

**Mount Joy Township Board of Supervisors**

**In Re: Elizabethtown Mount Joy Associates L.P. and Pennmark Management Company, Inc.** :  
: **No.** \_\_\_\_\_  
:

**Petition to Amend the Zoning Map of the Mount Joy Township Zoning Ordinance**

**I. INTRODUCTION**

Pursuant to Section 135-394 of the Mount Joy Township Zoning Ordinance (“Ordinance”), Elizabethtown Mount Joy Associates L.P. and Pennmark Management Company, Inc. (collectively “Petitioner”) respectfully requests that the Mount Joy Township Board of Supervisors (“Supervisors”) amend the zoning map of the Township’s Zoning Ordinance by rezoning approximately 22 acres of land located on the Northeast corner of the intersection of Route 230 and Cloverleaf Road from C-1 – Limited Commercial District to C-2 General Commercial. In support thereof, Petitioner provides:

**II. BACKGROUND**

1. Elizabethtown Mount Joy Associates, L.P., an affiliate of Pennmark Management Company, is the owner of two parcels located at the northeast quadrant of the intersection of Cloverleaf Road and State Route 230, Elizabethtown, Mt. Joy Township, Lancaster County, PA pursuant to a deed dated August 10, 1977 (a copy of which is attached as Exhibit “A”) and identified by Lancaster County Tax parcel id numbers 461-00486-0-0000 and 461-82176-0-0000 (“Property”). Since acquiring the Property, Elizabethtown Associates was reorganized and is now known as Elizabethtown Mount Joy Associates, L.P.

2. The Property consists of approximately 22 acres. An aerial of the Property is attached as Exhibit “B.”

3. The properties directly to the south across Route 230 and directly to the west across Cloverleaf Road are located within the Township’s C-2 zoning District. The properties directly to the north are located in the Township’s MU - Mixed Use District. The properties directly to the east are located in the Township’s A-Agricultural District. *See Excerpt of Zoning Map attached as Exhibit “C.”*

4. The Property has access to public water and public sewer and Petitioner has acquired sewer capacity for the project.

5. The Property is located within the Urban Growth Area (“UGA”) established by the Township and within a “Growth Area” for the Northwestern Lancaster County Region established by the Lancaster County Planning Department.

6. The Property is identified as an area for commercial development on the Township future land use map. Similarly, it is identified as being a “most suitable” location for non-residential development based on an analysis completed by the County Planning Department in preparing the County’s comprehensive plan entitled *Places 2040*.

7. Petitioner prepared a conceptual site plan depicting generally how it plans to develop the Property if the Supervisors approve the request to rezone it to from C-1 to C-2. This includes a proposed Wawa convenience store with a gas fueling station, an ALDI Grocery store, a multi-tenant retail building, as well as three retail out parcels. *See Site Plan attached as Exhibit “D.”*

8. The proposed development of the Property currently is not permitted under the C-1 zoning classification. While Petitioner sought relief in the form of a variance from the Mount

Joy Township Zoning Hearing Board, that was denied based on the difficult legal standard for granting a variance.

9. Because the current C-1 zoning impedes the development of the Property in a manner consistent with the surrounding Route 230 commercial corridor and prohibits the best use of the Property at this location, Petitioner is now respectfully requesting that the Board of Supervisors consider changing the zoning to C-2. Petitioner notes that if the Property is rezoned to C-2, Petitioner will still need to obtain special exception approval from the Zoning Hearing Board at which time reasonable conditions can be imposed on the development of the Property.

### **III. REASONS FOR REZONING THE PROPERTY TO C-2**

#### **A. Location**

10. The Property is at an ideal location for inclusion in the C-2 zoning district because it adjoins already-established C-2 commercial development, is within the public utility service area of the Township, has direct access to the necessary road infrastructure to support the proposed development and is within the Township's UGA.

11. As depicted in the pictures attached at Exhibit "E", Route 230 is a commercial corridor that includes numerous existing businesses, restaurants and stores. It is a well-developed state road that includes a center turn lane and a signalized intersection with Cloverleaf Road. The Property has significant frontage along Route 230 that will allow an entrance directly off of Route 230 into the site as part of extending Norlanco Drive.

12. Cloverleaf Road also has commercial development on both sides of where it intersects with Route 230 as depicted in the pictures attached as Exhibit "E."

13. Moreover, as depicted in the excerpt from the Township's zoning map (attached as Exhibit "C"), all of the properties at the intersection of Route 230 and Cloverleaf Road are

zoned C-2, with the only exception being the current Property, which is zoned C-1. In fact, the Property is the only property along the entire Route 230 commercial corridor that is zoned C-1.

14. Rezoning the Property from C-1 to C-2 also is consistent with and represents a natural extension of the adjoining C-2 zoning district.

15. Furthermore, there are significant areas of residential development in the immediate area surrounding the Property that will benefit from the addition of retail stores, cafes, restaurants, personal services and other businesses that will serve the surrounding community.

16. Thus, rezoning the Property from C-1 to C-2 is consistent with and supported by the location of the Property along a major commercial corridor that has existing businesses and is surrounded by residential housing developments that would directly benefit from this development.

#### **B. Consistency With The Township and County Comprehensive Plans**

17. Rezoning the Property from C-1 to C-2 is consistent with the Township's and County's respective comprehensive plans and furthers the goals and objectives of those plans.

18. In 2010, the Township adopted a "Regional Strategic Plan" with other municipalities located in the Northwestern portion of Lancaster County.

19. The Regional Strategic Plan established a UGA that identifies where in the respective municipalities' growth is to occur based on existing infrastructure, public utilities, surrounding land uses and long term growth.

20. In addition, the Regional Strategic Plan includes a Future Land Use Map establishing the future intended use of properties within the Township.

21. In the instant case, the Property is located in the Township's UGA and is identified for commercial development on the Future Land Use Map.



22. Additionally, as part of the Township's development of a traffic impact fee ordinance, it prepared a Land Use Assumptions Report, a Roadway Sufficiency Analysis and a Capital Improvements Plan, all of which identified the Property as being developed for commercial purposes.

23. Similarly, the Lancaster County Comprehensive Plan, *Places 2040* includes the Property within a growth area and identifies it as buildable land. Moreover, the workshop analysis completed by the Lancaster County Planning Department in preparing *Places 2040*, specifically identified the Property as a site for commercial (non-residential) development and, further, determined that it was the "most suitable" location for such development. See LCPD Maps and Analysis attached as Exhibit "F."

24. Additionally, the Township's Official Road Map shows Norlanco Drive being extended around the Property and connecting with Route 230. As depicted in the site plan, Petitioner is proposing to extend Norlanco Drive at significant cost as part of the proposed development, consistent with the Township's Official Road Map. This extension will provide access into the commercial development while providing an additional route for traffic between Route 230 and Cloverleaf Road.

25. Therefore, rezoning the Property from C-1 to C-2 is consistent with the Township and County comprehensive plans and supports the land planning objectives established by the Township.

### **C. Community and Regional Benefits of Rezoning**

26. The Regional Strategic Plan recognizes the importance of economic development and establishes as an overall goal "A vibrant and sustainable regional economy that will both

create growth opportunities for business and industry and enhance the quality of life and experience for workers, residents, students and visitors.” p. 98.

27. Rezoning the Property from C-1 to C-2 will allow Petitioner to move forward with its proposed development that will generate significant economic growth in the Township by providing numerous employment opportunities and generating important tax revenue that will support local schools, parks, road improvements and other Township services.

28. A fiscal impact study completed by Petitioner estimates that the proposed development will generate hundreds of thousands of dollars in additional annual real estate taxes, will create hundreds of new permanent jobs and will significantly increase the local earned income tax revenue.

29. In addition, the proposed development will provide residents with modern state-of-the-art stores and services that will enhance the overall quality of life in the surrounding community.

30. The proposed development will improve the overall roadway infrastructure of this area by extending Norlanco Drive and, pursuant to the Township’s Act 209 Traffic Impact Fee Ordinance, Petitioner estimates it will pay over \$1,000,000 in traffic impact fees that the Township can use towards roadway improvements.

31. Thus, rezoning the Property from C-1 to C-2 provides significant community and regional benefits that will strengthen the Township’s and school district’s economic base, provide employment opportunities for residents, offer new stores, restaurants and services to the surrounding community and provide funds towards roadway improvements, all of which will enhance the overall quality of life in this area.

#### IV. CONCLUSION

32. Petitioner submits that expanding the C-2 zoning district to allow for the commercial development of the Property as proposed is consistent with good principles of land use planning, furthers the Township's long-term goals and objectives and will provide significant benefits to the Township and community.

33. A copy of a proposed Ordinance rezoning the Property from C-1 to C-2 is attached hereto as Exhibit "G."

WHEREFORE, Petitioner respectfully requests that the Mount Joy Township Board of Supervisors accept this petition, forward it to the Mount Joy Township Planning Commission and to the Lancaster County Planning Commission for their review, and, thereafter, hold a public hearing and take action to adopt an ordinance amending the map of the Zoning Ordinance by rezoning the Property from C-1 to C-2.

GIBBEL KRAYBILL & HESS LLP

Dated: October 11, 2023

By: 

\_\_\_\_\_  
J. Dwight Yoder, Esquire  
Sup. Ct. Atty. I.D. #81985  
Attorneys for Petitioners  
2933 Lititz Pike  
P.O. Box 5349  
Lancaster, PA 17606  
(717) 291-1700

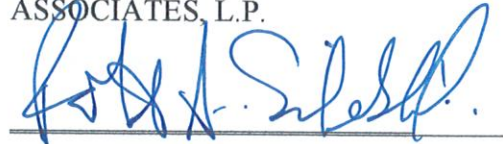
**VERIFICATION OF OWNER**

Elizabethtown Mount Joy Associates L.P. is the owner of approximately twenty-two (22) acres of land located at the northeast quadrant of the intersection of Cloverleaf Road and State Route 230, Elizabethtown, Mt. Joy Township, Lancaster County, PA pursuant to a deed dated August 10, 1977 and identified by Lancaster County Tax parcel id numbers 461-00486-0-0000 and 461-82176-0-0000. Elizabethtown Mount Joy Associates, L.P. through its authorized representative hereby attests to the truth and accuracy of the Petition to Amend the Zoning Map of the Mount Joy Township Zoning Ordinance and requests that the Mount Joy Township Board of Supervisors grant the Petition and rezone the property from C-1 to C-2.

Date:

10/11/2023

ELIZABETHTOWN MOUNT JOY  
ASSOCIATES, L.P.



A handwritten signature in blue ink, appearing to read "Robert Sichelstiel", is written over a horizontal line.

Name: Robert Sichelstiel

Title: CEO of Elizabethtown, LLC, its sole  
general partner

# Exhibit A

79753

AUG 17 1977

No. 33-7 - For Single Deal - Typewritten - Corporation  
Tax & License Co. Philadelphia

**This Indenture** made the 10<sup>th</sup>

day of August in the year of our Lord one thousand nine hundred and seventy-seven (1977) **Between**

ELIZABETHTOWN ASSOCIATES, INC., a Pennsylvania corporation

(hereinafter called the Grantor), of the one part, and

ELIZABETHTOWN ASSOCIATES, a Pennsylvania partnership

(hereinafter called the Grantee), of the other part:

**Witnesseth**, That the said Grantor for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States of America, unto it well and truly paid by the said Grantee at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, released and confirmed, and by these presents does grant, bargain, sell, alien, convey, release and confirm unto the said Grantee its successors and assigns, in fee, as partnership property, for the uses and purposes of the partnership.

**Premises "A"**

ALL THAT CERTAIN piece, parcel, or tract of land SITUATE on the east side of Pa. Leg. Rts. 36004 north of Pa. Leg. Rts. 129, in Hewitt Jay Township, Lancaster County, Pennsylvania, as shown on a plan prepared by Ruth Engineers, Inc., dated January 2, 1973, Drawing No. LA-960, and being more fully bounded and described as follows:

BEGINNING at a point on the east right of way line of Pa. Leg. Rts. 36004, said point being located a distance of 171.96 feet north of the intersection of the north line of Pa. Leg. Rts. 129 and the east line of Pa. Leg. Rts. 36004; thence along the east line of Pa. Leg. Rts. 36004, the following three (3) courses and distances: (1) in a line curving to the left, having the radius of 494.43 feet and an arc distance of 72.48 feet, the chord of said arc being North 8 degrees 14 minutes 11 seconds East, a distance of 72.42 feet to a point; (2) North 10 degrees 30 minutes 25 seconds West, a distance of 263.07 feet to a point; and (3) North 5 degrees 09 minutes 40 seconds West, a distance of 123.49 feet to a point, a corner of lands belonging to Northwest Lancaster County Medical Association; thence along the same, and crossing a 16.5 foot right of way for the American Telephone and Telegraph Co., North 66 degrees 49 minutes 10 seconds East, a distance of 1,313.32 feet to an iron pin, a corner of other land belonging to, now or late, John K. Garbur; thence along the same, and recrossing said 16.5 foot wide right of way, for the American Telephone and Telegraph Co., South 18 degrees 50 minutes 03 seconds West, a distance of 972.78 feet to an iron pin, a corner of land belonging to, now or late, Ellen K. Garbur; thence along the same, North 67 degrees 12 minutes 50 seconds West, a distance of 1,020.73 feet to a point on the east right of way line of Pa. Leg. Rts. 36004, the place of BEGINNING.

CONTAINING 18.154 acres.

U 71 21

BEING, as to Premises "A" the same premises which John K. Garber and Katharina H. Garber, his wife, by Deed dated August 1, 1974 and recorded in Lancaster County, Pennsylvania on August 1, 1974 in Record Book O Volume 62 Page 733 granted and conveyed unto Elizabethtown Associates, Inc.

Premises "B"

ALSO ALL THAT CERTAIN piece, parcel, or tract of land SITUATE at the northeast corner of Pa. Leg. Rte. 36004, and Pa. Leg. Rte. 129, in Mount Joy Township, Lancaster County, Pennsylvania, as shown on a plan prepared by Ruth Engineers, Inc. dated January 2, 1973, Drawing No. LA-960, and being more fully bounded and described as follows:

BEGINNING at a point at the intersection of the east right of way line of Pa. Leg. Rte. 36004, and the north right of way line of Pa. Leg. Rte. 129; thence along the east right of way line of Pa. Leg. Rte. 36004, the following two (2) courses and distances: (1) North 22 degrees 06 minutes 20 seconds East, a distance of 82.81 feet to a point; and (2) in a line curving to the left, having a radius of 494.43 feet and an arc distance of 89.15 feet, the chord of said arc being North 17 degrees 36 minutes 25 seconds East, a distance of 89.03 feet to a point, a corner of land belonging to, now or late, John K. Garber; thence along the same, the following two (2) courses and distances: (1) South 67 degrees 12 minutes 50 seconds East, a distance of 1,020.73 feet to an iron pin; and (2) crossing an iron pin, a distance of 170.0 feet south of the last described corner, South 22 degrees 47 minutes 10 seconds West, a distance of 170.55 feet to a point on the north right of way line of Pa. Leg. Rte. 129; thence along the same, North 67 degrees 16 minutes West, a distance of 1,012.68 feet to a point, the place of BEGINNING.

CONTAINING 2.981 acres.

BEING, as to Premises "B", the same premises which Ellen K. Garber, singlewoman by Deed dated February 6, 1975 and recorded in Lancaster County on July 10, 1975 in Record Book F Volume 55 Page 1091 granted and conveyed unto Elizabethtown Associates, Inc.

UNDER AND SUBJECT to easements, restrictions, and agreements of record.

UNDER AND SUBJECT, nevertheless to a certain mortgage debt in the original principal sum of FIFTY SEVEN THOUSAND DOLLARS (\$57,000.00) given by Elizabethtown Associates, Inc. to Ellen K. Garber.

Together with all and singular the buildings improvements, ways, streets, alleys, passages, waters, wharf-courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereto belonging, or in any way appertaining, and the reversions and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property, claims and demand whatsoever of the said Grantor, in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

To have and to hold the said lots or pieces of ground above described with the buildings and improvements thereon erected hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its Successors and Assigns, to and for the only proper use and behoof of the said Grantee, its Successors and Assigns forever, as partnership property, for the use and purposes of the partnership, UNDER AND SUBJECT as aforesaid.

AND the said Grantor, for itself, and its Successors do as by these presents covenant, grant and agree to and with the said Grantee, its Successors and Assigns, that it the said Grantor and its Successors

shall warrant and defend all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its Successors and Assigns, against it the said Grantor and its

Successors, and against all and every other Person and Persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, them, or any of them, Shall and Will Subject as aforesaid, WARRANT and forever DEFEND.

In Witness Whereof, the said Parties to these Presents have hereunto interchangeably set their hands and seals. Dated the day and year first above written.

Witness and Seal of the said Grantee

ELIZABETHTOWN ASSOCIATES, INC.  
Pennsylvania corporation

By:

*James W. Nitch*

Vice President

Attest:

*Marsha Border*

Notary

U. 71 23



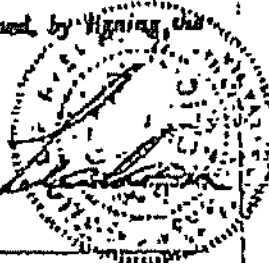
COMMONWEALTH OF PENNSYLVANIA }  
COUNTY OF PHILADELPHIA } SS

On this, the 10<sup>th</sup> day of August 1977, before me, a Notary Public  
the undersigned officer,

personally appeared SUCANNE V. FEICHER  
who acknowledged herself to be the VICE PRESIDENT of ELIZABETHTOWN ASSOCIATES, INC.,  
a corporation, and that she as such VICE PRES being  
authorized in due manner the foregoing instrument for the purpose therein contained, by signing the  
name of the corporation by herself as VICE PRES.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

*[Handwritten Signature]*



In testimony whereof, I hereunto set my hand and official seal.

**RECORDED**

ELIZABETHTOWN ASSOCIATES, INC., a  
Pennsylvania corporation

TO

ELIZABETHTOWN ASSOCIATES, A  
Pennsylvania partnership

PREMISES:

East Side of Pa. Ave. Sta. 36004  
Mount Joy Township  
Lancaster County, Pennsylvania

PHILADELPHIA

AUG 17 1977

RECORDED OR FILED

17 AUG 17 PM 3:45

RECORDER OF DEEDS  
LANCASTER, PA.

Recorded in the office for Recording of Deeds, etc., in and  
for Lancaster Co., Pennsylvania, in Record

Book 71 Page 24

Witness my hand and seal of Office this 17th  
day of August A. D. 1977

RECORDED

The residence of the undersigned (written by

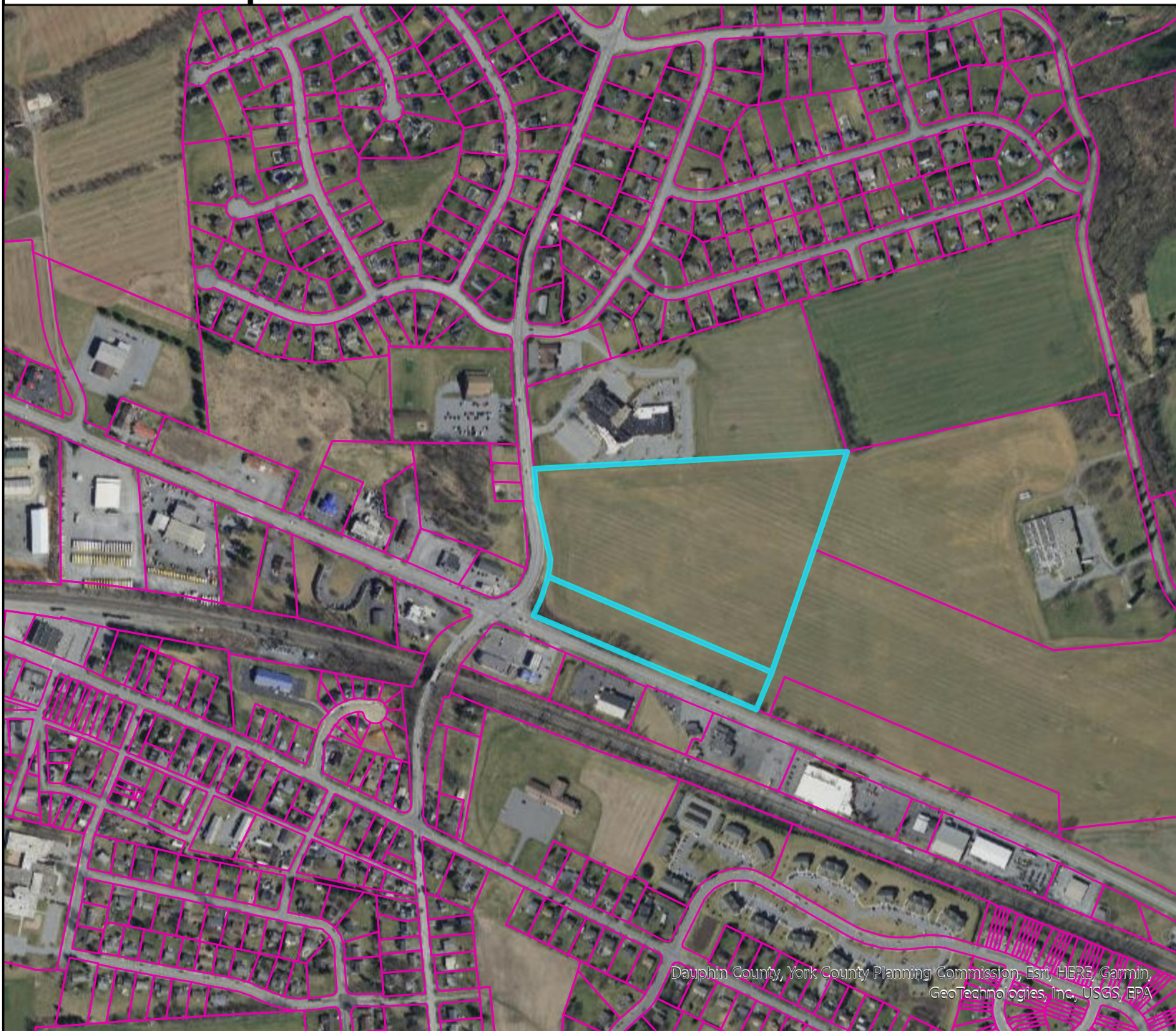
c/o Ronald B. Glaser, Enquire  
CONY, STRAIN, POLSKER, SMITHSON  
NEW YORK  
12 S. 12th St., Phila., PA 19107

On behalf of said Company

*[Handwritten Signature]*

# **Exhibit B**

# LanCo View Map



- Properties
- Municipalities
- Buildings
- US Route
- Federal Route
- Road Edge Outline
- Road Edge Fill
- Parking Lots
- Drives
- Railroads
- Streams
- Water Bodies
- Parks
- Boroughs and City
- Townships
- Index
- Intermediate
- 10' Index Contours
- 20' Contours
- Agricultural
- Forested



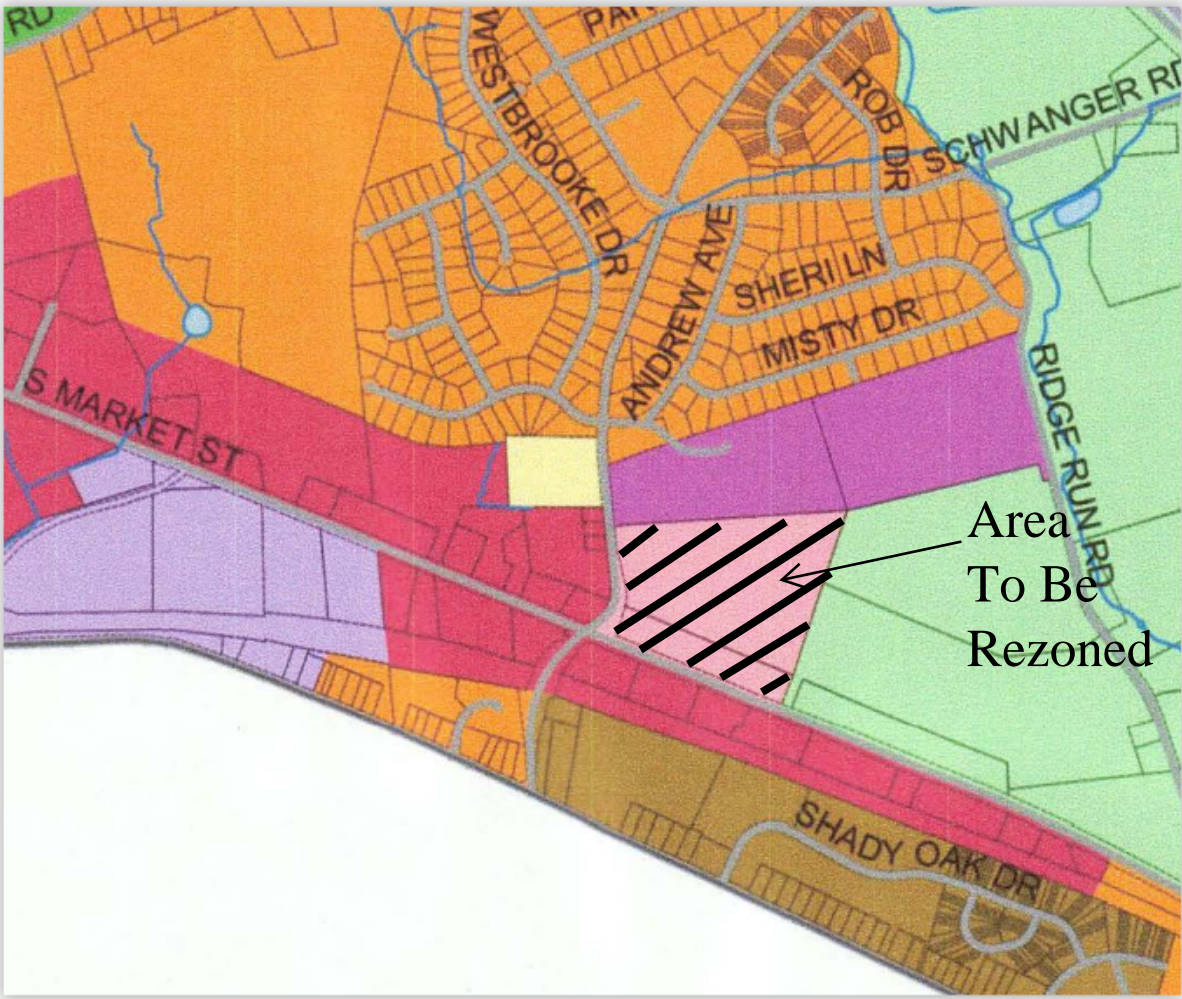
1 inch equals 752 feet  
Scale: 1:9,028

Dauphin County, York County Planning Commission, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

Source: Lancaster County GIS, Copyright (c) 2022. This map to be used for reference or illustrative purposes only. This map is not a legally recorded plan, survey, or engineering schematic and it is not intended to be used as such. For complete disclaimer, see: <https://co.lancaster.pa.us/gisdisclaimer>

# **Exhibit C**

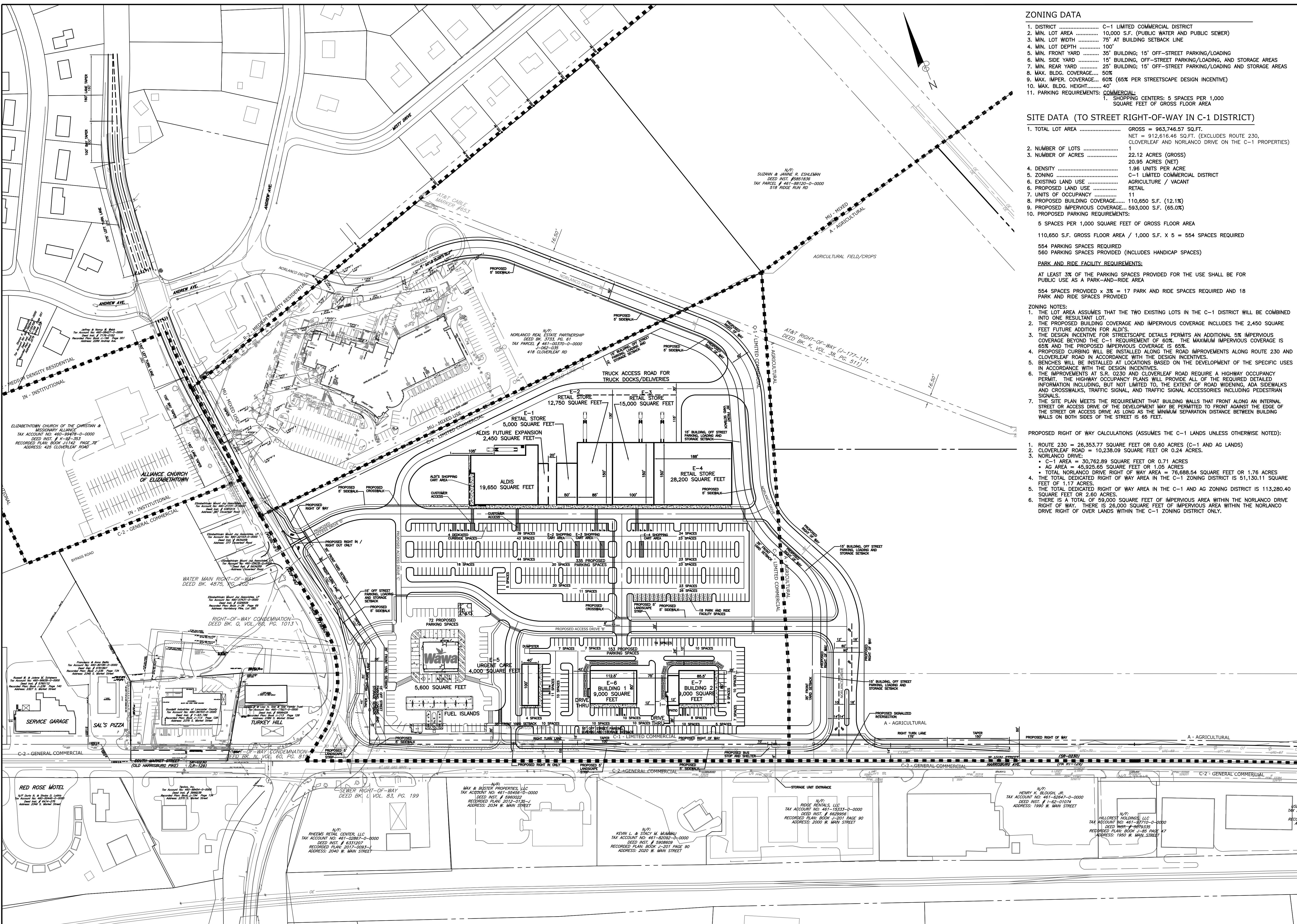




Area  
To Be  
Rezoned

# Exhibit D





**ZONING DATA**

- DISTRICT ..... C-1 LIMITED COMMERCIAL DISTRICT
- MIN. LOT AREA ..... 10,000 S.F. (PUBLIC WATER AND PUBLIC SEWER)
- MIN. LOT WIDTH ..... 75' AT BUILDING SETBACK LINE
- MIN. LOT DEPTH ..... 100'
- MIN. FRONT YARD ..... 35' BUILDING; 15' OFF-STREET PARKING/LOADING
- MIN. SIDE YARD ..... 15' BUILDING; OFF-STREET PARKING/LOADING, AND STORAGE AREAS
- MIN. REAR YARD ..... 25' BUILDING; 15' OFF-STREET PARKING/LOADING AND STORAGE AREAS
- MAX. BLDG. COVERAGE ..... 50%
- MAX. IMPER. COVERAGE ..... 60% (65% PER STREETScape DESIGN INCENTIVE)
- MAX. BLDG. HEIGHT ..... 40'
- PARKING REQUIREMENTS: COMMERCIAL:
  - SHOPPING CENTERS: 5 SPACES PER 1,000 SQUARE FEET OF GROSS FLOOR AREA

**SITE DATA (TO STREET RIGHT-OF-WAY IN C-1 DISTRICT)**

- TOTAL LOT AREA ..... GROSS = 963,746.57 SQ.FT.  
NET = 912,616.46 SQ.FT. (EXCLUDES ROUTE 230, CLOVERLEAF AND NORLANCO DRIVE ON THE C-1 PROPERTIES)
- NUMBER OF LOTS ..... 1
- NUMBER OF ACRES ..... 22.12 ACRES (GROSS)  
20.95 ACRES (NET)
- DENSITY ..... 1.96 UNITS PER ACRE
- ZONING ..... C-1 LIMITED COMMERCIAL DISTRICT
- EXISTING LAND USE ..... AGRICULTURE / VACANT
- PROPOSED LAND USE ..... RETAIL
- UNITS OF OCCUPANCY ..... 11
- PROPOSED BUILDING COVERAGE ..... 110,650 S.F. (12.1%)
- PROPOSED IMPERVIOUS COVERAGE ..... 593,000 S.F. (65.0%)
- PROPOSED PARKING REQUIREMENTS:
  - 5 SPACES PER 1,000 SQUARE FEET OF GROSS FLOOR AREA

110,650 S.F. GROSS FLOOR AREA / 1,000 S.F. X 5 = 554 SPACES REQUIRED

554 PARKING SPACES REQUIRED  
560 PARKING SPACES PROVIDED (INCLUDES HANDICAP SPACES)

**PARK AND RIDE FACILITY REQUIREMENTS:**

AT LEAST 3% OF THE PARKING SPACES PROVIDED FOR THE USE SHALL BE FOR PUBLIC USE AS A PARK-AND-RIDE AREA

554 SPACES PROVIDED X 3% = 17 PARK AND RIDE SPACES REQUIRED AND 18 PARK AND RIDE SPACES PROVIDED

**ZONING NOTES:**

- THE LOT AREA ASSUMES THAT THE TWO EXISTING LOTS IN THE C-1 DISTRICT WILL BE COMBINED INTO ONE RESULTANT LOT.
- THE PROPOSED BUILDING COVERAGE AND IMPERVIOUS COVERAGE INCLUDES THE 2,450 SQUARE FEET FUTURE ADDITION FOR ALDIS.
- THE DESIGN INCENTIVE FOR STREETScape DETAILS PERMITS AN ADDITIONAL 5% IMPERVIOUS COVERAGE BEYOND THE C-1 REQUIREMENT OF 60%. THE MAXIMUM IMPERVIOUS COVERAGE IS 65% AND THE PROPOSED IMPERVIOUS COVERAGE IS 65%.
- PROPOSED CURBING WILL BE INSTALLED ALONG THE ROAD IMPROVEMENTS ALONG ROUTE 230 AND CLOVERLEAF ROAD IN ACCORDANCE WITH THE DESIGN INCENTIVES.
- BENCHES WILL BE INSTALLED AT LOCATIONS BASED ON THE DEVELOPMENT OF THE SPECIFIC USES IN ACCORDANCE WITH THE DESIGN INCENTIVES.
- THE IMPROVEMENTS AT S.R. 0230 AND CLOVERLEAF ROAD REQUIRE A HIGHWAY OCCUPANCY PERMIT. THE HIGHWAY OCCUPANCY PLANS WILL PROVIDE ALL OF THE REQUIRED DETAILED INFORMATION INCLUDING, BUT NOT LIMITED TO, THE EXTENT OF ROAD WIDENING, ADA SIDEWALKS AND CROSSWALKS, TRAFFIC SIGNAL, AND TRAFFIC SIGNAL ACCESSORIES INCLUDING PEDESTRIAN SIGNALS.
- THE SITE PLAN MEETS THE REQUIREMENT THAT BUILDING WALLS THAT FRONT ALONG AN INTERNAL STREET OR ACCESS DRIVE OF THE DEVELOPMENT MAY BE PERMITTED TO FRONT AGAINST THE EDGE OF THE STREET OR ACCESS DRIVE AS LONG AS THE MINIMUM SEPARATION DISTANCE BETWEEN BUILDING WALLS ON BOTH SIDES OF THE STREET IS 65 FEET.

**PROPOSED RIGHT OF WAY CALCULATIONS (ASSUMES THE C-1 LANDS UNLESS OTHERWISE NOTED):**

- ROUTE 230 = 26,353.77 SQUARE FEET OR 0.60 ACRES (C-1 AND AG LANDS)
- CLOVERLEAF ROAD = 10,238.09 SQUARE FEET OR 0.24 ACRES
- NORLANCO DRIVE:
  - C-1 AREA = 30,762.89 SQUARE FEET OR 0.71 ACRES
  - AG AREA = 45,925.69 SQUARE FEET OR 1.05 ACRES
  - TOTAL NORLANCO DRIVE RIGHT OF WAY AREA = 76,688.54 SQUARE FEET OR 1.76 ACRES
- THE TOTAL DEDICATED RIGHT OF WAY AREA IN THE C-1 ZONING DISTRICT IS 51,130.11 SQUARE FEET OF 1.17 ACRES
- THE TOTAL DEDICATED RIGHT OF WAY AREA IN THE C-1 AND AG ZONING DISTRICT IS 113,280.40 SQUARE FEET OR 2.60 ACRES.
- THERE IS A TOTAL OF 59,000 SQUARE FEET OF IMPERVIOUS AREA WITHIN THE NORLANCO DRIVE RIGHT OF WAY. THERE IS 28,000 SQUARE FEET OF IMPERVIOUS AREA WITHIN THE NORLANCO DRIVE RIGHT OF WAY OVER LANDS WITHIN THE C-1 ZONING DISTRICT ONLY.

**OWNERS: TRACT 1 AND TRACT 2**

NAME: ELIZABETHTOWN MOUNT JOY ASSOCIATES, LP  
ADDRESS: 1000 GERMANTOWN RD SUITE A - 2  
PLYMOUTH MEETING, PA 19462

SOURCE OF TITLE: DEED INST. # 5160060  
LANC. CO. TAX ACCT.: 461-41585-0-0000

NAME: ELIZABETHTOWN MOUNT JOY ASSOCIATES, LP  
ADDRESS: 1000 GERMANTOWN RD SUITE A - 2  
PLYMOUTH MEETING, PA 19462

SOURCE OF TITLE: DEED INST. # 5160061  
LANC. CO. TAX ACCT.: 461-95417-0-0000

**OWNERS: PREMISE A AND PREMISE B**

NAME: ELIZABETHTOWN ASSOCIATES  
ADDRESS: 1000 GERMANTOWN RD SUITE A - 2  
PLYMOUTH MEETING, PA 19462

SOURCE OF TITLE: DEED BK. U. VOL. 71, PG. 21  
LANC. CO. TAX ACCT.: 461-00486-0-0000

NAME: ELIZABETHTOWN ASSOCIATES  
ADDRESS: 1000 GERMANTOWN RD SUITE A - 2  
PLYMOUTH MEETING, PA 19462

SOURCE OF TITLE: DEED BK. U. VOL. 71, PG. 21  
LANC. CO. TAX ACCT.: 461-82176-0-0000

**dcjohn Associates, Inc.**  
Surveyors - Engineers - Landscape Architects

32 Mount Joy Street  
Po Box 128  
Mount Joy, PA 17552  
Ph: (717) 653-5308  
www.dcgohm.com

PROJECT NO.: 4939-50  
DATE: MARCH 30, 2023  
DRAWN BY: BRC  
CHECKED BY: BRC

SCALE: 1"=100'

100' 0 50' 100'  
SCALE IN FEET

**PROPOSED SITE PLAN FOR MOUNT JOY TOWN CENTER**

**PENMARK MANAGEMENT COMPANY**  
MOUNT JOY TOWNSHIP  
LANCASTER COUNTY, PENNSYLVANIA

DRAWING #: CG-2991A  
SHEET #: 1 OF 3



# **Exhibit E**





**Heading West on Route 230 towards Intersection  
(Property is to the right)**



**Heading West on Route 230 at Intersection with Cloverleaf Road  
(Property is to the right on the corner)**





**Heading East on Route 230 towards Intersection  
(Property is to the right)**



**Heading East on Route 230 at Intersection with Cloverleaf Road  
(Property is to the right on the corner)**





**Heading South on Cloverleaf Road towards Intersection**



**Heading South on Cloverleaf Road at Intersection with Route 230  
(Property is to the left)**





Heading north on Cloverleaf Road towards Intersection



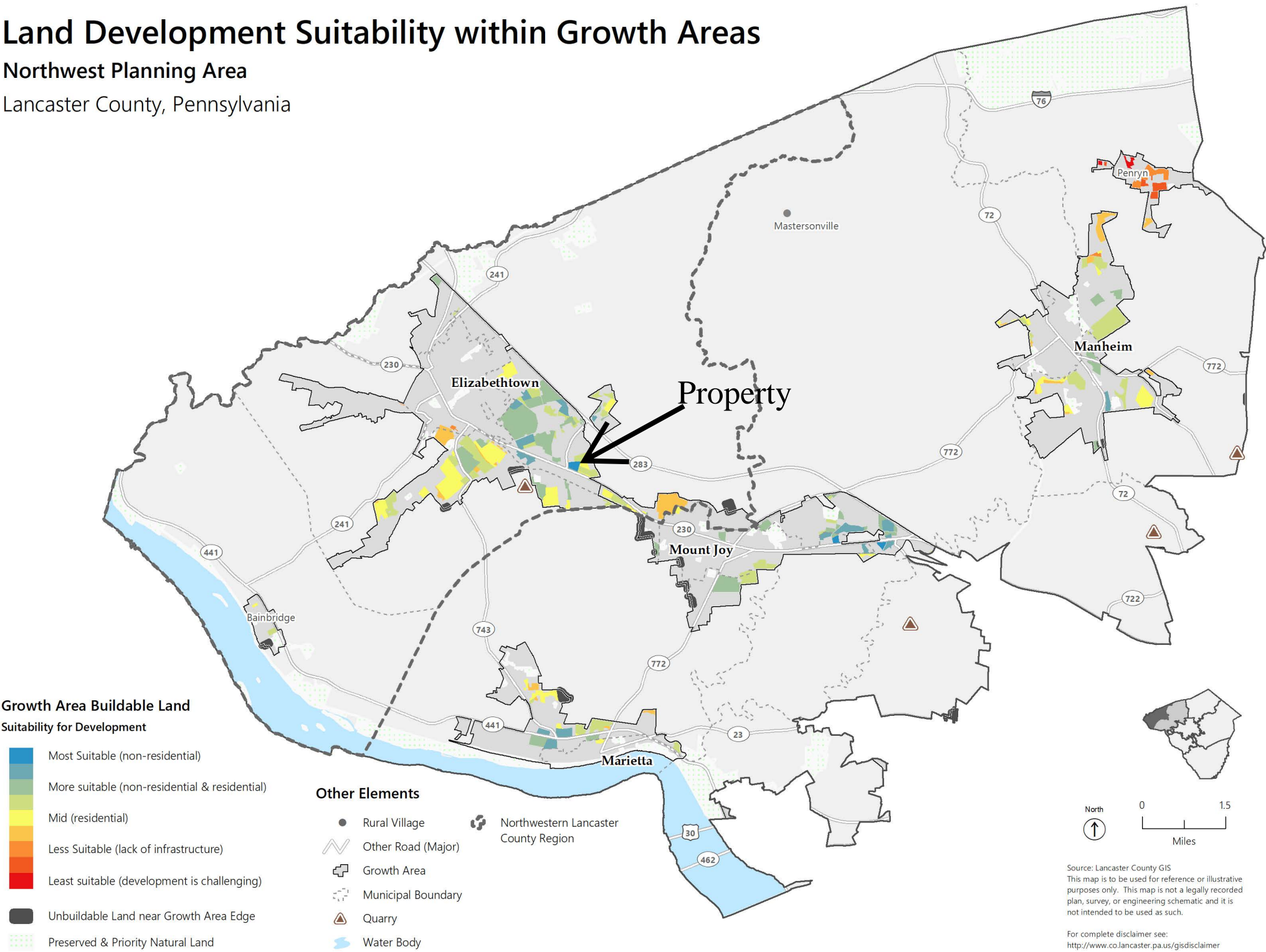
Heading north on Cloverleaf Road at Intersection with Route 230

# **Exhibit F**

# Land Development Suitability within Growth Areas

Northwest Planning Area

Lancaster County, Pennsylvania



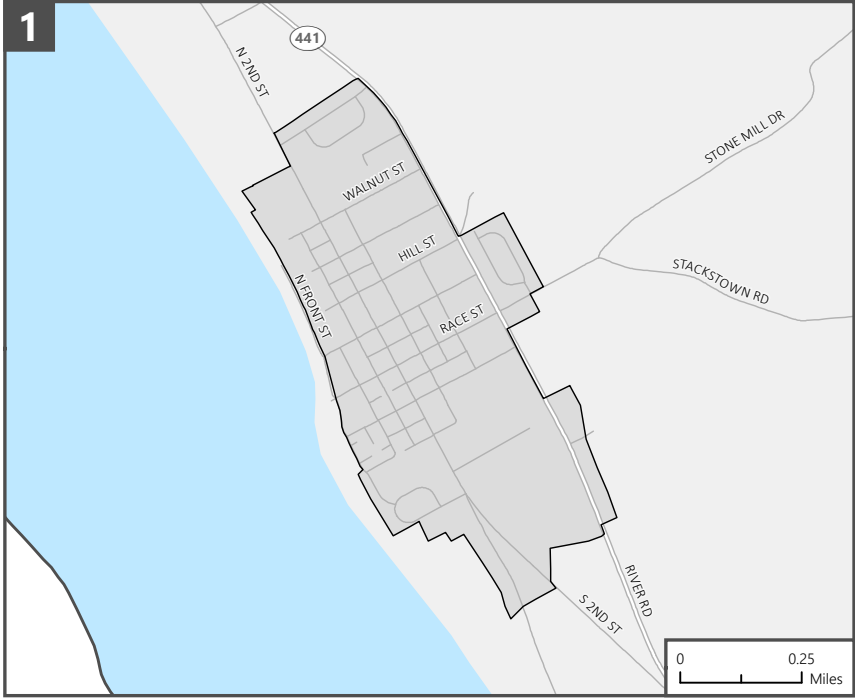


# Growth Management

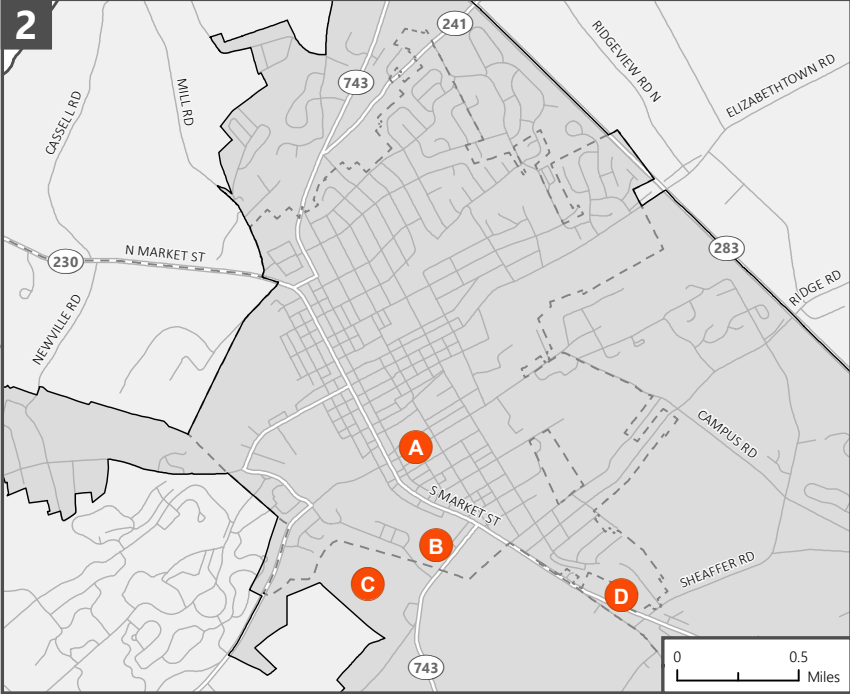
## Growth Areas

Northwestern Lancaster County, Pennsylvania

BAINBRIDGE



ELIZABETHTOWN UGA (Elizabethtown Area)



ELIZABETHTOWN / DONEGAL UGA (Rheems Area)



### Definitions

UGA Urban Growth Area

## Growth Management

Region		
Type	Issue or Opportunity	Source
Area	<b>1 Falmouth</b> Potential future Village Growth Area; has existing public sewer infrastructure	LCPD
Area	<b>2 Conewago Industrial Park</b> Potential for future inclusion into Elizabethtown UGA	Local input, workshop analysis
Area	<b>3 Masonic Homes</b> Potential for future inclusion into Elizabethtown UGA	Local input, workshop analysis
Area	<b>4 Elizabethtown Borough</b> Encourage mixed-use redevelopment and infill	Local input, places2040
Area	<b>5 Bainbridge</b> Adopt as Village Growth Area at local level; has existing public sewer infrastructure	places2040
Area	<b>6 Area east of Maytown Road &amp; west of Amtrak Line</b> Potential area for non-residential development	Local input, workshop analysis
Area	<b>7 Cloverleaf Road Interchange Area</b> Encourage non-residential development	Local input, workshop analysis

Growth Areas		
Elizabethtown UGA (Elizabethtown Area)		
Type	Issue or Opportunity	Source
Node	<b>A East College Avenue</b> Encourage mixed use infill and redevelopment	Local input
Node	<b>B</b> Potential site for higher density residential development	Local input
Node	<b>C</b> Potential site for higher density residential development	Local input, workshop analysis
Node	<b>D</b> Potential infill/redevelopment site	Local input, workshop analysis
Elizabethtown / Donegal UGA (Rheems Area)		
Type	Issue or Opportunity	Source
Node	<b>E</b> Potential site for non-residential development	Workshop analysis
Node	<b>F</b> Potential infill/redevelopment site	Local input
Node	<b>G</b> Potential site for multi-density residential development	Local input, workshop analysis



# Exhibit G

**TOWNSHIP OF MOUNT JOY**  
Lancaster County, Pennsylvania

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ORDINANCE NO. \_\_\_\_\_

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AN ORDINANCE OF THE TOWNSHIP OF MOUNT JOY, LANCASTER COUNTY, PENNSYLVANIA, TO AMEND THE MOUNT JOY TOWNSHIP ZONING ORDINANCE OF 2012, AS AMENDED, ZONING MAP, TO CHANGE THE ZONING CLASSIFICATION FOR TWO TRACTS OF LAND IDENTIFIED AS TAX PARCELS NO. 461-00486-0-0000 and 461-82176-0-0000 CONSISTING OF APPROXIMATELY 22 ACRES AND LOCATED ON THE NORTHEAST QUADRANT OF THE INTERSECTION OF CLOVERLEAF ROAD AND STATE ROUTE 230 FROM THE C-1 LIMITED COMMERCIAL DISTRICT TO THE C-2 GENERAL COMMERCIAL DISTRICT.

**BE IT HEREBY ORDAINED AND ENACTED** by the Board of Supervisors of Mount Joy Township, Lancaster County, Pennsylvania, as follows:

Section 1. The Mount Joy Township Zoning Ordinance of 2012, as amended, Zoning Map, shall be amended to rezone Tax Parcel ID No. 461-00486-0-0000 and Tax Parcel ID No. 461-82176-0-0000 located at the northeast quadrant of the intersection of Cloverleaf Road and State Route 230, as described in Exhibit A and depicted on Exhibit B, from the C-1 Limited Commercial District to the C-2 General Commercial District.

Section 2. All other sections, parts and provisions of the Mount Joy Township Zoning Ordinance shall remain in full force and effect as previously enacted and amended.

Section 3. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall remain in full force and effect.

Section 4. These amendments shall take effect and be enforced from and after their approval as provided by law.

**DULY ORDAINED AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the Board of Supervisors of Mount Joy Township, Lancaster County, Pennsylvania, in lawful session duly assembled.

**MOUNT JOY TOWNSHIP**  
Lancaster County, Pennsylvania

Attest: \_\_\_\_\_  
(Assistant) Secretary

By: \_\_\_\_\_  
(Vice) Chair

# **EXHIBIT A**

79753

AUG 17 1977

No. 33-7 - For Single Deal - Typewritten - Corporation  
Tax & License Co. Philadelphia

**This Indenture** made the 10<sup>th</sup>

day of August in the year of our Lord one thousand nine hundred and seventy-seven (1977) **Between**

ELIZABETHTOWN ASSOCIATES, INC., a Pennsylvania corporation

(hereinafter called the Grantor), of the one part, and

ELIZABETHTOWN ASSOCIATES, a Pennsylvania partnership

(hereinafter called the Grantee), of the other part:

**Witnesseth**, That the said Grantor for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States of America, unto it well and truly paid by the said Grantee at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, released and confirmed, and by these presents does grant, bargain, sell, alien, convey, release and confirm unto the said Grantee its successors and assigns, in fee, as partnership property, for the uses and purposes of the partnership.

**Promises "A"**

ALL THAT CERTAIN piece, parcel, or tract of land SITUATE on the east side of Pa. Leg. Rte. 36004 north of Pa. Leg. Rte. 129, in Hewitt Jay Township, Lancaster County, Pennsylvania, as shown on a plan prepared by Ruth Engineers, Inc., dated January 2, 1973, Drawing No. LA-960, and being more fully bounded and described as follows:

BEGINNING at a point on the east right of way line of Pa. Leg. Rte. 36004, said point being located a distance of 171.96 feet north of the intersection of the north line of Pa. Leg. Rte. 129 and the east line of Pa. Leg. Rte. 36004; thence along the east line of Pa. Leg. Rte. 36004, the following three (3) courses and distances: (1) in a line curving to the left, having the radius of 494.43 feet and an arc distance of 72.48 feet, the chord of said arc being North 8 degrees 14 minutes 11 seconds East, a distance of 72.42 feet to a point; (2) North 15 degrees 30 minutes 25 seconds West, a distance of 263.07 feet to a point; and (3) North 5 degrees 09 minutes 40 seconds West, a distance of 123.49 feet to a point, a corner of lands belonging to Northwest Lancaster County Medical Association; thence along the same, and crossing a 16.5 foot right of way for the American Telephone and Telegraph Co., North 66 degrees 49 minutes 10 seconds East, a distance of 1,313.32 feet to an iron pin, a corner of other land belonging to, now or late, John K. Garbur; thence along the same, and recrossing said 16.5 foot wide right of way, for the American Telephone and Telegraph Co., South 18 degrees 50 minutes 03 seconds West, a distance of 972.78 feet to an iron pin, a corner of land belonging to, now or late, Ellen K. Garbur; thence along the same, North 67 degrees 12 minutes 50 seconds West, a distance of 1,020.73 feet to a point on the east right of way line of Pa. Leg. Rte. 36004, the place of BEGINNING.

CONTAINING 18.154 acres.

U 71 21

BEING, as to Premises "A" the same premises which John K. Garber and Katharina H. Garber, his wife, by Deed dated August 1, 1974 and recorded in Lancaster County, Pennsylvania on August 1, 1974 in Record Book O Volume 62 Page 733 granted and conveyed unto Elizabethtown Associates, Inc.

Premises "B"

ALSO ALL THAT CERTAIN piece, parcel, or tract of land SITUATE at the northeast corner of Pa. Leg. Rte. 36004, and Pa. Leg. Rte. 129, in Mount Joy Township, Lancaster County, Pennsylvania, as shown on a plan prepared by Ruth Engineers, Inc. dated January 2, 1973, Drawing No. LA-960, and being more fully bounded and described as follows:

BEGINNING at a point at the intersection of the east right of way line of Pa. Leg. Rte. 36004, and the north right of way line of Pa. Leg. Rte. 129; thence along the east right of way line of Pa. Leg. Rte. 36004, the following two (2) courses and distances: (1) North 22 degrees 06 minutes 20 seconds East, a distance of 82.81 feet to a point; and (2) in a line curving to the left, having a radius of 494.43 feet and an arc distance of 89.15 feet, the chord of said arc being North 17 degrees 36 minutes 25 seconds East, a distance of 89.03 feet to a point, a corner of land belonging to, now or late, John K. Garber; thence along the same, the following two (2) courses and distances: (1) South 67 degrees 12 minutes 50 seconds East, a distance of 1,020.73 feet to an iron pin; and (2) crossing an iron pin, a distance of 170.0 feet south of the last described corner, South 22 degrees 47 minutes 10 seconds West, a distance of 170.55 feet to a point on the north right of way line of Pa. Leg. Rte. 129; thence along the same, North 67 degrees 16 minutes West, a distance of 1,012.68 feet to a point, the place of BEGINNING.

CONTAINING 2.981 acres.

BEING, as to Premises "B", the same premises which Ellen K. Garber, singlewoman by Deed dated February 6, 1975 and recorded in Lancaster County on July 10, 1975 in Record Book F Volume 55 Page 1091 granted and conveyed unto Elizabethtown Associates, Inc.

UNDER AND SUBJECT to easements, restrictions, and agreements of record.

UNDER AND SUBJECT, nevertheless to a certain mortgage debt in the original principal sum of FIFTY SEVEN THOUSAND DOLLARS (\$57,000.00) given by Elizabethtown Associates, Inc. to Ellen K. Garber.

Together with all and singular the buildings improvements, ways, streets, alleys, passages, waters, wharf-courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereto belonging, or in any way appertaining, and the reversions and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property, claims and demand whatsoever of the said Grantor, in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

To have and to hold the said lots or pieces of ground above described with the buildings and improvements thereon erected hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its Successors and Assigns, to and for the only proper use and behoof of the said Grantee, its Successors and Assigns forever, as partnership property, for the use and purposes of the partnership, UNDER AND SUBJECT as aforesaid.

AND the said Grantor, for itself, and its Successors do as by these presents covenant, grant and agree to and with the said Grantee, its Successors and Assigns, that it the said Grantor and its Successors

shall warrant and defend all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its Successors and Assigns, against it the said Grantor and its

Successors, and against all and every other Person and Persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, them, or any of them, Shall and Will Subject as aforesaid, WARRANT and forever DEFEND.

In Witness Whereof, the said Parties to these Presents have hereunto interchangeably set their hands and seals. Dated the day and year first above written.

Witness and Seal of the said Grantee

ELIZABETHTOWN ASSOCIATES, INC.  
Pennsylvania corporation

By:

*James W. Nitch*

Vice President

Attest:

*Marsha Border*  
Notary

U. 71 23

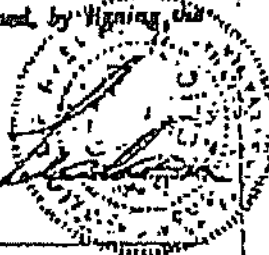
COMMONWEALTH OF PENNSYLVANIA }  
COUNTY OF PHILADELPHIA } SS

On this, the 10<sup>th</sup> day of August 1977, before me, a Notary Public  
the undersigned officer,

personally appeared SUCANNE V. FEINBERG  
who acknowledged herself to be the VICE PRESIDENT of ELIZABETHTOWN ASSOCIATES, INC.,  
a corporation, and that she as such VICE PRES being  
authorized in due manner the foregoing instrument for the purpose therein contained, by signing the  
name of the corporation by herself as VICE PRES.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

*[Signature]*



In testimony whereof, I have hereunto set my hand and official seal.

**RECORDED**

ELIZABETHTOWN ASSOCIATES, INC., a  
Pennsylvania corporation

TO

ELIZABETHTOWN ASSOCIATES, A  
Pennsylvania partnership

PREMISES:

East Side of Pa. Ave. Sta. 36004  
Mount Joy Township  
Lancaster County, Pennsylvania

14 27th  
The B. L. L. Co.  
Philadelphia

9 31704

AUG 17 1977

*[Signature]*

RECORDED OR FILED

17 AUG 17 PM 3:45

RECORDER OF DEEDS  
LANCASTER, PA.

Recorded in the office for Recording of Deeds, etc., in and  
for Lancaster Co., Pennsylvania, in Record

Book 71 Page 24

Witness my hand and seal of Office this 17th  
day of August A. D. 1977

RECORDED

The residence of the undersigned (written by

c/o Ronald B. Glaser, Enquire  
CONY, STRAIN, POLSKER, SHIBBY  
12 S. 12th St., Philadelphia, PA 19107

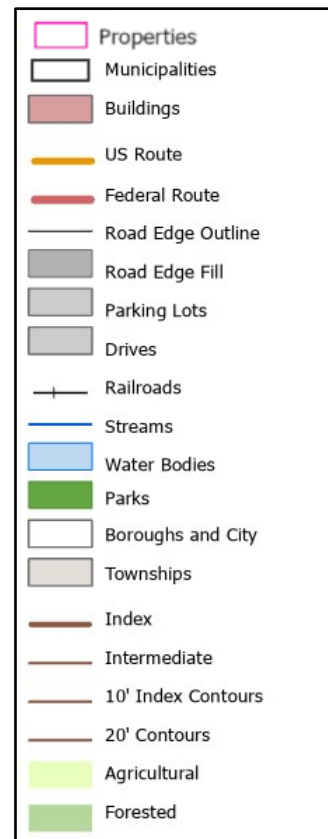
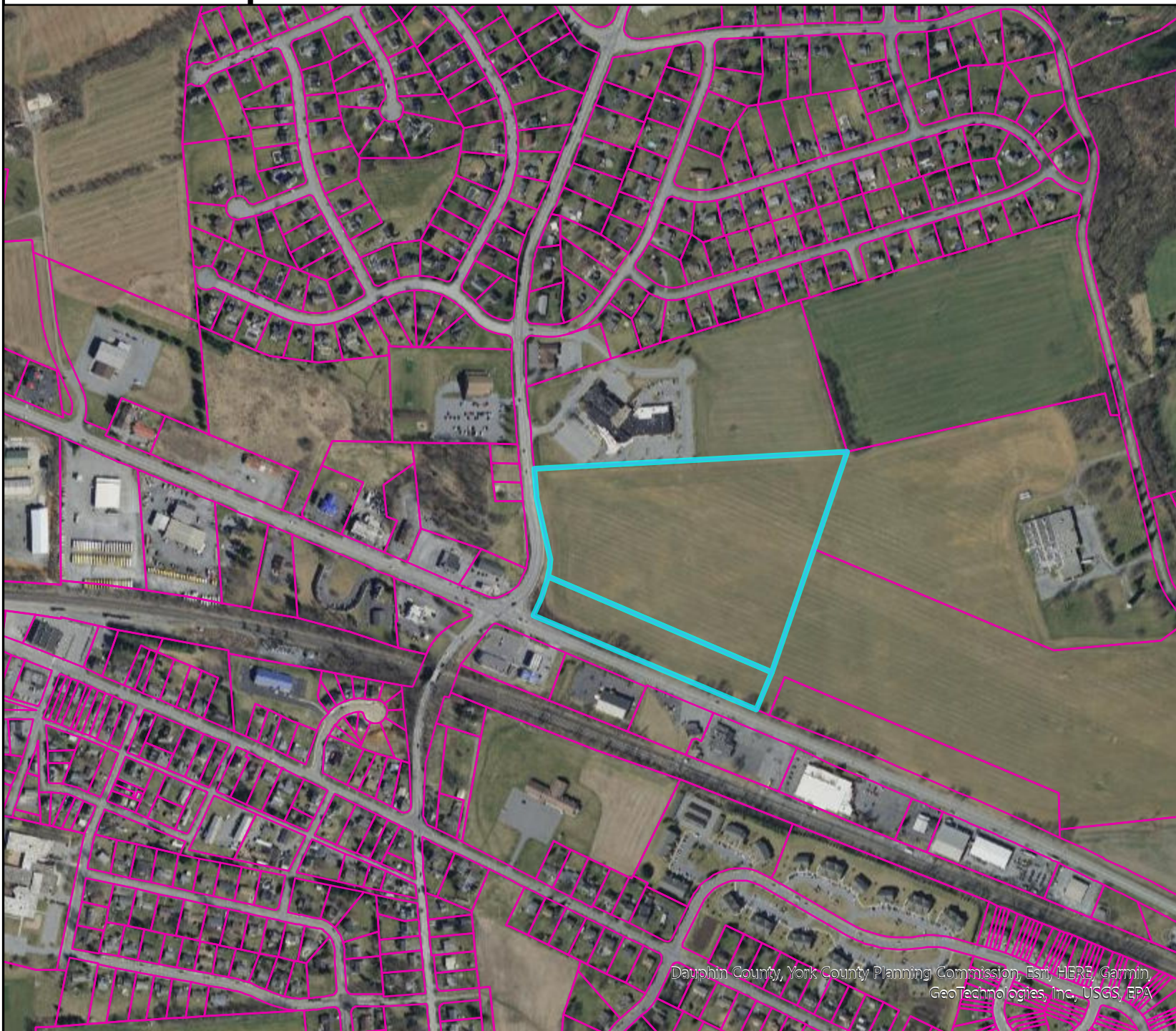
On behalf of said Company

*[Signature]*

# **EXHIBIT B**



# LanCo View Map



1 inch equals 752 feet  
Scale: 1:9,028

Dauphin County, York County Planning Commission, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

Source: Lancaster County GIS, Copyright (c) 2022. This map to be used for reference or illustrative purposes only. This map is not a legally recorded plan, survey, or engineering schematic and it is not intended to be used as such. For complete disclaimer, see: <https://co.lancaster.pa.us/gisdisclaimer>