

FINAL

**SPRINGETTSBURY TOWNSHIP  
PLANNING COMMISSION  
JUNE 16, 2022**

**MEMBERS IN**

**ATTENDANCE:** Mark Robertson, Vice Chairman  
Charles Stuhre  
Paula Musselman  
James Tanzola

**NOT PRESENT:** Tim Staub, Chairman

**ALSO IN**

**ATTENDANCE:** Randall Heilman, Director of Community Development  
Shane Rohrbaugh, Solicitor  
John Luciani, First Capital Engineering, Deputy Zoning Officer  
Abby Gibb  
Sue Sipe, Stenographer

**1. CALL TO ORDER:**

**A. Pledge of Allegiance**

Vice Chairman Robertson called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

**2. ACTION ON THE MINUTES**

**A. MAY 19, 2022**

**MR. TANZOLA MOVED FOR APPROVAL OF THE MEETING MINUTES OF MAY 19, 2022 AS PRESENTED. MR. STUHRE SECONDED. MOTION UNANIMOUSLY CARRIED.**

**3. INFORMATIONAL**

Solicitor Rohrbaugh announced his last day at his firm will be on Thursday, June 23, 2022. He indicated Solicitor Rausch will continue with the Board of Supervisors and Attorney Doug Myers will replace him on the Planning Commission as of July.

Solicitor Rausch indicated Attorney Myers is with the firm of NPL. He noted Attorney Myers has extensive experience with municipal law.

The Planning Commission members thanked Solicitor Rohrbaugh for his years of service and wished him well.

**4. BRIEFING ITEMS**

**A. CU-2022-0005 – Paramount Portfolio LMS TIC #1 LLC, aka Gabriel Brothers Plaza**

Attorney Esh McCombie, McNees Wallace & Nurick  
Keith Heigel, Light-Heigel & Assoc.  
Rich Ozemic, LMS Commercial Real Estate  
Tom Austin, TRG

Mr. Heilman stated the conditional use application for Gabriel Brothers Plaza is in the Town Center Overlay which requires it to be presented. The intent of the conditional use hearing is to allow the applicant to fill vacant units in the plaza.

Att. McCombie stated they are requesting conditional use approval for several uses at the Gabriel Brothers shopping center and for modifications of several of the Town Center Overlay design standards. Att. McCombie indicated the process is difficult for shopping centers, particularly this one since tenants are turned over frequently. In addition, he noted design standards are burdensome because of the age of this shopping center. He stated they are not proposing any external improvements, only securing new tenants and moving several internal walls - changing the size of one from 10,000 sq. ft. to two 5,000 sq. ft. For safety and aesthetics, they propose to add three crosswalks and enclose an existing dumpster.

Att. McCombie provided background on the property pointing out the location on the site plan which is in the Mixed-Use District and the Town Center Overlay. The shopping center includes approximately 24 leasable units, constructed in 1986. In 2017 the Township placed the shopping center in the Town Center Overlay which permits uses in the underlying zoning district – Mixed Use district only by conditional use through this process. Att. McCombie noted this means anytime a new tenant occupies a unit, a conditional use application must be submitted and reviewed by the Planning Commission, as well as the conditional use hearing by the Board of Supervisors. Pending final approval, the Board has 25 days to issue a written decision. Att. McCombie pointed out by the time the application is submitted and an approval is obtained, it can be 90 to 120 days. He noted by then many tenants have to look elsewhere.

Att. McCombie stated the Town Center Overlay requires any development be completed according to a master plan which is also subject to conditional use approval.

Att. McCombie pointed out the definition of development under the Ordinance states “any manmade change to improved or unimproved land including, but not limited to the construction, reconstruction, renovation, repair, expansion or alteration of buildings or other structures.” He interpreted this to mean that any time a shopping center desires to perform interior renovations or put up a new tenant sign they have to go through this process. He determined those requirements become a substantial reoccurring hurdle which creates much uncertainty. This process is required despite the fact that the shopping center was constructed 30 years before the Town Center Overlay was created. As a result, it was not designed in a manner that makes compliance with the Overlay feasible. He stated the applicant is therefore requesting conditional use approval for several uses permitted by right in the underlying M-U district, which are all included under Exhibit B of the narrative. Att. McCombie surmised if granted, the applicant would be permitted to lease the units in the shopping center for any of the uses without requesting additional conditional use approval. The applicant is also requesting the Township grant conditional use approval to the applicant’s master plan with the condition that any interior alterations to leasable units and exterior tenant signage is permitted without requiring a new master plan approval. He confirmed any new signage would need to comply with the sign ordinances.

Att. McCombie stated the applicant is requesting conditional uses to modify certain design standards of the Town Center Overlay. If the application were to be denied the design standards would necessitate substantial improvements to the property, i.e., including a public plaza and common open space. Since the shopping center was built in 1986 without a public plaza under those standards at the time, it would now be financially impractical to make that conversion and still operate.

Att. McCombie stated in effect, the purpose of the Town Center Overlay is to ensure the long-term strength of the Township's retail market and enhance existing retail success. He noted in the applicant's case they are not proposing any additional structural improvements to the shopping center.

Mr. Heigel provided a copy of the updated site plan with explanation of the following information:

- Within the site there are three road frontages.
- On the western side is Camp Betty Washington Road - improvements on that road were part of the PennDOT project. Access is off Bridlewood Way.
- There are three mall areas – the larger one is to the southern portion.
- The rear of the building is on Greensprings Road.
- To the west there is a significant grade difference between the road and building on the right.
- There is adequate parking as illustrated on the site plan.
- The site plan also shows the proposed improvements for pedestrian access.
- There are currently several crosswalks to get pedestrians safely to stores and the parking areas.
- Additionally, there are three other areas which Staff is recommending they provide and they have agreed.
- Dumpsters on the site will be screened and enclosed in a gated area.
- Benches will be placed throughout the area, as well as individual trash collection canisters.
- The sketch plan shows landscaping and shrubs to be placed around the site, as well as replacement of several distressed trees.
- Loading and unloading areas are located at the rear of the store or during off-hours on the wider lanes in front of the stores.

In regards to sight triangles, Mr. Heigel indicated the safety of the access on the intersections of Bridlewood Way and Greensprings Road as well as Bridlewood Way and Camp Betty Washington Road are shown by the sight triangles on the plan which were previously approved last year.

In regards to lighting on the site, Mr. Heigel stated the site will stay the same. Any exterior changes anticipated would come before the Board with a land development plan.

Vice Chairman Robertson voiced his concern about a potential tenant who may generate high-volume traffic with the site having limited access.

Mr. Austin of TRG stated he was hired by the applicant to prepare a traffic evaluation study to comply with the conditional use variance. They determined the traffic counts which were previously completed at the intersections. The traffic evaluation study submitted as part of the application focused on three intersections – Bridlewood Way and Greensprings, Bridlewood Way and the main access, as well as Bridlewood Way and Haines Road. He noted they took the proposed Fun City location square footage and determined what traffic it would generate based

upon IT standards and evaluated the three intersections with the following results:

- Bridlewood Way carries 2,000-3,000 vehicles per day.
- Greensprings was about the same.
- Those two intersections operate at level service A with no issue on queuing or sight distance.
- For the intersection of Bridlewood Way and Haines Road they evaluated the current configuration and for those volumes they used PennDOT's design volumes from 2016 for the opening as a base and added the Fun City traffic. This result showed that intersection operates at an acceptable level of service on the southside approach.
- From their evaluation study they concluded those three intersections operate at an acceptable level.
- They also looked at Bridlewood Way which is a private road and noticed there are no pavement markings.
- They recommended to stripe a double yellow center line along that area.
- Also, there is no posted speed limit, so they recommended to post the speed limit at 25 mph.
- Crash data was reviewed in the area which was submitted to Mr. Heilman.
- It was determined the crash data did not indicate any significant issues at the intersections.

Mr. Luciani indicated he had no concerns and agreed the recommendation for the double yellow line on Bridlewood Way would be beneficial.

Mr. Heilman stated he had no issues and agreed the site has inherent challenges as an existing shopping center.

**MR. TANZOLA MOVED TO RECOMMEND CU-2022-0005 GABRIEL BROTHERS PLAZA FOR APPROVAL TO THE BOARD OF SUPERVISORS INCLUDING REQUESTED MODIFICATIONS AND WAIVERS LISTED BELOW.**

1. **§ 325-200.B - Pedestrian Access.**  
**A waiver to providing a network of sidewalks and pedestrian pathways to access the shopping center. The applicant does not purpose installation of either new sidewalk or pedestrian pathways. The applicant is proposing to paint three additional crosswalks in the locations depicted on the Master Plan.**
2. **§ 325-200.C - Refuse Areas.**  
**A modification has been requested to install a double-dumpster enclosure in the area shown on the Master Plan. The location of the proposed enclosure is consistent with the location of the existing dumpsters on the property.**
3. **§ 325-200.D. - Screening**  
**A waiver has been requested to not provide additional screening on the property. Service and loading areas provided along the rear of the Shopping Center are visually screened from the property's southern border by existing vegetation.**
4. **§ 325-200.E. - Signs.**  
**A waiver has been requested to not require additional signage as the applicant intends to utilize existing shopping center signs along Bridlewood Way and Camp Betty Washington/Haines Road. Any wall signage installed on the Shopping Center in connection with the new tenancies will comply with the he requirements of the zoning ordinance.**
5. **§ 325-200.F. - Exterior Lighting.**  
**A waiver has been requested to not require additional exterior lighting. The applicant does not propose any alternations to lighting on the property.**

6. **§ 325-200. - Design Standards for Improvements to and Reuse of Existing Building.**  
A modification has been requested to integrate the seven (7) standards of this section as they are relevant to the improvements being completed. The applicant does not propose any modifications to the footprint or structural elements of any building comprising the Shopping Center. New development contemplated by the applicant only includes the three proposed crosswalks, the proposed dumpster enclosure, and interior alterations or renovations and exterior signage as are required to accommodate new tenants.
7. **§ 325-200.I. - Landscaping of Parking Areas.**  
A waiver has been requested to not require additional landscaping within the parking areas of the existing shopping center.

**SECONDED BY MR. STUHRE. MOTION UNANIMOUSLY PASSED.**

**B. SD-2021-0013 Steven D. Stambaugh & Louise A. Duncan – 2901 Mt. Zion Road**

Lee Faircloth, Gordon Brown & Assoc.  
Judge Steven Stambaugh  
Tom Austin, TRG

Mr. Heilman stated this plan for a 2-lot subdivision was previously presented in the latter part of 2021. At that time the applicant requested to put the project on hold. He is now requesting to present the plan with several revisions and addressing outstanding comments in regards to the letters from the municipality.

Mr. Faircloth provided a review of the property along the east side of Mt. Zion Road, indicating this is a 3½ acre parcel. A house was on the southern end of the property which was in poor condition and was subsequently demolished. The proposal is to subdivide the parcel into two lots. Lot #1 is approximately 2½ acres and Lot #2 is approximately one acre. Judge Stambaugh is proposing to build a new house on Lot #1 and in the future Lot #2 would be conveyed to another person. Public water and sewer is available on the property. Mr. Faircloth indicated they have addressed the comments issued by the Township engineer. Mr. Faircloth noted the biggest issue is installing a new driveway on Lot #1. He noted they have obtained a permit for the existing driveway on Lot #2. The upper driveway on Lot #1 is a situation where PennDOT will not issue a permit for a driveway on the proposed subdivision of a property. In order to secure a permit from PennDOT for Lot #1 they need to obtain a deed for Lot #1, necessitating approval for the subdivision and recording separate deeds for each property.

Discussion was held as to options on access to Lot #1 and traffic concerns in the area.

Mr. Austin concurred with the situation of heavy traffic in the vicinity of Mt. Zion Road which poses site distance and safety issues. Mr. Austin stated in evaluating the property, they concluded the location of the proposed driveway for Lot #1 was the best location for the driveway which provided the best sight distance. He stated they felt confident when getting the opportunity to submit an application for an HOP it would be approved by PennDOT.

Judge Stambaugh explained he was approached by a business acquaintance who expressed an interest in the lower lot which necessitated determining several options for subdivision lines causing the delay on the project. He noted when this lot was on the market, he contracted Mr.

Austin to determine if there were any issues with the property and to assure they met the requirements. He noted the existing driveway still to be approved by PennDOT, exceeds all sight distance requirements. For the proposed driveway he noted they walked the property line before the plan was presented at the previous meeting. They determined the proposed site for the driveway on Lot #1 has the best sight distance, and exceeds the PennDOT requirements at that location.

Judge Stambaugh stated due to his position he does require security and will have the property fenced and gated. He also noted grading would be done on the property.

It was noted the gravel driveway is for Lot #2 and will be paved upon approval of the plan.

Waivers and Modifications were presented:

1. **§ 289-10.A.(2)(d),(e),(f),(h) & (i) – Preliminary Plans; Procedure**  
**Waivers have been requested to not provide a photometric plan, landscaping plan, stormwater plan, a traffic impact study and a letter stating that an erosion control plan has been filed with York County.**
2. **§ 289-11.C.(1),(2),(5),(7) – Preliminary Plans; Specifications**  
**Waivers have been requested for the submission of a feasibility study, environmental impact studies, stormwater management plan and erosion control plan.**
3. **§ 289-13.A. - Final Plan Scale**  
**Modification has been requested to provide the final plan scale at 1"=30' instead of to allow for increased plan readability.**
4. **§ 289-26 - Monuments**  
**Modification has been requested to be exempt from placing all monuments on the subdivision plan as steel pins are already in place at all existing property corners. Monuments will be placed on the shared property line for the two (2) new lots. The applicant cites that steel pins are an industry acceptable standard for property corners and should not be removed or disturbed.**
5. **§ 289-31 – Curbs and Gutters**  
**A waiver has been requested and a 6-month note placed on the plan stating when the applicant is in receipt of written notice from the Township for installation of these improvements.**
6. **§ 289-32 – Sidewalks**  
**A waiver has been requested and a 6-month note placed on the plan stating when the applicant is in receipt of written notice from the Township for installation of these improvements.**
7. **§ 289-36 – Streetlights**  
**A waiver has been requested to not install streetlights for this two-lot subdivision plan.**
8. **§ 289-41.A.(4) – Direct Access to an Arterial or Collector Road**  
**A waiver has been requested to allow access to Mt. Zion Road via a proposed**

**driveway for Lot #1. The required notice is that a Highway Occupancy Permit has been requested to PennDOT.**

**9. § 289-41.J. – Access Drive**

**A waiver has been requested to allow access to Mt. Zion Road via a proposed driveway for Lot #1. The required notice that a Highway Occupancy Permit has been requested to PennDOT.**

**MR. TANZOLA MOVED TO RECOMMEND SD-2021-0013 STEVEN D. STAMBAUGH & LOUISE A. DUNCAN FOR APPROVAL TO THE BOARD OF SUPERVISORS INCLUDING REQUESTED WAIVERS AND MODIFICATIONS AS LISTED ABOVE. SECONDED BY MS. MUSSELMAN. MOTION UNANIMOUSLY PASSED.**

**2. ACTION ITEMS - None**

**4. WAIVER RECOMMENDATIONS - None**

**5. OLD BUSINESS**

Mr. Heilman reported next Thursday, June 23 Marion Hull will be making a presentation on the scope of the pending Comprehensive Plan and Ordinance update to the Board of Supervisors.

**6. NEW BUSINESS - None**

**7. ADJOURNMENT**

**VICE CHAIRMAN ROBERTSON ADJOURNED THE MEETING AT 7:14 P.M.**

Respectfully submitted,

Secretary

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