

## **TOWNSHIP OF LOWER MERION**

### ***Building & Planning Committee***

#### **Issue Briefing**

**Topic:** Ordinance to Rezone 331-355 W. Lancaster Avenue TC1

**Prepared by:** Chris Leswing, Director Building & Planning

**Date:** July 2, 2020

#### **I. Action To Be Considered By The Board:**

Consider authorization for a public hearing to adopt a proposed ordinance to amend Chapter 155, entitled Zoning, to amend the Zoning Map to rezone 331-355 W. Lancaster Avenue from Village Center District, VC to Town Center District, TC1.

#### **II. Why This Issue Requires Board Consideration:**

An ordinance to amend the Zoning Code is subject to the approval of the Board of Commissioners.

#### **III. Current Policy Or Practice (If Applicable):**

The 2016 Comprehensive Plan provides the framework and the community development objectives to guide policy decisions with regards to the Zoning Code.

#### **IV. Other Relevant Background Information:**

A new Zoning Code and Zoning Map for Lower Merion Township was adopted by the Board of Commissioners on February 26, 2020. The Zoning Map resulted in the comprehensive rezoning or reconfirmation of zoning Township-wide. The commercial corridors along Lancaster Avenue and Montgomery Avenue were largely rezoned from CL, C1, C2, Commercial Districts to VC, Village Center District, TC1, Town Center District, or TC2, Town Center District.

This spring, the owner of 355 W. Lancaster Avenue contacted the Building & Planning Department to request that their property be rezoned from VC, Village Center District to TC1, Town Center District. The proposed rezoning will result in a one-story increase to the permissible building height from three-stories to four-stories. Affordable housing or public gathering space must be provided in order to achieve the one-story increase in the TC1 District. The same uses are permitted in both districts. The rezoning will allow the property owner to pursue a mixed-use development that will activate the streetscape along this section of Lancaster Avenue. The owner has expressed interest in providing affordable housing with the proposed development. A schematic is provided at the end of this memo.

Staff reviewed the site conditions, zoning, and uses in this area. In order to maintain a continuous zoning district boundary and to ensure a harmonious streetscape design as the properties are redeveloped/improved in the future staff prepared an ordinance to rezone all properties from 331-355 W. Lancaster Avenue from VC, Village Center District to TC1, Town Center District. The rezoning will extend the TC1, Town Center District from Ardmore's commercial area to Haverford's commercial area. A map highlighting the properties that are proposed to be rezoned is provided at the end of this memo.

#### Relationship to the Comprehensive Plan

Haverford is identified as a 'Neighborhood Main Street' in the Comprehensive Plan. While Neighborhood Main Streets are typically located within walking distance of residential neighborhoods, they are generally auto-oriented and lacking in visual cohesion. Neighborhood Main Streets are identified as areas which could be improved. The location of Neighborhood Main Streets along the Township's main arterials and their auto-oriented form, including disconnected surface parking lots and multiple curb cuts, significantly reduces the efficiency of the local road network. The term Neighborhood Main Streets is aspirational and describes the goal of making these districts more attractive, pedestrian-friendly and better connected to the neighborhoods they serve.

Staff believes that rezoning this area TC1 will lead to enhanced redevelopment that will advance several Comprehensive Plan recommendations. The two key differences between the VC and TC1 Districts include:

1. The maximum building height increases from 3-stories in VC to 4-stories in TC1; and
2. The Frontage Occupation increases from 70% in VC to 90% in TC1.

As noted above, a project must either include public gathering space or affordable housing in order to increase the building height from three-stories to four-stories in the TC1 District. The view of the additional story will be minimized, because the fourth story is required to be stepped back an additional 15 feet. Staff notes that the immediate surrounding neighborhood has historically provided affordable and middle-class housing. Several recent developments in the area provide new luxury apartments out of reach for many. Incentivizing affordable housing advances the following Comprehensive Plan recommendations:

H8: Explore the potential for including affordable housing as part of commercial area revitalization.

H10: Encourage sites for elderly and other low-and moderate-income households through redevelopment or adaptive reuse.

The Comprehensive Plan also acknowledges that the Township's commercial areas are places for communal gathering, socializing, and their design and operation should be a source of community pride. Incentivizing public gathering space in this commercial area advances the following Comprehensive Plan recommendation:

LC26: Link commercial areas with nearby public spaces. Promote small scale gathering spaces such as outdoor dining on a lot-by-lot basis. Require shopping centers to include public gathering space.

The Frontage Occupation standard requires that a building occupy a certain percentage of the area along the frontage to establish a pedestrian-oriented street presence. A higher Frontage Occupation standard means that less room is available for multiple curb cuts and driveways resulting in a pedestrian-friendly commercial corridor. This advances the following Comprehensive Plan recommendation:

LC4: Revise commercial zoning, where applicable, to ensure proper placement of buildings to promote appropriately scaled commercial buildings fronted by an attractive, pedestrian-friendly streetscape.

Staff feels that the proposed rezoning will work as a catalyst to transform this Neighborhood Main Street area into an economically viable, pedestrian-friendly corridor with a mix-of uses supportive of affordable and moderate-income housing thereby advancing several recommendations of the 2016 Comprehensive Plan.

#### Standards for Text or Rezoning Amendments

Staff would like to draw the Planning Commission's attention to the standards for text or rezoning amendments, which are included in the new Zoning Code.

*§ 155-11.3.E.(2) Standards for text or rezoning amendments. In deciding whether to adopt or deny any proposed amendment, or to adopt some modification of the Planning Commission's recommendation, the Board of Commissioners shall consider, among other factors, the following:*

- (a) Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as adopted and amended from time to time; Staff feels the proposed rezoning is consistent with the Comprehensive Plan as noted above.*
- (b) Whether the proposed amendment is compatible with current and projected conditions and the overall character of development in the immediate vicinity of the subject property; The proposed rezoning will result in a 90% Frontage Occupation standard which will ultimately lead to an enhanced pedestrian environment.*
- (c) Whether the proposed amendment is the most desirable use for which the land in the subject property is adapted; and The same uses are permitted in both zoning districts, but the form standards encourage mixed-use development with a focus on the pedestrian environment.*
- (d) Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction. Staff feels that the proposed rezoning will positively impact future development in this area.*

Staff recommends the adoption of this ordinance.

#### Next Steps

The proposed ordinance will be considered at the upcoming public meetings listed below:

- July 6, 2020: Planning Commission - The PC will make a recommendation on the proposed ordinance.

- July 8, 2020: Building & Planning Committee – The B&P will make a recommendation on the authorization of a public hearing for the Board of Commissioners to consider the adoption of the proposed ordinance.
- July 15, 2020: Board of Commissioners – The BOC will consider the authorization of a public hearing.
- September 2020 (TBD): Board of Commissioners – The BOC will consider the adoption of the proposed ordinance at a public hearing, if a public hearing is authorized in July.

#### **V. Impact on Township Finances:**

There will be no immediate impact on Township finances.

#### **VI. Staff Recommendation**

Staff recommends the Building & Planning Committee authorize a public hearing on the proposed ordinance. The proposed rezoning advances several recommendations of the Township's 2016 Comprehensive Plan.

### Illustrative Example of Potential Development (355 W. Lancaster Avenue):



### Map Highlighting Properties to be Rezoned (331-355 W. Lancaster Avenue)

