

**APPROVED**

**SPRINGETTSBURY TOWNSHIP  
PLANNING COMMISSION  
JULY 16, 2020**

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Luciani, First Capital Engineering  
Raphael Caloia, Assistant Planner  
Charles Rausch, Solicitor  
Don Bishop  
Sue Sipe, Stenographer

**1. CALL TO ORDER:**

**A. Pledge of Allegiance**

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

This meeting was held via Zoom.

**2. ACTION ON THE MINUTES**

**A. JUNE 18, 2020**

**MR. TANZOLA MOVED FOR APPROVAL OF THE MEETING MINUTES OF JUNE 18, 2020 AS PRESENTED. MR. ROBERTSON SECONDED. MOTION UNANIMOUSLY CARRIED.**

**3. BRIEFING ITEM**

**A. Staff Led Zoning Changes**

Chairman Staub stated a memo was sent to the Planning Commission from Mr. Caloia, July 17 addressing items Staff has been creating during the past year relating to requests for variances and waivers. Mr. Caloia indicated the list identifies proposed changes to the Zoning Ordinance.

Mr. Caloia specifically referred to a major change regarding a contradiction in the ordinance regarding Pennant Signs, which is listed under the prohibitive signage twice. One section prohibits pennant signs longer than 150% of the front building area. Another section prohibits pennant signs altogether. It will be at the discretion of the Planning Commission to determine

which section should be removed. Mr. Caloia identified pennant signs as the triangle signs which hang from a string or rope. Discussion was held and the decision was to define Pennant Signs to be no longer than 150 ft. It was noted they would fall under the temporary sign restriction limiting it to 30 days.

A question was raised regarding signs on the side of trucks. Mr. Caloia stated those type signs are prohibited under Mobile Signs.

Discussion was held regarding trailers parked in shopping areas using signs on the sides as advertisement. Mr. Caloia indicated there is some allowances in the ordinance for signage painted on vehicles, however it only applies to vehicles that are used for normal operation of the business with the business insignia on it. He noted signs on a parked trailer would fall under a mobile sign which is prohibited.

It was determined the Planning Commission will review the proposed zoning changes and coordinate with Mr. Luciani to apply necessary changes and continue through the process. Mr. Caloia stated the proposed zoning changes have not yet been presented to York County Planning Commission.

#### **4. ACTION ITEMS**

##### **A. Text amendment to include Multi-Family as an approved use within the Town Center Overlay**

Stephen Schmidt, SEG Realty  
Alex Snyder, Barley, Snyder

Mr. Snyder stated since the review last month they started a petition with the actual text amendment for review by Staff for approval. He noted the architect Core Design and Mr. Bamford the realtor from True Commercial Realty were available to answer questions. He stated in 2019 Barley, Snyder presented a text amendment on their behalf with regard to the former Bon-Ton building to permit an adaptive re-use of the facility for mini-storage. The current applicant SEG Realty is an equitable owner, having it under contract and is proposing as part of that a project to construct apartment buildings which would require an additional use in the overlay in the district for multi-family use which is not currently permitted. The text amendment being proposed is a modification that would allow the multi-family use within the district as a conditional use. It is subject to the Town Center Overlay.

Mr. Schmidt stated his colleague Len Poncy, President of Equines Realty would be working with him on the project as they assess the viability. The project is taking more steps towards due diligence. They have had team members at the site recently, including the fire marshal. They asked for his impute in regards to the design of the multi-family buildings on the lower parking lot. His suggestions have been incorporated in the most recent design which Core Design sent to Mr. Caloia. This specifically regarded emergency vehicle ability to circumnavigate the property and make sure there are no obstructions. He noted they are continuing to analyze the market and assess the viability economically. They have broad ideas as to what multi-family buildings would look like. They provided illustrations reflecting four-story apartment buildings. They are envisioning three buildings with work on masking the face of the Bon-Ton wall to incorporate it into the field for the project. He stated they will also continue with one story that is ground level which will be the self-storage. Team members from Storage Construction were also at the site

and met the design team and the fire marshal. They plan to use the eastern end of the Bon-Ton for ingress and egress which is opposite the loading dock. This would be the entrance way into the Bon-Ton lower level for loading and unloading people's possessions. For the upper level they are considering a number of ideas, i.e., indoor entertainment, indoor schooling.

A question was asked as to what is the highest density allowed in this district. Mr. Caloia stated currently all multi-family has the same density factor regardless of zoning districts which is 30 units per acre. This text amendment would allow for 40 units per acre in the Town Center Overlay.

A question was asked as to what other types of residential dwelling are allowed within this district. Mr. Caloia stated within the commercial-highway zone there is no residential permitted currently. Within the mixed-use zone which is also within the Town Center Overlay multi-family is permitted. This only impacts commercial-highway properties within the Town Center Overlay. He noted it will not impact commercial-highway properties outside of the Town Center Overlay. Mr. Caloia clarified it is 40 density units per acre, it is not 40 building units per acre. Mr. Caloia noted he has discussed the density factor within the zoning ordinance with the applicant.

Mr. Caloia provided the zoning map to point out the primary areas impacted which are areas within the commercial-highway zone and in the Town Center Overlay. This included the Galleria Mall property, York Mall, Home Depot shopping center, as well as the York Marketplace which includes Lowes, Giant and the Capital Storage site and former Wolf Furniture site.

Chairman Staub remarked that the proposal presents a change in what commercial-highway represents and will impact the ordinance as well as future plans. He noted that residential was never used in the commercial-highway district prior.

Mr. Caloia indicated the discussion is commercial-highway even an applicable underlying zone for a Town Center Overlay which is why Staff recommended the text amendment be made to the Town Center Overlay as opposed to the underlying commercial zone. He affirmed residential uses are not always compatible with a commercial highway type zone.

Chairman Staub thought they should consider it to be a mixed-use site as opposed to commercial-highway which would require a rezoning.

Solicitor Rausch agreed it may be difficult to defend allowing multi-family in the commercial-highway under the Town Center Overlay but not in a regular commercial-highway district. He stated they possibly should take a look at the underlying zoning district at the Galleria.

Solicitor Rausch commented about the 40 units per acre added to the ordinance.

Mr. Snyder stated currently the amendment in Section 325-199 would be to add a new subsection. Mr. Caloia stated their text amendment does propose to include in the Town Center Overlay a restriction to 40 units per acre. Mr. Schmidt clarified in the Town Center Overlay section 10.4.B.J multi-family dwelling using a maximum density factor of 40 per acre is permitted.

Mr. Snyder indicated one of the suggestions by the Township would be by conditional use which would permit some additional criteria in terms of how the multi-use is structured which may partially address the concern of having it spread too widely. The supervisors will review it again and could also craft conditions that would make it more restrictive.

Chairman Staub called for a motion.

**MR. ROBERTSON MOVED TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR THE MULTI-FAMILY WITHIN THE TOWN CENTER OVERLAY TEXT AMENDMENT DATED JULY 15, 2020. SECONDED BY MR. STUHRE. MOTION UNANIMOUSLY PASSED.**

Mr. Bishop noted he is not opposed to the amendment but was curious as to how it got to the Planning Commission. His understanding was that any changes to zoning amendments went to the Board of Supervisors first and were then referred to the Planning Commission for comment.

Mr. Caloia stated his understanding of the procedure was the application submitted goes before the Planning Commission and then before the Board of Supervisors to render a final decision based on the Planning Commission's recommendation. The Board of Supervisors directed the Planning Commission to review first before being presented to the Board of Supervisors.

In response to a question regarding the Comprehensive Plan, Mr. Caloia stated he and Ms. Fieldhouse were working on it with Staff changes which is no longer feasible. The Board of Supervisors will be voting to approve Staff to create an RFP to have an outside firm finish the Comprehensive Plan.

**5. WAIVER RECOMMENDATIONS - None**

**6. INFORMATIONAL – Open Ended Plans in Review Process**

|                                   |                                   |                           |
|-----------------------------------|-----------------------------------|---------------------------|
| <b>LD 2019-05</b>                 | <b>Rutter's #57 Expansion</b>     | <b>Waived</b>             |
| <b>LD 2019-06</b>                 | <b>Stonewood Logistics Center</b> | <b>Waived</b>             |
| <b>LD 2019-07</b>                 | <b>3750 E Market St</b>           | <b>September 30, 2020</b> |
| <b>LD-2017-04/<br/>SD-2017-08</b> | <b>Springetts Commons</b>         | <b>Waived</b>             |

**7. NEW BUSINESS**

Mr. Caloia announced this would be his last meeting. He accepted a position with the Department of Agriculture. The Planning Commission congratulated him and thanked him for his service.

**8. OLD BUSINESS - None**

**9. ADJOURNMENT**

**CHAIRMAN STAUB ADJOURNED THE MEETING AT 7:00 P.M.**

Respectfully submitted,

Secretary  
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