

November 2, 2022

The Planning Agency will meet once this month. The meeting will be Wednesday, November 2, 2022 beginning at 7:00 p.m.

1. Shopping Center Zoning District (Apartments) – Text Amendment

APPLICATION FOR PUBLIC HEARING
TO CONSIDER AMENDMENT OR AMENDMENTS
TO THE PLYMOUTH TOWNSHIP ZONING ORDINANCE

7-042
C: COUNCIL
LAW MIKE

APPLICANT: PLYMOUTH MEETING KPG III LLC

610.980.7000

(phone)

ADDRESS: 125 E. Elm Street, Suite 400, Conshohocken, PA 19428

OWNER: Same as Applicant

(phone)

ADDRESS: _____

LEGAL COUNSEL (if represented) Robert W. Gundlach, Jr., Esq.

215 918 3636

(phone)

ADDRESS: c/o Fox Rothschild LLP 2700 Kelly Road, Suite 300, Warrington, PA 18976

APPLICANT REQUESTS AN AMENDMENT TO:

Article XI Section 1100, Paragraph _____ of the Zoning Ordinance as follows:

See attached proposed draft text amendment.

_____ The Zoning Map, in accordance with the accompanying plan. The area is presently classified _____ and is proposed to be reclassified to _____ (district) _____ (district)

CIRCUMSTANCES/REASONS SUPPORTING THE PROPOSED AMENDMENT: Allows for the redevelopment of an existing building. Testimony in support of this request to be presented at the hearing.

APPROXIMATE TIME SCHEDULE FOR BEGINNING AND COMPLETION OF PROPOSED DEVELOPMENT, IF KNOWN: One year

My (our) signature(s) authorize(s) permission to Plymouth Township Council and their representatives to enter thereon for inspection purposes.

I (We) certify that the information provided on this application and supporting documentation and plans are true and correct to the best of my (our) knowledge, information and belief.

I am (We are) XX Owner(s) of Legal Title
____ Owner(s) of Equitable Title
____ Tenant(s) with permission of Owner(s) of Title (Enclose letter attesting to same)

Date: 7/23/2021

[Signature]
Signature of Applicant

Signature of Applicant

Received By: _____

Date: _____

**PLYMOUTH TOWNSHIP,
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. _____

**AN ORDINANCE OF PLYMOUTH TOWNSHIP, MONTGOMERY COUNTY,
PENNSYLVANIA, PURSUANT TO ARTICLE VI OF THE PENNSYLVANIA
MUNICIPALITIES PLANNING CODE, AMENDING THE PLYMOUTH TOWNSHIP
CODE APPENDIX B, ZONING ORDINANCE, TO AMEND ARTICLE II SECTION
200 BY ADDING A NEW DEFINITION FOR HIGH-RISE APARTMENT HOUSE,
AND AMENDING ARTICLE XI, SECTION 1100, OF THE ZONING ORDINANCE
TO PERMIT HIGH-RISE AND MID-RISE APARTMENT USE IN THE SHOPPING
CENTER DISTRICT BY CONDITIONAL USE.**

The Council of Plymouth Township, Montgomery County, Pennsylvania, does hereby enact and ordain the following:

WHEREAS, Article XXII of the Plymouth Township Zoning Ordinance and Section 609 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 106909, authorize the Township of Plymouth to enact amendments to the Plymouth Township Zoning Ordinance.

WHEREAS, apartment uses are not listed as permitted uses in Section 1100 of the SC Zoning District.

WHEREAS, an applicant has proposed to allow mid-rise apartments and high-rise apartments in the SC Zoning District, subject to certain regulations.

WHEREAS, the Council of Plymouth Township has determined that it is in the best interests of the municipality to adopt this Ordinance amending the Plymouth Township Zoning Ordinance.

WHEREAS, the Council of Plymouth Township has determined that this Ordinance is generally consistent with the Township's Comprehensive Plan; and

WHEREAS, a public hearing was held for the purpose of considering this amendment to the Plymouth Township Zoning Ordinance; and

WHEREAS, the Council of Plymouth Township, after a public hearing, and after receipt of recommendations from the Plymouth Township Planning Agency and the Montgomery County Planning Commission, deems it appropriate and proper that the Zoning Ordinance be amended to permit mid-rise apartments and high-rise apartments within the SC Zoning District, under certain conditions, and finds that such ordinance modifications are in accordance with the spirit and the intent of the Plymouth Township Zoning Ordinance and Comprehensive Plan.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Council of Plymouth Township, Montgomery County, Pennsylvania that the Plymouth Township Zoning Ordinance is hereby amended as follows:

1. TEXT AMENDMENT.

SECTION 200 of the Zoning Ordinance is hereby amended to add a definition for a high-rise apartment house, as follows:

HIGH-RISE APARTMENT HOUSE

An apartment house containing six or more habitable stories. Residential units within a high-rise apartment house may be offered for sale or for rent.

SECTION 1100 of the Zoning Ordinance is hereby amended to add a new subsection 1100.Q., to read as follows:

- Q. Mid-rise apartments and high-rise apartments, only when (i) an existing building, previously or currently used for office purposes, is being converted into mid-rise apartments or high-rise apartments, and (ii) authorized as a conditional use. The development of mid-rise apartments and high-rise apartments pursuant this subsection shall be subject to the provisions of Article XXXVI of this ordinance and the specific development standards of Section 1101.2.

SECTION 1100 of the Zoning Ordinance is hereby amended to renumber existing subsections 1100.Q, 1100.R, and 1100.S to 1100.R, 1100.S, and 1100.T, respectively.

SECTION 1101 of the Zoning Ordinance is hereby amended to delete, in its entirety, subsection 1101.F.(2)(b)4.

SECTION 1101 of the Zoning Ordinance is hereby amended to revise subsection 1101.L.(2) to read as follows:

- (2). High-rise apartment buildings, hotels, motels, or motor courts shall not exceed one hundred (100) feet in height, except when an existing building is being converted to high-rise apartments and the height of the existing building already exceeds one hundred (100) feet.

ARTICLE XI of the Zoning Ordinance is hereby amended to add a new Section, 1101.2, which reads as follows:

1101.2. Development Requirements for mid-rise apartments and high-rise apartments in the Shopping Center District.

Mid-rise and high-rise apartments shall comply with the applicable requirements of the Shopping Center District except as specifically modified by this section, as follows:

- A. Minimum district area. The minimum size of a Shopping Center District in which mid-rise apartments or high-rise apartments may be located shall be 50 acres.

- B. Setbacks. The mid-rise apartments or high-rise apartments shall be located a minimum of 100 feet from the boundary of the Shopping Center District and a minimum of 75 feet from the ultimate right-of-way of any street.
- C. Project Density. The maximum density within any Shopping Center District shall be 30 units per gross acre, based only upon the acreage of the property proposed for redevelopment, with no more than 50 units in any one (1) mid-rise apartment building, and no more than 150 units in any one (1) high-rise apartment building. For the purpose of calculating density and the maximum number of allowable units, the area of a lot subject to redevelopment shall be the area existing on the date of enactment of this ordinance amendment.
- D. Shopping Center District Density. In addition to the project density specified in subsection 1101.2.C above, a maximum of 150 apartment units shall be permitted on any property subject to redevelopment pursuant to section 1101.2; and a maximum of 300 apartment units shall be permitted within an SC Zoning District. In the event multiple applications are pending before the Township which, if granted, would exceed the 300 unit maximum, the applications will be considered in the order in which preliminary approval is granted. When preliminary approval of an application would cause the number of approved apartment units to exceed 300 units in the SC Zoning District, the application shall be denied. Conditional Use approval for apartment units shall be conditioned upon compliance with the unit maximum at the time of preliminary plan approval.
- E. Building Spacing. All mid-rise apartment buildings shall be spaced at least 100 feet from each other, and all high-rise apartment buildings shall be spaced at least 250 feet from each other.
- F. Parking. Off-street parking spaces for mid-rise apartments and high-rise apartments shall be provided at the rate of 1.5 spaces per dwelling unit.
- G. Amenity Space. Any mid-rise or high-rise apartment building use in the Shopping Center District shall provide a minimum of 30 square feet of amenity space for each apartment unit for the exclusive use of the occupants of the apartments. In no case shall the amenity space total less than 1,500 square feet. Amenity space may include, but shall not be limited to: fire pits, dog walking areas, barbeque grills, fitness areas, media rooms, and gathering rooms. Amenity space may be located inside or outside of the apartment building.
- H. Unit Mix. Mid-rise apartments and high-rise apartments in the Shopping Center District may contain a mix of efficiency, 1 bedroom and 2 bedroom units, provided that no more than 50% of the total number of units in an apartment building shall be 2 bedroom units.
- I. Transportation Impact Study. Any conditional use application for development under this section shall include a traffic impact study prepared in accordance with accepted

methodology and containing any supplemental information deemed necessary by the Plymouth Township Traffic Engineer. The scope of the study shall be approved by the Township Traffic Engineer, and must include an analysis of parking requirements, pedestrian connections, site circulation, and any required off-site improvements.

- J. Fiscal Impact Study. Any conditional use application for development under this section shall include a fiscal impact study prepared in accordance with accepted methodology and containing any supplemental information deemed necessary by the Plymouth Township Planner.
- K. Sanitary Sewer Study. Any conditional use application for development under this section shall include a sanitary sewer study prepared in accordance with accepted methodology and containing any supplemental information deemed necessary by the Plymouth Township Municipal Engineer. The study must show that there is adequate capacity to properly convey all anticipated flows from the proposed development.
- L. Buffering and Berming. The buffer requirements in Section 1706 and the berming requirements in Section 1707 shall not be applicable for the conversion of an existing building for use as mid-rise apartment and/or high-rise apartments when surrounded by other commercial uses and part of a larger shopping center.

2. SEVERABILITY. It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provision of this Amendment to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Amendment shall continue to be separately and fully effective. The Council hereby declares that it would have passed this Amendment and each Section or part thereof, other than the part declared invalid, if the Council had advanced knowledge that any part would be declared invalid.

3. REPEALER. Any resolution, ordinance or part of any ordinance or resolution inconsistent herewith, and any amendments thereof, are hereby expressly repealed and the provisions of this Ordinance shall prevail.

4. RATIFICATION. In all other respects, the provisions of the Plymouth Township Zoning Ordinance, as amended, shall remain in full force and effect.

5. EFFECTIVE DATE. This Zoning Ordinance Amendment shall become effective on the 31st day after adoption.

ENACTED and ORDAINED this _____ day of _____, 2022.

PLYMOUTH TOWNSHIP COUNCIL

Attest: _____

Name: _____

Title: _____

By: _____, Chairman