

Minutes of East Cocalico Township Transportation Impact Fee Advisory Committee

Meeting Date: January 20, 2014

Location: Township Municipal Building, 100 Hill Road, Denver, PA 17517

Members Attending: Mark Janke, Paul Keller, David Lutz, Doug Nedimyer, May Roth, Shad Sahm, Jamie Sweigart, Brian Wise.

Others: Brent Lied, Matt Creme, Mark Hiester.

Call to order: The annual regular meeting convened at 7:01pm.

Public Comment: none. No public present.

April 15, 2013 Meeting Minutes – on a motion Janke and a second by Wise the minutes were unanimously approved 8 to 0.

Fees Collected

\$20,000 Morphy Auction House (Interim) through \$1,000 per month payment plan.

\$4,521 Horst Signs (West Zone)

\$28,633 Kyma Seafood Restaurant (West Zone) through a \$1,000 per month payment plan.

\$53,154 Total collected so far.

Approved Plans Expected to Pay

\$95,130 Dollar General (South Zone)

\$128,520 Pet Food Experts, 561 South Muddy Creek Road (SALDO waiver/modification related to Traffic Impact Study was granted which included a condition allowing the use of Traffic Impact Fee in any one of the zones)

\$223,650 Total (\$276,804 grand total).

Transportation Projects Status

Denver Road Bridge: The Lancaster County Planning Commission staff told township staff to wait for PennDOT policy changes resulting from the Commonwealth's recent transportation funding

law approved in late 2013. The police changes may account for bridges with significant economic impact, like the Denver Road Bridge, to be planned before they are weight-restricted.

Routes 272 & 897 Intersection: The proposed Fox Brooke 400-plus dwelling village overlay development with commercial square footage may be required to improve this intersection, possibly by adding a turn lane in the somewhat narrow northern leg. Such intersection improvements were not anticipated by the impact fee program when at the time Fox Brooke was to involve 200 dwellings and was considered a vested plan.

Route 272 & Muddy Creek Road: The proposed Fox Brooke developer claims that this intersection already meets signal warrants so it would be exempt from the impact fee program as a pre-existing condition. Nevertheless, PennDOT may require the developer to improve this intersection to mitigate the development's impact.

Fee Program Changes Possible

The previous Fox Brooke plan was withdrawn and not in impact fee program but it is expected to be. Changes may or may not occur to the Eastern Transportation Service Area from new Fox Brooke plan and potential impacts depending on the outcome of the Rose Hill project. TSAs geographic boundaries may or may not change, too.

Matt Creme noted that a recent Commonwealth Court case found that on-site improvements include improvements directly affecting access to the development site and includes stormwater improvements needed.

Creme also noted that there is a significant case from a developer against Manheim Township's fee program asking the court to exclude more pass-by trips and to use the older 8th edition of the trip generation manual, not the 9th edition, which identifies more trips for some uses.

It was asked, is the Cocalico Commons shopping center plan included in the impact fee program? No, that plan started (was vested) before the TIF program did. The plan is vested until 2018 due

to state permit extensions for such developments. The developer, nevertheless, is required by PennDOT and the township to make substantial improvements to the transportation network to mitigate the development's impact. A factor in the delay for the project may also be Cocalico Commons' court challenge of the authority's capital contribution provisions.

So, why is development still slow? Potential contributing factors include more stringent loan and appraisal requirements and housing costs and property values are still relatively high. Letters of credit were given by banks as a service to developers and now they are considered a kind of loan which needs to be secured. Stormwater and other development costs continue to increase. As a result, some developers are asking to phase the security even if the development is not phased as development was before. It was noted that the Cocalico School District enrollment is down.

Cremer noted that a 2013 housing market analysis for the county concluded that the supply of housing is dangerously low and mismatched for the demand. The study concluded that "a continuation of current trends in Lancaster County—with the emphasis on new for-sale housing construction concentrated in single-use, single-family subdivisions, new rental construction largely limited to market-rate rents, and a lack of diversity in both housing types and affordability—risks economic stagnation and declines in housing values." The study's conclusion would appear to contrast with the low demand situation in the township. What this suggests is that the kind of housing available here - owner versus rental, single versus multi-unit, and more costly versus less costly, does not match the demand well similar to what is happening throughout the county. A healthier rental supply is needed for several reasons including to support a healthy owner market. Since the fee program affects each housing unit similarly - rental or not, affordable or not, large or small - the program can have a negative impact on the weakening housing market here.

Some small business applicants have expressed concerns with the relatively high cost of the TIF program when proportioned or compared to smaller business expansions. When asked if the township should consider, say a 1,500 square foot exemption for each business (not housing)

application from the fee, Crème noted that the program would need to be re-calibrated to receive less fee. But would obtaining less fee be acceptable?

With no further business the Chairperson Sweigart adjourned the meeting at 8:00pm.

Respectfully submitted,

Mark Hiester