
**Upper Gwynedd Township
Zoning Hearing Board**

Zoning Hearing

**Carmichael Associates, L.P.
779 Sumneytown Pike and 783 Sumneytown Pike
Hearing No. 20-07**

March 23, 2021



Bernadette A. Kearney, Esquire
375 Morris Road, P.O. Box 1479
Lansdale, Pennsylvania 19446-0773
(215) 661-0400
Attorney for Applicant

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- 1. Zoning Hearing Board Application dated 5/15/2020
with Attachment and Zoning Plan prepared by Bohler, dated
5/11/2020**

ZONING HEARING BOARD
 UPPER GWYNEDD TOWNSHIP
 MONTGOMERY COUNTY, PENNSYLVANIA
 Zoning Ordinance of November 23, 1987 as Amended

Date: 5/15/2020

APPLICATION FOR VARIANCE(S)
 APPLICATION FOR SPECIAL EXCEPTION(S) _____
 APPEAL FROM ZONING OFFICER'S _____
 DECISION/DETERMINATION(S) _____

PROPERTY ADDRESS/ LOCATION 779 Sumneytown Pike 783 Sumneytown Pike 153,978 s.f (gross)
 LOT SIZE 129,874 s.f. (net) ZONING DISTRICT R-2

Check One (Applicant)
 Owner
 Equitable Owner (under Agreement of Sale)
 Lessor
 Lessee

Applicant's Name: Carmichael Associates, L.P. Check One
404 N. Sumenytown Pike, Suite 200 Date Ownership Secured _____
 Address: North Wales, PA 19454 Date of Agreement of Sale 11/30/17
 Telephone: 215-699-0800 Date of Lease _____

Contractor's or Agent's Name Christopher R. Canavan Public Water Yes No _____
404 N. Sumenytown Pike, Suite 200 Public Sewer Yes No _____
 Address North Wales, PA 19454

Give full information as to Section of Zoning Ordinance involved and reasons why the Variance(s), Special Exception(s) or Appeal is desired and why it should be granted.

See attached.

Jeppy
 By: *Min P. Adams* Partner
 Owner's signature, if Applicant is not Owner, agreeing to this Application

Applicant's Signature *Chp R. Can*
 Please Print Name: Christopher R. Canavan
 Attorney's Name: Bernadette A. Kearney, Esq. / HRMM&L
 Address: 375 Morris Road, PO Box 1479, Lansdale, PA 19446
 Telephone: 215-661-0400

Record of Secretary – Zoning Hearing Board

Application No. _____ Hearing Date(s) _____ Decision Date _____
 VARIANCE(S) Granted _____ Denied _____
 SPECIAL EXCEPTION(S) Granted _____ Denied _____
 APPEAL Granted _____ Denied _____

RESTRICTIONS/CONDITIONS (if any)

- () Zoning Officer
- () Zoning Hearing Board
- () Board of Commissioners
- () Zoning Solicitor

Signature of Secretary _____

Zoning Attachment

Property Address/Location

779 Sumneytown Pike: Parcel #56-00-08323-00-9; Block 11, Unit 13

783 Sumneytown Pike: Parcel# 56-00-08326-00-6; Block 11, Unit 12

The properties are located along Sumneytown Pike across from Merck's parking lot.

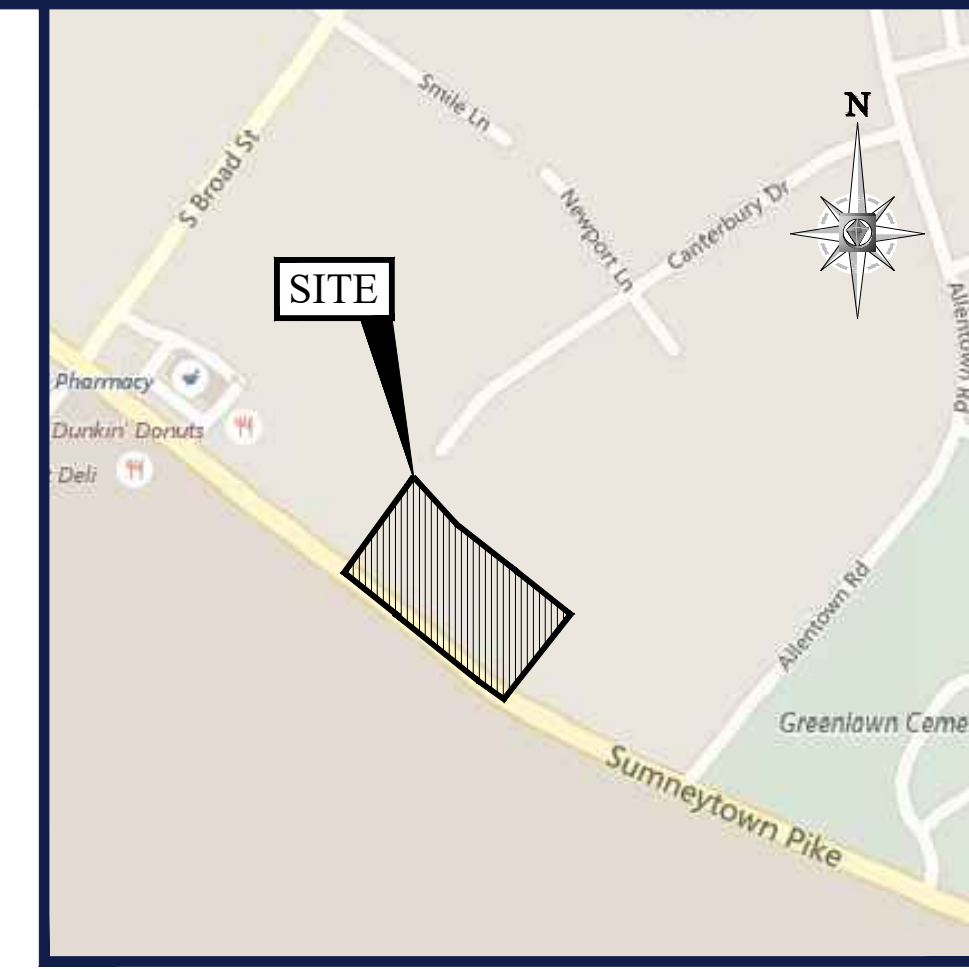
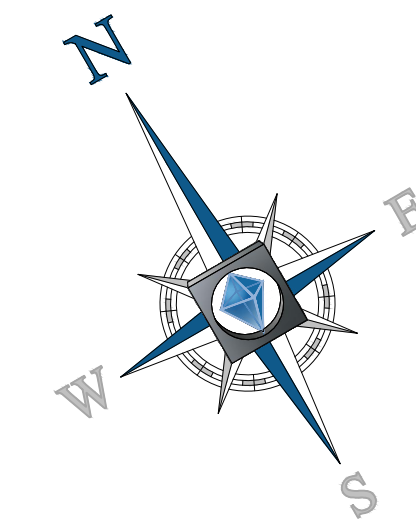
Together, the lot area is 153,978 s.f (gross) and 129,874 s.f. (net)

The Applicant is proposing two (2) apartment buildings on the consolidated property as shown on the attached plan. Both proposed apartment buildings would be 2 stories with 6 units on a floor for a total of 12 units per building. 48 parking spaces are required and the Applicant is proposing 62 parking spaces.

The Applicant is requesting a variance from Section 195-12.A. to allow the proposed multi-family use and a validity variance to allow the proposed multi-family use. The Zoning Ordinance, as applied to this property, is confiscatory since the owner is deprived of a reasonable use of the land. The properties are unable to be reasonably developed for R-2 uses. The properties front on heavily traveled Sumneytown Pike, across from Merck's parking lot. The other uses along Sumneytown Pike, include the adjacent institutional nursing home, Gwynedd Healthcare & Rehabilitation Center (773 Sumneytown Pike); a dentist office (781 Sumneytown Pike); Kieffer's Appliance (785 Sumneytown Pike); Dunkin Donuts (787 Sumneytown Pike) and a CVS Pharmacy (799 Sumneytown Pike).

In recognition of the outdated zoning of the applicable properties and other properties in the Township, the Board of Commissioner adopted Ordinance No 2018-012, the Sumneytown Pike In-Fill and Traffic Management Overlay District on 12/17/2018. The Overlay District has not been applied to any properties in the Township. The Overlay District recognizes that there is a need to provide development/redevelopment opportunities, to improve the overall appearance of the Township, to improve traffic safety and reduce congestion along a selective distance of Sumneytown Pike. The subject properties are a part of the selective distance along Sumneytown Pike. The Overlay District permits by conditional use multiple-family dwellings at a density not to exceed 8 dwelling units per acre developable acre which the Applicant meets.

The requested relief to allow multi-family use will not adversely affect the public health, safety or welfare and is the minimum to afford relief.



LOCATION MAP
1"=1000'

BOHLER
SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
TRANSPORTATION SERVICES

REVISIONS

| REV | DATE | COMMENT | DRAWN BY | CHECKED BY |
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THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

| | |
|--------------|----------------|
| PROJECT No.: | PC171277 |
| DRAWN BY: | BCG |
| CHECKED BY: | REK |
| DATE: | 05/11/2020 |
| CAD I.D.: | PC171277-ZON-0 |

ZONING PLAN

FOR

CARMICHAEL ASSOCIATES, LP

PROPOSED APARTMENT BUILDING DEVELOPMENT

779-783 N. SUMNEYTOWN PIKE
UPPER GWYNEDD TOWNSHIP
MONTGOMERY COUNTY
PENNSYLVANIA 19454

BOHLER

1600 MANOR DRIVE, SUITE 200
CHALFONT, PA 18914
Phone: (215) 996-9100
Fax: (215) 996-9102
www.BohlerEngineering.com

R.E. KLOS, JR.

PROFESSIONAL ENGINEER
PENNSYLVANIA LICENSE No. PE045476
NEW JERSEY LICENSE No. 24GE04507900

SHEET TITLE:

SITE PLAN

SHEET NUMBER:

1
OF 2

ORG. DATE - 05/11/2020

ZONING PLAN GENERAL NOTES

1.) THE CONCEPT REPRESENTED HEREIN IDENTIFIES A DESIGN CONCEPT RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE OWNER COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS AND ISSUES. THE FEASIBILITY WITH RESPECT TO OBTAINING LOCAL, COUNTY, STATE, AND OTHER APPLICABLE APPROVALS ARE NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION AND VERIFICATION OF SAME REQUIREMENTS AND PROCUREMENT OF JURISDICTIONAL APPROVALS.

2.) THIS ZONING PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON INFORMATION THAT WAS SUPPLIED TO OUR OFFICE AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE AND MUST BE UPDATED UPON PERFORMANCE OF ADDITIONAL DUE DILIGENCE.

3.) THE FOLLOWING DOCUMENT HAS BEEN INCORPORATED BY REFERENCE AS PART OF THIS CONCEPT PLAN:

'SITE IMPROVEMENT PLAN'
IRICK EBERHARDT & MIENTUS
2771 GERVILLE PIKE
PENNBSBURG, PA 18073
JOB NUMBER: 2035
DATED: SEPTEMBER 30, 2002

SITE DATA

UPPER GWYNEDD TOWNSHIP, MONTGOMERY COUNTY, PA
ZONED: R-2 (RESIDENTIAL DISTRICT)

GROSS TRACT AREA: 3.5 AC.
NET TRACT AREA: 3.0 AC.

PARKING REQUIRED: 24 UNITS X 2 SPACES = 48 SPACES
PARKING PROVIDED: 62 SPACES

ZONING PLAN NOTES

THIS PLAN REFERENCES A 'SITE IMPROVEMENT PLAN'
PREPARED FOR: JEPPI PARTNERSHIP
PREPARED BY: IRICK & EBERHARDT MIENTUS INCORPORATED
2771 GERVILLE PIKE, SUITE THREE
PENNBSBURG, PA 18073
PROJECT NO.: 2035
DATED: SEPTEMBER 30, 2002

APPLICANT: CARMICHAEL ASSOCIATES, LP
404 SUMNEYTOWN PIKE, SUITE 200
NORTH WALES, PA 19454

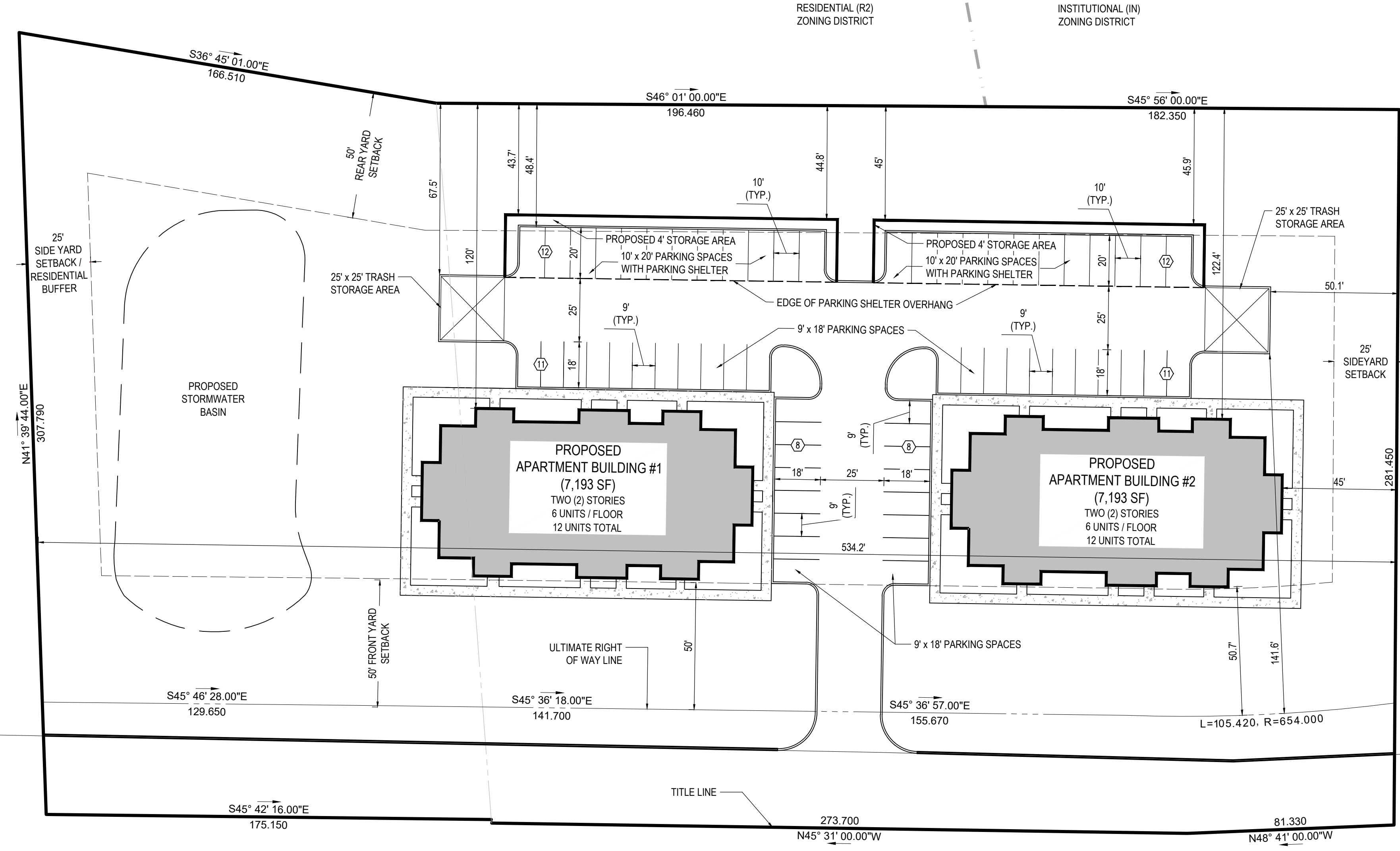
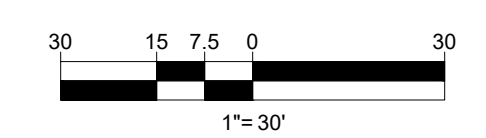
ZONING DATA:
SITE ADDRESS:
779-783 N. SUMNEYTOWN PIKE
UPPER GWYNEDD TOWNSHIP
MONTGOMERY COUNTY, PA
19454

EXISTING ZONING: R-2 RESIDENTIAL DISTRICT
EXISTING USE: SINGLE FAMILY RESIDENCE

PROPOSED USE: APARTMENTS (NOT PERMITTED)

| | REQUIRED | PROPOSED |
|-------------------------------|-----------|--|
| MIN. LOT AREA: | 21,780 SF | 153,978 SF (GROSS) 129,874 SF (NET) |
| MIN. LOT WIDTH: | 120 FT. | 534.2 FT. |
| BUILDING SETBACKS: | | |
| FRONT: | 50 FT. | 50.7 FT. |
| SIDE YARD (EA): | 25 FT. | 45 FT. |
| REAR: | 50 FT. | 120 FT. |
| ACCESSORY STRUCTURE SETBACKS: | | |
| FRONT: | 50 FT. | 141.6 FT. |
| SIDE YARD (EA): | 6 FT. | 50.1 FT. |
| REAR: | 6 FT. | 43.7 FT. |
| MAX. HEIGHT: | | |
| BUILDING HEIGHT: | 35 FT. | 35' FT. |
| ACCESSORY BUILDING: | 14 FT. | 14 FT. |
| MAX. BUILDING COVERAGE: | 20% | 11% (NET) (7,193 x 2 = 14,386 SF) |
| PARKING BUFFER: | | |
| ADJACENT TO RESIDENTIAL: | 25 FT. | 43.7 FT. |

5. PARKING REQUIREMENTS:
TOTAL REQUIRED = 2 SPACES / DWELLING UNIT x 24 UNITS = 48 SPACES (9' x 18')
TOTAL PROPOSED = 38 SPACES / 2 SPACES (9' x 18') + 24 UNDER SHELTER SPACES (10' x 20') = 62 TOTAL SPACES
6. ALL FEATURES ARE EXISTING TO REMAIN UNLESS OTHERWISE NOTED.
7. (TBR) INDICATES EXISTING SITE FEATURES TO BE REMOVED.



SUMNEYTOWN PIKE

RESIDENTIAL (R2)
ZONING DISTRICT

RESIDENTIAL (R2)
ZONING DISTRICT

INSTITUTIONAL (IN)
ZONING DISTRICT

INSTITUTIONAL (IN)
ZONING DISTRICT



LOCATION MAP
1"=1000'

ZONING PLAN GENERAL NOTES

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- 3.) THE FOLLOWING DOCUMENT HAS BEEN INCORPORATED BY REFERENCE AS PART OF THIS CONCEPT PLAN:
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 IRICK, EBERHARDT & MIENTUS
 2771 GERVILLE PIKE
 PENNSBURG, PA 18073
 JOB NUMBER: 2035
 DATED: SEPTEMBER 30, 2002

SITE DATA

UPPER GWYNEDD TOWNSHIP, MONTGOMERY COUNTY, PA
 ZONED: R-2 (RESIDENTIAL DISTRICT)

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 NET TRACT AREA: 3.0 Ac.

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 PREPARED BY: IRICK & EBERHARDT MIENTUS INCORPORATED
 2771 GERVILLE PIKE, SUITE THREE
 PENNSBURG, PA 18073
 PROJECT NO.: 2035
 DATED: SEPTEMBER 30, 2002

APPLICANT:
 CARMICHAEL ASSOCIATES, LP
 404 SUMMEYTOWN PIKE, SUITE 200
 NORTH WALES, PA 19454

ZONING DATA:
 SITE ADDRESS:
 779-783 N. SUMMEYTOWN PIKE
 UPPER GWYNEDD TOWNSHIP
 MONTGOMERY COUNTY, PA
 19454

EXISTING ZONING: R-2 RESIDENTIAL DISTRICT
 EXISTING USE: SINGLE FAMILY RESIDENCE

PROPOSED USE: APARTMENTS (NOT PERMITTED)

| | REQUIRED | PROPOSED |
|-------------------------------|-----------|--|
| MIN. LOT AREA: | 21,780 SF | 153,978 SF (GROSS) 129,874 SF (NET) |
| MIN. LOT WIDTH: | 120 FT. | 534.2 FT. |
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1"=100'

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 SITE CIVIL AND CONSULTING ENGINEERING
 PROGRAM MANAGEMENT
 LAND SURVEYING
 LANDSCAPE ARCHITECTURE
 SUSTAINABLE DESIGN
 TRANSPORTATION SERVICES

REVISIONS

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| CAD I.D.: | PC171277-ZON-0 |

ZONING PLAN

FOR

CARMICHAEL ASSOCIATES, LP

PROPOSED APARTMENT BUILDING DEVELOPMENT

779-783 N. SUMMEYTOWN PIKE
 UPPER GWYNEDD TOWNSHIP
 MONTGOMERY COUNTY
 PENNSYLVANIA 19454

BOHLER
 1600 MANOR DRIVE, SUITE 200
 CHALFONT, PA 18914
 Phone: (215) 996-9100
 Fax: (215) 996-9102
 www.BohlerEngineering.com

R.E. KLOS, JR.
 PROFESSIONAL ENGINEER
 PENNSYLVANIA LICENSE No. PE045479E
 NEW JERSEY LICENSE No. 24GE04507900

SHEET TITLE:
AERIAL PLAN

SHEET NUMBER:
 2
 OF 2

ORG. DATE - 05/11/2020

2. **September 14, 2020 Letter to Zoning Officer re indefinite continuance**

HRMM&L
HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN, PC
ATTORNEYS AT LAW

www.HRMML.com

13616-351

September 14, 2020

Via Email

E. Van Rieker, Zoning Officer
Upper Gwynedd Township
Code Enforcement and Building & Zoning Department
1 Parkside Place
North Wales, PA 19454

Re: Zoning Hearing Board Application
Applicant: Carmichael Associates, L.P.
Property: 779 Sumneytown Pike and 783 Sumneytown Pike

Dear Mr. Rieker:

Please accept this letter as a request for a continuance of the hearing for the above-referenced Zoning Hearing Board application scheduled for September 22, 2020. The request is for an indefinite extension. Please note that the Applicant reserves the right to revoke this waiver by providing written notice of such revocation.

The applicant agrees to waive the applicable time requirements set forth in the Pennsylvania Municipalities Planning Code for the Zoning Hearing Board to hold hearings and render decisions on the above-referenced Zoning Hearing Board application.

Should you need any additional information, please feel free to contact me at (215) 661-0400. Thank you for your assistance with this matter.

Very truly yours,

HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN

By: 
BERNADETTE A. KEARNEY

BAK:ch

cc: Christopher Canavan, via email
Patrick Hitchens, via email

J. Edmund Mullin
Steven H. Lupin
Douglas I Zeiders
Carl N. Weiner
Jonathan Samel, LL.M.
Merle R. Ochrach
Mark F. Himsworth
Steven A. Hann
Steven B. Barrett
Christen G. Pionzio
Joseph J. McGrory, Jr.
Ethan R. O'Shea
Bernadette A. Kearney
Paul G. Mullin
John J. Iannozzi
William G. Roark
Andrew P. Grau, LL.M.
Susan E. Piette
Nathan M. Murawsky
Timothy P. Briggs
Kathleen A. Maloles
John F. Walko
Steven J. English
Michael A. Luongo
Noah Marlier
Kevin M. McGrath
Graham R. Bickel
Daniel L. Maschi

OF COUNSEL:

John C. Rafferty, Jr.

LANSDALE

ACTS Center – Blue Bell
375 Morris Road
Post Office Box 1479
Lansdale, PA 19446-0773
Phone 215-661-0400
Fax 215-661-0315

LIMERICK

HARRISBURG

3. **February 10, 2021 Letter to Zoning Officer with revised attachment and Zoning Plan prepared by Bohler, last revised 1/14/2021**

HRMM&L
HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN, PC
ATTORNEYS AT LAW

13616-351

www.HRMML.com
Lawyers@HRMML.com

February 10, 2021

J. Edmund Mullin
Steven H. Lupin
Douglas I Zeiders
Carl N. Weiner
Jonathan Samel, LL.M.
Merle R. Ochrach
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Kathleen A. Maloles
Steven J. English
Michael A. Luongo
Noah Marlier
Kevin M. McGrath
Graham R. Bickel
Edward M. Flitter
Krista Rose Stefkovic

Via FedEx and Email

E. Van Rieker, Zoning Officer
Upper Gwynedd Township
Code Enforcement and Building & Zoning Department
1 Parkside Place
North Wales, PA 19454

Re: Zoning Hearing Board Application No 20-07
Applicant: Carmichael Associates, L.P.
Property: 779 Sumneytown Pike and 783 Sumneytown Pike

Dear Mr. Rieker:

In regards to the above-referenced Zoning Hearing Board Application, enclosed please find Ten (10) copies of a revised Zoning Attachment as well as a two (2) page Zoning Plan prepared by Bohler, last revised 1/14/2021.

Should you need any additional information, please feel free to contact me at (215) 661-0400. Thank you for your assistance with this matter.

Very truly yours,

HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN

By: 
BERNADETTE A. KEARNEY

BAK:ch

cc: Christopher Canavan, via email
Patrick Hitchens, via email

LANSDALE
ACTS Center – Blue Bell
375 Morris Road
Post Office Box 1479
Lansdale, PA 19446-0773
Phone 215-661-0400
Fax 215-661-0315

LIMERICK
HARRISBURG

Zoning Attachment

Property Address/Location

779 Sumneytown Pike: Parcel #56-00-08323-00-9; Block 11, Unit 13

783 Sumneytown Pike: Parcel# 56-00-08326-00-6; Block 11, Unit 12

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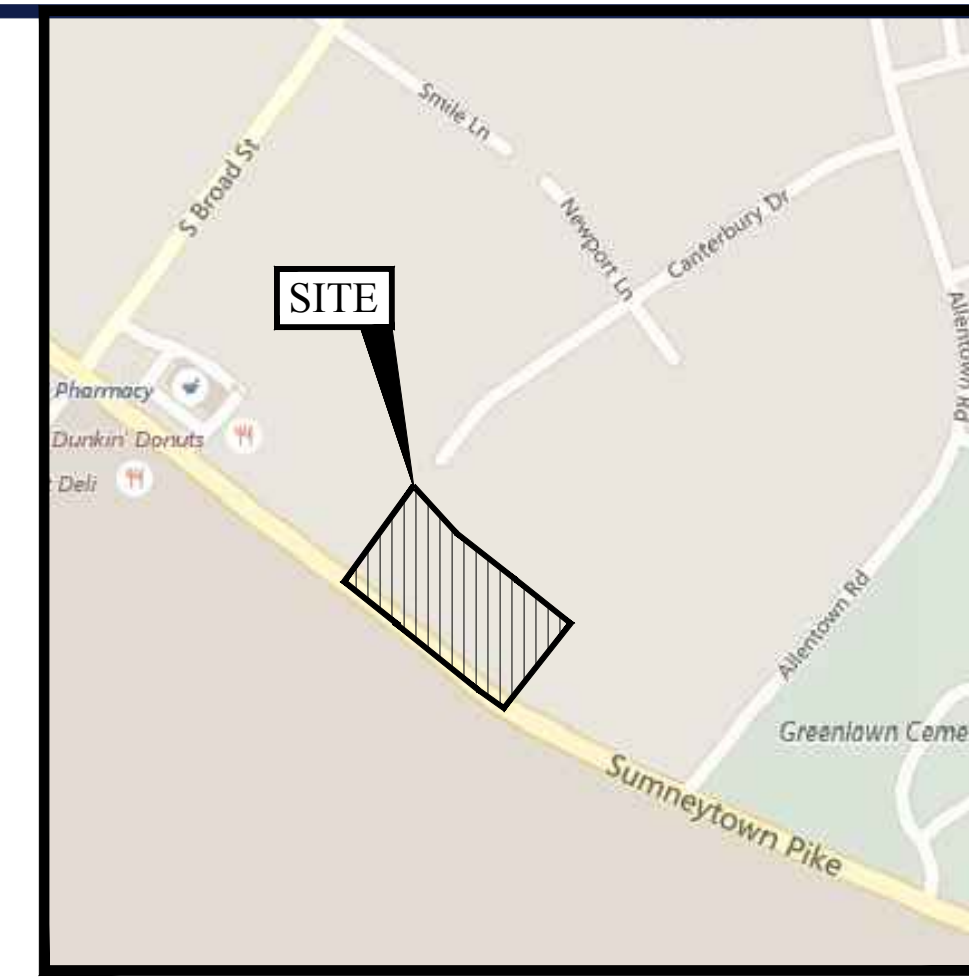
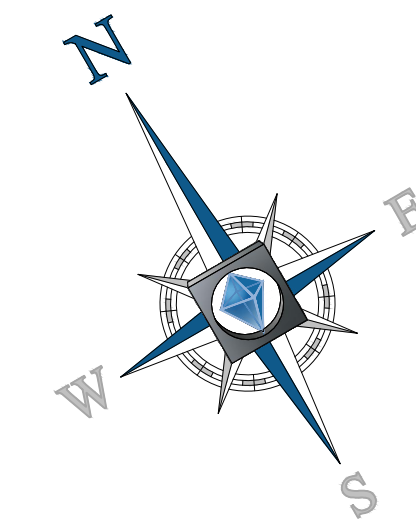
Together, the lot area is 153,978 s.f (gross) and 129,874 s.f. (net)

The Applicant is proposing seventeen (17) townhomes on the consolidated property as shown on the attached plan. Thirty-four (34) parking spaces are required and the Applicant is proposing 60 parking space.

The Applicant is requesting a variance from Section 195-12.A. to allow the proposed single-family townhouse dwelling units with the dimensional criteria set forth on the Plan, and any other necessary relief required. Although each individual unit does not meet all of the dimensional requirements of the R-2 zoning district, the overall development of the proposed townhomes meets the dimensional requirements of the R-2 zoning district as shown on the Plan. The properties are unable to be reasonably developed for R-2 uses. The properties front on heavily traveled Sumneytown Pike, across from Merck's parking lot. The other uses along Sumneytown Pike, include the adjacent institutional nursing home, Gwynedd Healthcare & Rehabilitation Center (773 Sumneytown Pike); a dentist office (781 Sumneytown Pike); Kieffer's Appliance (785 Sumneytown Pike); Dunkin Donuts (787 Sumneytown Pike) and a CVS Pharmacy (799 Sumneytown Pike).

The Board of Commissioner adopted Ordinance No 2018-012, the Sumneytown Pike In-Fill and Traffic Management Overlay District on 12/17/2018. The Overlay District has not been applied to any properties in the Township. The Overlay District recognizes that there is a need to provide development/redevelopment opportunities, to improve the overall appearance of the Township, to improve traffic safety and reduce congestion along a selective distance of Sumneytown Pike. The subject properties are a part of the selective distance along Sumneytown Pike. The Overlay District permits multiple-family dwellings at a density not to exceed 8 dwelling units per developable acre by conditional use. The Overlay District also permits uses of the same general character by conditional use. The proposed single-family townhouse dwelling units are of the same general character as multiple-family dwellings and the proposed density is 5.66 dwelling units per developable acre. The proposed redevelopment of the Property will improve the overall appearance of the Township.

The requested relief to allow the townhouse development will not adversely affect the public health, safety or welfare and is the minimum to afford relief.



LOCATION MAP
1"=1000'



SUMNEYTOWN PIKE

ZONING PLAN GENERAL NOTES

1. THE CONCEPT REPRESENTED HEREIN IDENTIFIES A DESIGN CONCEPT RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE OWNER COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS AND ISSUES. THE FEASIBILITY WITH RESPECT TO OBTAINING LOCAL, COUNTY, STATE, AND OTHER APPLICABLE APPROVALS ARE NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION AND VERIFICATION OF SAME REQUIREMENTS AND PROCUREMENT OF JURISDICTIONAL APPROVALS.
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 RICK, EBERHARDT & MIENTUS
 2771 GERVILLE PIKE
 PENNSBURG, PA 18073
 JOB NUMBER: 2035
 DATED: SEPTEMBER 30, 2002

SITE DATA

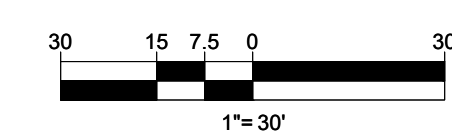
UPPER GWYNEDD TOWNSHIP, MONTGOMERY COUNTY, PA
 ZONED: R-2 (RESIDENTIAL DISTRICT)
 GROSS TRACT AREA: 3.5 Ac.
 NET TRACT AREA: 3.0 Ac.

ZONING PLAN NOTES

THIS PLAN REFERENCES A 'SITE IMPROVEMENT PLAN'
 PREPARED FOR: JEPPI PARTNERSHIP
 PREPARED BY: RICK & EBERHARDT MIENTUS INCORPORATED
 2771 GERVILLE PIKE, SUITE THREE
 PENNSBURG, PA 18073
 PROJECT NO.: 2035
 DATED: SEPTEMBER 30, 2002
 APPLICANT:
 CARMICHAEL ASSOCIATES, L.P.
 404 SUMNEYTOWN PIKE, SUITE 200
 NORTH WALES, PA 19454
 ZONING DATA:
 SITE ADDRESS:
 779-783 N. SUMNEYTOWN PIKE
 UPPER GWYNEDD TOWNSHIP
 MONTGOMERY COUNTY, PA
 19454
 EXISTING ZONING: R-2 RESIDENTIAL DISTRICT
 EXISTING USE: EXISTING SINGLE FAMILY RESIDENCE (2)
 PROPOSED USE: TOWNHOMES (NOT PERMITTED)

| | REQUIRED | PROPOSED |
|------------------------------|----------------|--|
| MIN. LOT AREA: | 21,780 SF | 153,978 SF (GROSS) 129,853 SF (NET) |
| MIN. LOT WIDTH: | 120 FT. | 534.2 FT. |
| BUILDING SETBACKS | | |
| FRONT: | 50 FT. | 101.5 FT. |
| SIDE YARD (EA): | 25 FT. | 31.5 FT. |
| REAR: | 50 FT. | 79.1 FT. |
| ACCESSORY STRUCTURE SETBACKS | | |
| FRONT: | 50 FT. | N/A |
| SIDE YARD (EA): | 6 FT. / 25 FT. | N/A |
| REAR: | 6 FT. / 50 FT. | N/A |
| MAX. HEIGHT: | | |
| BUILDING HEIGHT: | 35 FT. | 35 FT. |
| ACCESSORY BUILDING: | 14 FT. | N/A |
| MAX. BUILDING COVERAGE: | 20% | 15.6% (NET) (20,193 SF) |
| PARKING BUFFER | | |
| ADJACENT TO RESIDENTIAL: | 25 FT. | N/A |

5. PARKING REQUIREMENTS:
 TOTAL REQUIRED = 2 SPACES / DWELLING UNIT x 17 UNITS = 34 SPACES
 TOTAL PROPOSED = 34 DRIVEWAY SPACES + 26 OVERFLOW PARKING SPACES = 60 TOTAL SPACES
6. ALL FEATURES ARE EXISTING TO REMAIN UNLESS OTHERWISE NOTED.
7. (TBR) INDICATES EXISTING SITE FEATURES TO BE REMOVED.



BOHLER
 SITE CIVIL AND CONSULTING ENGINEERING
 LAND SURVEYING
 PROGRAM MANAGEMENT
 LANDSCAPE ARCHITECTURE
 SUSTAINABLE DESIGN
 TRANSPORTATION SERVICES

REVISIONS

| REV | DATE | COMMENT | CHECKED BY |
|-----|-----------|-------------------|------------|
| 1 | 1/14/2021 | GENERAL REVISIONS | AMT REK |

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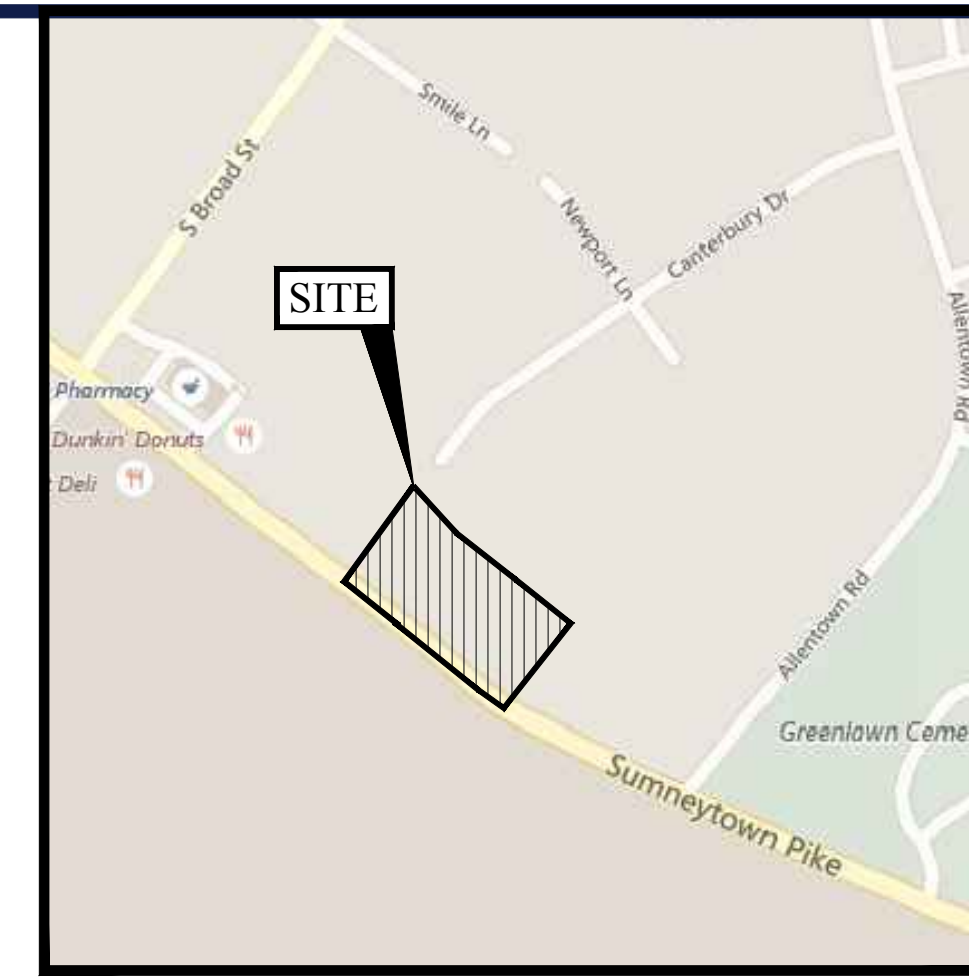
PROJECT NO.: PC171277
 DRAWN BY: BCG
 CHECKED BY: REK
 DATE: 05/11/2020
 CAD I.D.: PC171277 ZONING-1

PROJECT:
ZONING PLAN
 FOR
CARMICHAEL ASSOCIATES, LP
 PROPOSED TOWNHOME BUILDING DEVELOPMENT
 779-783 N. SUMNEYTOWN PIKE
 UPPER GWYNEDD TOWNSHIP
 MONTGOMERY COUNTY
 PENNSYLVANIA 19454

BOHLER
 1600 MANOR DRIVE, SUITE 200
 CHALFONT, PA 18914
 Phone: (215) 996-9100
 Fax: (215) 996-9102
 www.BohlerEngineering.com

R.E. KLOS, JR.
 PROFESSIONAL ENGINEER
 PENNSYLVANIA LICENSE No. PE045479E
 NEW JERSEY LICENSE No. 24GE04507900

SHEET TITLE:
SITE PLAN
 SHEET NUMBER:
 1
 OF 2
 REVISION 1 - 1/14/2021



LOCATION MAP
1"=1000'

ZONING PLAN GENERAL NOTES

- 1) THE CONCEPT REPRESENTED HEREIN IDENTIFIES A DESIGN CONCEPT RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE OWNER COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS AND ISSUES. THE FEASIBILITY WITH RESPECT TO OBTAINING LOCAL, COUNTY, STATE, AND OTHER APPLICABLE APPROVALS ARE NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION AND VERIFICATION OF SAME REQUIREMENTS AND PROCUREMENT OF JURISDICTIONAL APPROVALS.
- 2) THIS ZONING PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON INFORMATION THAT WAS SUPPLIED TO OUR OFFICE AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE AND MUST BE UPDATED UPON PERFORMANCE OF ADDITIONAL DUE DILIGENCE.
- 3) THE FOLLOWING DOCUMENT HAS BEEN INCORPORATED BY REFERENCE AS PART OF THIS CONCEPT PLAN:
 'SITE IMPROVEMENT PLAN'
 IRICK EBERHARDT & MIENTUS
 2771 GERVILLE PIKE
 PENNSBURG, PA 18073
 JOB NUMBER: 2035
 DATED: SEPTEMBER 30, 2022

SITE DATA

UPPER GWYNEDD TOWNSHIP, MONTGOMERY COUNTY, PA
 ZONED: R-2 (RESIDENTIAL DISTRICT)
 GROSS TRACT AREA: 3.5 AC.
 NET TRACT AREA: 3.0 AC.

ZONING PLAN NOTES

THIS PLAN REFERENCES A 'SITE IMPROVEMENT PLAN'
 PREPARED FOR: JEPPI PARTNERSHIP
 PREPARED BY: IRICK & EBERHARDT MIENTUS INCORPORATED
 2771 GERVILLE PIKE, SUITE THREE
 PENNSBURG, PA 18073
 PROJECT NO.: 2035
 DATED: SEPTEMBER 30, 2022

APPLICANT:
 CARMICHAEL ASSOCIATES, L.P.
 404 SUMNEYTOWN PIKE, SUITE 200
 NORTH WALES, PA 19454

ZONING DATA:
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 779-783 N. SUMNEYTOWN PIKE
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 MONTGOMERY COUNTY, PA
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 TRANSPORTATION SERVICES

REVISIONS

| REV | DATE | COMMENT | CHECKED BY | AMT |
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| 1 | 1/14/2021 | GENERAL REVISIONS | REK | REK |

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PROJECT:
ZONING PLAN
 FOR
CARMICHAEL ASSOCIATES, LP
 PROPOSED TOWNHOME BUILDING DEVELOPMENT
 779-783 N. SUMNEYTOWN PIKE
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SHEET TITLE:
AERIAL PLAN
 SHEET NUMBER:
 2
 OF 2
 REVISION 1 - 1/14/2021

- 4. February 15, 2021 Letter to Zoning Officer and Solicitor re request to add a request for a variance from Section 195-60, Expiration of special exceptions and variances.**



HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN, PC
ATTORNEYS AT LAW

13616-351

February 15, 2021

www.HRMML.com
Lawyers@HRMML.com

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Steven H. Lupin
Douglas I Zeiders
Carl N. Weiner
Jonathan Samel, LL.M.
Merle R. Ochrach
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Steven B. Barrett
Christen G. Pionzio
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Bernadette A. Kearney
Paul G. Mullin
John J. Iannozzi
William G. Roark
Andrew P. Grau, LL.M.
Susan E. Piette
Lisa A. Shearman
Nathan M. Murawsky
Timothy P. Briggs
Kathleen A. Maloles
Steven J. English
Michael A. Luongo
Noah Marlier
Kevin M. McGrath
Graham R. Bickel
Edward M. Flinger
Krista Rose Stefkovic

Via Email (evrieker@uppergwynedd.org)
E. Van Rieker, Zoning Officer
Upper Gwynedd Township
1 Parkside Place
North Wales, PA 19454

Via Email (patrick@skilkennylaw.com)
Patrick M. Hitchens, Esq.
Kilkenny Law, LLC
519 Swede St.
Norristown, PA 19401

Re: Zoning Hearing Board Application No 20-07
Applicant: Carmichael Associates, L.P.
Property: 779 Sumneytown Pike and 783 Sumneytown Pike

Dear Mr. Rieker and Mr. Hitchens:

In regards to the above-referenced Zoning Hearing Board Application, I would like to add a request for a variance from Section 195-60, Expiration of special exceptions and variances, to request an extension from 1 year to 2 years to obtain a building permit.

Please call me with any questions, (215) 616-1522. Thank you for your assistance with this matter.

Very truly yours,

HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN

By: 
BERNADETTE A. KEARNEY

BAK:ch

cc: Christopher Canavan, via email
Ron Klos, via email
John Kennedy, via email

LANSDALE
ACTS Center – Blue Bell
375 Morris Road
Post Office Box 1479
Lansdale, PA 19446-0773
Phone 215-661-0400
Fax 215-661-0315

LIMERICK
HARRISBURG

5. Redacted Agreement of Sale

REAL ESTATE PURCHASE AGREEMENT

THIS AGREEMENT made this 30 day of November, 2017 and effective on the last date endorsed by the parties hereto (the "Effective Date"), by and between **CARMICHAEL ASSOCIATES , L.P.**, having an address of 404 Sumneytown Pike, Suite 200, North Wales, PA 19454 ("Buyer") and **JEPPY**, a Pennsylvania general partnership, having an address of 411 Carmichael Drive, North Wales, PA 19454 ("Seller").

Basis of Agreement

A. Seller is the owner of all that certain lot or piece of ground known as 779 & 783 Sumneytown Pike, Upper Gwynedd Township, Montgomery County, Commonwealth of Pennsylvania County Parcel Nos. 56-00-08323-00-9 & 56-00-08326-00-6, consisting of 3.43 acres of ground, more or less, together with full right of ingress and egress from and to fully improved public roads, ("Premises"), as more fully described in Exhibit "A", attached hereto and incorporated herein by reference.

B. Buyer desires the right to purchase the Premises upon certain terms and conditions as more fully set forth herein.

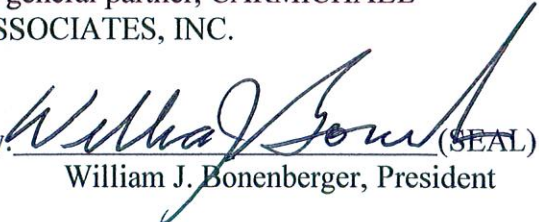
NOW, THEREFORE, intending to be legally bound hereby and in consideration of the mutual covenants, conditions and promises hereinafter set forth, Buyer and Seller ("Parties") agree as follows:

ARTICLE 1. PURCHASE AND SALE OF THE PREMISES.

A. Seller agrees to sell, and Buyer agrees to buy the Premises, subject to the satisfaction or waiver by Buyer of the conditions hereinafter set forth in Articles 2 and 7 hereof, and in accordance with the terms and conditions of this Agreement.

CARMICHAEL ASSOCIATES, L.P., by
its general partner, CARMICHAEL
ASSOCIATES, INC.

Date: 11/30/17

By:  (SEAL)
William J. Bonenberger, President

SELLER hereby accepts the offer of Buyer herein and agrees to be legally bound by the terms hereof, this 30th day of November, 2017. We certify that we have delivered two fully executed counterparts of this Agreement to Buyer, or its representative, as of said date and said date shall constitute the Effective Date hereunder.

Date: 11/30/17


Mealy, Partnership

6. C.V. of John H. Kennedy, AICP

John H. Kennedy, AICP

Professional Land Planner

EXPERIENCE

1990 – Present KENNEDY & ASSOCIATES

President/Owner. A land use consulting firm providing services in land use regulation and policy, land analysis and feasibility, site planning, subdivision and development approvals, estate planning, engineering coordination, specialized graphics and exhibits.

1987 – 1990 LAND ACQUISITION

(A Land Development Subsidiary of the Martin Organization). Vice President of Planning and Development. Responsible for analyzing property for potential land use. Hiring and coordinating consultants and managing design and approval process of land development projects.

1982 – 1987 THE MARTIN ORGANIZATION ARCHITECTS & PLANNERS

Senior Project Manager. Managed master planning, site planning and architectural projects throughout twelve States and two Provinces in Canada.

1980 – 1982 KINZLER & RITTER/LAND PLANNING

Junior Planner. Planned residential communities and commercial developments in New Jersey, Maryland and Virginia. Performed research for land use analysis and feasibility studies. Prepared submission documents, planning board exhibits and promotional graphics.

EDUCATION

Philadelphia College of Art, Philadelphia, PA
Bachelor of Science, Environmental Design, 1980.

University of Michigan, Ann Arbor, MI
Enrolled in College of Engineering, 1974-1976.

AFFILIATIONS

Memberships: American Institute of Certified Planners, American Planning Association, Pennsylvania Planning Association, The Urban Land Institute and 10,000 Friends of Pennsylvania.

APPOINTMENTS

Appointed member of the Lower Salford Township Planning Commission, February 2010 to present.

Appointed member of the Borough of Lansdale Planning Commission, March 1990 to July 2002. Served as Vice Chairman for the last 11 years.

Appointed member of the Lansdale Municipal Task Force, September 2000 to July 2002. The Task Force was formed to obtain grant money from the Montgomery County Revitalization Board. The Task Force defined and proposed a series of public improvements and regulatory changes. As of the spring of 2002, \$699,000 in grant money has been obtained for long-term revitalization plans. Proposed zoning changes were adopted in July of 2002.

Appointed member of the Lansdale Recreation Keystone Grant Committee, June 1997 to May 1998. The Committee successfully obtained \$1.2 million dollars to renovate and upgrade two swimming pool facilities located in the Borough. With matching funds from Borough Council, 2.4 million dollars worth of renovations were completed in 2000.

John H. Kennedy, AICP

A Partial List of Clients and Projects

Mixed Use and Traditional Neighborhood Developments

| | |
|--|---|
| Montgomery View New Hanover Township, PA | The Gambone Group and Ryan Homes An Infill TND Community, 115 mixed dwelling types and 10,000 sf of commercial space on 34 acres. <i>Master Plan, Site Plan and Development Approvals.</i> |
| Holly Road Property Douglass Township, PA (Mont. Co.) | The Gambone Group Mixed Use Community, 200 mixed dwelling types and 24,000 sf of commercial space on 52 acres. <i>Zoning Amendment, Master Plan, Site Plan.</i> |
| General Hancock Farm (Remaining Phases) Montgomery Township, PA | Select Properties Mixed Use Development, Two Hotels, Restaurants and 110 units on 22 acres. <i>Master Plan, Site Plan, Conditional Use.</i> |
| Northgate Upper Hanover Township, PA | T.H. Properties Mixed use TND Community, 736 mixed dwelling types and 45,000 sf of commercial space on 189 acres. <i>Zoning Amendment, Master Plan, Site Plan.</i> |
| Wynstone Village New Hanover Township, PA | T.H. Properties Mixed use TND Community, 761 mixed dwellings and 340,000 sf of commercial located along a new Main Street on 210 acres. <i>Zoning Amendment, Master Plan, Site Plan.</i> |
| Biltmore Estates Skippack Township, PA | T.H. Properties Mixed use TND Community, 260 mixed dwellings, 52,000 sf of commercial and 42,000 sf of live/work units on 82 acres. <i>Zoning Amendment, Master Plan, Site Plan.</i> |
| Fillmore Village Borough of Phoenixville, PA | Hastings Investments and Ryan Homes An Infill TND Community, 170 mixed dwelling types and 20,000 sf of commercial on 22 acres. <i>Zoning Amendment, Master Plan, Site Plan.</i> |

Residential Developments

| | |
|--|---|
| The Crossings at Ambler Borough of Ambler, PA | Westrum Development Company Transit-Oriented Development on a former industrial site, 320 Units on 9.4 Acres. <i>TOD Overlay Ordinance Amendment, Site Plan.</i> |
| Andale Green Borough of Lansdale, PA | Moulton Builders Mixed-Use Development on a former industrial site, 288 Age-Restricted Units and a 30,000 s.f. Regional Senior Center on 14.5 Acres. <i>Retirement Village Overlay District, Site Plan, Conditional Use.</i> |

| | |
|---|---|
| Eagle Pointe (Byberry State Hospital) City of Philadelphia, PA | Westrum Development Company Age-Restricted Community on former institutional site, 370 Units on 25 Acres. <i>Site Plan.</i> |
| Orchard Ridge Ontelaunee Township, PA | T.H. Properties A clustered community of 1,300 mixed dwelling types and 55,000 sf of neighborhood commercial on 384 acres. <i>Zoning Amendment, Master Plan, Site Plan, Conditional Use.</i> |
| Willow Shores II Palmyra, NJ | The Korman Company Rental Housing Community, 300 Units on 28 Acres. <i>Site Plan, Engineering Coordination, Land Development Approvals, Promotional Graphics.</i> |
| Lederach Golf Club Lower Salford Township, PA | Heritage Building Group Residential Golf Course Community, 250 Units on 488 Acres. <i>Zoning Amendment, Master Plan, Site Plan, Conditional Use.</i> |
| Ravens Claw Golf Club Limerick and Lower Pottsgrove Townships, PA | Heritage Building Group (original client) Residential Golf Course Community, Athletic Club Site, 250 Units on 225 Acres, 42,000 s.f. Athletic Club Site. <i>Zoning Amendment, Master Plan, Site Plan, Conditional Use.</i> |
| The Hills, Sections 3 and 5 Bedminster Township, NJ | Toll Brothers, Inc. Mixed Density residential Community, 529 Units on 476 Acres. <i>Revised Master Plan, Site Plan.</i> |
| Sunoco Property Borough of Downingtown, PA | Westrum Development Company Mixed-Use Development on a former industrial site, 500 Units and 162,000 s.f. of Commercial on 76 Acres. <i>Site Plan.</i> |
| Blue Bell Country Club Whitpain Township, PA | Toll Brothers, Inc. Residential Golf Course Community (Mixed Housing Types), 850 Units on 485 Acres. <i>Master Plan, Community Site Plans, Promotional Graphics.</i> |
| The Arbours at Washington Crossing Upper Makefield Township, PA | Westrum Development Co. and Pulte Homes Age Restricted Community (Mixed Housing Types), 225 Units on 70 Acres. <i>Community Site Plan, Conditional Use Approval, Impact Study.</i> |
| Orchard Hill Hilltown Township, PA | Heritage Building Group, Inc. High Density Residential Community (Mixed Housing Types), 350 Units on 85 Acres. <i>Master Plan, Site Plan</i> |
| Whiteland Oaks (formerly; Church Farm Estates) West Whiteland Township, PA | Toll Brothers, Inc. Residential Community, 192 units on 202 Acres. <i>Site Plan.</i> |
| Brandywine River Estates East Bradford Township, PA | Toll Brothers, Inc. Residential Community, 54 Units on 110 Acres. <i>Site Plan and Conditional Use Approval.</i> |

**The Greens at
Waynesborough
Easttown Township, PA**

Toll Brothers, Inc.
Residential Community, 170 units on 147 Acres.
Site Plan.

**Fairlane Woods
City of Dearborn, MI**

Ford Motor Land Development/Marquette Properties
Mixed Density Residential Community,
715 Units on 120 Acres.
*Community Site plans, Land Development Approvals, Promotional
Graphics.*

**The Colony at Brandywine
Ridge
West Bradford Township, PA**

Hillside Homes, Inc.
Residential; Community, 143 Units on 476 Acres.
*Master Plan, Site Plan, Subdivision Approvals, Engineering
Coordination.*

**Cedar Brook Farm
Northampton Township, PA**

Elliot Building Group
Residential Community, 21 Units on 21 Acres.
Site Plan, Land Development Approvals, Promotional Graphics.

**Church Farm School
East & West Whiteland
Townships, PA**

Rouse & Associates
Responsible for Residential Component,
1400 Units on 1400 Acres.
Residential Master Plan and Community Site Plans.

**Thomas Meeting
West Whiteland Township, PA**

Klein Realty
Rental Housing Community, 260 Units on 24 Acres.
Site Plan.

Nonresidential Developments

**State Street Property
West Pottsgrove and Upper
Pottsgrove Townships, PA**

The Gambone Group
Commercial Development,
Hotel, Restaurants and 110,000 sf of commercial space on
22 acres.
Zoning Amendment, Master Plan, Site Plan.

**Hawthorn Court
Montgomery Township, PA**

Trefoil Properties
Commercial Development,
Hotel, Restaurant and 87,000 sf of commercial space on 13 acres.
Site Plan.

**Minister Creek Center
Douglass Township, PA**

The Gambone Group
Commercial Development,
Hotel and 388,000 sf of commercial space on
55 acres.
Zoning Amendment, Master Plan, Site Plan.

**Franklin Commons
Borough of Phoenixville, PA**

Hastings Investments
A brownfields site and adaptive re-use. The 8.5 acre project
consists of converting over 205,000 sf of former industrial space
into an educational campus.
Zoning Amendment, Master Plan, Site Plan, Landscape Concepts.

| | |
|--|---|
| Heritage Montgomery Center Montgomery Township, PA | Heritage Building Group Executive Office Campus and Day Care, 34,200 s.f. on 5 acres. <i>Site Plan.</i> |
| The Delaware County Christian School (Main Campus) Newtown Square, PA | Delaware County Christian School Society Inc. Renovations and improvements to the 16 acre campus. <i>Master Plan and Phase One Site Plan.</i> |
| Brewers Bridge Shopping Center Jackson Township, NJ | Union Valley Corporation Neighborhood Shopping Center, 80,000 s.f. of retail space on 9.4 acres. <i>Site Planning, Land Development Approvals.</i> |
| 48th Executive Court Myrtle Beach, SC | Landing Development Corporation Office Campus Development, 65,000 s.f. <i>Site Planning.</i> |
| Genesis Office Center Concord Township, PA | T.V. Spano Office Campus Development, 100,000 s.f. of office space on 8.6 acres. <i>Site Planning Land Development Approvals.</i> |
| Beach Cove Inn North Myrtle Beach, SC | Landing Development Corporation 260 Room, High Rise Hotel. <i>Site Planning.</i> |
| Atlantic Shores Sheraton Hotel Myrtle Beach, SC | Atlantic Shores Association 250 Room, 15 Story High Rise Hotel. <i>Site Planning.</i> |

Miscellaneous

| | |
|--|---|
| Center Point Master Plan Worcester Township, PA | Working for Worcester Township and with the Montgomery County Planning Commission created a civic engagement process and a Master Plan to serve as a blueprint for future zoning. |
| Parking Action Plan Ambler Borough, PA | Participating in a planning collaboration to prepare a comprehensive parking study and action plan for the Borough's central business area. |
| "FTD" Fairway Transit Zoning District Abington Township, PA | Working as a consultant for Abington Township developed a Transit Oriented Development Amendment to the Zoning Ordinance. |

**"R-1c" Zoning District
West Bradford Township, PA**

Residential Open Space Cluster Amendment to the Zoning Ordinance.

**"AQ" Overlay Zoning District
Richland Township, PA**

Working as a consultant for Richland Township developed an Age Restricted Development Amendment to the Zoning Ordinance.

**Route 100 Mixed Use District
Douglass Township, PA**

Working for Douglass Township and two Route 100 corridor land owners presently developing a mixed use ordinance for the Route 100 corridor area.

**Golf Course Residential
Community Amendment
Lower Salford Township, PA**

An amendment to the R-1 District permitting golf course residential communities as a new use.

**Past Speaker for the
Lancaster County Planning
Commission.**

Speaker and Panel Member at a Seminar on Innovations in Housing.

**Panelist at Design Round
Table and Charette for Church
Farm School.**

Three Day, Inter-discipline Design Charette sponsored by Rouse & Associates to design a mixed use community on the Church Farm School Property.

John H Kennedy, AICP

Project Locations

Design And Planning Projects Within The Following States and Provinces

**Pennsylvania
New Jersey
Delaware
Maryland
New York
Virginia
Florida
Georgia
North Carolina
South Carolina
Tennessee
Michigan**

**Ohio
Indiana
Illinois
Maine
Texas
Vermont
Massachusetts
Rhode island
Connecticut

Ontario
Quebec**

Client Presentations Before The Following Municipalities

**Abington Township, PA
Ambler Borough, PA
Bethel Township, PA
Birmingham Township, PA
Bridgton Township, PA
Bristol Township, PA
Concord Township, PA
Douglass Township, (Berks Co.) PA
Douglass Township, (Mont. Co.) PA
Downingtown Borough, PA
Doylestown Township, PA
East Bradford Township, PA
East Norriton Township, PA
East Pikeland Township, PA
East Vincent Township, PA
Franconia Township, PA**

**Perkiomen Township, PA
Philadelphia, PA
Phoenixville Borough, PA
Plumstead Township, PA
Plymouth Township, PA
Red Hill Borough, PA
Richland Township, PA
Skeppack Township, PA
Solebury Township, PA
Trappe Borough, PA
Upper Dublin Township, PA
Upper Frederick Township, PA
Upper Hanover Township, PA
Upper Makefield Township, PA
Upper Merion Township, PA
Upper Pottsgrove Township, PA**

Hatfield Township, PA
Hilltown Township, PA
Lansdale Borough, PA
Limerick Township, PA
Lower Frederick Township, PA
Lower Providence Township, PA
Lower Salford Township, PA
New Britain Township, PA
New Hanover Township, PA
Newtown Township, (Bucks Co.) PA
Newtown Township, (Del. Co.) PA
Northampton Township, PA
Ontelaunee Township, PA
Pennsburg Borough, PA

Upper Salford Township, PA
Upper Uwchlan Township, PA
Warminster Township, PA
Warrington Township, PA
Warwick Township, PA
West Bradford Township, PA
West Conshohocken Borough, PA
West Pottsgrove Township, PA
West Rockhill Township, PA
Whitpain Township, PA
Wrightstown Township, PA

Barrington, IL
Dearborn, MI
Palmyra, NJ
Jackson Township, NJ

Testimony
Qualified As An Expert in Zoning and Planning
In The Following:

Court Of Common Pleas in: Bucks, Carbon and Montgomery Counties

Abington Township, PA
Ambler Borough, PA
Bethel Township, PA
Birmingham Township, PA
Bridgton Township, PA
Bristol Township, PA
Douglass Township, (Berks Co.) PA
Douglass Township, (Mont. Co.) PA
Doylestown Township, PA
East Norriton Township, PA
East Pikeland Township, PA
East Vincent Township, PA
Franconia Township, PA
Hatfield Township, PA
Hilltown Township, PA
Lansdale Borough, PA
Limerick Township, PA
Lower Frederick Township, PA

Perkiomen Township, PA
Philadelphia, PA
Phoenixville Borough, PA
Plumstead Township, PA
Plymouth Township, PA
Red Hill Borough, PA
Skippack Township, PA
Trappe Borough, PA
Upper Dublin Township, PA
Upper Frederick Township, PA
Upper Gwynedd Township, PA
Upper Hanover Township, PA
Upper Makefield Township, PA
Upper Merion Township, PA
Upper Salford Township, PA
Upper Uwchlan Township, PA
Warminster Township, PA
Warrington Township, PA

Lower Providence Township, PA
Lower Salford Township, PA
New Britain Township, PA
New Hanover Township, PA
Newtown Township, (Bucks Co.) PA
Newtown Township, (Del. Co.) PA
Northampton Township, PA
Ontelaunee Township, PA

West Bradford Township, PA
West Conshohocken Borough, PA
West Pottsgrove Township, PA
West Rockhill Township, PA
Whitpain Township, PA

Dearborn, MI
Palmyra, NJ
Jackson Township, NJ

7. C.V. of Ronald E. Klos, PE

PROFESSIONAL RESUME



RKLOS@BOHLERENG.COM

EDUCATION

M.S. Civil Engineering
Villanova University (1993)

B.S. Civil Engineering
Villanova University (1989)

PROFESSIONAL LICENSES

Pennsylvania PE #PE-045479-E

New Jersey PE #GE04507900

Ronald E. Klos, PE

Associate

Ron currently serves as Associate and Sr. Project Manager for Bohler's Chalfont Office, with over 25 years of experience in site civil engineering design. Ron is the Account Manager for some of Bohler's largest program clients in Pennsylvania and New Jersey, and continues to expand those relationships. He manages a team of approximately six staff members, and is responsible for the overall site design and management of his projects, as well as the workload of each of his staff. Ron's team specializes in single-family, town home and multi-family residential developments, and retail program work.

Ron is responsible for the daily communication with his clients, sub-consultant teams, reviewing agencies and general contractors. Ron also manages the financial aspect of his projects, developing proposals and contracts, tracking the budget, and monitoring invoicing.

Ron's design expertise includes feasibility and site investigation reports, concept development, program management and permitting.

Expert Testimony

Ron has testified on behalf of Bohler in various municipalities before Planning Commissions, Board of Supervisors, Zoning Hearing Boards and related municipal entities in Pennsylvania and New Jersey.

**8. § 195-10.2. Sumneytown Pike In-Fill and Traffic Management
Overlay District (Ordinance No 2018-012)**

Chapter 195. Zoning

Article V. District Regulations

§ 195-10.2. Sumneytown Pike In-Fill and Traffic Management Overlay District.

[Added 12-17-2018 by Ord. No. 2018-012]

- A. Legislative intent. It is the intent of the Upper Gwynedd Township Sumneytown Pike In-Fill and Traffic Management Overlay District to serve as an overlay district by conditional use in order to provide development/redevelopment opportunities, to improve the overall appearance of the Township, to improve traffic safety and reduce congestion along a selective distance of Sumneytown Pike. This district shall apply to any subdivision and land development application, change in use, or change in tenant which may necessitate a modification to or redesign of the site or an existing building. It is the intent of this overlay district to meet the following objectives:
- (1) Permit only uses having low-volume traffic generation and operations designed to attract little or no customer or client traffic other than residents or employees of the principal use.
 - (2) Establish parking standards with the specific intent of coordinating traffic between adjoining properties.

- (3) Reduce access points to improve traffic safety, circulation, and coordination.
- (4) Provide standards for screening of storage and loading areas, HVAC equipment, and other areas determined to detract from the aesthetic qualities of the streetscape and which shall be screened from view from adjacent residential uses not in the Overlay District.
- (5) Minimize the potential for traffic congestion, by providing incentives that require shared access points, cross access easements, shared parking areas, and a quality streetscape.
- (6) Increase the number of pedestrian and vehicular connections between adjacent properties to provide complementary and coordinated development of adjacent properties.
- (7) To provide regulating standards which require orderly, well-planned development and to ensure that the new buildings and additions enhance the surrounding streetscape, including incentives for burial of existing utilities within the right-of-way.
- (8) Establish a walkable streetscape by promoting a pedestrian orientation of streets and buildings and providing a safe and convenient interconnected sidewalk network.

B. Establishment of overlay district. The Upper Gwynedd Township Sumneytown Pike In-Fill and Traffic Management Overlay District shall be an overlay to the underlying zoning districts in the areas as depicted on the Upper Gwynedd Township Zoning Map. The following shall apply to the overlay district:

- (1) The provisions and requirements of the Upper Gwynedd Township Sumneytown Pike In-Fill and Traffic Management Overlay District shall be additional

and supplemental to the underlying district provisions.

(2) The Upper Gwynedd Township Sumneytown Pike In-Fill and Traffic Management Overlay District shall apply to those properties designated by the Board of Commissioners along Sumneytown Pike as more particularly identified on the Township Zoning Map.

C. Upper Gwynedd requirement for conditional use application. Any applicant desiring to improve property, submit a land development or perform an alteration to an existing building located in the Upper Gwynedd Township Sumneytown Pike In-Fill and Traffic Management Overlay District may apply for and obtain conditional use approval pursuant to the provisions of §§ **195-27.1**, **195-49** and **195-50** of this chapter, and said application shall be governed by the standards and criteria set forth in Subsection **D** below.

(1) The uses authorized in the underlying districts shall be permitted as provided in each district.

(2) The following uses shall be permitted when approved by conditional use:

(a) Mini-storage/self-storage facilities contained solely within a building.

(b) Multiple-family dwellings at a density not to exceed eight dwelling units per developable acre.

(c) Low-impact business or professional offices having not more than 6,000 square feet of gross floor area designed to attract little or no customer or client traffic.

(d) Uses of the same general character when approved by conditional use.

(e) Accessory uses customarily subordinate and incidental to a permitted use.

D. Conditional use standards and criteria.

- (1) Applicants shall be required to pursue, where feasible, cross-easement agreements with neighboring property owners for the purpose of creating a cohesive and efficient parking configuration and traffic circulation plan.
- (2) Applicants shall be required to reduce to the extent possible the number of existing curb cuts in order to improve traffic safety and circulation.
- (3) Appropriate fenced and/or landscaped screening shall be required around all HVAC equipment, service and loading areas, trash receptacles, and other areas deemed appropriate by the Board of Commissioners. A privacy fence, landscaped buffer, or both, shall provide screening along the side and rear property boundaries to residential and institutional zoning districts not in the overlay district.
- (4) To the extent feasible, applicants shall provide pedestrian and vehicular connections with adjacent properties to facilitate circulation.
- (5) Applicants shall, to the extent possible, consolidate two or more parcels, under separate ownership, prior to development, with the purpose of providing a more unified development.
- (6) The applicant shall appropriately landscape along the backside of the public sidewalk with low shrubs, ornamental walls and earth shaping. Where it is determined by the Board of Commissioners that insufficient space exists for such landscaping, it may be located elsewhere on the lot, at locations determined acceptable to the Board of Commissioners.
- (7) All outside lighting on the premises, including sign lighting, shall be arranged, designed and shielded or directed so as to protect the abutting streets and

highways and adjoining property from the glare of lights, and lighting shall be so shielded that the source of the light shall not be visible from any point outside the premises. No flashing or intermittent or moving lights shall be permitted, either freestanding, attached to a facade, or as part of any approved sign.

- (8) The following dimensional requirements shall apply to all properties within the Sumneytown Pike In-Fill and Traffic Management Overlay District:
 - (a) Maximum building height: two stories, not to exceed 30 feet.
 - (b) Front, side and rear yard setbacks. The front, side and rear yard setbacks for buildings and parking shall be no less than 10 feet, unless adjacent to an existing residential zoning district not in the overlay district, in which case the minimum side and rear yard setbacks shall be 50 feet.
 - (c) Parking setback. All parking shall be set back a minimum of 10 feet from the ultimate right-of-way along all Sumneytown Pike frontages, which may include the placement of sidewalks, landscaping and utilities.
- (9) Maximum impervious coverage: 50%, except that impervious coverage may be increased to a maximum of 65% through the cooperative actions by the property owner or land development applicant to comply with the sections as listed and described below. In order to take advantage of the additional bonus provision as well as further meet the intent of the Selective In-Fill and Traffic Management District, an applicant must provide the Township with three of the five following bonus provision options, listed below.
 - (a) Pedestrian and vehicular connections with adjacent properties to facilitate circulation.

- (b) Consolidation of two or more parcels, under separate ownership, prior to development, with the purpose of providing a more unified development.
 - (c) A minimum of one Township-qualified street tree having a minimum three-inch caliper and minimum height at planting of 10 feet to be installed along the back side of the public sidewalk for every 40 feet of property lot frontage width. Where it is determined by the Board of Commissioners that insufficient space exists for new street trees along the street frontage, they may be located elsewhere on the lot at locations determined acceptable by the Board.
 - (d) Renovation of existing building facades or the design of new buildings to provide a combination of masonry materials, such as stone, stucco, or brick in combination with wood or simulated wood siding, and decorative elements around windows and doors, such as columns, pediments, and shutters, and a roof plan. Flat roofs are not permitted unless screened by a parapet or other architectural element.
 - (e) Satisfy all required stormwater management and install a buffer which, at a minimum, shall meet the requirements of a screen buffer along a rear boundary adjacent to a residential district not in the Overlay.
- (10) A maximum of one thirty-foot-wide driveway plus required turning radii per street frontage shall be provided unless additional curb cuts are approved by the Township Commissioners in order to accommodate existing or proposed circulation deemed desirable by the Township, including installation of one-way movements limiting existing or proposed driveways to entrance or exit only.

(11) The following sign standards shall apply in addition to the regulations set forth in Article **VII**, Sign Regulations, of the Upper Gwynedd Township Zoning Code, as amended. Where the regulations of Article **VII** are in conflict with the standards of this section, this section shall control.

- (a) No off-premises advertising shall be permitted.
- (b) The maximum height of freestanding signs shall be seven feet. Ground monument signs are encouraged.
- (c) The maximum height of wall-mounted signs shall be 15 feet, provided that in no event shall any portion of a sign extend above the roof eaves line of the building to which the sign is attached.
- (d) Illumination shall be from interior sources only, unless the Board of Commissioners shall approve lighting from exterior sources which shall include a stipulated maximum wattage.
- (e) Signs with moving parts or light sources which shall flash or pulsate shall be prohibited. Signs with changeable copy (including digital reader boards) shall be prohibited unless permitted in the underlying zoning district.
- (f) One sign per property shall be permitted. The maximum sign area shall not exceed 24 square feet per side.
- (g) Signs shall be located behind (out of) the ultimate right-of-way of Sumneytown Pike.

(12) The Township Board of Commissioners may require an applicant to bury all utilities along Sumneytown Pike as a condition of approval.

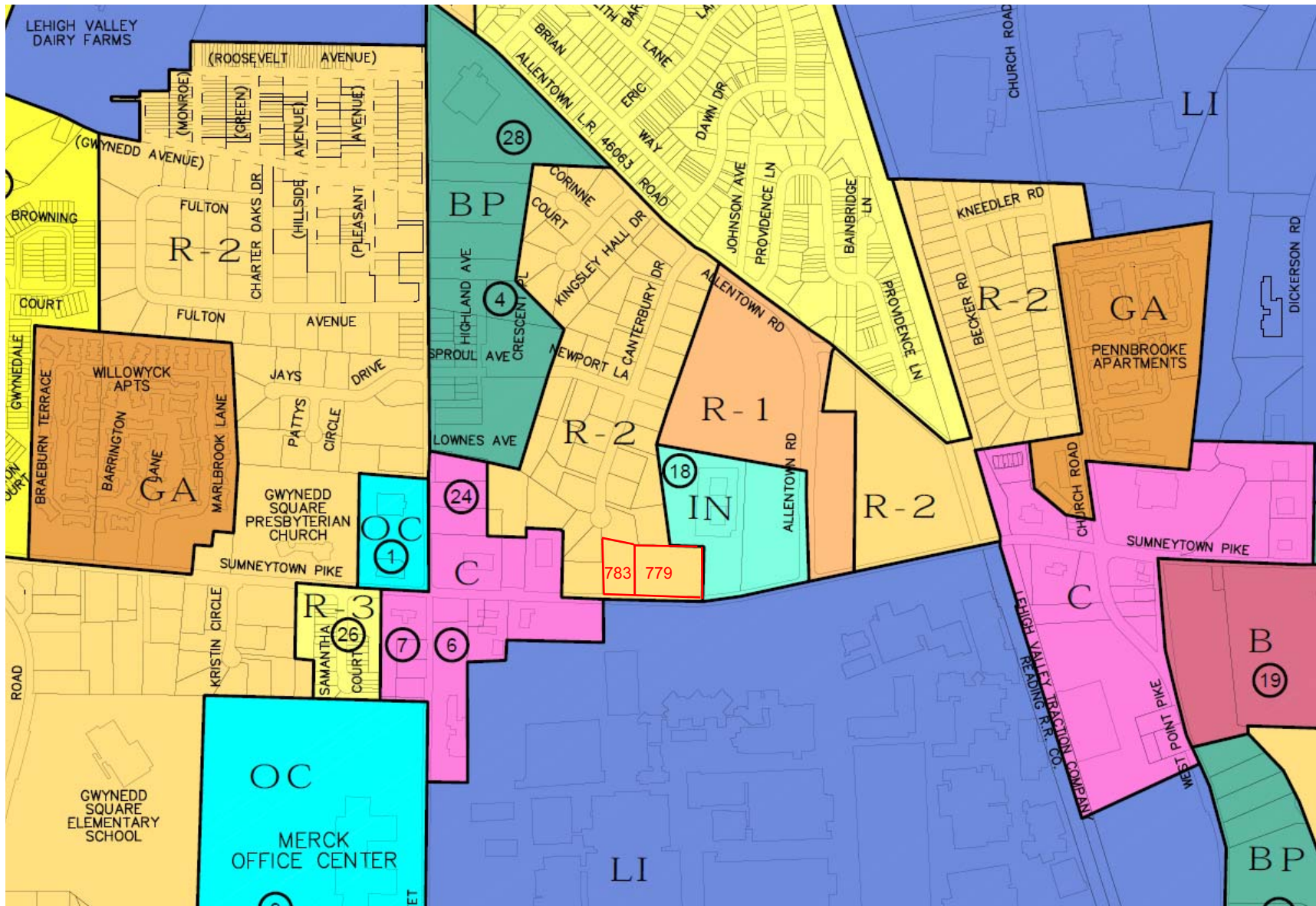
(13) Pedestrian standards.

- (a) Sidewalks are required to connect the street frontage sidewalks to all front building entrances, parking areas, central open space and any other destination that generates pedestrian traffic.
 - (b) Sidewalks shall connect to existing sidewalks on abutting tracts and other nearby pedestrian destination points and transit stops.
 - (c) Striped crosswalks shall be installed at any major intersection, at the discretion of the Township Board of Commissioners.
 - (d) Sidewalks shall be a minimum of four feet in width and separated from the curblin by a minimum of five feet of grass and landscaped area, which shall, in any event comply with the design standards contained herein unless the Board of Commissioners shall approve an alternative design.
 - (e) All sidewalks and pedestrian connections shall be located a minimum of five feet from any buildings to allow for landscaping unless arcades or entryways are part of the facade.
- (14) The Board of Commissioners may permit an alternative to the specific requirements of this section as well as the requirements of Article **VI**, Required Off-Street Parking and Loading, if the Board, based upon its review of specific studies or plans, determines that an improved development plan or better vehicular or pedestrian circulation will result.
- (15) Applicants for conditional use shall provide a traffic impact study in order to assess existing and proposed conditions, including standards enumerated at Subsection **D(1)** through (5)(above) which shall be subject to the independent review by the Township Traffic Consultant.

(16) Applicants for conditional use shall provide architectural renderings or elevations of all facades, proposed site development plan and detailed landscape plan which shall demonstrate the manner in which proposals satisfy the standards of this Subsection **D** and accomplish the applicable objectives of Subsection **A**, Legislative intent, contained herein.

[1] *Editor's Note: Former § 195-10.2, RO Residential Office District, added 5-23-2005 by Ord. No. 2005-3, was repealed 3-24-2014 by Ord. No. 2014-04.*

9. Zoning Map



10. Surrounding Land Uses

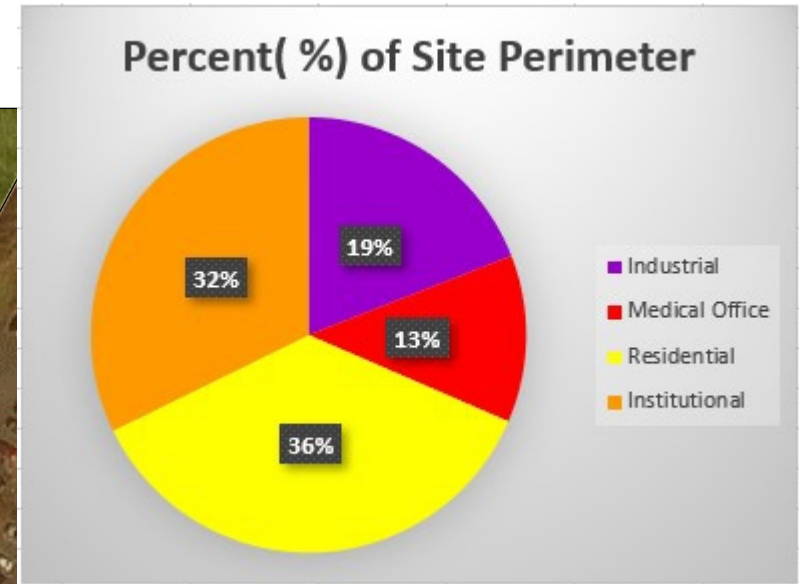
Carmichael Place: Surrounding Land Uses



| | Description: | Use: |
|---|--|-----------------------------|
| A | MerckPharmaceutical | Industrial |
| B | Wells FargoBank | Commercial |
| C | MarathonGas & Convenience Store | Commercial |
| D | NAPAService Station | Commercial |
| E | Brookview Corporate Cente | Office |
| F | CVSParmacy | Commercial |
| G | Dunkin DonutRestaurant | Commercial |
| H | Keiffe's Appliance | Commercial |
| I | Family Dentistry | Medical Office w/ residence |
| J | Gwynedd Healthcare & Rehabilitation Center | Institutional |
| K | Vacant Land (Friendship Cottage, LP) | Vacant Land |
| L | Vacant Land (Merck) | Vacant Land |
| M | North Wales Cemetery | Cemetery |

Source: CarriganGeo 2020

Carmichael Place: Adjoining Land Uses



| | | |
|----------------|-------------------|----------------|
| Industrial | 257 ft | 19.09% |
| Medical Office | 167 ft | 12.41% |
| Residential | 488 ft | 36.26% |
| Institutional | 434 ft | 32.24% |
| TOTAL: | 1346 ft ft | 100.00% |

Source: CarriganGeo 2020

11. Aerial



12. Elevation Exhibit

