

**BOARD OF SUPERVISORS
LOWER GWYNEDD TOWNSHIP**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF LOWER GWYNEDD, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE LOWER GWYNEDD TOWNSHIP CODE OF ORDINANCES, PART TWELVE PLANNING AND ZONING CODE, TITLE SIX ZONING, CHAPTER 1276 MF-3 MULTI-FAMILY RESIDENTIAL DISTRICT, SECTION 1276.09 "REGULATIONS AND STANDARDS FOR A MIXED-USE DEVELOPMENT" TO AMEND THE FRONT YARD SETBACK FOR MULTIFAMILY APARTMENT BUILDINGS AND OFFICE BUILDINGS WHEN ADJACENT TO ROUTE 309, REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, § 1506 of the Second Class Township Code, Act of May 1, 1993, P. L. 103, No. 69, as amended by the Act of November 9, 1995, P. L. 350, No. 60, at 53 P.S. §66506, entitled "General Powers", section 601 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10601, and, section 1299.12 of the Lower Gwynedd Township Zoning Ordinance, as amended ("**Zoning Ordinance**") authorizes the Lower Gwynedd Township ("**Township**") Board of Supervisors ("**Board**") to enact and amend ordinances necessary for the proper management, care and control of the Township and the maintenance of the health and welfare of the Township and its citizens; and

WHEREAS, an amendment to the Zoning Ordinance is proposed to amend the front yard setback for multifamily apartment buildings and office buildings when adjacent to Route 309 in the Township's MF-3 Multi-Family Residential District ("Proposed Amendment"); and

WHEREAS, a public hearing was held, following notice, for the purpose of considering this Proposed Amendment; and

WHEREAS, the Board, after receipt of recommendations from the Lower Gwynedd Township Planning Commission and the Montgomery County Planning Commission, deems it appropriate and proper that the Zoning Ordinance be amended by the Proposed Amendment; and

WHEREAS, the Board has determined that amending the MF-3 Multifamily Residential District to permit a reduced front yard setback adjacent to Route 309 is warranted to enhance development and the economic vitality of the Township within that district.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Lower Gwynedd Township, Montgomery County, Pennsylvania, and it is enacted and ordained as follows:

Section 1: Title Six, "Zoning", Chapter 1276 "MF-3 Multifamily Residential District", Section 1276.09 entitled "Regulations and Standards for a Mixed-Use Development", is amended such that (c)(1) is amended to read as follows:

§ 1276.09 Regulations and Standards for a Mixed-Use Development.

The following regulations and standards shall apply to a Mixed-Use Development. In the case of a conflict with any other sections of the Zoning Ordinance, the provisions of this section shall apply.

(c) Yards.

(1) *Front Yard for a Mixed-Use Development*

A. *For multifamily apartment buildings and office buildings there shall be a front yard, which shall not be less than 200 feet in depth except when the front yard is adjacent to Route 309 the front yard shall not be less than 50 feet in depth.*

B. *For all other permitted uses there shall be a front yard which shall not be less than 100 feet in depth except when the front yard is adjacent to Route 309 the front yard shall not be less than 50 feet in depth.*

Section 2: Repeal and Ratification. All other sections, parts, and provisions of the Zoning Ordinance and Map shall remain in full force and effect as previously enacted.

Section 3: Severability. The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decisions of the court shall not impair the validity of any of the remaining sections, clauses, sentences, part or provisions of the Ordinance. It is hereby declared the intent of the Lower Gwynedd Township Board of Supervisors that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included herein.

Section 4: Effective Date. This Ordinance shall become effective five (5) calendar days after the date of enactment.

ORDAINED AND ENACTED by the Board of Supervisors of Lower Gwynedd Township, Montgomery County, Pennsylvania, this ____ day of _____, 2026.

Attest:

**LOWER GWYNEDD TOWNSHIP
BOARD OF SUPERVISORS**

Mimi Gleason, Township Manager

By: _____
Danielle A. Duckett, Chairperson

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

Jamila H. Winder, Chair
Neil K. Makhija, Vice Chair
Thomas DiBello, Commissioner

www.montgomerycountypa.gov



**Montgomery County
Planning Commission**

Montgomery County • PO Box 311
Norristown, PA 19404-0311

610-278-3722
planning@montgomerycountypa.gov

Scott France, AICP
Executive Director

April 15, 2026

Ms. Jamie Worman, Assistant Township Manager
Lower Gwynedd Township
1130 North Bethlehem Pike, Box 625
Spring House, Pennsylvania 19477

Re: MCPC #24-0218-002
Plan Name: BT 309 Development
Situates: Norristown Road (north), Route 309 Expressway (east)
Lower Gwynedd Township

Dear Ms. Worman:

We have reviewed the above-referenced zoning map and text amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on March 5, 2026. We have also reviewed a conditional use application included with this submission. We forward this letter as a report of our review.

BACKGROUND

The applicant, BT 309, LLC, requests a zoning map amendment for a 24.1-acre tract of land located at 321 Norristown Road (County Parcel ID 39-00-02956-00-2) in Lower Gwynedd Township to rezone the property from the D-1 Special Use District to the MF-3 Multifamily Residential District. The site is currently developed with a two-story and a three-story office building and is located adjacent to U.S. Route 309.

Along with the map amendment, a zoning text amendment aims to revise the Lower Gwynedd Township Zoning Code to add a new mixed-use development option within the MF-3 Multifamily Residential District. The amendment permits, through conditional use, a mix of multifamily residential, including workforce housing, as well as office, retail, restaurant, and related commercial uses on properties fronting a major roadway.

The text amendment clarifies use permissions and development standards specific to mixed-use projects, including dimensional regulations, parking requirements, building height limits, and design criteria. It also introduces provisions related to workforce housing and residential parking structures, allowing density incentives and structured parking under certain conditions. The applicant states that this text amendment aims to create a coordinated mixed-use development option within the MF-3 District.

The applicant has also submitted a conditional use application and a conceptual site plan for a proposed mixed-use development on the subject parcel, designed in accordance with standards outlined in the zoning text amendment. The plan involves demolishing an existing two-story office building on the site and constructing a four-story multifamily apartment building with 278 units, including an internal parking structure that provides 433 spaces, while retaining an existing three-story office building with 315 parking

spaces. The proposal also includes the planned construction of three new commercial buildings totaling approximately 46,750 square feet (30,750 SF, 12,000 SF, and 4,000 SF, respectively), served by 234 parking spaces, along with internal circulation, pedestrian walkways, and landscaped areas. The conditional use plan outlines how the proposed residential, office, and limited retail components would operate together as a coordinated mixed-use campus.

The Montgomery County Planning Commission (MCPC) previously reviewed ordinances related to the applicant's property and submitted comments to the township in a letter dated November 14, 2024. The letter stated that the map amendment largely aligns with the objectives and themes of the Montgomery County Comprehensive Plan, *Montco 2040: Shared Vision*. We also supported the proposed MF-3 District text amendment but identified areas for refinement before adoption. Comments focused on clarifying the administration of workforce housing requirements, addressing concerns about redundant reporting, and improving sustainability through reduced impervious coverage, green parking strategies, and incentives for structured parking. Our office also recommended adding design standards to manage better the massing of taller multifamily buildings, such as façade step-backs, and supported reduced parking ratios to provide greater design flexibility while promoting more sustainable development outcomes.

COMPREHENSIVE PLAN COMPLIANCE

TOWNSHIP COMPREHENSIVE PLAN

The ordinance amendments and plan generally align with the township's land use goals and objectives outlined in the Lower Gwynedd Comprehensive Plan 2045 DRAFT.

According to the document's Future Land Use Map (Map 2.2), the applicant's property is classified as "Mixed-Use." As stated, the category may be described as:

"Pedestrian-friendly existing commercial sites, typically on busier roads, that allow for flexibility of uses to serve residents. Uses may include a mix of retail, service, office, and institutional uses, as well as residential. Adaptive reuse of historic buildings is encouraged. Uses can be mixed within a building. Streetscape design will help to create attractive, walkable, and engaging places."

The draft indicates that the Lower Gwynedd 2045 Future Land Use Plan, as shown on Map 2.2, largely corresponds to the future land use categories outlined in the Montgomery County Future Land Use Plan. Apart from township parks, open space, preserved farmland, and other conservation lands, the entire township falls within the Designated Growth Area, as shown on the "Development Potential Map" in the Montgomery County Comprehensive Plan, *Montco 2040: A Shared Vision*.

RECOMMENDATION

MCPC supports this proposal; however, during our review, we found the following issues that the applicant and municipality may want to consider before final plan approval.

REVIEW COMMENTS

ZONING TEXT AMENDMENT

- A. Conditional Use Application Requirements (\$1276.09. (e). (1)). Our office suggests adding additional application standards to this ordinance. We note, for example, that the ordinance appears to contain no requirement for a community impact statement.

Such information would support informed, transparent decision-making, help identify mitigation measures early in the review process, and ensure that approvals are based on documented evidence of community compatibility rather than on assumptions or isolated project details.

- B. Conditional Use Standards for Consideration. The text amendment includes a provision stating that a mixed-use development, as defined by the ordinance, “shall be permitted when authorized by conditional use, in accordance with §1298.07 Conditional Uses.” We note that the conditional requirements listed in Section 1298.07 are general. It is suggested that the MF-3 District requirements be amended to include specific and measurable development-related standards for conditional use approval.

Specific conditional use requirements are crucial because they promote consistency and fairness, ensuring that certain land uses are approved reliably and in accordance with clear standards. By requiring applicants to demonstrate compliance with the ordinance's criteria, municipalities can provide flexibility for more complex or higher impact uses while still protecting public health, safety, and neighborhood harmony. These requirements can also improve the legal defensibility of decisions by linking approvals or denials to objective findings of fact, thereby providing transparency for the public and predictability for applicants.

- C. Master Plan Requirements (§1276.09. (e). (2)). The text amendment requires the preparation and submission of a master plan. While adequate, MCPC suggests that the standards in this section could be improved by adding language specifying that the master plan should be consistent with tentative sketch plan requirements, pursuant to §1230.13 of Chapter 1230, Subdivision and Land Development. Additionally, the language should specify that the master plan include landscape planting information for the entire tract and depict pedestrian accommodations on the development tract in logical locations to facilitate “pedestrian movement between buildings, between buildings and parking areas, and between buildings, parking areas, and open spaces.”
- D. Open Space Requirements. We note that the ordinance, as written, lacks any open space requirements. Providing open space is essential in a mixed-use development with offices, retail, and apartments, as it balances density with livability and functionality. In a mixed-use environment, open space serves as shared, adaptable infrastructure supporting various user groups—residents, employees, customers, and visitors—by offering areas for recreation, informal gatherings, respite, and visual relief from buildings and parking. It helps organize the site by establishing logical relationships among uses, improving orientation and walkability, and fostering a unified sense of place rather than a collection of isolated components.
- E. Density-Bonus (§1276.09. (h). (1)). The ordinance includes a density-bonus option that allows a bonus for providing workforce housing on the site.

Density-bonus options are widely regarded as an effective zoning tool because they offer flexibility and incentives that align private development choices with public planning objectives. Rather than relying solely on strict base-density limits, a density-bonus system enables municipalities to promote desired outcomes, such as affordable housing, open space preservation, improved design quality, pedestrian amenities, sustainability features, or structured parking, by granting additional development capacity in return. This incentive-based approach is often more effective and justifiable than mandates because it allows developers to participate where the bonus makes economic and design sense.

Accordingly, consideration should be given to amending the ordinance to include additional bonus options for items such as gathering spaces, seating, or open space.

- F. Off-Street Parking and Loading (§1276.09. (i)). The proposed amendment introduces special mixed-use development parking standards that partially duplicate the township's existing parking requirements and, in some cases, differ from them by setting lower minimum parking requirements. It also includes a separate parking-reduction provision under §1276.09.(i).(8). For example, §1276.09.(i).(4) requires "one parking space for every 100 square feet of floor space devoted to patron use" for restaurants, while existing municipal parking standards in §1294.01(b).(11) mandate *two parking spaces for every 50 square feet of floor space devoted to patron use*. Meanwhile, according to a proposed parking reduction regulation in this ordinance, "the total parking may be reduced by a maximum of up to 20%, provided the applicant can demonstrate the reduction is warranted through the submission of a parking study."

This structure inadvertently risks double-counting the reduction in intent, lowering the baseline, and allowing additional relief, while also introducing internal inconsistencies when mixed-use standards differ from the globally adopted parking rules, all without a clear policy rationale. The township may wish to clarify whether mixed-use parking efficiencies should be addressed by adjusting base parking ratios or by applying parking reduction standards. We advise using only one approach, not both.

A cleaner approach is to do one of the following: keep base parking standards consistent with (or clearly tied to) the global parking requirements and rely on the parking reduction provisions to provide flexibility for mixed-use developments; or intentionally set lower base parking ratios for mixed-use development to reflect shared parking efficiencies, but then limit, narrow, or clearly recalibrate the separate reduction provisions so they are not redundant. What should be avoided is a system in which it is unclear which standards apply or whether a mixed-use project can benefit from both reduced base ratios and reduction waivers without a policy check.

- G. "Common Architectural Theme" (§1276.09. (p)). The language in the text amendment states that "all new buildings within the Mixed-Use Development shall be constructed in accordance with an overall plan and a common architectural theme as approved by the Board of Supervisors during the conditional use stage." While consistent with the master plan requirements, we note that the ordinance appears to lack appearance or design standards for *existing* buildings on the development site that may be retained or repurposed. Without such requirements, it is unclear how a proposed mixed-use development comprising existing and new buildings will function as a unified whole.

Therefore, it is advised that this section be revised or amended to include language or provisions that ensure buildings retained and integrated into the development shall be "architecturally consistent" in terms of materials, massing, or style.

- H. Parking Structures (§1298.20. (b). (6)). The applicant has proposed amendments to regulations governing parking structures, under which "total building coverage may be increased from 20% to 30% if a parking structure is included as part of the Mixed-Use Development." While adequate, we note that a parking garage would typically result in a corresponding *reduction in surface parking and paved area*, but the amendment does not include a parallel adjustment to the maximum impervious coverage. As drafted, the provision therefore allows additional building footprint without explicitly ensuring that the overall impervious surface area is reduced or even held constant. This creates a policy disconnect between the stated intent of encouraging structured parking and the quantitative standards governing site coverage and stormwater impacts.

To fully align the incentive structure with the underlying site design and environmental objectives, the ordinance should be clarified to require that any increase in allowable building coverage associated with a parking garage be offset by a *proportional reduction in permitted impervious coverage* or be conditioned on documented reductions in surface parking area. This approach would ensure that the

incentive for structured parking yields a net benefit to the site rather than an unintended increase in overall site coverage intensity.

CONDITIONAL USE PLAN SUBMISSION

A. General Comment. The proposed development generally meets applicable land development standards and reflects a conventional approach to site design. While the project is functional and appropriate in many respects, it takes a largely utilitarian approach that does not fully leverage opportunities to enhance the streetscape, strengthen placemaking elements, or incorporate more forward-looking sustainability practices. As the proposal moves forward, consideration should be given to refinements that better address the pedestrian experience, public-realm design, and long-term environmental performance, helping the development more fully realize the site's potential and contribute positively to community character.

B. Central Open Space/Amenity Area. While we commend the applicant for including a proposed passive recreation area with a bird sanctuary in the rear of the site, we recommend that this mixed-use development include open space or an "amenity area" for residents and/or a public gathering area for visitors or office workers.

At minimum, the gathering space should function as a usable civic-scaled outdoor room that supports informal social interaction, enhances walkability between mixed-use components, and contributes to placemaking objectives. The space should be expressly designed for people, not vehicles, and should reinforce the development's mixed-use character and pedestrian orientation.

C. Pedestrian Circulation. The pedestrian circulation system is acceptable at a preliminary level; however, further refinement is encouraged to improve walking connectivity between the site's land uses and to support a more integrated, mixed-use development pattern. Plans should also place greater emphasis on providing clear, continuous, and ADA-accessible pedestrian routes among the office, retail, open space, and multifamily components to ensure safe, equitable access for all users. At a minimum, we recommend providing a pedestrian connection to the passive recreation area.

In a related issue, the pedestrian circulation pattern from the rear office parking area to the building entrance is unclear, and additional consideration may be needed to provide a safe, direct pedestrian route that minimizes conflicts with internal vehicular movements.

Lastly, safe pedestrian access from the adjacent residential development to the retail portion of the site is not clearly addressed, particularly given the placement of a central vehicular access drive. Additional pedestrian crossings and traffic-calming features may be necessary to reduce potential pedestrian-vehicle conflicts.

D. Emergency Access. The plan shows an emergency access road/drive on the site. We defer to the Township Engineer and Township Fire Marshal to assess whether the proposed layout and alignment are sufficient.

CONCLUSION

We reiterate that the MCPC generally supports these map and text amendments and overall conditional use plan; however, we recommend that municipal officials consider the issues raised in this letter.

Please note that the review comments and recommendations in this report are advisory to the municipality, and final disposition on the approval of any proposal will be made by the municipality.

Should the governing body adopt the proposed zoning ordinance amendments, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,

A handwritten signature in black ink that reads "Kevin Chavous". The signature is written in a cursive, flowing style.

Kevin Chavous, ASLA, SITES AP, LEED AP, WELL AP, CNU-A, AICP CUD
Design Planner II
610.278.3731 e-mail kevin.chavous@montgomerycountypa.gov

c: Peter Clelland, BET Investments, Inc., Applicant
Julie Von Spreckelsen, Esq., Eastburn and Gray PC, Applicant's Representative
Bohler Engineering, Applicant's Engineer
Mimi Gleason, Township Manager
Kenneth Amey, AICP, Township Zoning Officer
Craig Melograno, Chairman, Township Planning Commission
Neil Stein, Esq., Township Solicitor