

TOWNSHIP OF WEST HEMPFIELD

Lancaster County, Pennsylvania

RESOLUTION NO. 12-23

A RESOLUTION OF THE BOARD OF SUPERVISORS OF WEST HEMPFIELD TOWNSHIP TO DESIGNATE LOT 5 WITHIN THE STONY BATTERY CORPORATE CENTER AS AUTHORIZED FOR ACCESSORY COMMERCIAL USES.

WHEREAS, the West Hempfield Township Zoning Ordinance and the West Hempfield Township Zoning Map have created the Business Campus Overlay District and identified certain land as part of said District; and

WHEREAS, a business campus development commonly known as the Stony Battery Corporate Center is within the Business Campus Overlay District; and

WHEREAS, Section 503.3 of the Zoning Ordinance authorizes accessory commercial uses in a business campus subject to certain limitations including, but not limited to, the area of the business campus set aside for accessory commercial uses be identified with the sketch plan in accordance with Section 503.2.8 and a maximum of 20 percent of the gross floor area of all businesses within the Business Campus may be developed with accessory commercial uses as set forth in Section 503.2.7; and

WHEREAS, the developer of Stony Battery Corporate Center did not designate Lot 5 of Stony Battery Corporate Center now identified as Lancaster County Tax Account No. 300-94284-0-0000, as an accessory commercial use; and

WHEREAS, Lot 5 of the Stony Battery Corporate Center was identified by the Final Subdivision & Land Development Plan for the Jay Group (Stony Battery Corporate Center Phase II) recorded at Subdivision Plan Book J-228, Page 82 (the "Phase II Plan"), to serve as additional off-street parking for the building to be developed for the Jay Group on land which is now identified as 700 Indian Springs Drive; and

WHEREAS, The Phase II Plan proposed that 700 Indian Springs Drive would be developed in two phases; and

WHEREAS, the expansion of the building to be developed on 700 Indian Springs Drive authorized by the Phase II Plan has not been constructed and the off-street parking proposed to be

installed on Lot 5 to serve such expansion has not been installed; and

WHEREAS, the Township has received a request from the equitable owner of Lot 5 of the Stony Battery Corporate Center that Lot 5 be designated as an accessory commercial use lot ; and

WHEREAS, the Board of Supervisors is willing to make such designation conditioned as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Board of Supervisors of the Township of West Hempfield, Lancaster County, Pennsylvania, as follows:

Section 1. The foregoing background recitals are incorporated into and made a substantive part of this Resolution.

Section 2. The Board of Supervisors of the Township hereby authorizes the designation of Lot 5 of the Stony Battery Corporate Center identified on the Final Subdivision & Land Development Plan for the Jay Group (Stony Battery Corporate Center Phase II) recorded at Subdivision Plan Book J-228, Page 82, as allowed for accessory commercial uses for the Stony Battery Corporate Center conditioned on compliance with all of the following:

A. The record owner of Lot 5 acknowledges that the use of Lot 5 is being changed from that shown on the Phase II Plan.

B. Any application to construct the expansion of the building on 700 Indian Springs Drive for which off-street parking was to be provided on Lot 5 shall require the applicant for such expansion to demonstrate compliance with all applicable ordinances in effect when such application was made including, but not limited to, provision of off-street parking in accordance with the Zoning Ordinance.

C. The Township shall be provided with an updated Calculation for Maximum Gross Floor Area of Accessory Use Buildings which changes the existing gross floor area of 700 Indian Springs Drive to include only the Phase I area, 253,826 square feet, and includes the square footage of the building to be constructed on Lot 5 as accessory commercial use.


D. The Township shall be provided with a written acceptance of these conditions by both the record owner and the equitable owner of Lot 5.

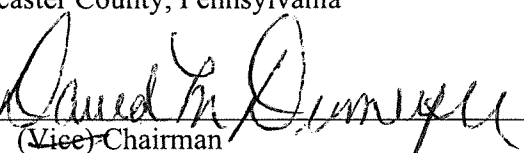
Section 3. In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Resolution, it being the intent of the Board of Supervisors that the remainder of the Resolution shall be and shall remain in full force and effect.

Section 4. This Resolution shall take effect and be in force immediately.

DULY ADOPTED this 9 day of November, 2023, by the Board of Supervisors of the Township of West Hempfield, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF WEST HEMPFIELD
Lancaster County, Pennsylvania

Attest: 
(Assistant) Secretary

By: 
(Vice) Chairman
Board of Supervisors

[TOWNSHIP SEAL]

