

TOWNSHIP OF LOWER MERION

Issue Briefing

Building and Planning Department

Topic: 6 Lancaster Avenue, Palmer Apartments, Conditional Use Recommendation

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Date: October 11, 2016

I. Action to be Considered by the Board:

The Board of Commissioners is requested to make a determination as to whether the required stormwater management for the reserve parking should be installed with the overall project or if the installation can be delayed until such time as some or all of the reserve parking is installed.

II. Why This Issue Requires Board Consideration:

Zoning Code Section 155-95.1D states:

“The applicant shall install stormwater management facilities, as required by the Township, for the total required number of parking spaces, including those held in reserve, unless the applicant demonstrates to the Board's satisfaction that the economic and practical benefit of currently installing such facilities for the reserve parking spaces is not significant when compared to the destruction that would be caused to natural features on the site.”

The Township’s Hearing Officer conducted the hearing for this conditional use application and her recommendation is attached. She noted that insufficient testimony was given for her to render a decision on the applicant’s request to not construct the stormwater for the reserve parking until such time as the reserve parking is installed.

III. Current Policy or Practice (If Applicable):

N/A

IV. Other Relevant Background Information:

According to the Hearing Officer, the applicant’s request to not install stormwater management facilities for the reserve parking was not specified in the conditional use application or adequately supported by expert testimony at the hearing. Per the above referenced code section, the applicant must demonstrate that the “economic and practical benefit of currently installing such facilities for the reserve parking spaces is not significant when compared to the destruction that would be caused to natural

features on the site.” The applicant’s Landscape Architect, Lisa L. Thomas testified that stormwater management facilities are not necessary at this time, but according to the Hearing Officer, did not provide details to support her opinion. The Hearing Officer also noted that there was no specific testimony given with regard to the destruction to natural features on the site if stormwater management for the reserve parking were to be installed and details about how such destruction of natural features outweighs the economic and practical benefit of installing such facilities were also not provided.

The Hearing Officer’s recommendation is premised upon the applicant installing stormwater management facilities for the reserve parking. If the applicant wishes to not be required to install the stormwater management for the reserve parking, then he must provide additional testimony.

V. **Impact on Township Finances:**

There is no impact on Township finances.

VI. **Staff Recommendation**

Staff recommends the Board approve the proposed conditional use application subject to the inclusion of the following additional condition of approval:

The applicant shall install the required stormwater management for the reserve parking with the construction of the apartment building.