

TOWNSHIP OF LOWER MERION
Building and Planning Committee
Issue Briefing

Topic: Bala Village Zoning District Amendments

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Date: January 13, 2017

I. Action To Be Considered By The Board:

The Building & Planning Committee will discuss an ordinance to amend the building height limits in the Bala Village Zoning District along City Avenue as these properties are adjacent to residential homes.

II. Why This Issue Requires Board Consideration:

If the Board of Commissioners decides to amend the code, an ordinance would be required to be adopted.

III. Current Policy Or Practice (If Applicable):

The current height limit in the Bala Village District along City Avenue is 65 feet and no height penalties currently apply.

IV. Other Relevant Background Information:

In 2014, the Bala Village Zoning District ordinance was adopted by the Board of Commissioners. The maximum height allowed under the previous C1 and C2 zoning districts was 65 feet with height penalties for buildings exceeding 35 feet in height. The height penalties included: an increased front, side, and rear yard setback of 1/2 foot for each foot by which the building exceeded 35 feet in height, and a reduction of the allowable building area and impervious surface. The maximum height of 65 feet was maintained under the new Bala Village Zoning District, but the height penalties no longer apply.

After this ordinance was adopted, Commissioner Gordon, Commissioner Manos, and staff met with residents in the Merion area concerned with the implications of the new Bala Village Zoning District. At the meeting the residents requested a reduction of the 65 feet building height limit on City Avenue in the vicinity of the Old Lancaster Road intersection due to the close proximity of these commercial properties to the residential homes to the rear. The request was to limit the maximum building height to three-stories to minimize the impact new development could have on the adjacent residences.

The July 8, 2015 B&P Committee agenda included a discussion of the Bala Village Zoning District, specifically the building height limits for the properties fronting on City Avenue between Orchard Way in Merion and Conshohocken State Road in Bala Cynwyd. The amendments with various height options were tabled at this meeting. A series of follow-up meetings were held with staff, residents, and Terry Foley, President & CEO of the City Avenue Special Services District. This proposed

amendment reflects the various options contemplated in this area to insure that any new development or redevelopment along the City Avenue corridor provides adequate protections to the adjacent residences.

Height Penalty: Increased Side and Rear Yard Setback

The proposed ordinance requires an increased side and rear yard setback of ½ foot for each foot a parking structure or a building exceeds 38 feet in height on properties with frontage along City Avenue that abut a residential use in a residential district. The intent is to enhance protections to the adjacent residential properties with the added height penalties. The current minimum side and rear yard setback is 25 feet when a lot abuts a residential use in a residential zoning district.

The first option applies the increased side and rear yard setback only to parking structures, while the second option would apply to any building exceeding 38 feet in height. Staff supports the second option to provide more protection to the residential properties to the rear.

Proposed Height Reduction

The ordinance includes four options with regards to the reduction to the maximum height along City Avenue for the Board's consideration as illustrated in the following table:

Bala Village District Height Amendment Options			
	65 feet	48 feet	38 feet
Current	Cynwyd Rail Line to Orchard Road	NA	NA
Option 1	Cynwyd Rail Line to Oakland Terrace	NA	Oakland Terrace to Orchard Road
Option 2	Cynwyd Rail Line to Hampton Terrace	Hampton Terrace to Oakland Terrace	Oakland Terrace to Orchard Road
Option 3	Cynwyd Rail Line to common property line of 25 and 27 West City Avenue	Common property line of 25 and 27 West City Avenue to Oakland Terrace	Oakland Terrace to Orchard Road
Option 4	Cynwyd Rail Line to common property line of 25 and 27 West City Avenue	Common property line of 25 and 27 West City Avenue to Maple Avenue	Maple Avenue to Orchard Road

Orchard Road to Oakland Terrace – There was agreement to reduce the building height to 38 feet due to the close proximity of the commercial area to the residential homes to the rear (Options 1, 2, and 3). These lots are approximately 100 feet deep with residential dwellings close to the commercial properties. The fourth option extends the 38 feet height limit one additional block to include the properties located between Orchard Road and Maple Avenue. This will likely result in very limited new development similar to the rebuilding of the one story Wendy's Restaurant but it will provide protection of the light and air and other potential impacts to the residents to the rear.

Consensus could not be reached with regards to the appropriate height limit from the Cynwyd Rail Line to Oakland Terrace. The commercial lots are deeper (generally 200 feet deep) in this area. Adding the height penalty should help the residential properties to the rear.

Staff believes that 65 feet height would be an appropriate building height limit in this area with the proposed height penalties, which provides a greater distance between the residential properties and structures exceeding three-stories in height.

I will be presenting this information at the January 25, 2017 B&P Committee meeting with the attached maps showing the four different options and seeking B&P Committee input for building height limits. If we are unable to come to a consensus on building height limits, the Board could direct staff to bring this ordinance forward with a range of height limits and make the final decision after receiving public comment at a public hearing.

V. Impact On Township Finances:

These amendments would have no impact on Township finances.

VI. Staff Recommendation:

This draft ordinance is listed for discussion at this time. Staff is seeking direction from the Building & Planning Committee prior to including this ordinance on a future agenda as an action item.