

**SPRINGETTSBURY TOWNSHIP  
CONDITIONAL USE HEARING**

**JULY 28, 2022  
APPROVED**

The Springettsbury Township Board of Supervisors held a Conditional Use Hearing on Thursday, July 28, 2022 at 6:15 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  
George Dvoryak  
Don Bishop (via Zoom)  
Robert Cox

**ALSO IN**

**ATTENDANCE:** Mark Hodgkinson, Township Manager (via Zoom)  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Randall Heilman, Director of Community Development  
Dori Bowders, Director of Administrative Operations  
Abby Gibb, Communications Manager  
Sue Sipe, Stenographer (via Zoom)

**1. CALL TO ORDER**

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

**2. NEW BUSINESS**

- A. CU-2022-0005 – Gabriel Brothers Plaza, 1200 Greensprings Drive  
Attorney Helen Gemmill, McNeese, Wallace and Nurick  
Keith Heigel, Light-Heigel & Assoc.  
Rich Ozemic, Project Manager  
Tom Austin, TRG (via Zoom)

All witnesses were sworn in.

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.

Att. Gemmill stated they are requesting conditional use approval for several uses at this location and for a master plan for the site. They are proposing to modify several of the

Town Center Overlay requirements. She noted the center was built in 1986. She noted in 2017 the Town Center Overlay provisions went into effect. She indicated the age and the current design of the shopping center make it difficult to comply and they are also not making the types of significant changes which the Town Center Overlay would apply to. She indicated what they are proposing would warrant the granting of a conditional use. What they propose to add to the shopping center are minor alterations, mostly for safety and aesthetics consisting of four crosswalks, benches, bike racks, additional screening, and landscaping, as well as enclosing an existing dumpster. Att. Gemmill indicated as part of their request they are asking for approval of future flexibility so that when new tenants come in and internal changes are made, i.e., moving a wall or adding fixtures for a tenant, changing a sign or nameplate, they would not be required to come back again for approval.

Att. Gemmill indicated the site is in the mixed-use zoning district and includes approximately 24 leasable units. She noted the Town Center Overlay permits the uses in the underlying mixed-use zone but requires approval for those uses.

Att. Gemmill stated the Town Center Overlay requires any manmade change, including renovation, repair and alterations of buildings or structures be submitted for approval, as well as any change of tenants and master plan approval.

Att. Gemmill referred to Exhibit B which outlines the conditional use approval to allow several uses in the shopping which are permitted in mixed use zoning district. (Applicant's Exhibit A-1).

They are also asking for conditional use approval for the master plan with the condition that any interior alterations to leasable units and exterior tenant signage would not require reappearance to the Board for approval. She noted they would comply with the sign ordinance and if a larger sign was needed, they would apply for a variance.

They are asking for modification of several of the requirements of the Town Center Overlay because complying with all of them would necessitate substantial changes to the shopping center which are not feasible for the center.

Through testimony administered by Att. Gemmill, Mr. Heigel stated he is a President of Light-Heigel and serves as licensed surveyor in Maryland as well as Pennsylvania. He noted he has prepared site plans for conditional use in other zoning applications for 45 years in various counties and municipalities.

Mr. Heigel affirmed the following:

- He is familiar with the property
- His office prepared the site plan submitted with the application
- The site plan was revised to address comments by Township Staff

Exhibit A-1 – Application – Mr. Heigel reviewed the application

Exhibit A-2 – July 19 letter submitted by Att. Peter Wurtz responding to comments from the Township with respect to the project. Mr. Heigel stated he agreed with the content of the letter.

Exhibit A-3 – Site plan - Mr. Heigel stated the revised site plan constitutes the applicant's master plan for purposes of the Town Center Overlay conditional use submission.

Mr. Heigel stated the site is 25.8 acres, with three buildings. He identified the three buildings as A, B and C. He pointed out the adjacent roadways as Camp Betty Washington Road, Greensprings Drive, and Bridlewood Way which connects to both roads and is the main access.

He showed the clear sight triangles where Bridlewood Way connects with both roads. There is also an access point at Building A.

Sheet #1 shows there are 970 spaces at the site. The main driveway with green islands comes off Bridlewood into the site. They are proposing to add additional benches along the front of the buildings, as well as bicycle racks. There are overhang areas which vary in the front of the stores from 15-18 ft. wide. There are five plaza areas with bench areas with adequate width, which while not meeting the dimensional requirements in the ordinance, do allow for customers to use the benches, bike racks and areas to stay out of the traffic flow.

Sheet #2 is the site lighting plan showing the site is adequately lit within the area. They are asking for relief because the existing lighting on the parking lot is more than the ordinance requires. Lighting is along the front of each of the buildings. He pointed out the location of the large pole sign and the location of the two monument signs.

Sheet #3 identifies their proposed plantings consisting of numerous street trees along Camp Betty Washington Road and along the east, as well as islands throughout the parking area. There would also be green areas and trees along Bridlewood Way. In discussion with Staff, it was determined at the dumpster location they would add additional screening between the road and the dumpster. He pointed out a 40-50 ft. bank at the back towards Camp Betty Washington Road with a wall. They are proposing plantings along that area to add to the aesthetics of the wall along the Planet Fitness building.

Sheet #4 – Identifies pedestrian sidewalks which vary from 12 to 18 feet in front of all the buildings. He pointed out the sidewalk along Camp Betty Washington Road which extends to Mt. Rose, also, from Mt. Rose to the apartment buildings with connectors into the facility. They are adding five painted strip crossings from the parking areas over to the sidewalk areas.

Chairman Swomley asked if there was any thought to adding sidewalks along Bridlewood Way from the sidewalks out on Camp Betty Washington Road and/or over on Greensprings. Mr. Heigel indicated the elevation from the intersection of Camp Betty Washington Road up to the elevation of the entrance is 35 ft. He noted because of the steep slopes in that area it would be difficult to install sidewalks.

Through testimony administered by Att. Gemmill, Mr. Ozemic confirmed the following:

- Except for the additions as Mr. Heigel provided, the site will remain in its current condition.
- Mr. Ozemic confirmed there are currently unenclosed dumpsters in the area, which will be screened.
- He noted they recently renovated the shopping center to update the façade. There are no other façade improvements to be done as part of the proposed project.
- There are approximately 24 units located within the three buildings which form the shopping center.
- The larger tenants of the complex are Gabriel Brothers, Planet Fitness and Grocery Outlet. Fun City is being contemplated for the site.
- There are approximately six units currently vacant.
- Mr. Ozemic indicated they lost a prospective tenant due to the timing of the process.
- He noted they are looking to have flexibility to swap out tenants without going through the conditional use process and master plan process in the future, as well as to make alterations to the interior of the shopping center.
- Mr. Ozemic agreed he would provide the Township with notice of any new tenant, including how the new tenant complies with the uses approved.
- The statements delineated in Exhibit A-1 and the letter in Exhibit A-2 were reviewed and adopted by Mr. Ozemic.

Through testimony conducted by Att. Gemmill Mr. Austin of TRG indicated based on the traffic evaluation study conducted by TRG and as noted in Exhibit A-5 for the proposed Fun City development, they concluded the existing study intersections and site driveways are all adequate to accommodate the future traffic volume with the Fun City development. He noted they recommend that Bridlewood Way, a private road, be posted with a 25 MPH speed limit and a double yellow center line.

Att. Gemmill offered to review the modifications/waivers as identified in Exhibits A-1 and A-2.

Chairman Swomley asked if there were any waivers or modifications the Board wished to have further explained at this time.

Mr. Bishop asked the reasoning behind not doing the public plaza as per the ordinance.

Mr. Heigel explained there are specific criteria for the plaza - minimize size of 500 sq. ft. There is a 2,000 sq. ft. requirement for a plaza and with the proposed project to be built out, there is no area they could use to place a plaza which would meet the ordinance requirements, without substantial movement of existing facilities. However, there are numerous improved wide overhangs with benches and bike racks spread throughout the development to accommodate customers.

Mr. Wurster asked if the site is serviced by adequate parking.

Mr. Heigel stated they have more parking than required. He noted they will be working with the zoning officer on each use that comes into the plaza to assure adequate parking.

Mr. Wurster asked if there is any reduced impervious surface on the site. Mr. Heigel stated all the planting areas are in grass areas. They are not increasing impervious or decreasing it.

It was noted there are two Rabbit Transit bus stops within the development along the building sidewalks.

Mr. Cox asked about the proposed Fun City development which is a trampoline park - will it require raising the roof of the building to accommodate trampolines. Mr. Ozemic stated they negotiated the lease as to what the requirement would be, but not executed at this time. They meet the tenant's requirement for ceiling height.

**3. PUBLIC COMMENT**

There was none.

**4. ADJOURNMENT**

Chairman Swomley adjourned the hearing at 6:56 p.m.

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Respectfully submitted,

Doreen K. Bowders  
Secretary

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