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BOROUGH OF JENKINTOWN

~~SUBDIVISION/LAND DEVELOPMENT APPLICATION~~
CONDITIONAL USE

Jenkintown Borough

Date Submitted _____

Name of Development _____
Address/Location 459-471 Old York Road, TMP: 10-00-05524-001; 10-00-05520-00-5; 10-00-05516-00-9

Name, Address & Phone No. of:
Applicant 459-471 Old York Road, LLC 10063 Sandmeyer Lane, Philadelphia, PA 19116
Land Owner Same as Applicant
Equitable Land Owner _____

Title of Plan Submitted 459-471 Old York Road, Zoning Plan

Plan Type: Land Development _____ Minor Land Development _____ Subdivision _____ Conditional Use X

Plan Status: Sketch _____ Preliminary _____ Final _____ N/A

Plan Dated October 6, 2022

Name, Address & Phone No. of:
Engineer Holmes Cunningham 401 E. Butler Ave, Unit 5, Doylestown, PA 18901
Architect _____

Attorney Matthew J. McHugh, Esquire & Leonard B. Altieri, III, Esquire, Klehr Harrison Harvey Branzburg, LLP 1835 Market Street, Suite 1400 Philadelphia, PA 19103

Zoning District (s) NCR Block & Unit No. _____

Tract Area in Acres _____ No. of Proposed Lots/Bldgs. 1 Building (Three lots to be reverse subdivided into two.)

Give brief narrative of proposed use of land/buildings. Commercial applications include building square footage and specific uses; residential applications include number of lots and amount of dwelling unit types: See attached Addendum.

Tenure: Sale _____ Rent X Condominium _____ Unknown _____

State any requirements of the Zoning Code and Subdivision and Land Development regulations that are not complied with and reason for noncompliance: See attached Addendum.

The undersigned hereby makes application for approval of plan type indicated above, under provisions of the Code of The Borough of Jenkintown, Chapter 160, and any supplements and amendments thereto.

Matthew J. McHugh
(Signature of Applicant)
Attorney

Matthew J. McHugh
(Signature of Land Owner)
Attorney

OVER

Application is complete and accepted by _____ Date _____
FEE _____ Receipt # _____

Twenty (20) copies of the Plan must be submitted with this application. Additional copies may be needed if major revisions are required. Plan size should be no larger than 24" x 36".

NOTE: FAILURE TO FULLY COMPLETE THE APPLICATION COULD BE CAUSE FOR ITS REJECTION.

BOROUGH OF JENKINTOWN

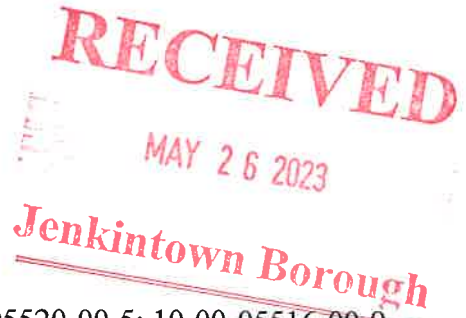
ADDENDUM TO CONDITIONAL USE APPLICATION

Applicant: 459-471 Old York Road, LLC
10063 Sandmeyer Lane
Philadelphia, PA 19116

Owner: Same as Applicant

Subject Property: 459-471 Old York Road
Jenkintown, PA
TMP: 10-00-05524-001; 10-00-05520-00-5; 10-00-05516-00-9

Attorney: Matthew J. McHugh, Esquire
Leonard B. Altieri, III, Esquire
KLEHR HARRISON HARVEY BRANZBURG, LLP
1835 Market Street, Suite 1400
Philadelphia, PA 19102
mmchugh@klehr.com/laltieri@klehr.com
215-569-1662/215-569-4364



Relief Requested:

1. A conditional use from Section 181-49(B)(1) of the Borough of Jenkintown Zoning Ordinance (the "Zoning Ordinance") to permit an "Apartment Building" on proposed Lot 1 of the Subject Property within the NCR Neighborhood Commercial Residential District.

Summary of Application

The Applicant is the owner of the Subject Property, which consists of three separate parcels located at 459-471 Old York Road at the intersection of Old York Road and Cherry Street. The Applicant proposes to consolidate the parcels and then subdivide to create two new lots. The existing building located closest to the intersection will be demolished and proposed Lot 1 will be redeveloped as 4 story, 51 unit Apartment Building. The existing mixed-use building at 471 Old York Road will remain on proposed Lot 2.

An Apartment Building is permitted by Conditional Use in the NCR-Neighborhood Commercial Residential District pursuant to Section 181-49(B)(1) of the Borough of Jenkintown Zoning Ordinance. The Applicant is also seeking zoning relief from the Jenkintown Borough Zoning Hearing Board in connection with the creation of the proposed lots and the development of the proposed Apartment Building.

In connection with this Application, the Applicant has submitted the following depicting the proposed redevelopment: (1) a Zoning Plan prepared by Holmes Cunningham Engineering and

dated October 6, 2022, last revised May 24, 2023; and (2) Architectural Renderings prepared by Brommer Architects, LLC.

The proposed Conditional Use will comply with the specific conditional use criteria for an "Apartment Building," set forth in 181-49(B)(1) and 181-54(B) of the Zoning Ordinance except for those requirements where the Applicant has sought zoning relief. Specifically, the Applicant is requesting zoning relief to forego or reduce the amount of required office or retail uses on the first floor of the proposed building. [The Applicant is also seeking zoning relief from some of the Apartment Building design standards set forth in 181-54(B) of the Zoning Ordinance.

The Applicant will demonstrate compliance with the general conditional use standards and criteria set forth in the 181-99 of the Zoning Ordinance as follows:

1. The development of the Subject Property will not be in serious conflict with other Borough ordinances or state or federal laws or regulations that the Borough Council has clear knowledge of.
2. The development of the Subject Property will be generally consistent with the adopted Comprehensive Plan.
3. The proposed development of the Subject Property will not result in or significantly add to a serious traffic hazard or serious traffic congestion.
4. The proposed development of the Subject Property will not create a significant public safety hazard, including fire, toxic or explosive hazards.
5. The proposed development of the Subject Property will involve adequate site design methods, including evergreen screening, setback, berming and traffic control, to avoid serious negative influences on adjacent uses.

Conclusion

At the hearing on this matter, the Applicant will present sufficient credible testimony and evidence to support its entitlement to the Relief Requested.

459 FLATS
459 Old York Road
Jenkintown, PA 19046

Owner/Contractor

C&C Construction Management Inc
10063 Sandmeyer Lane
Philadelphia, PA 19116
P: 215 673 1799
W: cccmgmt.com

Architecture

BROMMER ARCHITECTS, LLC
723 Electronic Drive, Suite 300
Horsham, PA 19044
P: 215 657 4010
F: 215 657 4340

MAY 26 2023

Jenkintown Borough

