

VIA UPS AND E-MAIL

Board of Supervisors
South Middleton Township
c/o Tim Duerr, AICP
Community Development Director
520 Park Drive
Boiling Springs, PA 17007

**RE: Zenith Construction Inc.
Conditional Use Application for 'Smith Farm' Community Campus Development:
Lot #1 and Lot #5
Our File No. 18-165**

Dear Board Members

We are writing on behalf of our client, Zenith Construction, Inc. (the "Applicant") to request a modification of a certain condition of a prior conditional use approval for the 'Smith Farm' Campus Community Development on land located along the eastern side of South Spring Garden Street, Carlisle, and identified as Tax Parcel Identification No. 40-09-0531-001, in South Middleton Township (the "Township"), Cumberland County, Pennsylvania. The Applicant is proposing to revise the previously approved Master Plan to enable construction of apartment buildings on Lot #1 and Lot #5, respectively. The 'Smith Farm' is located in the Township's Suburban Commercial District (the "SC District"). A campus community development is permitted in the SC District by conditional use. Pursuant to Section 1102.(12.)(c).(iv.) of the Township's Zoning Ordinance (the "Zoning Ordinance"), apartment buildings are permitted to be constructed within a community campus development in the SC District.

Enclosed in support of the Application are the following:

1. One (1) original and three (3) copies of the South Middleton Township Conditional Use Application form;
2. Two (2) checks made payable to the Township, one in the amount of \$500.00 for the filing fee and the other in the amount of \$2,000.00 for the required escrow fee;
3. Ten (10) copies of the adjoining property owners' names and addresses;
4. Ten (10) copies of the written decision of the Township Board of Supervisors dated November 12, 2020 approving Conditional Use Application No. 20200023;
5. Ten (10) copies of the traffic letter prepared by Traffic Planning and Design, Inc.;

6. Ten (10) full size copies and one 11" x 17" copy of the Revised Master Plan; and
7. Ten (10) copies of a Narrative providing justification for the requested modification.

In a written decision dated November 12, 2020 ("2020 Written Decision"), pursuant to Section 1102.(12.) of the Zoning Ordinance in effect at that time, the Board of Supervisors approved Conditional Use Application No. 20200023 permitting the 'Smith Farm' Community Campus Development as depicted on the approved 2020 Master Plan that was included as Exhibit B of the 2020 Written Decision.¹ The 2020 Master Plan depicted Lot #1 that was to be developed with a medical clinical facility (e.g., office building) and Lot #5 that was to be developed with a professional office building. For various reasons, including the impacts of the COVID-19 pandemic, rather than developing Lot #1 and Lot #5, respectively with the previously approved office buildings, the Applicant envisions developing these lots with needed and permitted housing. Pursuant to Section 1102.(12.)(c.)(iv.) of the Zoning Ordinance, apartment buildings are permitted to be constructed in a community campus development in the SC District. Therefore, the Application requests modification of the 2020 Master Plan referenced as Exhibit B in the 2020 Written Decision to permit Lot #1 and Lot #5 to respectively be developed with apartment buildings.

We request that a hearing be scheduled on the Application by the Township Board of Supervisors at its earliest convenience. Please confirm the date and time of the hearing. It is our understanding that the Township will provide appropriate public notice and post the Property as required under the Pennsylvania Municipalities Planning Code. We would also request that the Township arrange to have a stenographer present at the hearing.

If you have any questions, please contact me.

Very truly yours,



J. McDowell Sharpe

Enclosures

- c: Natalie Kaczor (via e-mail w/ encls.)
Tim Duerr (via e-mail w/ encls.)
David Shaool (via e-mail w/ encls.)
Elliot Shibley, RLA (via e-mail w/ encls.)
Justin Kuhn, PE (via e-mail w/ encls.)

¹ The applicant was Smith Farm Partners, LLC.