



## Staff Memo:

**Memo To:** Amy Montgomery, P.E.  
Director of Engineering & Code Department

**From:** Mark A. Penecale  
Planning & Zoning Officer

**Date:** November 7, 2018

**Re:** **Zoning Text Amendment submitted by BET investment, Inc.**

.....

Dear Ms. Montgomery,

I was asked to review the proposed zoning text amendment submitted by BET Investment for the properties commonly referred to as the YMCA Site and several adjoining properties. My comments are as follows:

1. The cover letter submitted with the proposed zoning text amendment indicates this is to allow for a proposed new use (H-12) Senior Apartments as a conditional use within the (AO) Apartment/Office District. However, portions of the proposed development site are located within the R-3 Residential District. It appears the proposed text amendment should be revised to include these properties. A metes & bounds description may need to be submitted with the text amendment.
2. The cover letter also requests that Board of Commissioners review both the proposed text amendment and the conditional use application on the same night. In the past, applications of this nature would be considered as a zoning text amendment only. If approved, the Board of Commissioners would hold a separate hearing on the conditional use application and the required reverse subdivision & land development application.
3. The applicant has provided no information as to what other properties or group of properties this proposed zoning text amendment would affect elsewhere in the Township. My concern is that several of the qualifying conditions, such as distances to hospitals, public transportation and like, make this site specific and creates a spot zoning situation.

4. A Life Care Facility, Use E-10 is already a use by special exception within the (AO) Apartment/Office District. One category of the Life Care Facility is an apartment building capped at 24 units per acre. See Section 2103.E, Use E-10 and the use matrix of the Zoning Ordinance. The proposed use already exists within the current zoning ordinance and to create a second similar use does not appear to be necessary.
5. The dimensional requirements should be revised. One example is the minimum lot width of 100 feet and the minimum lot depth of 100 feet. This accounts for only 10,000 square feet or less than .25 of acre. I would suggest using the same dimensional requirements found within Figure 21.7 of the Zoning Ordinance. The minimum lot area remains the same, but the minimum lot width and depth are more realistic for a development of this type.
6. The zoning text amendment proposes changes to the maximum building area, maximum impervious coverage and the green space. The maximum building coverage is proposed to increase from 40% to 50%. The maximum impervious coverage would be decreased from 70% to 65% and the green space required would increase from 30% to 35%. I believe the increase in the building coverage permitted is off-set by the reduction in the impervious coverage and the increase in green area.
7. I suggest the off-set of a building greater than 160 feet in length and less than 300 feet in length be increased to a minimum of 10 feet. I make this suggestion based on the reduction of the building setback on Old York Road and Susquehanna Road being reduced from 100 feet to 15 feet. The setbacks stated in this comment are also from Figure 21.7 of the Zoning Ordinance.
8. With Section II, the definition of a "Senior Apartment Units" the proposed zoning text amendment uses the term "use permit". Is this a Use & Occupancy Certificate or a Certification of Occupancy? A U & O is issued by the Zoning Officer and a CO is issued by the Building Code Official as required by the Building Code.
9. The common open space bonus provisions negate my comment number #6. Impervious coverage can be increased up to 71% of the lot area and green space reduced to 29%. In addition, the text lists side and rear yard requirements. This site is a corner property and the Board of Commissioners should be aware for this development, there are two front yards, Old York Road & Susquehanna Road, and two side yards.
10. Additional information is required for bonus provision listed under the heading of "Educational & Resource" & "Community Heritage Preservation." These bonuses will

need to be tracked for at least a 5-year period. These two bonus provisions need to be further defined so the enforcement is clear and it is not left to interpretation.

11. No-Impact Home Based Business are allowed as a permitted accessory use (A-15) within 16 of our 21 zoning districts. Additional off-street parking is not required for this accessory use in any of those 16 zoning districts. However, on-site parking should be provided for this accessory use within this zoning text amendment. At 1.5 on-site parking stalls per unit (270 Parking Stalls total) and permitting up to 10% of them to be held in reserve, on-site parking is reduced to 243 parking stalls for 180 units or 1.35 parking stalls per unit. The prior presentation on this development have proposed an active age restricted development that I do not believe can survive with a reduced on-site parking requirement.

Mark A. Penecale  
Planning & Zoning Officer  
11/7/2018

Reviews: RVZTA BET 2