

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING**

**OCTOBER 13, 2022
APPROVED**

The Springettsbury Township Board of Supervisors held a Public Hearing on Thursday, October 13, 2022 at 6:30 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
George Dvoryak, Vice Chairman
Charles Wurster
Don Bishop (via Zoom)
Robert Cox

ALSO IN

ATTENDANCE: Mark Hodgkinson, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer (via Zoom)
Diana Young, Environmental Engineer
Dori Bowders, Director of Administrative Operations
Randall Heilman, Director of Community Development
Teresa Hummel, Director of Finance
Todd King, Police Chief
Daniel Hoff, YAUFRC Chief
Abby Gibb, Communications Manager

1. CALL TO ORDER

Chairman Swomley called the hearing to order and announced the ordinance amendment as follows.

2. NEW BUSINESS

- A. Proposed Amendment to Zoning Ordinance to Allow Drive-Through Facilities and Gasoline Sales in Mixed Use Zoning District, to Increase Maximum Height Limitation in Mixed Use Zoning District and Remove Limitation on Size of Canopies over Gasoline Pumps

Solicitor Rausch stated the purpose of the hearing is to take public comment on the proposed ordinance which has been advertised. Solicitor Rausch stated the applicant will come forward to present their case. The Board will have the opportunity to ask questions and then it will be opened to the floor for public comment.

Attorney Stacey MacNeal was in attendance representing the applicant, Mt. Zion Commons. Mr. John McKenna was also in attendance as well as members of their design team.

Att. MacNeal provided a PowerPoint presentation explaining how the proposed text amendment relates to the Mixed-use zoning district which she noted falls into three categories: Drive-throughs – currently the Mixed-use zoning district does not allow drive-throughs for restaurants, retail, or financial institutions. They feel due to change in the industry prior to and

after the pandemic it is important to allow for those drive-through facilities particularly in areas where there is substantial motor vehicle traffic. They are suggesting allowing those drive-through facilities in areas that are already seeing significant motor vehicle traffic especially in places where there is access onto a minor arterial or major arterial road.

Att. MacNeal pointed out on the map the locations of the mixed-use zone and where those roadways are located as well as the potential impacts within the Township. She noted they identified the different mixed-use zoning districts with the major and minor arterials in those districts.

Att. MacNeal presented existing drive-through facilities located within the mixed-use zone along major and minor arterials, noting some were grandfathered and others received zoning relief. She believed by passing the text amendment it would make those conforming uses and would be consistent with the neighborhood.

Att. MacNeal indicated there is a lack of standards for drive-through facilities in the zoning ordinance. With input from Staff, she noted they have provided basic drive-through standards which could be applied.

Att. MacNeal indicated the second component of their request is related to gasoline sales. Currently the mixed-use zoning district allows convenience stores but without gasoline sales. She noted they are recommending allowing for gasoline sales in limited areas where there is an intersection of two major arterial roads. This would be two roadways where there is an excess of 10,000 trips per day. She noted there are already existing non-conforming uses in those locations. She pointed out on the map where existing convenience stores with gasoline sales are located within the mixed-use zone on two major arterials.

Att. MacNeal indicated they are also requesting an amendment to alleviate the limitation on canopies over gasoline fuel pumps. Currently the limitation is that canopies can only extend 10 feet beyond the center line of the fuel pumps. She stated this is not consistent with current industry standards or that it provides protection from weather for customers utilizing the fuel pumps. She cited examples of gasoline facilities which have full canopies over the entire area and beyond the fuel pumps.

Att. MacNeal stated the third component of the text amendment is related to height. Currently the ordinance has a maximum height limit of 45 ft., with the exception that an additional foot in height can be added if there is an additional foot added to the setback. She noted they are recommending two changes to the ordinance – one would be to increase the base height limit from 45 ft. to 55 ft. The reasoning is due to architecturally it provides for greater flexibility for increased head space internal to the building, and to allow for a better architectural design on the exterior. Also, in looking at the mixed-use zone it is largely developed at this point. For development in the mixed-use district, they are looking at infill development which there are two parcels of land remaining in excess of several acres. The remainder is redevelopment. Allowing

the increase in height will help to assure they are not under-utilized parcels. They are also recommending adding a maximum height limit of 100 ft.

Att. MacNeal stated those are the categories of the text amendments they are requesting, which they believe are consistent with the Township Comprehensive Plan and the mixed-use zoning district. The approval will allow the Township to continue to grow the development within the mixed-use zoning district over the next few years while continuing the Comprehensive Planning process.

Mr. Dvoryak commented this was reviewed by the York County Planning Commission as well as Springettsbury Planning Commission both of which recommended disapproval to the changes. He asked for clarification on the reasoning why they did not approve and noted some changes made because of the Springettsbury Planning Commission meeting. He asked if the changes were resubmitted to the York County Planning Commission.

Mr. Heilman responded the request was not resubmitted to the York County Planning Commission since in consultation with the Planning Commission and the Solicitor, they did not believe it was substantial enough, as only minor tweaks through the zoning ordinance were made to clarify some points. He confirmed those revisions addressed the York County Planning Commission concerns and reasons why they did not recommend it. Mr. Heilman indicated he also spoke to Mr. Shaffer at the York County Planning Commission. Regarding the comments from the Springettsbury Planning Commission he noted there was no objection to the drive-through amendments, their objections were more related to a perception that the request was to benefit the developer and not the Township as a whole. Another concern was the development of additional apartment units in the Township.

Discussion was held regarding the height limit for buildings in the mixed-use zone.

Discussion was held regarding traffic issues around Mt. Zion and East Market Street and what measures the developer would take to improve that area which has been determined to be problematic.

Att. MacNeal stated they shared with the Planning Commission their concept plan for the project. She indicated the traffic comments from the Planning Commission were not related to the proposed text amendments but more focused on the project, which is only in the planning stages.

Mr. Dvoryak questioned if there are any concerns or possible unintended consequences of making these amendments Township wide. Mr. Heilman stated he believed this was a reasonable request from the applicant and the amendments would not create an issue for the Township, since they are in line with the existing Comprehensive Plan for the Township as well as the County Comprehensive Plan.

Mr. Swomley commented the text amendments should be considered as the Township request, looking at what is the best for mixed-use zoning throughout the Township. He noted a developer

who is looking at this property said he could create the tract as all apartments which would make traffic issues a moot point, not necessarily applicable to what is being discussed. He noted the text amendment changes will also fix some existing conditions throughout the mixed-use district and apply a height limit that does not exist currently.

Mr. Cox concurred and felt the text amendment goes a long way in conforming uses that should not be in the mixed-use which are already there.

Mr. Bishop noted in was in support of the text amendment.

3. PUBLIC COMMENT

Dakota Fauver - 2450 Crystal Lane

Mr. Fauver commented he is opposed to drive-throughs in the mixed- use zone. He was of the opinion they did not contribute to walkability in the Township and detract from it. He noted he is a daily walker and believes drive-throughs specifically contribute to generating traffic and creating traffic congestion on the roadway.

4. ADJOURNMENT

Chairman Swomley adjourned the hearing at 7:10 p.m.

Respectfully submitted,

Doreen K. Bowers
Secretary

ses