

May 5, 2025

McNees Wallace & Nurick LLC
570 Lausch Lane, Suite 200
Lancaster, PA 17601

RECEIVED

May 05 2025

MOUNT JOY TOWNSHIP

Claudia N. Shank
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VIA HAND DELIVERY & E-MAIL

Mount Joy Township
Attn: Patricia Bailey,
Township Secretary/Assistant Zoning Officer
8853 Elizabethtown Road
Elizabethtown, PA 17022

RE: Petition to Amend Zoning Map – 2360 Sheaffer, LLC

Dear Pat:

We represent 2360 Sheaffer, LLC ("Petitioner"), record owner of an approximately 57.15-acre tract of vacant land located north of Sheaffer Road in Mount Joy Township, Lancaster County, Pennsylvania ("Township"), commonly known as 2360 Sheaffer Road and further identified by Lancaster County Tax Parcel ID No. 460-61744-0-000 ("Property"). The Property is in the Township's R – Rural District (the "R District"). Petitioner desires to comprehensively subdivide and develop the Property for residential purposes consisting of single-family detached lots, open space lots, streets, stormwater management facilities, and recreational amenities. In connection therewith, Petitioner is seeking a rezoning of the Property from the R District to the R-2 – Medium-Density Residential District.

Enclosed in support of Petitioner's request are the following:

1. One (1) original and eight (8) copies of a Petition to Amend the Mount Joy Township Zoning Map;
2. Nine (9) copies of exhibits ancillary to the Petition, including, without limitation, a Proposed Ordinance; and
3. A check in the amount of \$1,000.00 constituting the filing fee for the Petition.

We would request that the within Petition be placed on the Board of Supervisors' agenda for May 12, 2025, for the sole purpose of acknowledging the Petition and referring it out to the Township and County Planning Commissions for review and comment. Should you need any additional information or documentation, do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Claudia N. Shank', written over a horizontal line.

Claudia N. Shank
MCNEES WALLACE & NURICK LLC

CNS

Enclosures

c: Tyler Eshelman, Esquire, w/enclosure

**BEFORE THE MOUNT JOY TOWNSHIP BOARD OF SUPERVISORS
LANCASTER COUNTY, PENNSYLVANIA
PETITION TO AMEND THE MOUNT JOY TOWNSHIP ZONING MAP**

Pursuant to Section 135-391 of the Mount Joy Township Zoning Ordinance of 2012, as amended (the “Zoning Ordinance”), 2360 Sheaffer, LLC, a Pennsylvania limited liability company, by and through its counsel, McNees Wallace & Nurick LLC, respectfully petitions the Board of Supervisors (the “Board”) of Mount Joy Township (the “Township”) to amend the Mount Joy Township Zoning Map (the “Zoning Map”) as hereinafter set forth. In support thereof, the following is averred:

Background

1. The petitioner in this matter is 2360 Sheaffer, LLC a Pennsylvania limited liability company with an address of 1737 W. Main Street Ephrata, Pennsylvania 17522 (the “Petitioner”).
2. Petitioner is the record owner of an approximately 57.15-acre tract of vacant land located north of Sheaffer Road in Mount Joy Township, Lancaster County, Pennsylvania, commonly known as 2360 Sheaffer Road and further identified by Lancaster County Tax Parcel ID No. 460-61744-0-0000 (the “Property”).
3. The Property is in the Township’s R – Rural District (the “R District”), but is bordered to the north, east, and south by lands in the Medium-Density Residential Zoning District (the “R-2 District”) and to the west by Elizabethtown Borough. An excerpt of the Township’s Zoning Map depicting the Property and the applicable zoning is enclosed herewith as Exhibit A.
4. Petitioner desires to comprehensively subdivide and develop the Property for residential purposes consisting of 102 single-family detached lots, 9 open space lots, streets, stormwater management facilities, and recreational amenities (the “Proposed Development”). A concept plan depicting the Proposed Development is attached hereto as Exhibit B (the “Concept Plan”).
5. To facilitate the Proposed Development on the Property in the manner shown on the Concept Plan, Petitioner is respectfully requesting that the Board amend the Zoning Map to reflect a rezoning of the Property from the R District to the R-2 District.
6. As a preliminary matter, the Property abuts two smaller parcels to the south and southeast along Sheaffer Road, identified as Lancaster County Tax Parcel Nos. 460-42140-0-0000 and 460-43110-0-0000 (the “Adjoining Parcels”). The Adjoining Parcels contain approximately 0.93 acres and 0.2 acres, respectively. Petitioner does not maintain an ownership interest in either of the Adjoining Parcels and, therefore, cannot advance a request to rezone the Adjoining Parcels in tandem with this Petition. In the event Petitioner’s Property is rezoned pursuant to the within request, the Township may

consider independently undertaking a rezoning of the Adjoining Parcels to provide for continuity in the R-2 District. The Adjoining Parcels are noted on Exhibit A.

Proposed Amendment


7. Petitioner believes, and therefore avers, that a rezoning of the Property from the R District to the R-2 District is consistent with the public health, safety, morals and general welfare of the residents of the Township, and with the intent of the Zoning Ordinance for the following reasons:
 - a. The Property is currently in the R District. The primary purpose of the R District is “to promote a continuation of the rural character of the Township, characterized by farming, a mixture of sparsely developed residential areas, and other small-scale nonresidential uses which do not require infrastructure typically associated with higher-density development such as public water or public sewer”. *Zoning Ordinance § 135-61*. The Property does not maintain any of the foregoing characteristics attributable to the R District. Here, the Property abuts larger-scale commercial development to the west, existing (and relatively dense) residential development to the east, and the new Klein Mills residential development to the north. Moreover, as discussed in greater detail hereafter, the Property is designated as part of an Urban Growth Area (“UGA”) by all applicable regional and county comprehensive plans. Finally, the Property is surrounded by lands in the Township’s R-2 District to the north, east, and south. To the west, the Property adjoins Elizabethtown Borough.
 - b. Unlike the R District, the R-2 District “generally coincides with public utility service areas.” *Zoning Ordinance § 135-101*. Consistent with existing development in the Property’s vicinity, Petitioner proposes to service the Proposed Development with a wide array of public utilities. The proximity of available infrastructure, which is critical to denser residential development, favors a rezoning of the Property from the R District to the R-2 District.
 - c. A purpose of the R-2 District is “to stabilize and preserve areas of the community to provide for a suitable environment for family life.” *Zoning Ordinance § 135-101*. The Proposed Development contemplates the provision of nine (9) private and public open space lots for a total combined open space area of approximately 27.58 acres. Moreover, the portions of the Property slated for dedication to the Township include lands identified for future recreational facilities on Sheet 3 of the Township’s Official Map, dated January 2024, an excerpt of which is enclosed herewith as Exhibit C. As shown on the Concept Plan, Petitioner envisions the installation of tennis/pickleball courts, a soccer/football field, multi-sport/ basketball courts, and pavilions and parking areas within this dedicated area. The provision of significant open space and the proposed improvements directly implement the purpose of the R-2 District.

- d. For the foregoing reasons, extending the R-2 District to the Property is logical at both a practical and a planning level.
8. Petitioner believes, and therefore avers, that a rezoning of the Property from the R District to the R-2 District is consistent with the intent of the Northwest Regional Strategic Plan (the “Strategic Plan”), the Northwestern Lancaster County Comprehensive Plan (the “Regional Comprehensive Plan”), and Places2040, the Lancaster County Comprehensive Plan (the “County Comprehensive Plan”), for the following reasons:
 - a. The Township adopted the Strategic Plan in 2010. The Strategic Plan serves as the comprehensive plan for the Mount Joy, Conoy, and West Donegal Townships, as well as Elizabethtown Borough. One of the Strategic Plan’s goals is for 85% of new residential development to occur within UGAs. *Pg. 39*. However, the Strategic Plan recognized that, at the time of its adoption in 2010, there was insufficient undeveloped land available to accommodate the estimated 1,378 new residential dwelling units that would need to be constructed in the UGA by 2030. *Pg. 39-40*. Accordingly, the Strategic Plan added eight parcels to the UGA, including the Property, which constitutes a portion of the Raffensperger parcel identified therein. *Pg. 42*.
 - b. The Strategic Plan indicates that the Property, along with the other tracts added to the UGA, will be considered for rezoning and residential development when a developer can demonstrate that the necessary public infrastructure (sewer, water and transportation facilities) is available to serve them. *Pg. 42*. Petitioner plans to connect the Proposed Development to public water and sewer utilities, and has already begun analyzing available capacities, appropriate connection points, and required system upgrades.
 - c. In 2024, the Lancaster County Planning Department published the Regional Comprehensive Plan. The Regional Comprehensive Plan, which relates to the same four municipalities as the Strategic Plan, reaffirms the Property as an appropriate site for development. Specifically, the Regional Comprehensive Plan identifies the Property as suitable for both residential and non-residential uses. *Pg. 128*.
 - d. In addition to the regional plans, Places2040 also emphasizes the importance of focusing new residential growth within designated UGAs. *Pg. 50*. An excerpt of the Lancaster County Future Land Use and Transportation Map, which identifies the Property as “buildable land” within a UGA, is enclosed herewith as Exhibit D.
 - e. Based on the foregoing, the three comprehensive plans applicable to the Township all favor a rezoning of the Property from the R District to the R-2 District.
9. A proposed ordinance amending the Zoning Map as outlined herein (the “Proposed Ordinance”) is enclosed as Exhibit E.

WHEREFORE, Petitioner respectfully asks the Board of Supervisors to adopt the Proposed Ordinance after consideration by the Mount Joy Township and Lancaster County Planning Commissions.

Respectfully submitted,

McNees Wallace & Nurick LLC

By: 

Claudia Shank, Esq.

Attorney for Petitioner

EXHIBIT A

Zoning Map Excerpt

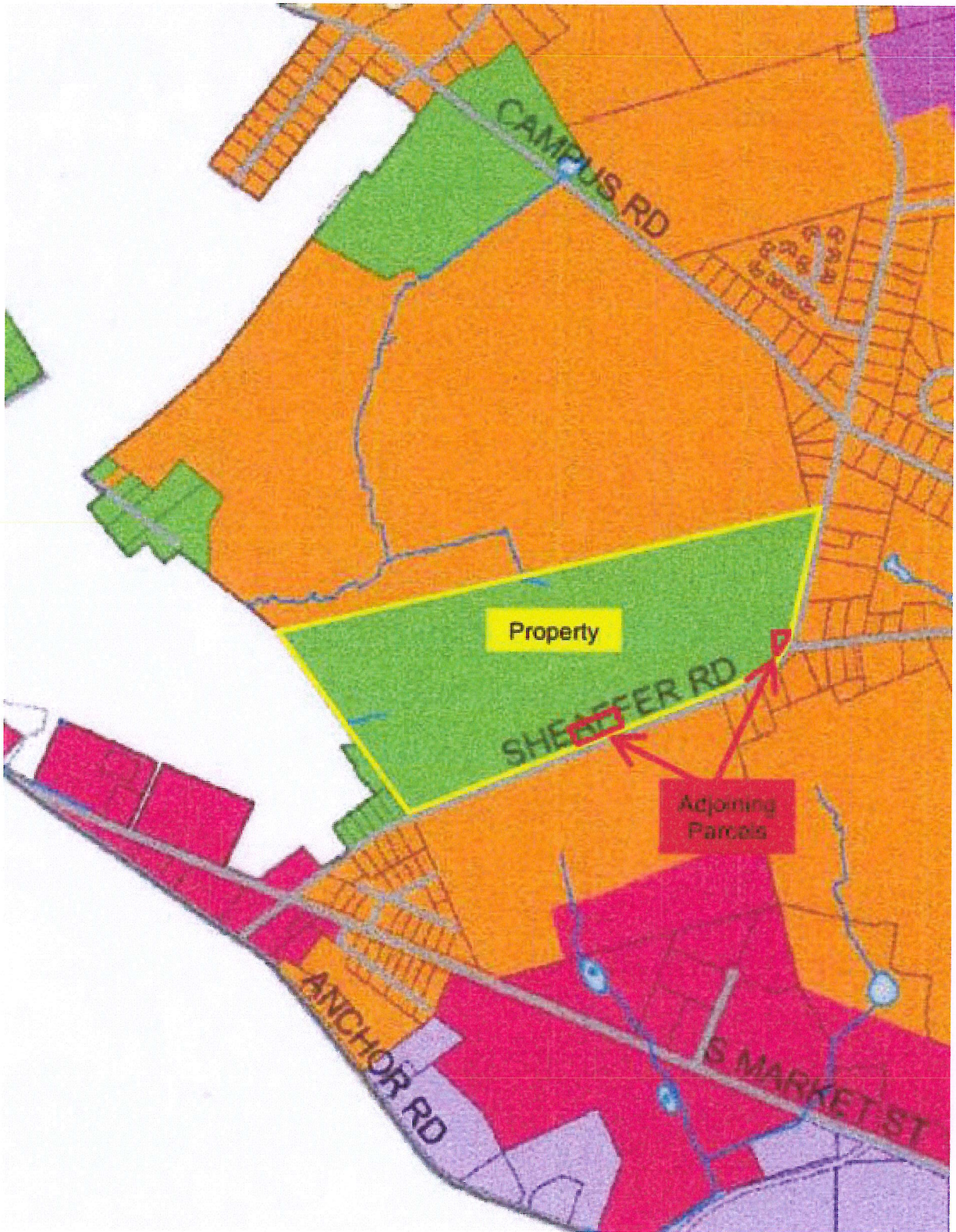


EXHIBIT B

Concept Plan

SKETCH PLAN F
FOR
SHEAFFER ROAD TRACT
MOUNT JOY TWP. LANCASTER COUNTY, PA

- * CURRENT DESIGN DID NOT INCORPORATE A FULL EVALUATION OF STORMWATER MANAGEMENT AND NPDES (BMP) REQUIREMENTS.
- * THIS SITE'S GEOLOGY MUST BE EVALUATED TO DETERMINE WHETHER INFILTRATION IS A POSSIBLE STORMWATER DETENTION DESIGN OPTION. IF INFILTRATION IS APPROPRIATE, LOADING RATIOS WILL NEED TO BE SUPPORTED BY THE GEO-TECHNICAL ENGINEER.
- * THIS SITE SHOULD BE PROBED TO DETERMINE SOIL TYPES, WHERE ROCK IS LOCATED AND THE AVAILABILITY TO INFILTRATE.
- * STORMWATER DISCHARGE LOCATIONS MUST BE REVIEWED TO DETERMINE WHETHER OFF-SITE RIGHTS AND/OR EASEMENTS ARE NECESSARY & OR EXISTING CULVERTS/SYSTEMS ARE DESIGNED TO HANDLE THE ADDITIONAL STORMWATER FROM THIS SITE.
- * IMPROVEMENTS MOST LIKELY WILL BE REQUIRED ALONG THE EXISTING TOWNSHIP ROADWAYS.
- * SIGHT DISTANCE HAS NOT BEEN EVALUATED. THE CONNECTIONS TO EXISTING ROADS HAVE BEEN DESIGNED BASED ON LIMITED AVAILABLE INFORMATION.
- * THIS SITE'S STREET LAYOUT HAS NOT BEEN EVALUATED TO ENSURE THE CENTERLINE VERTICAL GRADE OF THE STREETS CAN MEET THE ORDINANCE REQUIREMENTS. NO VERTICAL DESIGN HAS BEEN EVALUATED.
- * EXISTING WETLANDS AND FLOODPLAINS HAVE NOT BEEN DELINEATED.
- * THIS SITE HAS NOT BEEN EVALUATED FOR WATER & SANITARY SEWER SERVICE.
- * THIS SKETCH DOES NOT DEMONSTRATE ALL THE REQUIRED PARK & RECREATION AMENITIES PER §119-61.

LEGEND

- PROPOSED EXERCISE STATION (9 TOTAL)
- PROPOSED BENCH
- PROPOSED PAVILION
- EXISTING TREES TO REMAIN
- EXISTING WETLANDS (APPROXIMATED BASED ON WETLAND INVESTIGATION)

PLAN VIEW
SCALE 1"=80'



SITE DATA

EXISTING TOTAL TRACT AREA:	CURRENTLY R - RURAL DISTRICT BUT SKETCH DESIGN IS BASED ON REZONING TO R-2
NUMBER OF LOTS:	111 PROPOSED LOTS (INCLUDES 9 OPEN SPACE LOTS)
PROPOSED USE:	RESIDENTIAL
NO. OF DWELLING UNITS:	102 PROPOSED SINGLE-FAMILY DETACHED DWELLING UNITS
DENSITY:	1.79 DWELLING UNITS/ACRE (102 D.U./57.14 AC.) (TOTAL)
WATER SERVICE:	PUBLIC WATER
SANITARY SEWER SERVICE:	PUBLIC SEWER
LINEAL FEET OF STREET:	15,577 L.F.
LENGTH OF TRAIL (TOTAL):	18,951 L.F. (1.70 MI.)

ZONING DATA FROM THE MOUNT JOY TWP. ZONING ORDINANCE
R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
(SINGLE-FAMILY DETACHED DWELLINGS SERVED BY PUBLIC WATER AND PUBLIC SEWER)

MINIMUM LOT AREA:	REQUIRED 6,500 S.F.
MINIMUM LOT WIDTH:	70'
MINIMUM LOT DEPTH:	100'
SETBACK REQUIREMENTS:	
FRONT:	20'
SIDE:	8"-TWO SIDE YARDS
REAR:	20'
MAXIMUM BUILDING HEIGHT:	35'
MAXIMUM BUILDING COVERAGE:	30%
MAXIMUM IMPERVIOUS COVERAGE:	35%
MAXIMUM SITE DENSITY:	3.5 D.U./ACRE
MINIMUM RECREATION DEDICATION:	6.86 AC. (0.054 AC. x 127 D.U.)




Exhibit C

Township Official Map Excerpt



RECREATIONAL FACILITIES

Recreation & Open Space

-  Township - Existing
-  Township - Proposed
-  Lancaster Conservancy

Trails



-  Existing
-  Proposed

EXHIBIT D

Lancaster County Future Land Use and Transportation Map Excerpt



Other Elements



-  Buildable Land
-  Rural Village
-  Quarry
-  Water Body
-  Other Road

Exhibit E

Proposed Ordinance

**TOWNSHIP OF MOUNT JOY
LANCASTER COUNTY, PENNSYLVANIA
ORDINANCE NO. _____**

**AN ORDINANCE OF THE TOWNSHIP OF MOUNT JOY,
COUNTY OF LANCASTER, PENNSYLVANIA, AMENDING
THE OFFICIAL ZONING MAP FOR MOUNT JOY
TOWNSHIP TO CHANGE THE ZONING
CLASSIFICATION FOR LANCASTER COUNTY TAX
PARCEL ID NO. 460-61744-0-0000 FROM THE RURAL
DISTRICT (R) TO THE MEDIUM-DENSITY RESIDENTIAL
DISTRICT (R-2).**

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Mount Joy, 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. 460-61744-0-0000, as depicted on Exhibit A and described in Exhibit B, from the Rural District (R) to the Medium-Density Residential District (R-2).

Section 2. All other provisions of the Mount Joy Township Zoning Ordinance of 2012, as amended, 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. This amendment shall take effect and be enforced five (5) days after its adoption as provided by law.

DULY ORDAINED AND ENACTED this ____ day of _____, 2025, 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) Chairman

[illegible]

EXHIBIT B TO ORDINANCE

Prepared by Hershey Surveying, Inc.
April 21, 2025

Legal Description
2360 Sheaffer Road

ALL THAT CERTAIN tract of land, situate on the north and west side of Sheaffer Road (T-888), in Mount Joy Township, Lancaster County, Pennsylvania; as surveyed by Hershey Surveying, Inc., Project Number: 251149-95, on April 14, 2025, and being more fully bounded and described as follows:

BEGINNING AT A MAG NAIL, in or near the centerline of Sheaffer Road (T-888), said point being the southwestern corner of the herein described tract; said point also being in line of lands, now or formerly, of James D. & Delores D. Baker; thence extending along lands, now or formerly, of James D. & Delores D. Baker, CEM Properties LLC., and PLF Properties LLC., respectively, N36°06'11"W, 1,262.02' to a Planted Stone, a corner of lands, now or formerly, of 1376 Campus Road Associates LLC.; thence extending along lands, now or formerly, of 1376 Campus Road Associates LLC., and John Wanczyk and Selena L. Boyer, respectively, N76°51'18"E, 3,076.72' to a Mag Nail in or near the centerline of Sheaffer Road (T-888); thence extending in or along Sheaffer Road (T-888), S12°13'35"W, 703.42' to a Mag Nail, a corner of lands, now or formerly, of Jay T. & Kathy J. Schwanger; thence extending along lands, now or formerly, of Jay T. & Kathy J. Schwanger, the following two courses and distances; 1) S72°04'26"W, 113.88' to a 2" Iron Pipe, and 2) S04°55'34"E, 134.30' to a Mag Nail in or near the centerline of Sheaffer Road (T-888); thence extending in or along Sheaffer Road (T-888), the following three courses and distances; 1) S43°04'27"W, 27.74' to a point, 2) on a line curving to the right, having a radius of 580.00', an arc length of 263.26', and a chord bearing of S56°04'39"W, 261.01', to a point, and 3) S69°04'52"W, 633.92' to a point, a corner of lands, now or formerly, of Steven J. & Wendy L. McMillen; thence extending along lands, now or formerly, of Steven J. & Wendy L. McMillen, the following three courses and distances; 1) N20°53'10"W, 180.00' to a rebar, 2) S69°06'58"W, 250.00' to a rebar, and 3) S21°49'25"E, 180.43' to a Mag Nail in or near the centerline of Sheaffer Road (T-888); thence extending in or along Sheaffer Road (T-888), S68°02'37"W, 1,022.51' to the POINT OF BEGINNING.

CONTAINING: 58.985 Acres (Gross) 57.151 Acres (Net)