



1286 Black Rock Road

Phoenixville, PA 19460

**Phone:** 610-933-9179

**Fax:** 610-983-0355

**Visit Us Online:**

[www.uprov-montco.org](http://www.uprov-montco.org)

**General Inquiries:**

[admin@uprov-montco.org](mailto:admin@uprov-montco.org)

**Board of Supervisors**

Helene Calci, Chair

Kelly Stevens, Vice Chair

A. Maria Jones-Sadler

William Starling

Thomas P. Yeager

**Township Manager/Secretary**

Timothy J. Tieperman

**Township Solicitor**

Joseph E. Bresnan, Esq.

March 20, 2024

**RE: Parkhouse Residential Cluster Community  
Township #4021-0313-0003 [ZTA]**

This application for zoning ordinance amendment was received without a request from the Board of Supervisors. The Board of Supervisors will determine, in their sole discretion, if and when this application moves forward through the Township's process for consideration. No reviews are necessary at this time.

Please contact me at 610-933-9179, extension 104 if you have any further questions.

Sincerely,

  
Geoffrey B. Grace, AICP  
Director of Planning, Zoning Officer  
Township of Upper Providence, Montgomery County

cc: (via email unless otherwise noted)  
Upper Providence Board of Supervisors  
Upper Providence Planning Commission  
Tim Tieperman, Township Manager  
Bryan Bortnickach, Assistant Township Manager  
Joseph Bresnan, Esq., Township Solicitor  
Jen Gutshall, P.E. Gilmore & Associates, Inc.  
Casey Moore, P.E., McMahon Associates  
Spring Ford School District (hand delivery)



# Township of Upper Providence Application for Subdivision or Land Development Review

**Township of Upper Providence**  
1286 Black Rock Road  
Phoenixville PA 19460  
Phone: 610-933-9179; Fax: 610-983-0355

APPLICATION SUBMISSION DATE: 03-18-2024

PLAN NUMBER: 4021-0313-0003 (ZTA)

**Owner:** (Equitable) NVR Inc.

Rennie Settanni

**Owner Address:** 200 N. Warner Rd., Suite 320

**City/State/Zip:** King of Prussia, PA 19406

**Owner phone/email:** 610-220-8797/rsettann@nvrinc.com

**Applicant (if different than owner):**

**Applicant Address:**

**City/State/Zip:**

**Applicant Phone:**

**Applicant Email:**

**Applicant Representatives:**

**Attorney:** Hamburg Rubin Mullin Maxwell & Lupin

**Contact Information (phone/email):** 215-661-0400

cweiner@hrmml.com

**Civil Engineer:** Bohler Engineering PA LLC

**Contact Information (phone/email):** 215-996-9100

rklos@bohlereng.com

**Traffic Engineer:**

**Contact Information (phone/email):**

**Other:** Heuser Design

610-566-2928

**Contact Information (phone/email):** heuserdesign@comcast.net

**Proposal Name:** Parkhouse Residential Cluster Community

**Proposal Location/Address:** Black Rock Road, Old State Road, and Yeager Road

**Tax Parcel Number(s):** 61-00-01252-12-7

**Block /Unit:** 21/39

OSC Open Space Conservation District with

**Current Zoning:** Institutional District Overlay

**Nearest Cross Street:**

**Property Acreage/Tract Area:** 185.692 acres (gross)

**Proposed Number of Units (residential):** 614 (19 single family; 153 active adult carriage homes; 76 stacked townhouses; 366 townhouses)  
**Proposed Square Feet (commercial/office/industrial):**

**Type of Review Requested:**

**Subdivision Plan** (  **Minor Subdivision**)

**Tentative**;  **Preliminary**;  **Final**

**Land Development Plan**

**Tentative**;  **Preliminary**;  **Final**

**Conditional Use**

**Zoning Ordinance Amendment**

**Zoning Map Amendment**

**Subdivision/Land Development Ord. Amendment**

**Curative Amendment**

**Other Review Request (explain below):**



# Township of Upper Providence

## Application for Subdivision or Land Development Review

**Township of Upper Providence**

1286 Black Rock Road

Phoenixville PA 19460

Phone: 610-933-9179; Fax: 610-983-0355

APPLICATION SUBMISSION DATE: 03-18-2024PLAN NUMBER: 4021-0313-0003 (ZTA)**Plans to be submitted with the application:**

Plans [five (5) paper copies are required] (dated: \_\_\_\_\_)

Electronic version of all plan and documentation submitted with application (via CD, thumb drive, etc.)

Dropbox or other electronic file transfers to be sent to [ggrace@uprov-montco.org](mailto:ggrace@uprov-montco.org)

Other Documents [five (5) copies required]

List additional documents by title (attach a separate sheet if necessary):

I/We filed with Upper Providence Township a (describe plan) \_\_\_\_\_ which is subject to the time limitations for review set forth in the Municipalities Planning Code. I/We voluntarily waive the time limits for review of our filing. Such waiver is granted to allow for adjustments or revisions to our filing as may be required during the review process. I/We may revoke this waiver at any time. If I/We do revoke this waiver, then the Township's time limit for review that is set forth in the Municipalities Planning Code shall begin to run on the day that I hand deliver the signed revocation to the Township during regular business hours, regardless of the number of days that elapsed between the date of the original filing and the date of the revocation.

**Applicant's Signature:**

No application shall be accepted for processing unless properly signed in the appropriate space:

Signed: \_\_\_\_\_ Owner of Record

Signed: \_\_\_\_\_ Equitable Owner

Signed: Carl W. \_\_\_\_\_ Authorized Agent (for: \_\_\_\_\_) Owner;  Equitable Owner  
Carl N. Weiner**To be completed by the Township:**Application Fee: \$ 3000.00 (  Paid) Escrow Fee: \$ \_\_\_\_\_ (  Paid)Received By: Geoffrey GracePer the Pennsylvania Municipalities Planning Code, Section 247 of 1969 this plan is accepted as complete on the following date: 03-20-2024 90-Day Clock expiration:Signed: Geoffrey Grace, AICP :Township Zoning Officer/Director of Planning



**UPPER PROVIDENCE TOWNSHIP, MONTGOMERY COUNTY, PA**

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE AMENDING ARTICLE VIID, "OSR-2 OPEN SPACE RESIDENTIAL COMMUNITY-2", OF THE TOWNSHIP ZONING ORDINANCE, SECTIONS 182-63.26 THROUGH 182-63.31; ESTABLISHING A BY RIGHT USE WHERE THE ORDINANCE CRITERIA ARE MET; ESTABLISHING A NEW MINIMUM TRACT SIZE REQUIREMENT OF 50 ACRES; ESTABLISHING NEW AREA AND BULK STANDARDS; ESTABLISHING ALLOWABLE DWELLING TYPES; INCLUDING SEVERANCE AND REPEALER CLAUSES; TO BE EFFECTIVE FIVE DAYS AFTER ADOPTION**

The Upper Providence Township Board of Supervisors does hereby ORDAIN as follows:

1. The existing language in ordinance sections 182-63.26 through 182-63.31, being the contents of the OSR-2 Open Space Residential Community-2 ordinance at Article VIID of the Township zoning ordinance, is deleted in its entirety and is replaced with the following:

**§ 182-63.26 Legislative intent.**

In expansion of the community development objectives contained in Article I, § 182-2 of this chapter, it is hereby declared to be the intent of this article with respect to an open space residential community to establish reasonable standards and criteria to permit such a community in appropriate locations within the Township, based upon a specialized set of development regulations appropriate for such a development.

A. To allow for the donation of residentially zoned and developable land from a larger parcel in exchange for no benefit or consideration for the sole purpose of maintaining permanent opens space for use by the Township community.

B. To provide for such development in areas consistent with the goals of the Township's Comprehensive Plan, which would be compatible with and protect the existing community character.

C. To protect the existing vistas into and rural character of large tracts of undeveloped land in the Township.

D. To provide for and to preserve open space, stream valleys, agricultural land heritage, tree cover, historic buildings and other natural and man-made amenities.

E. To allow for the preservation of extensive areas of open space and/or parkland in portions of the Township where mixed-use development is appropriate.

F. To permanently protect areas of open space and parkland from future development and, in so doing, implement the goals and recommendations of the Township's adopted Open Space and Recreation Plan.

#### § 182-63.27 Use regulations.

An open space residential community is permitted in any zoning district except IO, IO-2, IO-3, M-1, and M-2, provided that the tract proposed for such development meets the criteria specified in § 182-63.28 of this article. An open space residential community shall be construed to mean a planned development consisting of single-family and mixed-density single-family attached residential use(s) combined with the preservation of extensive areas of open space and/or parkland, along with any appropriate recreational uses and uses incidental to such a development, as hereinafter provided. Uses specifically permitted in an open space residential community shall be the following:

A. Single-family detached dwellings.

B. Single-family attached dwellings.

C. Stacked townhouse – a residential structure contained in one building envelope, containing two dwelling units attached to each other, vertically separated by floor/ceiling assembly and /or horizontally separated by a wall assembly, with either shared or separate ingress points.

D. Neighborhood or community park.

E. Common open space available to all Township residents

F. Accessory uses on the same lot or premises with and incidental to the other uses permitted in this article. In addition to accessory uses customarily incidental to a dwelling unit, appropriate accessory uses may be permitted in an active use park, including but not limited to uses such as rest rooms, parking for park users and other similar uses, subject to approval by the Township.

G. Communications antennas, in accordance with the provisions of § 182-21.1 of this chapter, mounted on an existing public utility transmission tower, existing building or other existing structure, and communications equipment buildings. Communications towers are permitted only as a conditional use pursuant to § 182-38.3 herein.

H. No-impact home-based businesses in accordance with the standards set forth in § 182-21.3 herein.

I. Home occupations, provided that all of the requirements of § 182-21.4 shall be met.

#### § 182-63.28 Additional Prerequisites.

The following prerequisites shall be met for each open space residential community:

A. Any tract of ground or contiguous group of tracts (tracts may be separated by a street but not by a parcel that is not part of the application) which are the subject of an application for approval as an Open Space Residential Community-2, pursuant to this article, must in the aggregate total 50 acres or greater.

B. Any tract of ground or contiguous group of tracts which are the subject of an application as an open space residential community pursuant to this article shall in the aggregate provide a minimum of 250 feet of frontage, measured along the ultimate rights-of-way, on a roadway at the level of "feeder" or higher.

C. All proposals for development within this district shall include a fiscal impact statement which must detail the immediate post-construction financial benefit or loss to the Township, School District, and County, that can be expected from the proposed development. All proposals shall be accompanied by a traffic impact statement prepared in accordance with § 182-120(E) of this Chapter.

#### § 182-63.29 District Regulations.

Any development proposed under the OSR-2 Open Space Residential Community District-2 shall follow the district regulations under the OSR Open Space Residential Community District, § 182-63.13 and the specific Master Plan requirements as detailed in § 182-63.16.

#### § 182-63.30 Development regulations; Area and Bulk Standards

A. Density. The maximum density for development pursuant to this Article shall be 5.0 units per gross acre. In computing density, the number of units shall be rounded down to the nearest whole number. The applicant's ability to develop the maximum number may be reduced as a result of the choice of dwelling types, lot sizes, physical constraints, or other factors.

B. Active adult. At least 25% of the number of dwelling units proposed shall be active adult units occupied by persons 55 years of age or older, and married couples with at least one person over the age of 55.

## C. Development Regulations

### GENERAL PROVISIONS

Min. Gross Tract Area	50 Acres
Permitted Residential Uses	Single Family Detached, Twins, Townhouses & Stacked Townhouses
Min. Primary Open Space	25% of Tract Area
Min. Contiguous Primary Open Space	30% of minimum Primary Open Space
Min. Perimeter Building Setbacks	
• Existing Perimeter Roads	60'
• Other Property Lines	50'
• Min. Parking Ratio	2.0 Spaces per DU On-Lot + 0.25 Spaces Common Guest On-street Parking
Max. Tract Wide Impervious Coverage	60%
Max Tract Wide Building Coverage	40%

### AREA & BULK STANDARDS

	S.F.D.	S.F.D.	TH	TH	STACKED TH
	Front Access	Rear Access	Front Access	Rear Access	
Min. Lot Size	5,000 SF	4,500 SF	1,600 SF	1,200 SF	1,800 SF
Min. Lot Width	50'	50'	20'	20'	22'
Min. Front Yard	20'	15'	20'	10'	10'
Min. Front Yard facing Side of Building	15'	15'	15'	10'	10'
Min. Side Yard / Aggregate S.Y.	5' / 15'	5' / 15'	5' / 15'	5' / 15'	5' / 15'
Min. Rear Yard	20'	10'	20'	10'	10'
Min. Building Separations	15'	15'	15'	15'	15'
Max. Building Height	2.5 Sty / 35'	2.5 Sty / 35'	3.5 Sty / 48'	3.5 Sty / 45'	4.0 Sty/50'
Max. Bldg. Length in DU's	1 DU	1 DU	6 DU	6 DU	8 Modules*
Max. Building Coverage	50%	50%	60%	60%	

\*each module equals 2 DU

D. Additional development regulations. The following additional regulation(s) shall be applicable to an open space residential community, in recognition of the unique type of development which it represents.

(1) Belgian block curb may be installed on private interior roads, in lieu of the concrete curbing required in Chapter 154 of the Township Code, Subdivision and Land Development, subject to specifications approved by the Township Engineer.

(2) Secured or "gated" road entrances to the development are permitted.

(3) Private cul-de-sac or courtyards may be permitted which exceed the maximum permitted length as stipulated in Chapter 154 of this Code as long as emergency access, as may be required by the Township, is provided.

(4) Sidewalks, as normally installed in conformance with the requirements of Chapter 154 of the Township Code, may be eliminated in portions of the community when they are replaced with a pedestrian walkway system, based upon approval by the Township.

(5) Minimum street centerline radius is fifty feet.

(6) Cartways shall be 24 feet wide. Where on-street parking is provided, it shall be an additional 8 feet wide.

(7) Residential rear access lanes are permitted and must have an 18 foot wide cartway, 20 feet of right of way.

#### § 182-63.31 General landscaping requirements.

Landscaping throughout the community shall be planned in accordance with the following guidelines:

A. Shade trees shall be installed along all public and private streets, in accordance with the requirements of Chapter 154, Subdivision and Land Development, of the Code of the Township, § 154-36C. However, if it is more appropriate, based upon the site design proposed, some or all of these trees may be redistributed elsewhere throughout the community, with the approval of the Township.

B. Based upon review of the submitted landscape plan, the Township may require landscaping in addition to those minimal requirements herein where unusual field conditions exist or if circumstances arise which were not contemplated by this article. Further, credit shall be given for existing trees and shrubbery which will remain as part of a development.

C. General buffering requirements. General buffer requirements shall be followed, as stipulated in this section; specifications for the various buffer types listed herein shall be as stipulated in Chapter 154, Subdivision and Land Development, § 154-36D(5). In those instances in which berms are not required, they may be used as a substitute for some of the plant material in a specific buffer situation, if the Township concurs in its review of the landscape plan that the berms equal or exceed the buffering qualities necessary in that specific buffer situation. Buffers shall be installed in those situations as prescribed herein unless berms are permitted by the Township as substitutions.

(1) Buffers for dwelling units:

(a) Between a dwelling unit and an existing frontage roadway: Buffer Type 3 required.

(b) Between a dwelling unit and an abutting, off-site residential use or district: Buffer Type 2 required.

(c) Between a dwelling unit and an abutting, off-site nonresidential use or district: Buffer Type 3 required.

(d) Between a dwelling unit and parking areas for residential units: Buffer Type 1 required.

(e) Between a dwelling unit and parking area serving a nonresidential use: Buffer Type 2A required.

(f) Between a dwelling unit and any other permitted building within the age-restricted development: Buffer Type 2 required.

(g) Between a dwelling unit and an outdoor recreational facility associated with the development, but not housed in a building: Buffer Type I required.

(h) Between two dwelling unit groupings of single-family attached units within the OSR-2 residential community: Buffer Type I required.

(i) Between a grouping of single-family attached and single-family detached dwelling lots within the OSR-2 residential community: Buffer Type 2 required.

2. Any portion of any existing ordinance that is inconsistent with the foregoing is, to the extent of such inconsistency, repealed.
3. If any portion of the foregoing ordinance is invalidated by a court of competent jurisdiction, then to the extent possible, such invalid portion shall be severed from the remainder of the ordinance, which shall remain in full force and effect.
4. This ordinance is effective five days after adoption.

SO ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

---

Helene Calci, Board Chair

Attest: \_\_\_\_\_  
Timothy J. Tieperman, Board Secretary