

January 10, 2020

**TO:** Planning Commission Members

**FROM:** Christopher Leswing, Director, Building & Planning Department

**SUBJECT: TENTATIVE SKETCH PLAN – 38 W. Lancaster Avenue, Ardmore Theatre, Ardmore, LD# 3838, Ward 4.**

### Proposal

The applicant, Keith D. Stoltz, on behalf of Stoltz Realty, seeks Tentative Sketch Plan approval for the following:

- Demolition of the rear brick auditorium section of the Ardmore Theater;
- Construction of a seven-story addition containing 18 one, two and three bedroom condominiums on the footprint of the demolished brick auditorium section;
- Retention of 4,000 sq. ft. of retail space;
- Construction of a partially below grade parking area containing 17 parking spaces, 15 at-grade parking spaces below the building, and retention of eight existing surface parking spaces;
- Installation of planters along the sides of the building;
- Preservation of the Lancaster Avenue façade/“headhouse” section of the Ardmore Theater, including the street facing retail spaces and arcade; and
- Removal of the existing marquee to be replaced with a replica of the original marquee.



The proposal is illustrated on the attached set of plans that includes six (6) sheets prepared by Site Engineering Concepts dated July 22, 2019, last revised December 20, 2019. The following additional documents were also submitted:

1. Architectural Elevations, prepared by Nelson Architecture & Interiors, Inc., dated July 22, 2019, last revised December 20, 2019
2. Fiscal Impact Analysis prepared by Erik Hetzel, AICP, PP
3. Transportation Impact Study prepared by TPD, dated December 6, 2019

### Property Description

The property contains .71 acres and is located within the ASDD-1 (Ardmore Special Development District 1)/MUST (Mixed Used Special Transportation District) zoning districts as well as in the Ardmore Commercial Center Historic District. The property contains a former movie theater, currently utilized as a single retail space, with a 17,685 sq. ft. footprint and 16 surface parking spaces that operate as metered public parking spaces per a parking lease agreement with the Township. The property also contains land on which there are shared easements for access and parking connecting to Haws Terrace and W. Athens Avenue.

### **Purpose of Tentative Sketch Plan**

The purpose of the Tentative Sketch Plan phase is to work through general site design issues such as the placement of buildings and driveways and identify traffic, circulation, stormwater, landscaping and architectural design issues to be refined at the Preliminary Plan phase.

### **Montgomery County Planning Commission Review**

In their review the County generally supported the applicant's proposal but made recommendations on vehicular circulation, building design and amenities. The County recommendations have been either addressed on the attached plan or have been incorporated into the issues below as well as the recommended conditions of approval.

### **Environmental Advisory Council (EAC)**

The EAC reviewed the plans at their [September 24, 2019](#) meeting and recommended the following:

- Investigate providing a green roof on the building to capture stormwater and reduce the urban heat island effect from the large amount of impervious surface covering the site;
- Provide a connected tree trench for the required street trees along Lancaster Avenue; and
- Design the building to the 2018 International Green Construction Code.

### **Mixed-Use Special Transportation (MUST) District & Comprehensive Plan**

The MUST District strongly encourages the "preservation and rehabilitation of existing buildings... to create diversity of development, accent pedestrian-scale activity and to preserve the character of Lower Merion's existing commercial districts in the vicinity of the train stations." The general goals and objectives of the MUST District include the following specific purposes:

1. Encourage mixed-use real estate development oriented to the rail station, transit stops, and that promotes transit ridership;
2. Promote well-integrated residential, commercial, office and civic development in close proximity to local and regional transit stations that have an urban-scale development pattern;
3. Support new development that includes diverse pedestrian-compatible, higher density, transit-friendly designs and expands economic development opportunities and minimizes distances between destinations by requiring linked sidewalks and pedestrian-oriented access;
4. Provide incentives for the creation of mixed uses in keeping with the character, scale and architecture of the neighborhood, while using development design guidelines to promote compatibility of uses and stimulate pedestrian activity;
5. Maintain a scale, balance and variety of commercial, institutional and residential uses;
6. Promote the livability and identity of the neighborhood by providing for dwellings, shops and workplaces in close proximity to each other;
7. Enhance the visual character and physical comfort of the district by minimizing pedestrian and vehicular conflicts and encouraging the renovation and erection of buildings and storefronts that provide direct connections to the street and sidewalk;
8. Discourage the dependence on automobile use, thereby reducing traffic congestion and promoting alternative modes of traffic;
9. Encourage the development of shared parking and attractive, convenient off-street parking facilities to reduce on-street congestion and facilitate vehicular and pedestrian circulation.

The following recommendations were included in the [Land Use Element of the Township's Comprehensive Plan](#). The applicant should continue to work with the Township to further these recommendations.

- LC46 - Identify preservation assets and develop incentives for adaptive reuse of preservation assets.
- LC47 - Promote higher-level of public greening in Traditional Main Street districts.

MUST Zoning Requirements-Commercial/Residential Mixed Use Buildings			Existing	Proposed
<b>155-87.22- MUST Dimensional Standards for Development</b>	<b>Net Lot Area</b>	No minimum	30,969 sq. ft. (.8 acres)	30,969 sq. ft. (.8 acres)
	<b>Lot Width</b>	No minimum	100'	100'
	<b>Building Area</b>	100% maximum	57.1% (17,685 sq. ft.)	58.8% (16,979 sq. ft.)
	<b>Front Yard</b>	0' minimum	0'	5'-8'
	<b>Build to Line*</b>	15' maximum	23'*	23'*
	<b>Side Yard (SE &amp; NW)</b>	0'-10'	6'- 10'	6'- 10'
	<b>Rear Yard (SW)</b>	0'	0'	0'
	<b>Impervious Surface</b>	100% maximum (30,969 sq. ft. permitted)	96.7% (29,932 sq. ft.)	96.3% (29,828 sq. ft.) (104 sq. ft. decrease) (1,140 sq. ft. remaining)
	<b>Building Height**</b>	78' maximum	-	77.7'
	<b>Buffer Area***</b>	0'	-	0'
<b>155-87.23 – MUST Parking &amp; Loading Requirements</b>	<b>Vehicular Parking****</b>	37 Spaces (Retail: 26 Spaces Residential: 11 Spaces)	-	40 Spaces
	<b>Bicycle Parking*****</b>	7 Spaces	-	12 Spaces

\*Existing non-conformity

\*\*Zoning Code Section [155-87.22.F.4](#) states the maximum height of any mixed-use building on a lot that exceeds 10,000 sq. ft. within 650 feet from the midpoint of the in-bound station platform shall be no more than 78 feet above grade. Zoning Code Section [155-87.22.F.5](#) permits a penthouse to not be included in measuring the height of a mixed-use building if the enclosed area occupies less than 25% of the floor area of the story below and is set back a minimum of 20 feet from the exterior walls of the building.

\*\*\*A buffer is only required when a new or redeveloped building complying with the MUST development design standards is on a lot that backs up to a residentially zoned lot. The properties located along W. Athens Avenue are zoned ASSD-II, which is not a residential zoning district.

\*\*\*\*A detailed parking calculation is provided below.

\*\*\*\*\* Residential:(1 space per 3 Units, 18/3= 6 & Retail: 1 space per 20 automobile spaces = 1) = 7 spaces

Parking Requirement		
	Code Requirement	Required for Proposed
<b>Retail</b>	-Base Requirement: 4 spaces /1,000 sq. ft. (4,000 sq. ft.) = 16 spaces -Per the Required Parking Table for Mixed-Use*= 11 spaces	<b>37 spaces Required (40 proposed)</b>
<b>Residential</b>	-Base Requirement: 1.5 spaces per unit (18 units) = 27 spaces -Per the Required Parking Table for Mixed-Use*= 26	

\*155-87.25.C.1 permits the required parking for new mixed-use structures within the MUST to be calculated using percentages provided in Table 1 of the MUST.

Proposed Parking	Interior		Exterior		Total
	Standard	Compact	Standard	Compact	
<b>Proposed Parking</b>	21	11	5	3	40
<b>Total</b>	32		8		<b>40</b>

## Summary of Fiscal Impact Analysis

The applicant submitted a Fiscal Impact Analysis to demonstrate the anticipated future annual fiscal impacts associated with the project on the Township and School District. The Township's Chief Financial Officer is reviewing the analysis and his findings will be presented at the meeting.

In summary, the analysis shows that the project will result in an annual revenue flow to the Township of approximately \$65,335 and an annual revenue flow to the School District of approximately \$443,993. Total anticipated revenue includes real estate taxes, non-property tax related revenues, real estate transfer tax and local services tax. The impact analysis indicates that the project will generate more income to the Township and School District than the services it requires.

## Issues

### 1. Approval Process

This application is required to obtain multiple layers of review given that it includes a Class 1 resource located within the Ardmore Commercial Historic District. Because of its location in the historic district, the application must be reviewed by the Historical Architectural Review Board (HARB). Similar to the Planning Commission, HARB is an advisory board that reviews applications and makes recommendations to the Board of Commissioners. Per the Township Code, HARB is tasked with reviewing the application under the Secretary of the Interior's Standards for Rehabilitation. HARB's recommendation is included in Issue 2 below.

Similar to HARB, the Planning Commission must review the proposal and make a recommendation based on its compliance with the Zoning, Subdivision and Land Development and Natural Features Codes. Based on staff's review, the project meets the requirements for Tentative Sketch approval under these three Codes. Staff's comments below are focused on further enhancing the project and ensuring that it fits into the existing neighborhood which includes the historic district, commercial district and adjacent residential properties.

Ultimately the final decision on the application rests with the Board of Commissioners who will consider all recommendations made by the various advisory boards.

### 2. Certificate Of Appropriateness

As noted above, because the property is located in the Ardmore Historic District and is a Class 1 resource on the Historic Resource Inventory, HARB must review the proposal and make a recommendation to the Board of Commissioners. On January 7, 2020, HARB reviewed the application and recommended denial based on non-compliance with specific Secretary of the Interior's Standards for Rehabilitation (SOI).

HARB must review the application as directed in the Township Code. In addition to listing guidelines for the review of resources within a Historic District (largely based on the wording of the SOI, the Township Code requires that projects reviewed by the HARB also comply with the SOI Standards for Rehabilitation:

Chapter [88-9.D\(8\)](#). *Work authorized by a certificate of appropriateness shall comply with the United States Secretary of the Interior's standards for rehabilitation, as amended.*

The requirements of the MUST district, part of which encompasses the Ardmore Commercial Historic District, also cite the SOI Standards for Rehabilitation:

[155-87.20C\(8\)](#). *The rehabilitation, alteration, or enlargement of any Class I or Class II Historic Resource in the Ardmore Historic District and identified on the Historic Resource Inventory appended to the Lower Merion Township Code as Chapter [A180](#) and located in the MUST is subject to the regulations in the current version of the Secretary of the Interior's Standards for Rehabilitation of Historic Structures. A recommendation from the Lower Merion Township Historic Architectural Review Board or the Historical Commission must be obtained as required by Chapter [88](#).*

The applicant's attorney, architect, and consultants attended four meetings of the HARB between July 2019 and January 2020 to present the application and subsequent revisions to the application.

Most recently on January 7, 2020, the HARB reviewed a revised design, which included new details and additional renderings. Following the applicant's presentation, the members of HARB commented on the scale and massing of the addition, a concern throughout the review process that had not changed significantly despite concerns expressed consistently by most members of the HARB. The HARB made a motion to recommend denial of the application as submitted, finding it not in compliance with Secretary of the Interior's Standards for Rehabilitation numbers 1, 2, 9 and 10. They made a statement that they consider the rear auditorium portion a character-defining feature of the building.

The majority of HARB members further elaborated on their reasons for citing the four Standards:

**1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.**

The demolition of two-thirds of the building is not a minimal change, and the rear auditorium is a character-defining feature. The HARB's main concern has been the special relationship of the volume of the proposed structure to the "headhouse" and the public rights-of-way of Lancaster Avenue and Haws Terrace.

**2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.**

The impact on the resource as it relates to this Standard is similar to that of Standard 1. The auditorium, a character-defining feature, would be demolished.

**9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.**

The scale of the new construction would be incompatible with the "headhouse" volume and the Ardmore Historic District (its "environment") as a whole. Historic materials, features, and special relationships that characterize the property would be destroyed. [The National Park Service Preservation Brief #14](#), which elaborates on Standard 9, reads that "a new addition should be subordinate to the historic building; it should not compete in size, scale, or design with the historic building," and the new construction would not meet this goal.

**10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

If the majority of a historic resource is being demolished, its potential removal in the future would not result in the retention of the resource's form and integrity.

HARB informed the applicant that they supported attempts to repurpose the resource and encouraged them to continue to refine designs that reduced mass and scale to be more in keeping with the SOI. Staff comments



reflect design suggestions to improve compliance with the Zoning and Subdivision and Land Development Codes.

### 3. Architecture/Design Standards

While preliminary architectural elevations of all sides of the proposed building were included with this application, the applicant will be required to demonstrate compliance with the architectural design standards in the MUST District at the Preliminary Plan stage. Staff recommends that the design of the proposed building addition take design cues from the Silver & Silver building located at [42 W. Lancaster Avenue](#) for massing, materials and masonry and fenestration patterns.

### 4. Haws Terrace Elevation

Staff recommends the streetscape requirements in MUST be applied along Haws Terrace to include trees to be planted in tree grates, or in planter areas at least four feet long by four feet wide, located 30 feet on center. The design of the streetscape in this area should continue the details that were installed with One Ardmore Place.

### 5. Lancaster Avenue Streetscape

The restoration and adaptive reuse of the building's historic façade on Lancaster Avenue would be a preservation victory for Ardmore, as it contributes immeasurably to Lancaster Avenue's early-twentieth-century streetscape. For three quarters of a century, the centrally located theater was a mainstay of the community. The applicant proposes to incorporate retail space along the Lancaster Avenue frontage. One of the largest challenges to activating the Lancaster Avenue streetscape has been the combination of narrow pedestrian space and the speed of vehicles through this corridor creating an uncomfortable pedestrian environment.

A condition has been included requiring the applicant to work with staff to ensure that the streetscape along Lancaster Avenue is sensitively designed. The existing building is sited to take advantage of one of the largest setbacks along Lancaster Avenue (20 feet from the curb).



dining that would further activate the Lancaster Avenue streetscape. Staff notes that this recommendation is consistent with the [Ardmore Storefront Design Guidelines](#).

Lastly, should the auditorium section be removed as proposed, staff recommends that the applicant consider in-setting the proposed addition an additional five feet on the south east (Haws Terrace) elevation to create additional sidewalk space to allow for public gathering space and to encourage greater pedestrian flow through the property to the Lancaster Avenue portion of the development. This would also present a great opportunity to activate this pedestrian space with plantings, decorative lights, benches and other outdoor seating options.

## 6. Pedestrian Connections

This site is in the middle of downtown Ardmore, one of the Township's most walkable communities. Staff recommends the applicant work with the Township to maximize safe pedestrian access to and through the site resulting in less traffic in the nearby neighborhoods. Currently, members of the public are able to traverse the site from areas south of Lancaster Avenue to reach destinations on the north side of Ardmore. The applicant should identify if this public access will remain once the project is complete.

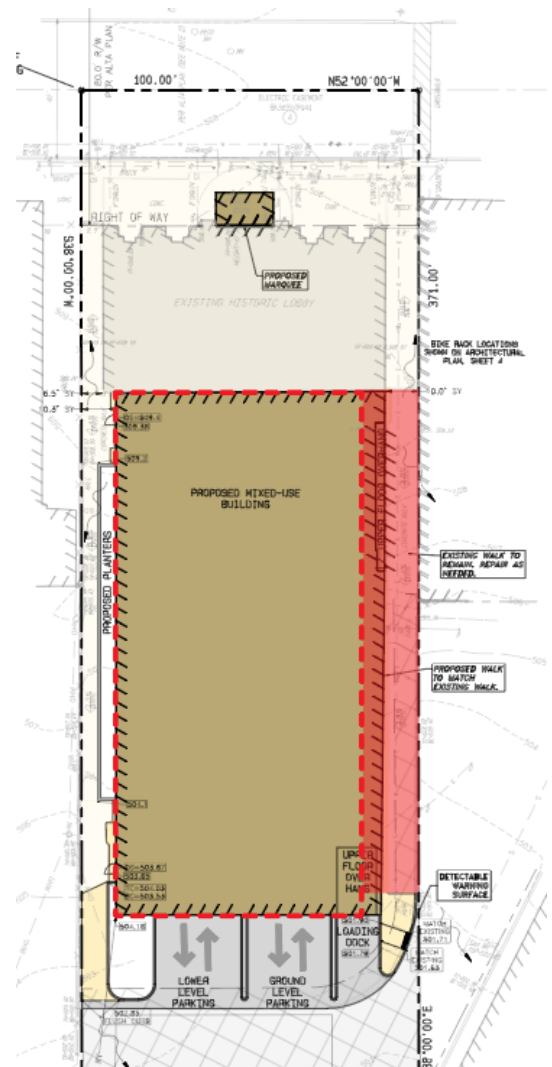
Staff has included a condition requiring a pedestrian circulation plan, which includes crosswalks, preferably raised, to connect the sidewalk that surrounds the proposed structure along the southeastern and southwestern elevation to the existing pedestrian pathways adjacent to the property. Staff has also included a condition requiring the applicant to work with Township staff to provide lighting, signage and other safety measures along the two alleyways on either side of the building.

## 7. Vehicular Circulation

In their review, the County noted that two levels of parking are proposed within the new structure with separate, two-way driveway entrances along the rear façade of the structure. In addition, a loading dock entrance is shown directly adjacent to the two, two-way driveways. These three separate driveways front on an area that is currently used for shared access to public parking and connect to Haws Terrace and West Athens Avenue. The area is also used by pedestrians traversing the site.

Staff has included a condition requiring the applicant to work with staff and the Township Engineer to evaluate how the proposed driveway configuration could impact traffic flow patterns and sight distances in this area, particularly for vehicles exiting the proposed parking levels within the structure. The applicant should also investigate how the introduction of these driveways will impact pedestrians traversing the site and propose measures to provide safe pedestrian access through the site. The Preliminary Plan shall also include truck turning templates demonstrating how trucks will access the proposed loading dock area.

In his review the Township Engineer recommended that the traffic impact study be revised to include an evaluation of the two separate, two-way garage access/egress drives to the upper and lower parking levels. The



applicant should also evaluate how the occasional conflict of vehicles entering/exiting these drives which can arise from the proposed configuration. These recommendations have been included as conditions of approval.

## 8. Lease Agreement

The Township has a lease agreement with the property owner which grants the Township the right to use the entire paved area behind the building as well as a portion of the existing alley on the south side of the building. The agreement, which has been in place since 1951, allows the Township to use the paved area as a public parking lot with parking meters. In addition, the lease grants the Township a revocable license for pedestrian use of the ten foot wide alley on the south side of the theater leading from the parking lot to Lancaster Avenue. The property owner has the right to terminate the lease with 90 days' notice to the Township.

The applicant has indicated that the agreement will be terminated as part of this project and that of the 16 existing parking spaces in the leased area, eight of them will be removed and the remaining eight spaces will be used to satisfy the parking requirement of the project. The pedestrian use of the ten foot wide alley appears to remain, but staff requests that the applicant provide clarification on this to the Planning Commission. Staff also requests that the applicant consider granting easements to the Township to access/traverse the site with vehicles and grant pedestrian access to the alleys on both sides of the building.

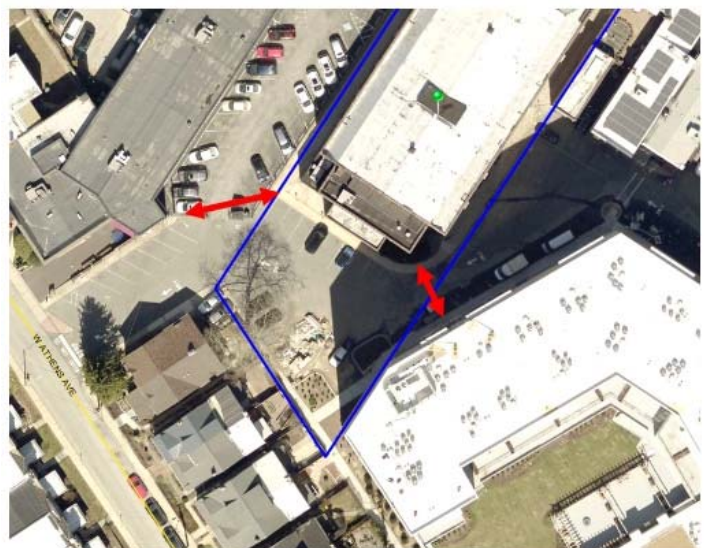
## 9. Stormwater Management

Given that the majority of the site is paved and there is little room to accommodate the plantings required by the Township Code, staff and the Township Engineer support the EAC's recommendation that the applicant investigate providing a green roof on the building.

## 10. Landscaping

While the existing site is mostly paved, staff encourages the applicant to provide as much green on the site as possible in the following ways:

- Examine a better design of the planters along the western side of the building.
- Evaluate the possibility of shifting the rear parking spaces adjacent to the residential properties along W. Athens Avenue closer to the building to provide additional green space. This will require a maneuverability study.
- Investigate installation of connected tree trenches along Lancaster Avenue.



## 11. Action

The Planning Commission must take the following action for this application:

1. Provide a recommendation on the Tentative Sketch Plan.