

Before the Conditional Use Hearing Officer  
Lower Merion Township, Montgomery County  
Pennsylvania

Application CU# 3796

**RECOMMENDATIONS FOR FINDINGS  
OF FACT, CONCLUSIONS OF LAW AND ORDER**

This conditional use application was filed by 15 Kings Grant Associates, LP seeking approval to deviate from the architectural design standards of the City Avenue District, Regional Center Area pursuant to Code §155-217.F.5.d. A Conditional Use Hearing was held on June 26, 2018 before the Conditional Use Hearing Officer.<sup>1</sup>

1. The Applicant is 15 Kings Grant Associates, LP by its representative George Broseman, Esq. of Kaplin Stewart, P.C.

2. The Applicant is the title owner of 15 Kings Grant Drive, Lower Merion Township (“Property”) which is the subject of this conditional use application.

3. The Property is located at the intersection of Kings Grant Drive and St. Asaph’s Road, Bala Cynwyd. This location is in the City Avenue District-Regional Center Area (“RCA”) as defined by the Zoning Code of Lower Merion Township (“Code”), Code §155-217. One Bala Plaza is located to the east of the Property and 301 E. City Avenue is located to the south.

4. The Property contains approximately 1.96 acres. It has been improved with a three-story, 57,648 gross square foot office building, originally constructed in mid-century International style architecture, and 136 parking spaces in a surface lot.

5. The Applicant plans to completely renovate the office building with mostly interior changes. Proposed exterior renovations include stuccoing over the existing brick façade,

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<sup>1</sup> The Conditional Use Hearing Officer is authorized to conduct the hearing pursuant to Code §155-141.2.A.5.

slightly increasing the amount of glazing, building a one-story parking structure, creating and maintaining a public gathering space in front of the building, widened sidewalks and landscaped verges.

6. On Dec. 14, 2017, the Zoning Hearing Board (ZHB) approved a variance from the pedestrianway requirements of Code 155-217F(5)(e)(3) to install an eight-foot wide sidewalk and a six-foot wide landscaped verge on the Property along St. Asaph's Road. The variance was conditioned, in part, upon locating a multipurpose path to 225 E. City Avenue and substantial adherence to the plans and testimony presented at the ZHB meeting as well as Township Codes. (Ex. A- at 2.)

7. All buildings in the CAD-RCA District undergoing rehabilitation of 50% or more of the existing structure, must comply with the Development Design Standards found in Code §155-217.F.2,3 & 4.

8. The Board of Commissioners may authorize deviations from Development Design Standards and approve differing architectural concepts, designs and materials, by conditional use approval pursuant to Code §155-217.F.5.d, provided such alternative concepts and designs are in furtherance of the legislative intent of the CAD-RCA District.

9. The Lower Merion Planning Commission reviewed the Conditional Use Application on June 4, 2018 and recommended approval subject to a condition requiring the installation of a green screen along a portion of the front façade facing Kings Grant Drive. (Ex. T-3.)

10. The Conditional Use Hearing Officer conducted a public hearing at the Lower Merion Township building on June 26, 2018.

11. Andrea Campisi, Senior Planner with the Lower Merion Township Building and Planning Department, offered three (3) exhibits into evidence that were admitted into the record:

- a. Proof of publication of the hearing notice (Ex T-1);
- b. Lower Merion Township staff memo dated 6/1/18 (Ex T-2);
- c. Planning Commission Recommendations for Conditional Use approval (Ex T-3);

12. The Applicant offered eleven (11) exhibits in support of its conditional use application which were subsequently admitted into the record:

- a. Conditional Use Application (Exhibit A-1);
- b. Biography of Michael Brookshier (Exhibit A-2);
- c. Existing Conditions Plan (Exhibit A-3);
- d. Aerial Photo (Exhibit A-4);
- e. Zoning Hearing Board Decision (Appeal No. 4426) (Exhibit A-5);
- f. Preliminary Land Development Approval Letter (Ex. A-6);
- g. Landscape Plan (Ex. A-7);
- h. Architectural Renderings (Exhibit A-8);
- i. CV of Michael Pilko (Exhibit A-9);
- j. Photos of Existing Conditions (A-10);
- k. Architectural Elevations (Exhibit A-11).

13. George Broseman, Esq., (“Broseman”) testified the Applicant is the title owner of the Property and its affiliate, Keystone Property Group, owns many other properties in the area. In 2010, the Applicant purchased 15 Kings Grant Drive from Liberty Mutual Insurance Company which had based its regional headquarters there. The office building was leased back to Liberty Mutual for a short period of time and has been vacant since 2011, due in large part to lack of sufficient on-site parking. The Applicant seeks to secure a new tenant by making significant renovations to the interior and building a parking garage, as well as a few changes to the exterior. The project will be a significant upgrade in the appearance and functionality of the Property. Improved landscaped verges and widened sidewalks on this corner lot will increase the walkability of the surrounding area. Broseman further testified that the office building was designed by a prominent architect in the 1950s. The Applicant would like to retain the good mid-century design and clean lines of the original façade, as suggested by the Planning Commission. (See, Conditional Use Application Supplement, Ex. A-1.)

14. Michael Brookshier (“Brookshier,”) Vice President of Development for Keystone Property Group was the Applicant’s first witness. He holds a B.A. in Architecture and Finance and an M.A. in Real Estate Development. Brookshier has many years of experience in complicated, large scale real estate development. He testified that Keystone is a major property owner and operator specializing in office properties in the mid-Atlantic, Florida and a few other states. Keystone owns five or six buildings in the immediate vicinity of 15 Kings Grant Drive. The Property is located at the corner of St. Asaph’s and King’s Grant Drive, one lot away from City Avenue. The existing three-story office building contains approximately 56,000 square feet and 138 parking spaces. It is non-compliant with the parking requirements in the Zoning Code. A four-foot wide sidewalk is separated from moving lanes of traffic by a narrow, landscaped strip.

15. Liberty Mutual Insurance Company commissioned the office building from prominent architect George Ewing in 1956. His firm, Ewing Cole, was the largest architecture firm in the Philadelphia area. Ewing designed the office building in midcentury modern style. Keystone purchased the Property from Liberty Mutual Insurance in 2011 and leased it back to Liberty Mutual for approximately one year. The office building has been vacant since 2012.

16. The office building has been vacant for six years and it has been difficult to find a new tenant. Water intrusion has damaged the roof and brick façade. The biggest problem with leasing the office building is lack of sufficient parking. The Property has half of the typical parking for office buildings and isn’t compliant with Code. It has two parking spaces per 1,000 square feet of office space and Code requires three spaces per 1,000 square feet.

17. Keystone has found a prospective new tenant for the office building: a Philadelphia company which would like to establish its headquarters in Bala Cynwyd. The owners of this company reside in Lower Merion Township and are excited about moving its

headquarters to the Property. The prospective tenant wants 200 on-site parking spaces which means the Property needs 67 more parking spaces than currently exist.

18. Brookshier testified that Keystone recognizes the rationale for Architectural Design Standards in the CAD-RCA. This office building, however, has clean lines and classic proportions from its midcentury design by George Ewing. Keystone prefers to leave existing lines and proportions in place rather than follow the Architectural Design Standards. Planned façade improvements are stuccoing over existing brick and replacing the windows, both of which will eliminate ongoing water intrusion. Keystone has worked with Township Planning Division staff on a landscape plan that meets greening standards. The overall plan for the property includes a hardscaped public plaza near Kings Grant Drive, improved landscaping and pedestrian access with wider sidewalks and landscaped verges.

19. David Rosenbaum, (“Rosenbaum,”) President of the Neighborhood Club of Bala Cynwyd, asked Brookshier about the proposed green screen on the facade. Lower Merion staff recommended a green screen on the facade to the left of the entry, extending from the ground to the roofline (See Ex. A-8 where “Tenant” sign is indicated on plan.) Brookshier testified that Keystone prefers not to install a green screen since it wouldn’t be especially visible from the street. The landscape plan (Ex. A-7) shows the new hardscaped public plaza area with a significant amount of landscaping near the front entry door which will partially obscure the green screen.

20. Michael J. Pilko, AIA, ARA, NCARB (“Pilko”) is the President of RHJ Associates, P.C. He has a B.A. in Architecture from Syracuse University and has been a practicing architect since 1999. Pilko has worked on the design and construction of office buildings, as well as residential health care facilities, manufacturing facilities and shopping centers. Pilko is the lead architect on this project. He described the building’s architecture as

midcentury modern, international style with long sweeping lines and minimal ornamentation designed by George Ewing. The original architecture should be retained rather than changed by the Architectural Design Standards for the CAD-RCA, in Pilko's expert opinion.

21. Some façade changes are necessary to correct on-going water infiltration through the brick façade. Pilko explained that new windows were installed attached to the brickwork rather than the structure itself in the 1980s. Fastening attachments punctured flashing around the windows, allowing water to permeate through the brickwork and rusting steel lintels. Pilko proposes stuccoing over the bricks to prevent water infiltration. He noted that stucco was a common midcentury finish and will complement the original architecture.

22. Pilko testified that it's not desirable to add ornamentation to the original "quiet design" of the building because it already has a lot of character. All renovations should be respectful of the original clean aesthetic rather than comply with the Architectural Design Standards of Code. His proposed plans enhance the visual characteristics of the building without changing the nature of the original design. Pilko also testified that the architectural plans facilitate pedestrian experience with walkways on two frontages, widened sidewalks and landscaped verges. The new parking structure will provide interconnectivity with 2 Bala Plaza.

23. Rosenbaum asked what kinds of design features were considered but ultimately rejected by Keystone. Pilko explained that Code requires vertical and horizontal articulation. Keystone prefers not to "tack boxes onto the building" to comply with Code because clean, sleek, pure lines currently exist. The character of the building will be lost if horizontal and vertical articulation are added. The proposed plan provides further visual emphasis to building corners, as shown on Ex. A-8, by carrying horizontal planes to wrap corners. This subtle design element will complement the original quiet design. Keystone prefers not to add windows to the façade because it would interrupt the visual effect of the original horizontal windows. (*cf* Ex. A-

10 at p. 3 and Ex. A-4 at p. 1). Midcentury modern architecture featured strong horizontal lines and rejected ornament for the sake of ornament. Here, the original architecture has an exterior palette of brick, natural stone and metal with strip windows. The proposed architectural plans maintain the natural stone and metal, substitute stucco for brick and preserve the original strip windows. The new parking structure will comply with code and provide horizontal and vertical articulation.

24. Pilko testified that a green screen will be largely obscured by an existing tree on the Property, therefore it won't add much to the landscaping. He doesn't want to add anything to the façade which isn't absolutely necessary. Moreover, he has concerns about water infiltration with the green screen. Green architecture on walls and roofs is new development but all the glitches haven't been worked out yet. Good intentions don't always work in practice. Salting the walkways in winter, for instance, will probably harm vegetation on a green screen located near the front entry doors.

#### APPLICABLE ORDINANCES

25. Lower Merion Township enacted the City Avenue District ("CAD") in 2011. CAD's purpose is for LMT and the City of Philadelphia to encourage development and redevelopment of the City Avenue District that combines residential, institutional and commercial uses in close proximity thus decreasing auto dependency, encouraging pedestrian access, transit use, shared parking and accessways and mitigating the effects of congestion, vehicular traffic and pollution. The regulations promote pedestrian friendly development and protect the health, safety and general welfare of citizens, Code §155-216.A.

26. The CAD was amended in 2014 to create three separate zoning districts: the Regional Center Area ("RCA"); the Bala Cynwyd Retail District ("BCR") and the Bala Village ("BV"). Code §155-216.B.

27. The RCA district permits higher density than the BCR and BV districts.
28. The RCA district is intended to encourage pedestrian access, transit use and shared parking. The regulations promote pedestrian friendly design, as stated in Code §155-217A, which is an integral part of the ordinance.
29. The RCA envisions higher density, pedestrian friendly redevelopment and permits complete or partial redevelopment of existing structures or infill of surface parking lots. Infill development which displaces surface parking lots may be replaced with structured parking. The RCA ordinance incentivizes high quality design in exchange for an increase in permitted density.
30. The general goals and objectives of the RCA are to encourage higher density, multiple purpose, pedestrian oriented development and more economically productive use of land parcels in the vicinity of City Avenue, Code § 155-217.A.1.
31. These general goals and objectives include the following specific purposes:
  - a. Enable the development of a mix of commercial, institutional and residential uses;
  - b. Minimize pedestrian and vehicular conflicts and encourage the renovation and erection of buildings that provide direct connections from buildings to the street and sidewalk;
  - c. Discourage the dependence on automobile use by promoting alternate modes of transportation including buses and trains, improving connections and links to public transit and creating safe and inviting pedestrian accessways, thereby reducing traffic congestion;
  - d. Create transition in bulk and scale between higher density development and existing residential neighborhoods;
  - e. Enhance the visual character and identity of the district through building mass, scale and design, landscaping and signage, all appropriate to the goals and objectives of the RCA zoning.
  - f. Promote the smooth flow of vehicular traffic through the corridor while reducing cut through traffic in the neighboring residential districts by creating pedestrian scaled blocks, separated by public access streets with sidewalks;



- g. Encourage the development of shared parking, wrapped structure parking, underground structure parking and attractive and convenient off-street parking facilities to reduce on-street congestion and facilitate vehicular and pedestrian circulation.
- h. Promote the creation and maintenance of landscaped open areas among buildings for public gathering space.
- i. Protect the character and quality of existing residential neighborhoods proximate to the RCA.

32. Development design standards require pedestrian oriented buildings and building entrances oriented toward the streets, sidewalks, and/or public accessways. See Code § 155-217.F.1. Requirements for orientation and primary entrances are intended to promote pedestrian access, pedestrian connections and pedestrian and public modes of transportation. See, Code § 155-217.F.1.a,b,c.

33. Architectural design standards have been incorporated into the RCA district to ensure that the size, proportions and design of new buildings create a pedestrian friendly environment, especially at street level. Code § 155-217.F.2 states:

**Architectural design standards.**

(a) The architectural design standards have been incorporated into this district to ensure that the size, proportions and design of new buildings create a pedestrian-friendly environment, especially at the street level.

(b) Buildings with active uses, including wrapped parking structure.

[1] Visual mass of all buildings shall be deemphasized through the use of architectural and landscape elements, including form, architectural features and materials, to reduce their apparent bulk and volume, to enhance visual quality and to contribute to human-scale development.

[a] 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.

[b] Horizontal articulation. Horizontal articulation of the building facade, including changes in building plane and/or materials, shall be used to break up the scale of the building facade. Such horizontal articulation may be provided by roof terraces, setbacks or other devices. Horizontal articulation shall emphasize the building base to reinforce the pedestrian scale.

[2] The ground floor of the primary front facade facing a pedestrian street shall contain an average minimum of 65% clear windows and doors. Smoked, reflective, tinted or black glass in windows is prohibited. Glazing shall have a minimum visible transmittance of 0.75.

[3] 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.

[4] The second story and above of primary front facades shall contain a minimum of 20% of the facade as clear windows. Glazing shall have a minimum light transmittance of 0.75.

[5] Corners. Building corners at intersections of public streets shall be visually emphasized through design features, such as changes in plane, fenestration patterns, balconies, building entries, bays, or similar features.

34. The Board of Commissioners may, by conditional use, approve the use of architectural concepts, designs and materials which differ from those set above, if the applicant demonstrates to the satisfaction of the Board that such concepts and designs are in furtherance of the legislative intent of this article and of this subsection. Code § 155-217.F.5.c,d

35. The Applicant for a conditional use must also comply with the general requirements found in Code §155-141.2, excerpted in pertinent part as follows:

**Conditional Use Procedure and Standards**

(...)

B. The Board of Commissioners may grant approval of the listed conditional use under any district, provided that the following standards and criteria are complied with by the applicant for the conditional use. The burden of proving compliance with such standards shall be on the applicant.

1. The applicant shall establish by credible evidence that the use or other subject of consideration for approval complies with the community development objectives

as stated in Article I of this chapter and the declaration of legislative intent that may appear at the beginning of the applicable district under which approval is sought.

2. The applicant shall establish by credible evidence compliance with conditions for the grant of conditional uses enumerated in that section which gives the applicant the right to seek a conditional use.
3. The applicant shall establish by credible evidence that the proposed use or other subject of consideration for approval shall preserve the character of the neighborhood.
4. The applicant shall establish by credible evidence that the proposed use or other subject of consideration for approval shall be properly serviced by all existing public service systems. The peak traffic generated by the subject of approval shall be accommodated in a safe and efficient manner or improvements made in order to effect the same.
5. The applicant shall establish by credible evidence that the proposed use or other subject of consideration for approval is properly designed with regard to internal circulation, parking, buffering and all other elements of proper land planning.
6. The applicant shall provide sufficient plans studies or other data to demonstrate compliance with the regulations for the permitted use or such regulations as may be the subject of consideration for a conditional use approval.
7. The Board of Commissioners shall impose such conditions as are advisable to ensure compliance with the purpose and intent of this chapter which may include without limitation planting and buffers, harmonious design of buildings, protection of watercourses, environmental amenities, and the elimination of noxious, offensive or hazardous elements.

C. Standards of proof.

1. An applicant for a conditional use shall have the burden of establishing both:
  - a. That his application for a conditional use falls within the provision of this chapter which accords to the applicant the right to seek a conditional use; and
  - b. That allowance of the conditional use will not be contrary to the public interest.
2. In determining whether the allowance of a conditional use is contrary to the public interest, the Board shall consider whether the application, if granted, will:

- a. Adversely affect the public health safety and welfare due to changes in traffic conditions, drainage, air quality, noise levels, natural features of the land, neighborhood property values and neighborhood aesthetic characteristics.

(...)

- e. Otherwise adversely affect the public health, safety, morals or welfare.

- 3. In all cases the applicant's burden of proof shall include the burden of persuading the Board by credible evidence that the applicant has satisfied the criteria set forth in Subsection C(1)(a) of this subsection. In any case where the Board requests that the applicant produce evidence relating to the criteria set forth in Subsection C(2) of this subsection or where any other party opposing the application shall claim that an allowance of the application will have any of the effects listed in Subsection C(2) of this subsection, the applicant's burden of proof shall include the burden of persuading the Board by credible evidence that the allowance of a conditional use will not be contrary to the public interest with respect to the criteria so placed in issue.

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

##### A. Legal Authority for Use

36. The Board of Commissioners of Lower Merion Township enacted Ordinances No. 3971 and No. 4030 which established the RCA.

37. The RCA has been codified through Code §155-216.A. and 155-217.

38. Conditional use standards are set forth in Code §155-141.2 (general requirements).

##### B. Compliance with Requirements of Code Section 155-217.F.(b)(1)

39. The Applicant seeks conditional use approval to deviate from Architectural Design Standards requiring vertical façade articulation at a minimum depth of two (2) feet, spaced fifty (50) feet apart, per Code §155-217.F.5.b.1.a.

40. The Applicant has established that vertical articulation will be inconsistent with the existing architecture by notable Philadelphia architect George Ewing, through the testimony of architect Pilko and renderings included in Ex A-8. This alternative design will

meet legislative intent of the CAD article and RCA subsection to promote a pedestrian friendly development and enhance the visual character of the district.

C. Compliance with Requirements of Code Section 155-217.F.(b)(1)(b)

41. The Applicant seeks conditional use approval to deviate from Architectural Design Standards requiring horizontal façade articulation, per Code §155-217.F.5.b.1.b.

42. The Applicant has established that horizontal façade articulation will be inconsistent with the existing architecture by notable Philadelphia architect George Ewing, through the testimony of architect Pilko and renderings included in Ex A-8. The existing façade has strong horizontal lines from strip windows and additional horizontal articulation will interfere with the clean, quiet, original design. This alternative design will meet legislative intent of the CAD article and RCA subsection to promote a pedestrian friendly development and enhance the visual character of the district.

D. Compliance with Requirements of Code Section 155-217.F.(b)(5)

43. The Applicant seeks conditional use approval to deviate from Architectural Design Standards requiring further visual emphasis to building corners at the intersection of public streets, per Code §155-217.F.5.b.5.

44. The proposed architecture provides further visual emphasis to building corners by carrying the horizontal plane around corners, per the testimony of architect Pilko and renderings included in Ex A-8. This subtle design element will be visible from the intersection of St. Asaph's Road and King's Grant Drive and enhance the visual character of the district.

E. Compliance with Requirements of Code Section 155-217.F.(b)(2)

45. The Applicant seeks conditional use approval to deviate from Architectural Design Standards requiring 65% glass on ground level front facade, per Code §155-217.F.5.b.2.

46. The proposed glazing provides 33% glass area on the ground level front façade. The Applicant has shown that additional windows may not be compatible with the existing design by notable Philadelphia architect George Ewing, through the testimony of architect Pilko and renderings included in Ex A-8. Additional windows would detract from the existing strip windows' strong horizontal lines. This alternative design will meet legislative intent of the CAD article and RCA subsection to promote a pedestrian friendly development and enhance the visual character of the district.

F. Compliance with Requirements of Code Section 155-217.F.(3)

47. The Applicant seeks conditional use approval to deviate from Architectural Design Standards requiring articulation of ground floor walls with less than 25% clear windows by two or more of the following: articulation of façade plane and/or changes in materials; recessed or projecting display window cases for commercial uses; landscaping for above ground parking structures, per Code §155-217.F.3.

48. George Ewing's original architecture included a flat wall adjacent to the front entry door as a design element. The Applicant has adequately demonstrated that neither articulation of the facade plane nor changes in materials are compatible with the attractive existing design and recessed or projecting windows would not be appropriate for an office use. Landscaping in the form of a green screen was proposed by staff and the Planning Commission, but testimony by architect Pilko raised genuine issues about the compatibility of plant material with salt on adjacent walkways in the winter, as well as the green screen being obscured by an existing tree. (Ex A-7.) This alternative design will meet legislative

intent of the CAD article and RCA subsection to promote a pedestrian friendly development and enhance the visual character of the district.

G. Compliance with Requirements of Code Section 155-141.2.B

49. The Applicant has adequately demonstrated that the proposed land development complies with community development objectives found in Article I and legislative intent of the City Avenue District, Regional Center Area, satisfying the requirements of Code §155-141.2 (B)(1), through the testimony of Broseman, Brookshier and Pilko, as well as the Landscape Plan, Architectural Renderings, Zoning Hearing Board decision, Preliminary Land Development approval letter and Architectural Renderings (Ex A-3 to A-11).

50. The Applicant has complied with the general standards for conditional use approval found in Code §155-141.2 (B)(2), as well as Code §155-217.D.1.d., *see supra*.

51. The Applicant has demonstrated that granting the conditional use shall preserve the character of the neighborhood in compliance with Code §155-141(B)(3), through the testimony of Broseman, Brookshier and Pilko, as well as the Landscape Plan, Architectural Renderings, Zoning Hearing Board decision, Preliminary Land Development approval letter and Architectural Renderings (Ex A-3 to A-11).

52. The proposed use shall be serviced by existing public service systems and peak traffic generated by the subject of approval shall be accommodated in a safe and efficient manner in compliance with Code §155-141(B)(4), according to the testimony and documentary evidence submitted by the Applicant.

53. The proposed use has been properly designed with regard to internal circulation, parking, buffering and other elements of proper land planning, pursuant to Code §155-141(B)(5), according to the testimony and documentary evidence submitted by the Applicant.

54. Sufficient plans, studies and other data showing compliance with regulations have been submitted to Township Staff, the Lower Merion Planning Commission, the Lower Merion Township Zoning Hearing Board and the Hearing Officer pursuant to Code §155-141(B)(6).

55. The Applicant has agreed to comply with any condition which may be imposed by the Board of Commissioners and accepted by the Applicant as required by Code §155-141(B)(7).

### DISCUSSION

56. The Regional Center Area of the City Avenue District is graced with an international style office building designed by George Ewing for Liberty Mutual Insurance Company in 1956. It has stood the test of time and remains attractive more than 60 years after it was originally built. The Architectural Design Standards of the Regional Center Area are recent code requirements which ensure high quality design of new buildings and create pedestrian friendly environment at street level, however, in some rare instances they may not improve the architecture of existing buildings with good design.

57. Here, the building's existing midcentury design has strong horizontal lines created by strip windows, minimal ornamentation and natural materials on the façade of the office building. The Applicant's proposed plans are respectful of Ewing's work and sympathetic to it. Testimony and documentary exhibits submitted by the Applicant have demonstrated that additional horizontal and vertical articulation and additional glazing on the existing office building would detract from the existing architecture, especially the strip windows' strong horizontal lines. The alternative designs put forth by the Applicant retain the attractive midcentury design and clean lines of the original façade while meeting the legislative intent of Code. Moreover, the Applicant will create and maintain a landscaped open area with hardscaped gathering space, widened sidewalks and landscaped verges. The new parking structure will



provide horizontal and vertical articulation, convenient off-street parking to reduce on-street congestion, as well as interconnectivity with an adjacent office building. Lastly, the Applicant has put forth persuasive testimony that a green screen on the façade may not be compatible with maintenance of the adjacent walkway in winter, if salting may cause plant material to become unsightly or die. It may be prudent to not require a green screen rather than risk it becoming unsightly over time.

58. For the foregoing reasons, the following order is recommended to the Board of Commissioners:

ORDER

AND NOW on this \_\_\_\_ day of July, 2018, the application of 15 Kings Grant Associates, LP, seeking approval to deviate from Architectural Design Standards of the Regional Center Area, pursuant to Code §155-217.F.5.d of the Zoning Code of the Township of Lower Merion is granted.

This grant of Conditional Use approval is based on the documents and plans submitted in support of the application, all of which are specifically incorporated herein by reference thereto.

Pamela M. Loughman, Esq.  
Conditional Use Hearing Officer  
Township of Lower Merion