

**SPRINGETTSBURY TOWNSHIP
CONDITIONAL USE HEARING**

**JUNE 23, 2022
APPROVED**

The Springettsbury Township Board of Supervisors held a Conditional Use Hearing on Thursday, June 23, 2022 at 6:00 p.m. at the offices of York Area Fire and Rescue located at 50 Commons Drive, York, PA in person and by Zoom technology.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
Charles Wurster, Assistant Secretary/Treasurer
Don Bishop (via Zoom)
Robert Cox (via Zoom)

NOT PRESENT: George Dvoryak

ALSO IN

ATTENDANCE: Mark Hodgkinson, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Randall Heilman, Director of Community Development
Nitza Sanchez-Bowser, Director of HR (via Zoom)
Todd King, Chief of Police
Daniel Hoff, YAUFRC Chief
Teresa Hummel, Director of Finance
Abby Gibb, Communications Manager
Sue Sipe, Stenographer

1. CALL TO ORDER

Chairman Swomley called the hearing to order and turned the meeting over to Solicitor Rausch.

2. NEW BUSINESS

- A. CU-2022-0004 – Former Kmart Building – 1094 Haines Road
Attorney Paul Minnich
Joe Stein, Warehaus
Mike Jeffers, Kinsley
Brian Wickenheiser, Wellspan

All witnesses were sworn in by Solicitor Rausch.

Solicitor Rausch stated this is a conditional use hearing under the Town Center Overlay and explained the procedure for the case presentation. The applicant will come forward to present their case and witnesses will be sworn in. The Board will have the opportunity to ask questions and then it will be opened to the floor for public comment.

Attorney Minnich stated the applicant is proposing a reuse of the former Kmart property which has been vacant for some time for a Wellspan medical laboratory and a clinical medical space. Attorney Minnich noted there have been meetings with Staff with an on-site visit which has

represented in the culmination of those efforts for a plan that he indicated is fully compliant with the ordinance. Attorney Minnich stated the site is 6.36 acres in the mixed-use district Town Center Overlay. The building size is 83,853 sq. ft. 95% of the entire surface area is impervious. The building is oriented towards Haines Road. The building would be an adaptive re-use with two components – one is a 58,000 sq. ft. medical laboratory. This is a back-office laboratory for Wellspan and patients would not be coming to the site for laboratory services. This operation proposes approximately 160 high paying jobs to the site. The balance of the remaining 22,000 sq. ft. is for clinical/medical offices which would bring direct Wellspan medical providers in that building. Attorney Minnich indicated these are both uses permitted in the mixed-use district.

Attorney Minnich stated the plan was presented to the Planning Commission and was unanimously recommended granting the conditional use and modifications.

Through testimony from Attorney Minnich, Mr. Stein stated he is a project manager with Warehaus. He noted in his 18 years of experience he specializes in subdivisions, land developments, environmental permitting, Highway Occupancy Permits, and anything related to site development including zoning issues.

Mr. Stein stated he assisted in preparing the plan, reviewed the ordinance and coordinated with the applicant and developer to prepare the application. They oversaw compliance of the plan with the ordinance and produced the request for modifications as necessary.

Mr. Stein stated in his professional opinion based on his 18 years of experience and involvement in designing this plan he believes the application was fully compliant with the provisions of the Springettsbury Township ordinance as applicable.

Mr. Stein explained Exhibits 1 through 6 which were distributed to the Board:

Exhibit 1 – Depicts Sheet 1 of their master plan documenting the existing conditions of the site. The existing site survey shows the subject property with the building and parking with the surrounding features including Haines Road and Washington Road.

Exhibit 2 – This is a rendering Warehouse prepared which is a proposed condition that was colorized for graphical purposes. There are no changes to the building. Landscaping has been increased along with reconfiguration of the parking with landscape buffers on the north side of the property as shown.

Exhibit 3 – This is a layout sketch which shows several dimensional improvements which are on the property such as parking spaces, islands, plaza, and other general features for informational purposes.

Exhibit 4 - This is an architectural rendering of the new building façade. It also denotes compliance with the section which specifies the amount of translucent store front required.

Exhibit 5 – Landscape plan showing proposed landscaping at the redeveloped site. Shade trees were added where possible in the parking lot as well as buffers along the north side of the building and parking lot.

Exhibit 6 – Blow up showing detail of the plan view of the public plaza located along Washington Road.

Attorney Minnich addressed the following conditional use standards identified, noting general standards under §325-37 Medical offices, clinics or medical laboratories are permitted uses. Through testimony Mr. Stein confirmed the following:

- §325-194 – The plan submitted is consistent with the intended purposes of the ordinance particularly compliance with the 2006 Comprehensive Plan. The proposed development is not in any way inconsistent with the Comprehensive Plan.
- This use is consistent with the purpose and goals of the Town Center Overlay district such as enhancement of a long-term strength of township retail market supplying jobs and improvement of the appearance of the commercial core and encouragement of mixed uses.
- Compatibility - §325-194.B
The proposed use is in the best interest of the property and general area and the community at large. He was not aware of any negative implications associated with this use.
- The potential use would be complementary or beneficial to restaurants, stores and other retail uses in the vicinity as a result of bringing not only customers of Wellspan but employees to that site.
- Suitability - §325-194.B.3
The suitability requirements of the ordinance are met in terms of this proposed use.
- Serviceability - §325-194.3.4
- -The sanitary sewer, stormwater, fire, police, and other public facilities are available to service the site.
- Accessibility - §325-194.5
There is adequate ingress/egress interior circulation for pedestrians, vehicles with off-street parking. This project was aided by the very recent roadway improvements in the vicinity.

Approval requirements under §325-194.D

- They are in compliance with the applicable zoning ordinance to the extent the state licensing involved in medical laboratory facilities has been met.
- Public services and traffic are appropriately accommodated in a safe and efficient manner.
- There is not any injury to neighboring property owners or the character of the neighbor as a result of the project.

Design Standards - §325-200

- The plan is consistent with the Town Center Overlay Plan and Comprehensive Plan.
- Pedestrian access is met by an existing sidewalk network which connects Washington Road and Haines Road. There is a signalized intersection with pedestrian access located at Haines Road and Washington Road.
- Refuse areas, service and loading areas on the site will be screened located at the rear of the building on the west face which borders I-83 northbound on-ramp.
- Roof top mechanicals will be appropriately concealed as required by the ordinance.
- Signage will be consistent with the ordinance.
- Exterior lighting will comply with all requirements under §325-200.F. A photometric plan has been submitted.

Design standards for improvements to and reuse of existing buildings under §325-200.H

- There will be a public entrance oriented towards the street.
- There will be 25% translucent materials on each story.
- Modification is requested for the parking facilities to the rear and side of the building due to existing condition.
- The requirements for pedestrian pathways, landscaping and property edges are met except for the southern property line which borders the adjacent property which is a shared parking lot.
- The requirements for trees and landscape islands have been met.
- The façade articulation is consistent with the standards of the master plan.

- The circulation requirements under §325-201 and 202 are met.
- Street and sidewalk standards under §325-203 are met. The existing sidewalk is being removed as it is deficient in size and will be replaced by 5 ft. sidewalk.
- The public plaza dimensional and aesthetic requirements are provided located within a public access easement and is connected to a public sidewalk. Facilities are provided such as benches, bike racks and a sculpture are proposed in that area as well as landscaping.
- §325-205 Streetscape elements along Washington Road consisting of street trees and benches as required.
- §325-206 Off Street Parking requirement has been fully met.
- The application procedure and site visits working collaboratively with Township Staff on the site visit has been accomplished.

Modifications:

Attorney Minnich stated modifications derive from the use issue. Adaptive reuse is one of the objectives of the Township ordinance. He noted in this case the modifications serve for the purpose and goals of the Town Center Overlay District, but do not result in any adverse impact to the adjoining properties and future inhabitants. The modification does not result in any increased development entities. It represents the minimum relief necessary to ensure compliance.

Mr. Stein cited the following reasoning for the modification requests:

§325-199.F.(2) – Front Yard Maximum – 50 ft.

The building is located 413 feet from the street line of Haines Road.

§325-199.H – Impervious Coverage Area shall be 85%

The existing impervious coverage for the site is approximately 95% and with the addition of green space in the parking lot and public plaza there will be a minor reduction in impervious cover to 94%.

§325-200.D(1) – Rooftop mechanical equipment screening from view at ground level of nearby streets.

Screening will be provided on the northeast and south sides of the building. They are seeking relief from screening on the west side which is adjacent to the I-83 northbound off-ramp.

§325-200.H(3) - Locate parking to the side or rear of the building

The setback has increased due to construction – there is no parking on the side or rear of the existing building.

§325-200.H(5) – Landscaping along edges of the property

The southern portion of the parking lot adjacent to the Salvation Army site is shared parking which is impervious.

§325-206.A(1) – Landscaping along surface parking lot

Same as the modification noted in §325-200.H (5) above.

Chairman Swomley raised a question regarding the modification request for §325-200.H(5) landscaping along edges of the property, which he noted was not included on the case summary. Mr. Stein confirmed the modification is to avoid landscaping where the shared parking lots meet. Landscaping will be done around the remainder of the site.

Mr. Wurster asked for clarification on the statement there is a minor reduction in impervious surface. Mr. Stein stated the existing impervious coverage of approximately 95% will be down to 94%, with the addition of the landscape islands added with shade trees and shrubbery as well as the addition of the public plaza.

Mr. Wurster questioned the potential for increased impervious coverage given the excess of parking requirements.

Mr. Stein stated they believe the amount of parking is appropriate to meet the requirements of the ordinance and will be necessary to meet the needs of the future tenant.

Mr. Wurster asked for more detail on the screening of the HVAC mechanical on the I-83 side.

Mr. Stein stated because I-83 is not a local road they felt it was more appropriate to screen from the north, east and south sides whereas on the west side the focus is not towards the building but focused on access to the interstate.

Discussion was held regarding screening from the northbound exit ramp on I-83 which is above the roofline. Concern was expressed that from the interstate the rooftop can be viewed.

The applicant agreed to remove the request for the modification of §325-200.D(1) – Rooftop mechanical equipment screening from view at ground level of nearby streets.

Regarding parking requirements, Mr. Stein indicated total required parking spaces is 336. Total provided is 355, which is a reduction from the existing parking spaces. Reconfiguration of the parking spaces is compliant with the ordinance, whereas currently it is a myriad of aisle widths and angled parking. He believed reconfiguration will be an improvement.

3. PUBLIC COMMENT

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There was none.

4. ADJOURNMENT

Chairman Swomley adjourned the hearing at 7:03 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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