



Hellam Township Board of Supervisors Conditional Use Application Briefing

PH-A

Application Number:	Z-2024-02	BOS Hearing Date:	April 18, 2024
Applicant(s):	GN Realty Wrightsville LLC	Tax Map Parcel:	LL-50A
Property Owner(s):	PYV XXV LLC	Lot Size:	3.58 Acres
Property Location:	351 Cool Springs Rd	Zoning:	C/I

Project Narrative:

The applicant is requesting conditional use for the following:
§490-16. C. (31) Restaurants, drive-through

Attached Exhibits:

- A. Zoning Hearing Application (received March 4, 2024)
 - B. Planning Commission Minutes Dated March 14, 2024
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Property Characteristics:

1. The subject property is unimproved contains approximately 3.58 acres located in the Commercial/Industrial Zone
2. Adjacent properties:

	Use	Zoning
North	Commercial/Industrial	Interchange
South	Commercial/Industrial	C/I
West	Rural Agricultural	RA
East	Commercial/Industrial	C/I

Conditional Use Provisions

According to the Conditional Use application submitted, the applicant reports the following:

1. **Comply with all applicable provisions and be consistent with the purpose and intent of the Zoning Ordinance.** The proposed use is consistent with the purpose of the C/I zone. It is a highway-oriented retail use. The property is suitable for the proposed use as it is directly adjacent to the interchange providing for ease of access
2. **Not detract from the use and enjoyment of adjoining or nearby properties.** The neighboring/adjoining uses to the Property are all commercial or industrial. The residentially zoned tract to the west is undeveloped.
3. **The proposed use will not affect a change in the character of the subject property's neighborhood;** The Proposed Use is consistent with the character of the surrounding neighborhood. The Dollar General next door to the Property is a retail use that is complementary to the Proposed Use.

4. **Adequate public facilities are available to serve the proposed use (e.g., schools, fire, police and ambulance protection, sewer, water, and other utilities, vehicular access, etc.);**

The Proposed Use will be served by public water and sewer. There are five (5) employees presently anticipated for the Proposed Use, which will have minimal demands on emergency/public services and utilities. The nature of a drive-through restaurant is that its customers are mostly transient. While tables will be available for sit-down meals, the majority of customers will be looking for food to-go, thereby reducing demands that the Proposed Use will have on utilities and emergency/public services.

5. **For development within the floodplain, that the application complies with those requirements listed in Chapter 230, Floodplain Management:**

This is not applicable, as the property is not located in the floodplain

6. **The proposed use shall comply with those criteria specifically listed in Article IV of this chapter. In addition, the proposed use must comply with all other applicable regulations of this chapter; and**

The Proposed Use meets the applicable specific criteria in Section 490-109

- Exterior trash receptacles shall be provided and routinely emptied
- Any exterior speaker/microphone system will be oriented toward the offramp/interchange adjacent to the property. Noise projected from the speaker will largely be inaudible due to traffic noise.
- There are no play areas proposed. Any outdoor seating area will be enclosed pursuant to this section
- A variance has been requested in reference to the 200' from a rural or rural agricultural zone
- The property does not abut any residential uses
- There is sufficient stacking room on-site preceding the order station to satisfy this requirement.
- This project complies with the Township's Comprehensive Plan.

7. **The proposed use will not substantially impair the integrity of the Township's Comprehensive Plan.**

The Proposed Use is consistent with good planning and smart growth. The Property is an ideal location for the Proposed Use, due to its proximity to the existing highway interchange and Cool Springs Road, which is a heavily traveled corridor. The Proposed Use involves infill development which will allow for the use of an otherwise vacant, appropriately zoned parcel instead of taking and developing land that is used for agricultural purposes.

Planning Commission Recommendations:

The Planning Commission reviewed this application at their meeting on June 8, 2023, meeting minutes are attached hereto as **Exhibit B**. Concerns were raised about the increase in traffic due to the structure location and the shared entrance/exit with Dollar General, and the desire to subdivide the parcel. The Commission made a motion to approve which passed 4-3.

This briefing represents the views and comments of the Hellam Township staff only and should not be construed as a final approval or denial of this application. The Zoning Hearing Board Members may have additional questions and/or comments with regard to this proposal. The applicant and/or his/her representative should be prepared to address comments or concerns raised by the Zoning Hearing Board Members.