



UPPER DUBLIN PLANNING COMMISSION

Date: July 24, 2014

To: Upper Dublin Board of Commissioners
Rick Barton, Zoning Enforcement Officer (by email only)

From: Wesley J. Wolf, Chairman

Subject: Historical Preservation-Mixed Residential Use
Institutional Zoning District
UD #13.015

The proposed May 6, 2014 text amendment (as prepared by the applicant) to allow Historical Preservation-Mixed Residential Use within the Institutional Zoning District was reviewed at the last three Planning Commission meetings. John Cluver of Voith & Mactavish, the applicant's historical consultant/architect, presented their historical preservation plan at our May meeting. Text amendment review and discussion was the primary focus of our June and July meetings.

It should be noted that the proposed text amendment would require that an applicant secure conditional use approval from the Board of Commissioners. Given the complexity of this proposed Historical Preservation-Mixed Residential Use concept, a sufficiently detailed framework must be developed to ensure the goals of this ordinance are achieved.

Additionally, the 182 acre institutionally zoned Temple-Ambler property would fall under this proposed ordinance given its 100 year educational history. It is our understanding that Township staff will be evaluating the extent that this proposed ordinance impacts the Meetinghouse Road property. Should the BOC consider approving some version of this text amendment, the Township should first, fully understand the ramifications on the Temple-Ambler property. We look forward to the receipt of this report and will review it accordingly.

Finally, over the weekend of July 12th and 13th, I met with various members of the Planning Commission to complete perimeter site visits so we could better understand the impact of the proposed text amendment on the Mattison Estate historical and natural resources. Two PC members joined me on the Saturday and two other PC members accompanied me on the Sunday.

It should be noted that one additional PC member briefly joined us during the Sunday tour. My July 14th email, previously forwarded to UDT, details our observations and findings.

We would certainly recommend that the Board of Commissioners complete a similar site visit prior to commencing any Public Hearings. The February, 2014 Historic Resource Inventory of the subject property, that was commissioned by UDT to outline the important historic features, is a good starting point. The author of this document, Jeffrey Marshall of the Heritage Conservancy, has been retained by UDT to assist in the development of this historic aspects of the text amendment.

This 45 acre institutionally zoned parcel is located at the corner of Bethlehem Pike and Lindenwold Terrace, with minor frontages along Cedar Road, Loch Alsh Avenue and Farm Lane. Due to the concentration of the lake, wetlands and stream corridor in the back portions of the property, most of the developable land is located between the Castle, Villa Drive properties, Bethlehem Pike and Lindenwold Terrace.

Uses permitted by right on this property include a school, hospital, medical office, nursing home, library and museum. Life care complexes (e.g. Fort Washington Estates), senior assisted living residences (e.g. Sunrise) and day-care centers are permitted as a conditional use. Minimum required setbacks, maximum allowed impervious coverage and maximum building height vary greatly depending on the proposed use.

Attorney, Richard McBride, Esq., Peter Monaghan of Endeavor Property Group, Peter Guidi of Guidi Homes and Robert Freedman of the Goldenberg Group, were present at the meeting.

The Planning Commission unanimously recommended (6-0) that the Township staff, Heritage Conservancy and a Professional Planner review and incorporate the following revisions into the draft May 6, 2014 text amendment and the Board of Commissioners consider advertising the final draft for a public hearing:

1. *Section 255-90.2 A - Introductory Paragraph on the Intent of the Historical Preservation - Mixed Residential Community* text amendment. Incorporate the following language:
 - a. A preservation plan by which the Township may designate the historic features of the property to be preserved, and the owner (and the owner's successors in interest) shall undertake to preserve the historic features of each historic structure and throughout the property:
 - (1.) exterior architectural and building elements consistent with the structure and/or the historic period represented by each structure;
 - (2.) landscape elements (e.g. mature tree groves & specimen trees) consistent with the historic period represented by that structure;
 - (3.) interior architectural and building elements consistent with the historical period represented by that structure;
 - (4.) sight lines for visibility of historic structures onsite and off-site;
 - (5.) setbacks from historic structures and features (e.g. wall)
 - (6.) limitations on impervious coverage consistent with the historic character of the property

Definition of what qualifies as an historic structure/site should also be incorporated into the text amendment.

2. *Section 255-90.2.B-Definition*-Pertains to the allowed uses. Amend as follows:

Single Family Detached Dwelling allowed for existing historic structures and for proposed structures that complement existing on-site and off-site residential homes.

Twin Dwelling no amendments

Townhouse Dwelling maximum number of units per townhouse should be three (3) or four (4). There was discussion that the maximum number of units per building could be increased to five (5) or six (6).

Apartment Building (with condominium ownership ...) no amendments

Senior Independent Living Campus require legal opinion from Township Solicitor regarding no age restriction for units located within a very significant historic structure. As stated by the applicant, this is a new concept and they had great difficulty finding appropriate examples of such facilities. It should be noted that the Planning Commission was given one example of a 151 unit Senior Independent Living facility the day of our July meeting.

Office - Within historic structures as approved through the conditional use process.

All proposed structures along existing public right-of-ways shall face onto said right-of-way.

Additionally, limits must be established on where single family detached homes, twins, townhomes, apartments and senior independent living campus can be placed on a property relative to historic structures, features and sight lines and natural features. The Planning Commission was not prepared to make any recommendation on these concepts without professional planning support.

3. *Section 255-90.2.C- Residence Regulations* Should not reference Section 255-90.1(C) which pertains solely to assisted living use. The following should be added to the text amendment:

- a) Minimum Size - One Bedroom Apt. 850 SF; Two Bedroom Apt. 1250 SF (sizes per applicant)

- b) No more than two residents shall be permitted to reside in any dwelling unit
- c) Minimum common area per resident shall be ??? SF (dining, active and passive recreation, etc. and excludes hallways and passageways) . To be determined by others.

4. *Section 255-90.2.D.- Development Regulations*

- a) *Lot Area -...40 acre minimum and 800 feet of road frontage. No amendments*
- b) *Dwelling Unit Mix..contain a minimum of three permitted uses ... one must be Senior Independent Living Campus containing a maximum of 250 residential units.*

The Planning Commission does not support the requirement that a Senior Independent Living Campus should be one of the uses, especially as this text amendment can be applied to another property.

Maximum and minimum percentages of uses must be incorporated into the ordinance. The Planning Commission was not prepared to make any recommendation on these figures without professional planning support.

- c) *Density. The Senior Independent Living Campus component shall have a maximum of 14 units per acre.... not more than 60% of which shall be available for double occupancy.....density for the remaining lot area shall not exceed 5 units per acre.*

In summary, the PC thought that the proposed density was too intense given the goals of preserving certain historical structures, features and sight lines as well as critical natural features. A twenty (20) percent density reduction to 11 units per acre for the Senior Independent Living Campus (maximum 200 units) and 4 units per acre for the remaining residential uses was recommended by several PC members. Other members were not prepared to make a recommendation at this time.

It should be noted that even these reduced densities of 11 and 4 units per acre for the Senior Independent Living campus and residential uses, respectively, are considered relatively intense. Several factors were considered in making the reduced density recommendation:

- Seven (7) twin buildings (14 units) were proposed within critical historical sight lines and/or were designed with backs of buildings facing Bethlehem Pike that should be eliminated.
- At least one of the 10 unit multi-family apartment buildings was proposed within a critical historical sight line and a mature grove of trees that should be eliminated.

- Minimum proposed building setback from Bethlehem Pike increased from 60 to 100 feet as driven by the need for a frontage type access road. (see comments regarding subsection 255-90.2.D.e Perimeter Setbacks)
- Minimum proposed building setback from Lindenwold Terrace increased from 50 to 80 feet as driven by the need for a frontage type access road. (see comments regarding subsection 255-90.2.D.e Perimeter Setbacks)
- Northerly wing of the Castle (left wing as viewed from Bethlehem Pike) was missing from all sketch plans which will limit the development area adjacent to that part of the Castle given the proximity of the sunken garden and a very mature tree grove that is part of an historic sight line.
- Vertical and horizontal concentration of Senior Independent Living buildings around the Castle is excessive. The originally proposed 14 units per acre is based on the current density allowed for the assisted living units, that are significantly smaller than the proposed Senior Independent Living units.
- Other proposed apartment buildings, twins and townhomes will have to be adjusted to preserve critical historic sight lines and natural features.

d) *Impervious surface coverage-maximum impervious surface coverage shall be 40% (per July 10th Richard McBride email).* The Planning Commission recommended a maximum allowable impervious coverage of 35% based on the following:

- Consistent with the recommendation for reduced density and the goals of preserving certain historical structures, features and sight lines as well as critical natural features.
- Development area is concentrated due the presence of the lake, wetlands and stream corridor in the rear areas of the property. Higher allowable impervious coverage only intensifies the development.
- Current Assisted Living use sets maximum density at 30%, but additional 5% impervious coverage would be warranted given the goals of this proposed text amendment.

e) *Perimeter Setbacks* Please refer to pages 2 and 3 of the draft text amendment for the perimeter setback tabulation and related proposed exemptions. Amend site perimeter setbacks as follows:

- Setbacks should be from the existing right-of-ways and from existing property lines and noted accordingly.

- Front, Side & Rear setback from abutting State Rd shall be increased from 60 feet to 100 feet. It should be noted that the 100 foot setback is consistent with the applicant's sketch for homes facing onto Bethlehem Pike.
- Front, Side & Rear setback from abutting Township Road shall be increased from 50 to 80 feet. It should be noted that approximately half of the applicant's proposed homes are already consistent with the 80 foot setback from Lindenwold Terrace.
- Nothing shall be placed within the 100 foot setback between existing residential property lines and apartment buildings/Senior Independent Living buildings with the exception of an emergency driveway as approved through the conditional use process. It should be noted that this is consistent with the applicant's current sketch.
- Internal roadways, designed for single family, twin and townhouse dwelling units shall be set back a minimum of 50 feet from existing residential property lines . (excepting existing internal roads which are part of historic sight lines)
- No fencing or accessory structures shall be allowed within the perimeter setbacks.
- A roadway may be placed within the perimeter setback along an existing State right-of-way, assuming the edge of roadway is setback a minimum of 50 feet from the right-of-way and designed to be buffered/bermed as viewed from the existing street.
- A roadway may be placed within the perimeter setback along an existing Township right-of-way, assuming the edge of roadway is setback a minimum of 30 feet from the right-of-way and designed to be buffered/bermed as viewed from the existing street.
- It should be noted that additional setbacks from existing public right-of-ways may be warranted for Senior Independent Living and apartment buildings due to their higher rooflines.

All of the above design concepts should be reviewed by a professional planner.

- f) *The Maximum building height, as defined in Chapter 212... shall be 35 feet for all residential uses other than the Senior Independent Living Campus and multi-family. The maximum height for those uses shall be four stories not exceeding 55 feet. Provided that any such use closer than 200 feet from an adjoining*

residential district shall be limited to three stories, not exceeding a maximum height of 55 feet.

Establishing a maximum building height remains unresolved given the goals of balancing appropriate density and preserving the historic context of this property. Planning Commission members could not agree on appropriate building height(s) or maximum number of stories. Even the standard definition of building height can lead to unintended consequences. (e.g. Dublin Terrace buildings are 64 feet high from the ground level to the peak). Additionally, the visual impact of buildings can be exacerbated when the existing ground level is significantly raised. (e.g. pad site versus buildings stepped relative to the natural grades).

Crafting this section of the text amendment is very challenging and requires the expertise of the historical consultant, a professional planner and perhaps even an architect. Over the past couple of months, the applicant has shown UDT two different versions of senior independent living buildings abutting the castle structure. Three story high buildings with modest roof lines seemed to be appropriately scaled relative to the castle structure. More recently, a four story concept was presented at the July planning commission meeting, which may or may not be appropriate, depending on story height, roof design, architectural design and building materials.

The proposed maximum building height of 55 feet is excessive as the building peaks could easily be 60 feet or higher. It should be noted that the center Castle Towers are about 70 feet high according to the applicant, but the castle's perimeter parapet is only about 50 feet high.

Under the current ordinance, assisted living buildings cannot be greater than 2 stories high and continuing care building heights cannot exceed 35 feet to the base of the roofline. At a minimum, allowing three story high apartment and senior independent living buildings is reasonable. The visual and historic impacts of a fourth story is much greater and requires further discussion and input. A special building height definition is also recommended.

g) Parking shall be provided in accordance with the following standards:

(1) Senior Independent Living Campus - 1.5 spaces per dwelling unit of which 0.25 spaces per unit may be held in reserve, which spaces may include the garage and driveway and designated shared or common parking spaces.... Allowing the occupants of the Senior Independent Living Campus to count the garage towards the parking count is reasonable, however; given that there has been no consideration for employees or guests, the 0.25 reserve spaces should only be permitted if justified during the conditional use process. Additionally, considering the mix of uses, shared parking should not be an option. Planning Commission would like a staff recommendation on required parking for this use.

(2) Apartments - 2.5 spaces per dwelling unit may include the garage and driveway and designated shared or common parking spaces. Current UDT requires 2.0 spaces per unit excluding the garages. MCPC suggests that the apartment parking ratio be reduced to 1.5 spaces per unit. Planning Commission would like a staff recommendation on required parking for this use.

(3) Single family detached, semi-detached and attached - 2.5 spaces per dwelling unit which may include the garage and driveway and designated shared or common parking spaces. Current UDT requires 2.0 spaces per unit excluding the garages. Considering that the detached, twin and townhouse units are proposed to be set back 20 feet from the curb (or back of sidewalk), there could easily be insufficient parking for guests, if garages are not used for car parking. Planning Commission would like a staff recommendation on required parking for this use.

(4) Not less than 10 feet of open space shall be provided between the curb line of any parking area and the outside wall of any building. This is very open ended when one considers that an historic preservation-mixed residential community is proposed. Appropriate parking setbacks from historic structures, features and sight lines and natural features should be established as part of the conditional use process.

h) Interior road design standard: 26 foot wide minimum cartway, with five foot wide sidewalk Five foot wide sidewalk abutting outer edge of rolled curb, or three foot grass separation from straight curb, one side of street only.....
These are all Subdivision and Land Development Ordinance (SALDO) design matters which can be waived with proper justification. This should be completely removed from the text amendment.

Given that this text amendment is for an historic property, rolled concrete curb or even straight concrete curb is not appropriate. Belgian Block or similar would be recommended and should be included in the text amendment.

Private drive design standards: within any Senior Independent Living Campus component or apartment building ... component, drive shall have a minimum width of 22 feet with perpendicular parking spaces on or both sides thereof to have a minimum depth of 18 feet. Given that most of this parking is for senior residents and the 'senior use' density, 22 foot wide drives and aisles is not appropriate. Standards currently require 24/25 feet. Additionally, service trucks and employees should not be driving thru parking aisles with perpendicular parking or along the Apartment buildings. Parking aisle depth and widths should be sufficient for the senior residents. With the exception of the parking space size, all other parking design criteria is part of the SALDO provisions, which can be waived with proper justification. This should be completely removed from the text amendment.

The current zoning ordinance requires 9.5 feet by 19 foot parking spaces. Planning Commission would like a staff recommendation on whether a reduced parking space size is warranted for the proposed uses.

- i) *Additional interior road design criteria:* This subsection pertains to clear sight triangles and centerline roadway radii that are part of the SALDO provisions, which can be waived with proper justification. This should be completely removed from the text amendment.
 - j) *Ownership and maintenance of interior roads and drives: shall not be dedicated, but owned and maintained by appropriate associations.* No amendments.
5. *Section 255-90.2.E. - Building Setback, spacing and bulk requirements for various residential uses:* All of the following criteria should be reviewed by a professional planner.
- a) *Lot area and width. There shall be no minimum lot size or dimension* No amendments.
 - b) *Setbacks for buildings along private streets-20 feet from back of curb or back of sidewalk.* It should be noted that these internal setbacks will provide space for one car in the driveway per garage space.
 - c) *Distance between buildings (not including decks, patios and accessory structures) 20 feet regardless of orientation of buildings.* Given that historic structures are being preserved, a greater setback may be appropriate between historic structures and new buildings.
 - d) *Buildings within Senior Independent Living Campus may be interconnected by climate controlled and sprinkled walkways, either at ground level or elevated, appropriate for access between buildings within the Campus...* Given that historic structures are being preserved, the design of such interconnections will ultimately require conditional use approval.
 - e) *Buffer and screening requirements. These buffer and screening requirements shall apply solely to the perimeter of the development property and do not establish any requirements for screening or buffering internally between various uses proposed* Given the historic nature of the property and the desire to preserve certain sight lines, structures and features, this clause is too open ended.
 - f) *Tree replacement. If more than 50% of existing trees eight inches in caliper or more are to be removed or destroyed because of street alignment, building placement, parking area location, grading or otherwise, then each existing tree eight inches of caliper or more to be removed or destroyed in excess of 50% shall be replaced with one or more new shade trees* The current UDT ordinance requires tree replacement if more than 25% of the existing trees, eight inches in

diameter or greater have been removed. The Planning Commission considered the proposed 50% threshold to be unreasonable especially since we are recommending that tree preservation be part of the conditional use process. If there is any reasonable justification for some relief, this is a SALDO issue, which can be waived at that time. It should also be noted that property owners are not penalized for diseased and dead trees.

- g) *Section 255-90.2.F. Application Procedures and Imposition of conditions....* This section pertains the conditional use process as well as potential relief from Subsections 255-90.2 D(e) (*perimeter setbacks*), (g) (*parking requirements*), (h) (*internal roadway standards*), (i) (*private drive design standards*) and (j) *internal road design*) and 255-90.2 E (*building setbacks*). Additionally, the applicant is requesting that the mandated park and recreation contribution be directed to the historic preservation historic fund. We defer the park and recreation contribution matter to the BOC.

As noted earlier in our recommendation, any SALDO related items should be removed from this section as they can be waived with appropriate justifications. Standards should be established as to when it would be appropriate to grant relief and to what extent, as the Planning Commission does not want to see a blanket reduction in perimeter or building setbacks.

This subsection should be significantly expanded to incorporate the following additional conditional use submission requirements:

- Traffic Impact Statement
 - Fiscal Impact Statement
 - Preliminary Grading Plan
 - Preliminary Stormwater Management Plan
 - Tree Removal and Preservation Plan
 - Preliminary Landscaping Plan
 - Architectural Plans, elevations and material samples
 - Historic Resource Inventory with Preservation Plan and Sight Lines
 - Open Space Plan with walkways and provisions for public access.
6. *Section 255-90.2.G -Internal parcel creation and designation-* Provisions to allow applicant to establish separate parcels for different uses. (e.g. Senior Independent Living Campus, Apartments, attached dwelling units). No amendments.
7. Architectural standards must be incorporated into the text amendment to ensure appropriate building materials are utilized. These draft standards should be developed by Heritage Conservancy and/or architect.

8. Minimum open space criteria should be established for this use.
9. We recognize that although it's a delicate issue, public access must be part of this discussion and public hearing process.
10. Consideration you should be given to providing transportation services for the Independent Senior Living component as the targeted average age of the residents is 75 years.
11. General provisions pertaining to the required Declaration of Covenants and Restrictions for the proposed mix of development uses should be incorporated into the text amendment including the need for the following as approved by the BOC:
 - Historic Inventory and Natural Features Plan and how these features will be perpetually restored, preserved, maintained and independently monitored
 - Common Areas/Shared Facilities Plans including roads, parking areas, walkways, utilities, certain historic structures and features and natural features to name a few. Cross easements will be required as well given the desire to subdivide the three uses.
 - Public Access Area Plans.

Funding mechanisms, shared costs and maintenance responsibilities between the various mix of units must be established for all of the above plans and approved by the BOC.

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