

TOWNSHIP OF LOWER MERION
Building & Planning Committee
Issue Briefing

Topic: City Avenue District: Bala Village Amendments

Prepared By: Robert Duncan, Assistant Manager

Date: July 7, 2017

I. Action To Be Considered By The Board:

Consider the City Avenue District: Bala Village (BV) ordinance amendment for authorization to advertise, hold a public hearing, and consider for adoption on Tuesday, September 19th. The proposed ordinance may result in the following changes:

- Remove single-use incentives;
- Remove “multiple-use” and “adult or child daycare” as a permitted use;
- Add separation requirements for less active uses along commercial corridors;
- Refine the buffer requirements;
- Limit the number of off-site public parking spaces that may count towards the parking requirement, consistent with the proposed MUST amendment;
- Increase the Historic Preservation incentive; and
- Remove the off-site traffic improvement incentive, which permitted developers to purchase additional units for little public benefit.

II. Why This Issue Requires Board Consideration:

Authorization of advertisement of a public hearing and notice of intent to adopt an ordinance requires Board action.

III. Current Policy Or Practice (If Applicable):

Periodically reviewing and refining the Zoning Code and the Subdivision and Land Development Code advances the following recommendation of the Township’s Comprehensive Plan:

LC65 Continue to refine the City Avenue District provisions and Official Map as necessary to ensure that future development is consistent with the established intent of the ordinance and desired land use and form of the district.

IV. Other Relevant Background Information:

Two (2) land development applications have been submitted since the enactment of the BV District for 10 Union Avenue and 9-11 Union Avenue, respectively. Both applications involve the construction of single-use, multifamily, residential apartment buildings, requiring:

- The use of incentives to reach the maximum density allowed under the BV District; and

- The designation of off-site, public parking spaces.

Given the historic “main street” function and character of Bala Avenue, there is a concern that the existing provisions have inadvertently encouraged the construction of single-use, residential buildings over mixed-use buildings, which could result in a loss of the neighborhood retail mix that contribute to the quality of life in Bala. The proposed amendments are designed to require active, ground floor, retail uses along City Avenue, Bala Avenue, and Cynwyd Road and to remove the incentives for single-use residential development.

This zoning district will receive a comprehensive evaluation as part of the Zoning Code update that will be performed by DPZ, the consulting firm retained by the Township. However, the ward commissioner has requested the consideration of the following amendments to encourage a better mix of uses along Bala Avenue and to ensure that adequate public parking continues to be available in this retail district. The amendments include:

§155-219.B. Use Regulations

- Amend permitted uses in the BV District to require active commercial ground floor uses along Bala Avenue, Cynwyd Road, and City Avenue to ensure future development maintains and enhances active retail uses along the commercial corridor. A separation requirement of 300 feet is proposed for commercial uses that generate less activity on the ground floor.

The proposed amendment is consistent with existing provisions for other commercial nodes, including the Bryn Mawr Village District, Ardmore Special Development District, Mixed-Use Special Transportation Overlay District, and Rock Hill Overlay District.

- Remove the Multiple-Use Development provisions. The Multiple-Use Development provisions were envisioned to promote infill, mixed-use development, but this provision has resulted in the construction of large, single-use, multifamily residential buildings on lots with existing office and retail buildings in the City Avenue District-Regional Center Area. Approximately 95% of the parcels in the BV District are under one-acre in size and 50% of the parcels are currently occupied by mixed-use buildings¹. The removal of the Multiple-Use Development provisions is intended to encourage active ground floor retail activity along Bala Avenue, Cynwyd Road, and City Avenue, and to discourage the construction of additional single-use, multifamily residential buildings in the commercial district.

§155-219C(1) Building Area - Remove the 10% building area increase currently allowed for multiple use developments.

§155-219C(5) Impervious Surface – Remove the 10% impervious surface increase currently allowed for multiple-use developments.

¹ Montgomery County Board of Assessment, June 2017

§155-219C(9) Buffer Requirements – The current buffer requirement only applies to commercial development which results in an inadvertent incentive to develop a single-use residential building in the commercial area. The revised language requires a buffer for any development abutting a residential use. It also allows for a reduced buffer requirement by conditional use for any development abutting the railroad right-of-way. A similar provision is currently applied in the Bryn Mawr Village District.

§155-219D Parking and Loading Requirements – The BV District currently allows up to 50 public parking spaces to be counted as required parking for any development. The proposed amendment limits the use of this incentive to existing and expanded mixed-use buildings. It also reduces the number of public parking spaces that may be counted towards the required amount to 10 and does not allow any public parking spaces to be counted for new buildings. New buildings may continue to utilize off-site, private parking towards the required parking calculations, provided necessary agreements are in place.

§155-219E Density Increase - The base Floor-Area-Ratio (FAR) in the BV District is 1.25, which may be increased to 2.0 with incentives for providing amenities that benefit the public, such as public gathering space, transit facility improvements, etc. The cumulative increase currently allowed for the off-site traffic improvements make it relatively easy to reach the maximum density. The fees generated under this incentive were found to be minimal when compared to the floor area increase permitted under this section. The density increase standards have been amended to limit the applicability of the incentives to mixed-use buildings and to remove the incentives for providing off-site traffic improvements. It is important to note that the BV District is located in a Transportation Service Area where a traffic impact fee is already required for any new peak hour trips generated by new development. The fee is used to complete roadway improvements in the area necessitated by new development.

The incentive provided for Historic Preservation is proposed to be increased from a Floor-Area-Ratio (FAR) increase of 0.1 to 0.2. The two most iconic historic resources in the BV District include the Bala Theater and the apartment building at the intersection of Bala Avenue and Montgomery Avenue, both of which are Class 2 resources. Increasing the FAR incentive may promote the preservation of existing historic resources.

V. Impact On Township Finances:

There is no impact on Township finances.

VI. Staff Recommendation:

Staff recommends the Board authorize a public hearing to consider the proposed amendments.