



LOWER PAXTON TOWNSHIP

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MEMO TO: Board of Supervisors

**FROM: Amanda Zerbe, Community Development Director
Nick Gehret, Zoning Officer**

DATE: April 14, 2023

**SUBJECT: Conditional Use 23-01
Take 5 Auto Service Station at 4013 Victoria Avenue**

Plan Summary:

The Township has received a Conditional Use Permit Application that would allow for an Auto Service Station with 3 bays to be constructed at 4013 Victoria Way which is adjacent to the Lowes Home Improvement store along Union Deposit Road.

Take 5 is a drive-thru oil change service that does not perform automotive repairs, except work that may be conducted that is closely similar in character to the following: sale and installation of oil, lubricants, batteries and belts and similar accessories. All work is conducted inside the building while the customer remains in the car and there are no gasoline pumps or other outdoor business activity on site. The property is zoned CG, Commercial General, which allows for an Auto Service Station as a Conditional Use.

Section 117.C Conditional Use Consideration – states that the same standards shall apply to a conditional use as are listed in Section 116. C for a special exception use. Section 116. C items are as follows:

- Compliance with the Ordinance – The applicant has provided the necessary applications, including the Zoning compliance charts associated with the Subdivision/Land Development Plan, and the Zoning variance application.
- Compliance with other laws – The applicant has submitted a Subdivision/Land Development Application and the required Third Party applications along with the Conditional Use.
- Traffic – A trip generation has been provided along with a site layout.
- Site Planning – A Subdivision/Land Development Plan has been submitted in conjunction with the Conditional Use Application.
- Neighborhood – The use is consistent with neighboring properties.
- Safety – The plan has been reviewed by the Traffic Safety Unit, Deputy Fire Chief, and the Public Safety Director. The plan does not create any known hazards to public health or safety.

- Natural Features – The site is pre-existing with a vacant single-family home located on the property.

Conditional Use 23-01 was recommended for approval at the April 5, 2023, Planning Commission Meeting.

The Public Notice will be posted in the Legal ad column of The Sun on Thursday, March 30, 2023, and Thursday, April 6, 2023.

425 PRINCE STREET, HARRISBURG,
PA 17109
717-657-5600 / FAX 717-724-8311
www.lowerpaxton-pa.gov

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APPLICATION FOR CONDITIONAL USE CERTIFICATE

Parcel # 35-075-007 No. 20140030131
Name and Address of Applicant: HARRISBURG T5 CGP, LLC
Note: Applicant must Be owner or equitable Owner of property
361 SUMMIT BLVD, SUITE 110
BIRMINGHAM, AL 35243
4013 GROUP, 1197 OLIVER LN, HARRISBURG, PA 17111
Telephone

Property Location: 4013 VICTORIA AVE, HARRISBURG PA 17109
Zoning District: CG - GENERAL COMMERCIAL
Use Requested: AUTOMOBILE SERVICE STATION

Office Use Only
1. Legal descriptions [checked]
2. Map of property and applicable information [checked]
3. Site design including buildings, parking plan, entrance and exit [checked]
4. Existing subdivision Yes [] No [] Ref. []

Date of Filing: January 30, 2023 Fee Paid: \$850.00
Date of Planning Commission Review: April 5, 2023
Action Taken: Approved
Date of Board of Supervisors Review:
Action Taken:

Certificate is [] Approved [] Disapproved

Date: Planning & Zoning Officer:

I/We the undersigned do hereby accept the approval of this Certificate subject to the conditions of Article 1193 of the Lower Paxton Township Codified Ordinances, and such other conditions as were stipulated in the approval letter received from the Board of Supervisors.

I/We understand that failure to comply with all ordinances and special conditions of approval will result in the immediate suspension of this certificate by the Township and may result in additional penalties as provided for by law.

Date: January 30, 2023 Applicant: Danielle E. Stance, Authorized Agent

February 17, 2023

via E-Mail only

Lower Paxton Township425 Prince Street
Harrisburg, PA 17109

Subject: **Harrisburg T5 CGP, LLC**
Proposed Take 5 – Lower Paxton Twp, PA
4013 Victoria Ave
Harrisburg, PA 17109
LEC#: 220023.01

On behalf of the applicant, **Harrisburg T5 CGP, LLC**, please find below a narrative addressing the project's conformance with the Township's Conditional Use Standards as described in Section 203-116.C of the Township Code. As described in Table 306B(1) Auto Service Stations are a Conditional Use within the Township's CG Zoning District. Per Section 203-177.C (regulating Conditional Uses) the Standards for Conditional Uses are as listed for a Special Exception Use in Section 203-116C. Below are point by point narratives for each of the seven standards to be considered:

- (1) Compliance with Chapter 203 (Zoning Ordinance): *The Applicant has provided the necessary Plans, including Zoning Compliance Charts, and the associated Zoning Variance Application to establish credible evidence of Zoning Compliance for the project.*
- (2) Compliance with other laws: *The Applicant has concurrently filed a Land Development Application and the necessary Third Party applications along with this Conditional Use Application.*
- (3) Traffic: *The Applicant has proposed a site layout and access configuration that proposes safe and efficient circulation by proposing a 4-way intersection with the existing drive aisles within the adjacent shopping center/Briarsdale Road.*
- (4) Site Planning: *The Applicant has provided a Site Plan showing the proposed internal circulation, required parking and buffering as required. The Applicant has also concurrently submitted the Land Development Application which will address any site layout/circulation comments/concerns from the Township.*

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- (5) Neighborhood: *The proposed use is consistent with surrounding developments and the character of the Neighborhood. This proposed development is located within the center of two well established commercial developments with consistent land uses.*
- (6) Safety: *This development does not create a hazard to public health or safety. The Tenant will secure all necessary permits to operate their facility.*
- (7) Natural Features: *This development will occur on a previously developed lot which currently contains a single family home. No Naturally occurring resources exist on this lot that require preservation. The Applicant has designed the site layout in such a manner as to save as many of the existing mature trees on the property, as feasible.*

Should you have any questions or comments regarding this or any other matter, please do not hesitate to contact our office.

Sincerely,
Landcore Engineering Consultants, PC



D. Alex Tweedie, P.E., Sr Project Manager

cc: Victor Mickel, Harrisburg T5 CGP, LLC