



November 13, 2025

Via Hand Delivery

Mount Joy Township Zoning Hearing Board
c/o Justin Evans
Mount Joy Township
8853 Elizabethtown Road
Elizabethtown, PA 17022
justin@mtjoytwp.org

**Re: Application of Franklin B. Greiner, Jr.
2843 Mount Pleasant Road, Mount Joy Township**

Dear Justin:

Please find enclosed six (6) copies of an application to the Mount Joy Township Zoning Hearing Board along with supporting plans, studies and reports regarding the above-mentioned property. Also enclosed is a check in the amount of \$750.00 which represents the application fee. It is my understanding that this application will be placed on the Zoning Hearing Board's agenda of the January 7, 2026 zoning hearing. Please let me know if you need anything else related to this application.

Thank you for your assistance in this matter.

Very truly yours,



J. Dwight Yoder, Esq.
dyoder@gkh.com

JDY/lmb
Encls.
cc: Client (w/ encl.)

121586

DATE	DESCRIPTION	INVOICE #	CHECK		NET AMOUNT
			AMOUNT	DEDUCTION	
11/12/2025	40977.2 Ethos Development	LMB	750.00		750.00

CHECK DATE	CONTROL NUMBER	TOTALS	Gross:	Ded:	Net:
11/13/2025	121586		750.00	0.00	750.00

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER AND ORIGINAL DOCUMENT SECURITY SCREEN ON BACK WITH PADLOCK SECURITY ICON.

GIBBEL KRAYBILL & HESS LLP
ATTORNEYS AT LAW
P.O. BOX 5349
LANCASTER, PA 17606
(717) 291-1700

EPHRATA NATIONAL BANK
31 E MAIN ST
EPHRATA, PA 17522
60-825/313

DATE: 11/13/2025
AMOUNT: ****\$750.00

*** SEVEN HUNDRED FIFTY & 00/100 DOLLARS

PAY
TO THE ORDER OF: Mount Joy Township

Void after 90 days

[Signature]
AUTHORIZED SIGNATURE

121586 031308250 1363567

GIBBEL KRAYBILL & HESS LLP ATTORNEYS AT LAW
P.O. BOX 5349, LANCASTER, PA 17606

121586

Vendor: Mount Joy Township

Date	Description	Invoice #	Amount	Disc	Net Amt
11/12/2025	40977.2 Ethos Development	LMB	750.00		750.00
Check Date	Check #	Gross Amt	Disc Amt	Net Amt	
11/13/2025	121586	750.00	0.00	750.00	

RECEIVED

NOV 13 2025

MOUNT JOY TOWNSHIP

complete application



ZHB Case # _____

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: Franklin B. Greiner, Jr.

Address: 700 Cornwall Mountain Road City/State/Zip: Lititz, PA 17543

Phone: 717-291-1700 Fax: _____

E-mail: dyoder@gkh.com

2. Landowner Information (if different from the Applicant)

Name: _____

Address: _____ City/State/Zip: _____

Phone: _____ Fax: _____

E-mail: _____

3. Property Information

Property Address: 2843 Mount Pleasant Road

City/State/Zip: Mount Joy, PA 17552

Existing Use: Agriculture / Storage Proposed Use: See Attached Supplement

Total Property Area (Sq. Ft. or Acres): 106.5 Acres

FOR TOWNSHIP USE ONLY

Date Application Received: _____

Date Application to be heard: _____

Tax Parcel #: _____

Zoning District: _____

Application Denied/Approved: _____

4. Request for Special Exception

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

Sections 135-163.B, 135-163.C, 135-163.E - See Attached Supplement

Applicant also seeks an extension of time to pull a zoning permit and complete construction pursuant to Section 135-383.B(7)

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 Supplement and Exhibits

This site is suitable for a Special Exception Use because:

See attached Supplement and Exhibits

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

See attached Supplement and Exhibits

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

Sharon Greiner / POA
Applicant Signature

11/13/25
Date Signed

Sharon Greiner as POA for Franklin B. Greiner, Jr.
Applicant's Name (Printed)

Landowner Sign (if different from Applicant)

Date Signed

Landowner's Name (Printed)

J. Dwight Yoder
Attorney for Applicant

11/13/25

Mount Joy Township Instructions for Variance & Special Exception Application

Please read the following information carefully prior to completing this application. The following information is to assist you in the process of applying for a Variance and/or a Special Exception from the Mount Joy Township Zoning Ordinance. This information is intended to provide a summary of the hearing process and does not constitute all of the requirements that may be placed on you as the applicant for a Variance and/or Special Exception.

Meeting Dates and Submission Deadlines

The Zoning Hearing Board typically meets the first Wednesday of every month. **Applications are due four (4) weeks prior to the regularly scheduled meetings.** Please confirm the meeting schedule prior to submitting the application in case a holiday interferes with the regularly scheduled meeting.

Completing the Application

The variance and/or special exception application must be completed by the landowner, equitable landowner, tenant, contract purchaser or someone who has a legal or equitable interest in the land. In the case that the applicant is not the landowner, the applicant shall provide proof of consent from the landowner acknowledging his/her awareness that a variance or special exception request has been filed for review by the Township Zoning Hearing Board. The landowner should complete the certification section of this application.

Please answer the questions on the Application fully and to the best of your ability. **Please provide six (6) copies of the application, plans, photographs, charts and any other supporting documentation and a check for \$750.00 for the application fee to the Mount Joy Township Office.** Checks should be made payable to Mount Joy Township. No application shall be complete until a site plan has been submitted. All applications requesting approval to establish or expand a nonresidential use or which concern a residential use containing 10 or more dwelling units shall submit a plan drawn to a scale of not more than 100 feet to the inch in accordance with section 135-284.A of the Zoning Ordinance. **Incomplete Applications will not be accepted by the Township.** Once the application is processed by the Township, the Zoning Officer will prepare a public notice that will be sent to the Lancaster Newspaper for advertisement of the hearing in accordance with the Pennsylvania Municipal Planning Code.

On the date of the hearing, the applicant (and landowner if different) should be prepared to be sworn in by the court reporter. You will be permitted, but not required, to obtain assistance from an attorney, engineer, architect, planner, or other professionals, as the situation warrants, during the hearing process. You and/or your representative need to be in attendance at the Zoning Hearing to present your application in front of the Zoning Hearing Board and be prepared to answer any questions the Board may have. If you or your representative is not present at the scheduled meeting, your application may be denied, or it may be tabled until the next hearing if a written and signed request from the Applicant is received prior to the meeting.

It is the Applicant's responsibility to research property line locations and have property lines verified by a professional registered surveyor prior to submitting the Zoning Hearing Application. Any deed restrictions, easements or other restrictive covenants should also be researched prior to the submission of this application.

The Applicant and/or Landowner agree that by signing this application, they grant the right of the Township Zoning Officer, or other designated Township Official, to investigate, inspect and examine the Property set forth herein, including land and structures, to determine compliance with the Mount Joy Township Zoning Ordinance and to determine the accuracy of the statements contained herein.

General Standards for Variances

There are five (5) criteria that the Zoning Hearing Board will consider, as applicable, when determining whether a Variance to the Township Zoning Ordinance is necessary. These five criteria are located in Section 910.2.a of the Pennsylvania Municipal Planning Code, as well as Section 135-383.C of the Township Zoning Ordinance. The criteria are as follows:

1. That unnecessary hardship exists due to unique physical circumstances of conditions, including irregularity, narrowness or shallowness of lot size, or shape or topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this chapter in the neighborhood or district in which the property is located;
2. That because of physical circumstances or conditions there is no possibility that the property can be developed in strict conformity with the provisions of this chapter and that authorization of a variance is therefore necessary to enable the reasonable use of the property;
3. That such unnecessary hardship is not created by the applicant;
4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located nor substantially or permanently impair the appropriate use of development of adjacent property nor be detrimental to the public welfare; and
5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

The Zoning Hearing Board may implement reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and the zoning ordinance, as is stated in the Pennsylvania Municipal Planning Code, Section 910.2.b.

Guidelines for Special Exceptions

In addition to the Performance Standards of a particular use and/or the Special Exception Standards delineated in Article XXVIII of the Township Zoning Ordinance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and the Zoning Ordinance as enabled by the Pennsylvania Municipal Planning Code (Section 912.1)

MOUNT JOY TOWNSHIP ZONING HEARING BOARD

In re: Application of Franklin B. Greiner, Jr.

:
:
:
:

No. _____

SUPPLEMENT TO ZONING APPLICATION

I. INTRODUCTION

Franklin B. Greiner, Jr. (“Applicant”) seeks zoning approval from the Mount Joy Township Zoning Hearing Board (“Zoning Board”) to subdivide and develop the 106.5-acre tract located at 2843 Mount Pleasant Road within the Township’s LI-Light Industrial District (“LI District”) into three lots. Lot 1 would be approximately 46.84 acres and improved with a new building consisting of approximately 603,200 square feet for industrial uses. Lot 2 would be approximately 56.63 acres and is designed as an industrial park, involving two new buildings, one consisting of approximately 378,000 square feet and the second consisting of approximately 246,580 square feet. The industrial park on Lot 2 has been planned and designed for the uses in the two buildings to act as an integrated unit. Lot 3 would be approximately 1.63 acres. No improvements or development are proposed on Lot 3 at this time.

Applicant specifically seeks the following relief:

1. For the industrial building and use proposed for Lot 1, two special exceptions pursuant to Sections 135-163.B and 135-163.C of the Mount Joy Township Zoning Ordinance (“Zoning Ordinance”) to authorize an industrial use in a building area exceeding 50,000 square feet involving warehousing, manufacturing, processing, packaging, production, wholesaling, storage, distribution, or repair of items both referenced and not referenced in Section 135-162.E.
2. For the two industrial buildings and uses proposed for Lot 2, a special exception pursuant to Section 135-163.E to authorize an industrial park in accordance with Section 135-237.

In addition, to the extent necessary, Applicant seeks special exceptions pursuant to Sections 135-163.B and 135-163.C of the Zoning Ordinance to authorize industrial uses in the two buildings on Lot 2 in a building area exceeding 50,000 square feet involving warehousing, manufacturing, processing, packaging, production, wholesaling, storage, distribution, or repair of items both referenced and not referenced in Section 135-162.E.

3. Pursuant to Section 135-383.B(7), Applicant seeks an extension of time for an additional two years in which to pull a zoning permit (from one year to three years) and to complete construction (from two years to four years) because the proposed development of Lots 1 and 2 will require land development review and approval, PennDOT Highway Occupancy Permits and other permits and approvals that will likely take longer than one year to obtain.

In support thereof, Applicant provides:

II. BACKGROUND

1. Applicant is the owner of property located at 2843 Mount Pleasant Road, Mount Joy Township, Pennsylvania (“Property”) with a Tax Parcel I.D. No. 461-89922-0-0000. A copy of the deed to the Property is included as Exhibit “1” in the exhibit binder submitted as part of the Application (“Exhibit Binder”).

2. The Property consists of 106.5 acres and is located in the Township’s LI-District. An Aerial Map is included as Exhibit “2” in the Exhibit Binder.

3. Applicant founded Greiner Industries, which has been in the Township for 48 years. Greiner Industries is located directly across Mt Pleasant Road from the Property.

4. Additional industrial uses are in the immediate vicinity of the Property, including along Steel Way Drive, Cloverleaf Road and Mount Pleasant Road.

5. Mount Joy Township's Official Map depicts a road extension from Steel Way Drive to Mount Pleasant Road that would allow traffic from the Property to go through the existing industrial development using Steel Way Drive, which intersects with Cloverleaf Road close to the Route 283 interchange. This extension is referred to as "Archers Lane".

6. In 2008, Applicant conveyed to the Township the necessary right-of-way for the Archers Lane extension as depicted in the Township's Official Map. *See* Deed of Dedication recorded in the Lancaster County Office Recorder of Deeds at document id 5701997.

7. Accordingly, any development of the Property would include construction of Archers Lane (as depicted on the Township's Official Map), which will help to facilitate the safe and efficient movement of traffic from the Property and significantly reduce traffic on Mount Pleasant Road.

8. In addition to the planned extension of Archers Lane, the Property is ideally situated for the proposed development because it is located within an area that has existing industrial uses and is in close proximity to Route 283.

9. Applicant and his wife (Sharon Greiner) have become personally involved in developing the current proposal by directly engaging professional consultants to prepare a site plan pursuant to and in compliance with the requirements of the Zoning Ordinance that also incorporates design features based on feedback received from the Township, neighbors and the broader community.

III. OVERVIEW OF SITE PLAN AND PROPOSED USES

10. Applicant seeks to subdivide the Property into three lots as depicted in the overall plans for the Property¹ attached as Exhibit “3” to the Exhibit Binder (hereinafter the “site plan”).

11. Proposed Lot 1 will be approximately 46.84 acres and will include one building (Building #1) consisting of approximately 603,200 square feet that will be used for industrial uses involving warehousing, manufacturing, processing, packaging, production, wholesaling, storage, distribution, or repair of items both referenced and not referenced in Section 135-162.E.

12. Applicant is specifically excluding Building #1 from being used as

- a. an Amazon SSD or AMZL last-mile delivery facility (or similar facility) whose primary use is to direct same-day or next-day delivery of individual customer packages to residential and business addresses from larger format warehouses;
- b. a “sort-facility” under “High Cube Fulfillment Center Warehouse” (ITE 155);
or
- c. a “High Cube Parcel Hub Warehouse” (ITE 156). All these uses are characterized by trip counts in excess of ITE standards for “Warehousing” (ITE 150) and “High-Cube Transload and Short-Term Storage Warehouse” (ITE 154) and will not be permitted on Lot 1.

13. Because no specific tenant has been identified for Building #1 at this time, Applicant has designed Lot 1 to accommodate different industrial uses, including warehousing, manufacturing and other types of light industrial uses.

¹ These plans have been prepared in accordance with the standards of a sketch plan under the Township’s Subdivision and Land Development Ordinance (“SALDO”) and full-size copies of all plans were submitted with the Application materials.

14. Applicant used conservative projections regarding the number of employees on the largest shift, including customary shift overlap, to be sure there are enough parking spaces for employees on Lot 1 and to accommodate manufacturing, warehousing and other industrial uses.

15. Proposed Lot 2 is to be developed as an industrial park that will involve two separate buildings designed as an integrated unit with controlled ingress and egress, coordinated utilities, landscaping, buffering and shared off-street parking.

16. Similar to Building #1, the two buildings on Lot 2 will be available for different types of industrial uses including warehousing, manufacturing, processing, packaging, production, wholesaling, storage, distribution and repair uses.

17. Applicant is specifically excluding Building #2 and Building #3 from being used as

- a. an Amazon SSD or AMZL last-mile delivery facility (or similar facility) whose primary use is to direct same-day or next-day delivery of individual customer packages to residential and business addresses from larger format warehouses;
- b. a “sort-facility” under “High Cube Fulfillment Center Warehouse” (ITE 155);
or
- c. “High Cube Parcel Hub Warehouse” (ITE 156). All these uses are characterized by trip counts in excess of ITE standards for “Warehousing” (ITE 150) and “High-Cube Transload and Short-Term Storage Warehouse” (ITE 154) and will not be permitted on Lot 2.

18. As depicted on the site plan, Building #2 consists of approximately 378,000 square feet of space and Building #3 consists of approximately 246,580 square feet of space.

19. Lot 2 has been specifically designed as an industrial park with smaller buildings than Lot 1 in order to accommodate different industrial uses and businesses.

20. Developing the Property into three buildings with different sizes, all of which can be further configured as needed, provides more options and greater flexibility in terms of how the overall Property can be used.

21. In addition, Lot 1 will be graded so that Building #1 will be at a substantially lower elevation than the buildings on Lot 2 and significant berms and landscaping are built into the design to help screen the view of buildings and parking areas from surrounding properties.

22. Applicant also notes that access into Lots 1 and 2 has been designed to limit the number of access drives onto Mount Pleasant Road (a collector road) by utilizing internal shared vehicular access drives while still meeting the requirement of the Township's SALDO (which requires at least two separate means of ingress and egress for these types of developments).

23. As depicted in the site plan, the access drive for Lot 1 has been placed directly across from the extension of Archers Lane where it intersects with Mount Pleasant Road so that truck traffic entering and exiting Lot 1 utilizes the Archers Lane extension rather than Mount Pleasant Road. The design of the intersection's turning radii and use of directional signage will further restrict truck traffic from using Mount Pleasant Road.

24. The internal shared access drive on Lot 1 continues to the property line on Lot 2 so that all truck traffic from Building #2 and Building #3 on Lot 2 will use the internal access drive, therefore, trucks from Lot 2 will not need to turn onto Mount Pleasant Road but will be directed to the Archers Lane extension when entering and leaving the Property.

25. While a shared access drive is planned into Lot 2, it will not be used for truck traffic but will be limited to employee and other non-truck traffic (it also provides a secondary access for emergency vehicles into both Lots 1 and 2).

26. Applicant plans to extend public sewer to the Property.

27. Applicant plans to extend public water to the Property and is awaiting final confirmation from the Elizabethtown Area Water Authority that it will serve the Property, which it anticipates receiving shortly. Alternatively, if needed, Applicant can utilize on-site water.

28. While beyond the scope of the zoning application, as part of the land development plan review and approval process for this project, Applicant's consultants will prepare comprehensive stormwater management plans based on applicable federal, state and local regulations that require stormwater runoff be properly managed and controlled in a way that protects neighboring property owners and downstream areas. The site plan included with this application contains stormwater facilities that have been preliminarily designed by Applicant's consultants to meet Township requirements.

29. Proposed Lot 3 would be approximately 1.63 acres in size.

30. Applicant is not seeking any approvals for improvements on, or use of, Lot 3 at this time.

IV. PROPOSED RELIEF

A. Special Exceptions per Sections 135-163.B and 135-163.C for Lot 1

31. Applicant seeks Special Exceptions pursuant to Sections 135-163.B and 135-163.C of the Zoning Ordinance to authorize industrial uses on Lot 1 involving warehousing, manufacturing, processing, packaging, production, wholesaling, storage, distribution, or repair of items in a building over 50,000 square feet for items both referenced and not referenced in Section 135-162.E. As mentioned above, the following uses will not be allowed on Lot 1:

- a. an Amazon SSD or AMZL last-mile delivery facility (or similar facility) whose primary use is to direct same-day or next-day delivery of individual customer packages to residential and business addresses from larger format warehouses;

- b. a “sort-facility” under “High Cube Fulfillment Center Warehouse” (ITE 155);
or
- c. a “High Cube Parcel Hub Warehouse” (ITE 156). All these uses are characterized by trip counts in excess of ITE standards for “Warehousing” (ITE 150) and “High-Cube Transload and Short-Term Storage Warehouse” (ITE 154).

32. In addition to accommodating warehouse/distribution uses, Building #1 could be used for light manufacturing, assembly, fabrication, processing, and other similar uses that will provide additional opportunities for local businesses. In the event a prospective user of this type would cause the Project’s actual traffic generation to exceed the trip projections identified in the Traffic Impact Study by more than 10%--a threshold consistent with PennDOT review practices—the Applicant will coordinate with the Township and PennDOT to evaluate the impact and identify an appropriate and mutually agreeable mitigation strategy. If a reasonable solution cannot be reached, Applicant would not allow the space to be leased for that specific use.

33. The proposal for Lot 1 as depicted in the Site Plan and in the additional supporting documents set forth in the Exhibit Binder establish that all of the objective criteria of the Zoning Ordinance for these special exception uses are satisfied.

34. While the Zoning Ordinance provides no specific criteria for the uses described by Sections 135-163.b and 135-163.C, it does set forth area and bulk requirements for all uses in the LI District, which are summarized below and which also are addressed in the “Zoning Information” chart on the Site Plan.

- a. **Section 135-165.A. – Building height.** The height of Building #1 will be between 45 feet and 49 feet, which exceeds the minimum height of 20 feet and is less than the maximum height of 50 feet for a principal building as

required by the Zoning Ordinance. The height of any accessory buildings will be less than the maximum permitted height of 20 feet.

- b. **Section 135-165.B – Minimum lot area.** Lot 1 will have a lot area of 46.84 acres which exceeds the minimum lot area for non-residential uses.
- c. **Section 135-165.C – Minimum lot width.** Lot 1 will have a lot width of 1,109 feet at the building setback line which exceeds the minimum lot width for nonresidential principal buildings.
- d. **Section 135-165.D – Minimum lot depth.** Lot 1 will have a lot depth that is variable but substantially exceeds the minimum lot depth of 125 feet.
- e. **Section 135-165.E-Yards.** As set forth in the Site Plan, Lot 1 has been designed so that all yard requirements are met, including:
 - i. Building #1 is set back more than 40 feet from the ultimate street right-of-way;
 - ii. Off-street parking is set back more than 15 feet from the ultimate street right-of-way, no outdoor storage and no off-street loading is proposed in the front yard;
 - iii. No buildings, off-street parking lots, loading areas or outdoor storage areas are within the side yard setback of 15 feet;
 - iv. The rear yard for Lot 1 is greater than 30 feet and all off-street parking lots, loading areas and outdoor storage areas are set back more than 15 feet from the rear lot line;
 - v. The side and rear yard setbacks have been increased to 80 feet on Lot 1 for those areas of Lot 1 that are adjacent to a residential district or a lot used for residential purposes and all buildings, dumpster locations, parking areas, loading areas and outdoor storage areas outside of this area.
- f. **Section 135-165.F. – Maximum lot coverage.** The total building coverage for Lot 1 is 29.56%, which is below the maximum building coverage of 60% and the total impervious coverage is 68.12%, which is below the maximum impervious coverage of 70%.
- g. **Section 135-166. – Landscaping and screening requirements.** As set forth in the landscape plan included as Exhibit 4 in the Exhibit Binder, Lot 1 includes a residential buffer strip meetings the requirements of this section in those areas of Lot 1 adjacent to a residential district or a lot available for residential use. In addition, all yards on Lot 1 include a landscaping strip that is 15 feet wide that

will be installed, maintained and contain appropriate materials in accordance with Section 135-299.

35. In addition to satisfying all of the area and bulk requirements, the uses proposed for Lot 1 meet the applicable supplemental use regulations required by section 135-167, which are summarized below and more fully documented in the materials included in the Exhibit Binder submitted as part of this Application.

36. Applicant meets the General Regulations requirements of Article XXIII as follows:

- a. **Section 135-294. Access to Buildings.** As shown on the site plan, Lot 1 directly abuts Mount Pleasant Road and is designed with a paved all-weather access drive across from the Archers Lane extension. Lot 1 includes properly designed turnaround and circulation facilities so that vehicles leaving the property can enter onto the roadway front first.
- b. **Section 135-296. Vision Obstruction.** As shown on the site plan, Lot 1 is not a corner lot and any landscaping on Lot 1 along Mount Pleasant Road has been designed and will be maintained to not obscure the view of vehicles or pedestrians traveling along Mount Pleasant Road or entering or existing Lot 1.
- c. **Section 135-298. Lighting Regulations.** Applicant has prepared an exterior lighting plan for Lots 1 and 2 pursuant to the requirements of section 135-298.D. that is included as Exhibit 5 in the Exhibit Binder. The lighting plan demonstrates that the proposed exterior lighting for Lots 1 and 2 meet the provisions of this section.
- d. **Section 135-299. Landscaping and screening requirements.** An overall landscaping plan has been prepared for Lots 1 and 2 and is attached as Exhibit 4 in the Exhibit Binder. The landscaping shown on this plan meets the landscaping requirements, buffer/screening requirements, parking area requirements and general landscaping requirements set forth in this section.
- e. **Section 135-306. Riparian corridors and setback requirements from waterways and major drainage swales.** As depicted in the site plan as well as reviewed in the Waters Delineation Report attached as Exhibit 6 in the Exhibit Binder, Lot 1 has been designed to meet all applicable setback requirements of this section. Applicant agrees to place within a conservation easement all riparian corridors on Lot 1 as required by this section.
- f. **Section 135-307. Wetlands.** Applicant satisfies the requirements of this section as more fully set forth in the Waters Delineation Report attached as Exhibit 6. Applicant will impose all buffers required around any wetlands on

Lot 1 and wetlands will not be altered, regraded, filled, piped, diverted, or built upon without first obtaining all required approvals from the DEP and/or the United States Corps of Engineers.

- g. **Section 135-310. Required traffic impact study submittals.** Applicant has prepared and completed a traffic study in compliance with the Township's SALDO requirements, which is identified as Exhibit 7. Due to the voluminous nature of the traffic study, only the report is included in the Exhibit Binder. Separately bound copies of the entire report with appendixes have been provided as part of the Application submission.
- h. **Section 135-326. Performance and design standards for all nonresidential uses.** As set forth in the site plan and accompanying materials within the Exhibit Binder, the use of Lot 1 meets the performance and design requirements of this section as follows:
 - i. **Section 135-326.A. Access management.** As depicted in the site plan, Lot 1 has been designed to limit the number of access drives onto Mount Pleasant Road by providing a shared vehicular access drive to the adjoining land uses on Lot 2 that will direct all truck traffic to the primary access drive directly across from the Archers Lane road extension. As required by the SALDO, a secondary access drive into Lot 2 will be provided for non-truck vehicular traffic as well as providing a secondary emergency access into Lots 1 and 2. In addition, Lot 1 includes an internal service road to parking areas at the rear of Lot 1. The access drives planned into Lots 1 and 2 will be designed to the minimum width it takes to allow truck deliveries to occur safely on the site.
 - ii. **Section 135-326.B. Architectural style.** Building # 1 will be constructed with an overall plan, designed as a single architectural style consisting of durable construction materials, incorporating a variety of architectural elements and not consisting of any offensive, bright building colors that would detract from the aesthetic design of the building. Preliminary renderings of building #1 are included as Exhibit 8 in the Exhibit Binder.
 - iii. **Section 135-326.C. Illumination of parking areas.** As depicted in the lighting plan attached as Exhibit 5, all parking areas are properly illuminated for night use and all lighting is reflected away from lots in a residential zoning district or any existing residential development.
 - iv. **Section 135-326.D. Shipping / Receiving Areas.** As depicted in the site plan, there are no shipping and receiving areas on Building #1 that are within 600 feet of a residential zoning district or existing residential development.

- v. **Section 135-326.E. Storage.** Except for vehicles and trailers parked in off-street parking spaces as permitted by the Zoning Ordinance, all materials and equipment will be stored inside Building #1.
- vi. **Section 135-326.F. Flammable materials.** Applicant will not allow the storage of flammable or explosive materials unless adequate safety devices against the hazards of fire and explosion are provided. *See All4 LLC Performance Standards Compliance Report attached as Exhibit 9 to the Exhibit Binder.*
- vii. **Section 135-326.G. Radioactivity.** No activities will be allowed in Building #1 that emit radioactivity. *See All4 LLC Performance Standards Compliance Report attached as Exhibit 9 to the Exhibit Binder.*
- viii. **Section 135-326.H. Electrical disturbances.** No electrical disturbances will be allowed on Lot 1 that adversely affect the operation of any equipment (other than that of the creator of such disturbance). *See C3 Design Build Electrical Disturbances Report attached as Exhibit 10 to the Exhibit Binder.*
- ix. **Section 135-326.I. Air pollution emissions.** As set forth in the report attached as Exhibit 9 in the Exhibit Binder, the proposed uses on Lots 1 and 2 will not create fly ash, dust, fumes, vapors, gasses or other forms of air pollution emissions which cause excessive soiling upon another property.
- x. **Section 135-326.J. Vibration.** As set forth in the report attached as Exhibit 9 in the Exhibit Binder, the proposed uses on Lots 1 and 2 will comply with the standards regarding vibrations set forth in this section.
- xi. **Section 135-326.K. Air temperature/movement.** No activities will occur on Lots 1 or 2 that produce any material effect on the temperature, motion or humidity of the atmosphere at the lot line or beyond. *See All4 LLC Performance Standards Compliance Report attached as Exhibit 9 to the Exhibit Binder.*
- xii. **Section 135-326.L. Odorous gases.** No emission of odorous gases or other odorous matter in such quantities as to be detectable to the human sense of smell when measured at the lot line will be permitted in any of the buildings on Lots 1 and 2. *See All4 LLC Performance Standards Compliance Report attached as Exhibit 9 to the Exhibit Binder.*
- xiii. **Section 135-326.M. Glare.** 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 will occur on either Lot 1 or Lot 2. All outdoor lighting meets the requirements of the ordinance and any high-temperature processes will only occur indoors. *See* Lighting Plan at Exhibit 5.

- xiv. **Section 135-326.N. Requirement of public sewer.** Lots 1 and 2 will both be served by public wastewater disposal. The extension of the public sewer to the Property is depicted in the utility plans set forth in the Off Site Improvements Plan attached as Exhibit 12 of the Exhibit Binder. In addition, Applicant has confirmed with the Elizabethtown Area Sewer Authority that it will have adequate capacity to serve the Property when it is developed. *See* Letter at Exhibit 13 of Exhibit Binder. Applicant also intends to extend public water to the Property, subject to confirmation from Elizabethtown Area Water Authority that it can serve the Property. To the extent public water service cannot be extended to the Property, then Applicant will provide Lot 1 with an on-lot water supply.

37. As set forth in the site plan attached as Exhibit 3, Applicant meets the Parking and Off-Street Loading Regulations of Article XXV as follows:

- a. **Section 135-342. Design requirements for parking facilities.** The parking for Lot 1 was designed to meet the access, surface and location requirements set forth in this section.
- b. **Section 135-343. Minimum off-street parking requirements.** Lot 1 has been designed to provide the minimum number of off-street parking requirements for industrial uses based on a conservative estimate for the total number of employees on the largest shift and considering shift change overlap. In addition, Lot 1 has been designed so that the truck court areas can be converted into parking spaces meeting the design standards of the Ordinance if there is an industrial or manufacturing use.
- c. **Section 135-346. Off-street loading and unloading space.** By providing internal parking areas, walkways, access drives and driveways on Lot 1, the loading areas for Lot 1 have been designed to not interfere with the movement of vehicles and pedestrians over a public street. In addition, all loading areas will be constructed and maintained with a paved surface, are located only in the side and rear yards and include all required landscape strips.
- d. **Section 135-349. Maximum parking requirements.** The parking for Lot 1 has been designed to accommodate the anticipated parking demand for a range of industrial uses that are allowed in Building #1 while not exceeding the maximum parking requirements of this section. The site has been designed to

provide additional parking spaces requires Applicant to meet a higher parking standard in the Zoning Ordinance.

38. Applicant's proposal for Lot 1 also meets the general requirements for special exceptions set forth in Section 135-383.B based on the materials included with this Application as well as testimony and evidence that will be presented to the Zoning Board. A summary of how these general requirements are met is set forth below:

- a. Applicant has submitted sufficient plans, studies and data and will provide additional testimony and evidence at the hearings establishing by credible evidence compliance with all conditions on the special exceptions requested for Lot 1 as enumerated in the sections which gives the Applicant the right to seek the special exception.
- b. Applicant has submitted sufficient plans, studies and data and will provide additional testimony and evidence at the hearings establishing by credible evidence that the proposed special exceptions for Lots 1 and 2 shall be properly serviced by all existing public service systems; that the peak traffic generated by the proposed use of Lots 1 and 2 will be accommodated in a safe and efficient manner (or improvements made in order to effect the same); and that the proposed use of Lots 1 and 2 can be accommodated with respect to other public service systems, including but not limited to police protection, fire protection and utilities. Applicant has submitted with his application a traffic study meeting all requirements of the Township's SALDO.
- c. Applicant has submitted sufficient plans, studies and data and will provide additional testimony and evidence at the hearings establishing by credible evidence that Lot 1 and 2 have been 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.
- d. Lots 1 and 2 have been designed in a manner so that the uses of these lots will not substantially injure or detract from the use of neighboring properties or from the character of the neighborhood, and the use of property adjacent to the area included in the special exception application are adequately safeguarded. *See Warehouse Noise Evaluation Memo at Exhibit 11.*
- e. Applicant has submitted sufficient plans, studies and data and will provide additional testimony and evidence at the hearings establishing by credible evidence that the proposed uses on Lots 1 and 2 will not create a significant hazard to the public health and safety, such as fire, toxic or explosive hazards.

**B. Special Exceptions per Section 135-163.E (Industrial Park) for Lot 2
And (if needed) per Sections 135-163.B and 135-163.C (Industrial Uses)**

39. Applicant seeks Special Exceptions pursuant to Section 135-163.E to use Lot 2 as an industrial park and, if needed, pursuant to Sections 135-163.B and 135-163.C of the Zoning Ordinance to authorize an industrial park containing two buildings (Building #2 and Building #3) for industrial uses involving warehousing, manufacturing, processing, packaging, production, wholesaling, storage, distribution, or repair of items in a building over 50,000 square feet for items both referenced and not referenced in Section 135-162.E. As mentioned above, the following uses will not be allowed on Lot 2:

- a. an Amazon SSD or AMZL last-mile delivery facility (or similar facility) whose primary use is to direct same-day or next-day delivery of individual customer packages to residential and business addresses from larger format warehouses;
- b. a “sort-facility” under “High Cube Fulfillment Center Warehouse” (ITE 155);
or
- c. a “High Cube Parcel Hub Warehouse” (ITE 156). All these uses are characterized by trip counts in excess of ITE standards for “Warehousing” (ITE 150) and “High-Cube Transload and Short-Term Storage Warehouse” (ITE 154).

40. In addition to accommodating warehouse/distribution uses, Building #2 and Building #3 could be used for light manufacturing, assembly, fabrication, processing, and other similar uses that will provide additional opportunities for local businesses. In the event a prospective user of this type would cause the Project’s actual traffic generation to exceed the trip projections identified in the Traffic Impact Study by more than 10%--a threshold consistent with

PennDOT review practices—the Applicant will coordinate with the Township and PennDOT to evaluate the impact and identify an appropriate and mutually agreeable mitigation strategy. If a reasonable solution cannot be reached, Applicant would not allow the space to be leased for that specific use.

41. The Zoning Ordinance allows an industrial park within the LI District by special exception in accordance with criteria set forth at section 135-237.

42. An “industrial park” is defined as “A planned center containing industrial uses and customary accessory uses.

43. A “planned center” is defined as “A group of uses planned and designed as an integrated unit with controlled ingress and egress, coordinated utilities, landscaping and buffering and shared off-street parking provided on the property as an integral part of the unit.”

44. The proposal for Lot 2 as depicted in the Site Plan and in the additional supporting documents set forth in the Exhibit Binder establish that all of the objective criteria of the Zoning Ordinance for these special exception uses are satisfied, as summarized below.

45. Applicant meets the Zoning Ordinance requirements for industrial parks established by Section 135-237 as follows:

- a. Individual uses will be located in Building #2 and Building #3 on Lot 2 and will only include those uses that are permitted by right or by special exception within the LI District.
- b. As depicted in the site plan, Lot 2 satisfies the dimensional requirements for an industrial park in that it is 56.63 acres (thereby exceeding the 10 acre minimum site area); satisfies the minimum setbacks from the property lines of 75 feet; satisfies the minimum lot width at the street line of 150 feet; the buildings are spaced at least 100 feet apart; and buildings are setback from internal streets by at least 50 feet.
- c. At least 70% of the total floor area of Building #2 and Building #3 will be utilized for industrial uses.

- d. There will not be any outside storage or display of materials, goods or refuse on Lot 2.
- e. Building #2 and Building #3 are accessed from an interior roadway and access into Lot 2 is from Mount Pleasant Road, a collector street (both from the shared access drive that runs through Lot 1 to the Archers Lane extension that will be used for trucks as well as a secondary access into Lot 2 for non-truck traffic).
- f. All parking and loading facilities are located to the rear and to the sides of Building #2 and Building #3. The parking areas can be shared by the different users on Lot 2.
- g. The interior streets will have street trees set on forty-foot centers.
- h. Applicant has submitted a site plan showing the overall design and improvements of the industrial park.

46. In addition, the site plan shows that Lot 2 meets the area and bulk requirements for all uses in the LI District, which are summarized below and which also are addressed in the “Zoning Information” chart on the Site Plan.

- a. **Section 135-165.A. – Building height.** The height of Building #2 and Building #3 will be between 44 feet and 48 feet, which exceeds the minimum height of 20 feet and is less than the maximum height of 50 feet for a principal building as required by the Zoning Ordinance. The height of any accessory buildings will be less than the maximum permitted height of 20 feet. A rendering and cross-section for Building #2 and Building #3 is included at Exhibit 8 in the Exhibit Binder.
- b. **Section 135-165.B – Minimum lot area.** Lot 2 will have a lot area of 56.63 acres which exceeds the minimum lot area for non-residential uses.
- c. **Section 135-165.C – Minimum lot width.** Lot 2 will have a lot width of 1,071 feet at the building setback line which exceeds the minimum lot width for nonresidential principal buildings.
- d. **Section 135-165.D – Minimum lot depth.** Lot 2 will have a variable lot depth which substantially exceeds the minimum lot depth of 125 feet.
- e. **Section 135-165.E-Yards.** As set forth in the Site Plan, Lot 2 has been designed so that all yard requirements are met, including:
 - i. Building #2 and Building #3 are set back more than 75 feet from the ultimate street right-of-way;

- ii. Off-street parking is set back more than 75 feet from the ultimate street right-of-way, no outdoor storage and no off-street loading is proposed in the front yard;
 - iii. No buildings, off-street parking lots, loading areas or outdoor storage areas are within the side yard setback of 75 feet;
 - iv. The rear yard for Lot 2 is greater than 75 feet and all off-street parking lots, loading areas and outdoor storage areas are set back more than 75 feet from the rear lot line;
 - v. The front, side and rear yard setbacks have been increased to 80 feet on Lot 2 for those areas of Lot 2 that are adjacent to a residential district or a lot used for residential purposes and all buildings, dumpster locations, parking areas, loading areas and outdoor storage areas outside of this area.
- f. **Section 135-165.F. – Maximum lot coverage.** The total building coverage for Lot 2 is 25.32%, which is below the maximum building coverage of 60% and the total impervious coverage is 45.21%, which is below the maximum impervious coverage of 70%.
- g. **Section 135-166. – Landscaping and screening requirements.** As set forth in the landscape plan included as Exhibit 4 in the Exhibit Binder, Lot 2 includes a residential buffer strip meeting the requirements of this section in those areas of Lot 2 adjacent to a residential district or a lot used for residential purposes. In addition, all yards on Lot 2 include a landscaping strip that is 15 feet wide that will be installed, maintained and contain appropriate materials in accordance with Section 135-299.

47. In addition to satisfying all of the area and bulk requirements, the uses proposed for Lot 2 meet the applicable supplemental use regulations required by section 135-167, which are summarized below and more fully documented in the materials included in the Exhibit Binder submitted as part of this Application.

48. Applicant meets the General Regulations requirements of Article XXIII as follows:

- a. **Section 135-294. Access to Buildings.** As shown on the site plan, Lot 2 directly abuts Mount Pleasant Road and is designed with a paved, all-weather access drive (as well as a shared access drive through Lot 1 across from the Archers Lane extension). Lot 2 includes properly designed turnaround facilities so that vehicles leaving the property can enter onto the roadway front first.

- b. **Section 135-296. Vision Obstruction.** As shown on the site plan, Lot 2 is not a corner lot and any landscaping on Lot 2 along Mount Pleasant Road has been designed and will be maintained to not obscure the view of vehicles or pedestrians traveling along Mount Pleasant Road or entering or existing Lot 2.
- c. **Section 135-298. Lighting Regulations.** Applicant has prepared an exterior lighting plan for Lots 1 and 2 pursuant to the requirements of section 135-298.D. that is included as Exhibit 5 in the Exhibit Binder. The lighting plan demonstrates that the proposed exterior lighting for Lots 1 and 2 meet the provisions of this section.
- d. **Section 135-299. Landscaping and screening requirements.** An overall landscaping plan has been prepared for Lots 1 and 2 and is attached as Exhibit 4 in the Exhibit Binder. The landscaping shown on this plan meets the landscaping requirements, buffer/screening requirements, parking area requirements and general landscaping requirements set forth in this section.
- e. **Section 135-306. Riparian corridors and setback requirements from waterways and major drainage swales.** As depicted in the site plan as well as reviewed in Waters Delineation Report attached as Exhibit 6 in the Exhibit Binder, Lot 2 has been designed to meet all applicable setback requirements of this section. Applicant agrees to place within a conservation easement all riparian corridors on Lot 1 as required by this section.
- f. **Section 135-307. Wetlands.** Applicant satisfies the requirements of this section as more fully set forth in the Waters Delineation Report attached as Exhibit 6. Applicant will impose all buffers required around any wetlands on Lot 2 will and wetlands will not be altered, regraded, filled, piped, diverted, or built upon without first obtaining all required approvals from the DEP and/or the United States Corps of Engineers.
- g. **Section 135-310. Required traffic impact study submittals.** Applicant has prepared and completed a traffic study in compliance with the Township's SALDO requirements, which is identified as Exhibit 7. Due to the voluminous nature of the traffic study, only the report is included in the Exhibit Binder. Separately bound copies of the entire report with appendixes have been provided as part of the Application submission.
- h. **Section 135-326. Performance and design standards for all nonresidential uses.** As set forth in the site plan and accompanying materials within the Exhibit Binder, the use of Lot 1 meets the performance and design requirements of this section as follows:
 - i. **Section 135-326.A. Access management.** As depicted in the site plan, Lot 2 has been designed to limit the number of access drives onto Mount

Pleasant Road by utilizing a shared vehicular access drive to the adjoining land uses on Lot 1 that will direct all truck traffic to the primary access drive directly across from the Archers Lane extension road. As required by the SALDO, a shared vehicle access drive into Lot 2 will be provided for non-truck vehicular traffic as well as providing a secondary emergency access into Lots 1 and 2. In addition, Lot 2 includes an internal service road to parking areas at the rear of Lot 2. The access drives planned into Lots 1 and 2 will be designed to the minimum width it takes to allow truck deliveries to occur safely on the site.

- ii. **Section 135-326.B. Architectural style.** Building # 2 and Building #3 will be constructed with an overall plan, designed as a single architectural style consisting of durable construction materials, incorporating a variety of architectural elements and not consisting of any offensive, bright building colors that would detract from the aesthetic design of the building. Preliminary renderings for these buildings are included as Exhibit 8 in the Exhibit Binder.
- iii. **Section 135-326.C. Illumination of parking areas.** As depicted in the lighting plan attached as Exhibit 5, all parking areas on Lot 1 and Lot 2 are properly illuminated for night use and all lighting is reflected away from lots in a residential zoning district or any existing residential development.
- iv. **Section 135-326.D. Shipping / Receiving Areas.** As depicted in the site plan, there are no shipping and receiving areas, which are located at the dock doors, on Building #2 or Building #3 that are within 600 feet of a residential zoning district or existing residential development. To the extent any such shipping and receiving areas are determined by the Zoning Board to be within 600 feet of existing residential development, Applicant will require that such shipping and receiving areas not be used between the hours of 9:00 p.m. and 8:00 a.m. as required by this section.
- v. **Section 135-326.E. Storage.** Except for vehicles and trailers parked in off-street parking spaces as permitted by the Zoning Ordinance, all materials and equipment will be stored inside Building #2 and Building #3.
- vi. **Section 135-326.F. Flammable materials.** Applicant will not allow the storage of flammable or explosive materials on Lot 2 unless adequate safety devices against the hazards of fire and explosion are provided. See All4 LLC Performance Standards Compliance Report attached as Exhibit 9 to the Exhibit Binder.

- vii. **Section 135-326.G. Radioactivity.** No activities will be allowed in Building #2 or Building #3 that emit radioactivity. *See* All4 LLC Performance Standards Compliance Report attached as Exhibit 9 to the Exhibit Binder.
- viii. **Section 135-326.H. Electrical disturbances.** No electrical disturbances will be allowed on Lot 2 that adversely affect the operation of any equipment (other than that of the creator of such disturbance). *See* C3 Design Build Electrical Disturbance Report attached as Exhibit 10 to the Exhibit Binder.
- ix. **Section 135-326.I. Air pollution emissions.** As set forth in the report attached as Exhibit 9 in the Exhibit Binder, the proposed uses on Lots 1 and 2 will not create fly ash, dust, fumes, vapors, gasses or other forms of air pollution emissions which cause excessive soiling upon another property.
- x. **Section 135-326.J. Vibration.** As set forth in the report attached as Exhibit 9 in the Exhibit Binder, the proposed uses on Lots 1 and 2 will comply with the standards regarding vibrations set forth in this section.
- xi. **Section 135-326.K. Air temperature/movement.** No activities will occur on Lots 1 or 2 that produce any material effect on the temperature, motion or humidity of the atmosphere at the lot line or beyond. *See* All4 LLC Performance Standards Compliance Report attached as Exhibit 9 to the Exhibit Binder.
- xii. **Section 135-326.L. Odorous gases.** No emission of odorous gases or other odorous matter in such quantities as to be detectable to the human sense of smell when measured at the lot line will be permitted in any of the buildings on Lots 1 and 2. *See* All4 LLC Performance Standards Compliance Report attached as Exhibit 9 to the Exhibit Binder.
- xiii. **Section 135-326.M. Glare.** 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 will occur on either Lot 1 or Lot 2. All outdoor lighting meets the requirements of the ordinance and any high-temperature processes will only occur indoors.
- xiv. **Section 135-326.N. Requirement of public sewer.** Lots 1 and 2 will both be served by public wastewater disposal. The extension of the public sewer to the Property is depicted in the Off Site Improvements Plan set forth in Exhibit 13 of the Exhibit Binder. In addition, Applicant has confirmed with the Elizabethtown Area Sewer Authority that it will have adequate capacity to serve the Property when it is developed. *See*

Letter at Exhibit 13 of Exhibit Binder. Applicant also intends to extend public water to the Property, subject to confirmation from Elizabethtown Area Water Authority that it can serve the Property. To the extent public water service cannot be extended to the Property, then Applicant will provide Lot 1 with an on-lot water supply.

49. As set forth in the site plan attached as Exhibit 3, Applicant meets the Parking and Off-Street Loading Regulations of Article XXV as follows:

- a. **Section 135-342. Design requirements for parking facilities.** The parking for Lot 2 was designed to meet the access, surface and location requirements set forth in this section.
- b. **Section 135-343. Minimum off-street parking requirements.** Lot 2 has been designed to provide the minimum number of off-street parking requirements for industrial uses based on a conservative estimate for the total number of employees on the largest shift and considering shift overlap. In addition, Lot 2 has been designed so that the truck court areas can be converted into parking spaces meeting the design standards of the Ordinance if there is an industrial or manufacturing use.
- c. **Section 135-346. Off-street loading and unloading space.** By providing internal parking areas, walkways, access drives and driveways on Lot 2, the loading areas for Lot 2 have been designed to not interfere with the movement of vehicles and pedestrians over a public street. In addition, all loading areas will be constructed and maintained with a paved surface, are located only in the side and rear yards and include all required landscape strips.
- d. **Section 135-349. Maximum parking requirements.** The parking for Lot 2 has been designed to accommodate the anticipated parking demand for a range of industrial uses that are allowed in Building #2 and Building #3 while not exceeding the maximum parking requirements of this section. The site has been designed to provide additional parking spaces in the truck court areas in the event a particular use requires us to meet a higher parking demand.

50. Applicant's proposal for Lot 2 also meets the general requirements for special exceptions set forth in Section 135-383.B based on the materials included with this Application as well as testimony and evidence that will be presented to the Zoning Board. A summary of how these general requirements are met is set forth below:

- a. Applicant has submitted sufficient plans, studies and data and will provide additional testimony and evidence at the hearings establishing by credible

evidence compliance with all conditions on the special exceptions requested for Lot 2 as enumerated in the sections which gives the Applicant the right to seek the special exception.

- b. Applicant has submitted sufficient plans, studies and data and will provide additional testimony and evidence at the hearings establishing by credible evidence that the proposed special exceptions for Lots 1 and 2 shall be properly serviced by all existing public service systems; that the peak traffic generated by the proposed use of Lots 1 and 2 will be accommodated in a safe and efficient manner (or improvements made in order to effect the same); and that the proposed use of Lots 1 and 2 can be accommodated with respect to other public service systems, including but not limited to police protection, fire protection and utilities. Applicant has submitted with his application a traffic study meeting all requirements of the Township's SALDO.
- c. Applicant has submitted sufficient plans, studies and data and will provide additional testimony and evidence at the hearings establishing by credible evidence that Lot 1 and 2 have been 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.
- d. Lots 1 and 2 have been designed in a manner so that the uses of these lots will not substantially injure or detract from the use of neighboring properties or from the character of the neighborhood, and the use of property adjacent to the area included in the special exception application are adequately safeguarded. *See Warehouse Noise Evaluation Memo at Exhibit 11.*
- e. Applicant has submitted sufficient plans, studies and data and will provide additional testimony and evidence at the hearings establishing by credible evidence that the proposed uses on Lots 1 and 2 will not create a significant hazard to the public health and safety, such as fire, toxic or explosive hazards.

**C. Request for Extension of Time Pursuant to Section 135-383.B(7)
to pull zoning permit and complete construction.**

51. Because the development proposed for the Property will require Applicant to go through a full land development plan and stormwater management plan review and approval process, Applicant will not be able to obtain a zoning permit until those plans are reviewed by the Township's civil and traffic engineers and approved by the Township.

52. In addition, Applicant will have to obtain PennDOT Highway Occupancy Permits, NPDES permits and other related permits and approvals before construction can begin.

53. The time to go through the review and approval process for land development and stormwater management plans and the time it takes to receive permits from outside agencies typically takes longer than one year for project of this size and, therefore, Applicant submits this written application seeking to extend any approval granted by the Zoning Board for an additional period of two (2) years.

54. Accordingly, pursuant to Section 135-383.B(7), Applicant requests that the Zoning Board grant an extension of time for an additional two years in which to pull a zoning permit (from one year to three years) and an additional to years to complete construction (from two years to four years) based on the time it will take to obtain land development plan approval and all required permits.

55. Applicant is not seeking any approvals related to the use of Lot 3, which will remain as an undeveloped lot at this time.

56. Applicant will present testimony and exhibits at the time of the hearing in further support of this Application establishing that the proposed development of the Property meets the requirements of the Zoning Ordinance for the relief requested.

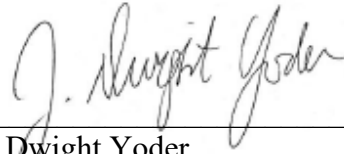
57. A map and list of adjoining property owners is attached as Exhibit 14 in the Exhibit Binder.

WHEREFORE, Applicants respectfully request the Mount Joy Township Zoning Hearing Board hold a hearing on this Application and thereafter, grant the zoning relief as set forth above.

GIBBEL KRAYBILL & HESS LLP

Date: November 13, 2025

By:

A handwritten signature in dark ink, appearing to read "J. Dwight Yoder", is written over a horizontal line.

J. Dwight Yoder
Sup. Ct. Atty. I.D. #89589
Attorneys for Applicant
2933 Lititz Pike, P.O. Box 5349
Lancaster, PA 17606
(717)291-1700
dyoder@gkh.com