

# Staff Memo:

Memo To: Planning Commission Members

From: Mark A. Penecale

Date: March 18, 2018

Re: **Staff Review Notes on BET's Proposed Zoning Text Amendment**

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Dear Planning Commission Members,

I was asked to provide review comments on a proposed zoning text amendment that the Board of Commissioners of the Township of Abington have elected not to take any action on. Before I provide those comments, I think you deserve a short history of what has taken place to this point. The Board of Commissioners by a split vote, instructed BET Investments, LP. to schedule meeting(s) with the surrounding neighbors and make a presentation to the Planning Commission. Once those meetings have taken place, it is my understanding that BET will revise the zoning text amendment and make another presentation to the Board of Commissioners. If the Board of Commissioners elect to schedule a formal hearing on the zoning text amendment, that amendment will require another presentation to you, the Planning Commission.

There are several major points of interests with this amendment. I will attempt to cover with a comparison of what is permitted within the current zoning ordinance.

1. **Lot Area:** The applicant is proposing a minimum lot area of 4 acres for a development of this nature. The minimum lot area within the AO District for a standard apartment development is 5 acres. The minimum lot area for Senior Apartment Units within a Use E10- Life Care Facility is also 5 acres.
2. **Density:** The applicant proposes 50 units per acre. A standard apartment complex is permitted between 10 and 16 units per acre based on bonus provisions within the zoning ordinance. Within a Use E-10, there is a standard for {Senior Apartment Dwelling Units} of 24 units per acre. This is a clear indication that at the time the zoning ordinance was updated and approved, the parties involved in that process clearly saw that senior apartments were less intense than standard apartments. An increase from 10 to 16 Units per acre to 50 units an acre is an increase of 5/1 or 3.125/1. An increase from 24 units per acre to 50 is an increase of 2.08/1. Any way one elects to look at this development, the applicant proposes to increase to density by at least 2 to 1.
3. **Proposed New Use:** The applicant proposes to create a new use. They propose Use E-12, Senior Apartment Units. I would suggest that we already have that use within the

zoning ordinance and it can be found within a Use E-10 Life Care Facility's {Apartment Dwelling Units}.

4. **Setbacks:** The applicant proposes to alter the front yard setback from 20 feet to 15 feet, the side yard setbacks from 20 feet to 15 feet and the rear yard setback from 25 feet to 15 feet. The setback for on-site parking will remain the same. Decreasing the required setback allows for less room for fire access lanes, pedestrian walkways and landscaped buffers. Reducing the required setbacks also decreases grade level outside amenities.
5. **Building Height:** The applicant proposes to increase the permitted building height from 35 feet to 65 feet in height. This is a major issue when coupled with the reduction in the required setbacks and yard areas. The concern here is two-fold, one the limited ability to put in a fire access lane that will allow for access to a 65 foot high building. Secondly, is the fact that the properties that share property lines with this development are residential in use.
6. **Building Length:** The applicant proposes to increase the building length from 160 feet in length to 600 feet in length. That is an increase of 375%.
7. **Accessory Uses:** The amendment contains a list of 11 accessory uses permitted within the development. Uses such as a Convenience Store, Dry Cleaner, Laundry Services, Personal Care Businesses, Professional Services Businesses, Restaurant, Retail Store, Grocery Store and a Studio. All of these uses are permitted, but no additional parking is provided to account for the employees or outside customers. Are these uses open to the public or just the residents of the building?
8. **Landscaping & Buffering:** The draft provides no landscaping standards or buffering requirements for the proposed 65 foot high building that could be as close as 15 feet from a property line.
9. **Coverage Limits:** The applicant proposes to increase the permitted amount of impervious coverage of the site from 60% to 80% and the building coverage from 35% to 75%.

**Prepared By:** Mark A. Penecale  
Planning & Zoning Officer  
Township of Abington