



AGENDA
UPPER PROVIDENCE TOWNSHIP
PLANNING COMMISSION

Township Administration Building: 1286 Black Rock Road, Phoenixville PA 19460
Wednesday, October 16, 2024 - 7:00 PM

CALL TO ORDER / MOTION TO APPROVE OCTOBER 16, 2024 AGENDA

PUBLIC COMMENT FOR NON-AGENDA ITEMS

GENERAL DISCUSSION ITEMS:

NONE

APPLICATIONS TO BE HEARD ON OCTOBER 16, 2024:

1. Parkhouse Cluster Subdivision and Land Development

Property Address: Black Rock, Yeager and Old State Roads and Second Avenue

Proposed Development: 600 (585) Mixed Residential Community

Township #: 4021-0313-0003 (TLD)

Submission Date: August 1, 2024 | MPC expiration date: NONE (waived)

DISCUSSION: FUTURE AGENDA ITEMS

ADJOURNMENT

ACTIVE APPLICATIONS:

Listed for reference only; possible dates to be discussed are listed below.

2. Amelia Street Townhomes

Property Address: 105 /109 Amelia Street

Proposed Development: 8 single family attached units

Township #: 3028-0373-0001 (TLD)

Submission Date: June 2, 2021, | MPC expiration date: NONE (waived)

Plans under review; tentatively scheduled for the November 6, 2024 Planning Commission meeting.

3. 765 S. Collegeville Road 11-lot Subdivision (Lovers Lane) Preliminary Plan

Property Address: 765 S. Collegeville Road

Proposed Development: 11 single family detached units

Township #: 3025-0387-00002 (PLD)

Submission Date: October 2, 2024 | MPC expiration date: December 31, 2024

Plans under review; tentatively scheduled for the November 6, 2024 Planning Commission meeting.

4. Alexander Minor Subdivision

Property Address: 326 Greenwood Avenue
Proposed Development: Minor Subdivision (1 new lot)
Township #: 8003-0609-0001 (MSD)

Submission Acceptance Date: October 2, 2024 | MPC expiration date: None (waived)
Plans under review; tentatively scheduled for the December 4, 2024 Planning Commission meeting.

5. Yerkes Station Final Plan

Property Address: Hopwood and Route 29 / Collegeville Road
Proposed Development: Apartment complex with 224 units
Township #: 7035-0341-0004 (FLD)

Submission Date: November 10, 2022 | MPC expiration date: NONE (waived)
Plans under review; date to be discussed by the Planning Commission is to be determined.

6. Galman--172 Hopwood Road Final Plan

Property Address: 172 Hopwood Road
Proposed Development: 48 single family attached units
Township #: 6033-0369-0005 (FLD)

Submission Date: October 26, 2023 | MPC expiration date: NONE (waived)
Plans under review; date to be discussed by the Planning Commission is to be determined.

7. 140 Whitaker Redevelopment

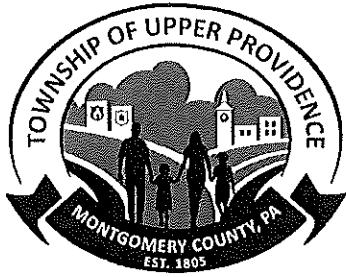
Property Address: 140 Whitaker Avenue (Mont Clare School)
Proposed Development: 60 unit Townhouse development
Township #: 2057-0607-0001 (TLD)

Submission Acceptance Date: August 7, 2024 | MPC expiration date: None (waived)
Plans under review; date to be discussed by the Planning Commission to be determined.

8. High Real Estate Multifamily Development

Property Address: 1731-1765 S. Collegeville Road
Proposed Development: 442 multifamily units
Township #: 6033-601-0001 (TLD)

Submission Date: October 2, 2021, | MPC expiration date: NONE (waived)
Plans under review; date to be discussed by the Planning Commission is to be determined.



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

Owner: Royersford Holdings, LLC

Owner Address: PO Box 222

City/State/Zip: Hunt Valley, MD, 21031

Owner phone/email: 410-527-0160

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

emullin@hrmml.com

Civil Engineer: Howell Engineering

Contact Information (phone/email):

Dave Gibbons 6109189002 dgibbons@knowhowell.com

Traffic Engineer: Traffic Planning and Design

Contact Information (phone/email):

Matt Hammond 6103263100 mhammond@trafficpd.com

Other:

Contact Information (phone/email):

08/01/2024
APPLICATION SUBMISSION DATE: Filled in by Township

4021-0313-0003 (TLD)
PLAN NUMBER: Filled in by Township

Proposal Name: Parkhouse Development

Proposal Location/Address:

Black Rock Road, Upper Providence Township, Montco

Tax Parcel Number(s):

61-00-01252-12-7

Block /Unit: 21/39

Current Zoning: OSC Open Space Conservation District

Nearest Cross Street: Second Avenue

Property Acreage/Tract Area: 185.68

Proposed Number of Units (residential): 868*

*See attached

Proposed Square Feet (commercial/office/industrial):

0.0

Type of Review Requested:

Subdivision Plan (Minor Subdivision)

Tentative; Preliminary; Final

Land Development Plan

Tentative; Preliminary; Final

Conditional Use

Zoning Ordinance Amendment

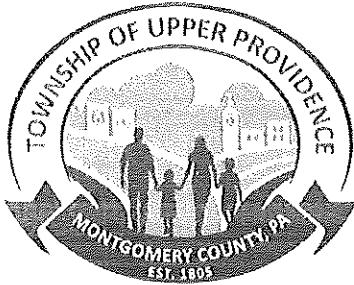
Zoning Map Amendment

Subdivision/Land Development Ord. Amendment

Curative Amendment

Other Review Request (explain below):

SEE ATTACHED.



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: 08/01/2024
PLAN NUMBER: 4021-0313-0003 (TLD)

Plans to be submitted with the application:

- Plans [five (5) paper copies are required] (dated: 31 JUL 2024)
 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

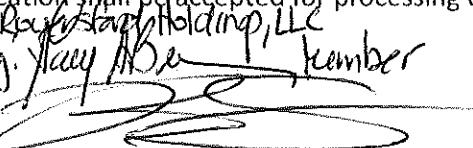
Other Documents [five (5) copies required]

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

I/We filed with Upper Providence Township a (describe plan) Tentative Sketch 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: _____ Authorized Agent (for: _____ Owner; _____ Equitable Owner)

To be completed by the Township:

Application Fee: \$ 3,000.00 (Paid) Escrow Fee: \$ \$20,000.00 (Paid)

Received By: Geoffrey B. Grace, AICP

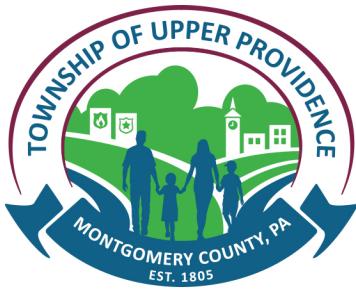
Per the Pennsylvania Municipalities Planning Code, Section 247 of 1969 this plan is accepted as complete on the following date: 08/01/2024 90-Day Clock expiration: NONE (Waived)

Signed: Geoffrey Grace, AICP

:Township Zoning Officer/Director of Planning

Royersford Holdings, LLC
Application for Subdivision/Land Development
Attachment

During the course of discussions and hearings concerning the adoption of the OSR-2 Open Space Residential Community – 2 Ordinance, Royersford Holdings, LLC indicated that despite the fact that the Ordinance would allow for the construction of more dwelling units only 585 units would be built. The attached plan shows 868 units. The rose colored units will not be built but will be dedicated by Royersford Holdings, LLC to the Township of Upper Providence.



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: Filled in by Township

PLAN NUMBER: Filled in by Township

Owner: _____

Proposal Name: _____

Owner Address: _____

Proposal Location/Address: _____

City/State/Zip: _____

Tax Parcel Number(s): _____

Owner phone/email: _____

Block /Unit: _____

Applicant (if different than owner): _____

Current Zoning: _____

Applicant Address: _____

Nearest Cross Street: _____

City/State/Zip: _____

Property Acreage/Tract Area: _____

Applicant Phone: _____

Proposed Number of Units (residential): _____

*See attached

Applicant Email: _____

Proposed Square Feet (commercial/office/industrial): _____

Applicant Representatives:**Type of Review Requested:**

Attorney: _____

Subdivision Plan (Minor Subdivision)

Contact Information (phone/email): _____

Tentative; Preliminary; Final

Civil Engineer: _____

Land Development Plan

Contact Information (phone/email): _____

Tentative; Preliminary; Final

Traffic Engineer: _____

Conditional Use

Contact Information (phone/email): _____

Zoning Ordinance Amendment

Other: _____

Zoning Map Amendment

Contact Information (phone/email): _____

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: Filled in by TownshipPLAN NUMBER: Filled in by Township**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

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: _____ Authorized Agent (for: _____ Owner; _____ Equitable Owner)

To be completed by the Township:

Application Fee: \$ _____ (Paid) Escrow Fee: \$ _____ (Paid)

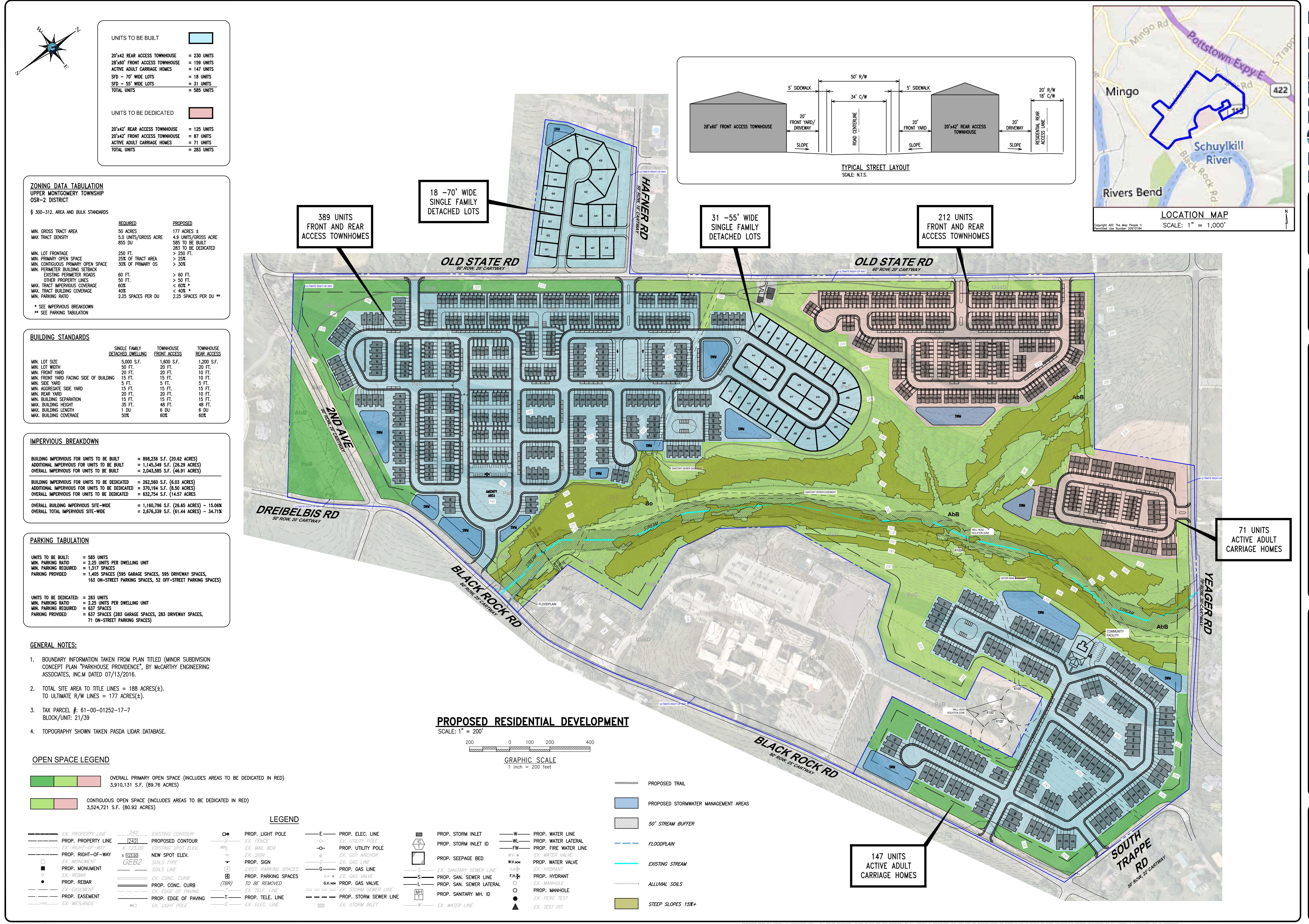
Received By: _____

Per the Pennsylvania Municipalities Planning Code, States Act § 247 of 1969 this plan is accepted as complete on the following date: _____ 90-Day Clock expiration: _____

Signed: _____ :Township Zoning Officer/Director of Planning

Royersford Holdings, LLC
Application for Subdivision/Land Development
Attachment

During the course of discussions and hearings concerning the adoption of the OSR-2 Open Space Residential Community – 2 Ordinance, Royersford Holdings, LLC indicated that despite the fact that the Ordinance would allow for the construction of more dwelling units only 585 units would be built. The attached plan shows 868 units. The rose colored units will not be built but will be dedicated by Royersford Holdings, LLC to the Township of Upper Providence.



Bowman

September 26, 2024

Mr. Geoffrey Grace
Director of Planning and Zoning
Upper Providence Township
1286 Black Rock Road
Phoenixville, PA 19460

RE: Traffic Engineering Review #3 – Tentative Sketch Plan

Parkhouse Residential Cluster Community – Black Rock Road (S.R. 0113)/2nd Avenue (S.R. 4015)/Old State Road/Yeager Road
Upper Providence Township, Montgomery County, PA
Bowman Project No. 311002-01-001
Township Escrow No. 313

Dear Geoff:

As requested, on behalf of Upper Providence Township, Bowman Consulting Group (Bowman) has completed our third (3rd) traffic engineering review of the proposed residential development to be located along the northern side of Black Rock Road (S.R. 0113) between 2nd Avenue (S.R. 4015) and Yeager Road and along the northern side of Old State Road to the west of Hafner Road in Upper Providence Township, Montgomery County, PA. According to the submission and based on upon the Text Amendment Ordinance No. 604 and the parcels Declaration of Restrictive Covenants, the proposed residential development has been scaled to total 585 residential units and will consist of 49 single-family homes, 389 townhomes, and 147 age-restricted carriage homes. Access to the overall site is currently proposed via several driveways with Black Rock Road (S.R. 0113) having three (3) access points, Old State Road having three (3) access points, and South Trappe Road having one (1) access point. It should be noted that while there is the potential to develop an additional 212 townhomes and 71 age-restricted carriage homes on the property, the applicant is offering to dedicate this area of the site where these homes would be located to the Township for open space purposes.

The following documents were provided to us for our review in preparation of this letter:

- Tentative Sketch Plan – Proposed Residential Development, prepared by Howell Engineering, dated July 31, 2024.
- Declaration of Restrictive Covenants – Parcel No. 61-00-01252-12-7, dated May 29, 2024.
- OSR-2 Text Amendment (Ordinance No. 604), enacted May 29, 2024.

Based on our review of the submitted documents noted above, Bowman offers the following comments for consideration by the Township and action by the applicant:

General

1. It should be noted that while the potential traffic impacts of the proposed development have been discussed at public hearings that have taken place over the last few months, **a transportation impact study (TIS) for the proposed development has not been provided for review to date.** Under the original proposed by-right Residential Care Facility for Senior Citizens plan consisting of 1,203 total units, a PennDOT Scoping Application was submitted to PennDOT under Application No. S0620230005. Since the number and type of proposed units has changed significantly in the current plan compared to the previous plan, it is strongly recommended that a new PennDOT Scoping Application be submitted to PennDOT prior to the formal submission of the Traffic Impact Study and that a copy of the submission be made to the Township for simultaneous review.
2. As a reminder, our office provided a review letter associated with the original PennDOT Scoping Application dated February 17, 2023; however, a response to the comments contained in that letter has not been provided to date. Although this review letter pertained to the previous iteration of the plan, which has since changed as noted, many of the general comments regarding study intersections, etc. are still applicable. As such, the applicant should still provide a response to the comments of our prior letter upon future submission of a new PennDOT Scoping Application and/or future submission of the formal Traffic Impact Study.
3. It is critical to the timeline of the project that a TIS be prepared and submitted for review preferably prior to the formal submission of any land development application, beyond the tentative plan phase, to assess roadway and pedestrian infrastructure improvements that will be required to mitigate the impacts of the proposed developments and to ensure multi-modal connectivity to the surrounding community. There have been many discussions at the various public meetings regarding the traffic study (which the Township has not seen to date) and the related potential roadway improvements that will be required to mitigate the development impacts, which may include, but not be limited to the surrounding roadway networks adjacent to the site property, potential improvements at Black Rock Road/Trappe Road intersections, S. Lewis Road/Yeager Road intersection, Old State Road/2nd Avenue intersection, etc.. However, until the TIS is provided, a detailed review of plans cannot be fully provided as the TIS will need to be reviewed first to assess the recommendations, access design, and required mitigation transportation-related improvements associated with the proposed development.
4. According to the Township's Roadway Sufficiency Analysis, the proposed development is located in Transportation Service Area Two, which has a corresponding impact fee of \$2,766.02 per "new" weekday afternoon peak hour trip and the applicant will be required to pay a Transportation Impact Fee in accordance with the Township's Transportation Impact Fee Ordinance. Based on information provided in the Institute of Transportation Engineers publication, *Trip Generation, 11th Edition*, the proposed development will generate approximately 340 total "new" trips during the weekday afternoon peak hour, **resulting in a transportation impact fee of \$940,446.80.** The applicant should provide information on the existing buildings located on the property, such as if they were in operation at the time of the traffic count program (February and March 2018) for the Roadway Sufficiency Analysis, to help us determine if a trip credit towards the transportation impact fee may be appropriate for these buildings. Upon receipt of this information, our office will determine if a credit towards the transportation impact fee calculated is appropriate.

NOTE: Upper Providence Township will not issue any credit to impact fees or credit for off-site improvements without an executed agreement that is attached to the Preliminary Land Development approval. Any credit request must be issued in writing to the Township Traffic Engineer (Bowman) with copies, including attachments, to the Township. If PennDOT provides comments to address development traffic impacts that the Applicant considers to be off-site improvements, then the Township and Township Traffic Engineer must be notified by the Applicant. Please note, if an executed agreement to issue a full or partial credit is not included with the Preliminary Land Development approval then there will be no consideration for credit beyond that time.

5. Be advised that a PennDOT Highway Occupancy Permit (HOP) is required for any modifications located within the legal right-of-way of Black Rock Road (S.R. 0113) and 2nd Avenue (S.R. 4015), since they are State Roadways, as well as any other state roadway that mitigation improvements are required. The Township and our office must be copied on all correspondence and submissions to PennDOT, as well as invited to any meetings between the applicant and PennDOT.
6. Upon resubmission, our office will evaluate the information in concert with PennDOT and will provide additional reviews of engineering and supplemental submission details as we receive them.
7. A response letter **must be provided** with the resubmission detailing how each comment below has been addressed, and where each can be found in the resubmission materials (e.g., page number(s)) to assist in the re-review process. Additional comments may follow upon review of any resubmitted and more detailed plans during the land development and HOP processes.

Tentative Sketch Plan

8. The applicant's engineer must ensure that the proposed site layout is fully consistent with the recorded terms and conditions outlined in the Declaration of Restrictive Covenants recorded against Parcel No. 61-00-01252-12-7 on May 31, 2024, under Montgomery County Recorder of Deeds Instrument No. 2024026895, Deed Book 6364, Pages 01926 to 01941.
9. The proposed development will have an impact on the intersection of Black Rock Road (S.R. 0113) and 2nd Avenue (S.R. 4015)/Dreibelbis Road. As the applicant is aware, given the existing configuration of the intersection including a 90-degree bend of Black Rock Road (S.R. 0113), which forms two of its four approach legs, and then 2nd Avenue (S.R. 4015) and Drebeilbis Road, which form the other two approach legs, the intersection has been a major focus of the Township given that the existing configuration creates driver confusion as they navigate through the intersection. The anticipated impact to the area only increases safety and efficient capacity concerns at this intersection with the increase in traffic that would be generated by an adjacent development. The Township's Act 209 Study reflects the need to improve this intersection by providing a controlled intersection reconfiguration, and a roundabout design has been identified at this location to remedy the operational issues, safety concerns, and enhance the movement of all vehicular and non-vehicular modes through this intersection. The Township received grant funding for the project and is still in the process of providing preliminary engineering for the roundabout project which will include the installation of a single-lane roundabout, replacement of the PennDOT bridge structure along Route 113 to the immediate north of the intersection, and the provision of other associated roadway and pedestrian facilities for the intersection.

The applicant must coordinate their land development with the aforementioned designed improvements at the intersection of Black Rock Road (S.R. 0113) and 2nd Avenue (S.R. 4015)/Dreibelbis Road, as well as replacement of the bridge over the creek on its Black Rock Road frontage, and ensuring that all frontage improvements being designed by the Township are incorporated into the site design and layout, including the impact to the proposed building locations, access locations, stormwater basins, ultimate right-of-way locations, etc. The applicant's engineer and project team will be required to implement any additional improvements along its frontage, to this intersection, and nearby access points that are warranted and/or necessary to mitigate any impacts and safely accommodate the traffic and multimodal elements necessary with the development of the property. The applicant's engineers must consider the proposed site driveway locations and allow for the safe and efficient operation of each of the site driveways with the committed intersection improvement project. A "Black Rock Road Roundabout Exhibit" (dated 8/28/2024) showing the most current roadway geometric layout of the roundabout improvements and vertical profiles for the Black Rock Road legs is **attached to this letter** for use by the applicant's engineer while designing the site layout. The engineer should communicate with our office to obtain other available plans and/or CADD related files to aid in the overall design coordination.

10. The location of the proposed access along Black Rock must be closely evaluated with consideration given to the Township sponsored roundabout infrastructure improvements, which includes the replacement of the existing PennDOT structure to the immediate north of the proposed access and significant re-profiling between the structure and the roundabout intersection. As currently presented, the proposed Black Rock Road access is in very close proximity to the existing PennDOT structure. Should the proposed access require auxiliary lanes, we can foresee that identifying the final location will be a significant challenge. As such, **this issue must be assessed as early in the development process as possible.**
11. As noted in most of the previous public township meetings, close attention must be given to sight distance at the intersection of 2nd Avenue (S.R. 4015) and Old State Road as residents, Township staff, and Township officials have identified visibility concerns that could potentially be exacerbated by the increased traffic anticipated as part of this development. Improvements may be necessary by the applicant to improve and be able to achieve safe and sufficient sight distance.
12. Future submissions of any sketch/tentative plan should be sure to include the following information and be presented at a size legible to view the following details:
 - a. Proposed pavement markings and signage for all roadways throughout the site.
 - b. Lane, shoulder, cartway, and trail/sidewalk widths and corner radii dimensions at intersections.
 - c. Baselines and baseline stationing.
 - d. As applicable, auxiliary lane storage lane lengths and taper transitions.
 - e. Property owner information and tax map parcel identification for all parcels identified on the plan(s).
 - f. Legal Right-of-Way dimensions.
 - g. Above ground utilities, and underground if known by survey.
 - h. Existing and proposed contours and any conceptual grading if available.

A more detailed review of the proposed geometry of the site accesses and any roadway improvements will be reviewed in more detail when this information has been provided and a formal land development design plan submission is made should this project advance to the land development process.

13. According to the Township Ultimate Right-of-Way Map:
 - a. Old State Road is classified as a feeder road and should have a minimum cartway width of 38 feet and a minimum right-of-way width of 60 feet according to **Section 270-48.C** of the **Subdivision and Land Development Ordinance**.
 - b. Hafner Road is classified as a residential road and should have a minimum cartway width of 32 feet and a minimum right-of-way width of 50 feet according to **Section 270-48.C** of the **Subdivision and Land Development Ordinance**.
 - c. Yeager Road is classified as a collector road and should have a minimum cartway width of 40 feet and a minimum right-of-way width of 80 feet according to **Section 270-48.C** of the **Subdivision and Land Development Ordinance**.

The plan currently shows a 20-foot cartway width and 60-foot right-of-way width along the Old State Road site frontage, a 16-foot cartway width and 50-foot right-of-way width along the Hafner Road site frontage, and a 30-foot cartway width and 70-foot right-of-way width along Yeager Road, thereby not satisfying the ordinance requirements. The plan must be revised accordingly.

14. A note must be added to any future land development plan submission stating that the area between the existing right-of-way and ultimate right-of-way should be offered for future taking and dedication to the authority having jurisdiction over the road as required in **Section 270-48.E(3)** of the **Subdivision and Land Development Ordinance**.
15. Sight distance measurements at the site access intersections along Black Rock Road (S.R. 0113), Old State Road, South Trappe Road (S.R. 0113), Hafner Road, and Yeager Road, must be shown on the plan and be in accordance with **Section 270-48.G(5)(c)** of the **Subdivision and Land Development Ordinance**.
16. All cul-de-sacs internal to the site must be designed in accordance with **Section 270-48.D(2)** of the **Subdivision and Land Development Ordinance**.
17. According to **Section 270-49.A(2)** of the **Subdivision and Land Development Ordinance**, driveways should be located a minimum of 40 feet from street intersections. The plans currently show several driveways throughout the site that are located less than 40 feet from a street intersection.
18. The proposed parking areas throughout the site must meet the requirements of **Section 270-50** of the **Subdivision and Land Development Ordinance**.

19. According to **Section 270-51.A(1)** of the **Subdivision and Land Development Ordinance**, sidewalk should be provided along both sides of all streets. According to the **Township Trail and Sidewalk Plan**, last revised February 15, 2017, within the vicinity of the site, Black Rock Road is identified as a high priority trail location, 2nd Avenue and Old State Road are identified as medium priority trail locations, and Yeager Road is identified as a low priority trail location. While sidewalks are required along the Black Rock Road (S.R. 0113), 2nd Avenue (S.R. 4015), Old State Road, South Trappe Road, and Yeager Road site frontages per ordinance, a combination of trails and sidewalks will be needed throughout the surrounding internal and external roadway networks in order to ensure the most appropriate accommodations are incorporated that will maximize connectivity to the surrounding pedestrian destinations (e.g., the Upper Schuylkill River Park, the Upper Schuylkill Valley Park Boat Launch, the Black Rock Boat Launch, etc.) and the surrounding communities.

During the preliminary engineering phase of the Route 113 roundabout infrastructure improvement project, there has been a significant amount of coordination with PennDOT and with Montgomery County Planning Commission and Montgomery County Parks regarding multi-modal elements that are part of the current project and multi-modal elements being planned in the future by various stakeholders in the surrounding area. The accommodations that have been coordinated to date are identified in the "Black Rock Road Roundabout Exhibit" (dated 8/28/2024) prepared by our office, which has been **attached to this letter**. The applicant will be required to incorporate and/or provide facilities that connect to these elements along Black Rock Road. Discussion with Township staff, Gilmore, and our office will be a critical first step to determine the ultimate multi-modal elements to be provided by the development, including determination of pedestrian crossings along Black Rock Road, Old State Road, Yeager Road, etc. Discussions with PennDOT and the County will also be required as the project progresses through the land development and PennDOT processes.

20. According to **Section 270-52** of the **Subdivision and Land Development Ordinance**, curbing should be provided along both sides all streets. Therefore, the plan must be revised to show curbing along the Black Rock Road (S.R. 0113), 2nd Avenue (S.R. 4015), Old State Road, South Trappe Road, and Yeager Road site frontages.
21. All proposed signs must be clearly labeled on the plan, including size and nomenclature (e.g., R1-1, 30" x 30", etc.).
22. It is strongly recommended that truck turning templates be provided in future submissions showing the ability of the largest expected delivery vehicle, trash truck, and emergency vehicle to maneuver through the site and at all new site access intersections along Black Rock Road (S.R. 0113), Old State Road, South Trappe Road (S.R. 0113), Hafner Road, and Yeager Road. Large vehicle turning movements play a significant role in roadway geometry and may require roadway widths that are greater than the ordinance requirements; therefore, the earlier this is evaluated in the design process, the sooner design issues, and site impacts can be evaluated.
23. The Township Fire Marshal should review the emergency vehicle turning templates for accessibility and circulation needs of emergency apparatus. Ensure that any correspondence, including any review comments and/or approvals, is included in subsequent submissions.

24. A detailed explanation as to any reasons or hardships should accompany any formal waiver request. Be advised that a fee in lieu of, may be required should any waivers be granted by the Board of Supervisors.
25. The plan(s) must be signed and sealed by a Professional Engineer licensed to practice in the Commonwealth of Pennsylvania.
26. A more detailed review of the site will be conducted upon resubmission of the materials, which address the Township consultant comments on the tentative sketch plan, and as the project should move forward through a detailed land development process. Additional comments should be anticipated to be raised at that point, including design and stormwater items, relative to the road and pedestrian network, etc.

We trust that this review letter responds to your request and satisfactorily addresses the traffic issues that are related to the proposed development apparent to us at this time. If you or the Township have any questions, or require clarification, please contact me or Anthony Valencia, Project Manager.

Sincerely,



Casey A. Moore, P.E.
EVP/Regional Manager, Transportation

BMJ/AV/CAM

cc: Tim Tieperman – Township Manager
Bryan Bortnickach – Assistant Township Manager
Jennifer W. Gutshall, P.E. – Gilmore & Associates, Inc.
Joe Bresnan, Esquire – Township Solicitor
Zachary Sivertsen, Esquire – Township Solicitor
Gregory R. Heleniak, Esquire – Rudolph Clark, LLC
Board of Supervisors (internally distributed)
Planning Commission (internally distributed)
Laureen Sendel-Grant – Montgomery County Planning Commission
Paul Lutz – PennDOT District 6-0
Scott Burton – PennDOT District 6-0
Gary Berman – Royersford Holdings, LLC. (Applicant)
Ed Mullin, Esquire – Hamburg, Rubin, Mullin, Maxwell & Lupin (Applicant's Attorney)
Dave Gibbons, P.E. – Howell Engineering (Applicant's Engineer)
Matt Hammond, P.E. – Traffic Planning and Design, Inc. (Applicant's Traffic Engineer)

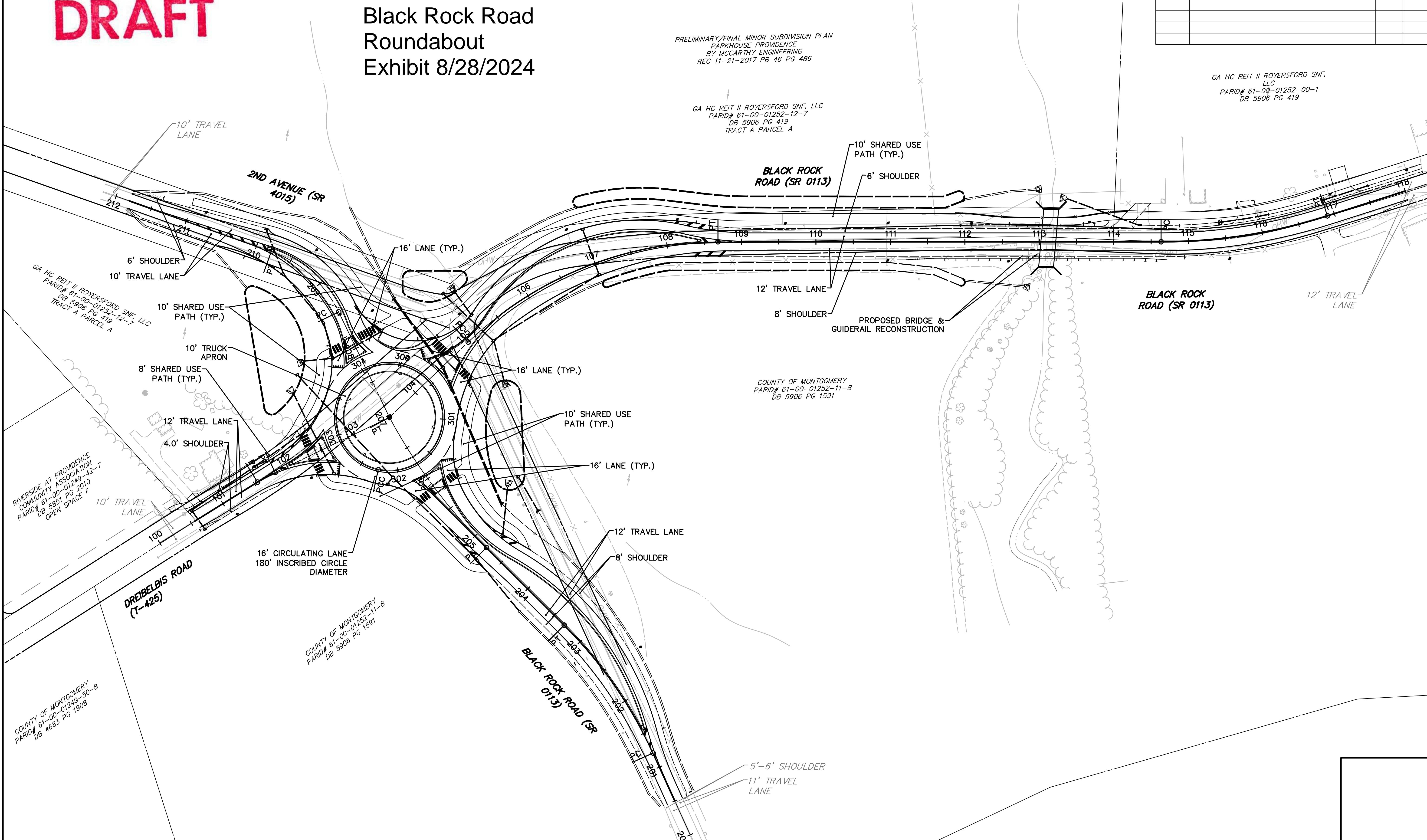
DRAFT

Black Rock Road Roundabout Exhibit 8/28/2024

PRELIMINARY/FINAL MINOR SUBDIVISION PLAN
PARKHOUSE PROVIDENCE
BY MCCARTHY ENGINEERING
REC 11-21-2017 PB 46 PG 486

DISTRICT	COUNTY	ROUTE	SECTION	SHEET
6-0	MONTGOMERY	0113, 4015	-	OF XX
UPPER PROVIDENCE TOWNSHIP				
REVISION NUMBER	REVISIONS			DATE

GA HC REIT II ROYERSFORD SNF,
LLC
PARID# 61-00-01252-00-1
DB 5906 PG 419



Bowman

1515 MARKET STREET
SUITE 1360
PHILADELPHIA, PA 19102
PH: (215) 433-1660
FAX: (215) 433-1661

DESIGN BY: NA
DRAWN BY: NA
CHECKED BY: KD

R JOB NO: 821578
R DWG:
K DATE: XX-XX-

xx

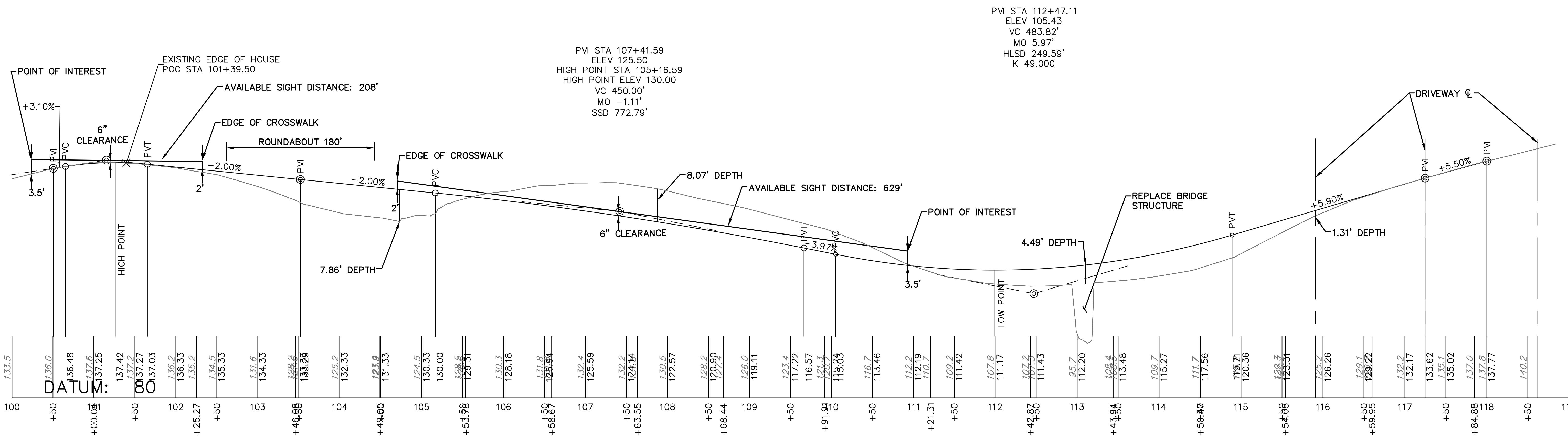
UPPER PROVIDENCE TOWNSHIP
1286 BLACK ROCK ROAD
PHOENIXVILLE, PA 19460
(610) 933-9179

BLACK ROCK ROAD ROUNABOUT ROADWAY IMPROVEMENTS
BLACK ROCK ROAD (SR 0113), DREIBELBIS ROAD (T-425) & 2ND AVENUE (SR 4015)

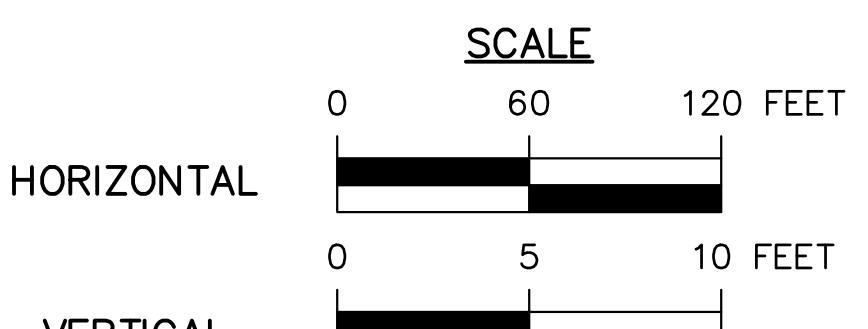
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DISTRICT	COUNTY	ROUTE	SECTION	SHEET
6-0	MONTGOMERY	0113, 4015	-	1 OF XX
UPPER PROVIDENCE TOWNSHIP				
REVISION NUMBER	REVISIONS			DATE

PVI STA 101+15.19
ELEV 138.03
HIGH POINT STA 101+25.97
HIGH POINT ELEV 137.42
VC 100.00'
MO -0.64'
SSD 261.62'

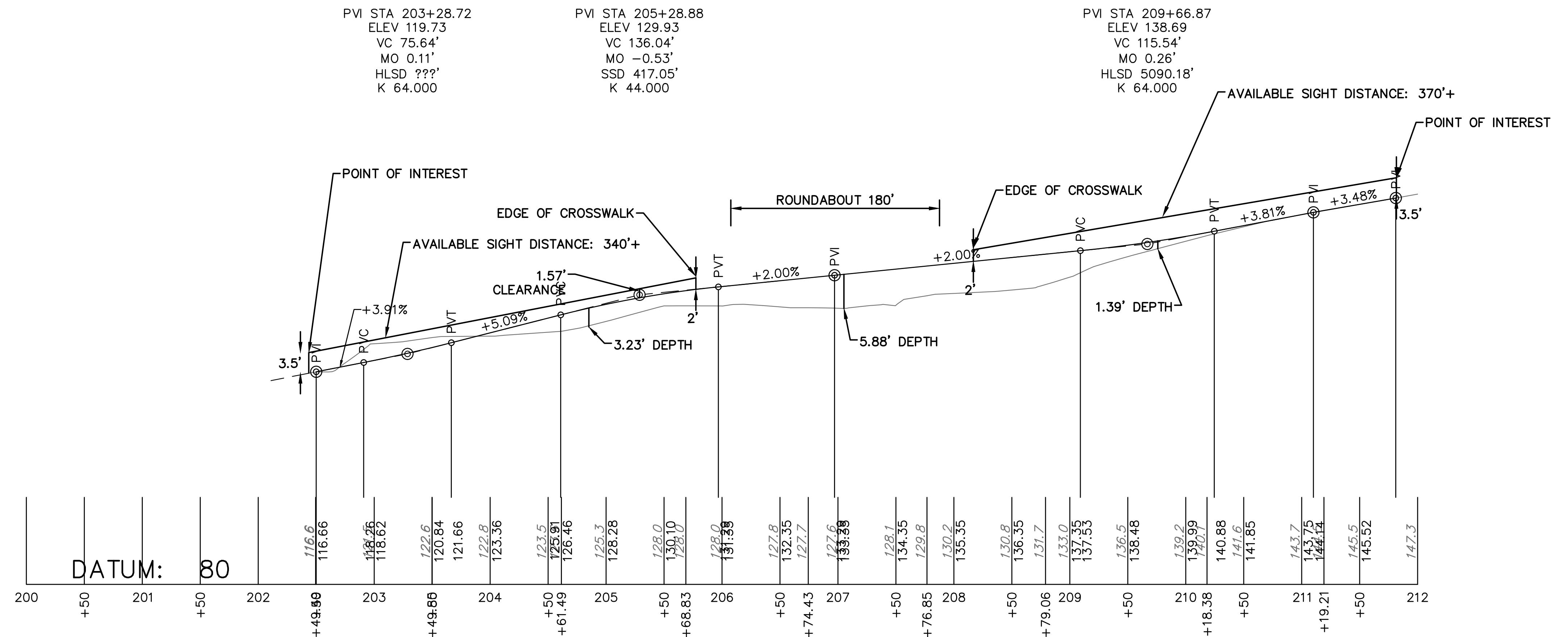


DREIBELBIS ROAD (T-425)-ROUTE 113 (SR 0113) PROFILE
25 MPH-35 MPH DESIGN SPEED

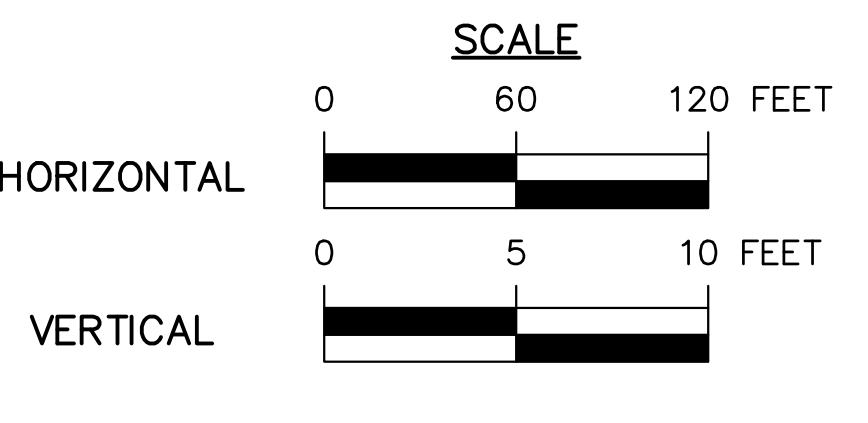


DRAFT

DISTRICT	COUNTY	ROUTE	SECTION	HEET
6-0	MONTGOMERY	0113, 4015	-	1 OF X
UPPER PROVIDENCE TOWNSHIP				
REVISION NUMBER	REVISIONS			DATE



BLACK ROCK ROAD (SR 0113)–2ND AVENUE (SR 4015) PROFILE
40 MPH DESIGN SPEED





September 30, 2024

File No. 21-01181T

Mr. Geoff Grace, Director of Planning / Zoning Officer
Upper Providence Township
1286 Black Rock Road
Phoenixville, PA 19460

**Re: Parkhouse Residential Cluster Community
Tentative Land Development Plan Review #1
Twp. Number 4021-0313-0003 (TLD)**

Dear Geoff:

In accordance with the Township's request, we have reviewed the proposed Tentative Land Development Plan for the Parkhouse Residential Cluster Community. The review consisted of one sheet titled "Tentative Sketch Plan, Proposed Residential Development", dated 7/31/24, prepared by Howell Engineering. We offer the following comments for your consideration:

General Description

1. The project site is located in the OSC Open Space Conservation District, and is being developed in under OSR-2, Open Space Residential Community - 2 District overlay regulations. Ordinance 605, enacted May 29, 2024.
2. The subject site is comprised of a single parcel totaling 185.098 acres, Gross, with 176.397 acres, Net, located between Black Rock Road (S.R. 0113), Old State Road, Yeager Road, South Trappe Road, and 2nd Avenue. The current use of the site is farmland with some wooded areas along a stream that generally flow east to west through the site. There are areas of steep slopes, flood prone soils, and regulated floodplain along the stream on this site.
3. The Applicant is requesting a Tentative Land Development approval for the proposed residential development shown on the plan. The site proposes 49 single family detached units, 230 rear access townhouse units, 159 front access townhouse units, and 147 active adult carriage homes, for a total of 585 dwelling units, with a donation of an area of land that could have possibly been developed with 212 townhouses and 71 active adult carriage homes per units to be dedicated to the Township as Open Space.
4. It is assumed public water and sewer is proposed. However, no indication is provided as to the proposed connections to either.
5. In accordance with the Parcel No.: 61-00-01252-12-7 Declaration of Restrictive Covenants, dated May 29, 2024, with the final approval of the 585 unit land development plan the area of the 125 rear access townhouses, 87 front access townhouses, and 71 adult carriage house as shown on the Tentative Sketch Plan is to be dedicated to the Township as part of the Open Space for the project. The Parcel No.: 61-00-01252-12-7 Declaration of Covenant shall be referenced on the Tentative Sketch Plan.
6. The stream (waterway) that traverses the site from Yeager Road to the Black Road culvert that is shown on the plan is classified on eMapPA as a Historic Stream.
7. There are two drainageways that cross the site from Old State Road to the stream. A third drainageway crosses the site from Old State Road to the intersection of 2nd avenue and Black Rock Road.

Zoning

1. Section 300-102.F
The Floodplain Conservation District shall be delineated according to FEMA's Flood Insurance Rate Map (FIRM) for Upper Providence Township which is hereby made a part of this article, and additional area based on soils as described herein. The Plan shall be revised to comply with Section 300-102.C (2) unless field test data is submitted per 300-102.C.(2)(c) with Preliminary Plan submission.
2. Section 300-312.B.
Include all categories of units to be built (including active adult carriage homes) in the Building Standards table. This table shall include unit type count and percentage of total unit count.
3. Section 300-312 C.
 - a) Tract gross area and net areas shall match the areas on the listing on the approved Preliminary/Final Minor Subdivision Plan "Parkhouse Providence" dated September 23, 2016, revision #5, dated 9/20/17, prepared by McCarthy Engineering Associates, Inc.
 - b) The Building Height shall also list the number of stories of each unit type in the Building Standards table.
 - c) Edit the header of the first column of the Zoning Data Tabulation to be Permitted instead of Required.
 - d) Provide a typical unit off street parking detail for each unit type
 - e) Verify the on-street and off-street provided parking count for units to be built. Parking Tabulation table lists 215 spaces provided but only 210 spaces are shown on the plan.
 - f) Verify the dwelling unit parking count for units to be built. Plan shows 585 units to be built and appears to intend to provide one garage and one driveway space per unit, but parking table lists 595 garage and 595 driveway spaces.
 - g) Min. parking ratio should state: 2.25 spaces per dwelling unit (2.0 spaces per dwelling unit on-lot plus 0.25 spaces per dwelling unit on-street for common guest parking).
 - h) The sketch plan does not show any lot lines for the front and rear townhouse units and the carriage house units. Plan shall indicate if these units will be a condominium type ownership.
4. Section 300-113. General Landscaping requirements.
A note shall be added to the plan that references this section of the Zoning Ordinance and states that Preliminary Plans submissions will demonstrate compliance with this Section.

Subdivision and Land Development

1. 270-31.B.
Provide the tract boundary by deed plotting. Provide tract boundary metes and bounds on the plan. Applicant's engineer shall verify that the boundary shown on the Tentative Sketch Plan Proposed Residential Development is the same as the boundary on the approved Preliminary/Final Minor Subdivision Plan "Parkhouse Providence" dated September 23, 2016, revision #5, dated 9/20/17 McCarthy Engineering Associated, Inc. subdivision plan. General Note #1 shall be updated to reference the approved Subdivision Plan and revision dates.

2. 270-31.D.
 - a) Black Rock Road and 2nd Avenue are state roads. Plan shall list the State Route numbers of these roads.
 - b) Plan shall show lot line for the townhouse lots as applicable.
 - c) Plan shall show the driveway for townhouse units 542-546.
 - d) Plan shall show a typical proposed single family detached house footprint with driveway, sidewalk any deck, patio or optional rooms as applicable.
3. 270-31.E.
General Notes shall reference the following:
 - a) FEMA FIRM panel and effective date used for map 1% Chance Annual Occurrence (FKA 100 -Year) floodplain shown on the plan.
 - b) Note the source of soil boundaries shown on the plan and provide a list of the soil names within the tract.
 - c) Plan shall show the wetland areas as identified on the Preliminary/Final Minor Subdivision Plan "Parkhouse Providence" prepared by McCarthy Engineering.
4. 270-31.F.
The plan shall include a statement of intended use.
5. 270-31.I.
List the approximate areas of land covered by each stormwater detention or retention basin shown on the plan.
6. 270-31.K.
Provide the six-digit Montgomery County Planning Commission (MCPC) file number if such has been assigned to the plan.
7. 270-34.C.
The Zoning Data Tabulation shall also state base zoning district.
8. 270-31.E.
 - a) Plan shall show waterways, wetland areas, and other surface waters as shown on the Preliminary /Final Minor Subdivision Plan "Parkhouse Providence" dated September 23, 2016, revision #5, dated 9/20/17, by McCarthy Engineering, Associates. Inc. These features shall be field verified and updated as needed for preliminary plan submission.
 - b) There are several locations along Old State Road where there are prominent concentrated flows that discharge on the tract with drainageways that flow across the tract to the regulated waterway. The tract shall be investigated for the presence of regulated waterways and wetland areas. All regulated waterways and wetlands area shall be shown on the plan.
 - c) Provide a list of the soil names and brief description of the mapped soils on the tract.
9. 270-34.F.
The existing structures and access driveways shall be labeled and intended use stated in label (Old State Road and Dreibelbis Road).
10. 270-34.G.
Provide the basis for the number of parking stalls included at the Community Facility.
The number of parking spaces provided listed in the Parking Table cannot be verified on the plan.
 - a) The plan shall demonstrate how the required parking spaces are being provided for each unit.
 - b) The number of on-street and off-street parking spaces provided listed in the Parking Table does not match the number of spaces shown on the plan.

- c) The parking table, Min. Parking Ratio, should state “2.25 SPACES per.....”.
 - d) The proposed sidewalk for the cul-de-sac with single family detached house on the northeast side of Old State Road shall be shown on the plan.
11. 270.34.H.
Provide a table listing the area of each Open Space area for the overall development without donation of developable area and for the proposed development with developable areas being donated to the Township
12. 270-34.I.
 - a) Plan shows proposed townhouse buildings, a stormwater management basin and other site improvements to be built over the existing sanitary sewer system from Old State Road to the junction manhole with the sanitary sewer along the unnamed stream. The plan shall be revised to move the proposed buildings and stormwater management basin to be clear of the easement or show how the existing sanitary sewer will be realigned through the development.
 - b) The plan shall be updated to show the currently proposed configuration of the traffic roundabout at Dreibelbis Road, 2nd Avenue and Black Rock Road intersection.
13. 270-34.K.
Provide all covenants relating to use.
 - a) The Plan shall show easements for access to the stormwater management facilities.
 - b) The Plan shall show easement(s) for the existing sanitary.
 - c) The plan shall show and label the location of the required landscape buffer areas in accordance with Section 300-113.C.(1)(a)-(i).
 - d) The unnamed stream on the tract from Yeager Road to Black Roak Road is list as a Historic Stream on eMapPA. This is to be noted on the plan.
 - e) The areas along the stream(s) within 50 feet of the top of stream banks shall be labeled as “Floodway” as designated in PA Code Chapter 105.
 - f) Notes regarding the Declaration of Restrictive Covenants made by Royersford Holdings LLC and NVR, Inc. limiting the dwelling units on the site to no more than 600 and providing for the donation of any and all lots in excess of 585 lots to the Township for use as open space shall be added to this plan.

Additional Comments

1. A note shall be provided on the plans stating that all roads abutting both previously subdivided properties shall be improved in accordance with the requirements of Upper Providence Township as was noted in General Note #15 on the recorded subdivision plans.
2. The line work on the plan is extremely difficult to see and in some of the areas with color shading almost invisible. The density of the shading (hatch) should be reduced and the density of the existing features (contours, soil type boundaries, floodplain lines, etc. should be increased so that the information being presented on the plan is easily distinguishable.
3. Correct the Township name in the Zoning Data Table

Permits and Approvals

1. PADEP Sewage Facilities Planning Module approval will be required for the project.
2. The applicant will be required to obtain sanitary sewer capacity for the project from the Lower Perkiomen Valley Regional Sewer Authority and Upper Providence Township.
3. The applicant will be required to obtain approval from PA American Water Company for the public water extension to provide water service for the project.

4. The applicant will be required to obtain approval from the Township Fire Marshal for the project.
5. The MCCD must approve the Erosion and Sedimentation Control Plans, the Post Construction Stormwater Management Plans, and issue a NPDES Permit for the project.
6. PennDOT Highway Occupancy Permits will be required for utility service extension in the PennDOT right-of-way. The Township Engineer shall be sent copies of all correspondence regarding work within the PennDOT right-of-way.
7. PennDOT Highway Occupancy Permits will be required for improvements to all state roadways and intersections, including drainage. The Township Engineer shall be sent copies of all correspondence regarding work within the PennDOT right-of-way.

The above comments are made with the understanding that all existing features and topography are accurately represented on the plans, and that all designs, calculations and surveys are accurate and have been prepared in accordance with the current laws, regulations and currently accepted Professional Land Surveying and Engineering practices.

In all subsequent submissions, including at the time of preliminary and/or final plan review, all information applicable in Township Codes shall be complete.

Should you have any questions please contact our office.

Very truly yours,



Jennifer W. Gutshall P.E.
Gilmore & Associates, Inc.

cc: Upper Providence Township Board of Supervisors (internally distributed by the Township)
Upper Providence Township Planning Commission (internally distributed by the Township)
Mr. Timothy J. Tieperman, Upper Providence Township Manager (email)
Mr. Bryan Bortnichak, Upper Providence Township Assistant Township Manager (email)
Mr. Joseph Bresnan, Esquire, Upper Providence Township Solicitor (email)
Mr. Zachary Sivertsen, Esquire, Upper Providence Township Solicitor (email)
Mr. Greg Heleniak, Esquire, Upper Providence Township Solicitor (email)
Mr. Casey Moore, P.E., Bowman Consulting Group (email)
Ms. Laureen Sendel-Grant, Montgomery County Planning Commission (email)
Mr. Ed Mullin, Esquire, HRMML (email)
Mr. Gary Berman, Royersford Holdings, LLC (email)

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

JAMILA H. WINDER, CHAIR
NEIL K. MAKHIJA, VICE CHAIR
THOMAS DIBELLO, COMMISSIONER

WWW.MONTGOMERYCOUNTYP.A.GOV



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY • PO Box 311
NORRISTOWN, PA 19404-0311

610-278-3722
PLANNING@MONTGOMERYCOUNTYP.A.GOV

SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

September 3, 2024

Mr. Geoffrey Grace, Director of Planning and Zoning
Upper Providence Township
P.O. Box 406
Oaks, Pennsylvania 19456

RE: MCPC #22-0149-002

Plan Name: Parkhouse Residential Development
One (1) lot comprising 185.69 acres; Parcel: 61-00-01252-12-7
Situate: Black Rock Rd (SR0113), bounded by 2nd Ave (SR4015), Old State Rd & Yeager Rd
Upper Providence Township

Dear Mr. Grace:

We have reviewed the above-referenced sketch plan as you requested on August 1, 2024. We forward this letter as a report of our review.

BACKGROUND

The applicant, Royersford Holdings, LLC proposes to build 49 single-family homes, 389 townhomes, and 147 active adult carriage homes for a total of 585 residences, with public water and sewer on a 185.69-acre property located in the Open Space Conservation District with an Institutional (IN) overlay between Old State and Black Rock Roads. This lot is bounded by Black Rock Road, Dreibelbis Road, 2nd Avenue, Old State Road, Yeager Road and South Trappe Road. During the course of discussions and hearings concerning the adoption of the Open Space Residential Community – 2 (OSR-2) Ordinance, Royersford Holdings, LLC indicated that despite the fact that the Ordinance would allow for the construction of more dwelling units, only 585 units would be built. The attached plan shows 868 units. The rose colored units will not be built but will be dedicated by Royersford Holdings, LLC to the Township of Upper Providence.

The Parkhouse Nursing and Rehabilitation Center and adjoining property, which includes the current Schuylkill Valley Park, was a Montgomery County-owned facility for the care of the poor and indigent from 1808 until March 2014. On March 6, 2014, Mid-Atlantic Healthcare purchased 306.962 acres, which included the land the Schuylkill Valley Park sits on (which was condemned for buyback immediately after the sale), and the 185.69 acres proposed for this development.



RECOMMENDATION/COMMENTS

While this property has previously served as preserved open space, its current zoning allows for institutional development. As such, the Montgomery County Planning Commission generally supports the applicant's proposal, but we believe that our suggested revisions will better achieve Upper Providence Township's planning objectives for residential development. As part of our review, MCPC considered the overall design, interior and exterior traffic and pedestrian circulation patterns, and the environmental impact of the development on the site. We make the following recommendations that we strongly suggest the applicant and township consider prior to approval of this proposal.

DESIGN

We feel the applicant's site plan as proposed can be improved to create a more ordered and accessible community. We would strongly encourage a redesign that includes consideration of the following points:

- A. It does not appear that the sketch includes usable, centralized open spaces in which residents and their families can publicly gather, particularly in the townhome and single family detached lot areas. The amenity areas are not centrally located for access by all homeowners, and one amenity area for 420 homes does not seem adequate.
- B. We recommend that the parallel parking shown on this sketch plan should be protected by bump outs on the next plan submission. The visitor parking areas should be more equitably dispersed throughout the communities.
- C. We recommend that future plan submissions show the future roundabout to be built at the intersections of Black Rock Road, 2nd Avenue and Dreibelbis Road and the new bridge widening as it has received transportation grant funding from PennDOT's Multimodal Transportation Fund.
- D. We recommend that the next submission only show those improvements being built and to clearly delineate the dedicated open space area.
- E. We recognize that this sketch plan is at a scale that would be hard to show what trees and other vegetation would be proposed. However, as preliminary plans are prepared we hope that the applicant will ensure that street trees will be added that create a consistent and regular streetscape. We have observed that often townhouse development are designed so that underground utilities make it impossible to plant any street trees in front of a townhouse grouping, leading to long stretches of roadway without any shade for pedestrians, kids at play, or parked cars. We recommend that the applicant refer to our published guidebook, "Building Better Townhouse Communities", page 25.

TRANSPORTATION/CIRCULATION

Beyond the general overall design, there are more detailed circulation issues we believe should be addressed:

- A. We believe this plan would benefit from making sidewalk and trail connections within and outside of this community. The project, as designed, is segregated into three distinctly separate sub-communities. According to the Upper Providence Township Park, Open Space, and Trail Master Plan, trails are planned along Black Rock Road (high priority), 2nd Avenue and Old State Road (med priority), and Yeager Road (low priority). The following additions would go far to implement the township's goal of connectivity.
 - a. We recommend that the applicant and the Township work with Montgomery County Parks, Trails & Historic Sites' Administrator, Mr. David Clifford, to develop a cohesive, localized trail network, including the creation of a connection to Montgomery County's Upper Schuylkill Valley Park and the Schuylkill East Trail located at the south/east end of the park. Currently, the development shows a proposed internal trail that meets Black Rock Road on the west side of an existing stream. In this vicinity, we recommend exploring the provision of: 1) A stream crossing on the north (development) side of Black Rock Road to transport trail users to the east side of the stream, and 2) A pedestrian crossing of Black Rock Road immediately east of the stream to provide access to the primary/core portion of Upper Schuylkill Valley Park.
 - b. Along Yeager Road, approximately 450' of trail is needed to complete the existing sidewalk/trail connection along this property.
 - c. From the intersection of 2nd Avenue and Black Rock Road, approximately 300' of additional trail is needed to close the gap with an existing trail further to the southwest on Dreibelbis Road. This trail would run along the southwestern border of this property and could provide a connection to the western portion of Upper Schuylkill Valley Park via a pedestrian crossing of Dreibelbis Road.
 - d. Between South Trappe Road and Yeager Road, approximately 450' of trail is needed to complete the connection along Yeager Road. This connection could also be investigated as a potential roadway connection.
 - e. Finally the existing and future residents of Old State Road would benefit from sidewalks or trail along its length.
- B. For reasons of mobility, people will want to walk between communities and should be able to do so without having to drive. The internal sidewalk and trail network should be expanded to accommodate and promote connectivity and mobility; pedestrian crosswalks should be designed to cross Old State Road and Black Rock Road.
- C. The applicant's site is located on either side of a large stream and associated floodplain and wetlands with no crossings designated. Although we recommend protection of these environmentally sensitive areas, the community could benefit from one well-designed

crossing for both vehicles and pedestrians that connects the overall development (in addition to the stream crossing discussed above).

- D. A Transportation Impact Analysis (TIA) will need to be performed (§182-83 Plan Submission Requirements) to assess the impact that this development will have on surrounding traffic congestion and safety. If the TIA warrants widening and improving Old State Road, we recommend a minimum of a 24' wide cartway and a 10' wide side trail to accommodate pedestrian and bicycle traffic.
- E. Because SR 0113 (Black Rock Road) and 2nd Avenue are state-owned roads, the applicant will have to file for a Highway Occupancy Permit (HOP) with PennDOT District 6-0. We urge the applicant to start that process by reaching out to Scott Burton of PennDOT's HOP unit as soon as possible at scburton@pa.gov or 610-205-6560.

STORMWATER FACILITIES/ENVIRONMENTAL

- A. Stormwater management facilities promote infiltration, stream health, and we recommend they be included as an amenity. Some of the stormwater facilities in this project are located along the edge of the stream corridor, often in the few areas of open space most accessible to neighborhoods. Installing more, smaller management facilities closer to the generation points of stormwater would require less open area, and provide an opportunity for rain gardens and bioswales that could be an amenity. The use of rain gardens throughout the development could decrease the cost of stormwater conveyance systems on this site and would be aesthetically pleasing.
- B. The tributary to the Schuylkill River that bisects the site has been the subject of a significant stream corridor restoration effort that extends from the small bridge (soon to be replaced and widened) to the river. We urge the applicant to manage the flow volume and rate of stormwater discharged from the proposed development to avoid degradation of this restored area. Similarly, a small, intermittent stream starts in the Active Adult Carriage Home community and crosses Black Rock Road. This intermittent stream runs through county property on the other side of the road, and feeds a pond that is part of the Upper Schuylkill Valley Park. We urge the applicant to manage stormwater flows from this community to avoid erosion of the intermittent stream and sedimentation of the pond.
- C. To minimize stormwater impacts, land development should avoid affecting and encroaching upon areas with important natural stormwater function values (floodplains, wetlands, riparian areas, drainageways, etc.) and areas that are vulnerable to stormwater impacts (steep slopes, adjoining properties, others), wherever practicable. There are areas in the southwest quadrant of the townhome community plan that encroach on steep slopes that will require a variance, as this promotes erosion.
- D. Given the large area devoted to the stream and associated floodplain and wetlands, and with the goal of encouraging infiltration, we recommend replacing impervious pavement with pervious pavement where logical and practicable.

- E. The sanitary sewer easement shown in the plan that runs through the townhome community does not appear to be “respected” in that there are homes and a stormwater basin constructed directly on top of the easement.

GENERAL

- A. The MCPC feels that the Township has an opportunity here, with a development of this size, to incentivize the construction of affordable units by allowing for a density bonus as part of this proposal (and other large scale residential developments). While we understand that this amended proposal provides fewer units than were initially slated for this development, this is a potential opportunity to proactively provide homes for those who otherwise struggle to afford to live in Upper Providence Township. MCPC staff would be happy to meet with township staff to discuss these ideas in more detail.

CONCLUSION

Please note that the review recommendation contained in this report is advisory to the municipality and final disposition for the approval of any zoning changes will be made by the municipality.

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. Please supply a paper copy bearing the municipal seal and signature of approval for our files.

Please print the assigned MCPC number #22-0149-002 on any plans submitted for final recording.

Sincerely,



Laureen G. Sendel-Grant
Principal Transportation Planner II
Laureen.sendel-grant@montgomerycountypa.gov
610-278-3734

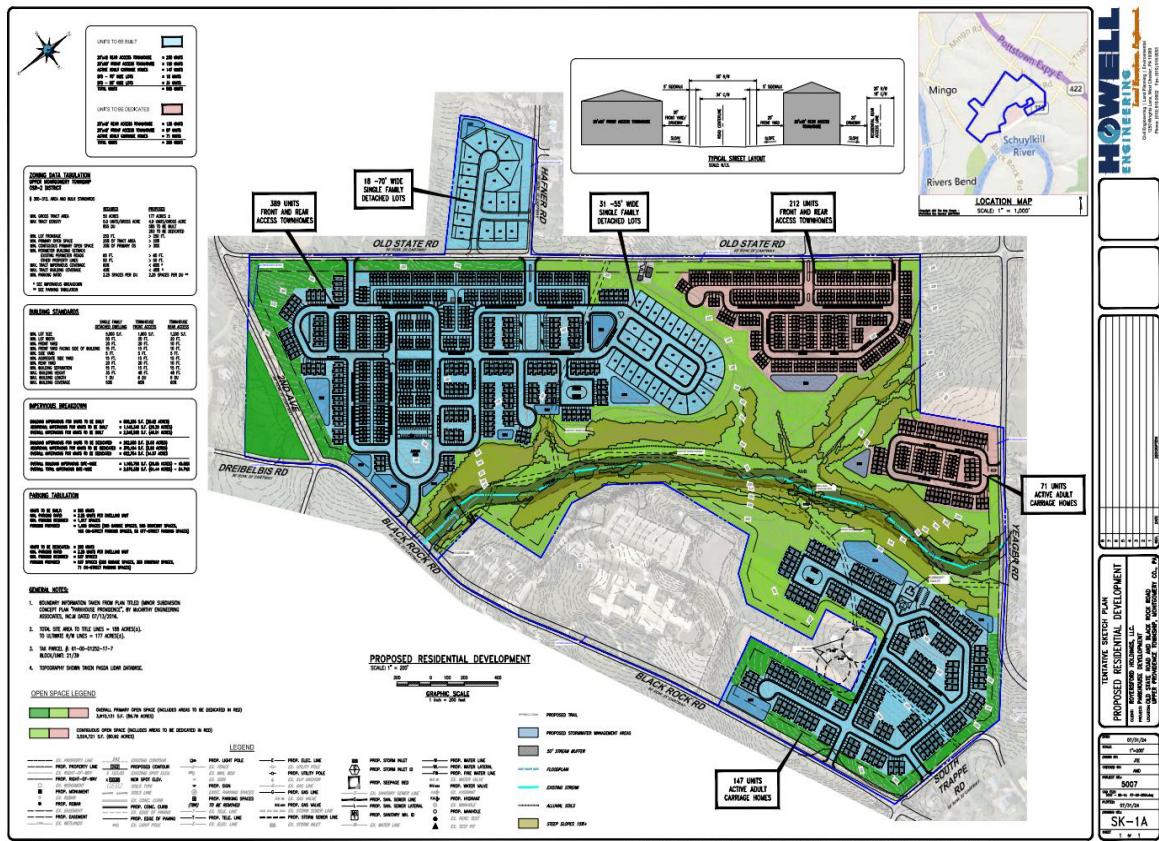
cc: Hamburg, Rubin, Mullin, Maxwell & Lupin, Attn: emullin@hrmml.com
Howell Engineering, Attn: Dave Gibbons, dgibbons@knowhowell.com
Matt Hammond, mhammond@trafficpd.com
Thomas Wright, Chair, Upper Providence Planning Commission
Scott Burton, PennDOT D-6 Regional Traffic Services, scburton@pa.gov

Attachments: 1) Aerial View; 2) Sketch Plan

1) Aerial View – Parkhouse Development, Upper Providence Township, Montgomery County, PA



2) *Sketch Plan – Parkhouse Development, Upper Providence Township, Montgomery County, PA*



**LETTER OF
TRANSMITTAL**

To:	Upper Providence Township
	1286 Black Rock Road
	Phoenixville, PA 19460
	(610)-933-9179

Attention:	Geoffrey Grace
Date:	July 31, 2024
Re:	Parkhouse Development
Job No:	5007

WE ARE SENDING YOU:

Copies	Date	No.	Description
5	07/31/24		Tentative Sketch Plan
5	07/31/24		Subdivision & Land Development Application
5	07/31/24		Signed OSR-2 Text Amendment
5	05/31/24		Signed Recordation Ltr Parkhouse Declaration
1	07/31/24		Thumb Drive containing all attachments
1	07/31/24		Applicable Checks

THESE ARE TRANSMITTED AS CHECKED BELOW:

For approval For your use As requested For review and comment

REMARKS:

Mr. Grace,

See attached documents for submission of a Tentative Sketch for the Parkhouse Residential Development. If you have any questions, please let me know.

Thank You,

COPIES:

SIGNED:

NAME:

Andrew DeFonzo

**UPPER PROVIDENCE TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 604

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF UPPER PROVIDENCE AT PART II [GENERAL LEGISLATION], CHAPTER 300 [ZONING], BY AMENDING AND RESTATING ARTICLE XVII [OSR-2 OPEN SPACE RESIDENTIAL COMMUNITY-2] TO REVISE REGULATIONS FOR THE DEVELOPMENT OF AN OPEN SPACE RESIDENTIAL COMMUNITY

CERTIFICATION

I, TIMOTHY J. TIEPERMAN, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER IN UPPER PROVIDENCE TOWNSHIP, MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE NO. _____.



Timothy J. Tieperman, Township Manager

5/30/2024, 2024

ENACTED: 5/29/2024

UPPER PROVIDENCE TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 604

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF UPPER PROVIDENCE AT PART II [GENERAL LEGISLATION], CHAPTER 300 [ZONING], BY AMENDING AND RESTATING ARTICLE XVII [OSR-2 OPEN SPACE RESIDENTIAL COMMUNITY-2] TO REVISE REGULATIONS FOR THE DEVELOPMENT OF AN OPEN SPACE RESIDENTIAL COMMUNITY

WHEREAS, the Board of Supervisors of Upper Providence Township is duly empowered by the Second Class Township Code, 53 P.S. § 65101, *et seq.*, to enact certain regulations relating to the public health, safety welfare of the residents of Upper Providence Township;

WHEREAS, the Board of Supervisors of Upper Providence Township has adopted a comprehensive zoning ordinance, known as the Upper Providence Township Zoning Ordinance, as amended, in accordance with the provisions of Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et seq.*, which is intended to provide for the orderly development and redevelopment of Upper Providence Township;

WHEREAS, the Second Class Township Code and Pennsylvania Municipalities Planning Code, *supra*, authorize the Board of Supervisors to make, amend and adopt amendments to the Upper Providence Township Zoning Ordinance, as amended, that are consistent with the Constitution and laws of the Commonwealth that it deems necessary for the proper management and control of the Township and the best interests of its residents;

WHEREAS, the Board of Supervisors of Upper Providence Township have determined that certain amendments to the Upper Providence Township Zoning Ordinance, as amended, are required to provide for clarity in the administration of the laws of Upper Providence Township; and

WHEREAS, the Board of Supervisors of Upper Providence Township have determined that certain amendments to the Upper Providence Township Zoning Ordinance, as amended, are required to provide for the development of large parcels within Upper Providence Township.

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Upper Providence Township Board of Supervisors that the Township's Code is amended as follows:

SECTION 1.

Amendment to Chapter 300 [Zoning], Article XVII [OSR-2 Open Space Residential Community-2] to revise regulations for open space residential community development.

The Code of the Township of Upper Providence, Part II [General Legislation], Chapter 300 [Zoning], Article XVII [OSR-2 Open Space Residential Community-2] is hereby restated and amended to delete Article XVII in its entirety and replaced with the following:

§ 300-308 Legislative intent.

In expansion of the community development objectives contained in Article I, § 300-2 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 open 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.

§ 300-309 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 § 300-310 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 § 300-25 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 § 300-157 herein.
- H. No-impact home-based businesses in accordance with the standards set forth in § 300-26 herein.

- I. Home occupations, provided that all of the requirements of § 300-27 shall be met.

§ 300-310 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.
- D. All proposals shall be accompanied by a traffic impact study prepared in accordance with § 300-438.E of this Chapter.

§ 300-311 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, § 300-293 and the specific Master Plan requirements as detailed in § 300-296.

§ 300-312 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 feet
 Other Property Lines: 50 feet

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

	Single-Family Dwelling	Single-Family Dwelling	Townhouse	Townhouse	Stacked Townhouse
	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 ft	50 ft	20 ft	20 ft	22 ft
Min. Front Yard	20 ft	15 ft	20 ft	10 ft	10 ft
Min. Front Yard facing Side of Building	15 ft	15 ft	15 ft	10 ft	10 ft
Min. Side Yard	5 ft	5 ft	5 ft	5 ft	5 ft
Min. Aggregate Side Yard	15 ft	15 ft	15 ft	15 ft	15 ft
Min. Rear Yard	20 ft	10 ft	20 ft	10 ft	10 ft
Min. Building Separations	15 ft	15 ft	15 ft	15 ft	15 ft
Max. Building Height	2.5 stories 35 ft	2.5 stories 35 ft	3.5 stories 48 ft	3.5 stories 48 ft	4.0 stories 50 ft
Max. Building Length	1 DU	1 DU	6 DU	6 DU	6 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 270 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 270 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 270 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 34-feet wide.
- (7) Rights-of-way shall be 50-feet wide.
- (8) Residential rear access lanes are permitted and must have a minimum 18-foot wide cartway and a minimum 20-foot-wide right-of-way.

§ 300-313 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 270, Subdivision and Land Development, of the Code of the Township, § 270-69.C. 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 270, Subdivision and Land Development, § 270-68.D 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.

SECTION 2. **Repeal and Ratification.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 3. **Severability.**

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 4. **Effective Date.**

This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this 29 day of MAY 2024, by the Upper Providence Township Board of Supervisors.



Attested by:

A blue ink signature of Timothy J. Tieperman.

Timothy J. Tieperman, *Secretary & Manager*

**UPPER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS**

A blue ink signature of Helene Calci, followed by a horizontal line.

HELENE CALCI, *Chair*

HRMM&L
**HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN, PC**
www.HRMML.com

May 31, 2024

www.HRMML.com
Lawyers@HRMML.com

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Zachary R. Morano
John S. Harris
Sara A. Mohamed
Celso L. Leite
J. Braun Taylor

OF COUNSEL:
Jonathan Samel, LL.M.
John C. Rafferty Jr. Senator

SENT BY EMAIL ONLY

ROYERSFORD HOLDINGS, LLC

Gary Berman, Member
midaro5@aol.com

NVR INC.

Robert McCracken, VP
RMCCRACK@nvrinc.com

RUDOLPH CLARKE

Gregory R. Heleniak, Esquire
gheleniak@rudolphclarke.com

RE: PARKHOUSE

Property: Black Rock Road
Declaration of Restrictive Covenants
Recordation Letter

Dear Messrs. Berman, McCracken, and Heleniak:

Enclosed is a recorded copy of the Declaration of Restrictive Covenants for the above-referenced property that was recorded in the Montgomery County Recorder of Deeds Office on May 31, 2024, and can be located at Deed Book 6364, Pages 01926 to 01941.

The recording fee will be included in your next invoice.

Call with questions. Thank you.

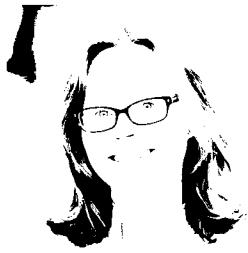
Very truly yours,



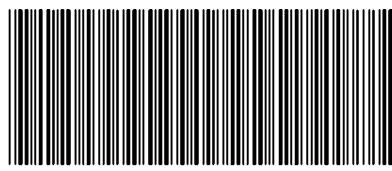
LISA LAGRECA, PA. C.P.
Paralegal

Enclosure

Copy sent by email only to:
J. Edmund Mullin, Esquire, emullin@hrmml.com



DEED BK 6364 PG 01926 to 01941
INSTRUMENT # : 2024026895
RECORDED DATE: 05/31/2024 01:43:39 PM



6317489-0019+

RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

One Montgomery Plaza
Swede and Airy Streets ~ Suite 303
P.O. Box 311 ~ Norristown, PA 19404
Office: (610) 278-3289 ~ Fax: (610) 278-3869

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 16

Document Type: Deed Miscellaneous	Transaction #: 6938094 - 1 Doc(s)
Document Date: 05/29/2024	Document Page Count: 15
Reference Info:	Operator Id: smassie
RETURN TO: (Simplifile) HAMBURG RUBIN MULLIN MAXWELL & LUPIN 1684 S Broad St Ste 230 Lansdale, PA 19446-5422 (215) 688-6368	PAID BY: HAMBURG RUBIN MULLIN MAXWELL & LUPIN

* PROPERTY DATA:

Parcel ID #: 61-00-01252-12-7
Address: BLACK ROCK RD

PA
Municipality: Upper Providence Township
(100%)
School District: Spring-Ford Area

* ASSOCIATED DOCUMENT(S):

FEES / TAXES:

Recording Fee: Deed Miscellaneous \$73.75
Additional Pages Fee \$22.00
Total: \$95.75

DEED BK 6364 PG 01926 to 01941

Recorded Date: 05/31/2024 01:43:39 PM

I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.



Jeanne Sorg
Recorder of Deeds

Rev1 2016-01-29

PLEASE DO NOT DETACH

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

NOTE: If document data differs from cover sheet, document data always supersedes.

*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION

PREPARED BY & RETURN TO:

Hamburg Rubin Mullin Maxwell & Lupin
 ATTN: J. Edmund Mullin, Esquire
 1684 S. Broad Street, Suite 230
 PO Box 1479
 Lansdale, PA 19446
 (215) 661-0400

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
 61-00-01252-12-7 UPPER PROVIDENCE TOWNSHIP

BLACK ROCK RD

ROYERSFORD HOLDINGS LLC \$15.00
 B 021 L 2 U 039 4000 05/30/2024 JG

Parcel No.: 61-00-01252-12-7

DECLARATION OF RESTRICTIVE COVENANTS

29th This DECLARATION OF RESTRICTIVE COVENANTS (“Declaration”) is made this day of May 2024, by ROYERSFORD HOLDINGS LLC and NVR INC. (“Declarant”). “Declarant” is hereinafter defined to include Declarant, its successors and assigns.

BACKGROUND

A. Declarant Royersford Holdings LLC is the record owner of a tract of ground in Upper Providence Township, Montgomery County, Pennsylvania, pursuant to a deed recorded in the Office of the Montgomery County Recorder of Deeds in Deed Book 6173 Page 01195, which is further identified as Tax Parcel No. 61-00-01252-12-7 (“Property”).

B. Declarant NVR Inc. is the equitable owner of the Property.

C. The Property is currently zoned OSR Open Space District with an IN Institutional District Overlay.

D. Declarant NVR Inc. submitted an application requesting the adoption of an overlay ordinance that would apply to the Property which amended and restated the OSR-2 Open Space Residential Community – 2 District.

E. Declarant Royersford Holdings LLC does not oppose the application by Declarant NVR Inc., and would agree to postpone the presently scheduled conditional use hearing to a future date.

NOW, THEREFORE, Declarant, intending to be legally bound hereby, declares as follows:

A. Restrictions. Declarant hereby declares that the Property is hereby restricted as follows, only if development occurs under an ordinance entitled OSR-2 Open Space Residential Community – 2, as attached hereto as Exhibit “A”.

1. It is understood that the entire site will be subdivided or otherwise developed in accordance with the terms of the OSR-2 Open Space Residential Community – 2 Ordinance, but no more than 600 dwelling units would be constructed on the Property consisting of the following approximate dwelling types based upon engineering and design restrictions. The

mix of dwelling types may be revised, provided that no more than 600 dwelling units will be constructed, and at least 25% of the dwelling units constructed will be restricted to occupancy by persons 55 or older as set forth in the Fair Housing Act:

Single family attached dwellings – 44;
Active adult carriage home villas – 153;
28 foot wide front access townhomes – 179;
20 foot wide rear access townhomes – 226.

2. No dwelling shall exceed 35 feet in height as defined in the current Zoning Ordinance at §300-90.

3. Upon recordation of any final plan for land development and subdivision of the Property approved by the Township pursuant to OSR-2 Ordinance, Declarant Royersford Holdings LLC will donate any and all lots in excess of five hundred eighty-five (585) lots to the Township for use as open space. Royersford Holdings LLC, or any related person or entity, shall not receive any favorable zoning, development approval, entitlement, or any other benefit in return for the donation of such lots in excess of five hundred eighty-five (585) lots.

B. General Provisions.

1. Enforcement rights of Section A of this Declaration shall be granted solely to the Board of Supervisors of Upper Providence Township, Montgomery County and there are no implied or expressed beneficiary rights of enforcement of Section A of this Declaration extended to any other party or entity.

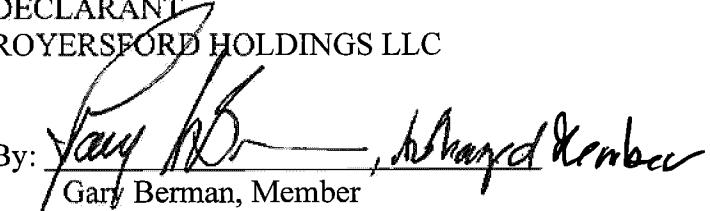
2. This Declaration shall be recorded in the Office of the Montgomery County Recorder of Deeds by Declarant, Declarant's designee, or by Upper Providence Township.

3. This Declaration shall be construed, interpreted and enforced in accordance with the laws of the Commonwealth of Pennsylvania.

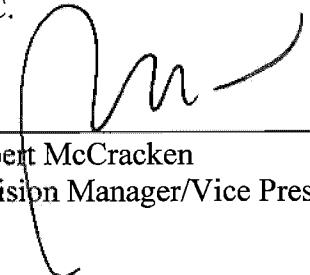
[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, and intending to be legally bound hereby, Declarant has caused this Declaration to be executed by its duly authorized officer the day and year first above written.

DECLARANT
ROYERSFORD HOLDINGS LLC

By: 
Gary Berman, Member

DECLARANT
NVR INC.

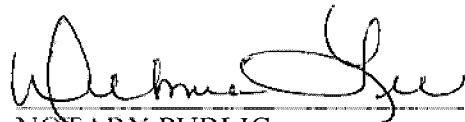
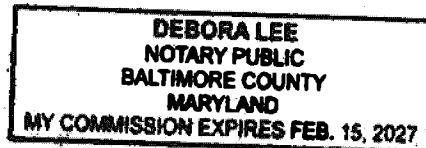
By: 
Robert McCracken
Division Manager/Vice President

ACKNOWLEDGMENT

Maryland DL
COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF Baltimore :
:

On this, the 29th day of May, 2024, before me, the undersigned officer, personally appeared GARY BERMAN, being duly sworn according to law, deposes and acknowledges that he is the Member of ROYERSFORD HOLDINGS LLC, a limited liability company, and that he as such Member, being duly authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the limited liability company by himself as Member.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.


NOTARY PUBLIC

ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF *Montgomery* : ss.

On this, the 29th day of May, 2024, before me, the undersigned officer, personally appeared ROBERT MCCRACKEN, being duly sworn according to law, deposes and acknowledges that he is the Division Manager/Vice President of NVR INC., a corporation, and that he as such Division Manager/Vice President, being duly authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the limited liability company by himself as Division Manager/Vice President.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Lora L. Enwright

NOTARY PUBLIC

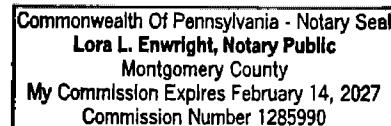


Exhibit “A”

OSR-2 Open Space Residential Community – 2 Ordinance

**UPPER PROVIDENCE TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF UPPER PROVIDENCE AT PART II [GENERAL LEGISLATION], CHAPTER 300 [ZONING], BY AMENDING AND RESTATING ARTICLE XVII [OSR-2 OPEN SPACE RESIDENTIAL COMMUNITY-2] TO REVISE REGULATIONS FOR THE DEVELOPMENT OF AN OPEN SPACE RESIDENTIAL COMMUNITY

CERTIFICATION

I, TIMOTHY J. TIEPERMAN, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER IN UPPER PROVIDENCE TOWNSHIP, MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE NO. _____.

Timothy J. Tieperman, Township Manager
_____, 2024

ENACTED: _____

UPPER PROVIDENCE TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF UPPER PROVIDENCE AT PART II [GENERAL LEGISLATION], CHAPTER 300 [ZONING], BY AMENDING AND RESTATING ARTICLE XVII [OSR-2 OPEN SPACE RESIDENTIAL COMMUNITY-2] TO REVISE REGULATIONS FOR THE DEVELOPMENT OF AN OPEN SPACE RESIDENTIAL COMMUNITY

WHEREAS, the Board of Supervisors of Upper Providence Township is duly empowered by the Second Class Township Code, 53 P.S. § 65101, *et seq.*, to enact certain regulations relating to the public health, safety welfare of the residents of Upper Providence Township;

WHEREAS, the Board of Supervisors of Upper Providence Township has adopted a comprehensive zoning ordinance, known as the Upper Providence Township Zoning Ordinance, as amended, in accordance with the provisions of Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et seq.*, which is intended to provide for the orderly development and redevelopment of Upper Providence Township;

WHEREAS, the Second Class Township Code and Pennsylvania Municipalities Planning Code, *supra*, authorize the Board of Supervisors to make, amend and adopt amendments to the Upper Providence Township Zoning Ordinance, as amended, that are consistent with the Constitution and laws of the Commonwealth that it deems necessary for the proper management and control of the Township and the best interests of its residents;

WHEREAS, the Board of Supervisors of Upper Providence Township have determined that certain amendments to the Upper Providence Township Zoning Ordinance, as amended, are required to provide for clarity in the administration of the laws of Upper Providence Township; and

WHEREAS, the Board of Supervisors of Upper Providence Township have determined that certain amendments to the Upper Providence Township Zoning Ordinance, as amended, are required to provide for the development of large parcels within Upper Providence Township.

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§ 300-308 Legislative intent.

In expansion of the community development objectives contained in Article I, § 300-2 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 open 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.

§ 300-309 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 § 300-310 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 § 300-25 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 § 300-157 herein.
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- I. Home occupations, provided that all of the requirements of § 300-27 shall be met.

§ 300-310 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.
- D. All proposals shall be accompanied by a traffic impact study prepared in accordance with § 300-438.E of this Chapter.

§ 300-311 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, § 300-293 and the specific Master Plan requirements as detailed in § 300-296.

§ 300-312 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 feet
 Other Property Lines: 50 feet

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

	Single-Family Dwelling	Single-Family Dwelling	Townhouse	Townhouse	Stacked Townhouse
	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 ft	50 ft	20 ft	20 ft	22 ft
Min. Front Yard	20 ft	15 ft	20 ft	10 ft	10 ft
Min. Front Yard facing Side of Building	15 ft	15 ft	15 ft	10 ft	10 ft
Min. Side Yard	5 ft	5 ft	5 ft	5 ft	5 ft
Min. Aggregate Side Yard	15 ft	15 ft	15 ft	15 ft	15 ft
Min. Rear Yard	20 ft	10 ft	20 ft	10 ft	10 ft
Min. Building Separations	15 ft	15 ft	15 ft	15 ft	15 ft
Max. Building Height	2.5 stories 35 ft	2.5 stories 35 ft	3.5 stories 48 ft	3.5 stories 48 ft	4.0 stories 50 ft
Max. Building Length	1 DU	1 DU	6 DU	6 DU	6 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 270 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 270 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 270 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 34-feet wide.
- (7) Rights-of-way shall be 50-feet wide.
- (8) Residential rear access lanes are permitted and must have a minimum 18-foot wide cartway and a minimum 20-foot-wide right-of-way.

§ 300-313 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 270, Subdivision and Land Development, of the Code of the Township, § 270-69.C. 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 270, Subdivision and Land Development, § 270-68.D 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 beans 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.

SECTION 2. **Repeal and Ratification.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 3. **Severability.**

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 4. **Effective Date.**

This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this _____ day of _____ 2024, by the Upper Providence Township Board of Supervisors.

**UPPER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS**

HELENE CALCI, *Chair*

[Seal]

Attested by:

TIMOTHY J. TIEPERMAN, *Secretary & Manager*



August 1, 2024

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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.

**RE: Parkhouse Residential Cluster Community
Township #4021-0313-0004 (TLD)**

Please review the attached application for Tentative Plan application the Parkhouse Residential Cluster Community.

I do not have an anticipated date for this to be on the Planning Commission agenda.

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. Bowman Consulting Group
Spring Ford School District (hand delivery)
Laureen Sendel-Grant, Montgomery County Planning Commission