

**SPRINGETTSBURY TOWNSHIP
CONDITIONAL USE HEARING – TACO BELL**

**MAY 23, 2019
APPROVED**

The Springettsbury Township Board of Supervisors held a Conditional Use Hearing on Thursday, May 23, 2019 at 6:30 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak, Vice Chairman
Robert Cox
Justin Tomevi

MEMBERS NOT

IN ATTENDANCE: Charles Wurster, Assistant Secretary/Treasurer

ALSO IN

ATTENDANCE: Benjamin Marchant, Township Manager
Shane Rohrbaugh, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Jessica Fieldhouse, Director of Community Development
Jean Abreght, Stenographer

1. CALL TO ORDER

SWOMLEY Chairman Swomley called the Conditional Use Hearing to order and welcomed the attendees. He stated the purpose of the Hearing was to receive testimony concerning the Township's Town Center Overlay.

2. NEW BUSINESS

A. CU-19-02 – Taco Bell, 2411 East Market Street

FIELDHOUSE Ms. Fieldhouse provided background information regarding the Conditional Use Hearing, which is a requirement of the Town Center Overlay Ordinance Regulations. Taco Bell, of Summerwood Corporation LLC proposes to demolish the current Taco Bell and the Gyro Express, build a new Taco Bell, and in place of the Gyro Express, put in a two-unit retail strip. She identified the proposal as two-commercial retail units. She stated that the Planning Commission had reviewed the Conditional Use and the Land Development Plan and recommended approval of both. Planning Commission's recommendation included one condition, an exception for providing a modification for street trees along Memory Lane and Market Street, and three modifications from the Town Center Overlay, which will be discussed this date. Action was not proposed for the meeting this date, but was for testimony only for the board's information. She introduced representatives from Summerwood

Corporation, Mr. Ron Perry of Katherman, Heim & Perry and Mr. Mike Lardi, who would provide information concerning their proposal.

LARDI Mr. Lardi indicated that Ms. Fieldhouse had summarized the project well. It is a redevelopment project. The property is already fully developed. The plan for a Taco Bell will replace the older Taco Bell with a new, fresher building, and replace the Gyro Express with retail use. They do not have signed leases for the retail use. They provided the board with several exhibits.

Mr. Lardi indicated that they had worked through the project in January during a Conditional Use narrative and addressed all conditions imposed upon the application by §325-207. C, with preference to the Town Center Overlay. They had addressed all of the matters to the satisfaction of staff with one exception, the street trees. They are unsure whether they can provide the number of trees due to the restrictions because of utilities and interests along Market Street.

Mr. Lardi stated that he had received a letter from Mr. Luciani dated May 11th. They had responded to Mr. Luciani and worked through outstanding issues. He indicated the applicant has every intention of working with staff to address any outstanding items.

SWOMLEY Chairman Swomley noted a number of comments, a number of which staff either deferred to the Township Engineer or believed not necessary. He asked if Ms. Fieldhouse wanted to discuss any of the comments.

FIELDHOUSE Ms. Fieldhouse responded that staff had deferred any of the Stormwater Management Waiver Requests to the Township Engineer and they have coordinated with Mr. Luciani. They are not aware of any real material deficiencies that should hold this plan back at this point.

LUCIANI Mr. Luciani stated that the store will be esthetically much better looking than the old Taco Bell, and as far as stormwater comments, there are a number of outstanding ones. They need an NPDES in order to meet all water quality requirements, so they made adjustments and are going to put in a larger underground basin to make that work. One item not discussed was the traffic; however the initial Concept Plan was to take the driveway on Memory Lane and relocate it. However, when faced with all the challenges of lining up with driving across Memory Lane, they determined to keep the current driveway on both sides. On Market Street it is right-in, right-out, a driveway which is shared with Giant. The entrance on Memory Lane is a right-in, left-in, right-out and will remain.

TOMEVI Mr. Tomevi questioned whether Memory Lane has a center turning lane at either of the entrances.

LUCIANI Mr. Luciani responded that in that general area is a three-section turning lane. Referring to the Mod Pizza and the Giant Fuel Facility, they are very close to the intersection.

COX Mr. Cox had a number of questions concerning the traffic pattern with regard to the current navigation and the proposed navigation between Giant and Taco Bell.

LARDI Mr. Lardi stated that today there actually is a third driveway into Taco Bell that will be closed so the cut-through from Memory Lane is being realigned and one driveway eliminated to clean up circulation.

LUCIANI Mr. Luciani indicated it will be an improvement from an esthetic standpoint, and the building will look better. It is in the Town Center. They will have the same wide sidewalk as Mod Pizza along East Market Street.

COX Mr. Cox asked whether Taco Bell is a Franchise-Operator and not a Corporate Store.

LARDI Mr. Lardi responded that he was correct; Summerwood is a Franchisee.

FIELDHOUSE Ms. Fieldhouse commented for the board’s information that the Conditional Use and the Land Development Plan will be before the board as action items during the June 27 meeting.

SWOMLEY Chairman Swomley thanked Mr. Lardi and Mr. Perry for their attendance.

3. PUBLIC COMMENT

There were no public comments.

4. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 7 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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