

September 28, 2026
Ref: #3701-186

(via email)

Newtown Township
100 Municipal Drive
Newtown, PA 18940

Attention: Micah Lewis, Township Manager

Reference: 661 Penn Street LLC – 661 Penn Street/Newtown-Yardley Road
Conditional Use Application Review
TMP Nos. 29-010-119-001 & 29-010-037
Project No. 260004

Dear Micah:

We have received the application for Conditional Use Approval for a proposed J-1 (mixed use development). The mixed use development will consist of TMP 29-010-037 in the LI – Light Industrial District proposed to contain use B-20 (town center apartments) in Buildings 1A and 1B, and TMP 29-010-119-001 in the O-LI – Office Light Industrial District containing use D-1 (office use) in three existing buildings to be retained (Buildings 2, 3 and 4). The project is proposing to consolidate TMP 29-010-037 and TMP 29-010-119-001 into one parcel. Within the new parcel, the plan proposes construction of two, four-story apartment buildings containing 308 apartments. Building A is to be 43,748 sf and Building B is to be 61,959 sf. The buildings will contain an internal four-story plus rooftop parking garage (Garage 1). The improvements will also include a second, four-story plus rooftop parking garage (Garage 2) which is to be located on a portion of the parking area courtyards adjacent to Building 1A and Building 1B and a public space plaza near the access to Newtown-Yardley Road.

The following comments are offered for the Township's consideration:

1. **Use** – The proposed mixed use development, Use – J-1, is an allowable Conditional Use in the Newtown Commons Overlay District. (JMZO 700-A.8.C.1.a)

The J-1 use proposes 308 Town Center Apartments, use B-20, which are permitted as part of a J-1 use. The 308 apartments are based on a net acreage of 15.417 ac, which is contingent upon the existing utility easement between the existing parcels being vacated. Our office notes that the latest submission contains a copy of an Indenture for Parcel No. 29-010-037 made between the Law School Admission Council, Inc. to 661 Penn Street, LLC signed on December 6, 2022. A copy of an Indenture for Parcel 29-10-119-1 made between the Nockamixon-Bucks Industrial and Commercial Development Authority and 638 Newtown Commons West to 660 Tudor Square, LP, signed on December 3, 2001, was also included. The bearings and distances between the plans and the indentures are not consistent and variations in this information must be addressed. The applicant must confirm whether documents or any other deed restrictions are listed for TMP 29-010-037 and TMP 29-010-119-001 to verify the proposed density. (JMZO 700.A.8.E.2.c, 700.A.8.E.3 and 902.B.1.b.3)

General Notes 13 and 14 state that the proposed apartment buildings are to be served by public water and sewer.

2. **Zoning Dimensional Requirements** – The existing buildings and proposed Building 1A all exceed the maximum allowable 25-foot front yard setback. A variance will be required, and the zoning table should be updated to show setbacks for each existing building to remain and each of the proposed buildings, including 1A, 1B, Garage 1 and Garage 2. The setbacks noted in the zoning table must be consistent with the plans. (JMZO 700-A.8.D.1)
3. **Building Architecture** – The design and architecture of buildings shall be subject to review by the Board of Supervisors and shall be consistent with the architectural style of the area in keeping with the residential character of the district. We recommend any approval be conditioned upon the provision of architectural renderings to the Township's satisfaction to ensure building designs are appropriate. (JMZO 700-A.8.A.9)
4. **Materials** – The application states that there are no hazardous, flammable, or explosive materials that would be stored or used in the office-use Buildings 2, 3 and 4. Building 2 contains an existing dental office including oral surgery and dental implants. The applicant should discuss with the Township the need for use and storage of medical gases, and documentation of biohazard waste disposal for the oral surgery office in Building 2. (JMZO 700-A.8.E.7.b)
5. **Potential Environmental Impacts** – The application indicates that no noxious or hazardous impacts are expected to be generated by these uses.
6. **Deliveries** – The applicant should discuss what types of deliveries, trucks, and pick-up times will occur on site. A FedEx drop box is located in front of Building 4. We note the plans do not show the drop box. Loading and unloading areas for each building must be detailed on the plan. (JMZO 1002)
7. **Parking** – The number of bedrooms and diversity of proposed unit types for the proposed B-20 town center apartment use must be verified. Parking calculations will be required to be updated if the Township requires studio/efficiency units in Buildings 1A and 1B. The parking calculation also considers the areas of existing uses present on site which must be verified by the Zoning Officer. Once the dwelling unit types and areas of existing uses are verified, compliance with required parking can be evaluated. A note should be included on the plan stating that parking spaces for all residential units shall be clearly designated and separated from the non-residential parking spaces. The parking spaces for the individual residential units shall be clearly numbered and reserved for the exclusive uses of the unit occupants. Additional clarification must be provided regarding the parking spaces intended for the residential units. (JMZO 700-A.8.E.9.a, 700-A.8.E.9.b & 803.J.J-1.4)
8. **Signage** – The applicant should describe the intended types, sizes, and locations of signage for the proposed uses as multiple buildings with multiple uses will occupy the consolidated tract. (JMZO 1106.G.1)
9. **Landscaping** - Landscaping shall be integrated with other functional and ornamental site design elements, where appropriate, such as recreational facilities, ground paving materials, paths and walkways, fountains or other water features, trellises, pergolas, gazebos, fences, walls, street furniture, art, and sculpture. (700-A.8.E.7.C.1)

Plant suitability, maintenance, and compatibility with site and construction features are critical factors that shall be considered. Planting shall be designed with repetition, structured patterns, and complimentary textures and colors, and shall reinforce the overall character of the area. (700-A.8.E.7.C.2)
10. **Conditional Use Requirements**
 - a. The applicant must be prepared to discuss the following requirements with the Township: (JMZO 1301.B)

- i. The uses and location must be in accordance with Joint Municipal Comprehensive Plan for Newtown Township, Upper Makefield Township, and Wrightstown Township, and consistent with the spirit, purposes and intent of the LI/O-LI Newtown Commons Overlay district;

The purposes of the Newtown Commons Overlay District is intended to permit and encourage a mix of land uses on previously developed lands and for new construction in the LI and O-LI districts.

- ii. The uses and location must be an improvement which shall not be a detriment to the property in the immediate vicinity and which shall be in the best interest of the municipality, the benefit of the community, and the public welfare;

We note the site directly abuts an existing cemetery to the west.

- iii. The uses and location must be suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity;
- iv. The uses and location must be in conformance with all applicable requirements of this Ordinance and all municipal ordinances; and
- v. The uses and location must be suitable in terms of effects on local traffic and safety with arrangement for access adequate to protect streets from undue congestion and hazard;

We note that a traffic impact study has not been submitted to Newtown Borough for their review of the traffic impact to Penn Street.

Very truly yours,
ARRO Consulting, Inc.
Township Planners


Michele A. Fountain, P.E.

MAF/klk

cc: Katherine McGovern, Assistant Township Manager (via email)
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