

TOWNSHIP OF LOWER MERION

Building & Planning Committee

Issue Briefing

Topic: Preliminary Land Development Plan, 121 E. City Avenue, Bala Cynwyd

Prepared By: Christopher Leswing, Director, Building & Planning Department

Date: April 6, 2018

I. Action To Be Considered By The Board:

The Board of Commissioners must make a recommendation on the Preliminary Land Development Plan for 121 E. City Avenue, Bala Cynwyd.

II. Why This Issue Requires Board Consideration:

The Board of Commissioners must review and render decisions on all land development applications.

III. Current Policy Or Practice (If Applicable):

N/A

IV. Other Relevant Background Information:

On February 12, 2018, the Planning Commission recommended approval of the application subject to certain conditions. The application was presented to the Building and Planning Committee on February 14, 2018 and the Committee recommended denial but did not cite the Township Code provisions that the plan did not comply with. Items discussed by the Committee included concerns with both traffic and pedestrian circulation through the site as well as the architecture of the proposed building. The application was then presented to the Board of Commissioners on February 21, 2018 with the recommendation for denial from the Building and Planning Committee. After discussing the application, the Board of Commissioners referred it back to the Building and Planning Committee for further consideration.

Following the February 21, 2018 Board of Commissioners meeting the applicant submitted revised site plans, landscape plans and architectural elevations which were reviewed by Planning staff and the Township Engineer. An updated review letter from the Township Engineer is attached to this memo and a summary of Planning staff's comments are below.

Many of the changes address identified plan deficiencies regarding circulation, architecture and landscaping. The following is a summary of the changes to the plans:

Changes to Vehicular Circulation

1. A left turn restriction between the hours of 4:00-6:00 p.m. has been added to the plans for the egress onto St. Asaphs Road.

Changes to Pedestrian Circulation

1. A crosswalk leading from the multipurpose pedestrian path on the Church of St. Asaph to the front of the shopping center has been provided.
2. A sidewalk around the entire perimeter of the proposed building has been provided.
3. A note has been added to the plan indicating that the applicant is willing to install additional segments of the multipurpose path as required by Township Code in connection with future development at the property.
4. The plan has been revised to include the additional segment of missing sidewalk along St. Asaphs Road in the vicinity of the shared property line with the Church of St. Asaph.
5. The applicant has indicated a willingness to widen the existing sidewalk connecting the public sidewalk along St. Asaphs Road to the multipurpose path to five feet wide.
6. Two car share parking spaces have been provided.
7. An additional ADA parking space has been added to the surface parking area to the east of the proposed building.

Architectural Elevations

1. Additional glazing has been added to the upper floors of the south elevation.
2. Exterior downspouts have been removed and placed within the building envelope.
3. Windows have been added to the ground floor of the south elevation.
4. Brick has been added to the first floor of the south elevation to emphasize the base of the building.
5. The percentage of glazing has been provided for all ground floor walls.
6. The percentage of glazing has been provided for the second story and above of the primary front façade.
7. The exterior door on the south elevation has been inset into the building.
8. The applicant has demonstrated that 75% of the façade is covered with a primary permitted use.

Landscape Plan

1. A detail of the proposed benches has been added to the landscape plan.
2. The applicant has altered the material of the fence on the Church of St. Asaph's property to a wooden board on board fence.
3. The fence on the church property has been shifted so that it is a minimum of 18 inches from the edge of the multipurpose path.
4. A maintenance plan for the landscaping has been added to the landscape plan.
5. A standard Township tree protection detail has been added to the landscape plan.
6. The plant material allocated to satisfy the minimum landscape standards and the greening standards has been clarified.
7. A detail of the multipurpose path has been added to the landscape plan and the site plan.

8. The sidewalk connections have been made consistent on the landscape plan. Planning staff reviewed the revised plans and notes the following deficiencies:

1. The north elevation of the building does not contain articulation every 50 feet as required by the following Code Section:

Zoning Code 155-217F.5.b.1a. - Vertical articulation.

Vertical articulation of the building facade, including changes in building plane and materials, shall be used to create pedestrian-scale buildings. Vertical articulation may include architectural features, such as projecting bays, changes in roofline, recessed entries, balconies and other similar features. The depth of such articulation shall be a minimum of two feet zero inches. Such vertical articulation shall occur at a minimum fifty-foot interval.

Staff has included the following condition of approval to address this deficiency:

The northern elevation of the proposed building shall contain the articulation required by Zoning Code Section 155-217F.5.b.1a.

2. It appears that the western elevation of the proposed building contains less than 25% clear windows as required by the following Code Section:

Zoning Code 155-217F.5.b.2

Any ground floor walls with less than 25% of clear windows shall be articulated by two or more of the following:

- [a] Articulation of facade plane, and/or changes in materials;
- [b] If the building is occupied by a commercial use, recessed or projecting display window cases;
- [c] For aboveground parking structures, by landscaping.

Staff recommends the following condition of approval be included to address this deficiency:

The applicant shall clarify how the percentage of glazing in the ground floor wall of the western elevation was calculated. If the percentage is less than 25%, then the wall shall be articulated by the following:
a. Articulation of facade plane, and/or changes in materials;
b. For aboveground parking structures, by landscaping.

An outstanding item deals with the installation of a sidewalk on the adjoining property owned by the Church of St. Asaph. When the Planning Commission reviewed the application, they recommended that the following condition be deleted:

If required by the Township, the applicant shall install a sidewalk along the St. Asaphs Road frontage of 27 Conshohocken State Road.

At the February 14, 2018 Building and Planning Committee meeting the applicant expressed a willingness to contribute funds towards the installation of this sidewalk. In recent discussions

with staff the applicant has agreed to the following condition which is included in staff's recommended conditions below.

In order to facilitate the possible future improvement of pedestrian connections in the vicinity of and to the shopping center, including the proposed apartment building, and to further address traffic concerns along St. Asaphs Road, the applicant will, within thirty (30) days after the issuance of the building permit for the apartment building, contribute \$30,000 to the Township to be used for the addition of sidewalks on other portions of St. Asaphs Road between Belmont Avenue and Conshohocken State Road and/or for traffic-related improvements along St. Asaphs Road.

Based on the review of the revised plans staff recommends the following revisions to the conditions of approval recommended by the Planning Commission should the Building and Planning Committee decide to recommend approval of the plan. Staff's additions are underlined and deletions are in strike out. If a condition is recommended to be deleted, the issue has been addressed in the revised plans.

Township Engineer's Review:

1. The Township Engineer's review letter dated ~~March 23~~February 2, 2018 shall be incorporated by reference into these conditions of approval, except that as to item B.38, applicant may provide an indemnification satisfactory to the Township to allow the Final Plan to be recorded, ~~and (ii) as to item A, separate left and right turn lanes shall not be required at the St. Asaphs driveway exit.~~
2. A traffic impact fee based on the expected average weekday PM peak hour trip generation of sixty-six trips in the amount of \$101,904 shall be submitted prior to the issuance of a building permit. The final amount of the fee shall be verified and may be adjusted as determined by staff prior to the issuance of a building permit.

Conditional Use Conditions:

3. The applicant shall comply with the conditional use conditions issued on November 16, 2016 which shall be listed on the Final Plan.

Architectural Elevations:

4. Architectural elevations and renderings of all sides of the proposed building shall be submitted with the Final Plan and shall include all proposed materials. The applicant shall provide a chart to demonstrate compliance with the Architectural Design Standards in Zoning Code Section 155-217.F.
5. A Design Manual complying with Zoning Code Section 155-217.F.3 shall be submitted with the building permit application.
6. The proposed building shall be constructed substantially as shown on the architectural elevations prepared by Dwell Design Group dated ~~February~~December 28, 2017~~8~~ with the

exception of any de minimis changes, including those required by these conditions of approval and mutually agreed to with staff.

7. The northern elevation of the proposed building shall contain the articulation required by Zoning Code Section 155-217F.5.b.1a.

8. The applicant shall clarify how the percentage of glazing in the ground floor wall of the western elevation was calculated. If the percentage is less than 25%, then the wall shall be articulated by the following:

a. Articulation of facade plane, and/or changes in materials;

b. For aboveground parking structures, by landscaping.

~~7. The applicant shall increase the amount of glazing on the upper floors of the southeastern elevation of the proposed building.~~

89. There shall be no exterior downspouts on the proposed building.

~~9. The southern elevation shall be further articulated to emphasize the base of the building to reinforce the pedestrian scale as required by the Township Code.~~

10. The percentage of glazing on all ground floor walls shall be provided on the architectural elevations.

11. The percentage of glazing on the second story and above of the primary front façade shall be provided on the architectural elevations.

~~12. Either the walkway on the southern elevation of the proposed building shall be increased in width to a minimum of six feet or the exterior door that swings into the walkway shall be revised to open into the building as required by the Township Code.~~

~~13. The applicant shall demonstrate that 75% of the façade is covered with a primary permitted use as required by the Township Code.~~

1214. All mechanical equipment, including antennas, whether on the roof or at grade shall be screened visually and acoustically. Such screening shall be integral to the architectural design of the building.

153. All signage shall be subject to a separate review for compliance with the Zoning Code by the Zoning Officer.

164. The mean grade of the structure shall be calculated and shown on the Final Plan. The architectural plans shall be coordinated with and shall comply with the grading proposed with this application.

Landscape Plan:

157. The applicant shall engage an arborist to evaluate the health of the vegetation in the landscape area along St. Asaphs Road. Dead wood and dead and/or dying vegetation shall be removed and replaced in coordination with the Township.

168. The applicant shall work with staff to revise the landscape plan to reduce the amount of inappropriate species and distribute the Code required plant material in locations as directed by staff.

179. Additional landscaping shall be provided around the northwestern and southern edges of the proposed building.

1820. The applicant shall work with staff to install landscaping on the church property.

219. A detail of the proposed benches along the multi-purpose path shall be added to the landscape plan.

202. The applicant shall work with staff on the style of the proposed fence on the church property.

213. The height of the proposed fencing shall be labeled and a detail provided. The fence shall comply with all applicable zoning requirements. The proposed fence along the property boundary with the Church of St. Asaph's shall contain a gate. The fence shall be setback from the multi-purpose path a minimum of 18 inches.

224. The applicant shall provide a maintenance and operations plan for the greening standard amenities.

235. The existing privet hedge along St. Asaphs Road shall be trimmed on a regular basis to prevent it from growing into the sidewalk. The proposed sections of privet hedge shall be planted a sufficient distance off the existing sidewalk. The height of the hedge shall be reduced to four to five feet as directed by staff.

~~26. The plans shall be revised to provide a Township standard tree protection detail.~~

247. A revised landscape plan complying with the applicable portions of the Natural Features Code Sections 101-9 and these conditions of approval shall be prepared and sealed by a Registered Landscape Architect. The landscape plan shall be subject to the approval of Township staff.

258. Details of the multi-purpose path shall be provided and labeled.

269. The various sidewalk connections to the multi-purpose path shall be consistent between the landscape plan and the site plan.

2730. All plant material along St. Asaphs Road shall be located to not grow into the right of way when fully mature.

Pedestrian Circulation:

28. In order to facilitate the possible future improvement of pedestrian connections in the vicinity of and to the shopping center, including the proposed apartment building, and to further address traffic concerns along St. Asaphs Road, the applicant will, within thirty (30) days after the issuance of the building permit for the apartment building, contribute \$30,000 to the Township to be used for the addition of sidewalks on other portions of St. Asaphs Road between Belmont Avenue and Conshohocken State Road and/or for traffic-related improvements along St. Asaphs Road.

~~31. The applicant shall add an additional crosswalk from the six foot wide multi purpose path to the front of the shopping center.~~

329. The applicant shall work with staff to install low-level security lighting along the multi-purpose path.

~~33. The applicant shall install a sidewalk around the entire perimeter of the building.~~

304. The plans shall be updated to show the future extension of the multipurpose path along the St. Asaphs Road frontage to Belmont Avenue.

315. The existing sidewalk along St. Asaphs Road shall be continued the full length of the property frontage.

326. The applicant shall consider widening the portion of existing sidewalk that connects the public sidewalk along St. Asaphs Road with the proposed multi-purpose path to five or six feet.

Traffic, Circulation & Parking:

337. A “No Left Turn” sign shall be installed at the egress of the site onto St. Asaphs Road to restrict left turns out of the site during the hours of 4:00 – 6:00 p.m. An analysis of the impact of the “No Left Turn” sign on the other access driveways on the site shall be provided. If the Township Engineer determines that improvements are required to mitigate the impact of the additional traffic to other ingress/egress driveways, the applicant shall install the required improvements.

34. Deliveries by larger delivery vehicles (i.e. WB 67) shall be restricted during peak traffic hours as directed by the Township Engineer.

358. Two parking spaces designated for car share services shall be shown on the plan.

~~39. An additional ADA parking space shall be shown within the surface parking lot.~~

3640. The required bicycle storage shall be labeled on the plan. A minimum of two bike racks shall be provided on the exterior of the building.

Stormwater Management:

~~3741.~~ The applicant shall investigate stormwater best management practices (BMPs) for the reconfigured parking area, such as breaks in the curbing to allow for stormwater infiltration.

~~42. The top of grade elevation for the Basin No. 1 outlet structure shown in the plan view detail shall be revised to match the elevation shown in the outlet structure detail.~~

438. Geotextile material shall surround the entire seepage bed including the bottom.

39. The reference to a “dewatering device” indicated in the basin outlet structure details shall be clarified. Adequate detail as to design and operation/function of this device shall be provided. The basins must be able to recharge the required volume as dead storage.

40. An elevation point in the stage-storage input shall be provided for the weir invert to remove the error in the analysis caused by the program using an average outflow value.

~~44. Top and bottom of bed elevation, invert elevations and slope for each basin shown in the details shall correspond to that used in the basin storage analysis.~~

~~45. The impervious square footage amounts draining to Basin No. 2 used in the calculations shall be verified to be consistent with the area shown on the plans.~~

~~46. The on-site limit of disturbance used in the impervious summary table shall be revised to match the limit of disturbance shown on the Erosion and Sediment Control Plans.~~

~~47. The difference in impervious from predevelopment conditions to post development conditions shown in the impervious summary table shall be revised to match the difference in impervious used in the calculations. The calculations shall be verified to qualify the impervious shown on the plans.~~

~~48. The type of proposed inlets shall be clarified on the storm tables on Sheet No. 7 so that the labels for the type of inlet match the legend.~~

Construction Details:

419. The applicant shall submit a parking plan with the Final Plan detailing where construction vehicles will be parked. The plan shall be subject to the approval of the Township prior to the issuance of any permits.

~~4250.~~ All construction-related vehicles shall be parked on site or at a remote site not in the neighborhood. No construction-related vehicles may park on the street. This includes vehicles operated by construction workers, material suppliers, product vendors, and all construction trades engaged in the project.

~~4351.~~ The final design of the stair tread, riser and railings shall comply with the applicable building code.

~~4452.~~ A detail of the retaining wall shall be provided. Calculations shall be provided for wall heights in excess of four (4') feet. Vehicle surcharge loading shall be included in the analysis if the wall is within the influence line of a vehicle travel area.

~~53. If it conforms to Township standards, the six (6) foot wide porous walkway may be excluded from the impervious surface allocation if the design conforms to Township standards including the following:~~

~~—The recharge stone shall be noted in the detail to be AASHTO NO. 3 and shall be a minimum of nine (9") inches deep.~~

~~—The geotextile fabric shall be placed at the sides and bottom of the recharge section.~~

~~—A design for a porous paver section would need to be provided for review if pavers were used. As this walkway is proposed on the adjacent parcel and impervious totals are not provided, it is requested that the Township standards be followed for pervious materials.~~

~~545.~~ A metes and bounds description for the proposed sidewalk easement shall be created and shown on the plan. The width of the easement shall be dimensioned on the plans.

~~55. A detail shall be provided for the proposed guide rail.~~

Utilities:

~~4656.~~ Separate permits and approvals shall be obtained from the Public Works Department for the sanitary lateral construction.

Plan Requirements:

~~4757.~~ The location of all transformers and utility boxes shall be shown on the Final Plan and shall be adequately screened as determined by staff. Additional utility improvements resulting in material changes to approved plan including but not limited to the loss of required parking, changes to circulation patterns or the alteration of the quantity or location of proposed landscaping shall require an amendment to the approved plan.

Standard Conditions of Approval:

~~4858.~~ The plans submitted with the building permit shall document the required recreation area or the applicant shall pay a fee for any required recreation area not provided. The fee shall be submitted at the time the building permit is submitted.

~~4959.~~ Per Chapter 92 of the Township Code, since the proposed residential building is proposed to have more than 45 units, an on-site manager shall be provided.

~~5060.~~ If required by a Township Public Safety Agency, all new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communications systems at the exterior of the building.

~~5164.~~ An outdoor lighting plan, sealed by a responsible design professional, that includes illuminance patterns shall be submitted to and approved by the Director of the Building and

Planning Department prior to issuance of any permits. Lighting shall be designed to shield the source of illumination and to prevent glare on adjacent properties. The location, fixture type, wattage, means of control and pole height shall be indicated.

5262. The lighting plan shall be designed to comply with the 2009 IECC or the 2007 ASHRAE Standard 90.1.

5363. All existing and proposed transformers shall be shown on the Final Plan and shall be enclosed. A detail of the fence/enclosure shall be provided on the Final Plan.

5464. All trash dumpsters shall be located within the building.

5565. The Final Plan, complying with all applicable conditions of approval shall be filed with the Department of Building and Planning within twelve (12) months from the date of approval by the Board of Commissioners.

5666. Any changes to the approved plans shall require the submission of an as-built plan prior to the issuance of the Certificate of Occupancy. Building and Planning staff can waive this requirement if the changes are determined to be insignificant.

5767. New and Existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting on the property. The address numbers shall be a minimum of four (4) inches (102mm) high with a minimum stroke width of 0.5 inch (12.7mm).

5868. A copy of the revised plan shall be submitted with any changes highlighted. A letter shall also be provided with the revised plan indicating how each requested revision has been addressed in the re-submission.

5969. The owner shall make payment of fees and expenses of the Township's professional consultants who perform services on behalf of the Township with respect to these plans and the work contemplated thereunder and will establish and maintain with the Township those escrows for the payment of such fees required by Township Code. Owner agrees that any statement from the Township for such fees which remain unpaid for a period of 30 days may be recorded against the property as a municipal lien.

6070. The owner shall make payment of the Township Engineer's inspection fees within 30 days of presentation. A penalty of 1.5% per month will be due for late payments from the date of presentation. If any shares are not paid within 60 days of presentation, the Township may elect to suspend any outstanding permits until all pending charges are settled.

6174. The property owner(s) shall comply with all applicable federal, state, county, local and Lower Merion Township ordinances and laws regardless of specific mention herein.

V. Impact On Township Finances:

While the construction of the building proposed in this application will have an impact on Township finances, staff is unable to determine the impact at this time.

VI. Staff Recommendation:

Staff recommends that the Board approve the application subject to the changes to the conditions noted above.