

RECEIVED ON

JUN - 7 2023

SMITHFIELD TOWNSHIP
MONROE COUNTY, PA

Corporate Office:

559 Main Street, Suite 230
Bethlehem PA 18018

Regional Offices:

1456 Ferry Road, Building 500
Doylestown, PA 18901

2756 Rimrock Drive
Stroudsburg, PA 18360

Mailing
P.O. Box 699
Bartonsville, PA 18321

June 6, 2023

Smithfield Township Planning Commission
1155 Red Fox Road
East Stroudsburg, PA 18301

**SUBJECT: PA COMMONS REALTY, LLC
SHEETZ DEVELOPMENT SKETCH PLAN REVIEW NO. 1
SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 2332252R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed the review of the Land Development Sketch Plan for the above referenced project. The submitted information consists of the following items:

- Smithfield Township Application for Review of a Subdivision or Land Development
- Concept Plan C prepared by Bohler, dated March 1, 2023
- Preliminary Site Plan prepared by Convenience Architecture and Design, P.C., dated March 29, 2023.

BACKGROUND INFORMATION

The Applicant has submitted a sketch plan in support of a proposed land development on lands located on the northwestern corner of the intersection of S.R. 0209 and S.R. 0447. The project site is located on two (2) parcels having a total area of 5.75 acres and within the ED, Economic Development Zoning District. The existing parcels consist of a Days Inn hotel and restaurant with associated parking and a Gulf convenience store and gas station with associated parking. The existing parcels are accessed from S.R. 0209. All existing buildings will be demolished.

The proposed land development plan consists of the construction of a 6,900 square foot retail strip, 4,597 square foot McDonalds with drive-thru, a Starbucks with drive-thru, and a 6,139 square foot Sheetz with gasoline service and drive-thru; all with associated parking. Full movement access driveways are proposed along both S.R. 0209 and S.R. 0447. Public water and sewer will serve the proposed development.

In accordance with Section 309, Schedule of District Regulations, retail stores, convenience stores with fuel pumps, and restaurants are permitted within the ED, Economic Development Zoning District.

Based upon our review of the Sketch Plan, we offer the following comments and/or recommendations for your consideration.

ZONING ORDINANCE COMMENTS

1. In accordance with Section 309, Schedule of District Regulations, the required front yard depth is 50-feet for principal buildings having up to 5,000 square feet gross floor area and 65-feet for principal buildings in excess of 5,000 square feet gross floor area. *The proposed Sheetz is 6,139 square feet and the front yard setback shall be revised for compliance with this Section.*

2. In accordance with Section 309, Schedule of District Regulations, the required rear yard depth is 30-feet. *The Zoning Requirements chart shall include the required rear yard depth. Also refer to SALDO Comment 14.*
3. In accordance with Section 401.1.C, the maximum amount of impervious surface coverage permitted on a lot in the ED Zoning District is 60%. *The plan shall include an impervious surface area calculation demonstrating compliance with this Section.*
4. In accordance with Section 402.7, “accessible parking spaces for disabled persons shall be provided in accordance with the Federal requirements as set forth in the Americans with Disabilities Act”. *Per Section 208.2.4 of the 2010 ADA Standards for Accessible Design, “for every six or fraction of six parking spaces required by 208.2 to comply with 502, at least one shall be a van parking space complying with 502.” A van parking space having an aisle width of 8-feet shall be provided at Starbucks.*
5. In accordance with Section 403.A.1.(a), “every parking space, outdoor or in a garage, shall be at least nine (9) feet by eighteen (18) feet, except as indicated below or as otherwise indicated in this Chapter:
 - (a) Parking spaces for the following uses shall be at least ten (10) feet by eighteen (18) feet:
 - (1) Night club, tavern, bar, or cocktail room.
 - (2) Regional shopping center.
 - (3) Restaurant.
 - (4) Restaurant with drive-through.
 - (5) Restaurant with walk-up window.
 - (6) Retail business.
 - (7) Shopping center.
 - (8) Supermarket.
 - (9) Medical or dental office.

The parking spaces at the proposed retail strip are 9 feet wide and shall be revised to provide a minimum width of 10 feet as required.

6. In accordance with Sections 403.B.2 and 403.B.4, “all areas for the loading and unloading of delivery trucks and other vehicles and for servicing of establishments and/or shops by refuse collection, fuel or other service vehicles shall have adequate and unobstructed access from a street, service driveway or alley and shall be so arranged that they may be used without blocking or otherwise interfering with the use of automobile accessways, parking facilities or pedestrian ways or backing out onto a street”. “All loading berths shall be located at the side or rear of the property and shall be screened from view by fencing or landscaped buffers.” Per Section 403.B.7, “the

minimum size loading space shall be thirty (30) feet in depth and ten (10) feet in width, with an overhead clearance of fourteen (14) feet”.

- a. *An unloading zone is shown for the Sheetz, and it appears a loading zone is shown to the east of the proposed retail strip. Loading areas will be required for McDonalds and Starbucks. All loading areas shall be shown, labeled, and dimensioned on the plan.*
 - b. *Turning movement diagrams shall be provided to confirm adequate maneuverability of a trash truck accessing the southwesterly dumpster pad at McDonalds.*
 - c. *Dumpster pads for the Sheetz and Starbucks shall be shown on the plan. Also refer to SALDO Comment 27.*
7. In accordance with Sections 403.G and 502.7, landscaping shall be provided as required by these Sections. *A landscape plan shall be provided with the land development plan submission. Also refer to SALDO Comment 28.*
- a. In accordance with Section 403.N, “between every fifteen (15) contiguous parking spaces in a row, there shall be a ten (10) foot planting strip, suitably planted which shall serve as a physical separation between every fifteen (15) parking spaces”. *A landscaped island is required along the 16-space parking row west of the proposed Sheetz. The plan shall be revised. Also refer to SALDO Comment 28.a.*
8. In accordance with Section 403.M, parking areas may be located at the front of the building but not closer to the front lot line than 50 feet. *Four (4) parking spaces at the Sheetz and three (3) parking spaces at McDonalds are located closer than 50-feet to the front lot line and shall be relocated.*
9. In accordance with Sections 403.O and 502.6, lighting shall be provided as required by these Sections. *A lighting plan shall be provided with the land development plan submission. Also refer to SALDO Comment 24.*
10. In accordance with Sections 404.2.A.(1) and 511.20.B (ED District Uses), a traffic impact study shall be required for all subdivisions and land developments that, at build-out, are projected to generate fifty (50) or more trip-ends per project peak hour or five hundred (500) trip-ends per day based on the latest edition of Trip Generation published by the Institute of Transportation Engineers. This shall include project additions, changes of use and replacement of nonconforming uses that increase the total traffic (existing plus new traffic) to more than five hundred (500) trip ends per day. *The number of trip-ends shall be addressed and a traffic impact study shall be submitted as required.*
11. In accordance with Section 404.3.D, access management requirements shall apply to “all properties and projects accessing both sides of U.S. Route 209 from the interchange with I-80 to the border of Smithfield Township”. Section 404.3.D states, “driveways that do not conform to the regulations in this Section and that were constructed before the adoption of this Section, shall be considered legal nonconforming driveways. Nonconforming driveways may remain in use until such time as the use of the property is changed in such a way as to impact the use of the driveway. Nonconforming driveways shall be reconstructed to comply with this Section if a change in the intensity of use of a property results in increased trip generation, as follows:
- (1) A change in use for purposes of this regulation shall be any change that requires subdivision or site plan approval.

- (2) A change in intensity of use is established when the use of the access increases peak hour or average daily traffic volume by ten (10%) percent or more, based on the latest edition of “Trip Generation” published by the Institute of Transportation Engineers, provided that no use generating less than fifty (50) trips per day shall be subject to this requirement.”

The proposed development will utilize the existing northern most driveway taking access from S.R. 0209 (at the Gulf station). The proposed driveway will be modified and will be curbed, and its width reduced to 35-feet (existing driveway width is 53-feet ±). The Applicant shall address the intensity of the proposed development compared to the existing.

- a. In accordance with Section 404.3.E, “no tract shall be provided direct access to Route 209 and Business Route 209 if adequate alternate access can be provided by way of an arterial, collector, or frontage or cross access drive and if such access is in the best interest of traffic operations. Regulations in subsections (F) through (I) shall apply when a tract is provided direct access to Route 209, Business Route 209, and future Route 1019.” *The development proposes improvements along S.R. 0209 and S.R. 0447 with full movement driveways accessing both roads. There is concern with the proposed accesses to S.R. 0209 and S.R. 0447. Submission to the Pennsylvania Department of Transportation is required for its review and comment.*
 - b. In accordance with Section 404.3.F.(4), “driveways shall be aligned with driveways across Route 209 where possible; if not possible, driveways shall be offset a minimum of one hundred fifty (150) feet from those on the opposite side of Route 209, Business Route 209 or future Route 1019”. *The proposed driveway is located approximately 60 feet south of the opposite driveway accessing the Cigarette Outlet. The proposed driveway shall be relocated for compliance with this Section, or a variance will be required.*
 - c. In accordance with Section 404.3.G.(1), “joint access driveways, cross access drives and linked or shared parking lots are strongly encouraged. All landowners submitting a subdivision or site plan shall address the feasibility of the use of joint access driveways, cross access drives and linked or shared parking lots. Use of such techniques shall be required wherever feasible.” *The proposed driveway accessing S.R. 0209 will be shared with the northerly adjacent property. The need for this shared access shall be addressed.*
 - d. It should be noted that per Section 404.3.G.(6), “access points may be restricted to right turn-in, right turn-out if determined to be in the best interest of traffic operations”. *The Applicant should be aware that, based upon further review, right turn-in and right-turn out only movements may be required at the proposed modified driveway accessing S.R. 0209. Also refer to SALDO Comment 26.*
12. In accordance with Section 404.3.I, “upon submission of preliminary access plans or highway occupancy permit plans to the Pennsylvania Department of Transportation, the applicant shall submit a copy of such plans along with any attached subdivision or land development plans to Smithfield Township. Issuance of a highway occupancy permit by the Pennsylvania Department of Transportation does not guarantee approval of plans by Smithfield Township”. *The development proposes improvements along S.R. 0209 and S.R. 0447 with full movement driveways accessing both roads. Submissions to, correspondence with, and permit from the Pennsylvania Department of Transportation shall be provided. Also refer to SALDO Comment 21.*
 13. Per Schedule II, Regulations for Off-Street Parking Spaces, the following parking is required for each proposed use:

- a. A restaurant is required to have 1 parking space for every 2.5 seats and 1 for each full-time employee. *Thirty-nine (39) parking spaces are required for McDonalds and only 26 are proposed. The plan shall be revised to provide the required number of parking spaces. Fourteen (14) parking spaces are required for Starbucks and 19 are proposed, which meets the Ordinance requirement.*
 - b. A retail business is required to have 1 parking space for every 200 square feet of gross floor area. *Thirty-five (35) parking spaces are required for the proposed retail strip and 44 parking spaces are proposed, which meets the Ordinance requirement.*
 - c. A gasoline service station is required to have one (1) parking space for every 150 gross square feet. *Forty-one (41) parking spaces are required at Sheetz and 40 are proposed. One (1) additional parking space shall be provided.*
14. In accordance with Section 502.1.B, “on a corner lot, front yards are required on both road frontages, and one (1) yard other than the front yards shall be deemed to be a rear yard and the other or others, side yards”. *The northern and western property lines are both presented as side yards. One yard shall be a rear yard having a depth of 30-feet.*
 15. *In accordance with Section 511.20.F, “only one (1) principal use is permitted on a lot by-right within the ED District unless part of a mixed-use development or an incentivized development. In the event of a conflict between the provisions of a mixed-use development or an incentivized development and the provisions of the underlying district, the provisions of the mixed-use development or the incentivized development shall prevail, depending upon the development option chosen. If the standards in the major mixed use development option and the incentivized development option are silent in relation to any development standard, the development standard identified in the underlying district shall prevail.” The plan proposes three (3) principal permitted uses, retail, restaurant, and convenience store with fuel pumps. While all proposed uses are permitted in the ED Zoning District individually, all three cannot be proposed on the same lot without utilizing the Major Mixed Use Development option or the Incentivized Development option, both of which would require relief from the Zoning Ordinance. The Applicant could also explore whether the development could be considered a shopping center. The plan shall clearly identify the proposed intent of this development with a list of all relief that will be required.*

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

16. In accordance with Section 504.A, “an Existing Resources/Site Analysis Plan (ER/SA) as set forth in §603(C) For the purposes of the sketch plan, topography may be taken from U.S.G.S. maps unless more detailed topography is available; wetlands may be taken from maps published by the U.S. Fish and Wildlife Service or the U.S.D.A. Natural Resources Conservation Service; and woodlands may be taken from aerial photographs”. *The submission of an Existing Resources/Site Analysis Plan is required and shall address whether steep slopes exist. Disturbance of steep slopes shall be in accordance with Section 401.3.E.(1) of the Zoning Ordinance and Section 1002.7.E of the Subdivision and Land Development Ordinance.*
17. In accordance with Section 504.K, the Sketch Plan shall include “required improvements such as streets, parking lot layout, number of parking stalls, stormwater management concepts, etc.”. *No stormwater management is provided on the Sketch Plan. This shall be addressed. In addition, roadside swales exist along S.R. 0447 and S.R. 0209. The impact of the development to these roadside swales shall also be addressed.*

18. In accordance with Section 504.R, “the Sketch Plan shall include “zoning regulations in a tabular format including ordinance requirements and proposed conditions including, but not limited to, yard setbacks, impervious cover, building coverage, minimum lot size requirements, minimum lot frontage, etc.”. *The Zoning Requirements chart shall include the proposed/provided dimensional criteria.*
19. In accordance with Sections 504.S and 504.W, the Sketch Plan shall include “the parcel identification number and recording information for the tract and all adjacent lots; zoning classifications for the tract and all adjacent lots” and “the names of the owners of all abutting properties and existing uses”. *Adjacent property owner information shall be provided on the plan.*
20. In accordance with Section 1006.7, “Where a subdivision or development abuts or contains an existing or proposed arterial or collector street, the Township shall require reverse frontage with buffers along the side and rear property line”. In addition, and in accordance with Section 1012.5.B, “All lots requiring reverse frontage shall be subject to a special setback. Within the special setback, the twenty-five (25) feet of depth abutting the collector or arterial street shall be established as a buffer easement by the applicant/developer, except within the sight triangle.” *Consideration should be given to providing a main access drive along and adjacent to the side and rear property lines.*
21. In accordance with Section 1006.12, “no plan which will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be finally approved unless the plan contains a notice that a highway occupancy permit is required pursuant to §420 of the Act of June 1, 1945, (P.L.1242, No. 428) known as the “State Highway Law,” before driveway access to a State highway is permitted. The plan shall be marked to indicate that access to the State highway shall be only as authorized by a highway occupancy permit. The Township shall not be held liable for damages to persons or property arising out of the issuance or denial of a driveway permit by PennDOT.” *The development proposes improvements along S.R. 0209 and S.R. 0447 with full movement driveways accessing both roads. Submissions to, correspondence with, and permit from the Pennsylvania Department of Transportation shall be provided. Also refer to ZO Comment 12.*
22. In accordance with Sections 1008.1 and 1008.3, “where a subdivision abuts or contains an existing street, the applicant/developer shall be required to improve said street to Township standards and provide an additional ultimate right-of-way width to conform to the standards set by the Township”. “Refer to Appendix B for additional street design standards”. *The existing and proposed right-of-way, cartway, and pavement widths of S.R. 0209 and S.R. 0447 shall be provided on the plan to determine compliance with Appendix B.*
23. In accordance with Sections 1015.1 and 1015.8, “sidewalks shall be required on both sides of all streets in major subdivision plans and land developments. Street sidewalks shall have a minimum width of four (4) feet, unless otherwise approved by the Board of Supervisors. There shall be a minimum three (3) foot-wide planting strip, between the curb and sidewalk along local streets and ten (10) feet along collector or arterial streets. This grass planting strip can be used for the location of the underground utilities.” “All sidewalks and curbs at intersections of two (2) or more streets shall include a handicap accessible ramp in accordance with ADA Standards. (Ord. 208, 9/25/2012, §1015)” *Sidewalks will be required along S.R. 0447 and S.R. 0209 (connect to the Smithfield Gateway sidewalk) with handicap accessible ramps.*
24. In accordance with Sections 1020 and 1024.18, all parking lots, multifamily developments and nonresidential developments shall be adequately lit during after-dark operating hours. All light standards shall be located within landscaped islands and be freestanding on secure bases and not on the parking surfaces. *A lighting plan shall be included with the land development plan submission. Also refer to ZO Comment 9.*

25. In accordance with Section 1024.6, “parking lots shall be separated from buildings by a minimum distance of ten (10) feet or more”. *Less than 10 feet is provided along the proposed Sheetz and Starbucks and the layout shall be revised for compliance with this Section.*
26. In accordance with Section 1024.13, “entrances and exits to and from off-street parking areas shall be located so as to minimize interference with street traffic and shall meet the minimum requirements for space between driveways and intersections set forth in §1010. Where, in the opinion of the Township Engineer or Board of Supervisors, a left turn exit would create undeliverable traffic congestion the exit shall be restricted to right turns only.” *The development proposes improvements along S.R. 0209 and S.R. 0447 with full movement driveways accessing both roads. There is concern with the locations of both access driveways onto S.R. 0209 and S.R. 0447. Consideration should be given to relocating the S.R. 0447 driveway adjacent to the northern property line. In addition, improvements along S.R. 0209 in support of the Smithfield Gateway development and impacting this future development shall be considered. Submission to the Pennsylvania Department of Transportation is required for its review and comment. Refer to ZO Comment 11.d.*
27. In accordance with Section 1026.1, “outdoor collection stations shall be provided by applicant/developer for garbage and trash and for recyclable materials when individual collection is not made, and indoor storage is not provided. Stations shall be provided in all zoning districts except those devoted solely to single-family detached dwellings.” *Dumpster pads for the proposed Starbucks and Sheetz shall be provided on the plan. Also refer to ZO Comment 7.*
28. In accordance with Section 1101, a landscape plan is required. *A landscape plan shall be provided with the land development plan submission. Also refer to ZO Comment 7.*
 - a. In accordance with Section 1024.3, “between every fifteen (15) contiguous parking spaces in a row there shall be a planting strip ten (10) feet wide and planted with street trees from the list of acceptable street trees (see §1101, “Landscape Plan Required”) which shall serve as a physical separation between every fifteen (15) parking spaces. In addition, parking islands five (5) feet wide shall be constructed between each parking row. The number of plantings shall comply with zoning regulations”. *A landscaped island is required along the 16-space parking row west of the proposed Sheetz. The plan shall be revised. Also refer to ZO Comment 7.a.*
29. In accordance with Section 1202.A, “in conformance with the Pennsylvania Municipalities Planning Code, this Section requires the public dedication of land suitable for park land, noncommercial recreational uses, preserved open space, and the construction of recreational facilities. Upon agreement of the Board of Supervisors, any of the following alternatives may be approved by the Board of Supervisors in lieu of public dedication of land, as specified in this Section:
 1. Payment of recreation fees.
 2. Construction of recreation facilities.
 3. Dedication of recreation land or preserved open space to the Township or its designee.
 4. A combination of these alternatives.”

Open space and recreation facilities shall be provided or a fee in-lieu of will be required.

30. In accordance with Sections 1301 and 1302, stormwater management and erosion and sedimentation controls are required. *Stormwater management and erosion and sedimentation controls shall be provided with the land development plan. The requirements provided in the Stormwater Management Ordinance shall be adhered to.*

MISCELLANEOUS COMMENTS

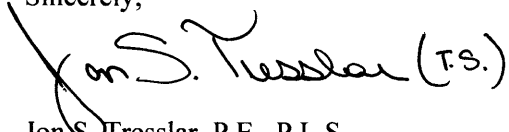
31. The proposed uses listed under the Zoning Requirements include a bank. A bank is not considered in the Parking Requirements. The proposed uses shall be clarified, and the plan revised accordingly.
32. Access to the adjacent property to the north will be through the proposed development. An access easement will be required between the developer and the adjacent property owner.
33. The proposed land development crosses two (2) parcels. The Applicant shall address whether they intend to consolidate the parcels prior to development.
34. The plan view notes "49 auto spaces" at the retail strip. Forty-four (44) proposed parking spaces are shown. The plan view note shall be revised accordingly.

The above comments represent a thorough and comprehensive review of the information submitted with the intent of giving the Township the best direction possible. However, due to the nature of the comments in this review, the receipt of new information may generate new comments."

In order to facilitate an efficient re-review of revised plans, the Engineer shall provide a letter, addressing item by item, their action in response to each of our comments.

If you should have any questions regarding the above comments, please contact me.

Sincerely,



Jon S. Tresslar, P.E., P.L.S.
Township Engineer

JST/meh/tms

- cc: Ronold J. Karasek, Esquire, Smithfield Township Solicitor
Ken Wolf, Smithfield Township Zoning Officer
Jeff Beaven, P.E., Bohler – Applicant's Engineer
Soham Patel – Applicant
JPSPA Realty, LLC – Property Owner
Lori Kerrigan, Head Resource Conservationist, Monroe County Conservation District
Melissa E. Hutchison, P.E. – LVL Engineering Group