

**SPRINGETTSBURY TOWNSHIP
CONDITIONAL USE HEARING**

**MARCH 13, 2014
VERBATIM APPROVED**

The Board of Supervisors of Springettsbury Township held a Conditional Use Hearing, which was continued from February 27, 2014, on Thursday, March 13, 2014 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: George Dvoryak, Chairman
Julie Landis, Vice Chairman
Kathleen Phan
Bill Schenck
Mark Swomley

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jack Hadge, Finance Director
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Patricia Lang, Community Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER

DVORYAK Okay, good evening ladies and gentlemen. Welcome to this Springettsbury Board meeting. Tonight we're here for a Conditional Use Hearing. I'd like to open this up, open the Hearing up for Conditional Use 13-02, Integrity Bank.

2. NEW BUSINESS

A. CU-13-02 0 Integrity Bank (Action 5/19/14)
(Note: Continued from February 27, 2014)

LOBACH Thank you Mr. Chairman. Ladies and gentlemen, I'm Jeff Lobach with Barley Snyder at 100 East Market Street. With me tonight are representatives of the bank: Dean Morris and our project engineer, Josh Hoffman. We're here tonight to talk about a Conditional Use and later in your Regular Board of Supervisors meeting, you will be presented with a land development plan for the same project. We've been working with your staff and your Solicitor on a way to present this to you so that we aren't duplicative because the standards that apply to the two groups are quite similar. So we will cover most of the issues in this Conditional Use Hearing and cover all of the standards that we are required to meet. There will be some technical things that we'll probably have to come up in the land development process, but I think we can give you a good description of the project so that that can be somewhat abbreviated and we can get out of here at a decent time tonight; hopefully, although there are some things after us on your agenda I know.

This may, you're perfectly familiar with the property. It's at 2700 East Market Street. This is Northern Way here. I'm looking at Exhibit 1. You have reduced copies of all the exhibits in front of you. This is East Market Street. Right now this property is improved with a automotive service center that is actually vacant at the present time. Exhibit 2 is a little bit of a blow up of the present site, an aerial view of the present site. This is from the land development plan. This is the existing condition plan. It shows the dimensions of the location of the building current. The site is just over one acre. It's located in your Mixed Use Zone, but it's also subject to the provisions of this Town Center Overlay, which I know you're familiar with a lot lately. Right now that building that's on the site is a 6,500 square foot building, and as you can see from Exhibit 2, which is a sort if close up view from the aerial, it's almost entirely impervious surface at the moment. You can also see on that exhibit and on this Exhibit 3 the existing conditions that there are four driveways. Two of them are right here at the intersection, and then there are two here and here. So it's a fairly small lot, and in fact, the frontage is only 140 feet deep across the intersection on East Market Street. What is planned, of course, is demolition of that building. It would be reconstructed as a branch bank. The size of the improvements would go from 6,500 square feet to 3,932. The driveways here and here would be eliminated to improve that intersection, which you can see on Exhibit 4, which is also part of the land development plan. So the entranceways would be moved as far away from the intersection as we can get them to here on the east side and here on the north side of the street. The project has been cooking along for quite a while. In fact, we've been to your Zoning Hearing Board twice. The first time was in 2012 where we received a variance to conduct a branch bank operation with a drive through, which would be a feature of this project. Then we were back last year and we obtained some dimensional relief allowing us some parking in the front yard here. This is the way the site is configuratively built; almost have to do that. And then you have a maximum foot setback area in your Town Center Overlay of 50 feet, and we can't get everything in so we obtained zoning relief to push that out to 84 feet from Eastern Boulevard. It's so close. So those issues are resolved. Tonight we're coming before you for Conditional Use. We've given you a little memorandum of law and some of the basic principles of conditional uses. I know you already know all this stuff, but basically, in order for your Conditional Use to be an active option for developers you have to have some standards, and your ordinance has a lot of standards, and they're very detailed. There are some, the first set that are sort of permissive. Your ordinance says the board *should* consider the following but we comply with all of them.

First, the purpose. We noted in our application, we repeated them in the memorandum that you're looking at there are 11 points of consistency between this project and your 2006 Comprehensive Plan, so the purpose is right in line with what the township has defined for this part of the geography. When you look at the Comprehensive Plan and compare this project to it, you won't find any vary of inconsistency in this project. Plus your Comprehensive Plan designates certain parts of the township, certain of thoroughfares as priorities for streetscape improvements, and this property is within that area, and of course, with the demolition and new construction will be improvement to this street. We are also, the purposes are also

consistent with your zoning ordinance purpose, including the purposes that you lay out in your Town Center Overlay. Some of those are the long-term strength of the retail market for a (inaudible) of use including of the appearance of the commercial core. We're in the commercial core and will improve the appearance with this new building replacing this somewhat well-used building and view also in that ordinance called for a mix of uses. There are other financial service institutions in the zone, of course, but none at this corner and so we're contributing to mix of uses. It's also compatible with the other uses in the neighborhood and there are no negative effects. Your ordinance cites about pollution, noise, hazards, congestions; none of that will be a fact that we're describing. Also it has to be suitable for the site, and it is by shrinking the footprint of the building, we're able to have satisfactory ingress, egress, internal circulation. We have all the service available that would be required, sanitary sewer, (inaudible) all the utilities and it is accessible. This is on the main thoroughfare with the driveway configurations to come, it works.

You have some specific approval requirements.

1. The project has to comply with the terms of the zoning ordinance, and with those three areas of relief that I've described, it does. It complies with all of those specs.
2. We have to be able to accommodate our peak traffic in a safe and efficient manner, and we've satisfied your staff that we can.
3. Our site plan has to allow for internal circulation, parking properly, all of which is covered in this plan.
4. We also – pedestrian access and pedestrian uses are very much encouraged in the Town Center Overlay, and we have direct pedestrian access to sidewalks and pathways just as your ordinance requires.
5. The ordinance – some of these standards are quite specific. One of them is about refuse areas, and the refuse areas are required to be screened in and located in certain areas. We don't even have any of our refuse areas. All of our refuse will be removed from the site on a daily basis by our crews.
6. The exterior lighting covered in the land development plan, but is in the questions with respect to glare, pedestrian lighting and so forth.
7. There are some other very specific items that would delay our site. One is we have to have a front entrance opened to the public facing the street. We have that. Our staff encouraged us to arrange for that entrance to be on East Market Street, which it is. The main entrance faces the street and has to be visible, which it will be and has to be marked with architectural features, which as you can see from the elevation, we have.
8. One very specific requirement is that we are to have 25% transparent or translucent surfaces on each exterior wall that faces a street. I'm sorry that this is kind of hard to see on the small versions that I passed out, but this Exhibit 5 does show these elevations and it's not a close call on East Market Street. It's almost half of translucent or transparent that is shown in the middle of the exhibit. The side view on Northern Way is a little bit closer but it also is a requirement. There are 1,137 square feet of footage on these exterior walls at this level and this level

and we have 312 feet of glass, which is actually 27.44% of the exterior wall surfaces.

9. There's a requirement that our parking be only in the rear and side yards. We don't have to meet that in this case because it's it has been removed by the variance.
10. Another feature of your Town Center Overlay requirements is a public plaza. Now the public plaza size is based on the size of your square footage of your building. It starts at 15,000 square feet. We're much, much less than that, but there is no lower standard, so the minimum is 500 square feet; ours is 659. We're also required to have benches and landscaping being tall bushes present.
11. We also accommodate the streetscape with street trees, benches and pedestrian level street lights.

So that's a lot of standards, a lot of facts to put in front of you. If you want to hear from someone who really knows about the project, I'm backed up by the engineer and the client's representative. But it has been looked at by your staff who supports it, was recommended favorably for your consideration by the Planning Commission, and we would ask that you grant us the Conditional Use conditioned upon our receiving project approval later in the meeting. Are there any questions you would have of me?

RAUSCH Just as a technical matter, your presentation – I don't know if we – why don't we swear, at least swear in your two witnesses.

LOBACH You might as well swear me in too.

RAUSCH Yeah, I think maybe we'd better do that. You guys want to stand beside him. Just raise your right hand.

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY THAT WAS GIVEN HAS BEEN THE TRUTH AND NOTHING BUT THE TRUTH.

MORRIS Yes, I do.

HOFFMAN Yes.

RAUSCH Let me just confirm with the engineer that the statements that Jeff made concerning – well first of all, I guess just maybe confirm that who prepared the exhibits just so we get that on record.

MORRIS The exhibits were prepared by our project engineer, Snyder Secary who is represented tonight by Mr. Hoffman.

RAUSCH Fine, and would you confirm that the factual statements made by Attorney Lobach concerning the specifics of the project were accurately represented on the exhibits.

HOFFMAN Yeah, they were accurately represented.

LOBACH So we move our exhibits and ask for your decision for the condition application tonight.

RAUSCH Any questions from the board?

HOLMAN Charlie, do we need to number the exhibits?

RAUSCH I think that Jeff presented...

HOFFMAN They are all pre-numbered.

RAUSCH We can just submit that and schedule as part of that.

3. PUBLIC COMMENT

DVORYAK Okay, thank you Jeff. At this time I'll ask if we have any public comment concerning this Conditional Use Hearing this evening? Anyone from the public care to make comments? Okay, hearing none, anything else from the board?

RAUSCH We can close the testimony portion and the board can deliberate (6:38 p.m.)

RAUSCH The board is back on record. (6:40 p.m.)

MR. SWOMLEY MOVED TO APPROVE THE CONDITIONAL USE FOR CU 13-02, INTEGRITY BANK WITH THE CONDITIONS NOTED ON PAGE TWO OF THE CONDITIONAL USE CASE SUMMARY AND THEY ARE INFORMATION IDENTIFYING FULL COMPLIANCE WITH ITEMS 1 THROUGH 10 ON THAT SUMMARY UNTIL BEING SUBMITTED PRIOR TO RECEIVING APPROVAL OF THE FINAL LAND DEVELOPMENT PLAN FOR THE PROJECT AND INFORMATION IDENTIFYING FULL COMPLIANCE WITH ITEM 11, WHICH IS THE SIGNED PROPOSAL WHICH SHALL ACCOMPANY THE APPLICATION FOR SIGNED PERMIT. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

LOBACH Thank you.

4. ADJOURNMENT

DVORYAK We're adjourned. Thank you very much. (6:45 p.m.)

Respectfully submitted,

John Holman
Secretary
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This document is certified as a true and accurate verbatim transcript of a

Conditional Use Hearing

Held

March 13, 2014

At

Springettsbury Township Offices

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York, PA 17402

Transcribed by

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