

MINUTES OF
SPRING GARDEN TOWNSHIP PLANNING COMMISSION
July 5, 2022

CALL TO ORDER: The monthly meeting of the Spring Garden Township Planning Commission was held on Tuesday, July 5, 2022, in the Township Municipal Building, 340 Tri Hill Road, York PA. Chairman Robert Sandmeyer called the meeting to order at 6:02 p.m.

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| Present: | Robert Sandmeyer | David Davidson, C.S. Davidson, Inc. |
| | John DeHaas | Dawn Hansen, Zoning Officer |
| | Amy Mitten | There were 6 people in the audience |
| | Scott Stevens | |

PUBLIC COMMENT PERIOD: None

APPROVAL OF MINUTES: The minutes of the May 3, 2022, meeting were approved on motion Ms. Mitten/second Mr. Stevens. There were no public comments. Motion carried. Yes-4, No-0.

ZONING APPLICATIONS:

125-11-22: 1499 E Philadelphia St, LLC has filed for a Special Exception to Section 310-10.C.7 to allow for more than one tenant to occupy the building, a Variance to Section 310-61.A to require secondary access, and a Variance to Section 310-61.C for parking buffering and landscaping due to a prior non-conformity. The property is located at 1499 E Philadelphia Street, York and is Zoned IP (Industrial Park).

Jayne Katherman from Barley Snyder was present on behalf of 1499 E Philadelphia St, LLC. The building is over 166,000 square feet. In the current market there are few tenants looking to lease a space this large, leaving a large industrial space vacant. Allowing multiple tenants to the property will encourage maximum utilization of the space, generating more taxes revenue for the Township and creating more jobs. Tenants would be bound to the permitted uses as defined in Section 310-10 of the Zoning Ordinance.

This property is designated in the Comprehensive Plan as a future Industrial Land use, and this coincides with the current zoning of the property. Access to the property is limited to East Philadelphia Street, a minor collector street.

This property has existed in its current form for over 50 years. Applicant is not proposing any changes to the size of the building or changes to the exterior of the building, they wish to continue use as an Industrial Park, but allow multiple tenants to occupy the building.

Section 310-61 of the Zoning Ordinance requires that primary access shall be via an arterial or collector street. Secondary access must also be provided, preferably to an arterial or collector street. The only sole access to the property is East Philadelphia Street, an urban minor collector. There has never been secondary access to this property, making this an existing non-conformity. The northern boundary has no access due to the York Rail. Access to the West is limited by the adjacent property owned by Yorktown Roofing & Siding. The East is located immediately adjacent to I-83. Southern access is not feasible due to the residential homes along East Philadelphia Street.

Parking has existed as is since the construction of the building. Applicant is not seeking to make any changes to the parking layout. The parking configuration, buffering, and landscaping are all prior non-conformities. Applicant requests a variance from Section 310.61.C to comply with Section 310-18.

Mr. DeHaas had concerns about the buffering and screening between the property and the residential properties.

Atty. Katherman explained that there is existing mature buffering between the residents and the property.

Ms. Mitten addressed the concerns that neighbors have with the increase of heavy truck traffic that has been absent over the years due to the vacancy of the Industrial Property. She would like to see a traffic study to see how the new traffic would affect the neighborhood.

Engineer Dave Davidson, C.S. Davidson, recommended that a land development plan be required to address issues such as parking and traffic studies.

There was discussion that a secondary access could possibly be reached through an alley that runs behind York Roofing. It was suggested that possibly an easement could be agreed upon with York Roofing.

Motion Ms. Mitten/ second Mr. DeHaas to recommend approval of the Special Exception to allow multiple tenants provided a land development plan is submitted to assure Zoning Ordinances are followed if there are to be any external changes to the building or parking. There were no public comments. Motion carried. Yes-4, No-0.

Motion Ms. Mitten/second Mr. DeHaas to recommend approval of the Variance for secondary access after the review and approval by YAUFR that emergency access is adequate. There were no public comments. Motion carried. Yes-3, No - 1 with Mr. Stevens voting no because he feels there should be a secondary access.

Motion Ms. Mitten/Second Mr. Stevens to recommend approval of the Variance for buffering and landscaping due to the existence of adequate pre-existing buffering. There were no public comments. Motion carried. Yes - 4, No - 0

SUBDIVISION/LAND DEVELOPMENT PLANS:

Moove In Partners – Final Land Development Plan for a self-storage facility at 651 S. Richland Avenue in the IP zoning district. Property is located at 651 S. Richland Avenue. Grant Anderson from Site Design Concepts was present. Comments from CS Davidson were reviewed. There was some discussion as to sewer and parking requirements which have all been addressed.

Mr. Sandmeyer recused himself from this project.

Motion Mr. Scott/ second Ms. Mitten to approve the following waivers:

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| 1. | Stormwater Management (§365-301 SWM) |
| 2. | DEP approval of planning modules (§275-24D(4) SALDO) |

There were no public comments. Motion carried. Yes-3, No-0.

Motion Mr. Stevens/ second Ms. Mitten to approve the land development plan with the following conditions:

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| 1. | The Engineer’s seal and signature are required (275-24C(5) SALDO |
| 2. | Owner’s notarized signature is required (275-24C(22) SALDO |
| 3. | Missing property corners must be set prior to final plan approval. |
| 4. | An easement has been provided for several parking spaces that encroach on this property along the southern property line. The Township Solicitor shall approve the agreement establishing maintenance responsibility, access, etc. |
| 5. | Surety for public improvements (stormwater management) |
| 6. | Development Agreement, prepared by the Township Solicitor, shall be executed and recorded by the Township prior to the release of the plan for recording. |

There were no public comments. Motion carried. Yes-3, No-0.

York College, Naylor Building Expansion – Final Land Development Plan for an addition to the Naylor Eco Sciences Building at 441 Country Club Road in the AO and R-1 zoning districts. Todd Kurl from RGS Associates, and Ken Martin, York College were present. There was discussion about the location of the dumpsters. They are in the 20’ setback and need to be moved. Buffering and screening is already existing. There is no change to parking. Impervious surfaces are being reduced. There will be no sewer increase as no new bathrooms will be in the addition. The addition is for the new horticulture program at the college and is expected to bring a maximum of 40 new students and three teachers. Comments from CS Davidson were reviewed.

Motion Mr. DeHaas/ second Mr. Scott to approve the land development plan with the following conditions:

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| 1. | The Engineer’s seal and signature are required (275-24C(5) SALDO |
| 2. | Owner’s notarized signature is required (275-24C(22) SALDO |
| 3. | Security for proposed improvements (storm sewers, landscaping) must be posted before final plan approval (275-24D (5), SALDO). |
| 4. | Development Agreement, prepared by the Township Solicitor, shall be executed and recorded by the Township prior to the release of the plan for recording. |
| 5. | The dumpster shall be moved out of the 20’ setback. |

There were no public comments. Motion carried. Yes-4, No-0.

Motion Mr. DeHaas/ second Ms. Mitten to approve the following waivers:

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|----|--|
| 1. | Stormwater Management (§365-301 SWM) |
| 2. | DEP approval of planning modules (§275-24D(4) SALDO) |

There were no public comments. Motion carried. Yes-4, No-0.

York Country Day School – Final Land Development Plan to add four temporary classroom modules with covered access walkway/ramps to be placed on an existing asphalt parking lot at 1000 Indian Rock Dam Road in the AO zoning district. Todd Kurl from RGS Associates, and Ken Martin, York College were present. There was discussion on the length of time these “temporary” classrooms would be allowed. It was discussed at the In-House review meeting that a stipulation of three years would be included in the Developers Agreement. It was also noted that the language stating that the Planning Commission makes recommendations, and the Board of Commissioners makes the final approval or denial of the plans. Comments from CS Davidson were reviewed.

Motion Mr. DeHaas/ second Ms. Mitten to approve the land development plan with the following conditions:

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|----|---|
| 1. | The Engineer’s seal and signature are required (275-24C(5) SALDO |
| 2. | Owner’s notarized signature is required (275-24C(22) SALDO |
| 3. | The Township Planning Commission makes recommendations, approval or denial of plans is provided by the Commissioners. Their signature blocks should be revised accordingly. |
| 4. | Development Agreement (regarding removal of the “temporary” classrooms), prepared by the Township Solicitor, shall be executed and recorded by the Township prior to the release of the plan for recording. |

There were no public comments. Motion carried. Yes-4, No-0.

Motion Mr. DeHaas/ second Ms. Mitten to approve the following waivers:

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| 1. | A waiver of stormwater management has been recommended since the total impervious area will remain unchanged after development. (§365-301 SWM) |
| 2. | DEP approval of planning modules (§275-24D(4) SALDO) A waiver of this requirement has also been requested because the proposed additions would result in no increase in student population or employees. However, the current plans show the same number of students by grade and employees, as the 2013 building expansion. How were the current number of students and employees derived? |

There were no public comments. Motion carried. Yes-4, No-0.

OTHER BUSINESS:

Mrs. Hansen suggested Zoning Ordinance and Subdivision/Land Development Ordinance amendments. The Planning Commission will start to review the list and do any research they can to assist in starting this review project. They would also like Mrs. Hansen to provide a list of suggested amendments for discussion at the next meeting.

With no further business to address, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,
Dawn Hansen, Zoning Officer