

LOWER PAXTON TOWNSHIP  
PLANNING COMMISSION

May 10, 2006

**COMMISSIONERS PRESENT**

Richard Beverly  
Roy Newsome  
Frederick Lighty  
Ernest Gingrich  
Dennis Guise

**ALSO PRESENT**

Dianne Moran  
Lori Wissler  
Chip Millard  
James Snyder, HRG

**Call to Order**

Mr. Lighty called the regular meeting of the Lower Paxton Township Planning Commission to order at 7:05 pm, on May 10, 2006 at the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

**Pledge of Allegiance to the Flag**

Mr. Guise led the recitation of the Pledge.

**Approval of Minutes**

Mr. Beverly made a motion to approve the minutes of the meetings held on March 8, 2006 and April 5, 2006. The minutes were unanimously approved.

**OLD BUSINESS**

**Preliminary/Final Subdivision Plan #06-02**  
**5710 Union Deposit Road**

Mr. Newsome made a motion to table Preliminary/Final Subdivision Plan # 06-02 for 5710 Union Deposit Road. He also requested staff to urge them to meet their deadlines. Mr. Gingrich seconded the motion, and the motion carried unanimously.

**NEW BUSINESS**

**Conditional Use Application #06-01**  
**HET Enterprises, LLC,**  
**4612 Jonestown Road**

Ms. Moran stated that the Township received an application for a Conditional Use Permit from HET Enterprises, LLC that proposes a Budget Rent-A-Car/Truck Rental and Leasing and carwash at 4612 Jonestown Road (the site of the old Texaco gasoline station, convenience store and carwash). The property is zoned C-1, General Commercial and consists of approximately 32,845 square feet.

Ms. Moran stated that conditional use applications for automotive rental and leasing are reviewed under the criteria listed in Articles 1193.05 and 1193.06 General Use Standards & Performance standards. HET Enterprises, LLC has submitted a site plan and correspondence stating that the applicant has reviewed the provisions listed in Articles 1193.05 and 1193.06 and that the applicant will meet all of the listed standards.

Mr. Solomon Creamer, Arrow Corporation doing business as Budget Rent-A-Car, 1998 West Harrisburg Pike, Middletown, Pennsylvania, was present on behalf of the Conditional Use Application.

Mr. Creamer stated that they propose to continue using the existing carwash as a public carwash and to transform the previous gas station into a primarily automotive and truck rental/leasing station. He stated that they would have about 23 spots for parking, 18 passenger vehicles, and 5 trucks.

Mr. Newsome asked if they would be fueling the vehicles at the site. Mr. Creamer stated that they would not have any fuel on the site itself except what is in the vehicles. Mr. Newsome asked if there would be any maintenance of the vehicles on the site. Mr. Creamer stated that there would be no maintenance on site and it would be used strictly for retail.

Mr. Lighty asked if there would be any affect of operating a business of this type on adjacent properties. Mr. Creamer stated that he did not see that there would be any effect. He also stated that the carwash was already existing and that there would be less traffic than there was for a gas station. He stated that they expect around 15-20 transactions per day.

Mr. Lighty asked if the building was equipped with sprinklers in the event of a fire. Mr. Creamer stated that he did not think that the building had sprinklers and that they were not planning to make any changes to the building. Any changes would be strictly cosmetic. Mr. Lighty asked staff if sprinklers would be required. Ms. Wissler stated that she did not think so but would check with Mike Poluka and Dan Slat of the Codes Department.

Mr. Beverly asked if anti-freeze would be stored on the site. Mr. Creamer stated that no chemicals would be stored on site except what would be used in the carwash. He stated that they do not intend to do any service on the vehicles on the site. They will take the vehicles to a location in Middletown for service.

Mr. Newsome asked if the carwash would be self-operated. Mr. Creamer stated that it is called an express carwash. The person would pull up to the conveyor belt, put their car in neutral, and the conveyor belt would take the car through.

Mr. Newsome made a motion to approve the Conditional Use #06-01 for HET Enterprises, LLC for rental and lease of vehicles on Jonestown Road. Mr. Beverly seconded the motion, and the motion carried unanimously.

**Rezoning Stray Winds Farms**  
**Triple Crown Corporation**

Ms. Wissler stated that an application for a zoning map amendment has been submitted by Triple Crown Corporation. This rezoning proposes to change the zoning of approximately 246 acres of land (Lower Paxton Township), located north of Paxton Church Road and east of Crums Mill Road, from R-1, Low Density Residential District to the R-C, Residential Cluster Open Space District. Should the rezoning be approved, the applicant intends to develop single-family dwellings and townhouses.

The Residential Cluster Open Space District is an optional overlay zoning in the R-1, Low Density Residential District that allows smaller lots than those specified in the underlying district, while maintaining the same density. The regulations set forth in Article 1177 apply to all development in the R-C District.

Staff reviewed the plan and information submitted by the applicant and provided the following comments.

1. The plan shows a perennial creek. Article 1194, Conservation Along Creeks, must be complied with.
2. The applicant needs to provide dimensions for property lines and easements.
3. The applicant needs to provide setbacks for single-family dwelling lots and overall lot setbacks for townhouse and condominium lots.
4. The Yield Plan was reviewed by staff and the maximum number of dwelling units that would be possible under current Township Ordinances is 374, the plan submitted proposes 492 dwelling units.

Staff notes that site-specific land development activities must comply with the terms of the R-C Ordinance. A complete review of the land development will be undertaken at the time of plan submission.

The review of this application has yielded the following additional comments.

1. The 2004 Comprehensive Plan recommends Low/Medium Density Residential as the Future Land Use.
2. The Comprehensive Plan states that one of the Land Use Goals and Objectives is to encourage innovative, open space/conservation-oriented development.
3. The Comprehensive Plan states that one of the Land Use Objectives of the Colonial Park North CPU is to maintain and preserve residential neighborhoods as the predominate land use.
4. The Transportation Action Plan within the Comprehensive Plan states that the Township works to develop a bike path within the Colonial Park CPU.
5. The majority of the property is surrounded by R-1, Low Density Residential District except for a portion of Club Estates (west of Crums Mill Road) and the Village of Pheasant Ridge (north of Parcel 35-9-20), which are zoned R-2, Medium density Residential.

Mr. Mark DiSanto and Mr. Peter Leone, Triple Crown Corporation, were present on behalf of the plan.

Mr. DiSanto stated that the plan being shown is now for 449 units instead of 492. He acknowledges that the yield plan gives a density of 374 units. The plan being shown is only a concept plan and is not the final plan. He also stated that he is looking only for zoning approval at this time and that the plan is not the focus.

Mr. DiSanto provided a 30-minute slide presentation on the purpose of the rezoning. He stated that the population is expected to grow by 33% by 2030 and about half the homes needed by then do not exist. The Lower Paxton Township Comprehensive Plan is expecting a 10% to 15% growth from 2000 to 2010.

Mr. Lighty stated that he supports the idea of clustering homes. The problem is that the plan shows too many homes even if it is rezoned. Discussion followed.

Mr. Guise asked Mr. DiSanto if they met the requirements for open space. Mr. DiSanto stated that they do.

Mr. Lighty stated that there is a new open space development ordinance very close to being advertised. It provides a 10% density bonus for clustering. That would allow for 10% more units. Mr. Lighty questioned why they would not choose to wait for the new ordinance. Mr. DiSanto stated that the process has been dragging on for so long already and he does not want to wait.

Mr. Millard stated:

1. The proposed rezoning would be consistent with the Township's 2004 Comprehensive Plan.
2. The proposed rezoning would be consistent with the County's Comprehensive Plan.
3. The proposed development is compatible with surrounding land uses.

4. The Commission has concerns whether or not the proposed development will have no adverse traffic impacts compared to conventional development, discussed in Section 177.03.b, or can be adequately served by highways, streets, police and fire protection, and schools included in section 177.03.d. The new roadways shown in the sketch plan may lack sufficient connections to the transportation network. More specifically, of the six discrete portions of the proposed development, five of them either have only one access point or access only one roadway. The two separate townhouse developments in the northeastern section of the development have a combined 103 units but only access McIntosh Road at one location. The condominium development in the southeastern section of the development proposes 136 units but only accesses McIntosh Road in one location. The townhouses immediately southeast of Crums Mill Road/McIntosh Road intersection include 86 units but only access Crums Mill Road. Finally, the single family detached units in the western section of the development, which includes 69-73 units in Susquehanna Township, has a combined total of 117-121 units in Lower Paxton and Susquehanna Townships but only connects with Crums Mill Road in Lower Paxton at two locations that are in close proximity to one another.
5. The number of units allowed based on the Zoning Ordinance would be the same under conventional R-1 zoning.
6. If the zoning is approved, it should be consistent with the recommendations being made by the Township and their zoning ordinance.
7. County does not recommend approval of the rezoning at this time. The county does support clustering but due to the issues with transportation and the yield plan, the County does not support the plan at this time.

### **Public Comment**

A gentleman speaking on behalf of Mr. and Mrs. Rosenkrantz, 3824 Manor Drive, voiced concerns regarding the traffic on Colonial Road. He also voiced a concern about the sewage capacity. Mr. DiSanto stated that a traffic study showed that the road system is adequate. The sewer is addressed through sewage planning modules.

Mr. Mark LeVine, 1507 Knollcrest Road, stated that density is a problem. The roads are too narrow for emergency vehicle access.

A resident at 1825 Crums Mill Road, stated that he supports the clustering concept. He would like to request that S.W.A.N. and the Township discuss how the clustering is laid out. He stated that he is concerned about runoff created by some of the proposed townhouses.

Mr. Harry Ulsh, 4203 McIntosh Road, stated that the McIntosh Road and Colonial Road intersection is very dangerous. He would like to see better use of existing roads and more roads into the development.

Ms. Jennifer Ross, 1519 Woodcrest Circle, wants to discourage the consideration of using Woodcrest Road as a thoroughfare. She also feels it should be one way now. She also stated that she is disappointed that the area she understood to be preserved land when she moved to the area three years ago is going to be developed.

Mr. Michael Ross, 1519 Woodcrest Circle, expressed a concern about what will happen to property values and the water table. Mr. Lighty stated that when the development plan is submitted a hydro-geologic study will have to be presented at that time.

Mr. John McNally, Westfield Road, wanted to thank Triple Crown for working with Stray Wind Area Neighbors (S.W.A.N.). He also stated that they do favor clustering but they do not agree on a number.

Mr. Ralph Dahle, 1437 Quail Hollow Road, wanted clarification that clustering creates an open space and regular zoning does not. Mr. Lighty told him he was correct.

Mr. Stuart Slavin, 4470 Nantucket Road, stated that when he first moved here traffic was not an issue. Now it is a very dangerous intersection at McIntosh Road and Colonial Road. Mr. Lighty stated that the rezoning will not have an impact on traffic. He also stated that Mr. DiSanto could build 374 homes on the property the way it is currently zoned but that it would not allow for open space.

Ms. Shelly Cunkle, owns approximately 100-acre parcel that abuts the proposed Stray Winds Development. She stated that she supports clustering. She is concerned about the number of units proposed. She also expressed concerns about traffic and sewer. She stated that the Township had discussed possible plans to purchase a piece of property near her land to build a treatment or storage facility.

Mr. Bill Oakland, 3812 Club Drive, voiced a concern that most of the open space created by clustering on this parcel of land will be wetlands.

Mr. Bob Olsen, 1333 Crums Mill Road, asked why they want to rezone the property when they knew what it was zoned in the first place.

Mr. DiSanto stated that the reason some access roads were not considered for use was because they were deemed sub-standard.

Mr. Guise made a motion to approve the rezoning request of Triple Crown Corporation for Stray Winds Farms to the newly named Residential Cluster Open Space District and make the findings that the uses are allowed and that they meet the standards for open space development in accordance with the answers that Mr. DiSanto gave to the questions posed earlier (reading down through the ordinance) and that the density be as established by the ordinance and the yield plan and with the additional recommendation that, as the process goes forward, the applicant and the community work together to try to

Planning Commission

May 10, 2006

Page 7 of 12

address the legitimate traffic concerns heard tonight. Mr. Gingerich seconded the motion. It passed unanimously.

**Final Subdivision Plan #06-12**  
**Coventry Commons**

Ms. Wissler stated that this plan involves approximately 14.0259 acres of land located south of Centennial Acres and east of Colonial Road. The plan proposes to subdivide the land into 61 lots with 60 building lots. The property is zoned R-2, Medium Density Residential District and Flood Plain Conservation District and will be served by public water and public sewer systems.

Ms. Wissler stated there were four waivers that were approved with the preliminary plan that was formerly the Courts of Wimbledon.

Mr. Jeff Staub, Dauphin Engineering, was present on behalf of the plan.

Mr. Staub stated that they would like to submit an additional waiver request for the requirement to locate storm inlets 10 feet from a driveway. He stated that there are several closer than that.

Mr. Snyder stated that the waiver may not be applicable because the preliminary plan was approved relative to that. It was discussed and decided that a waiver request was not required because the preliminary plan was approved.

Mr. Staub stated the plan being presented changed from the original preliminary plan that was approved. He stated that there are 20 less units. The drainage and streets have remained the same.

Mr. Gingrich made a motion to approve Final Subdivision Plan #06-12 for Coventry Commons, Phase 3 subject to the comments that have been provided and, in particular, a waiver of the proximity of the inlets to the driveways, with the exception of the few that are right in front of the driveway, at what ever discession the Township staff feels it should be moved. Mr. Beverly seconded the motion and the motion passed unanimously.

**Preliminary/Final Land Development Plan # 06-13**  
**Weis Markets**  
**4300 Linglestown Road**

Mr. Lighty stated that representatives requested that the plan be tabled. Mr. Guise made a motion to approve. Mr. Gingrich seconded the motion and it passed unanimously.

**Preliminary/Final Land Development Plan #06-14**

**Elizabeth J. Dunlap**  
**4401 Lexington Street**

Ms. Moran stated that the Township has received a plan to subdivide a 4, 781 square foot portion of 4401 Lexington Street and add it to the property at 4405 Lexington Street. Lot 1, 4401 Lexington Street will contain 20,235.75 square feet. Lot 2, (with the proposed addition) at 4405 Lexington Street, will contain 40,288.64 square feet. The properties are zoned R-1, Low Density Residential District and are located southeast of Shoops Cemetery and north of Plymouth Street. The property is served by public sewer and public water.

Ms. Moran stated that they have requested and staff supports the following waivers: Waiver of the requirement to provide a preliminary plan submission; Waiver of the requirement to provide U. S. Coast and Geodetic Survey datum; Waiver of the requirement to provide sidewalk along Maple Road, Lexington Street and Oak Park Road; Waiver of the requirement to provide curbing along Maple Road, Lexington Street and Oak Park Road; Waiver of the requirement to provide road widening along Maple Road, Lexington Street and Oak Park Road; Waiver of the requirement to provide an erosion and sedimentation control plan; Waiver of the requirement to provide storm drainage; Waiver of the requirement to provide preliminary road profiles and a storm water management plan; Waiver of the requirement to provide information included in engineering plans, typical street cross-sections and ESC plan and storm water control plan; Waiver of the requirement to provide contour elevations.

Mr. Newsome made a motion to approve Preliminary/Final Subdivision Plan #06-14 Elizabeth J. Dunlap, 4401 Lexington Street. Mr. Guise seconded the motion with the 10 waivers, the motion passed unanimously.

**Preliminary/Final Land Development Plan #06-15**

**Janet Coxon**

Ms. Moran stated that this plan proposes the construction of a two-story 18,000 square foot office building and additional off-street parking to be located at 6130 (Old) Jonestown Road. The property is zoned C-1, General Commercial and is served by public sewer and public water. The property is on the north side of (Old) Jonestown Road and is directly across the street from the Paxtonia Elementary School. The property consists of 3.83 acres.

The property is currently improved with two commercial buildings and a utility structure owned by Bell of PA. The frontage of the property is currently improved with sidewalk and curbing.

The plan was previously approved by the Planning Commission at its December 10, 2003 meeting, and the Board of Supervisors approved this plan on December 16, 2003.

Ms. Moran stated that the applicant requested a waiver of the Preliminary Plan requirement.

Mr. Jeff Staub, Dauphin Engineering was present on behalf of the plan.

Mr. Lighty asked that if the plan was previously approved, why was it back. Ms. Moran stated that it had to come back because Mr. and Mrs. Coxon did not submit the 15-day letter.

Mr. Staub stated that ordinances have changed in the time since the plan was approved in 2003 and today.

Mr. Millard stated that comment # 3 relating to handicap parking needed more clarification. He stated that the handicap parking located on the east side of the building is going to use the fire lane extra space. He also stated that comment # 4 relating to the two new parking spaces on the western side of the building. He stated that they infringe on the landscape setback.

Mr. Staub stated that it was ok with the old setbacks but needs to change with the new setbacks. He will change the plan, lose one parking space and comply with the ordinance.

Mr. Guise made a motion to approve Preliminary/Final Land Development Plan #06-15, Janet M. Coxon for the proposed office building at 6130 Jonestown Road subject to the comments and recommends approval of the preliminary plan requirement and subject to the corrections discussed to meet the requirements of the current ordinance. Mr. Gingrich seconded the motion and the motion passed unanimously.

**Preliminary/Final Land Development Plan #06-16**  
**Country Inn-Suites**

Ms. Moran stated that the Township has received plans for the construction of a new 49,580 square foot, 77 room, 4-story Country Inn & Suites Hotel. The property is located on the east side of Peiffers Lane and is combining 4 lots at 1009-1031 Peiffers Lane. Existing dwellings at 1019, 1025, and 1031 Peiffers Lane will be demolished. The property is zoned C-3, Commercial Mixed District and contains 2.1705 acres and will be served by public sewer and public water.

Ms. Moran stated that the applicant requested a waiver of the requirement to provide a preliminary plan submission that the staff supports.

Mr. Jeff Staub, Dauphin Engineering, was present on behalf of the plan.

Mr. Staub stated that there will actually be 85 parking spaces. There will be 4 existing spaces at the single family dwelling on the south side of the site and 81 spaces for the hotel itself.

Mr. Staub addressed a question about a traffic impact study. He stated that Dauphin Engineering did the land development plan for the three-story, 95 room hotel on Briarsdale Road and did not do a new traffic impact study based on the analysis of the hotel on Briarsdale Road not requiring one.

Mr. Guise asked about the Township's comment # 4 regarding and development plan proposing more than 50 units shall include a traffic study including existing traffic counts, potential traffic flows, dispersion patters, and recommendation of improvements.

Mr. Staub responded that the interpretation of a unit when they did the hotel was a residential unit and a hotel is a commercial establishment and not a residential unit.

Mr. Snyder stated that the unit requirement does not apply to hotels. He stated that it would fall under the peek hour trips of 100. He requested that Mr.Staub submit something stating the trip generations.

Mr. Guise asked if there would be any buffering between the hotel and the Mikula residence. Mr. Staub stated that Mr.Patel will keep the residence and use it as a manager's perk or for the house keeper. There will be no buffering required.

Mr. Millard stated that the one-way access in front of the building should run in the opposite direction based upon traffic flow.

Mr. Newsome made a motion to approve Preliminary/Final Subdivision and Land Development Plan #06-16 for Country Inn & Suites on Peiffers Lane subject to the comments and granting of waiver requirements. Mr. Beverly seconded the motion and the motion passed unanimously.

**Preliminary/Final Land Development Plan #06-17**  
**Lot E, Commerce Bank Park**

Ms. Wissler stated that the purpose of the plan is to develop a 17,000 square foot medical office and related site improvements. This property is located north of Commerce Drive and west of Crums Mill Road and is zoned R-O, Research Office District. The track possesses 3.29 acres and will be served by public water.

Ms. Wissler stated that the applicant requested the following waivers: Waiver of the preliminary plan requirement and waiver of the sidewalk requirement along Crums Mill Road.

Mr. Doug Gamber, Raudenbush Engineering, and Mr. Mark Chrysler, Mass Construction, were present on behalf of the plan.

Mr. Gamber stated that sewer taps have been allocated for the Commerce Park Development so it would not be necessary to submit a sewage planning module.

Mr. Gamber stated that previous discussion with Township personnel resulted in a sprinkler system not being required for the building.

Mr. Gamber stated that the property has a few steep slopes but that they are man made. They are immediately adjacent to a storm water detention basin and they do not intend to build in that area. There is a small area of precautionary slopes that cuts through the middle of the lot. It is not a natural slope. It is residual grading left over from when Commerce Drive was connected to Crums Mill Road.

Mr. Gamber stated that there will be a retaining wall along Crums Mill Road.

Mr. Gamber stated that there is currently a storm water detention pond on the property that was sized to serve the development in that area. They will provide documentation on that.

Mr. Millard stated that consideration should be made to create a second access to the parking lot. Mr. Gamber stated that a second access was studied but it would have been too close to the existing intersection.

Mr. Gingrich made a motion to approve Preliminary/Final Land Development Plan #06-17 for Lot E, Commerce Business Park subject to the comments and discussion and for the approval of the waivers of the preliminary plan requirement and the sidewalk requirement along Crums Mill Road and [conditioned upon a variance of what is determined to be impervious]. Mr. Guise seconded the motion and the motion passed unanimously.

### **PUBLIC COMMENT**

There was no public comment.

### **ADJOURNMENT**

The next regular Planning Commission meeting is scheduled for June 14, 2006, at 7:00 pm at the Lower Paxton Township Municipal Center, Room 171.

Planning Commission

May 10, 2006

Page 12 of 12

Being no further business, the meeting adjourned at 10:25 pm.

Respectfully Submitted,

Natalie Hoffman  
Recording secretary