

**TOWNSHIP OF MIDDLESEX
CUMBERLAND COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2022 - 7

A RESOLUTION OF THE TOWNSHIP OF MIDDLESEX, CUMBERLAND COUNTY, PENNSYLVANIA AMENDING THE “MIDDLESEX TOWNSHIP COMPREHENSIVE PLAN”, ADOPTED FEBRUARY 5, 2003, SPECIFICALLY THE “FUTURE LAND USE MAP”, TO RECLASSIFY FROM THE AGRICULTURE PRESERVATION CATEGORY TO THE MIXED USE COMMERCIAL RESIDENTIAL CATEGORY, THE PARCELS IDENTIFIED AS CUMBERLAND COUNTY TAX PARCEL IDENTIFICATION NOS. (AND ADDRESSES): (I) 21-08-0575-007 (175 ARMY HERITAGE DRIVE); (II) 21-08-0575-007A (RR W. TRINDLE ROAD); (III) 21-08-0575-010A (W. TRINDLE ROAD); (IV) 21-08-0573-053 (W. TRINDLE ROAD); AND (V) 21-08-0573-027 (1722 W. TRINDLE ROAD), AS GENERALLY DEPICTED ON EXHIBIT A.

WHEREAS, the Board of Township Supervisors in and for the Township of Middlesex, Cumberland County, Pennsylvania (“Board of Supervisors”), under the powers vested in it by the “Second Class Township Code” of Pennsylvania, as enacted and amended, and the authority and procedures of the “Pennsylvania Municipalities Planning Code,” as enacted and amended, (“MPC”) as well as other laws of the Commonwealth of Pennsylvania, has determined that the “Middlesex Township Comprehensive Plan”, adopted February 5, 2003 (“Township Plan”), specifically the “Future Land Use Map”, should be updated to acknowledge changes in past and future land use and development patterns by reclassifying from the Agriculture Preservation category to the Mixed Use Commercial Residential category the parcels identified as Cumberland County Tax Parcel Identification Nos. (and addresses): (i) 21-08-0575-007 (175 Army Heritage Drive); (ii) 21-08-0575-007A (RR W. Trindle Road); (iii) 21-08-0575-010A (W. Trindle Road); (iv) 21-08-0573-053 (W. Trindle Road); and (v) 21-08-0573-027 (1722 W. Trindle Road) (“Subject Parcels”) that are located in a mixed use growth and development area of the Township, the region and Cumberland County along W. Trindle Road (SR 0641); and

WHEREAS, the proposed amendment to extend the Mixed Use Commercial Residential category to include the Subject Parcels, as described above, is logical and appropriate given the:

1. Development potential of land currently designated on the Future Land Use Map of the Township Plan as Mixed Use Commercial Residential is limited due to the fact that the land already is developed or is subject to constraints (i.e., location, access, configuration, floodplains, etc.); and

2. Future Land Use Map of the Township Plan already classifies several adjoining parcels that are located to the south and southwest of the Subject Parcels as part of the Mixed Use Commercial Residential category that is intended to promote mixed commercial/office/retail/ residential uses; and
3. “Future Transportation Map” of the Township Plan identifies and classifies W. Trindle Road (a minor arterial roadway) and Army Heritage Drive (a collector roadway) adjoining the Subject Parcels, which are intended, planned or designed to accommodate anticipated traffic accessing a mix of uses and developments contemplated by the Mixed Use Commercial Residential category; and
4. Land generally located to the north, south and west is considered a mixed use growth and development area that: (i) is served or planned to be served by a full range of infrastructure and utilities; (ii) is developed with a mix of businesses or housing; and (iii) is planned or zoned for such development; and
5. Land adjoining to the north and northeast of the Subject Parcels is identified as preserved farmland, which creates a defined edge between areas planned or zoned for growth and development (north, south and west) and areas designated or planned for preservation, limiting the size and amount of development in the area; and

WHEREAS, the proposed amendment to extend the Mixed Use Commercial Residential category to include the Subject Parcels, as described above, is contemplated by the Township Plan as it acknowledges the importance of:

1. Encouraging new residential and nonresidential development to locate only in areas adequately served by infrastructure or which can be planned with adequate infrastructure consistent with other goals of the Township Plan; and
2. Amending the Ordinance No. 3-89 enacted June 30, 1989 known as the “Middlesex Township Zoning Ordinance”, as subsequently amended (“Zoning Ordinance”), to include innovative residential development techniques [e.g., mixed use] to reduce site development costs; and

WHEREAS, the proposed amendment to extend the Mixed Use Commercial Residential category to include the Subject Parcels, as described above, is generally consistent with, and helps to better implement, certain elements of the Township Plan, specifically the:

1. “Land Use Action Plan” goal of providing for reasonable amounts and distribution of residential and nonresidential land uses in attractive and well-located settings by: (i) identifying areas suitable for growth; (ii) encouraging priority consideration be given to recreational, commercial office, and residential land uses; and (iii) creating a development theme for the Township that honors the Township’s historic rural character; and

2. “Economic Development Action Plan” goal of maintaining a healthy business climate to ensure continued, sound economic growth by: (i) encouraging a mix of employers and employment opportunities within the Township; (ii) encouraging economic development activity where there is adequate infrastructure to support such development; (iii) encouraging growth industries that are compatible with the Township’s work force and Comprehensive Plan; and (iv) encouraging land uses that create the least burden on Township government and generate the most tax revenue; and
3. “Housing Action Plan” goal of creating a residential structure and housing pattern that strengthens the sense of community identity, fosters residential stability and character, and enhances the overall quality of life by: (i) providing opportunities for housing types which are sensitive to shifting demographic trends, such as smaller household size and aging population; (ii) encouraging the availability of housing for families of all sizes, all age groups, and various income levels; (iii) encouraging a variety of housing types and densities in individual developments through local ordinances, in a manner that ensures compatibility and additional open space for those living in that development; and (iv) assuring new residential developments and neighborhoods are harmonious with the landscape and important natural or cultural amenities found within the Township; and
4. “Transportation Action Plan” goal of encouraging a safe and efficient transportation network that facilitates the movement of people and goods within and through the Township, and which maintains good levels of service by: (i) coordinating future land use with the existing Township roadway network to minimize adverse and unacceptable impacts; (ii) encouraging alternative modes of transportation; (iii) encouraging the development of pedestrian walkways and bikeways interconnecting residential areas with recreation facilities and employment and commercial centers; and

WHEREAS, the proposed amendment to extend the Mixed Use Commercial Residential category to include the Subject Parcels, as described above, is contemplated by the “Cumberland County Comprehensive Plan 2017” (“County Plan”) that already classifies a portion of the Subject Parcels as part of the traditional neighborhood/mixed use character future land use category that is intended to provide for planned mixed use areas in developing rural communities, which includes differing combinations of pedestrian-oriented residential and non-residential uses (e.g., local services and economic opportunities for residents) that are compatible with each other; and

WHEREAS, the proposed amendment to extend the Mixed Use Commercial Residential category to include the Subject Parcels, as described above, is generally consistent with, and helps to better implement, certain elements of the County Plan, specifically the:

1. “Land Use” goal of accommodating a variety of planned land uses that support vibrant communities, diverse business opportunities, thriving natural resources, and the unique character of the County by: (i) supporting mixed land uses to encourage community

interaction, enhanced transportation options, and quality economic development; (ii) compatibly locating different land uses; (iii) promoting the attractive design and location of buildings; (iv) providing a diversity of land uses; (v) providing land uses in appropriate locations; and (vi) encouraging higher density and compact building design; and

2. “Economic Development” goal of maintaining a diversified industry base that increases the business tax base and in turn increases the median income and opportunities for the broadest array of Cumberland County residents by: (i) attracting new businesses to Cumberland County; and (ii) retaining and expanding the businesses currently located in Cumberland County; and
3. “Housing” goal of providing a sufficient supply of mixed housing types within the financial reach of all Cumberland County residents by: (i) encouraging innovative planning techniques and incentives that direct development away from important environmental features and preserve open space; (ii) providing appropriate locations for residential development; (iii) providing a variety of housing unit types; and (iv) promoting plans and regulations that provide for all types of residential uses; and

WHEREAS, a portion of the Subject Parcels already is zoned as part of the Township’s Village Center Districts, as identified on the “Middlesex Township Zoning Map” (“Zoning Map”) adopted as part of the Zoning Ordinance, which is generally consistent with the character of, and implements, the Mixed Use Commercial Residential category; and

WHEREAS, in accordance with Sections 301.4(a) and 603(j) of the MPC, the Board of Supervisors has identified a need to provide general consistency between the Township Plan, County Plan and the Zoning Ordinance, including the Zoning Map; and

WHEREAS, the Board of Supervisors, believes that it is in the best interest of the Township to amend part of the Township Plan by reclassifying from the Agriculture Preservation category to the Mixed Use Commercial Residential category the Subject Parcels on the Future Land Use Map; and

WHEREAS, pursuant to Section 302(a) of the MPC, the Board of Supervisors is authorized to amend part of the Township Plan; and

WHEREAS, in accordance with the Section 302 of the MPC, the Planning Commission of the Township of Middlesex, Cumberland County, Pennsylvania, (“Township Planning Commission”) held a public meeting on February 28, 2022 to consider the proposed amendment; and

WHEREAS, the Township Planning Commission recommended that the Board of Supervisors adopt the proposed amendment; and

WHEREAS, in accordance with the Section 302 of the MPC, the Township forwarded the proposed amendment to the Cumberland County Planning Commission, Cumberland Valley School District and the adjoining municipalities; and

WHEREAS, the Board of Supervisors held a public hearing on the proposed amendment on [INSERT DATE], 2022; and

WHEREAS, in accordance with the provisions and requirements of the MPC, the Board of Supervisors desires to adopt the proposed amendment as part of the Township Plan.

NOW, THEREFORE, be it resolved by the Board of Township Supervisors of the Township of Middlesex, Cumberland County, Pennsylvania, and the same is hereby resolved as follows, to wit:

SECTION 1: The “Future Land Use Map” of the “Middlesex Township Comprehensive Plan”, adopted February 5, 2003, is hereby amended by reclassifying from the Agriculture Preservation category to the Mixed Use Commercial Residential category the parcels identified as Cumberland County Tax Parcel Identification Nos. (and addresses): (i) 21-08-0575-007 (175 Army Heritage Drive); (ii) 21-08-0575-007A (RR W. Trindle Road); (iii) 21-08-0575-010A (W. Trindle Road); (iv) 21-08-0573-053 (W. Trindle Road); and (v) 21-08-0573-027 (1722 W. Trindle Road) and the contiguous area depicted with pink shading and dark blue dashed outline on Exhibit ‘A’ which is attached to and made a part of this Resolution. The area that is to be reclassified is hereby intended and deemed to include the entire contiguous area that is bounded to the:

- A. North by the parcel identified as Cumberland County Tax Parcel Identification No. 21-08-0575-121EX with an address of Army Heritage Drive;
- B. Northeast and east by the parcels identified as Cumberland County Tax Parcel Identification Nos. (and addresses): (i) 21-08-0573-025 (60 Horners Road & 98 Horners Road) (ii) 21-08-0573-114 (30 Horners Road); (iii) 21-08-0573-030 (390 S. Middlesex Road);
- C. East by the parcel identified as Cumberland County Tax Parcel Identification No. 21-08-0573-029 with an address of 1650 W. Trindle Road;
- D. South and southwest by the: (i) right-of-way of W. Trindle Road (SR 0641), together with the portion of the right-of-way of W. Trindle Road that adjoins the parcels identified as Cumberland County Tax Parcel Identification Nos.: (a) 21-08-0573-053 (W. Trindle Road); (b) 21-08-0573-027 (1722 W. Trindle Road); and (c) 21-08-0575-010A (W. Trindle Road) and is located to the north of the centerline of such right-of-way; and (ii) parcels identified as Cumberland County Tax Parcel Identification Nos. (and addresses): (a) 21-08-0573-028 (2 Horners Road); (b) 21-08-0575-010B (1730 W. Trindle Road); (c) 21-08-0575-010 (1736 W. Trindle Road through 1742 W. Trindle Road); (d) 21-08-0575-010C (1746 W. Trindle Road); (e) 21-08-0575-009 (W. Trindle Road); (f) 21-22-0119-081 (Paradise Drive); (g) 21-22-0119-079 (Paradise Drive); (h) 21-22-0119-058 (41 Prospect

Drive); (i) 21-22-0119-056A (45 Prospect Drive); (j) 21-22-0119-034 (51 Prospect Drive); and (k) 21-22-0119-009 (103 Army Heritage Drive); and

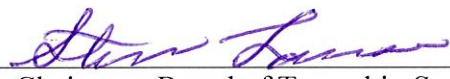
- E. West by the right-of-way of Army Heritage Drive (T-512), together with the portion of the right-of-way of Army Heritage Drive that adjoins the parcel identified as Cumberland County Tax Parcel Identification No. 21-08-0575-007 with an address of 175 Army Heritage Drive and is located to the east of the centerline of such right-of-way.

SECTION 2: The Secretary of the Township of Middlesex, Cumberland County, Pennsylvania shall record the action of the Board of Township Supervisors of the Township of Middlesex, Cumberland County, Pennsylvania approving the proposed amendment and direct that it be incorporated as part of the "Middlesex Township Comprehensive Plan" adopted February 5, 2003, pursuant to Section 302(c) of the "Pennsylvania Municipalities Planning Code," as enacted and amended.

SECTION 3: This Resolution shall become effective in accordance with applicable law.

DULY ADOPTED this 6th day of April, 2022, by the Board of Township Supervisors of the Township of Middlesex in public session duly assembled.

TOWNSHIP OF MIDDLESEX

By: 
Vice- Chairman, Board of Township Supervisors

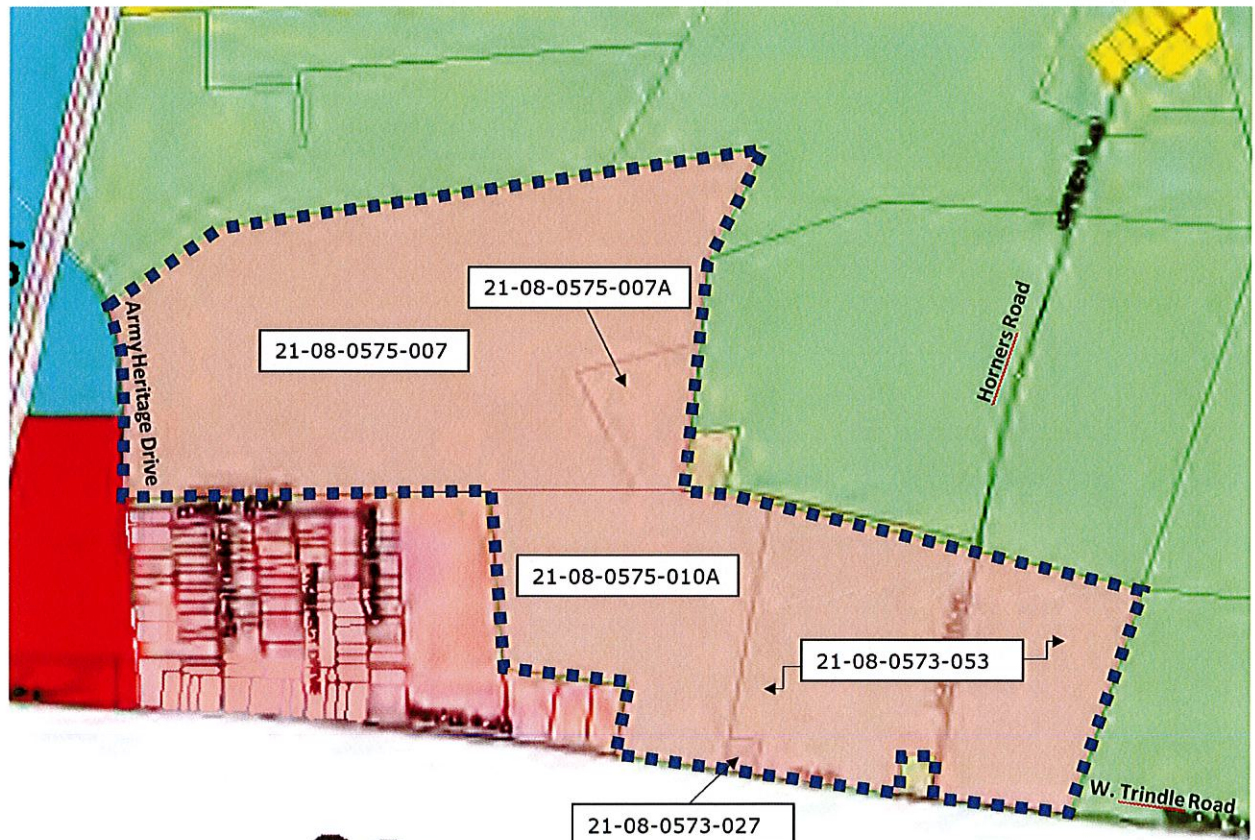
ATTEST:


Township Secretary

(Township Seal)

EXHIBIT 'A'

MAP DEPICTING THE PARCELS IDENTIFIED AS CUMBERLAND COUNTY TAX PARCEL IDENTIFICATION NOS. (AND ADDRESSES): (I) 21-08-0575-007 (175 ARMY HERITAGE DRIVE); (II) 21-08-0575-007A (RR W. TRINDLE ROAD); (III) 21-08-0575-010A (W. TRINDLE ROAD); (IV) 21-08-0573-053 (W. TRINDLE ROAD); AND (V) 21-08-0573-027 (1722 W. TRINDLE ROAD) AND THE CONTIGUOUS AREA WITH PINK SHADING AND DARK BLUE DASHED OUTLINE TO BE RECLASSIFIED FROM THE AGRICULTURE PRESERVATION CATEGORY TO THE MIXED USE COMMERCIAL RESIDENTIAL CATEGORY



SOUTH MIDDLETON TOWNSHIP