4)).
- 15. Access drives shall be constructed to the standards of a street (119-52.S(3)(I)).
- 16. The applicant shall address the traffic engineering comments provided by Traffic Planning and Design under separate cover (119-52.S(4)(c)).
- 17. Evidence shall be provided that the proposed loading areas for deliveries and for trash pickup are adequate in size and can be used without blocking or interfering with internal circulation (119-52.S(6)).
- 18. The parking spaces adjacent to the concrete sidewalk shall include a wheel stop to prevent overhang of parked vehicles into the sidewalk, or a four foot separation shall be provided (119-53.A(3)).
- 19. Sidewalks shall be provided along both sides of the proposed access drives (119-53.B(1)). The applicant has requested a waiver of this requirement.
  - <u>Waiver response</u>: The Final Subdivision, Land Development, and Lot Add-On Plan for Westbrooke IV- Phase 1 recorded as Instrument #2023-0080-J shows sidewalk along the western side of Eagle Parkway of proposed Lot 1 (i.e. the subject tract). A sidewalk is proposed to provide pedestrian access between the Eagle Parkway sidewalk and the proposed pharmacy. Based on these considerations, I have no objections to a waiver of this requirement.
- 20. The applicant has requested a waiver to provide sidewalks for access to and within a commercial facility; however, sidewalks are proposed which provide access to the proposed retail use from the public right-of-way and within the proposed development. It is our opinion, that the proposed improvements shown on this plan meet this requirement. Therefore, a waiver of this requirement is not necessary and the modification letter shall remove the reference to this requirement (119-53.B(2)).
- 21. Curb ramps shall be provided at the sidewalk/crosswalks serving the middle landscaping island and the storefront (119-53.B(7)).
- 22. Concrete curbs shall be provided along the access drive and along the edge of any landscaped portions of a the parking facility (119-53.C(1)). The applicant has requested a waiver of this requirement.

<u>Waiver response</u>: Concrete curb is proposed at various locations throughout the development. The applicant indicates that the proposed curbing provides safety for pedestrian traffic in these areas. In addition, the applicant states that curbing provides a tripping hazard for elderly customers of the proposed pharmacy, so wheel stops are proposed as an alternative to curbing. Finally, the applicant indicates that stormwater runoff from the impervious areas which do not have curbing will sheet flow to the stormwater facilities; however, no proposed grading or stormwater facilities are shown on the plans. These justifications appear to have merit, but until a grading plan and stormwater management plan are provided, I am unable to fully consider all of the justifications provided in the waiver request. I do recommend that curbing be provided along the eastern side of the access drive nearest to Eagle Parkway since there is a crosswalk in that location.

#### **Traffic**

23. The proposed development is located within the Transportation Service Area established for the Mount Joy Township Traffic Impact Fee Ordinance. Therefore, the development

March 20, 2025 Page 3 of 4

shall be assessed a traffic impact fee based on the number of new P.M. peak hour trips generated by the development. The number of peak hour trips shall be provided to determine the Traffic Impact Fee in accordance with Chapter 125. The impact fee is payable at the time of building permit issuance.

If you should have any questions or need additional information, please do not hesitate to contact me at <a href="mailto:bencraddock@lancastercivil.com">bencraddock@lancastercivil.com</a> or via telephone at 717-799-8599.

Sincerely,

DN: C=157

Benjamin S. Oraddock Dancisdock Blanchsterovil.com, O-Lancisde Covil-Europering Oct.
CN-Benjamin S. Chaddock
Date: 2025.03.20 11.47.43-0400

Benjamin S. Craddock, PE, President

### LANCASTER CIVIL

cc: Patricia Bailey, Township Secretary (via email)
Josele Cleary, Esquire, Township Solicitor (via email)

Todd Smeigh, PE, DC Gohn Associates, Inc. (via email)

Brian Cooley, RLA, DC Gohn Associates, Inc. (via email)

Christopher Lincoln, PE, Traffic Planning & Design (via email)

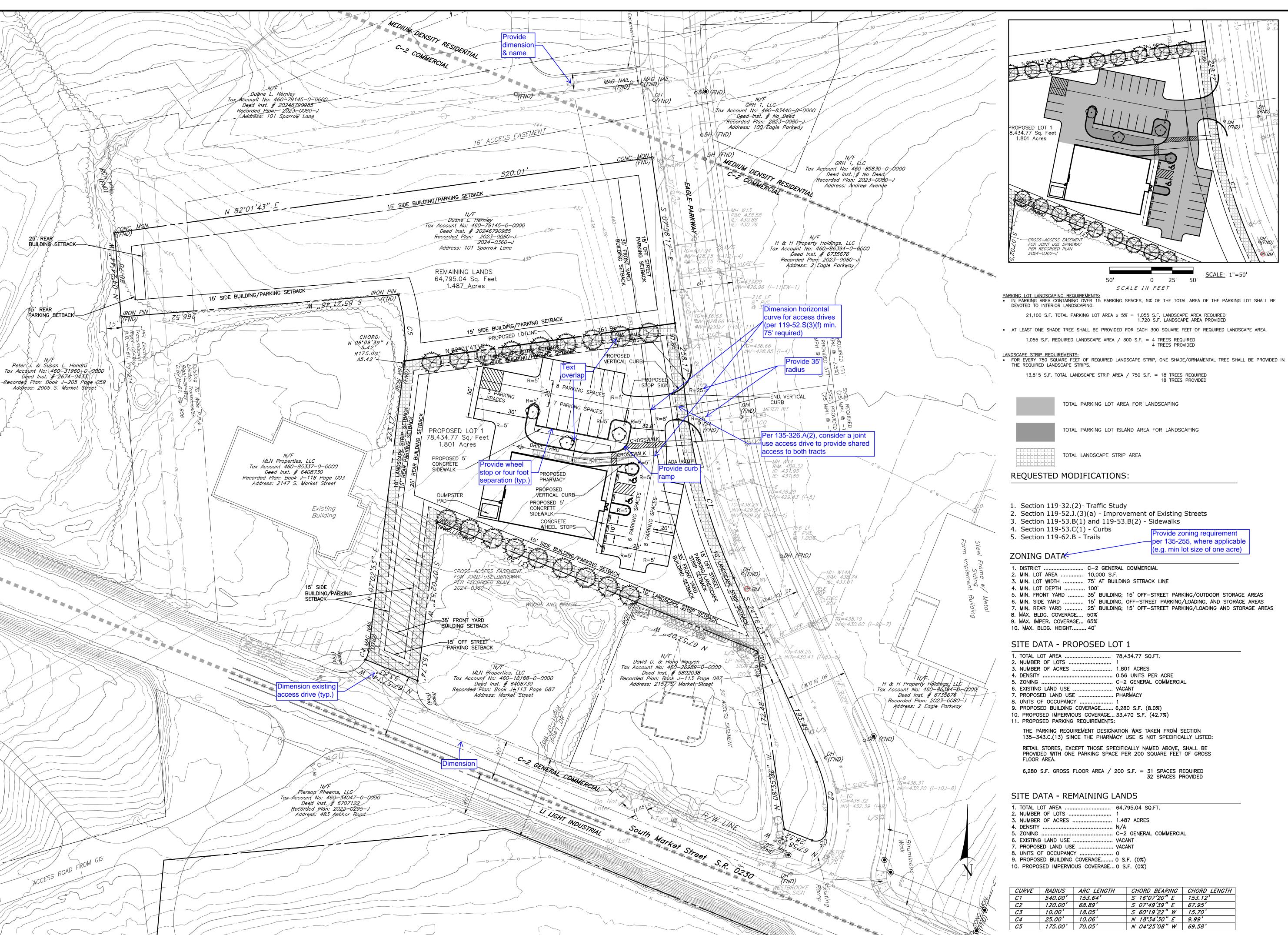
Del Becker, PE, EAWA (via email)

Steve Rettew, ERSA (via email)

Abraham King, RETTEW (via email)

Renee Addleman, Planner, LCPC (via email)

March 20, 2025 Page 4 of 4



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= 1,055 S.F. LANDSCAPE AREA REQUIRED 1,720 S.F. LANDSCAPE AREA PROVIDED		-	_ `			_ `				

DRAWING #: CG-3008 SHEET #: 1 OF 1