



McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

RECEIVED

Dec 07 2022

MOUNT JOY TOWNSHIP

Jeffrey Esch McCombie
Direct Dial: 717.237.5310
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jmccombie@mcneeslaw.com

December 7, 2022

VIA E-MAIL & FEDEX

Justin Evans, Manager/Zoning Officer
Mount Joy Township
8853 Elizabethtown Road
Elizabethtown, PA 17022

RE: PDC Northeast LPIV, LLC – Zoning Hearing Board Application

Dear Justin:

We represent PDC Northeast LPIV, LLC and Panattoni Development Corporation (collectively, “Applicant”), the equitable owner of an approximately 106.5 acre tract of land located at 2843 Mount Pleasant Road that is identified as Property ID. No. 4618992200000 (“Property”). Applicant is requesting special exceptions to authorize the proposed use of the Property as a warehouse or distribution center for electrical equipment.

Enclosed in support of Applicant’s request, please find the following:

1. One (1) original and five copies of the Mount Joy Township Zoning Hearing Board Application;
2. Six (6) copies of a Narrative providing justification for the requested relief;
3. Six (6) copies of a Concept Plan; and
4. A check made payable to Mount Joy Township in the amount of \$750.00 representing the filing fee.

We request that the enclosed Application be placed on the Zoning Hearing Board’s agenda for January 4, 2023. At the hearing, Applicant will present testimony and other evidence in support of its requested relief. It is our understanding that the Township will provide appropriate public notice and post the Property as required under the Pennsylvania Municipalities Planning Code. We would also request that the Township arrange to have a stenographer present at the Zoning Hearing Board meeting.

Please confirm receipt of the enclosed Application and placement on the Zoning Hearing Board’s agenda for January 4, 2023. Do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey Esch McCombie'.

Jeffrey Esch McCombie
MCNEES WALLACE & NURICK LLC

RECEIVED

Dec 07 2022

ZHB Case # 230001

MOUNT JOY TOWNSHIP

Mount Joy Township

8853 Elizabethtown Rd
Elizabethtown, PA 17022
Phone: (717)367-8917 - Fax: (717)367-9208

Zoning Hearing Board Application

1. Applicant Information

Name: PDC Northeast LPIV, LLC, a Delaware limited liability company
Address: 2442 Dupont Drive City/State/Zip: Irvine, CA 92612
Phone: 717-649-9588 Fax: _____
E-mail: jpeters@panattoni.com

2. Landowner Information (if different from the Applicant)

Name: Franklin B. Greiner, Jr.
Address: 700 Cornwall Mountain Road City/State/Zip: Lititz, PA 17543
Phone: _____ Fax: _____
E-mail: sigreiner55@aol.com

3. Property Information

Property Address: 2843 Mount Pleasant Road
City/State/Zip: Mount Joy, PA 17552
Existing Use: Agriculture/Farm Proposed Use: See attached Narrative.
Total Property Area (Sq. Ft. or Acres): 106.5 acres

FOR TOWNSHIP USE ONLY

Date Application Received: December 7, 2022
Date Application to be heard: January 4, 2023
Tax Parcel #: 461-89922-0-0000
Zoning District: Light Industrial (LI)
Application Denied/Approved: _____

4. Request for Special Exception

Section(s) of Zoning Ordinance for which a Special Exception is requested:

See attached Narrative.

Provide an explanation of your proposal, particularly, why you need a special exception and for what type of use the special exception is being requested for:

See attached Narrative.

This site is suitable for a Special Exception Use because:

See attached Narrative.

How will the request affect adjacent properties? (Dust, noise, fumes, odors, glare, increased traffic, character of the neighborhood etc.):

See attached Narrative.

5. Expansion of Special Exception Uses

Are there any existing nonconformities on the lot, if so list them:

n/a

Existing and proposed square footage of the structure:

n/a

Percentage of Expansion:

n/a

Existing front, side and rear yard setbacks:

n/a

Proposed front, side and rear yard setbacks:

n/a

6. Request for a Variance

Section(s) of the Zoning Ordinance for which a Variance is requested:

n/a

Why do you need a variance and what is your proposed alternative from the requirements of the Township Zoning Ordinance?

n/a

What physical characteristics of the property prevent it from being used for any of the permitted uses in your zoning district? (Topography, size and shape of lot, environmental constraints, etc.):"

n/a

Explain how the requirements of the Zoning Ordinance would result in difficulties or undue hardships in the use of your property, buildings and/or structures:

n/a

Explain how the granting of a variance will not be a substantial detriment to the public good or a substantial impairment of the intent and purpose of the Zoning Ordinance:

n/a

7. Certification

I/we, the undersigned, do hereby certify that:

- 1. The information submitted here in is true and correct to the best of my/our knowledge and upon submittal becomes public record.
- 2. Fees are not refundable, and payment does not guarantee approval of the Zoning Hearing Board Application.
- 3. All additional required written graphic materials are attached to this application



12/7/22

Applicant Signature Counsel for Applicant Signature

Date Signed

Esch McCombie, Esq., Counsel for Applicant

Applicant's Name (Printed)

Landowner Sign (if different from Applicant)

Date Signed

Landowner's Name (Printed)

7. Certification

I/we, the undersigned, do hereby certify that:

1. The information submitted here in is true and correct to the best of my/our knowledge and upon submittal becomes public record.
2. Fees are not refundable, and payment does not guarantee approval of the Zoning Hearing Board Application.
3. All additional required written graphic materials are attached to this application

~~Applicant Signature~~ Counsel for Applicant Signature

Date Signed

Esch McCombie, Esq., Counsel for Applicant

~~Applicant's Name (Printed)~~

Frank Greiner

Landowner Sign (if different from Applicant)

12-7-2022

Date Signed

FRANK GREINER
Landowner's Name (Printed)

**NARRATIVE TO ZONING APPLICATION
PDC NORTHEAST LPIV, LLC**

I. INTRODUCTION

PDC Northeast LPIV, LLC (“Applicant”) is the equitable owner of an approximately 106.5-acre tract of land located at 2843 Mount Pleasant Road in Mount Joy Township (“Township”), Lancaster County, Pennsylvania, and identified as Property ID. No. 461899220000 (“Property”). The Property abuts Mount Pleasant Road and is located along the northern side of Route 283. The Property is improved with a one-story modular home, a two-story farmhouse, a barn, and a shed. However, most of the Property is comprised of crop land and wood land. The Property is shown on the aerial map attached hereto as Exhibit A and is located in the Township’s LI – Light Industrial District (“LI-District”).

Applicant has pending before the Township Board of Supervisors a zoning amendment to, among other things, rezone other properties, permit warehousing, distribution, and similar uses by right on the Property, and to add specific criteria for warehousing, distribution, and similar uses. In the meantime, a potential tenant has approached Applicant (“Lessee”) and needs to secure space in relatively short order. Therefore, Applicant has submitted this Application while the zoning amendment is pending.

Lessee would like to consolidate its two Southcentral PA locations into one and store various electrical equipment and parts (“Proposed Storage”). Applicant intends to construct an approximately 1,006,880 square feet (620’ x 1,624’) warehouse (“Facility”) for Lessee on the Property, along with associated access drives, loading/docking areas, parking, and related improvements (“Project”). A concept plan depicting the Property and the Project is enclosed with this Application (“Concept Plan”). As shown on the Concept Plan, the Project will include two access drives from Mount Pleasant Road, 440 employee parking spaces, 212 trailer parking spaces, and approximately 154 dock positions.

To facilitate the Project, Applicant is requesting that the Mount Joy Township Zoning Hearing Board (“Board”) grant special exceptions pursuant to Section 135-163.B and -163.C of the Mount Joy Township Zoning Ordinance (“Zoning Ordinance”) to authorize an industrial use involving warehousing, manufacturing, processing, packaging, production, wholesaling, storage, distribution, or repair of all reasonable materials, goods and products in a building larger than 50,000 square-feet (i.e., the Facility) (“Industrial Use”) on the Property.

II. REQUESTED RELIEF

1. Special exceptions pursuant to Section 135-163.B and -163.C of the Zoning Ordinance to authorize the Industrial Use on the Property.

Pursuant to Section 135-163.B of the Zoning Ordinance, an industrial use “involving warehousing, manufacturing, processing, packaging, production, wholesaling, storage, distribution, or repair of” the specific products listed in Section 135-163.B in a building area exceeding 50,000 square feet is permitted by special exception in the LI-District. Pursuant to

Section 135-163.C of the Zoning Ordinance, an industrial use “involving warehousing, manufacturing, processing, packaging, production, wholesaling, storage, distribution, or repair of items not specifically referenced by Section 135-162.E” (which is the same list as provided by Section 135-163.C) also is permitted by special exception in the LI-District. The Property is located in the LI-District; therefore, Applicant requests special exceptions to permit the Industrial Use on the Property pursuant to Sections 135-163.B and -163.C.

A special exception is not an exception to a zoning ordinance, but instead, is a use which is expressly permitted, absent a showing of a detrimental effect on the community. *Greaton Props. v. Lower Merion Twp.*, 796 A.2d 1038, 1045 (Pa. Cmwlth. 2002). The fact that a use is permitted as a special exception evidences a legislative decision that the particular type of use (in this case, a warehouse, distribution center, or similar use) is consistent with the zoning plan and presumptively consistent with the health, safety, and welfare of the community. *Abbey v. Zoning Hearing Bd. Of East Stroudsburg*, 559 A.2d 107, 109 (Pa. Cmwlth. 1989).

Accordingly, a special exception that satisfies the objective standards of a zoning ordinance must be granted unless opponents present sufficient evidence that the use will generate adverse impacts not normally generated by this type of use and that these impacts will pose a substantial threat to the health and safety of the community. *Greaton Props*, 795 A.2d 1045-46. Such evidence cannot consist of mere speculation, bald assertions, or personal opinions and perceptions of the effect of the use on the community. *Sunnyside Up Corp. v. City of Lancaster Zoning Haring Bd.*, 739 A.2d 644, 650 (Pa. Cmwlth. 1999). Rather, opponents must demonstrate that there is a high degree of probability that the use will cause a substantial harm that is not normally associated with the proposed use. *Ruddy v. Lower Southampton Twp. Zoning Hearing Bd.*, 669 A.2d 1051, 1057 (Pa. Cmwlth. 1995).

The Zoning Ordinance provides no specific criteria for the uses described by Sections 135-163.B and -163.C. However, it does establish requirements for all uses in the LI-District and generally within the Township. The relevant requirements are reproduced in bold below. A brief discussion follows each requirement.

A. Area and Bulk Requirements for LI-District (§135-165)

§135-165.A(1) The minimum height for all principal buildings shall be 20 feet.

The minimum height of the proposed Facility shall be at least 20 feet. The Facility is intended to be between 40 feet and 50 feet. Therefore, the Application complies with this requirement.

§135-165.A(2) An additional side yard setback of one foot shall be provided for every two feet, or fraction thereof, of increase in any principal nonresidential building height above 50 feet.

Although, as depicted on the Concept Plan, the side yard setbacks are more than sufficient to increase the height of the Facility above 50 feet, such that the Application complies with this section, the Facility is intended to be between 40 feet and 50 feet.

§135-165.B(1) Nonresidential uses. The minimum lot area for nonresidential uses shall be:

...

(c) Fifteen thousand square feet if served by both public sanitary sewer and public water facilities.

The Facility will be served by public sewer and water and the Property is approximately 106.5 acres (or 4,639,140 square feet). Therefore, the Application complies with this requirement.

§135-165.C(2) Minimum lot width. The minimum lot width for all uses shall be as follows:

...

(2)The minimum lot width for single-family detached dwellings and nonresidential principal buildings shall be 75 feet at the building setback line, subject to the provisions of Subsection C(1).

As depicted on the Concept Plan, the Property has a lot width well in excess of 1,000 feet at the building setback line. Therefore, the Application complies with this requirement.

§135-165.D Minimum lot depth. The minimum lot depth shall be 125 feet.

As depicted on the Concept Plan, the Property has a minimum lot depth of several hundred feet. Therefore, the Application complies with this requirement.

§135-165.E Yards. Yards of the following minimum sizes shall be provided:

(1) Front yard minimum depth.

(a) The minimum front yard building setback line from all streets shall be 40 feet from the ultimate street right-of-way as designated by § 135-301, unless a more-stringent setback requirement applies to a particular use.

As depicted on the Concept Plan, the Facility is set back greater than 40 feet from the ultimate street right-of-way. There is no specific setback requirement for the Industrial Use. Therefore, the Application complies with this requirement.

...

(c) Off-street parking and outdoor storage areas shall contain a setback line of at least 15 feet from the ultimate street right-of-way. No off-street loading shall be permitted in the front yard.

As depicted on the Concept Plan, off-street parking is set back more than 15 feet from the ultimate street right-of-way and no off-street loading is proposed in the front yard.

§135-165.E(2) Side yard. All buildings, off-street parking lots, loading areas and outdoor storage areas shall be set back at least 15 feet from each side lot line. If joint parking facilities are shared by adjoining uses, one of the side yard setbacks can be waived solely for parking and/or loading facilities.

As depicted on the Concept Plan, off-street parking lots and loading areas are setback more than 15 feet from each side lot line. Outdoor storage is not proposed for the Industrial Use. Therefore, the Application complies with this requirement.

§135-165.E(3) Rear yard. Rear yards shall be a minimum of 30 feet in depth. Off-street parking lots, loading areas and outdoor storage areas shall be set back at least 15 feet from the rear lot line.

As depicted on the Concept Plan, off-street parking lots and loading areas are setback more than 30 feet from the rear lot line. Outdoor storage is not proposed for the Industrial Use. Therefore, the Application complies with this requirement.

§135-165.E(4) When a lot used or proposed to be used for industrial purposes within the LI District is adjacent to a residential district or a lot used for residential purposes, the minimum side yard and rear yard setback requirement shall be increased to 80 feet along such adjacent side or rear property line. All buildings, dumpster locations, parking areas, loading areas and outdoor storage areas shall comply with this requirement.

As depicted on the Concept Plan, all buildings, dumpster locations, parking areas and loading areas are setback greater than 80 feet from lots in the Agricultural District, within which single-family dwellings are permitted. Outdoor storage is not proposed for the Industrial Use. Therefore, the Application complies with this requirement.

§135-165.F(1)(a) Maximum lot coverage.

(1) Maximum building coverage.

(a) The total building coverage for nonresidential uses shall not exceed 60%.

As depicted on the Concept Plan, the proposed building coverage for the Project is 21.7%. Therefore, the Application complies with this requirement.

§135-165.F(2)(a) (2) Maximum impervious coverage.

(a) The total impervious coverage for nonresidential uses shall not exceed 70%.

As depicted on the Concept Plan, the proposed impervious coverage for the Project is 40.2%. Therefore, the Application complies with this requirement.

B. Supplemental Use Regulations (§135-167)

Pursuant to Section 135-167 of the Zoning Ordinance, all uses shall comply with (i) Article XXIII, General Regulations; (ii) Article XXIV, Sign Regulations; and (iii) Article XXV, Parking Regulations. Applicant is currently not proposing any signs on the Property. In the event that Applicant desires to install a sign on the Property in the future, Applicant shall comply with Article XXIV, Sign Regulations.

The applicable requirements set forth in Article XXIII, General Regulations and Article XXV, Parking Regulations are reproduced in bold below. A brief discussion follows each requirement.

1. Article XXIII, General Regulations

§ 135-294.A Each lot to be created and each principal structure erected or moved shall be on a lot which directly abuts a public street, a street proposed to be dedicated to the Township by the subdivision plan which created or creates such lot, or a private street which meets all of the requirements of Chapter 119, Subdivision and Land Development.

As depicted on the Concept Plan, the Property abuts Mount Pleasant Road, which is a public street. Therefore, the Application complies with this requirement.

§ 135-294.B A paved all-weather driveway with a properly designed turnaround facility shall be provided on all lots that have access to collector and arterial roads in order that vehicles leaving the property can enter onto the roadway front first, rather than backing onto the roadway. Collector and arterial roads shall be those designated as such in this chapter.

As depicted on the Concept Plan, the Project will include two access drives from Mount Pleasant Road and adequate internal circulation for tractor trailers and automobiles, such that vehicles leaving the Property can enter onto the roadway front first. Therefore, the Application complies with this requirement.

§ 135-296 Vision obstruction.
On any corner lot, no wall, fence or other structure shall be erected or altered and no hedge, tree, shrub, crops or other growth shall be maintained which may cause danger to vehicles or pedestrians on a public road, access drive or driveway by obscuring the view.

As depicted on the Concept Plan, no improvements are proposed at the intersection of Mount Pleasant Road and Stauffer Road and any required landscaping will be located outside of the required site triangle for that intersection in compliance with Township ordinances. Therefore, the Application complies with this requirement.

§ 135-298.C Lighting of properties and uses shall comply with the following provisions:

...

C. Illumination requirements.

Applicant shall comply with the illumination requirements set forth in Section 135-298.C of the Zoning Ordinance. At the hearing, Applicant shall provide a lighting plan to establish compliance with the requirement of Section 135-298.C.

§ 135-298.D Exterior lighting plan.

(1) Any applicant for any approval shall submit an exterior lighting plan with the initial application. If the proposed use is authorized by special exception, the applicant shall present the exterior lighting plan as part of the application for a special exception. If the proposed use is as of right and requires subdivision or land development approval, the applicant shall submit an exterior lighting plan with the sketch plan if a sketch plan is mandatory or, if a sketch plan is not mandatory, with the preliminary subdivision or land development plan. Applicants desiring to install exterior lighting who do not require approval of a special exception or a subdivision or land development plan shall submit an exterior lighting plan with the application for a zoning permit.

(2) An exterior lighting plan shall include, but not be limited to, a detailed grid of illumination levels, a calculation as to the average illumination levels, the number of lighting fixtures, the height and location of the mounting fixtures, including the underside of any canopies, details as to how lighting will be recessed, and required details of how lighting will be shielded and the angle of the shielding when required, and details of any building- or canopy-mounted lighting to show that the outline and roofline provisions have been met.

Although an exterior lighting plan is not required until land development, at the hearing, Applicant shall provide a lighting plan as described by Section 135-298.D of the Zoning Ordinance.

§ 135-299 Landscaping and screening requirements.

As depicted on the Concept Plan, space has been provided to provide landscaping and buffers in accordance with Section 135-299 of the Zoning Ordinance. In addition, at the hearing, Applicant shall provide a landscaping plan that complies with the requirements of Section 135-299.

§ 135-306 Riparian corridors and setback requirements from waterways and major drainage swales.

As depicted on the Concept Plan, the Application complies with the requirements of Section 135-306 with respect to riparian corridors, waterways and major drainage swales. Therefore, the Application complies with this requirement.

§ 135-307 Wetlands.

As depicted on the Concept Plan, the Application complies with the requirements of Section 135-306, including that the northern access road is curved so as to avoid the wetlands on the Property. Therefore, the Application complies with this requirement.

§ 135-310 Required traffic impact study submittals.

Although a traffic study is not required for the Industrial Use or the requested special exceptions, Applicant will provide a traffic report at the hearing.

§ 135-326 Performance and Design Standards for all Nonresidential Uses.

All nonresidential uses, with the exception of agricultural uses shall comply with the regulations of this section.

Acknowledged. No response is necessary.

§ 135-326.A Access management. Curb cuts and new driveways shall be limited on both sides of a collector or arterial street, as designated by § 135-301. In order to reduce the number of new curb-cuts and driveways, developers shall implement one of the following requirements:

- (1) Provide vehicular access to parking areas from service roads at the rear of the parcels which front on a collector or arterial road, or from a side street on a corner lot.**
- (2) Provide shared vehicular access between two or more adjoining land uses that make use of only one shared access drive onto adjoining collector or arterial roads.**
- (3) Developers that implement either Subsection A(1) or (2) above shall be permitted to increase the impervious coverage limitations on their lot of 5%.**
- (4) In circumstances where the Township determines that it is not possible to provide vehicular access to parking areas from a service road at the rear of a parcel, or to provide a shared access drive between two or more adjoining land uses, curb cuts for driveways or access drive that intersects a cartway of a collector or arterial roadway shall not exceed 24 feet in width. If in the event a developer provides evidence that this requirement impedes on the flow of tractor-trailers that would deliver goods to the development tract, the applicant may widen the cartway the minimum width it would take to allow truck deliveries to occur safely on the site.**

The Property abuts Mount Pleasant Road. According to Section 135-301(2)(h) of the Zoning Ordinance, Mount Pleasant Road is a collector road. As shown on the Concept Plan, the access drives comply with option (4) above. In addition, access from the rear and sides of the Property is not possible or desirable given the nature of the abutting lots.

§ 135-326.B All commercial and industrial buildings shall be constructed in accordance with an overall plan and shall be designed as a single architectural style consisting of durable construction materials including brick, stone, stucco, vinyl siding veneers or other material that is acceptable to the Township. To the greatest extent possible, buildings shall use a variety of architectural elements, rooflines and structural offsets and shall consist of no offensive, bright building color that would detract from the aesthetic design of the building. Retail stores and shopping centers shall be designed in compliance with § 135-256D.

Applicant will comply with this requirement. At the hearing, Applicant shall provide evidence or testimony showing compliance with these requirements.

§ 135-326.C Parking areas shall be suitably illuminated for night use if night operations shall be proposed. All lighting shall be reflected away from lots in a residential zoning district or any existing residential development.

Applicant shall comply with the illumination requirements set forth in Section 135-326.C of the Zoning Ordinance. At the hearing, Applicant shall provide a lighting plan to establish compliance with the requirement of Section 135-326.C.

§ 135-326.D No shipping or receiving shall be permitted within 600 feet of a residential zoning district or existing residential development between the hours of 9:00 p.m. and 8:00 a.m.

The Facility's proposed loading/docking positions on the Property are not located within 600 feet of a residential zoning district or existing residential development, as determined by the Township's Zoning Officer. Therefore, the Application complies with this requirement.

§ 135-326.E All materials and equipment shall be stored in a completely enclosed structure or shall be otherwise screened by a six-foot fence or hedge.

Except for vehicles and trailers parked in off-street parking spots, as permitted by the Zoning Ordinance, all materials and equipment shall be stored within the Facility. Therefore, the Application complies with this requirement.

§ 135-326.F All activities and all storage of flammable and explosive materials at any point shall be prohibited unless adequate safety devices against the hazards of fire and explosion are provided.

Applicant is not aware of any intent by Lessee to store flammable or explosive materials. However, Applicant shall ensure that storage of any such materials be done in compliance with this Section 135-326.F. Therefore, the Application complies with this requirement.

§ 135-326.G No activities which emit radioactivity at any point are permitted.

At the hearing, Applicant shall submit evidence establishing compliance with this requirement at the hearing.

§ 135-326.H **No electrical disturbances adversely affecting the operation of any equipment other than that of the creator of such disturbance shall be permitted.**

At the hearing, Applicant shall submit evidence establishing compliance with this requirement at the hearing.

§ 135-326.I **No fly ash, dust, fumes, vapors, gasses or other forms of air pollution emissions which can cause any excessive soiling upon another property shall be permitted.**

At the hearing, Applicant shall submit evidence establishing compliance with this requirement at the hearing.

§ 135-326.J **No vibration which is discernible to the human sense of feeling on an adjacent property for three minutes or more in duration is permitted in any hour of the day between 7:00 a.m. and 7:00 p.m. or for 30 seconds or more between the hours of 7:00 p.m. and 7:00 a.m.**

At the hearing, Applicant shall submit evidence establishing compliance with this requirement at the hearing.

§ 135-326.K **No activities producing heat, cold, dampness or movement of air are permitted which shall produce any material effect on the temperature, motion or humidity of the atmosphere at the lot line or beyond.**

At the hearing, Applicant shall submit evidence establishing compliance with this requirement at the hearing.

§ 135-326.L **No emission of odorous gasses or other odorous matter in such quantities as to be detectable to the human sense of smell when measured at the lot line shall be permitted.**

At the hearing, Applicant shall submit evidence establishing compliance with this requirement at the hearing.

§ 135-326.M **No direct or sky-reflected glare, whether from floodlights or from high-temperature processes, such as combustion or welding, which is detectable from any point on the lot line is permitted. This restriction shall not apply to signs or floodlights otherwise permitted by this chapter.**

At the hearing, Applicant shall submit evidence establishing compliance with this requirement at the hearing.

§ 135-326.N **All industrial uses shall be provided with public wastewater disposal. The applicant shall provide information to the Zoning Hearing Board concerning the manner in which such public sewer service shall be provided. However, a special exception to this requirement may be granted if the applicant proves to the Zoning Hearing Board that such service is not necessary for the intended use and that extension of such service is not practical. In such case, the Township may require the**

installation of capped sewage lines that are constructed to Township specifications in a manner that would allow connection to the public sanitary sewerage system in the future. As an alternative, the Township may permit the posting of financial security to construct such lines at a future date to be determined by the Township.

The Project will utilize public water and sewer disposal. Therefore, the Application complies with this requirement.

2. Article XXV, Parking Regulations

§ 135-342 Design requirements for parking facilities.

Applicant will comply with the design requirements for parking facilities set forth in Section 135-342. At the hearing, Applicant shall provide additional evidence or testimony showing compliance with these requirements.

§ 135-343.D Minimum off-street parking requirements.

...

D. Industrial uses.

...

(2) Warehousing uses shall be provided with one space for each employee on the largest shift.

The Project will include 440 employee parking spaces and 212 trailer parking spaces. The largest shift will not exceed 440 employees. Therefore, the Application complies with this requirement.

§ 135-346 Off-street loading and unloading space.

Adequate off-street loading and unloading space shall be provided for any use which involves the receipt or distribution of materials or merchandise by motor vehicle. If the use of a property or building is changed or an existing use is enlarged, applicant shall demonstrate that such alteration will not require additional loading space, or if in the event additional loading space is required, applicant shall demonstrate compliance with this section prior to issuance of a zoning permit. Off-street loading spaces shall comply with the requirements of this section.

Although this requirement appears to apply to loading and unloading of uses such as retail and restaurants where the loading/unloading is not the principal use, as shown on the Concept Plan, the Project includes adequate off-street loading and unloading spaces in accordance with Section 135-346. Therefore, the Application complies with this requirement.

§ 135-346.A Adequate documentation shall be submitted to the Township that demonstrates that the proposed off-street loading areas will not interfere with the free movement of vehicles and pedestrians over a

public street, through internal parking areas, walkways, access drives and driveways. Sufficient documentation may include turning exhibits portraying the movement of the largest vehicle that would have access to the site or through the submission of similar Concept Plans as approved by the Township Zoning Officer.

As explained above, this requirement might be inapplicable to the Industrial Use. However, as depicted on the Concept Plan, the proposed off-street loading areas will not interfere with the free movement of vehicles and pedestrians over a public street, through internal parking areas, walkways, access drives and driveways because there are two access drives for ingress and egress to the dock positions. Therefore, the Application complies with this requirement.

§ 135-346.B All off-street loading facilities, including access drives, shall be constructed and maintained with a paved surface of concrete or bituminous materials.

As explained above, this requirement might be inapplicable to the Industrial Use. However, the loading facilities and access drives are proposed to be constructed and maintained as required by Section 135-346.B. Therefore, the Application complies with this requirement.

§ 135-346.C Unless otherwise indicated, off-street loading areas shall be placed in a side or rear yard. All off-street loading areas shall be surrounded by a fifteen-foot-wide landscape strip. The landscape strip may overlap any other required landscape strip and setback required by this chapter. All off-street loading facilities adjacent to an agricultural or residential zoned property, a property that is available for residential use, and/or adjoining public street rights-of-way shall be surrounded by a landscape screen that is at least 10 feet wide in addition to the required landscape strip.

As explained above, this requirement might be inapplicable to the Industrial Use. However, as depicted on the Concept Plan, space for the required landscape strips and setbacks have been provided and Applicant intends to provide such landscaping, as will be depicted on the landscape plan to be submitted at the hearing. Therefore, the Application complies with these requirements.

§ 135-346.D Every loading space shall be connected to a street by means of an access drive. The access drive shall be at least 24 feet wide for two-way traffic, or 18 feet wide for one-way traffic. See Chapter 119, Subdivision and Land Development, for other access drive requirements.

As explained above, this requirement might be inapplicable to the Industrial Use. However, as depicted on the Concept Plan, every loading space shall be connected to Mount Pleasant Road by means of an access drive. Therefore, the Application complies with this requirement.

C. General Standards for Special Exceptions (§135-383.B)

§ 135-383.B(1) Compliance with this chapter. The applicant shall establish by credible evidence compliance with all conditions on the special exception enumerated in the section which gives the applicant the right to seek the special exception. The applicant shall provide the Board with sufficient plans, studies or other data to demonstrate compliance with all applicable regulations.

As established by, or as will be established by, this Narrative, the Concept Plan, and reports and testimony to be provided at the hearing, Applicant complies with all conditions of the requested special exception for the Industrial Use. Therefore, the Application complies with these requirements.

§ 135-383.B(2) Traffic and public services. The applicant shall establish by credible evidence that the proposed special exception shall be properly serviced by all existing public service systems. The peak traffic generated by the subject of the application shall be accommodated in a safe and efficient manner or improvements made in order to effect the same. Similar responsibilities shall be assumed with respect to other public service systems, including but not limited to police protection, fire protection, utilities, parks and recreation.

As established by, or as will be established by, this Narrative, the Concept Plan, and reports and testimony to be provided at the hearing, Applicant complies with all conditions of the requested special exception for the Industrial Use. Therefore, the Application complies with these requirements.

§ 135-383.B(3) Concept Planning. The applicant shall establish by credible evidence that the proposed special exception shall be in and of itself properly designed with regard to internal circulation, parking, buffering and all other elements of proper design as specified in this chapter and any other governing law or regulation.

As depicted on the Concept Plan, the Application complies with this requirement.

§ 135-383.B(4) Neighborhood. The proposed special exception shall not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and the use of property adjacent to the area included in the special exception application shall be adequately safeguarded.

The proposed special exception will not substantially injure or detract from the use of the neighboring property or from the character of the neighborhood, and the use of property adjacent to the area. Conversely, the proposed special exception will allow Applicant to construct the

Facility which is compatible with the surrounding industrial uses. Notably, the Property is located across from a 450,000 square-foot warehouse facility, which is the largest job-shop structural steel fabrication operation in Southcentral Pennsylvania. Further, the Property is located near the interchange of Route 283 (a high-volume, multiple-lane limited access principal arterial highway). Route 283 is planned or designed to accommodate larger volumes of traffic, including trucks that typically are associated with warehouse/distribution centers. Moreover, the Industrial Use will include the screening, buffering, and setbacks required for industrial uses that adjoin residential districts and residential uses. Therefore, the Application complies with this requirement.

§ 135-383.B(5) Safety. The applicant shall establish by credible evidence that the proposed use will not create a significant hazard to the public health and safety, such as fire, toxic or explosive hazards.

The proposed Industrial Use is not a use that is normally associated with creating significant hazards to public health or safety. Little to no police or fire protection is anticipated to be necessary in connection with the proposed Industrial Use, which will have a sprinkler system. Additional evidence further establishing compliance with this requirement will be provided at the hearing.

§ 135-383.B(6) The Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of and ensure compliance with the Municipalities Planning Code and this chapter, which conditions may include plantings and buffers, harmonious designs of buildings and the elimination of noxious, offensive or hazardous elements.

Acknowledged. No response is necessary. However, Applicant submits that the criteria for warehousing, distribution, and similar uses proposed by Applicant in the zoning amendment it submitted to the Township are conditions that are acceptable to Applicant.

§ 135-383.B(7) Unless otherwise specified by the Board or by law, a special exception shall expire if the applicant fails to obtain a zoning permit within one year from the date of authorization thereof by the Board or by the court if such special exception has been granted after an appeal or fails to complete any erection, construction, reconstruction, alteration or change in use authorized by the special exception approval within two years from the date of authorization thereof by the Board or by the court if such special exception has been granted after an appeal. The Board, upon written application and for reasonable cause shown, may extend the approval for an additional period of up to two years.

Acknowledged. No response is necessary.

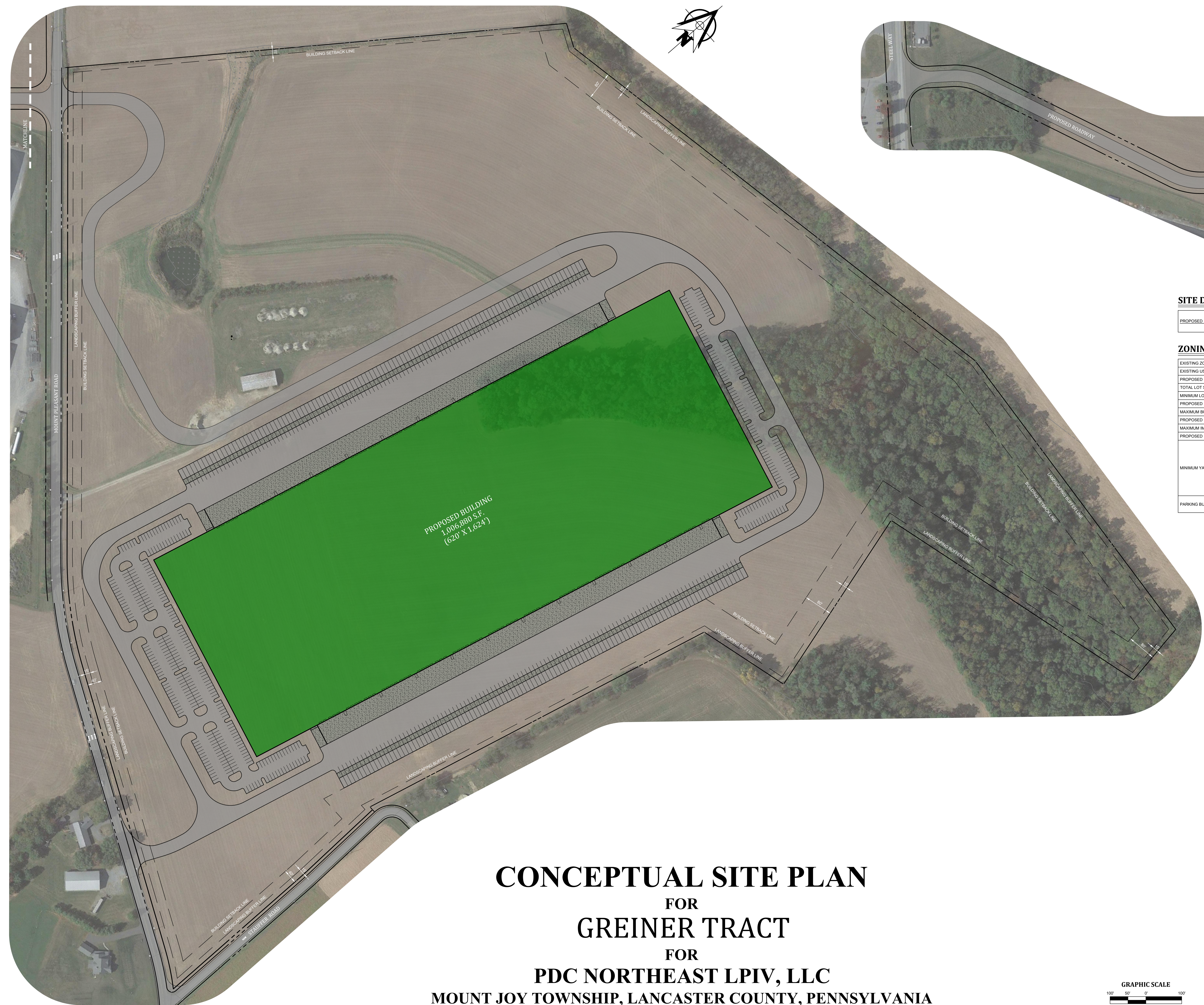
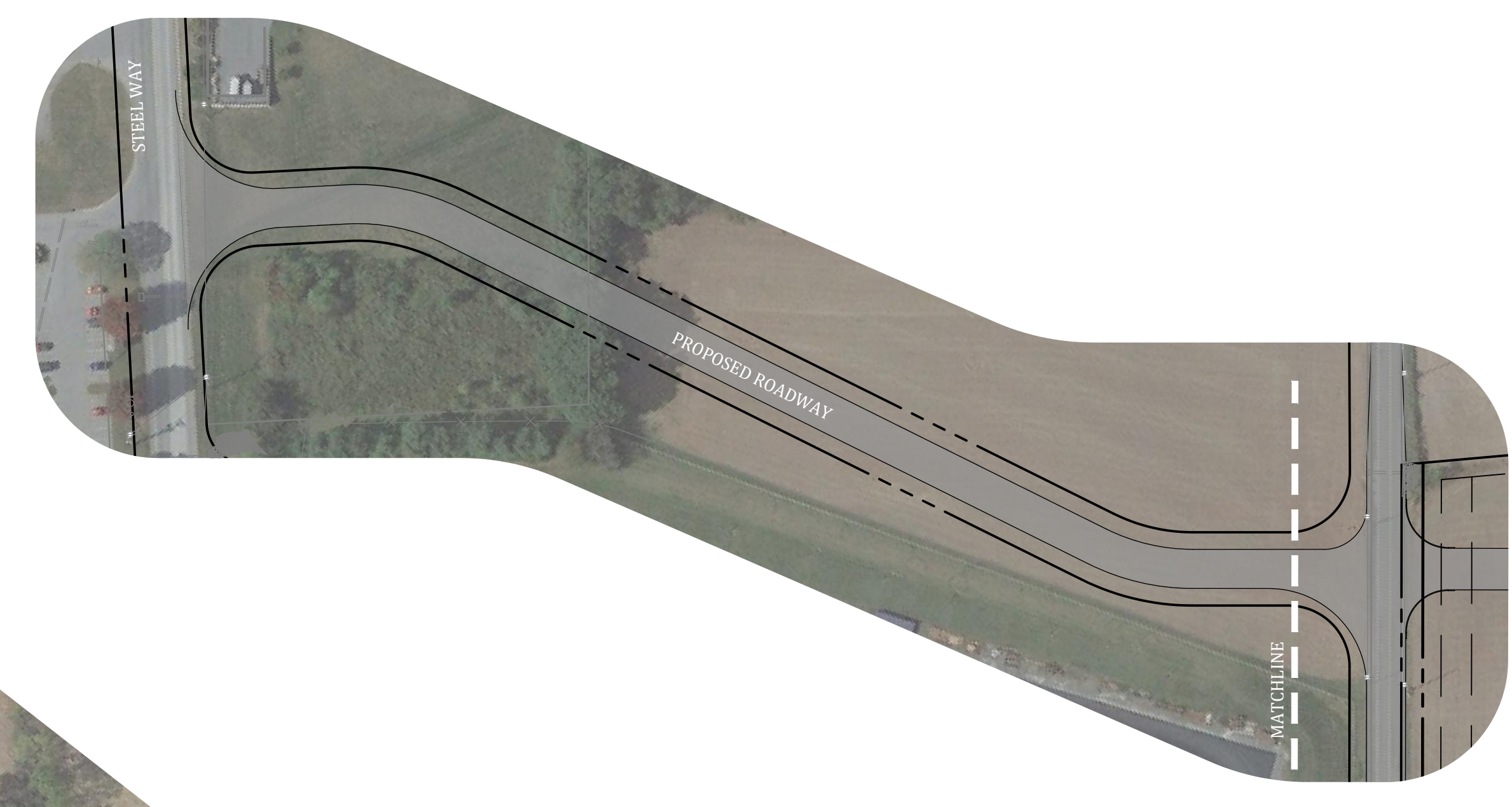
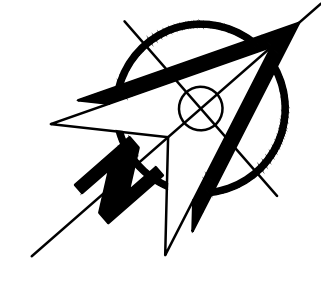
VII. CONCLUSION

Based on the foregoing, and the additional evidence and testimony that will be presented at the hearing, the Applicant respectfully asks the Board to grant the requested relief.

Exhibit A

Aerial Map





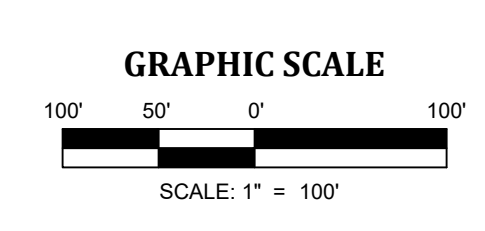
SITE DATA

PROPOSED BUILDING:	1,006,880 S.F. (620 FT. X 1,624 FT.) 40 EMPLOYEE PARKING SPACES 212 TRAILER PARKING SPACES ±154 DOCK POSITIONS
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ZONING DATA

EXISTING ZONING DISTRICT:	LIGHT INDUSTRIAL (LI)
EXISTING USE:	AGRICULTURAL
PROPOSED USE:	WAREHOUSING (SPECIAL EXCEPTION)
TOTAL LOT SIZE:	±108.31 ACRES
MINIMUM LOT WIDTH:	75 FT. AT MEASURE BUILDING SETBACK LINE
PROPOSED LOT WIDTH:	2,583 FT.
MAXIMUM BUILDING COVERAGE:	60%
PROPOSED BUILDING COVERAGE:	21.7%
MAXIMUM IMPERVIOUS COVERAGE:	70%
PROPOSED IMPERVIOUS COVERAGE:	40.2%
MINIMUM YARD REQUIREMENTS:	FRONT: 40 FT. SIDE: 15 FT.* REAR: 30 FT.* *WHEN A LOT USED OR PROPOSED TO BE USED FOR INDUSTRIAL PURPOSES WITHIN THE LI DISTRICT IS ADJACENT TO A RESIDENTIAL DISTRICT OR A LOT USED FOR RESIDENTIAL PURPOSES, THE MINIMUM SIDE YARD AND REAR YARD SETBACK REQUIREMENT SHALL BE INCREASED TO 80 FEET ALONG SUCH ADJACENT SIDE OR REAR PROPERTY LINE.
PARKING BUFFER YARD:	FRONT: 15 FT.

CONCEPTUAL SITE PLAN
FOR
GREINER TRACT
FOR
PDC NORTHEAST LPIV, LLC
MOUNT JOY TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA



LANDWORKS
CIVIL DESIGN, LLC
 land development consultants

1195 VIRGINIA AVENUE
 YORK, PA 17403
 P (717) 395-7629
 www.landworksllc.com

DATE: 08/20/2024
 TIME: 10:00 AM
 PROJECT: GREINER TRACT
 DRAWING: CONCEPTUAL SITE PLAN
 SHEET: 01 OF 01
 SCALE: 1" = 100'
 DRAWN BY: J. B. BROWN
 CHECKED BY: J. B. BROWN
 APPROVED BY: J. B. BROWN
 PROJECT MANAGER: J. B. BROWN
 CLIENT: PDC NORTHEAST LPIV, LLC
 LOCATION: MOUNT JOY TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA
 SHEET NO.: 01 OF 01
 TOTAL SHEETS: 01
 DATE PLOTTED: 08/20/2024 10:00 AM
 PLOTTER: HP DesignJet T1100PS