

WARWICK TOWNSHIP ZONING HEARING BOARD MINUTES
Warwick Township Municipal Office
September 12, 2018

Chairman Gary Lefever convened the September 12, 2018 meeting of the Warwick Township Zoning Hearing Board at 6:30 p.m. Present were Board Members Dane St. Clair, Brent Schrock, Gary Lefever, and Dana Clark. Absent were Board Members Mark Will and Tom Matteson. Also present were Neil Albert, Zoning Hearing Board Solicitor; Tom Zorbaugh, Code and Zoning Officer; Kevin Varner from Diehm & Sons; Dwight Yoder from GKH; Ryan Bollinger, Lititz; Nelson Bollinger, Manheim; Jeff Bollinger, Lititz; Zac Hamilton from Waterloo, Inc.; Lisa Miller, Court Reporter; Brad Zimmerman, Lititz; Mitchell Brady from HRG; Reid Spangler, Lititz; Mary Ann Frank, Lititz; and E.C. Stuart, Lititz.

MINUTES APPROVAL: With no additions or changes to the June 13, 2018 minutes, they were unanimously approved by the Board. G. Lefever abstained as he was not present at this meeting.

POSTINGS, PROOFS OF PUBLICATION AND NOTICES: Tom Zorbaugh, Code and Zoning Officer, confirmed that the case was properly posted.

HEARING PROCEDURE: For the benefit of those present, Neil Albert, Zoning Hearing Board Solicitor, explained the procedure to be followed for tonight's hearing.

CASE #862- RNJ WASHES LLC- SPECIAL EXCEPTION/VARIANCE: An application has been received from RNJ Washes LLC, 1331 Stony Lane, Lititz, PA 17543, potential lessee of the pad site located at 1058 Lititz Pike, owned by Stobro Company, 4 Landis Valley Road, Lititz, PA. The applicant is seeking a Special Exception to the Warwick Township Zoning Ordinance under Section 340-17.C(4) to allow a car wash within the Community Commercial Zoning District. The applicant is also seeking the following Variances of Sections: 340-57.C- setbacks; 340-31- lot coverage; 340-35.D(2)(a)- landscaping requirements; and if determined needed the following parking lot reliefs: 340-17.F(1) & (3), 340-17.M(2), 340-31 and 340-35.D(1)(a).

Kevin Varner and Nelson Bollinger were both sworn in prior to their testimony.

Dwight Yoder, from Gibbel Kraybill and Hess, spoke on behalf of RNJ Washes LLC. D. Yoder gave a brief overview of the project to the Board. The parcel of land being considered for the car wash is located at the corner of Millport Road and 501, the parcel of land where the old Fulton Bank was located. This parcel is in the Community Commercial Zoning District which does allow car washes by Special Exception. The following variances are being requested for approval. The first variance relates to the required setback for a car wash facility. The ordinance for car washes requires a 100 foot setback for the building. The second variance is a request for lot coverage. The ordinance allows two principle uses on a lot. There is a lease line that goes between the new Fulton Bank and the proposed car wash lot. This lease line under the ordinance requires that each use on each lease lot meet the area in bulk requirements. Looking at the entire lot, the maximum lot coverage is met at 65% however when the lease line is drawn there is more impervious coverage on the proposed car wash lot than the Fulton Bank lot. The third variance deals with interior landscaping. The ordinance requires 5% within a parking lot and the applicant is proposing 3.66%. In addition, the

ordinance permits a landowner to expand an existing nonconforming structure, which includes parking lots, as long as the extension does not increase the nonconformity. D. Yoder stated he does not think this variance will be needed however he wanted the Board's opinion.

Nelson Bollinger then provided testimony. He stated he is one of the owners of the Applicant of RNJ Washes LLC along with Jeff Bollinger and Ryan Bollinger who are both present this evening. He and his brothers already own and operate a car wash in Warwick Township. This car wash is located at 745 Rothsville Road, Lititz. D. Yoder inquired what type of car wash this was. N. Bollinger stated it has four self-serve bays and one automatic bay. D. Yoder inquired if the Applicants were looking for an opportunity to open another car wash in the Township. N. Bollinger stated yes and a suitable property has been located where the Fulton Bank was located previously. This parcel is owned by Stobro. It is located in the Community Commercial Zoning District and is serviced with public water and sewer. N. Bollinger verified that a Ground Lease with Stobro Company LP was executed and in place.

D. Yoder inquired if N. Bollinger and his brothers were working with a car wash facility company. N. Bollinger stated yes and the company's name is Tommy Car Wash Systems. D. Yoder asked N. Bollinger to explain why this particular company was picked. N. Bollinger stated Tommy Car Wash Systems is a state of the art facility that utilizes a belt conveyor. D. Yoder asked N. Bollinger to describe the car wash itself. N. Bollinger stated there are three pay lanes that are gated. After payment, the gate will raise and you then enter the car wash building on to the conveyor belt. After exiting the car wash there are two options; either turn left to exit the facility or turn right to go to the vacuum area. D. Yoder asked N. Bollinger to explain what type of materials the building is comprised of. N. Bollinger stated the side walls are glass and the roof is made of clear polycarbonate to allow sunlight to filter through. The building is energy efficient and therefore utilizes less utilities. All the wash water will be reclaimed and biodegradable soap will be utilized. Any rain water from the roof will be recaptured as well. LED lighting will be used over the entire property.

D. Yoder inquired if there was a plan in place in case the stacking of vehicles was greater than anticipated. N. Bollinger stated if that were to happen, an attendant would direct traffic as needed. There is also a bailout lane if for some reason a vehicle in line would need to leave before going through the wash tunnel. D. Yoder inquired how the central vacuum works. N. Bollinger stated the central vacuum is hooked to one turbine which is quiet and efficient. Two hoses come off each side to make cleaning each side of a vehicle easier. A total of 14 vacuums are being proposed.

A video was then shown about the Tommy Car Wash System.

The car wash will be open 24 hours a day seven days a week however it will only be manned\ from 7:00 a.m. to 9:00 p.m. Approximately two to three employees would be onsite during business hours. D. Yoder inquired what the plan was for maintenance of the property. N. Bollinger stated at every shift the trash receptacles as well as the premises will be checked for any litter and cleaned as necessary. In addition, all the trash receptacles will be emptied at the end of each day and the premises will be checked for any litter. If litter becomes an issue, signage will be placed on the premises.

D. Yoder inquired if this plan went before the Planning Commission and the Board of Supervisors and if so what was the feedback received. N. Bollinger stated the plan did go before both the Commission and the Board and positive feedback was received from both.

Zac Hamilton, a representative for Tommy Car Washes, was sworn in at this time.

B. Schrock inquired how the number of vacuums for the site was determined. Z. Hamilton stated as many vacuums as can fit on the property is ideal. There is no calculation used to determine a number. The vacuums are free so the expected demand is high.

K. Varner, a Civil Engineer with Diehm & Sons, then provided testimony. K. Varner explained the proposed site plan to the Board. There will be low level landscaping along the east side of the site to block headlights as vehicles turn the corner to go into the tunnel. The lot fronts an arterial road as per the ordinance. The height of the building is approximately 26 feet with the maximum allowed by ordinance being 35 feet.

The variance requests were then reviewed. The first variance request is for the 100 foot setback. From the edge of the car wash to the 501 right-of-way is less than 100 feet. To gain more distance a plan was looked at to see if the building could be moved to the west to gain more distance. However, this could not be done due to the location of the utility easement. The size of the building could not be decreased as 100 feet is the minimum size for this type of facility. It is K. Varner's understanding that the intent of a 100 foot setback was to help prevent the stacking of vehicles. K. Varner stated the plan provides for 120 feet of stacking for each of the three lanes before vehicles would start to block the entrance. D. Yoder inquired of K. Varner based on the unique physical configuration and limitations of the lot, if it would it be possible to have the car wash building 100 feet off the 501 right-of-way. K. Varner stated no based on the shape of the lot and the location of the utility easement.

The second variance request relates to having two principal uses on the same lot with each use meeting the lot requirements. The lot includes the proposed car wash lot as well as the new Fulton Bank lot. Two lease lots have been created from this one lot. Looking at the overall lot coverage including what Fulton Bank has done and what is being proposed, K. Varner stated it would add up to 64.5% and the ordinance allows 65%. When the lease line is added, the Fulton Bank lot will be less in terms of impervious coverage. The impervious coverage of the car wash lot will be 76.5%. The request is to allow the car wash lease lot to exceed 65% recognizing that the overall lot coverage for the entire lot remains under 65%. D. Yoder stated part the lot coverage issue deals with the existing configuration of the nonconforming lot. T. Zorbaugh inquired if the existing impervious area of this lot is known. K. Varner stated he did not have that information at this time.

The third variance is for the interior landscaping. There are four parking spaces for employees and one handicapped parking space. The vacuum spaces are included as part of the interior landscaping.

One of the nonconformities of the lot is the old parking access drive area which is within the 501 right-of-way. The proposed changes include to remove the encroachments as part of the landscape area which would be an improvement from what is there currently. The existing parking area that leads to the drive thru is currently 1.87 feet to the property line. It is being proposed to extend this parking area along the northern side of the property but it will never get closer to the property line than it is currently. The distance from the existing access drive on the car wash lot to the lease line is 1.28 feet. This will be extended towards 501 but will not get any closer to the existing lease line than what it is now.

B. Schrock asked K. Varner for an overall dimension of the north and south property width versus the east west property width. K. Varner stated the north to south width would be approximately 160 and east west would be approximately 235.

T. Zorbaugh inquired of Z. Hamilton what the stacking is on a typical day. Z. Hamilton replied there are rarely more than four to five cars stacked at one time due to the speed at which the car wash can process. There will rarely be more than two to three cars in each line at one time.

T. Zorbaugh stated the biggest factors to consider are that the nonconforming parking lot setback is not being exceeded by the landscaping requirement and the lot coverage.

B. Schrock inquired about what was being done about the stormwater that was not being collected. K. Varner stated the Township requirements will be met. G. Lefever also inquired why landscaping was not considered around the central vacuum island as well as around the islands that surround the lanes. There was a discussion on where

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additional landscaping could be placed to meet the ordinance requirement or at least get closer to the requirement. D. Yoder stated the variance for the landscaping requirement will be withdrawn after this discussion.

B. Schrock inquired if the access point to the west was considered an arterial road, collector road or a driveway? K. Varner stated it would be considered a driveway.

T. Zorbaugh clarified what is being requested. If the landscape variance is eliminated, the Board would need to make a decision on whether or not the expansion of a nonconformity is permitted. If it is permitted then there would be the request to allow the car wash lot to be over the 65% and the 100 foot setback for the car wash building to be less than 100 feet.

The Board went into an executive session at this time.

Upon return from the executive session, on a motion by G. Lefever , seconded by D. St. Clair, the Board unanimously approved Section 340-57.C Setback. On a motion by G. Lefever, seconded by B. Schrock, the Board unanimously denied Section 340-31 lot coverage 76.5% in lieu of 65% per the ordinance. The Board felt the 65% is achievable the reason for the denial. On a motion by G. Lefever, seconded by D. St. Clair, the Board unanimously approved Section 340-17.C(4) to allow a car wash in the Community Commercial Zoning District.

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 8:30 p.m..

Respectfully submitted,

Thomas Zorbaugh
Code and Zoning Officer