

TOWNSHIP OF LOWER MERION

BUILDING AND PLANNING COMMITTEE

**Wednesday, September 10, 2025
6:30 PM (Approximately)**

Chairperson: Joshua Grimes
Vice Chairperson: Sean Whalen, Jeremiah Woodring

AGENDA

1. **AUTHORIZATION TO RELEASE FUNDS HELD IN ESCROW**
2. **AUTHORIZATION FOR FRIENDS OF SCHAUFFELE PLAZA PUBLIC SPACE
ENHANCEMENT REQUEST**
3. **RESOLUTION - CONDITIONAL USE APPLICATION – 1 Belmont Avenue, Bala
Cynwyd, Ward 9, LD# 3921C**
4. **PRELIMINARY LAND DEVELOPMENT PLAN - 1 Belmont Avenue, Bala Cynwyd,
Ward 9, LD# 3925PP**
5. **RESOLUTION - AUTHORIZATION OF A GRANT APPLICATION FOR THE MAIN
LINE GREENWAY**
6. **APPROVAL OF CERTIFICATES OF APPROPRIATENESS**
7. **REAPPOINTMENTS TO THE HISTORICAL ARCHITECTURAL REVIEW BOARD**
8. **REAPPOINTMENT TO THE HISTORICAL COMMISSION**
9. **REAPPOINTMENTS TO THE UNIFORM CONSTRUCTION CODE APPEALS
BOARD**
10. **REAPPOINTMENT TO THE ZONING HEARING BOARD**
11. **ADVANCE RELEASE FOR INFORMATION ONLY - NO PRESENTATION OR
DISCUSSION THIS MONTH - AUTHORIZATION TO ADVERTISE ORDINANCE -
CHAPTER 105, NOISE & EXTERIOR LIGHTING - NOISE ENFORCEMENT
AMENDMENTS**



AGENDA ITEM INFORMATION

ITEM: AUTHORIZATION TO RELEASE FUNDS HELD IN ESCROW

Consider for recommendation to the Board of Commissioners approval to release funds held in escrow as Improvement Guarantees in accordance with §135-7 of the Township Code for the following:

260 Rock Hill Road (LOWM 244.21)
CVS Pharmacy Development
Escrow Release No. 2 (FINAL)
Amount \$ 220,438.00

450 W Lancaster Avenue (LOWM 254.51)
The Haverford School Crosman Hall
Escrow Release No. 3 (FINAL)
Amount \$ 18,414.00

PUBLIC COMMENT

ATTACHMENTS:

Description	Type
Escrow Release Letters	Backup Material



**TOWNSHIP
OF
LOWER MERION**
MONTGOMERY COUNTY

TOWNSHIP ENGINEER

75 E. Lancaster Avenue
Ardmore, PA 19003 2376
Telephone: (610) 645-6200
www.lowermerion.org

LOWM 244.21

September 2, 2025

Christopher Leswing, Director of Building and Planning
Township of Lower Merion
75 East Lancaster Avenue
Ardmore, PA 19003

**Re: CVS Pharmacy Development
260 Rock Hill Road
Escrow Release No. 2 (FINAL)**

Dear Mr. Leswing:

We have received a request for the release of escrow funds for the referenced project. Based on field investigations by us and Township staff, we recommend a release as follows:

<u>ITEM</u>	<u>Total Amount</u>	<u>Amount This Release</u>	<u>Total Released</u>	<u>Amount to Remain</u>
I. CVS SITE IMPROVMENTS				
A. Site Preparation				
1. Site Demolition	\$95,000.00	\$0.00	\$95,000.00	\$ 0.00
2. Clearing, Pavement & Fence Removal	5,000.00	0.00	5,000.00	0.00
3. Wood Deck Removal	<u>1,000.00</u>	<u>1,000.00</u>	<u>1,000.00</u>	<u>0.00</u>
Subtotal A	\$101,000.00	\$1,000.00	\$101,000.00	\$0.00
B. Erosion and Sediment Control				
4. Tree Protection Fence	\$450.00	\$0.00	\$450.00	\$ 0.00
5. Silt Fence-18"	650.00	0.00	650.00	0.00
6. Silt Soxx-12"	2,619.00	0.00	2,619.00	0.00
7. Rock Construction Entrance	3,500.00	0.00	3,500.00	0.00
8. Inlet Protection	1,800.00	0.00	1,800.00	0.00
9. Temporary Stabilization	1,000.00	0.00	1,000.00	0.00
10. Erosion Control Matting	2,500.00	0.00	2,500.00	0.00
11. Final Grading & Stabilization	10,000.00	0.00	10,000.00	0.00
12. Temporary Basin	<u>25,000.00</u>	<u>0.00</u>	<u>25,000.00</u>	<u>0.00</u>
Subtotal B	\$47,519.00	\$0.00	\$47,519.00	\$ 0.00
C. Stormwater Management				
13. 18" HDPE	\$14,820.00	\$0.00	\$14,820.00	\$ 0.00
14. 24" HDPE	8,526.00	0.00	8,526.00	0.00
15. Storm Manhole	12,000.00	0.00	12,000.00	0.00
16. Type C Inlet	10,000.00	0.00	10,000.00	0.00
17. Type M Inlet	2,500.00	0.00	2,500.00	0.00
18. 4" PVC	396.00	0.00	396.00	0.00
19. 6" PVC	1,200.00	0.00	1,200.00	0.00

<u>ITEM</u>	<u>Total Amount</u>	<u>Amount This Release</u>	<u>Total Released</u>	<u>Amount to Remain</u>
20. 8" PVC	4,628.00	0.00	4,628.00	0.00
21. Rip Rap with Filter Fabric	342.00	0.00	342.00	0.00
22. Underground Bain #2	50,000.00	0.00	50,000.00	0.00
23. Rain Garden	25,000.00	25,000.00	25,000.00	0.00
24. Yard Drain	<u>1,000.00</u>	<u>0.00</u>	<u>1,000.00</u>	<u>0.00</u>
Subtotal C	\$130,412.00	\$25,000.00	\$130,412.00	\$0.00
D. Paving				
25. Concrete Curb (Full Reveal & Depressed)	\$47,200.00	\$0.00	\$47,200.00	\$ 0.00
26. 1.5" Wearing (ID-2)	36,256.00	0.00	36,256.00	0.00
27. 2" Binder (BCBC)	40,788.00	0.00	40,788.00	0.00
28. 6" Modified Stone	36,256.00	0.00	36,256.00	0.00
29. Asphalt Seal	<u>1,500.00</u>	<u>0.00</u>	<u>1,500.00</u>	<u>0.00</u>
Subtotal D	\$162,000.00	\$0.00	\$162,000.00	\$ 0.00
E. Miscellaneous				
30. Concrete Aprons	\$7,500.00	\$0.00	\$7,500.00	\$ 0.00
31. Concrete Bollards	6,300.00	0.00	6,300.00	0.00
32. Modular Block Wall	26,000.00	0.00	26,000.00	0.00
33. Guide Rail	1,850.00	0.00	1,850.00	0.00
34. Guide Rail End Treatment	5,000.00	0.00	5,000.00	0.00
35. 4" Concrete Sidewalk	33,138.00	0.00	33,138.00	0.00
36. Wheel Stops	975.00	0.00	975.00	0.00
37. Lighting	25,000.00	0.00	25,000.00	0.00
38. Road Control Survey Monumentation	2,500.00	2,500.00	2,500.00	0.00
39. Bike Racks	<u>1,400.00</u>	<u>0.00</u>	<u>1,400.00</u>	<u>0.00</u>
Subtotal E	\$109,663.00	\$2,500.00	\$109,663.00	\$0.00
F. Landscaping				
40. Landscaping (Trees/Shrubs/Perennials/Grasses/Guarantee)	\$49,965.00	\$ 49,965.00	\$ 49,965.00	\$0.00
41. Planters	<u>2,000.00</u>	<u>2,000.00</u>	<u>2,000.00</u>	<u>0.00</u>
Subtotal F	\$51,965.00	\$51,965.00	\$51,965.00	\$0.00
Subtotal I (A-F)	\$602,559.00	\$80,465.00	\$602,559.00	\$0.00
Engineering & Contingencies	<u>60,256.00</u>	<u>8,046.00</u>	<u>60,256.00</u>	<u>0.00</u>
Total	\$662,815.00	\$88,511.00	\$662,815.00	\$0.00
Plus 10%	<u>66,282.00</u>	<u>8,852.00</u>	<u>66,282.00</u>	<u>0.00</u>
Total	\$729,097.00	\$97,363.00	\$729,097.00	\$0.00
Retainage		<u>63,173.00</u>	<u>0.00</u>	<u>0.00</u>
Total		\$160,536.00	\$729,097.00	\$0.00
Release to Developer		\$160,536.00		
Balance of Funds in Escrow Account CVS Site Improvements				<u>\$0.00</u>

<u>ITEM</u>	<u>Total Amount</u>	<u>Amount This Release</u>	<u>Total Released</u>	<u>Amount to Remain</u>
<u>II. TOWNSHIP PROPERTY IMPROVEMENTS</u>				
G. Site Preparation				
42. Demolition	\$20,000.00	\$0.00	\$20,000.00	\$ 0.00
43. Clearing & Pavement Removal	2,500.00	0.00	2,500.00	0.00
Subtotal G	\$22,500.00	\$0.00	\$22,500.00	\$ 0.00
H. Erosion & Sediment Control				
44. Tree Protection Fence	\$450.00	\$0.00	\$450.00	\$ 0.00
45. Silt Fence-30"	140.00	0.00	140.00	0.00
46. Silt Sox-12"	1,260.00	0.00	1,260.00	0.00
47. Inlet Protection	1,800.00	0.00	1,800.00	0.00
Subtotal H	\$3,650.00	\$0.00	\$3,650.00	\$ 0.00
I. Stormwater Management				
48. 18" HDPE	\$2,660.00	\$0.00	\$2,660.00	\$ 0.00
49. 24 HDPE	957.00	0.00	957.00	0.00
50. Underground Basin #1	95,000.00	0.00	95,000.00	0.00
51. Type C Inlet	5,000.00	0.00	5,000.00	0.00
Subtotal I	\$103,617.00	\$0.00	\$103,617.00	\$ 0.00
J. Paving				
52. Concrete Curb (Full Reveal & Depressed)	\$8,625.00	\$0.00	\$8,625.00	\$ 0.00
53. 1.5" Wearing (ID-2)	5,760.00	0.00	5,760.00	0.00
54. 2" Binder (BCBC)	6,480.00	0.00	6,480.00	0.00
55. 6" Modified Stone	5,760.00	0.00	5,760.00	0.00
56. Asphalt Seal	500.00	0.00	500.00	0.00
Subtotal J	\$25,125.00	\$0.00	\$25,125.00	\$ 0.00
K. Miscellaneous				
57. Concrete Aprons	\$5,000.00	\$0.00	\$5,000.00	\$ 0.00
58. Lighting	5,000.00	0.00	5,000.00	0.00
59. Striping & Signage	4,000.00	0.00	4,000.00	0.00
60. Modular Block Wall	6,000.00	0.00	6,000.00	0.00
61. Bike Rack	200.00	0.00	200.00	0.00
62. Bench	400.00	0.00	400.00	0.00
63. Informational Kiosk	1,500.00	0.00	1,500.00	0.00
64. Bicycle Air Pump	300.00	0.00	300.00	0.00
65. 4" Concrete Sidewalk	14,196.00	0.00	14,196.00	0.00
66. Road Control Survey Monumentation	2,500.00	2,500.00	0.00	0.00
Subtotal K	\$39,096.00	\$2,500.00	\$39,096.00	\$0.00
L. Landscaping				
67. Landscaping (Trees/Shrubs/Perennials/Grasses/Guarantee)	\$27,895.00	\$27,895.00	\$27,895.00	\$0.00
Subtotal L	\$27,895.00	\$27,895.00	\$27,895.00	\$0.00

<u>ITEM</u>	<u>Total Amount</u>	<u>Amount This Release</u>	<u>Total Released</u>	<u>Amount to Remain</u>
Subtotal II (G-L)	\$221,883.00	\$30,395.00	\$221,883.00	\$0.00
Engineering & Contingencies	<u>22,188.00</u>	<u>3,039.00</u>	<u>22,188.00</u>	<u>0.00</u>
Total	\$244,071.00	\$33,434.00	\$244,071.00	\$0.00
Plus 10%	<u>24,407.00</u>	<u>3,343.00</u>	<u>24,407.00</u>	<u>0.00</u>
Total	\$268,478.00	\$36,777.00	\$268,478.00	\$0.00
Retainage		<u>23,170.00</u>	<u>0.00</u>	<u>0.00</u>
Total		\$59,947.00	\$268,478.00	\$0.00
Release to Developer		\$59,947.00		

Balance of Funds in Escrow Account Township Property Improvements **\$0.00**

CVS Site Improvements	\$729,097.00	\$160,536.00	\$729,097.00	\$0.00
Township Property Improvements	<u>\$268,478.00</u>	<u>\$59,947.00</u>	<u>\$268,478.00</u>	<u>\$0.00</u>
Total Cost of All Improvements	\$997,575.00	\$220,483.00	\$997,575.00	\$0.00

Regarding the ***CVS Site Improvements*** we recommend a release of escrow in the amount of \$160,536.00. As there is currently a balance of \$160,536.00, following this release of \$160,536.00, the balance remaining in the account for ***CVS Site Improvements*** will be \$0.00 and the account will be closed.

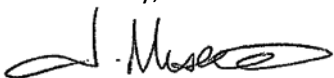
Regarding the ***Township Property Improvements*** we recommend a release of escrow in the amount of \$59,947.00. As there is currently a balance of \$59,947.00, following this release of \$59,947.00, the balance remaining in the account for ***Township Property Improvements*** will be \$0.00 and the account will be closed.

The combined total release of escrow will be in the amount of \$220,483.00. As there is currently a combined balance of \$220,483.00 following this release of \$220,483.00, the balance remaining for both accounts will be \$0.00, and the accounts will be closed.

Two Declarations of Completion are attached and must be signed and dated by the Township Manager following authorization of the Board of Commissioners.

Please advise if we may be of further assistance in this matter.

Sincerely,



Joseph A. Mastronardo, PE
PENNONI ASSOCIATES
 Township Engineer

cc: Colleen Hall, Senior Planner
 Summit Reality Advisors, LLC

**TOWNSHIP
OF
LOWER MERION**
MONTGOMERY COUNTY



TOWNSHIP ENGINEER

75 E. Lancaster Ave.
Ardmore, Pa. 19003-2376
Telephone: (610) 649-4000
FAX: (610) 649-9598

LOWM 254.51

August 28, 2025

Christopher Leswing, Director of Building and Planning
Township of Lower Merion
75 East Lancaster Avenue
Ardmore, PA 19003

Re: The Haverford School Crosman Hall – Permit # G-2019-22
Release of Guarantee – No. 3 FINAL

Dear Mr. Leswing:

We have received a request for release of guarantee funds for the referenced permit. Based on our field investigations, we recommend a release as follows:

	<u>TOTAL AMOUNT</u>	<u>AMOUNT THIS RELEASE</u>	<u>TOTAL RELEASED</u>	<u>AMOUNT TO REMAIN</u>
A. Site Preparation				
1. Building Demolition/Dust Control	<u>50,000.00</u>	<u>0.00</u>	<u>50,000.00</u>	<u>0.00</u>
Subtotal A	\$50,000.00	\$0.00	\$50,000.00	\$0.00
B. Erosion and Sediment Control				
2. Tire Cleaner	\$1,100.00	\$0.00	\$1,100.00	\$0.00
3. Tree Protection/Construction Fence	1,500.00	0.00	1,500.00	0.00
4. Silt Fence	4,400.00	0.00	4,400.00	0.00
5. Inlet Protection	900.00	0.00	900.00	0.00
6. Final Grading & Stabilization	<u>12,000.00</u>	<u>0.00</u>	<u>12,000.00</u>	<u>0.00</u>
Subtotal B	\$19,900.00	\$0.00	\$19,900.00	\$0.00
C. Sanitary Sewer Extension				
7. 6" PVC	<u>10,500.00</u>	<u>0.00</u>	<u>10,500.00</u>	<u>0.00</u>
Subtotal C	\$10,500.00	\$0.00	\$10,500.00	\$0.00
D. Stormwater Management				
8. 8" HDPE	\$10,000.00	\$0.00	\$10,000.00	\$0.00
9. Cleanouts	300.00	0.00	300.00	0.00
10. New Inlet	1,500.00	0.00	1,500.00	0.00
11. Manhole	9,000.00	0.00	9,000.00	0.00
12. Trench Drains	2,000.00	0.00	2,000.00	0.00
13. Infiltration Bed	<u>100,000.00</u>	<u>0.00</u>	<u>100,000.00</u>	<u>0.00</u>
Subtotal D	\$122,800.00	\$0.00	\$122,800.00	\$0.00

	TOTAL AMOUNT	AMOUNT THIS RELEASE	TOTAL RELEASED	AMOUNT TO REMAIN
E. Landscaping and Lighting				
14. Deciduous Trees	\$11,700.00	\$2,400.00	\$11,700.00	\$0.00
15. Deciduous Shrubs	2,210.00	200.00	2,210.00	0.00
16. Evergreen Trees	2,700.00	800.00	2,700.00	0.00
17. Evergreen Shrubs	2,340.00	450.00	2,340.00	0.00
18. Ornamental Grasses	15,000.00	0.00	15,000.00	0.00
19. Perennials	13,140.00	0.00	13,140.00	0.00
20. Lighting Fixtures	<u>45,000.00</u>	<u>0.00</u>	<u>45,000.00</u>	<u>0.00</u>
Subtotal E	\$92,090.00	\$3,850.00	\$92,090.00	\$0.00
F. Miscellaneous				
21. Signage and Striping	<u>2,000.00</u>	<u>0.00</u>	<u>2,000.00</u>	<u>0.00</u>
Subtotal F	\$2,000.00	\$0.00	\$2,000.00	\$0.00
Subtotal A thru F	\$297,290.00	\$3,850.00	\$297,290.00	\$0.00
Engineering & Contingencies	<u>29,729.00</u>	<u>4,709.00</u>	<u>29,729.00</u>	<u>0.00</u>
Total Cost of Improvements	\$327,019.00	\$8,559.00	\$327,019.00	\$0.00
Plus 10%	<u>32,701.90</u>	<u>855.00</u>	<u>32,701.90</u>	<u>0.00</u>
110% of the Cost of Improvements per Section 509 of the Municipal Code	\$359,720.90	\$9,414.00	\$359,720.90	\$0.00
Release of Retainage		<u>9,000.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL		\$18,414.00	\$359,720.90	\$0.00
Release to Developer		\$18,414.00		
Balance To Remain in Escrow Account				<u>\$0.00</u>

We recommend a release of guarantee in the amount of \$18,414.00. As there is currently a balance of \$18,414.00, following this release of \$18,414.00, the balance remaining in the account will be \$0.00 and the account will be closed.

Two Declarations of Completion are attached and must be signed and dated by the Township Manager following authorization of the Board of Commissioners.

Please advise if we may be of further assistance with this matter.

Sincerely,



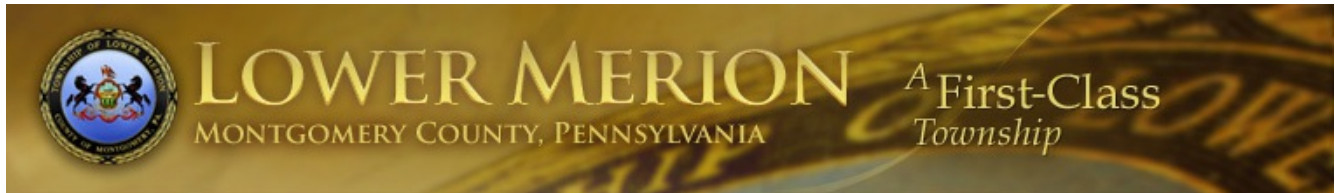
Joseph A. Mastronardo, P.E.

PENNONI ASSOCIATES

Township Engineer

JAM/msm

cc: Angela Forney, Planning Technician
Colleen Hall, Senior Planner
Rochelle Caldwell, Finance Department
The Haverford School, 450 W. Lancaster Avenue



AGENDA ITEM INFORMATION

ITEM: AUTHORIZATION FOR FRIENDS OF SCHAUFFELE PLAZA PUBLIC SPACE ENHANCEMENT REQUEST

Consider for recommendation to the Board of Commissioners to approve a request from Friends of Schauuffele Plaza for public space enhancements to Schauuffele Plaza including additional bistro seating, planters and public art with future maintenance of the improvements to be the responsibility of the Friends of Schauuffele Plaza.

PUBLIC COMMENT

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Issue Briefing	Issue Briefing
<input type="checkbox"/> Backup Materials	Backup Material

TOWNSHIP OF LOWER MERION

Building and Planning Committee

Issue Briefing

Topic: Friends of Schaufele Plaza Tactical Improvements Request

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

Date: September 5, 2025

I. Action To Be Considered By The Board:

Approve a request from Friends of Schaufele Plaza for public space enhancements to Schaufele Plaza including additional bistro seating, planters and public art with future maintenance of the improvements to be the responsibility of the Friends of Schaufele Plaza.

II. Why This Issue Requires Board Consideration:

The Board must approve physical improvements on Township property.

III. Current Policy Or Practice (If Applicable):

The FOSP are an established Lower Merion Township parks Friends group. The Township customarily works with parks Friends groups to provide supplemental amenities, programming and maintenance of public spaces throughout the Township.

IV. Other Relevant Background Information:

The Friends of Schaufele Plaza (FOSP) are requesting that the Board of Commissioners approve public space enhancements to Schaufele Plaza, including additional bistro seating, planters and public art. Staff notes the improvements are proposed for the existing boundaries of Schaufele Plaza which encompasses the small area between Lancaster Avenue and the Schaufele Plaza parking lot between Bella Italia Pizza and the Main Line Coin & Stamp shop.

The attached proposal by FOSP summarizes and illustrates the purpose, extent and location of the proposed improvements. FOSP is coordinating with the Ardmore Initiative on the improvements. Staff has reviewed the proposal and has no issue with the design or program. If this proposal is authorized, staff will provide technical notes to assist with relocation of existing benches and amenities.

V. Impact On Township Finances:

FOSP and the Ardmore Initiative are covering all costs relating to materials, installation and maintenance. There is no impact on township finances.

VI.

Staff Recommendation:

Staff recommends that the Board approve the request to allow the public space improvements with the condition that they are maintained by FOSP and Ardmore Initiative.



August 21, 2025

Board of Commissioners
Lower Merion Township
75 E. Lancaster Avenue
Ardmore, PA 19003

Dear Lower Merion Township Commissioners,

Last fall, I and some other Ardmore residents formed the Friends of Schauffele Plaza (FOSP), an official township friends-of-the-park group, to beautify and activate Schauffele Plaza pending construction of the planned redesign of Schauffele Plaza, Lot 6, and Cricket Terrace.

I am writing on behalf of FOSP to request the Township's approval and support for a community-led tactical placemaking project that will add art, greenery, amenities, and programming to Schauffele Plaza. The Better Block Foundation, an urban-design non-profit that works with communities to revive underutilized spaces, is providing technical guidance and a \$2,500 seed grant for the project, with additional support provided by Ardmore Initiative, Lower Merion Conservancy, and Tired Hands.

Schauffele Plaza—located in the heart of Downtown Ardmore, surrounded by scores of local businesses, and within easy walking distance for thousands of residents—is a prime location for a vibrant public space. But the existing plaza is uninspired and neglected, and therefore unwelcoming and underused. We hope to change that by painting a ground mural, adding native plants in colorful planters, providing additional seating, and facilitating occasional performances, markets, and other programming and events.

In addition to providing a more welcoming third place, we hope that this project will demonstrate the strong pent-up demand for attractive and comfortable third places in Lower Merion and deepen the public's appreciation for the value of our shared spaces. The project is rooted in principles of tactical urbanism - a bottom-up approach to change

that uses short-term, low-cost, low-risk, scalable interventions. The plan, detailed below, was directly informed by community input gathered through a public survey conducted this spring.

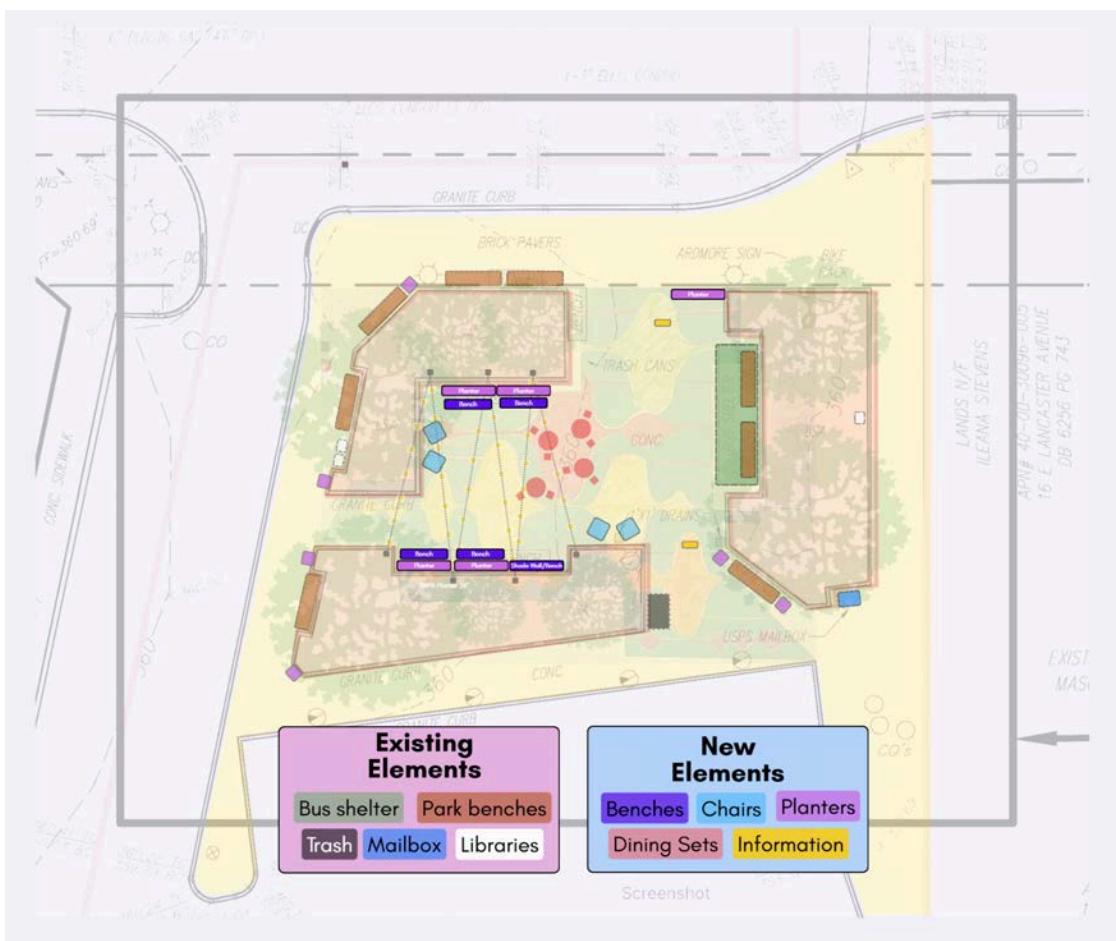
Ardmore resident Deirdre Murphy, an accomplished artist with mural and public art experience, is leading the mural installation, which will cover most of the interior concrete surface area of the Plaza. Deirdre's original and stunning concept uses vibrant colors to visualize mid-Atlantic flyway bird migration data. The mural will be installed using professional-quality exterior masonry paint with anti-slip additive to ensure adequate footing.



Wynnewood resident and native plant expert Kate Cronin is leading the planting component of the project. After assessing the condition of the existing beds, Kate

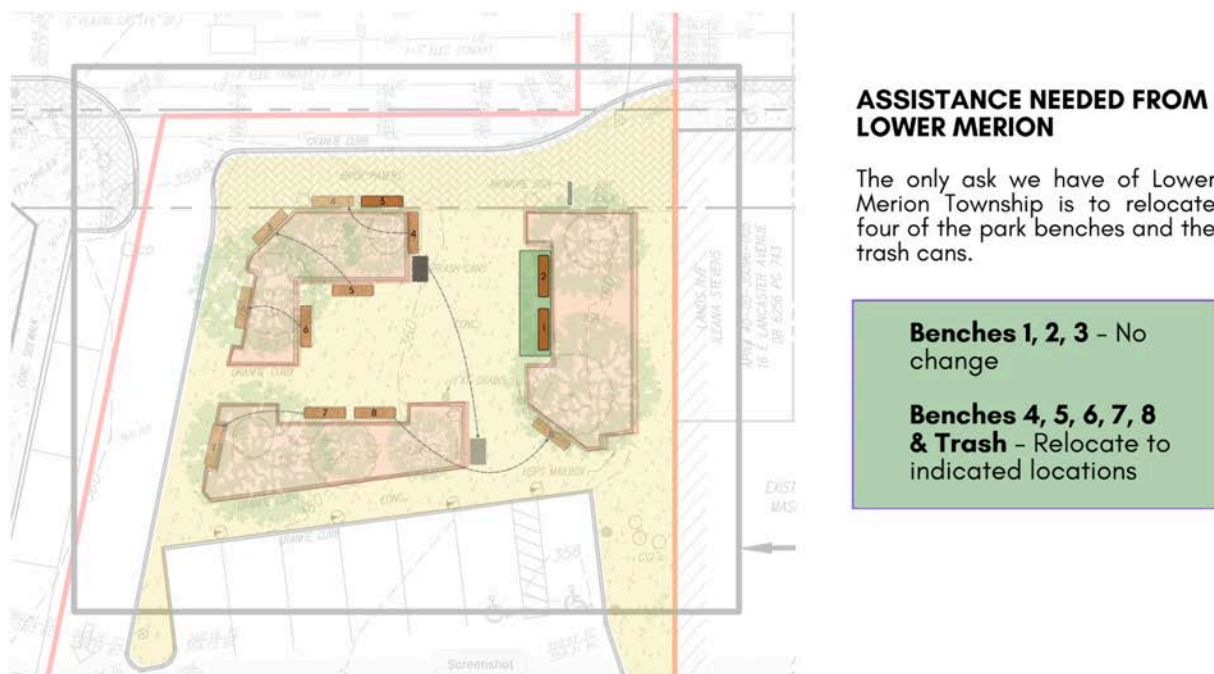
decided that it would be best for new plants to be planted in planters to avoid potentially stressing the trees. Lower Merion Conservancy is a partner on the project and has graciously offered to purchase plants, which will be mostly if not exclusively native perennials. We will enlist volunteers to help with planting and ongoing maintenance, and Ardmore Initiative has agreed to have its contractor water the plants.

I am leading the effort to build or acquire planters, seating, and other elements. We will build five large (18" x 70" x 26") raised planters and a corresponding bench with a shade wall. The planters will be 15-3/4" deep to ensure winter survival of native perennials, and will be lined with 6 mil plastic sheeting. We will also build six small (12" x 17" x 14") cedar planters. and four (13-3/4" x 60" x 17-1/2") benches. The large planters and benches—which are adapted from the designs of Tiny WPA, a Philadelphia non-profit that supports citizen-led placemaking initiatives—will be partially painted with colors matching the mural palette.



Ardmore Initiative will provide additional bistro sets to supplement the existing ones, and we plan to purchase or seek donations of modern-style Adirondack chairs made of durable composite material. Other potential elements include folding sidewalk signs to display local information, additional string lights, and information about Schauffele Plaza's rich history.

The only items we believe we would need the Township's assistance with are 1) the relocation of five of the eight existing park benches to provide seating along the exterior perimeter and 2) the relocation of the trash/recycle container to a new location away from the seating.



Better Block, the project's primary sponsor, employs a quick 120-day approach that sidesteps the normal (lengthy) planning process "by putting the power back into the communities' hands through rapid and temporary placemaking." The project began back in May, but I only recently learned that it would need Board of Commissioners approval. Our plan is to have the project completed by the end of September and to host a community gathering and demonstration event on Saturday, October 4.

Here is the full project timeline:

- May 10-June 17, 2025 - Site selection, community survey, preliminary approvals.

- June 18-July 15, 2025 - Evaluate survey results, assemble core team, develop initial concepts.
- July 16-September 17, 2025 - Design, planning, fabrication, and preparations.
- September 20-21, 2025: Mural installation and element assembly.
- Sept 27-28: Planting installation and final preparations.
- Oct. 4: Opening/demonstration.

Ardmore Initiative has offered to help keep the Plaza clean and to water the plants, and the Friends of Schaufele Plaza will handle other ongoing maintenance of the new elements.

Thank you for your consideration.

Sincerely,

Craig Timberlake
Friends of Schaufele Plaza
Ardmore



AGENDA ITEM INFORMATION

ITEM: RESOLUTION - CONDITIONAL USE APPLICATION – 1 Belmont Avenue, Bala Cynwyd, Ward 9, LD# 3921C

Consider for recommendation to the Board of Commissioners adoption of a Resolution approving a Conditional Use application. The applicant seeks Conditional Use approval pursuant to Zoning Code §155-8.3 to hold 51 parking spaces in reserve.

Expiration Date – 9/18/2025.....Zoning – CAD-RCA

Applicant's Representative: George Broseman, Esq.
Applicant & Owner: KGSB, LLC

The Hearing Officer's recommendation is attached.

PUBLIC COMMENT

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Hearing Officer Recommendation	Backup Material
<input type="checkbox"/> Issue Briefing	Issue Briefing
<input type="checkbox"/> Resolution	Resolution

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

Application CU #3921C

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

This conditional use application was filed by KGSB, LLC seeking conditional use approval for reserve parking, pursuant to Code §155-8.3, to hold up to 107 parking spaces (15.7%) in reserve while redeveloping a parcel located in the City Avenue District-Regional Center Area with three new commercial buildings and retaining the existing office building. 585 parking spaces will be provided, and a reserve parking structure with an additional 293 parking spaces, including 107 reserve spaces will be built if ever needed. Conditional use hearings were conducted on November 11, 2024, and August 7, 2025, before the Conditional Use Hearing Officer.¹

I. FINDINGS OF FACT

A. The Parties and Property

1. The Applicant is KGSB, LLC (“KGSB” or “Applicant”), c/o Mr. Richard Gottlieb, Keystone Property Group, 1001 Conshohocken State Road, Suite 2-201, West Conshohocken, PA 19428.

2. KGSB is represented by George W. Broseman, Esq., a principal of the law firm Kaplin Stewart.

3. KGSB is the owner of 1 Belmont Avenue, Lower Merion Township, further identified as Parcel I.D. No. 40-00-10980-005, the property for which conditional use and land development approvals are sought (“Property”).

¹ The Conditional Use Hearing Officer is authorized to conduct the hearing pursuant to Code §155-11.1.F(9)(c).

4. The Property is located on the corners of City Avenue, Belmont Avenue and St. Asaph's Road with frontage on three sides. It contains 6.76 acres of land and is wider than the maximum lot width of 600-ft, see Code 155-6.6, Table 6.6.6, City Avenue District Regional Center Area.

5. The Property is located within the City Avenue Special Services District, a business improvement district formed by Lower Merion Township and the City of Philadelphia. It is also located within the City Avenue District-Regional Center Area ("CAD-RCA") pursuant to Lower Merion Township Zoning Code ("Code").

6. Adjacent property zoning includes CAD-RCA, CAD-BCR, and MDR3 on the Lower Merion Township side of City Avenue and CMX-2 and CA-2 commercial/commercial mixed-use on the Philadelphia side. To the east, the Property abuts 225 E. City Avenue zoned CAD-RCA that fronts Kings Grant Drive, City Avenue, and St. Asaph's Road.

7. The Property is currently improved with a multistory building, formerly known as the GSB Building, that is primarily used as a multi-tenant office building ("Office Building"). The existing 12-story Office Building contains 219,390 sq. ft. and underground parking spaces. Large surface parking areas surround the Office Building, and multiple driveways connecting to surrounding streets service the Property.

B. Prior Conditional Use and Land Development Approval

8. In 2022, the Applicant received conditional use approval (CU #3889) and land development approval (LD #3889) for the construction of two (2) buildings on the existing surface parking area between the Office Building and Belmont Avenue, while retaining the existing Office Building (collectively "2022 LD/CU Plans"), however, the Applicant is not

moving ahead with the 2022 LD/CU Plans and is seeking conditional use and land development approval for a different, smaller scale redevelopment project. Ex. A-4, A-5.

C. Proposed Redevelopment Project

9. KGSB's redevelopment plans currently propose to retain the existing Office Building and construct three (3) new commercial buildings (17,700 sq. ft. total gross floor area) on existing surface parking areas, together with other site improvements, on the southern half of the Property between the Office Building and Belmont Avenue ("Proposed Project"). The Proposed Project includes two (2) public gathering spaces and two (2) new minor roads. If approved, 682 parking spaces are required and 585 parking spaces would be provided. (Ex. A-24, A-27 p. 5.)

10. KGSB seeks to hold up to 107 parking spaces in reserve, pursuant to Zoning Code §155-8.3. If ever needed, a parking structure with six levels containing 293 parking spaces total will be constructed. (See, Ex. A-24)

11. The Proposed Project is significantly smaller in scale than the 2022 LD/CU Plans. Three single-story buildings with commercial space are proposed:

- (a) Building 1, located at the corner of Belmont Ave. and the proposed West Drive, is a single-story building containing approximately 6,000 sq. ft. for a diner restaurant.
- (b) Building 2 located at the corner of City Ave. and Belmont Ave is a single-story building containing approximately 3,500 sq. ft. for a retail bank.

(c) Building 3 located on the City Avenue frontage of the site is a single-story building containing approximately 8,000 sq. ft. subdivided for three fast-casual restaurants.

Ex. T-8, Bohler Site Plan dated 9/26/24, sheet 3; Ex. A-6, Stuart Overall Illustrative Plan; Ex. A-12 revised Tentative Sketch Plan dated 10/18/24; and Ex. A-13 Preliminary Land Development set dated 11/01/24.

12. The public improvements, including the public gathering space, pedestrianways, new minor streets, street trees, and sidewalks, are the same as the 2022 plan. Ex. T-11, Staff Memo dated 11/4/24 at p. 2.

13. Two new minor streets will be provided as part of the plan. West Road will extend from Belmont Avenue towards the north end of the Office Building. North Road will extend from St Asaph's Road to connect with West Road. Both minor streets will have parking on both sides.

14. The existing surface parking areas on the Property in the area of the proposed redevelopment will be reconfigured as necessary to accommodate the proposed project.

15. A reserve parking area in the form of a future parking deck is proposed for the northern half of the existing surface parking area. It will be bounded by Belmont Avenue, St. Asaph's Road, West Road, and North Road. Conditional use approval is requested for the reserve parking area.

16. The Proposed Project leaves space for the proposed construction of a roundabout by PennDOT at the intersection of Belmont Avenue and St. Asaph's Road or, in the alternative, for widening of Belmont Avenue.

17. The Applicant filed a tentative sketch land development application concurrently with the conditional use application. (Ex. A-1 & T-3) The tentative sketch has been updated and resubmitted as Ex. A-12.

D. Current Application for Conditional Use Approval

18. KGSB filed a conditional use application dated September 27, 2024, seeking reserve parking pursuant to Code §155-8.3 in connection with the Proposed Project. Ex. A-1.

19. Materials submitted with the conditional use application were:

- (a) Addendum to Conditional Use Application;
- (b) Tentative Sketch and Conditional Use Plans dated 9/27/24 prepared by Bohler Engineering;
- (c) Reserve Parking Structure plans dated 8/1/24 and revised 10/18/24 prepared by RHJ Associates;
- (d) Parking Assessment Study dated 10/18/24 prepared by Traffic Planning & Design;
- (e) Transportation Demand Management Strategy dated 9/28/24 prepared by Traffic Planning & Design.

20. Traffic Planning and Design, Inc. (“TPD”) wrote a transportation demand management plan dated 9/26/24, that states the existing Office Building use requires less parking than is required by Table 8.1, Code §155-8.1 “Minimum Required Parking.”(Ex. A-1) The updated transportation demand management plan dated 11/11/24 made the same finding. (Ex. A-17,at 4.)

21. TPD conducted a parking assessment study dated 10/17/24 which was updated on 11/11/24. It found the peak parking demand for the existing office is 373 vehicles, which is 267 vehicles fewer than the required parking for 640 vehicles. (Ex. A-16, Table 3, at 4) Peak parking demand required for the proposed development and existing office building is 441 parking

spaces. The redevelopment plan proposes 625 parking spaces, resulting in an excess of 184 parking spaces and 71% parking occupancy. (Ex. A-16, at 5) Reserve parking would be constructed, if needed in the future, as “structured parking providing 260 spaces, which exceeds the required parking by 22 spaces.” (Ex. A-16 at 6)

22. The Lower Merion Township Engineer, Joseph A. Mastronardo, P.E., (“Mastronardo”) in a letter dated 10/30/24 reviewed the Applicant’s parking assessment study dated 10/17/24 and the tentative sketch plan prepared by Bohler Engineering. Regarding the parking assessment, Mastronardo wrote:

Traffic--The proposed development is one of several pending major developments surrounding the intersection of Belmont Avenue and St. Asaph’s Road which will collectively have a large impact on the existing roadway network. The site driveways to Belmont Avenue should be coordinated with the implementation of the proposed land development plans for the 121 City Avenue site. PennDOT is currently studying the implementation of a multilane roundabout at this intersection. The Applicant must continue to work with the Township, the City Avenue Special Services District, PennDOT, and the adjacent developers to formulate an overall mitigation plan for the roads and intersections impacted by the developments.

(Ex. T-15 at p. 1) The Township Engineer’s letter continues “with the resolution of the preceding major engineering issues and the remaining comments in this letter incorporated, we recommend that the tentative sketch plan be approved.” (Ex. T-15 at p. 1)

23. Engineering comments about parking and reserve parking in Mastronardo’s letter:

1. The Traffic Impact Study for the proposed development should be updated to reflect the current proposal.²
2. Regarding the parking evaluation conducted by the applicant, we would note that the existing traffic demand for the office use was documented during one weekday in July. We recommend that an updated parking occupancy count be completed during the Fall. Additionally, the report should identify the extent to which the office parking may utilize the surface parking intended for the retail uses.

(...)

² A Traffic Impact Study was submitted in connection with the 2022 LD/CU Plan.

13. The Zoning Officer must agree with the number and tabulation of the final parking demand schedule.

(Ex. T-15 at pp. 4-5)

24. Sarah Carley, a Planner in the Department of Building and Planning, reviewed the conditional use application and wrote a memo to the Planning Commission dated 11/4/24, (“Staff Report”) (Ex. T-11) It discusses the Proposed Project, parking requirements in the CAD-RCA, reserve parking requirements, and the Applicant’s original parking demand management plan and original parking assessment study (before they were updated on 11/11/24.) (Ex. T-11)

25. The Staff Report quotes the finding in TPD’s Parking Assessment Study that the proposed 625 parking spaces would provide an excess of spaces to meet demand. (*See*, Ex. A-16, Table 4, at p. 5.) In addition, TPD’s Transportation Demand Management Strategy demonstrates the reserve parking request will comply with the Township’s Transportation Demand Management Policy found in Code §155-8.3. Proposed multimodal transportation infrastructure improvements will reduce vehicular trips to and from the Property. Uses, including retail, public gathering space, and restaurants, will be added to the existing site which currently contains only office and parking uses. (Ex. T-11 at 7)

26. Marley Bice, AICP, Principal Community Planner II at the Montgomery County Planning Commission (“MCPC”) reviewed the Applicant’s tentative sketch plan and conditional use application in a letter dated 11/1/24. (Ex. T-16) It states, “the proposed development is generally consistent with the Montgomery County Comprehensive Plan’s goal to “encourage development and transformative investment where infrastructure already exists.” However,

The proposed development of single-story commercial buildings amongst surface parking does not appear to significantly advance the goal of the Regional Center to ‘transform the predominant auto-oriented, office-based environment into a more functionally diverse live/work/shop environment and pedestrian-friendly district.’

(Ex. T-16 at 2) The MCPC states additional information in future preliminary plan submissions may help further demonstrate the potential benefits of the proposed development. (Ex. T-16 at 2)

27. The following “Review Comments” by the MCPC are relevant to parking:

Zoning Ordinance Comments

(...)

Parking Space Dimensions – Table 8.5.1 of the township’s zoning ordinance establishes minimum dimensions for off-street parking. It does not appear that some of the parking spaces within the northern parking lot meet these minimum dimensions, including the parallel spaces along the Belmont Avenue frontage and the perpendicular spaces along the St. Asaph’s Road frontage.

(Ex. T-16 at p. 4)

28. The MCPC offered an advisory opinion that “generally supports the proposed development; however, we believe that our suggested revisions will better achieve the township’s planning objectives for commercial development.” (Ex. T-16 at 7)

29. The Lower Merion Township Planning Commission reviewed KGSB’s conditional use application for reserve parking on 11/4/24 and recommended “the Applicant be granted approval to proceed” contingent on compliance with the following conditions:

- a. The Applicant shall consider making arrangements to allow a Farmer’s Market to return to the site.
- b. If the developer is allowed to reserve parking, the developer shall be expressly required to go through the land development process again if the reserve parking is to be built.

(Ex. T-12)

30. The Planning Commission also reviewed the tentative sketch application on November 4, 2024, and recommended conditions of approval for tentative sketch were submitted into the record as Ex. T-14.

31. TPD provided an updated Transportation Impact Study dated October 31, 2024, at the conditional use hearing. The executive summary states:

Upon full build-out of the site, the proposed development including the existing office use is expected to generate 276 new vehicle trips during the weekday A.M. peak hour, 315 new vehicle trips during the weekday P.M. peak hour, and 319 new vehicle trips during the Saturday midday peak hour.

Under 2026 and 2031 projected conditions, the study area intersections will operate similar to 2026 and 2031 base conditions during the weekday A.M., weekday P.M. and Saturday midday peaks. All overall intersection delays fall within PennDOT's allowable 10-second variance between no-build and build condition scenarios

All approaches and turning movements at the site driveway intersections will operate at LOS C or better under 2026 and 2031 projected conditions during the weekday A.M., weekday P.M. and Saturday midday peak hours.

Proposed driveway location sight distances will exceed PennDOT's Desirable and Safe Stopping Site Distance (SSSD) criteria.

Levels of service (LOS) for the study area intersections have been summarized in matrix form. Table I details the overall intersection ILOS for each study area intersection.

(Ex. A-18, Executive Summary)

32. At the first conditional use hearing, the Applicant also provided an Updated Parking Calculations Chart dated 11/11/24; Updated Parking Assessment dated 11/11/24; Updated Transportation Demand Management Strategies Plan dated 11/11/24; and Revised Reserve Parking Structure Plan dated 8/01/24 rev. 11/08/24.

E. First Conditional Use Hearing

33. On November 11, 2024, a conditional use hearing was conducted.

34. No one petitioned for party-status or offered public comment.

35. Christopher Leswing, the Director of the Building and Planning Department of Lower Merion Township was present and entered exhibits marked T-1 to T-16 into the record:

T-1 Affidavit of Publication;

T-2 Conditional Use Hearing Agenda 1 Belmont Avenue;

T-3 TSLD-CU Application Submission Letter dated 9/27/24;

T-4 Parking Assessment 1 Belmont dated 10/17/24;

T-5 TDM Strategies I Belmont dated 9/26/24;

T-6 Addendum to Conditional Use Application dated 9/26/24;

T-7 Conditional Use Application dated 9/26/24;

T-8 Civil Plans, CU 3a-Rev-0-Bei dated 10/16-24

T-9 Reserve Parking Structure Plans dated 10/18/24

T-10 LDC Applicant Response Letter dated 10/18/24;

T-11 Staff Report on Conditional Use dated 11/4/24;

T-12 Planning Commission Summary dated 11/4/24;

T-13 Staff Report on Tentative Sketch dated 11/4/24;

T-14 Recommended Conditions of Approval for Tentative Sketch Plan;

T-15 Township Engineer Review dated 10/30/24;

T-16 MCPC Review dated 11/1/24.

36. Leswing stated that the Staff recommendations for the tentative sketch plans are not recommendations for the conditional use application. (N.T. 11/11/24 at 9-10)

37. The Applicant entered the following exhibits into the record:

A-1 Selected Materials from 9/27/24 Tentative Sketch Land Development (“TSLD”) + Conditional Use (“CU”) Applications (LD #3921TS & CU #3921):
Conditional Use Application

Sheets 1-7 TSLD/CU Plans (Bohler)
Original TPD Parking Assessment
Original TPD TDM strategies

A-2 Richard Gottlieb C.V./Bio

A-3 Deed

A-4 Prior Approvals for Property
LD #3889 (2021)
Preliminary Land Development Approval & Conditional Use Approval

A-5 Approved Preliminary Land Development Plan
LD #3889 (2022)(sheets 1,3,5)

A-6 Illustrative Proposed Site Plan (Stuart Associates dated 11/11/24)

A-7 C.V. of Lindsey Breylinger, Bohler Engineering

A-8 Township's Official Map with property highlighted

A-9 Illustrative Aerial of Property & Surrounding Area

A-10 Land Development Committee Comments dated 10/3/24
LD #3921TS & 3921CU

A-11 Applicant's Resubmission/Response dated 10/18/24 to LDC Comments

A-12 Selected Materials from 10/18/24 revised TSLD/CU Plan submission

A-13 Preliminary Plan Development Set dated 11/01/24 by Bohler Engineering
Sheets C-101, C-103, C-104, C-301, C-302, C-303, C-304

A-14 Updated Parking Calculations Chart dated 11/11/24

A-15 CV of Peter Spisszak, AICP, Traffic Planning & Design Inc.

A-16 Updated Parking Assessment dated 11/11/24

A-17 Updated Transportation Demand Management Strategies Plan dated
11/11/24

A-18 Transportation Impact Study dated 10/31/24
(text only, appendixes on file with Township)

A-19 C.V. of Michael Pilko, RHJ Associated, PC

38. Richard Gottlieb, the president and COO of Keystone Investments (“Keystone”) testified Keystone is a vertically integrated commercial development company with a large office portfolio and growing multifamily and retail portfolios. (N.T. 11/11/24 at 13) The Applicant, KGSB, is a special purpose entity related to Keystone. (N.T. 11/11/24 at 16) Gottlieb has worked in commercial real estate for over 35 years as a broker and developer and holds an M.B.A. (Ex. A-2) Broseman offered Gottlieb as a fact witness and an expert witness in office and commercial leasing, management, and development so that Gottlieb could offer an opinion about how much parking is needed. (N.T. 11/11/24 at 15)

39. Gottlieb testified the Property and Office Building had a lot of deferred maintenance and, after acquiring it, KGSB spent four million dollars rehabilitating the crumbling parking garage, electrical switch gear system, renovating the entrance, hallways, and bathrooms, as well as upgrading the curtain wall facing City Avenue and roof deck. (N.T. 11/11/24 at 17)

40. In 2022, KGSB obtained approvals for a much larger project in the same areas of the Property (2022 LD/CU Plans) that included two large mixed-use buildings with a total of 278 apartment units and 27,500 sq ft of ground floor commercial space, a wrapped parking structure with over 600 parking spaces, new internal roads, public gathering space, and a walking/bike trail. Anticipated commercial tenants were a grocery store, restaurants, and retail shops. (N.T. 11/11/24 at 18-20] Ex. A-4 lists approvals issued by the Township. Ex. A-5 contains selected plan sheets for the approved project.

41. KGSB has not moved forward with the development project approved in 2022, Gottlieb testified, because “the market has changed from when we designed (the 2022 project)” and “[i]t just financially just does not work for the equity and the debt.” (N.T. 11/11/24 at 20)

42. KGSB now proposes three commercial structures with five tenants (a bank, a diner restaurant, and three fast-casual restaurants) to improve the property and bring amenities to the Office Building and the neighborhood. Newly created public gathering spaces and accessory uses will be available to the community and will enhance the Office Building. Gottlieb hopes the walkability of the neighborhood will increase too. (N.T. 11/11/24 at 21-22) The current proposal is shown in a rendering by Stuart & Associates Landscaping, (N.T. 11/11/24 at 20; Ex. A-6)

43. The Office Building's current leasing occupancy is 84.4%, which is considered at or near full occupancy. (N.T. at 23) The need for parking at the Office Building has decreased since the COVID-19 pandemic because hybrid work and flexible schedules have become more common. The quality of tenants in the Office Building has gotten better since it [the Office Building] has been improved by KGSB. Current tenants have lower-density uses than previous tenants which had included call centers. There is good public transportation at this building which reduces parking demand. (N.T. 11/11/24 at 25)

44. The Office Building has seen a "drastic reduction" in parking demand since COVID-19. (N.T. 11/11/24 at 26) The Applicant's whole portfolio has had a reduction in parking needs and Gottlieb doesn't think it will come back. (N.T. 11/11/24 at 26) The three proposed buildings would need less parking than comparable stand-alone buildings because they would be located in a highly walkable mixed-use district with nearby residences, in Gottlieb's opinion. (N.T. 11/11/24 at 26-27) "During the day we would expect plenty of people walking from the Office Building as well as other buildings in the immediate vicinity, as well as apartments that are going up across the street and down the street, and the Sutton Terrace. So, this would be highly walkable or bikeable[location]" (N.T. 11/11/24 at 27)

45. The Applicant agrees to provide the required parking and transportation demand management covenant required by the Township and recording with the land development plan. (N.T. 11/11/24 at 28)

46. The Applicant would agree to allow a farmer's market to return to the Property again. (N.T. 11/11/24 at 85)

47. Lindsay Breylinger, PE, ("Breylinger") a licensed engineer employed by Boehler Engineering ("Boehler") was accepted as expert in engineering for the Applicant. (Ex. A-7, C.V.) Boehler is a civil engineer for this project, and her firm was the civil engineer for the project approved in 2022. Breylinger is the senior project manager for this project. (N.T. 11/11/24 at 30)

48. Breylinger testified the property contains 6.8 acres and is located in the CAD-RCA. There is an existing 12-story office building with surface parking and underground parking. The property has access points on St. Asaph's, Belmont, and City Avenue. (N.T. 11/11/24 at 31; Ex. A-9) The surrounding property to the north has been improved with an office building in the CAD-RCA district. The Bala Cynwyd Shopping Center located to the west across Belmont Avenue has a mixed-use building with residential and retail under construction. A reservoir in the City of Philadelphia is located to the south across City Avenue. To the east, there is an existing office building with surface parking. Public multipurpose paths and sidewalks from the Bala Cywnyd Shopping Center connect to the Property. (N.T. 11/11/24 at 32-34)

49. The proposed site plan has been revised several times in response to feedback, as is typical in the land development process. The Land Development Committee's review is found in Ex. A-10. Bohlinger's responses are found in Ex. A-11 The current pending tentative sketch plan is marked Ex. A-12. The preliminary land development plan is marked A-13. (N.T.

11/11/24 at 34-37) Revisions slightly increased the size of the project to 17,700, from 17,500, to allow a mechanical and equipment room however the proposed reserve parking stays the same. (N.T. 11/11/24 at 38-39)

50. PennDOT is contemplating a roundabout at the intersection of Belmont Avenue and St. Asaph's Road. The plans for this project include scenarios for the parking garage with and without the roundabout as requested by Township staff. (*See*, Ex. A-13)

51. The site plan shows the existing Office Building and three new buildings:

- a. Building 1 located at the intersection of Belmont Ave and West Road containing approximately 6,000 sq. ft.;
- b. Building 2 located at the intersection of Belmont Ave and City Avenue containing approximately 3,500 sq. ft.;
- c. Building 3 located along City Avenue containing approximately 8,200 sq. ft. and three tenant spaces.

(Ex. A-13, sheet 301; N.T. 11/11/24 at 41) The surface parking lot is located between Buildings 1, 2 & 3. An existing parking lot is located north of Building 1. There are two new roads, public gathering space, sidewalks, a multipurpose path in line with the official map, multipurpose paths along St. Asaph's Road and City Avenue, and streetscape improvements. (N.T. 11/11/24 at 41-42; Ex. A-13)

52. Recent information about likely tenant uses changed parking calculations, as shown in Revised Parking Calculations. (N.T. 11/11/24 at 43-44; Ex. A-14) The existing Office Building requires 640 parking spaces. New retail use in proposed Building 1 requires eleven (11) parking spaces. New food and beverage uses in proposed Buildings 2 & 3 require an additional 57 parking spaces. With credits for shared parking, the total number is 690 parking spaces Monday to Friday 8:00 am to 6:00 pm. (N.T. 11/11/24 at 45) The Applicant is providing 625

parking spaces on the proposed plans and requesting approval to hold 65 parking spaces in reserve. (N.T. 11/11/24 at 45-46; Ex. A-14)

53. The construction of the reserve parking structure will create the need for additional parking spaces beyond what the project requires. 123 existing surface parking spaces would be removed to construct the parking structure shown on Ex. A-13, sheet c-302. The commercial liner with 16,500 sq ft. of space would require an additional 50 parking spaces. A total of 238 parking spaces would be required in the reserve parking structure. This number has been increased to 260 parking spaces to provide 22 additional parking spaces in the reserve parking structure. (N.T. 11/11/24 at 48-50)

54. Less than 50% of the required 690 parking spaces would be held in reserve if conditional use approval for 65 reserve parking spaces with 625 available on-site is granted, in compliance with Code §155-8.3.B. (N.T. 11/11/24 at 51)

55. The proposed plans show reserve parking can be provided without violating the applicable provisions of Code §155-8.3.D. (N.T. 11/11/24 at 52)

56. Reserve parking, as shown on the proposed plans, complies with the applicable impervious surface ratios in compliance with Code §155-8.3.E. A stormwater management report was provided with the preliminary plan submission. (N.T. 11/11/24 at 52-53)

57. In Breylinger's opinion, the conditional use plan for reserve parking does not conflict with Township and County Comprehensive Plans, in compliance with Code §155-11.1.F(9)(f), because the Applicant is creating additional uses on the property, providing multipurpose paths, public gathering spaces, and two new roads will break up the length of the block. (N.T. 11/11/24 at 53-55)

58. The proposed project will be serviced with public utilities, water and sewer. The much larger 2022 LD/CU plan had received acknowledgments for sewer and water service. Granting the conditional use for reserve parking will not have any detrimental effect on the public health, safety, or welfare. (N.T. 11/11/24 at 55-56)

59. Peter Spisszak (“Spisszak”), AICP, a senior project manager employed by Traffic Planning and Design (“TPD”) was accepted as an expert in transportation planning for the Applicant. He has a bachelor’s degree in geography and environmental planning from Bloomsburg University and “roughly 25 years of experience completing traffic and parking studies all throughout Pennsylvania, Virginia, Maryland and New Jersey.” (Ex. A-15, C.V.)

60. TPD is the transportation planning and design firm for this project, and for the previously approved project LD #3889 (2022 LD/CU).

61. Spisszak is familiar with the property and general area. The Illustrative Aerial Photo of Property & Surrounding Area, Ex. A-9, shows public transportation and multimodal travel options, other than single occupancy vehicles, are available in the area and vicinity of the property. There are multiple bus stops along City Avenue. There is the Bala train station about half a mile from the site. There are a significant number of pedestrian pathways that have been constructed or will be constructed in the future to connect this site to adjacent properties, transportation facilities or the train station. (N.T. 11/11/24 at 59-60)

62. TPD updated the Parking Assessment Report on 11/11/24, Ex. A-16, to match the proposed uses, specifically food and beverage where retail was previously indicated. The Township had requested an update to the Parking Assessment Report too. (N.T. 11/11/24 p. 61-62)

63. In July 2024, TPD counted 373 spaces that were parked or utilized. In November 2024, TPD counted 362 spaces that were parked or occupied, (Ex. A-16) Spisszak explained the ordinance requires 640 spaces for the office building itself, where “almost 300 less parking spaces would be needed.” (N.T. 11/11/24 at 63)

64. Spisszak believes that changes in the workplace such as working from home and hybrid working arrangements following COVID-19 have changed the number of employees going to the office every day and reduced the amount of parking needed. (N.T. 11/11/24 at 64)

65. TPD prepared an updated Transportation Demand Management Strategies Plan dated 11/11/24 to reduce single occupancy vehicle trips to the property. (Ex. A-17) The Applicant is providing connected public multipurpose paths, wayfaring signage such as designated preferential parking spaces for carpool and vanpool vehicles, and an on-site or electronic transportation display. (N.T. 11/11/24 at 65-67)

66. The Traffic Demand Management Strategies Plan will be approved at the time of land development, according to Code §155-8.3.C. The Applicant will continue to work with the Township during the land development process to finalize the TDM plan. (N.T. 11/11/24 a 67)

67. Spisszak opined the existence of various transit options and multimodal travel options in the vicinity of the property also contributes to the reserve parking spaces not being currently needed on the Property. The transportation demand management measures also contribute to the reserve parking spaces not being currently needed. (N.T. 11/11/24 at 67-68)

68. The proposal for reserve parking is suitable for the property because the office use does not require the amount of parking listed in the ordinance as shown in the study in Spisszak’s opinion, referring to Code 155-11.1.F(9)(f)(5). Office uses “basically everywhere” do

not utilize parking as highly as they were prior to COVID-19 and Spisszak doesn't "foresee that coming back at any time in the near future for sure." (N.T. 11/11/24 at 68-69)

69. TPD prepared a Traffic Impact Study in connection with the preliminary land development filing for the property as requested by the Township Engineer. (Ex. A-18) The Traffic Impact Study will be reviewed by the Township as part of the land development review process, as well as PennDOT for the highway occupancy permit. (N.T. 11/11/24 at 69)

70. Spisszak described this site is a "little less intense than the previous proposed site." (N.T. 11/11/24 at 70) The previous development approved in 2022 would generate 109 trips in the am peak hour and 156 trips in the pm peak hour. This proposed site would generate 57 am peak hour trips and 93 pm peak hour trips, which is "almost 50% less in the am peak and roughly 40 % less, 36% less in the pm." (N.T. 11/11/24 at 70-71; Ex. A-18)

71. The Traffic Impact Study complies with the Township's level of service requirements. There are no sight obstructions at the point of ingress and egress that would create an unsafe traffic condition. (N.T. 11/11/24 at 71; Ex. A-18)

72. The bank use and food and beverage uses would not have drive through service windows. (N.T. 11/11/24 at 73)

73. Michael Pilko ("Pilko"), a licensed architect and president of RHJ Associates ("RHJ"), testified as an expert in architecture for the Applicant.

74. RHJ prepared the plans for the reserve parking structure and later updated them based on comments from Township staff and new information in the revised parking chart. (N.T. 11/11/24 at 75; Ex. A-14) The most recent architectural renderings of the reserve parking garage have been submitted as Ex. A-20.

75. Pilko described the reserve parking garage as a five-story structure. The ground floor is predominantly dedicated to the liner of retail uses as well as an interior courtyard that services the retail uses and access to the parking structure. The remaining floors would be parking with architectural screening around the four frontages. Vehicular access would be internal to the side facing West Road. An entrance facing North Road would provide access to the courtyard for the retail tenants. The garage is designed as a trapezoid to accommodate the future roundabout project. (N.T. 11/11/24 at 76-77; *See* Ex. A-13, sheet 304 & A-20)

76. The reserve parking structure is not wrapped at all levels with active uses to comply with Code §155-6.6.I(5)(d) and is designed to reflect Figure 8.5.2 in the zoning ordinance. (N.T. 11/11/24 p. 77-78)

77. The ground floor liner provides for greater than 80% retail occupancy of the entire ground floor façade. Each of the four facades has greater than 80% retail occupancy too. (N.T. 11/11/24 at 78) The Applicant added a ground floor liner along the North Road side of the structure in response to comments by Township staff. The active uses conform to the storefront façade requirement. The reserve parking structure has three entrances. (N.T. 11/11/24 at 79)

78. The reserve parking structure was designed with internal ramping and parking on flat floors to minimize the visual impact of sloped floors. The façade conceals the internal elements of the parking structure. (Ex. A-20) The exterior wall materials will comply with the ordinance. (N.T. 11/11/24 at 79-80)

79. In response to Staff's recommendation for a 10-ft landscaped buffer along North Road, the Applicant revised its drawings to provide a ground floor liner along North Road as well the other sides of the building. (N.T. 11/11/24 at 82-83; Ex. A-20)

80. Pilko concluded his testimony by opining that the reserve parking structure is suitable for the Property in consideration of the issues mentioned in code. (N.T. 11/11/24 at 84)

81. The Director of Building & Planning requested a condition of approval that at the time the building permits are requested, the materials must be provided to comply with the code. (N.T. 11/11/24 at 84-85)

F. Second Conditional Use Hearing

82. On July 9, 2025, the Applicant's attorney wrote a letter requesting that the Board of Commissioners authorize reopening of the conditional use record and scheduling of a second conditional use hearing to provide additional evidence regarding review comments and plan revisions, and to allow the Applicant an opportunity to further address certain issues raised in the Conditional Use Recommendations dated 12/26/24. (Ex. A-21)

83. The Board of Commissioners voted to grant the request.

84. Subsequently, a second conditional use hearing was held on August 7, 2025.

85. No one petitioned for party-status or offered public comment.

86. Colleen Hall, Senior Planner, offered the following documents into the record³ for Lower Merion Township:

T-17 Affidavit of Publication

T-18 Conditional Use Hearing Agenda

T-19 Applicant's Request to Reopen CU Record letter dated 7-9-25

T-20 Staff Issues Memo dated 6-30-25

T-21 Recommended Conditions of Approval-Preliminary Plan dated 6-30-25

T-22 Township Engineer's Review dated 6-27-25

³ The Township's documents have been renumbered T-17 to T-24 to be consecutive with exhibits accepted into the record at the first conditional use hearing (T-1 to T-16).

T-23 Montgomery Planning Commission Review dated 6-27-25

T-24 Penn DOT Letter dated 1-10-25 regarding highway occupancy permit app.

All of its exhibits were accepted into the record.

87. The Township did not call any witnesses to testify.

88. The Applicant offered the following documents into the record:

A-21 Broseman letter dated 7-9-25 regarding reopening the record

A-22 Penn DOT letter dated 1-10-25 regarding highway occupancy permit app.

A-23 Bohler Preliminary Land Development Plans

A-24 Parking Calculations

A-25 Proposed Initial Development (Phase 1) Use Percentage Chart

A-26 C.V. of Jason Shetler

A-27 Revised Parking Assessment

A-28 Updated Transportation Demand Management Plan

A-29 Revised Plan Set for Reserve Parking Structure

A-30 Existing Conditions Aerial View dated 05.2023

A-31 Proposed Improvements Aerial Views dated 08.07.2025

A-32 Montgomery County Comprehensive Plan excerpt

89. Engineer Lindsay Brelinger was recalled by the Applicant to testify about the preliminary land development plans and parking. She explained that the plans were revised in response to Penn DOT's letter dated 1-10-25 regarding the highway occupancy permit application. Ex. A-22. The letter contains a comment asking for realignment of West Road to line up with the property access across Belmont Avenue. Several meetings were held, and a consensus was reached about aligning West Road with the driveway across Belmont Avenue.

Brehlinger revised the plans so that West Road aligns across Belmont Ave with the shopping center driveway. (Ex. A-23, sheet 301 “Site Plan”) In addition, PennDOT is rethinking plans for a roundabout which led to discussion about the potential for future widening of St. Asaph’s Road and Belmont Avenue under Act 209. Brehlinger revised the plans to shift curb lines of the parking areas south and east to account for additional buffering and sidewalks, allowing space for future road widening improvements. (Ex. A-23, sheet 301; N.T. 8/7/25 at 18-21)

90. Breylinger worked with the Township staff to add landscaping islands and more greening, to widen the pedestrian way down the entire length of Belmont Ave, to enhance the public gathering spaces, and to center the access to the northern parking area from West Road. (N.T. 8/7/25 at 22-23)

91. Breylinger testified that revisions to the plans decreased the number of parking spaces being proposed and increased the amount of reserve parking being requested. The minimum number of required parking spaces for the project is 682. The revised plans show 585 parking spaces, a deficiency of 97 parking spaces to be held in reserve. Installing the future parking structure would result in a loss of 99 parking spaces, and the first-floor retail will require an additional 66 parking spaces. The total number of required parking spaces in the future parking structure is 262. The Applicant proposes a total number of 293 spaces in the future parking structure. Shared parking analysis was not provided for in that number, and it would decrease the number of required parking spaces. Thirty-one (31) extra spaces would be provided in the future parking structure with 293 parking spaces. In order to allow for future flexibility for needs or concerns that arise, the Applicant is requesting an additional ten percent held in reserve or 107 parking spaces (15.7%). Revised parking calculations are shown on Ex. A-24. (N.T. 8/7/25 at 26-28)

92. Breylinger opined that the proposed parking plans comply with specific conditional use requirements for reserve parking found at Code §155-8.3.A which allows up to 50% of required parking spaces to be held in reserve. Here, the Applicant is requesting 107 spaces to be held in reserve or 15.7%. (N.T. 8/7/25 at 28-29)

93. The Applicant has documented the full number of parking spaces that could be provided without violating applicable provisions of the zoning ordinance, pursuant to §155-8.3.D, in Breylinger's opinion. (N.T. 8/7/25 at 29; Ex. A-24)

94. Information about the proposed parking structure, required by Code §155-8.3.G, has been provided by the Applicant. The proposed plans comply with the applicable impervious surface ratio, pursuant to §155-8.3.G, in Breylinger's opinion. (N.T. 8/7/25 at 30; Ex. A-24)

95. Breylinger testified the proposed development is a multiple use development under the definition of Code §155-6.6G(1). There will be four buildings adjacent to each other and integrated into the property sharing vehicular parking, public gathering space, and pedestrian walkways. Retail uses will complement the large office space. (N.T. 8/7/25 at 32)

96. Stormwater management facilities for the total number of parking spaces have been provided in the proposed plans, pursuant to Code §155-8.3.E. (N.T. 8/7/25 at 30-31)

97. No single use exceeds more than 80 percent of the total gross floor area on the lot, pursuant to Code §155-8.3.E. Breylinger testified the entire KGSB building is not devoted to office space and prior plans were incorrect in this regard. Rather, office space accounts for 74.4% of the total gross floor area on the lot as documented in Ex. A-25. When additional retail space is built in the parking structure, the percentage of office space drops to 68%. (N.T. 8/7/25 at 33-36)

98. In Breylinger's expert engineering opinion, the revised plans satisfy the general conditional use standards and are in greater compliance than the original plans with improved greening standards, pedestrian connections, stormwater management. (N.T. 8/7/25 at 36)

99. Jason Shetler ("Shetler,") a transportation planning specialist employed by Traffic Planning and Design ("TPD") was accepted as an expert in transportation planning for the Applicant. He has a master's degree in engineering from Penn State University. (Ex. A-26) Shetler worked on parking and transportation studies and reports related to this project with Peter Spisszak, who testified at the first conditional use hearing for TPD but was away on the day of the second conditional use hearing. (N.T. 8/7/25 at 38)

100. TPD revised its Parking Assessment (Ex. A-16) and updated its Transportation Demand Management plan memo (Ex. A-17) for the proposed redevelopment of One Belmont Avenue. The Revised Parking Assessment is marked Ex. A-27.

101. Shetler testified that the 682 parking spaces required for the revised plans are not needed in his opinion. Parking counts were conducted at the property on Tuesday, July 16, 2024; Wednesday, November 6, 2024; and Thursday, November 7, 2024. The peak demand was at 11 a.m. on July 16, 2024, for 373 spaces, which is 303 spaces fewer than the required demand of 682 spaces. In addition, the 540 spaces that would be required for the proposed development would be less than the proposed 585 spaces, resulting in an excess of 45 spaces. (N.T. 8/7/25 at 39-41)

102. The Updated Transportation Demand Management Plan ("TDM") is marked Ex. A-28. Shetler testified that the same three TDM measures prescribed by Spissak are still being proposed: a connective public multi use path or trail; wayfinding signage to public transit facilities and/or public trails; and onsite and/or electronic transportation information displays will

be provided on site in locations where they will be seen by the greatest number of tenants or employees. (N.T. 8/7/25 at 42-43) The Applicant will continue to work with the Township during the land development process to finalize the TDM plan for approval, Shetler testified. The existence of various transit options and multimodal travel options in the vicinity also contribute to reserve parking spaces not being needed currently on the property. (N.T. 8/7/25 at 44)

103. Shetler testified that the traffic impact study that was submitted as A-17 at the first conditional use hearing is still valid as to the revised plan, even though slightly less square feet of proposed buildings are currently proposed. Originally 17,700 square feet was proposed, but the revised plan proposes 17,315 square feet. (N.T. 8/7/25 at 45) He reviewed the PennDOT letter marked Ex. A-22 and said the comments are fairly typical for an HOP application, except for the comment which Engineer Breylinger addressed [about aligning West Road with the driveway across Belmont Avenue.] (N.T. 8/7/25 at 46)

104. Architect Michael Pilko (“Pilko”) was recalled to testify for the Applicant. His firm has revised architectural elements of the proposed buildings and the parking structure plans in response to review comments and feedback. The future road widening was taken into account in the layout and sizing of the design of the reserve parking structure. The Revised Plan Set for Reserve Parking is marked Ex. A-29. The revised parking structure has six levels and a capacity for 293 parking spaces with an excess reserve of 31 spaces. The entire ground floor is retail with storefront windows wrapping around the structure, excepting vehicular entrances and interior access ramps, of which the latter will be screened. (N.T. 8/7/25 at 51-52)

105. Pilko testified that the revised reserve parking structure complies with the design elements of Code §155-6.6.I(5)(d)(1-8) and the general architecture standards of Code §155-3.9. (N.T. 8/7/25 at 53) He explained that the revised plans not only satisfy the general standards, but

“we’re taking it a further step by dedicating the entire ground floor space to retail in lieu of just the wrapper.” (N.T. 8/7/25 at 57)

106. The proposed one-story buildings are 28-ft high. They are designed with spandrel panels to have the appearance of two stories, consistent with architectural standards for a façade set forth in Code, in Pilko’s opinion. (N.T. 8/7/25 at 57-58)

107. Scott Houchins (“Houchins”), Zoning Officer employed by Lower Merion Township, was called as a witness by the Applicant. His job duties include interpreting and applying provisions of the Township’s zoning ordinances, reviewing pending land development plans for zoning and parking compliance, working with the Township’s planning staff and engineer, and seeking advice from the Township Solicitor’s office in making zoning determinations. He is familiar with One Belmont Avenue and the conditional use application for reserve parking.

108. Houchins testified that the Applicant’s current iteration of the plan complies with the applicable provision of the zoning ordinance. Houchins agrees with the Applicant’s engineer that the proposed plans meet the definition of multi-use development found in Code §155-6.6.G.(1). He testified that residential use is permitted but not required in multiple-use development in the CAD-RDA. The proposed plans comply with the ordinance’s requirement that no single use may occupy 80% or more of the total gross square floor area of the buildings on the lot. (Ex. A-25) The minimum height of buildings in the CAD is two stories or 28-ft. A 28-ft, single-story building would be in compliance with code. (N.T. 8/7/25 at 63-66)

109. Christopher Leswing (“Leswing,”) Director of the Building and Planning Department, was called as a witness by the Applicant. His job duties include reviewing land development and conditional use plans for compliance with the Township subdivision and land

development ordinances, the zoning ordinance, and other application ordinance provisions.

Leswing was one of the primary authors of the Township Comprehensive Plan and serves on an advisory body updating the Montgomery County Comprehensive Plan. (N.T. 8/7/25 at 67-68)

110. Leswing is familiar with the pending conditional use application and land development plans for One Belmont Avenue. In his opinion, based on the information he has received, the reserve parking application and associated plans comply with the applicable Township provisions. Moreover, Township planning staff are supportive of the Applicant's request for additional reserve parking, specifically for ten (10) additional spaces over the minimum requirement of 97. Leswing testified that additional reserve parking makes sense because an extra floor in the parking garage is proposed. (N.T. 8/7/25 at 69-70)

111. Leswing believes the proposed development is specifically consistent with the Montgomery County Comprehensive Plan's goal to encourage development and transformative investment where infrastructure already exists. The proposed plan has changed to meet the goal of transforming the predominant auto-oriented office space environment into a more functionally diverse live/work/shop environment and pedestrian friendly environment. "The plan as a whole, as it evolved, is consistent with the goal of making a diverse, pedestrian friendly, inter-connected, economically viable land use plan," Leswing testified. (N.T. 8/7/25 at 72-73)

112. Leswing disagrees with the MCPC's opinion that the "proposed development of single story commercial buildings amongst surface parking does not appear to advance the goal of the Regional Center 'to transform the predominant auto-oriented. Office based environment into a more functionally diverse live/work/shop environment and pedestrian friendly district.'" (N.T. 8/7/25 at 74) He testified that the MCPC doesn't explain why the proposed plan isn't consistent and doesn't further the stated goals. (N.T. 8/7/25 at 74) To the contrary, Leswing

explained that the proposed plan furthers three large goals of the County Comprehensive Plan: connecting communities, creating a sustainable place and building a vibrant economy.

Redevelopment of a surface parking lot and adding new active uses “completely furthers that goal” of transforming investment where infrastructure already exists. The proposed plan will also build trails and improve transportation access to businesses. It will attract and retain businesses and vital community assets and provide flexibility to adapt to changing market conditions. (N.T. 8/7/25 at 74-75)

113. Leswing also testified that, pursuant to the Township’s 2016 Comprehensive Plan, the CAD’s Regional Center has a regional service area for office uses and a wider orientation for commercial uses. The proposed development will help integrate surrounding residential uses into this district and provide connectivity through other businesses to this space with sidewalks, a pedestrian network, and pathways. (N.T. 8/7/25 at 76)

Legal Authority for Use

114. The Lower Merion Township Board of Commissioners enacted Ordinance No. 3971 on April 25, 2012, which established the City Avenue District (“CAD”) and the Regional Center District (“CAD-RCA”).

115. The CAD is codified through §155-6.5 of the Zoning Ordinance.

116. The CAD-RCA is codified through §155-6.6 of the Zoning Ordinance.

117. The goals and objectives of the CAD-RCA district are set forth in Code §155-6.6.A(1)(a-j):

- A. Goals and objectives. The City Avenue District - Regional Center Area (CAD-RCA) is intended to encourage higher-density, mixed- and multiple-use, pedestrian-oriented development, and more economically productive use of land parcels in the vicinity of City Avenue (U.S. Route 1). It recognizes the importance of City Avenue as both a gateway and as an economic generator

for Lower Merion Township by permitting higher densities with a mix of land uses while providing sufficient off-street, on-street and shared parking.

- (1) 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 multimodal transportation, 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 CAD-RCA zoning.
 - (f) Ensure that the architectural proportions and design of new buildings create a pedestrian-friendly environment, especially at the street level.
 - (g) Promote the smooth and safe 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.
 - (h) Encourage the development of shared parking, liner parking, underground parking, and attractive and convenient off-street parking facilities to reduce on-street congestion and facilitate vehicular and pedestrian circulation.
 - (i) Promote the creation and maintenance of landscaped open areas among buildings for public gathering space.
 - (j) Protect the character and quality of existing residential neighborhoods proximate to the CAD-RCA.

118. The CAD-RCA district permits commercial food, and beverage uses and retail uses, pursuant to Article V, Uses. Table 5.3 Regulations.

119. Additional use regulations and standards specific to the CAD-RCA are found in Code § 155-6.6.G:

Uses. Use regulations and standards shall be according to Article V, Uses, Table 5.3 Regulations, and the following:

1. Multiple-use development. A multiple-use development for purposes of this district shall be defined as an integrated, complementary development consisting of two or more buildings on one or more lots that are adjacent to and abut one another.
 - (a) Includes nonresidential uses on any story and residential uses on upper stories only, as listed under Table 5.3, Use Regulations
 - (b) No single use may occupy more than 80% of the total gross floor area of the buildings on the subject lot(s).
 - (c) Multiple-use development may be phased.

(...)

120. The Municipalities Planning Code confers authority to municipalities to grant conditional use relief pursuant to the express standards and criteria of their applicable code:

Zoning ordinances may contain provisions for conditional uses to be allowed or denied by the governing body after recommendations by the planning agency and hearing, pursuant to express standards and criteria set forth in the zoning ordinance. (...) In allowing a conditional use, the governing body may attach such reasonable conditions and safeguards, other than those related to off-site transportation or road improvements, in addition to those expressed in the ordinance, as it may deem necessary to implement the purposes of this act and the zoning ordinance.

Pennsylvania Municipalities Planning Code (Act 247 of 1968) §603(C)(2).

121. The Board of Commissioners may, by conditional use, approve a request to hold parking in reserve pursuant to Code § 155-8.3, Reserve Parking.

The minimum required parking of Table 8.1, Minimum Parking Requirements (...) may be held as reserve parking without actually paving the spaces, when authorized as a special exception. If land development approval is required for the proposed improvements, including additional parking spaces, authorization shall be by conditional use approval from the Board of Commissioners rather than by special exception. The grant of authorization by either board shall be subject to the following:

(...)

- B. New or changed use. Where a use regulated by Table 8.1, Minimum Parking Requirements is created or there is a change of use on the property, and the Board determines that the number of parking spaces required is not currently needed, it may authorize the applicant to hold in reserve up to 50% of the total number of spaces required.
- C. All uses utilizing parking held in reserve, as part of a land development approval, shall comply with the following transportation demand management policies and plan:
 - i. The parking spaces required in §155-8.1 may be held as reserve parking as outlined above, subject to the submittal and approval of a transportation demand management plan in compliance with §135-8.5 when approved through land development by the Board of Commissioners. The grant of authorization for the reserve parking shall be subject to the following:
 - (a). The Board of Commissioners may reserve the required parking spaces if the applicant can demonstrate in the transportation demand management plan that such spaces are not necessary for the proposed use as a result of the availability and use of transportation modes other than the single-occupant vehicle.
 - (b) In order to qualify for the parking reduction, the applicant must demonstrate to the Board of Commissioners' satisfaction that at least three of the following transportation demand management measures improve availability use of transportation modes other than the single-occupant vehicle (one from column A and two from column B).

Column A

- a. Transit facility amenities in compliance with Subdivision and Land Development Code 135-4.9K
- b. Private shuttle service
- c. A connected public, multipurpose path or trail

Column B

- i. Trailhead parking and trailhead signage
- ii. Designated preferential parking spaces for carpool/vanpool

- iii. Wayfinding signage to public transit facilities and/or public trails
 - iv. On-site and/or electronic transportation information displays
On-site transportation information displays shall be located so as to be seen by the greatest number of tenants/employees.¹
- (...)
- i. A listing of facilities available for bicyclists, carpoolers, pedestrians, transit riders, and van poolers at the development.
 - ii. The applicant must agree in a recorded covenant, approved by the Township Solicitor, to install the reserve parking spaces at any future time and setting forth the transportation demand measures that will be implemented and maintained if the Board of Commissioners determines:
 - a. The reserve parking spaces are needed to accommodate the use of the property; or
 - b. The approved transportation demand management plan is no longer being implemented.
- D. The applicant must document that the full number of required parking spaces can be paved without violating any applicable provisions of this chapter as of the date the construction permit is sought.
- E. The applicant shall install stormwater management facilities, as required by the Township, for the total number of parking spaces, including those held in reserve, unless the applicant demonstrates to the Board's satisfaction that the economic and practical benefit of currently installing such facilities for the reserve parking spaces is not significant when compared to the destruction that would be caused to the natural features of the site.
- F. The applicant must agree in a recorded covenant, approved by the Township Solicitor, to install the reserve parking spaces at any future time if and when the Zoning Officer determines that the reserve parking spaces are needed to accommodate the use of the property. That applicant may appeal such order to the Zoning Hearing Board.
- G. Regardless of the number of spaces actually developed, a parking area to accommodate the aggregate number of parking spaces required shall be fully designed, and the area held as reserve parking shall be clearly designated on the plan. The reserve parking area shall be considered in calculating the impervious surface ratio. The parking reserve area shall be planted with vegetative cover and integrated into the site's land development plan.

122. Design of the reserve parking required by § 155-8.3.G must comply with Development Design Standards found in §155-6.6.I.5(d)[1-8]. The Development Design Standards specify a reserve parking structure not wrapped at all levels with active uses is subject to the following architectural design standards:

5. Architectural Design Standards

(...)

(d) Parking structures, not wrapped at all levels with active uses.

1. Pedestrian-oriented active uses, such as retail or commercial, shall occupy 80% of the ground floor of the primary front façade, as shown on Figure 8.5.2, Ground Floor Liner.
2. The required active uses may be either directly attached to the garage structure or separated by an interior court or service lane.
3. The required active uses shall conform to the storefront facade requirements as outlined in § 155-3.9D, Storefronts.
4. Shall have a separate pedestrian entrance.
5. The visual impact of sloping floors from any public accessway shall be minimized through design treatment of the parking structure's facade.
6. That part of a parking garage that is not concealed behind a liner shall have a façade that conceals all internal elements, such as plumbing pipes, fans, ducts.
7. Exposed concrete spandrel panels shall be prohibited when visible from a public way.
8. A ten-foot minimum landscaped buffer consistent with § 155-3.10, Landscape standards, shall be installed where the parking structure is visible from the public way.

Code § 155-6.6.I.5(d).

G. Compliance with Use Regulations

123. The Applicant proposes to infill existing surface parking areas with three single-story commercial buildings and retain an existing office building, together with the installation of two new public gathering spaces, two minor streets, sidewalks, multipurpose paths, and other amenities. The new buildings would contain retail and food and beverage uses. Reserve parking for up to 107 spaces is requested and a reserve parking structure with 293 parking spaces would be built in the future if required.

124. The CAD-RCA permits retail uses and food and beverage uses pursuant to Article V, Uses, Table 5.3.

125. The CAD-RCA permits reserve parking pursuant to § 155-8.3, subject to conditional use approval.

126. Multiple-use development includes nonresidential uses on any story and residential uses on upper stories only, pursuant to Code § 155-6.6.G.1(a).

127. The proposed single-story buildings comply with Code § 155-6.6.G.1(a), according to Zoning Officer Houchins, who testified residential uses are “permitted but not required.” (N.T. 8/7/25 at 64)

128. Multiple-use development in the CAD-RCA specifies no single use may occupy more than 80% of the total gross floor area of the buildings on the subject lot(s), pursuant to Code § 155-6.6.G.1(b).

129. The proposed single-story buildings have five (5) proposed uses: one (1) retail bank use and four (4) food and beverage uses. The proposed buildings contain 17,700 sq. ft. The existing 219,390 sq. ft. Office Building is primarily, but not exclusively, used for office

purposes. As documented in Ex. A-25, no use is greater than 80% of the total gross square footage of the buildings on the lot, which complies with § 155-6.6.G.1(b). (N.T. 8/7/25 at 33-34)

H. Compliance with Code §155-8.3 for Reserve Parking

130. Code 155-8.3.B provides “[w]here a use regulated by Table 8.1, Minimum Parking Requirements is created or there is a change of use on the property, and the Board determines that the number of parking spaces required is not currently needed, it may authorize the applicant to hold in reserve up to 50% of the total number of spaces required.”

131. The proposed redevelopment plan creates new uses on the property.

132. The required parking for the proposed project and the existing Office Building is 682 parking spaces, pursuant to Table 8.1, Minimum Parking Requirements. Ex. A-24. (N.T. 8/7/25 at 25, 29)

133. The Applicant proposes to provide 585 parking spaces, which creates a deficiency of 97 parking spaces.. (N.T. 8/7/25 at 29; Ex. A-24)

134. The Applicant proposed to hold up to 107 parking spaces in reserve by conditional use approval, providing a cushion in the reserve parking of 10 spaces or 10%. 107 parking spaces is 15.7% of the required 682 parking spaces. (N.T. 8/7/25 at 27-29)

135. The Revised Parking Calculations in Ex. A-24 do not account for shared parking, which would potentially slightly decrease the amount of required parking. (N.T. 8/7/25 at 27; *See*, Code §155-8.2(B) and Table 8.2.1, Mixed and Shared Use Parking)

136. Peak parking demand for the existing office is 373 spaces according to the Revised Parking Assessment Study, Ex. A-27, p. 4. (N.T. 8/7/25 at 40-41)

137. . Traffic Planner Shetler testified that the required 682 parking spaces are not currently needed. *See*, Ex. A-28, Table 2. (N.T. 8/7/25 at 40-41)

138. 15.7% of the required 682 parking spaces would be held in reserve if conditional use approval for 107 reserve parking spaces with 585 available on-site is authorized by the Board of Commissioners, complying with Code 155-8.3.B. (N.T. 8/7/25 at 29)

139. Traffic Planner Spisszak testified earlier that changes in the workplace since COVID 19, such as working from home and hybrid working arrangements, have changed the number of employees going to the office every day and reduced the amount of parking needed. (N.T. 11/11/24 p. 64). Gottlieb testified that the Office Building's current leasing occupancy is 84.4% which is considered at or near full occupancy. (N.T. 11/11/24 at 23) The Office Building's current tenants have lower-density uses than previous tenants, which included call centers, and create less parking demand. There is good public transportation at this building too. (N.T. 11/11/24 at 25) This property and the Applicant's whole portfolio have had a reduction in parking needs since COVID-19. (N.T. 11/11/24 at 26)

140. KGSB has provided an updated Transportation Demand Management Plan dated 8/6/25 as required by Code 155-8.3.C(1)(a). (*See*, Ex. A-28)

141. The updated Transportation Demand Management Plan states that all required parking spaces are not necessary for the proposed use as a result of the availability and use of transportation modes other than single-occupant vehicle, in compliance with Code §155-8.3.C(1)(a).

A parking study was conducted to determine existing parking demand for the office use. The parking study concluded that the existing office use requires less parking than is required per Table 8.1 (Chapter 155-8.1, Minimum Required Parking). Supporting Documentation has been provided in the parking study dated August 6, 2025. The office is currently occupied (84.23% leased). Therefore, existing parking counts include reductions from the transportation demand management measures (that) are currently being utilized, which include immediate proximity to SEPTA bus lines, good pedestrian connectivity, and short distance to the Bala SEPTA train station. The proposed TDM measures may also decrease the demand for office parking beyond the existing counts. Land use in the region is trending away from office park and towards mixed us, which

promotes pedestrian and bicycle traveling and a reduction in vehicle trips to nearby businesses. Furthermore, the current office environment continues to allow for hybrid work, which typically results in a reduction in office parking below requirements set prior to these conditions.

(Ex. A-28, p. 4)

142. Traffic Planner Shetler testified that he agrees with Traffic Planner Spisszak's earlier testimony that the existence of the various transit options and multimodal travel options in the vicinity also contribute to reserve parking spaces not being currently needed on the property. (N.T. 11/11/24 at 44) Spissak had testified that here are various transit options and multimodal travel options in the vicinity of the property: multiple bus stops located along City Avenue; the Bala train station about a half mile away from the property; a significant amount of pedestrian paths that are constructed or will be constructed to connect this site to adjacent properties, transportation facilities whether bus stop or train station; contributing to the reserve parking spaces not being currently needed on the property. (N.T. 11/11/24 at 59-60)

143. The Transportation Demand Management Plan proposes at least three transportation demand management measures improve the availability and use of transportation modes other than single occupant vehicle, in compliance with Code §155-8.3.C(1)(b). The Applicant will provide a connected, public multipurpose path, wayfinding signage such as designated preferential parking spaces for carpool and van pool vehicles, and an on-site or electronic transportation display. (N.T. 8/7/25 at 43; Ex. A-28)

144. The Staff Report agrees that proposed multimodal transportation infrastructure improvements will reduce vehicular trips to and from the Property. (Ex. T-11 at p. 7; Ex T-20)

145. The Staff Report agrees that the Applicant's reserve parking request will comply with the Township's Transportation Demand Management Policy required by Code §155-8.3. (Ex. T-11 at p. 7)

146. KGSB has agreed to provide, in a recorded covenant approved by the Township Solicitor, to install the reserve parking spaces at any future time and setting forth the transportation demand measures that will be implemented and maintained if the Board of Commissioners determines the reserve parking spaces are needed to accommodate the use of the property, or the approved transportation demand management plan is no longer being implemented, in compliance with Code 155-8.3.C(2) (a)&(b). (N.T. 11/11/24 at 28)

147. KGSB has documented that the full number of required parking spaces can be paved without violating any applicable provisions of this chapter as of the date a construction permit is sought, pursuant to Code 155-8.3.D, through Ex. A-23 and A-24, and testimony of Engineer Breylinger. (N.T. 11/11/24 at 52; N.T. 8/7/25 at 29)

148. KGSB has provided stormwater management plans with its preliminary plan submission, Ex. A-13, in compliance with Code 155-8.3.E. as explained by the testimony of Engineer Breylinger. [N.T. 11/11/24 at 53] Reserve parking, as shown on the proposed plans, complies with the applicable impervious surface ratios required by Code §155-8.3.E. (N.T. 11/11/24 at 52-53; N.T. 8/7/25 at 30; Ex. A-13; A-23)

149. The Applicant has agreed to provide a recorded covenant approved by the Township Solicitor to install the reserve parking spaces at any future time if the Zoning Officer determines that the reserve parking spaces are needed to accommodate the use of the property, in compliance with Code §155-8.3.F. (N.T. 11/11/24 at 28)

150. The parking area to accommodate the aggregate number of parking spaces required has been fully designed, and the area held as reserve parking is clearly designated on the revised plan, Ex. A-23, in compliance with Code 155-8.3.G. (N.T. 11/11/24 at 52; N.T. 8/7/25 at 22-30) Architect Pilko testified the reserve parking structure plan provides a fully designed

parking structure to accommodate the aggregate number of parking spaces, and the area held as reserve parking is clearly designated on the plan, in compliance with Code §155-8.3.G. (N.T. 11/11/24 at 75-84) The parking reserve area will be planted with vegetative cover and integrated into the site's land development plan. (See, Ex. A-23) Engineer Breylinger testified the reserve parking area was considered in calculating the impervious surface area. (N.T. 11/11/24 at 52-53)

I. Compliance with Code §155-6.6.I.5(d) Architectural Design Standards

151. Architectural design standards for reserve parking structures not wrapped at all levels are found in Code 155-6.6.I.5(d)[1-8].

152. The Applicant proposes a reserve parking structure with retail uses on the entire ground floor, not just the wrapper, as depicted in architectural renderings marked Ex. A-29, and in Architect Pilko's testimony (N.T. 8/7/25 at 57) It is a six-level structure with retail space on the ground floor and access to the parking structure. The remaining floors would be parking with architectural screening around the four frontages. (N.T. 8/7/25 at 49, 51-52; Ex. A-29)

153. Pedestrian-oriented active uses shall predominately occupy the entire ground floor of the parking structure, in compliance with Code §155-6.6.I.5(d)[1]. Architect Pilko testified the ground floor will be "predominantly retail, some building service components, vertical circulation for both pedestrians and vertical circulation for vehicles." (N.T. 8/7/25 at 49) The building will have storefront windows wrapping around the ground floor retail space, except for vehicular entrances and access ramp openings which will be screened. (N.T. 8/7/25 at 51-52)

154. Retail uses on the ground floor are directly attached to the garage and will have access from the street, in compliance with Code §155-6.6.I.5(d)[2]. (N.T. 8/7/25 at 51-52; Ex. A-29;)

155. The required active uses will conform to the storefront façade requirements as outlined in 155-3.9D, Storefronts, in compliance with Code §155-6.6.I.5(d)[3] (N.T. 11/11/24 at 79)

156. The parking structure will have separate pedestrian entrances as shown on Ex. A-29, in compliance with Code §155-6.6.I.5(d)[4]. (N.T. 11/11/24 at 79)

157. The reserve parking structure was designed with internal ramping and parking on flat floors to minimize the visual impact of sloped floors, depicted in Ex. A-29, in compliance with Code §155-6.6.I.5(d)[5]. The façade conceals the internal elements of the parking structure. (N.T. 11/11/24 at 80-81)

158. The concrete spandrel panels will not be visible from the public way because there is architectural screening, in compliance with Code 155-6.6.I.5(d)[7]. (Ex. A-20) The Applicant will provide exterior wall materials that comply with the ordinance's requirements for stone, brick, stucco, masonry wood, cement wood, metal, or glass. (N.T. 11/11/24 at 81-82)

159. The Applicant's architect testified and submitted architectural plans for the proposed reserve parking structure that demonstrate compliance with the applicable architectural design standards, pursuant to Code 155-6.6.I.5(d)[1-8]. (N.T. 11/11/24 at 82; N.T. 8/7/25 at 52)

J. Compliance with Code §155-11.1.G(4) Traffic Impact Study

160. The Applicant may be required to provide a Traffic Impact Study to assure compliance with conditions regarding level of service, sight obstructions and unsafe traffic conditions, pursuant to §155-11.1.G(4).

161. The Applicant submitted a Traffic Impact Study in connection with the previous land development approval in 2022. The Director of Building and Planning and

the Township Engineer required an updated Traffic Impact Study. The Applicant has provided an updated Traffic Impact Study dated 10/31/24, Ex. A-18.

162. The Traffic Impact Study states:

Upon full build-out of the site, the proposed development including the existing office use is expected to generate 276 new vehicle trips during the weekday A.M. peak hour, 315 new vehicle trips during the weekday P.M. peak hour, and 319 new vehicle trips during the Saturday midday peak hour.

Under 2026 and 2031 projected conditions, the study area intersections will operate similar to 2026 and 2031 base conditions during the weekday A.M., weekday P.M. and Saturday midday peaks. All overall intersection delays fall within PennDOT's allowable 10-second variance between no-build and build condition scenarios

All approaches and turning movements at the site driveway intersections will operate at LOS C or better under 2026 and 2031 projected conditions during the weekday A.M., weekday P.M. and Saturday midday peak hours.

Proposed driveway location sight distances will exceed PennDOT's Desirable and Safe Stopping Site Distance (SSSD) criteria.

(Ex. A-18, Executive Summary)

163. Transportation Planner Spisszak testified at the first conditional use hearing that the Traffic Impact Study "shows compliance with the Township's level of service requirements" and "all the existing and proposed driveways meet the PennDOT site distance criteria" in compliance with Code §155-11.1.G(4). (N.T. 11/11/24 at 71)

164. At the second conditional use hearing, Transportation Planner Shetler testified that the traffic impact study previously submitted as Ex. A-18 is still valid as to the revised plan. The proposed square footage of the buildings has gone down from 17,700 sq. ft to 17,315 sq. ft, so the traffic impact study assumed traffic for a slightly larger amount of new space. (N.T. 8/7/25 at 45)

165. Shetler testified that the parking assessment, Ex. A-16, and the transportation demand management strategies plan memo, Ex. A-17, have been updated to reflect the revised parking calculations contained in Ex. A-27. TPD conducted parking counts at the property on Tuesday, July 16, 2024; Wednesday, November 6, 2024; and Thursday, November 7, 2024. The peak demand was for 373 spaces which is 303 vehicles fewer than the required demand of 676 (corrected to 682). There was a large surplus of parking spaces. (N.T. 8/7/25 at 40-41)

166. The Township Engineer reviewed the Traffic Impact Study dated 5/25/25⁴ as part of preliminary plan review, Ex. T-22. He wrote:

Traffic—The proposed development is one of several pending major developments surrounding the intersection of Belmont Avenue and St. Asaph's Road which will collectively have a large impact on the existing roadway network. The revised site driveway location to Belmont Avenue has been coordinated with the proposed land development plans for the 121 City Avenue site. However, based upon recent meetings with PennDOT, the preferred improvement alternative at the intersection of Belmont Avenue and St. Asaph's Road has not yet been determined, and may require turn restrictions at the site driveway. The applicant must continue to work with the Township, the City Avenue Special Services District, PennDOT, and the adjacent developers to formulate an overall mitigation plan for the roads and intersections impacted by the development(s). With the resolution of the preceding major engineering issues and the remaining comments in this letter incorporated, we recommend that the Preliminary Plan be approved.

(Ex. T-22)

167. The Applicant has demonstrated compliance with Code §155-11.1.G(4) through the Traffic Impact Study, the testimony of Transportation Planners Spisszak and Shetler, and the Township Engineer's recommendation in Ex. T-22.

K. Compliance with Code §155-11.1.F, Process and Procedures for Conditional Uses

⁴ A Traffic Impact Study dated 5/25/25 was not submitted into the record. It is unclear if the reference is to Transportation Impact Study dated 10/31/24; Ex. A-18.

168. Code §155-11.1.F requires the proposed plan to “comply with the specific requirements for the proposed use set forth in Article V, Uses,” pursuant to Code §155-11.1.F(3).

169. Use requirements set forth in Article V, Uses, Table 5.3 include retail and food and beverage uses in the CAD-RCA.

170. The Zoning Officer testified that the proposed retail, bank, food and beverage uses are permitted uses at the property under Article 5 of Table 5.3. (N.T. 8/7/25 at 63)

171. The Applicant has demonstrated that the proposed retail use and food and beverage uses comply with use requirements in the CAD-RCA set forth in Article V, Uses, Table 5.3.

L. Compliance with Code §155-11.1.F.9(f) Criteria for Conditional Use Approval

172. Code §155-11.1F(9)(f)[1] requires substantial evidence that the development plan “meets all conditions of uses found in the use classification section of this chapter.”

173. Use regulations and standards in the CAD-RCA are contained in Code § 155-6.6.G.

174. The use regulations and standards in the CAD-RCA require multiple-use development defined as “an integrated, complementary development consisting of two or more buildings on one or more lots that are adjacent to and abut one another.” Code § 155-6.6.G.1.

175. Engineer Breylinger testified that the proposal meets the definition of a multiple use development in the RCA found in Code §155-6.6.G(1). (N.T. 8/7/25 at 31-32)

176. The Zoning Officer testified that he agrees with Breylinger's testimony that the proposal meets the definition of multiple use development. (N.T. 8/7/25 at 63-64)

177. Multiple-use development does not permit a single-use to occupy more than 80% of the total gross floor area of the buildings on the lot, pursuant to Code §155-6.6.G(1)(b).

178. Engineer Breylinger prepared a chart summarizing the existing and proposed uses, Ex. A-25, that demonstrates compliance with the 80% limit.

179. The Zoning Officer testified that he agrees with the chart, Ex. A-25. (N.T. 8/7/25 at 65)

180. The Applicant has persuasively demonstrated that the proposed development plan complies with use regulations and standards requiring multiple-use development in the CAD-RCA contained in Code §155-6.6.G.1(a) and (b) and, thereby, all conditions for uses pursuant to Code §155-11.1F(9)(f)[1].

181. Code §155-11.1F(9)(f)[2] requires substantial evidence that the development plan "does not conflict with the Township and County Comprehensive Plans and other plans adopted by the Township."

182. The MCPC's review letter dated 1-30-25, Ex. T-23, states:

the proposed development will activate portions of an existing surface parking lot with new uses and create public amenities such as a central gathering space and improved sidewalks, which is generally consistent with [the Montgomery County Comprehensive Plan's] goal to 'encourage development and transformative investment where infrastructure already exists.'

(Ex. T-23, p.2) It also states:

the proposed development of single-story commercial buildings amongst surface parking does not appear to significantly advance the goal of [Lower Merion Township's]

Regional Center to “transform the predominant auto-oriented, office-based environment into a more functionally diverse live/work/shop environment and pedestrian-friendly district.” However, the proposed development includes amenities that would improve this prominent property, including streetscape improvements, public gathering space, a bus shelter, and outdoor dining.

(Ex. T-23 at 2)

183. The Director of Building and Planning, Christopher Leswing, who serves on an advisory body with Montgomery County that is updating the county’s comprehensive plan, testified that the proposed plan is “specifically consistent” with the Montgomery County Comprehensive Plan. (N.T. 8/7/25 at 72) He described the three large goals of the county comprehensive plan: connecting communities, creating a sustainable place, and building a vibrant economy.

Each of those points in there is furthered by this plan, like building trails, improving transportation access to businesses, encouraging development that transforms investment where infrastructure already exists. This is a redevelopment of a surface parking lot and adding new active uses, so that completely furthers that goal. It’s attracting and retaining businesses and vital community assets, and it’s also providing flexibility to adapt to changing market conditions just from an economic standpoint.

(N.T. 8/7/25 at 74-75) He pointed out that the MCPC’s review letter dated June 27, 2025 does not state that there’s an inconsistency. (N.T. 8/7/25 at 73)

184. Leswing also testified that the proposed plan is “absolutely consistent” with the Regional Center of Lower Merion Township.

The goal of the Regional Center is to transform the predominantly auto oriented, office based environment into a more functionally diverse live/work/shop environment and a pedestrian friendly district. The improvements do exactly that. The Regional Center has a regional service area for office uses and a more Township-wide orientation for commercial uses. The development and inclusion of the sidewalk and pedestrian network and the pathways help to integrate surrounding residential uses into this district and also provide connectivity through other businesses in the district to this space.

(N.T. 8/7/25 at 76)

185. In light of Leswing's testimony providing multiple examples of the proposed plan's consistency with the Montgomery County Comprehensive Plan and the Lower Merion Comprehensive Plan, the Applicant has provided substantial evidence that the proposed development plan does not conflict with the Township and County Comprehensive Plans, in compliance with Code §155-11.1F(9)(f)[2].

186. Code §155-11.1F(9)(f)[3] requires substantial evidence that the proposed development plan "is consistent with the spirit, purposes and intent of the applicable zoning district."

187. Engineer Breylinger testified that the proposed reserve parking is consistent with the spirit, purposes, and intent of the applicable zoning district because it provides additional uses on the property, as well as incorporates public gathering space and multipurpose trails. "Adding North Road and West Road will break up the length of the block" which is currently nonconforming. (N.T. 11/11/24 at 54)

188. The Staff Report regarding the tentative sketch land development plan, Ex. A-13, states the "proposed project will result in more productive land use than the Property's existing use as surface parking. The addition of two minor streets will create smaller blocks, and the implementation of streetscape improvements will result in a pedestrian friendly environment in alignment with the intent of the CAD-RCA legislative code." (Ex. T-13 at 3)

189. The Zoning Officer testified that the current iteration of the plans complies with the applicable provisions of the zoning ordinance. (N.T. 8/7/25 at 62)

190. The Applicant has provided substantial evidence that the proposed development plan is "consistent with the spirit, purposes and intent of the applicable zoning district" in compliance with Code §155-11.1F(9)(f)[3].

191. Code §155-11.1F(9)(f)[4] requires substantial evidence that the proposed development plan “is in conformance with all applicable requirements of this Chapter and all municipal, state and federal codes applicable to the use or process in question”

192. The Applicant has demonstrated that the proposed development plan is in conformance with all applicable requirements of this Chapter and all municipal, state and federal codes applicable to the use or process in question, in compliance with Code §155-11.1F(9)(f)[4], specifically conformance with use regulations and standards requiring multiple-use development in the CAD-RCA contained in Code §155-6.6.G.1(a) and (b).

193. Code §155-11.1F(9)(f)[5] requires the development plan is “suitable to the Property in question when considering traffic, vehicular and pedestrian circulation, location and design of parking areas, adjacent land uses and other impacts on the surrounding area. The scale of the proposed uses relates to and complements the surrounding area.”

194. Transportation Planner Spisszak testified the proposal for reserve parking is suitable for the property based on the parking study he conducted, Ex. A-1 and A-16. “The office use (...) does not require the amount of parking that is listed in the current ordinance. Office uses basically everywhere are not utilized as highly as they were prior to COVID.” (N.T. 11/11/23 at 68-69) Spisszak “doesn’t foresee that coming back anytime in the near future.” (N.T. 11/11/23 at 68-69) The Traffic Impact Study shows less traffic will be created than the plan approved in 2022. In Spisszak’s opinion, the proposed project complies with the Township’s level of service and other related traffic requirements. (N.T. 11/11/23 at 71) Vehicular circulation is provided by two new interior minor roads for vehicles entering and exiting the Property, in addition to the existing driveway accessing City Avenue. Pedestrian circulation will be accommodated by pedestrian ways within the site, as well as multipurpose paths along City Avenue and St. Asaph’s

Road. *See*, Ex. A-12 and A-13. (N.T. 11/11/24 at 42) The location and design of parking areas have been reviewed by Staff to assure compliance with Code. (*See*, Ex. T-11 and T-13) The proposed public gathering spaces will complement commercial uses on the Property and be available to the general public. The proposed development plan is suitable for the surrounding area because neighboring residents will be able to walk and bike to the new public amenities on the Property. (N.T. 11/11/24 at 21-22, 27)

195. The Township Engineer reviewed the Traffic Impact Study dated 5/25/25⁵ as part of preliminary plan review. His review letter is marked Ex. T-22. He wrote:

Traffic—The proposed development is one of several pending major developments surrounding the intersection of Belmont Avenue and St. Asaph's Road which will collectively have a large impact on the existing roadway network. The revised site driveway location to Belmont Avenue has been coordinated with the proposed land development plans for the 121 City Avenue site. However, based upon recent meetings with PennDOT, the preferred improvement alternative at the intersection of Belmont Avenue and St. Asaph's Road has not yet been determined, and may require turn restrictions at the site driveway. The applicant must continue to work with the Township, the City Avenue Special Services District, PennDOT, and the adjacent developers to formulate an overall mitigation plan for the roads and intersections impacted by the development(s). With the resolution of the preceding major engineering issues and the remaining comments in this letter incorporated, we recommend that the Preliminary Plan be approved.

(Ex. T-22)

196. The Applicant has provided substantial evidence that the proposed development plan is suitable to the Property in question when considering traffic, vehicular and pedestrian circulation, location and design of parking areas, adjacent land uses and other impacts on the surrounding area. The scale of the proposed uses relates to and complements the surrounding area, in compliance with §155-11.1F(9)(f)[5].

⁵ A Traffic Impact Study dated 5/25/25 was not submitted into the record. It is unclear if the reference is to Transportation Impact Study dated 10/31/24; Ex. A-18.

197. Code §155-11.1F(9)(f)[6] requires “all uses shall be capable of being served by public sewer.”

198. The uses in the proposed development shall be capable of being served by public sewer in compliance with §155-11.1F(9)(f)[6].

II. CONCLUSIONS OF LAW

A. General Legal Standards for Granting a Conditional Use

199. Municipalities possess only those powers expressly granted to them by the General Assembly. In re Appeal of Maibach, LLC, 26 A.3d 1213 (Pa. Cmwlth. 2011).

200. Section 909.1(b)(3) of the MPC⁶ grants a municipality's governing body authority to render final adjudications on applications for conditional uses. A conditional use is one to which the applicant is entitled provided that the specific standards of the zoning ordinance are met. In re Thompson, 896 A.2d 659, 670 (Pa. Cmwlth. 2006), *appeal denied*, 591 Pa. 669, 916 A.2d 636 (2007).

201. An applicant seeking a conditional use must show compliance with the express standards of the zoning ordinance that relate to the specific conditional use. Id.

202. If the applicant demonstrates compliance with the zoning ordinance, the governing body must grant the application unless objectors introduce sufficient evidence that the proposed use will have a detrimental effect on the public health, safety, and welfare. Id.⁷

⁶ Added by the Act of December 21, 1988, P.L. 1329, 53 P.S. §10909.1.

⁷ "Because the law regarding conditional uses and special exceptions is virtually identical, the burden of proof standards are the same for both." In re Thompson, 896 A.2d at 670

203. A governing body may impose reasonable conditions on the grant of a conditional use. Section 913.2 of the MPC;⁸ Levin v. Board of Supervisors of Benner Township, Centre County, 669 A.2d 1063 (Pa. Cmwlth. 1995), *aff'd*, 547 Pa. 161, 689 A.2d 224 (1997).

204. A Board is permitted to impose reasonable conditions on the use of a property to mitigate any potential adverse impacts from the proposed use. Feldman v. Bd. of Supervisors of E. Caln Twp., 48 A.3d 543, 548 (Pa. Commw. Ct. 2012) *citing* Edgmont Township v. Springton Lake Montessori School, 154 Pa. Commw. 76, 622 A.2d 418 (Pa. Cmwlth. 1993).

205. The governing body is entitled to deference in the interpretation of its own zoning code. In Re Arnold, 984 A.2d 1 (Pa. Cmwlth. 2009).

B. Standards and Criteria for Conditional Uses in Lower Merion Township

206. Process and procedures for conditional uses are found in Code §155-11.1.F, including:

1. The Board of Commissioners shall have the power to approve or disapprove conditional uses when this chapter specifically requires the obtaining of such approval.
2. In granting a conditional use, the Board of Commissioners shall make findings of fact consistent with the provisions of this chapter. The Board shall not approve a conditional use except in conformance with the conditions and standards outlined in this chapter.
3. Subject to §155-155-11.1.F(4) below, the Applicant shall have the initial burden of persuasion that the application complies with the specific requirements for the proposed use set forth in Article V, Uses.
4. Opponents shall have the initial duty of presenting substantial evidence that the application does not comply with the general criteria of this chapter, but the Applicant shall retain the ultimate burden of persuasion concerning those criteria.

207. Criteria for conditional use approval are found in Code § 155-11.1.F.9(f):

⁸ Added by the Act of December 21, 1988, P.L. 1329, 53 P.S. §10913.2.

Criteria for conditional use approval. The Board of Commissioners shall grant a conditional use only if it finds substantial evidence that any proposed development plan submitted comply with the following:

- (1) Meets all conditions of uses expressed in the use classification section of this chapter;
 - (2) Does not conflict with the Township and County Comprehensive Plans and other plans adopted by the township;
 - (3) Is consistent with the spirit, purposes and intent of the applicable zoning district;
 - (4) Is in conformance with all applicable requirements of this Chapter and all municipal, state and federal codes applicable to the use or process in question;
 - (5) Is suitable to the property in question. This criterion shall consider issues such as traffic, vehicular and pedestrian circulation, location and design of parking areas, adjacent land use(s) and other impacts on the surrounding area. If the proposal is adjacent to a residential district, the scale of the use shall relate to and complement the surrounding area.
 - (6) Public Utilities. All uses shall be capable of being served by public sewer. A use may be permitted to be served on an on-lot sanitary system, only if deemed acceptable by the Board of Commissioners and the adopted 537 Plan of the Township, upon recommendation of the Township Engineer. Sufficient water supply must be available to accommodate the needs of the proposed use.
208. Additional requirements for conditional uses are found in Code § 155-11.1.G:
- (4) Traffic impact study (TIS). The Director of Building and Planning shall require a traffic impact study if needed to assure compliance with the following requirements. If required, the Township Engineer shall determine the scope of the study and the assumptions utilized.
 - (a) The traffic generated by the proposed use, when combined with the current use, shall not result in a level of service lower than C, or, if the level of service is already C or below, shall not alter such level of service for adjacent streets and/or the nearest intersections thereof.
 - (b) The proposed use shall demonstrate that it does not create an unsafe traffic condition due to site obstructions at the points of ingress and egress.

- (c) The Board of Commissioners may impose additional conditions to mitigate the adverse impact of traffic generated by the proposed use, such as requiring staggered starting and ending times, site circulation, of enrollment/public access limits.

C. Conclusions of Law Regarding Code §155-11.1.F, Process and Procedures

209. Evidence presented at the conditional use hearing, through documents which were introduced into the record and the testimony of witnesses, demonstrates compliance with the conditional use process and procedures set forth in Code §155-11.1.F.

210. The proposed plan must “comply with the specific requirements for the proposed use set forth in Article V, Uses,” pursuant to Code §155-11.1.F(3)

211. Use requirements set forth in Article V, Uses, Table 5.3 include retail and food and beverage uses in the CAD-RCA.

212. The Applicant has demonstrated that the proposed retail use and food and beverage uses comply with use requirements in the CAD-RCA set forth in Article V, Uses, Table 5.3, and the additional use criteria set forth in Code § 155-6.6.G(1), and subject to conditions.

D. Conclusions of Law Regarding Code §155-11.1.F.9(f) Criteria

213. Evidence presented at the conditional use hearing, through documents that were introduced into the record and the testimony of witnesses, has demonstrated the Applicant has complied with all standards and criteria for conditional uses, pursuant to Code §155-11.1.F.9(f)(1-6)

214. Code §155-11.1F(9)(f)(1) requires the development plan to “meet all conditions of uses found in the use classification section of this chapter.”

215. Use regulations and standards in the CAD-RCA are contained in Code § 155-6.6.G.

216. The use regulations and standards in the CAD-RCA require multiple-use development defined as “an integrated, complementary development consisting of two or more buildings on one or more lots that are adjacent to and abut one another.” Code § 155-6.6.G.1.

217. The proposed single-story buildings comply with multiple-use development as defined by §155-6.6.G(1).

218. Multiple-use development does not permit a single-use to occupy more than 80% of the total gross floor area of the buildings on the lot, Code §155-6.6.G(1)(b).

219. No single use occupies more than 80% of the total gross floor area of the buildings on the lot, in compliance with Code §155-6.6.G(1)(b).

220. The Applicant has demonstrated that the proposed development plan meets the use regulations and standards requiring multiple-use development in the CAD-RCA contained in Code §155-6.6.G.1(a)&(b) and all conditions for uses pursuant to Code §155-11.1F(9)(f)(1).

221. Code §155-11.1F(9)(f)[2] requires the development plan “does not conflict with the Township and County Comprehensive Plans and other plans adopted by the Township.

222. The Applicant has demonstrated that the proposed plan would not conflict with the Township and County Comprehensive Plans and other plans adopted by the Township, as required by Code §155-11.1F(9)(f)[2].

223. Code §155-11.1F(9)(f)[3] requires the proposed development plan is “consistent with the spirit, purposes and intent of the applicable zoning district.”

224. The proposed development plan is consistent with the spirit, purposes and intent of the applicable zoning district, in compliance with Code §155-11.1F(9)(f)[3].

225. Code §155-11.1F(9)(f)[4] requires the proposed development plan “is in conformance with all applicable requirements of this Chapter and all municipal, state and federal codes applicable to the use or process in question.”

226. The proposed development is in conformance with all applicable requirements of this Chapter and all municipal, state and federal codes applicable to the use or process in question, in compliance with Code §155-11.1F(9)(f)[4], specifically conformance with use regulations and standards requiring multiple-use development in the CAD-RCA contained in Code §155-6.6.G.1(a)&(b).

227. Code §155-11.1F(9)(f)[5] requires the development plan is “suitable to the Property in question when considering traffic, vehicular and pedestrian circulation, location and design of parking areas, adjacent land uses and other impacts on the surrounding area. The scale of the proposed uses relates to and complements the surrounding area.”

228. The proposed development plan is suitable to the Property in question when considering traffic, vehicular and pedestrian circulation, location and design of parking areas, adjacent land uses and other impacts on the surrounding area, pursuant to §155-11.1F(9)(f)[5], subject to comments about the Traffic Impact Study in the Township Engineer’s review letter dated 6/27/25; Ex. T-22, and discussed *infra*.

229. Code §155-11.1F(9)(f)[6] requires “all uses shall be capable of being served by public sewer.”

230. The uses in the proposed development shall be capable of being served by public sewer in compliance with §155-11.1F(9)(f)[6].

E. Conclusions of Law Regarding Code §155-11.1.G(4) Traffic Impact Study

231. The Applicant may be required to provide a Traffic Impact Study to assure compliance with conditions regarding level of service, sight obstructions and unsafe traffic conditions, pursuant to §155-11.1.G(4).

232. The Applicant submitted a Traffic Impact Study in connection with the previous land development approval in 2022. The Director of Building and Planning and the Township Engineer required an updated Traffic Impact Study. The Applicant has provided an updated Traffic Impact Study dated 10/31/24 (Ex. A-18). The Township Engineer's review letter dated 5/27/25, Ex. A-22, states he reviewed a Traffic Impact Study dated 5/25/25 which was not offered into the record at the second conditional use hearing.

233. Transportation Planner Spisszak testified at the first conditional use hearing that the Traffic Impact Study dated 10/31/24, Ex. A-18, complies with the Township's level of service requirements and creates no sight obstructions that would create an unsafe traffic condition, in compliance with Code §155-11.1.G(4).

234. Traffic Planner Shetler testified at the second conditional use hearing that the traffic impact study submitted as Ex. A-17⁹ at the first hearing was still valid. (N.T. 8/7/25 at 45) He further agreed that PennDOT's comments are "fairly typical" for an HOP application and he "doesn't anticipate any pushback" addressing them through the HOP process. (N.T. 8/7/25 at 46)

235. The Township Engineer identified traffic as a major engineering issue in his preliminary plan review dated 6/27/25, Ex. T-23, which included reviewing the traffic

⁹ The Traffic Impact Study dated 10/31/24 was marked Ex. A-18 at the first conditional use hearing.

impact study dated 5/15/25. He notes that PennDOT is still in the process of determining the preferred alternative treatment of the intersection of Belmont Avenue and St. Asaph's Road. The Township Engineer recommended that the Applicant must continue to work with the Township, the City Avenue Special Services District, PennDOT, and the adjacent developers to formulate an overall mitigation plan for the roads and intersections impacted by the development(s). (Ex. T-23 at 1) Further, he states the traffic impact study must address the following issues:

a) Several intersections in the area experience a high number of crashes each year. The applicant shall identify and implement low-cost safety improvements at these locations, with particular emphasis on the intersection of St. Asaph's Road and Belmont Avenue. While PennDOT is advancing a safety improvement project that may include a roundabout at this intersection, the proposed development is expected to open before that project is completed. Therefore, the applicant must address current safety concerns through interim improvements until the PennDOT project is in place.

b) We concur with the recommendation in the study regarding the implementation of a center left-turn lane on Belmont Avenue along the site frontage. This improvement shall be shown on the revised land development and PennDOT Highway Occupancy Permit (HOP) plans.

c) The applicant shall provide further discussion and any supporting documentation for the Multimodal reductions applied to the trip generation estimates for the proposed retail land uses (High-Turnover Sit-Down Restaurant, Fast Casual Restaurant, and Bank). These projected reductions may not be considered when calculating the traffic impact fee for City Avenue District.

d) The study indicates that the queue of exiting traffic on West Road (site driveway) to Belmont Avenue will block the proposed parking lot access driveway on the north side of West Road. The parking lot access driveway to West Road must be relocated to the eastern side of the parking lot.

e) A flashing yellow arrow signal head on the proposed mast arm on the northeast corner of City Avenue and Belmont Avenue shall be installed. An additional three-section signal head for the through movement shall be included. The signal heads opposite the appropriate northbound Belmont Avenue travel lanes shall be aligned. These items are subject to review and approval from PennDOT and the City of Philadelphia. LOWM 260.44 Page 3 June 27, 2025

f) The applicant shall coordinate with the Philadelphia Streets Department Traffic Unit on any signal improvements on City Avenue. Provide coordination in future submissions.

(Ex. T-22 at 2)

236. The Applicant must satisfy the Township Engineer's recommendations for the Traffic Impact Study, in Ex. A-22, to comply with §155-11.1.G (4).

F. Conclusions of Law Regarding Code §155-8.3.B Reserve Parking

237. Code §155-8.3.B, *et seq.* contains specific standards for reserve parking.

238. The proposed uses are regulated by Table 8.1, Minimum Parking Standards and require 682 parking spaces on the Property.

239. The Applicant proposes to provide 585 parking spaces and hold 107 parking spaces in reserve by conditional use approval, pursuant to Code §155-8.3.B, *et seq.*

240. The Applicant has provided Selected Materials from 10/18/24 revised TSLD/CU plan Submission, Ex A-12; Preliminary Plan Development Set dated 11/01/24, Ex. A-13; Updated Parking Calculations Chart dated 11/11/24, Ex, A-14; Updated Parking Assessment dated 11/11/24, Ex. A-16; Updated Transportation Demand Management Strategies Plan dated 11/11/24, Ex. A-17; and Revised Reserve Parking Structure Plan dated 8/01/24 rev. 11/08/24, Ex. A-20, ("Parking Plans and Studies").

241. Engineer Breylinger and Transportation Planner Shetler testified credibly at the second conditional use hearing about how the Parking Plans and Studies comply with Code §155-8.3.B, *et seq.*

242. The Applicant has demonstrated that the required 682 parking spaces are not currently needed, in compliance with Code §155-8.3.B.

243. KGSB has shown the proposed plan qualifies for the parking reduction because it has demonstrated at least three transportation demand management measures improve the

availability use of transportation modes other than single occupant vehicle, pursuant to Code § 155-8.3.C(1)(a)(b).

244. KGSB has demonstrated it qualifies for the parking reduction because it agrees to provide a recorded covenant Township Solicitor, to install the reserve parking spaces at any future time and setting forth the transportation demand measures that will be implemented and maintained if the Board of Commissioners determines the reserve parking spaces are needed to accommodate the use of the property; or the approved transportation demand management plan is no longer being implemented, in compliance with Code § 155-8.3.C(2)(a)(b).

245. KGSB has documented that the full number of required parking spaces can be paved without violating any applicable provisions of this chapter as of the date a construction permit is sought, in compliance with Code §155-8.3.D.

246. KGSB has documented stormwater management plans with its preliminary plan in compliance with Code §155-8.3.E.

247. KGSB has agreed to provide a recorded covenant approved by the Township Solicitor, to install the reserve parking spaces at any future time if and when the Zoning Officer determines that the reserve parking spaces are needed to accommodate use of the property, in compliance with Code §155-8.3.F.

248. KGSB has documented the parking area to accommodate the aggregate number of parking spaces required has been fully designed, and the area held as reserve parking is clearly designated on the plan, in compliance with Code §155-8.3.G.

249. KGSB has documented the reserve parking area has been considered in calculating impervious surface coverage, in compliance with Code §155-8.3.G.

250. KGSB has shown the parking reserve area will be planted with vegetative cover and integrated into the site's land development plan, in compliance with Code §155-8.3.G.

251. KGSB has demonstrated that proposed reserve parking complies with Code §§155-8.3.B,C(i)(a)(b)(ii)(a)(b), D, E, F and G.

G. Conclusions of Law Regarding Code §155-6.6.I.5.(d) Design Standards

252. Code §155-6.6.I.5.(d) contains architectural design standards for parking structures not wrapped at all levels with active uses in the CAD-RCA.

253. KGSB has submitted a Revised Reserve Parking Structure Plan for a parking structure not wrapped at all levels with active uses designed by RHJ, Assoc., Ex A-29.

254. Architect Pilko testified credibly about how the Revised Reserve Parking Structure Plan complies with Code §155-6.6.I.5.(d) at the conditional use hearings. [N. T. 8/7/25 at 52; N.T. 11/11/24 at 73-85].

255. KGSB has demonstrated that the proposed parking structure not wrapped at all levels with active uses complies with the requirements of Code §§ 155-6.6.I.5.(d)(1)(2)(3)(4)(6)(7) and (8).

H. Conclusions of Law Regarding Expert Witness Testimony

256. A witness with reasonable pretension to specialized knowledge on subject [sic] under investigation may be permitted to give expert opinion testimony. Miller v. Brass Rail Tavern, 541 Pa. 474, 480 (1995). The expert witness's written report must contain the basis for opinions. *See, Olup v. Pennsylvania Am. Water Co.*, No. 838 WDA 2015, 2016 WL 5403568, at

*5 (Pa. Super. Ct. Sept. 26, 2016)(Appellate Court upheld Trial Court exclusion of plaintiff's testimony as an expert in engineering where he did not write report that gave bases for opinions.)

257. Richard Gottlieb, the president and COO of Keystone, an entity of the Applicant, was offered as a fact witness and an expert witness on how much parking is needed for the proposed plan by the Applicant. Gottlieb did not write a report with the basis for his opinions about future parking needs at the Property. Moreover, Gottlieb is not a disinterested and unbiased person with no stake in the outcome of the conditional use application, rather he is the president of Keystone, an entity of the Applicant. As a result, no weight was given to Gottlieb's opinion testimony about future parking needs. The Hearing Officer credited Gottlieb's factual testimony about parking conditions he had observed at the Property.

DISCUSSION

A previous set of recommendations for this conditional use application to the Board of Commissioners, dated 12/26/24, raised threshold issues about whether the proposed uses were allowed in the zoning district. The conditional use hearing was reopened, and the Applicant provided credible testimony that the proposed uses are permitted in the zoning district, and no one use will occupy more than 80% of the total gross square footage on the lot. As a result, there is substantial evidence that the proposed single-story buildings are permitted in the Regional Center district.

The 12/26/24 recommendations also questioned whether the proposed plan is consistent with the Montgomery County Comprehensive Plan and the Lower Merion Township Comprehensive Plan. Credible testimony was adduced from the Director of Building and Planning at the second conditional use hearing that the proposed plan is consistent with the

Montgomery County Comprehensive Plan and the Lower Merion Township Comprehensive Plan.

The conditional use application has been revised to request to hold 107 parking spaces in reserve if three (3) new commercial buildings with five (5) new uses are constructed at One Belmont Avenue. The proposed commercial buildings are single-story, similar to pad sites at shopping centers. New uses in these proposed commercial buildings would increase the amount of required parking the Applicant must provide. The Applicant proposes to provide 585 parking spaces and hold 107 spaces in reserve if authorized by conditional use approval.

The Applicant's request for conditional use approval to hold 107 parking spaces in reserve—merely 15.7% of the required 682 parking spaces—appears to be reasonable. Testimony and documents in the record demonstrate that not all of the required parking with the proposed project is needed. The Applicant's Parking Assessment Study found 267 more parking spaces on site than required at present. Currently, 640 parking spaces are provided to the existing Office Building and the existing parking demand is 373 spaces. The proposed redevelopment requires 682 parking spaces. The proposed project will provide 585 parking spaces. Less than 50% of the required 690 parking spaces would be held in reserve if conditional use for 107 reserve parking spaces is granted. If ever needed, a six-level parking structure with 293 parking spaces total will be constructed. Several designs have been submitted, both with and without PennDOT's proposed roundabout at the intersection of Belmont Avenue and St. Asaph's Road. The Applicant has also planned for the potential widening of Belmont Avenue pursuant to Act 206.

Granting conditional use approval for reserved parking and allowing the proposed project to go forward would cure the existing nonconformity to the CAD-RCA's 600-foot

maximum lot width requirement along Belmont Avenue by the installation of West Road and North Road. Installing three new buildings, two public gathering spaces, two multipurpose paths, sidewalks, and other amenities in the area of the existing surface parking lot meets the intent of the CAD-RCA for higher density and more economically productive land use. It also meets specific purposes of the CAD-RCA by creating open areas for green public gathering space; discouraging the dependence on automobile use by promoting multimodal transportation, creating safe and inviting pedestrian accessways, thereby reducing congestion; an enjoyable pedestrian experience at street level, and facilitating vehicular circulation through and around the Property.

Lastly, the proposed reserve parking structure poses no adverse impact on health, safety or welfare, and preserves the character of the neighborhood which is intended to “evolve with higher buildings, diverse uses and structured parking,” pursuant to the Future Land Use Plan of the Montgomery County Comprehensive Plan. *See also*, the Land Use Element of the 2016 Lower Merion Township Comprehensive Plan. The Traffic Impact Study dated 10/31/24, Ex. A-18, found the proposed development would generate 50% less traffic in the A.M. peak hour and 40% less traffic in the P.M. peak hour than the previously approved larger development, LD # 3889. It shows compliance with the Township’s level of service requirements and does not create unsafe traffic conditions according to the Applicant’s Traffic Planners. (N. T. 11/11/25 at 70-71; N.T. 8/7/25 at 45) A development plan that would generate far less traffic than the larger proposed development approved in 2022 would have a smaller impact on public health, safety, and welfare.

That said, the revised plan will change current traffic conditions, and the issue is the extent of these changes. Consequently, conditional use approval shall be conditioned upon the Applicant's compliance with recommendations for the traffic impact study, as *discussed supra*.

Likewise, the foregoing analysis and conclusion are also predicated on the assumption that the then-property owner being able to build the parking structure if, and when, it is ever needed. If the parking structure cannot be built at that time, then the findings and conclusions contained herein are undermined and the Applicant would not be entitled to the requested conditional use approval. Accordingly, conditional use approval shall be further conditioned upon the Applicant providing sufficient financial security to reasonably ensure that it can be built if needed.

For the reasons set forth herein, the following order is recommended to the Board of Commissioners.

ORDER

AND NOW, with respect to the property located at 1 Belmont Avenue, further identified as Parcel I.D. No. 40-00-10980-005, the Lower Merion Township Board of Commissioners hereby GRANTS, pursuant to Zoning Code §155-8.3, the requested conditional use approval to allow for up to 107 required off-street parking spaces to be held in reserve subject to the following conditions:

- (a) The Applicant shall construct the proposed parking structure if, and when, it is required, as determined by the Township's Zoning Officer.
- (b) The Applicant shall provide to the Township reasonable financial security in a form and amount approved by the Board of Commissioners, which may be adjusted from time to time based on market considerations, and which shall be held until the parking structure is completed and approved for usage or the property's usage decreases its overall parking demands such that reserve parking is no longer needed.
- (c) The Applicant shall receive preliminary land development approval of its land development application for within six (6) months of this approval.
- (d) Any modification of the proposed design of the parking structure shall require further land development approval.
- (e) The Applicant shall comply with the comments contained on page 2 of the Township Engineer's Review Letter dated 6/27/25, to the satisfaction of the Township Engineer.
- (f) The Applicant shall allow reasonable access to organizers and vendors seeking to use the property for a farmers market on terms similar to past practice.
- (g) The development and use of the property, including but not limited to the construction and use of the proposed parking structure, shall be consistent the testimony and evidence offered during the hearings.
- (h) The development and use of the property, including but not limited to the construction and use of the proposed parking structure, shall at all times be compliance with all applicable laws, ordinances, and regulations not modified by this grant of zoning relief.

BOARD OF COMMISSIONERS
TOWNSHIP OF LOWER MERION

BY: _____
Todd M. Sinai, President

ATTEST:

Jody L. Kelley, Secretary

TOWNSHIP OF LOWER MERION

Building and Planning Committee

Issue Briefing

Topic: 1 Belmont Avenue, Bala Cynwyd:
Conditional Use and Preliminary Land Development Plan

Prepared By: Christopher Leswing, Director Building & Planning

Date: September 10, 2025

I. Action To Be Considered By The Board:

Consider a request from the applicant, KGSB LLC, to grant conditional use approval pursuant to Zoning Code §155-8.3 to hold parking spaces in reserve for the project at 1 Belmont Avenue, Bala Cynwyd.

II. Why This Issue Requires Board Consideration:

Last fall, KGSB submitted a Conditional Use application to hold parking spaces in reserve. A Conditional Use hearing was held and concluded on November 11, 2024. The Township Hearing Officer issued the Recommendations for Findings of Fact, Conclusions of Law and Order for consideration by the Board of Commissioners. After the closing of the record and prior to the scheduling of this matter before the Board of Commissioners, the applicant received information from PennDOT impacting their application. Following the July 16, 2025 Board of Commissioners decision to reopen the Conditional Use Hearing for the purpose of adding additional testimony to the public record, a second Conditional Use hearing was held and concluded on August 7, 2025. The Township Hearing Officer issued a revised Recommendations for Findings of Fact, Conclusions of Law and Order for consideration by the Board of Commissioners.

III. Current Policy Or Practice (If Applicable):

N/A

IV. Other Relevant Background Information:

KGSB, LLC is seeking Conditional Use approval to reserve parking at 1 Belmont Avenue in Bala Cynwyd. Formerly known as the GSB building, the KGSB building is an iconic twelve-story office building that serves as an anchor to the City Avenue District as well as a gateway across City Avenue into Lower Merion Township.

Reserve parking is authorized via Zoning Code §155-8.3 through either Special Exception approval or Conditional Use approval when the proposal is accompanied by a land development

application. The applicant is also seeking Preliminary Land Development approval to construct three commercial buildings totaling 17,700 square feet. The accompanying land development application is contingent upon the applicant receiving conditional use approval for the reserve parking.

The 6.8-acre subject property has frontage on City Avenue, Belmont Avenue and Saint Asaphs Road. The applicant previously received Preliminary Land Development approval to construct a significantly larger mixed-use development but has since decided to pursue a smaller project based on post-pandemic construction costs. The previous land development approval had been extensively reviewed by PennDOT, particularly in relationship of new curb cuts into development across Belmont Avenue at the Bala Cynwyd Shopping Center and also in regard to future improvements to the intersection of Belmont Avenue and St Asaphs Road. The applicant provided traffic impact testimony at the Conditional Use Hearing and included reference to the impacts from the prior, much larger development. After the Conditional Use Hearing was closed, PennDOT issued a review letter for the new land development application with requirements for the dedication of additional right of way at the intersection of Belmont Avenue and St. Asaphs Road above and beyond what was shown on the applicant's land development plan. As a result of PennDOT's letter, the applicant was required to remove a row of parking to remain, redesign their land development plan and to request additional parking to held in reserve.

The Township Hearing Officer received testimony and evidence in consideration of the applicant's conditional use request and her revised Recommendations for Findings of Fact, Conclusions of Law and Order and recommends approval of the requested conditional use approval to allow up to 107 required off street parking spaces to be held in reserve subject to the following conditions:

- a. The Applicant shall construct the proposed parking structure if, and when, it is required, as determined by the Township's Zoning Officer.
- b. The Applicant shall provide to the Township reasonable financial security in a form and amount approved by the Board of Commissioners, which may be adjusted from time to time based on market considerations, and which shall be held until the parking structure is completed and approved for usage or the property's usage decreases its overall parking demands such that reserve parking is no longer needed.
- c. The Applicant shall receive preliminary land development approval of its land development application for within six (6) months of this approval.
- d. Any modification of the proposed design of the parking structure shall require further land development approval.
- e. The Applicant shall comply with the comments contained on page 2 of the Township Engineer's Review Letter dated 6/27/25, to the satisfaction of the Township Engineer.
- f. The Applicant shall allow reasonable access to organizers and vendors seeking to use the property for a farmers market on terms similar to past practice.

g. The development and use of the property, including but not limited to the construction and use of the proposed parking structure, shall be consistent the testimony and evidence offered during the hearings.

h. The development and use of the property, including but not limited to the construction and use of the proposed parking structure, shall at all times be compliance with all applicable laws, ordinances, and regulations not modified by this grant of zoning relief.

V. Impact On Township Finances:

This application has no impact on Township finances.

VI. Staff Recommendation:

Staff recommends that the Board of Commissioners adopt the Resolution accepting the Hearing Officer's recommendations and Preliminary Land Development Plan approval.

TOWNSHIP OF LOWER MERION

RESOLUTION NO. _____

WHEREAS, the Township of Lower Merion received an application designated as CU Application #3921C, filed on behalf of KGSB, LLC, which seek conditional use approval to permit a certain amount of required off-street parking spaces to be held in reserve while redeveloping 1 Belmont Avenue, containing approximately 6.76 acres of land and located within the City Avenue District – Regional Center Area (CAD-RCA), pursuant to Code § 155-8.3;

WHEREAS, the application was referred to Pamela M. Loughman, Esq., Hearing Officer, to take testimony and make recommended Findings of Fact, Conclusions of Law and an Order for the consideration of the Board of Commissioners;

WHEREAS, specifically, the Hearing Officer received testimony and evidence in consideration of the Applicant’s request to hold 107 off-street parking spaces in reserve, which, if ever needed, will be provided for within a proposed 36,000 square foot parking structure;

WHEREAS, on August 22, 2025, following two public hearings on the application, and an amendment thereto, the Hearing Officer submitted to the Board of Commissioners her “Recommendations for Findings of Fact, Conclusions of Law and Order,” (the “Report”); and

WHEREAS, the Board of Commissioners, having reviewed and considered the Hearing Officer’s Report, wishes to render its decision.

NOW THEREFORE, the Board of Commissioners of the Township of Lower Merion hereby resolves:

1. Paragraphs 1 through 257 set forth in the attached Report, together with the Discussion contained therein, are all hereby adopted in their entirety as the Findings of Fact and Conclusions of Law of the Board of Commissioners with respect to CU Application #3921C, the application of KGSB, LLC, which concerns 1 Belmont Avenue.
2. In consideration thereof, the Board adopts and issues the following order, which is consistent with the Hearing Officer’s proposed order, with respect to the aforementioned application:

ORDER

AND NOW, with respect to the property located at 1 Belmont Avenue, further identified as Parcel I.D. No. 40-00-10980-005, the Lower Merion Township Board of Commissioners hereby GRANTS, pursuant to Zoning Code §155-8.3, the requested conditional use approval to allow for up to 107 required off-street parking spaces to be held in reserve subject to the following conditions:

- (a) The Applicant shall construct the proposed parking structure if, and when, it is required, as determined by the Township's Zoning Officer.
- (b) The Applicant shall provide to the Township reasonable financial security in a form and amount approved by the Board of Commissioners, which may be adjusted from time to time based on market considerations, and which shall be held until the parking structure is completed and approved for usage or the property's usage decreases its overall parking demands such that reserve parking is no longer needed.
- (c) The Applicant shall receive preliminary land development approval of its land development application for within six (6) months of this approval.
- (d) Any modification of the proposed design of the parking structure shall require further land development approval.
- (e) The Applicant shall comply with the comments contained on page 2 of the Township Engineer's Review Letter dated 6/27/25, to the satisfaction of the Township Engineer.
- (f) The Applicant shall allow reasonable access to organizers and vendors seeking to use the property for a farmers market on terms similar to past practice.
- (g) The development and use of the property, including but not limited to the construction and use of the proposed parking structure, shall be consistent the testimony and evidence offered during the hearings.
- (h) The development and use of the property, including but not limited to the construction and use of the proposed parking structure, shall at all times be compliance with all applicable laws, ordinances, and regulations not modified by this grant of zoning relief.

BOARD OF COMMISSIONERS
TOWNSHIP OF LOWER MERION

BY: _____
Todd M. Sinai, President

ATTEST:

Jody L. Kelley, Secretary



AGENDA ITEM INFORMATION

ITEM: PRELIMINARY LAND DEVELOPMENT PLAN - 1 Belmont Avenue, Bala Cynwyd, Ward 9, LD# 3925PP

Consider for recommendation to the Board of Commissioners approval of a Preliminary Land Development Plan. The Plan shows the construction of three (3) commercial buildings (17,500 SF total gross floor area) and related improvements between the existing office building and Belmont Avenue. The proposed project includes a 14,724 SF public gathering space, two (2) new minor streets, and 226 surface parking spaces.

The applicant is requesting the following waiver from the Township Code:

§135-3.2(A) to not submit a Tentative Sketch Plan application.

Expiration Date – 8/5/2025.....Zoning – CAD-RCA

Applicant's Representative: George Broseman, Esq.

Applicant & Owner: KGSB, LLC

On Monday, June 30, 2025, the Planning Commission recommended approval of the proposed subdivision plan subject to the following conditions which shall be complied with on the Final Plan:

Township Engineer's Review:

1. The Township Engineer's letter dated June 27, 2025 shall be incorporated by reference into these Conditions of Approval to the extent the same is not inconsistent with these Conditions of Approval or any relief or modifications granted.

Conditional Use:

2. The conditional use approval conditions shall be listed on the Final Plan, and applicant shall comply with applicable conditions.

Site and Architectural:

3. The proposed buildings shall be constructed substantially as shown on the architectural elevations prepared by RHJ Associates, dated June 19, 2025, with the exception of any de minimis changes, including those mutually agreed to with staff.

4. Plans shall be revised to provide an at-sidewalk grade entrance to Buildings 2 and 3 from City Avenue as required by the storefront façade requirements at §155-3.5 Table 3.5.2, subject to providing handicapped accessibility with ramps as may be required.

5. The applicant shall continue to work with staff on the overall architectural design of the structures, particularly Building 2, to ensure that the design adequately recognizes the site's importance as a Township and

City Avenue gateway and to better align with the intent of the architectural design standards stated in §155-6.6(I)(5) and §155-3.9.

6. The developer shall investigate improving amenities that enhance the pedestrian experience as a gateway to Lower Merion Township

7. Exterior wall materials shall be as per §155-3.9. Where stone is utilized on the walls facing public streets, the applicant shall consider materials that have a similar appearance to the type of stone in the existing wall to be removed along City Avenue. To enhance the pedestrian scale of the structures, stone ~~or similar material~~ shall be installed to a height of at least 12 feet on portions of walls facing public streets that are adjacent to pedestrianways. Final materials selection shall be approved by the Township.

8. The applicant shall consider increasing the pedestrian scale of the overall plan through the use of pergola extensions along street frontages from each of the three structures.

9. Building signage shall be mounted no higher than 20 feet as per §155-9.8(A)(5). The applicant shall consider installing signage on awnings or in the area immediately above the ground floor windows.

10. The applicant shall work with the City Avenue District to install features such as accent lighting, streetscape features and/or other features, particularly at Building 2, in conjunction with the City Avenue District's streetscape plan and ongoing efforts to promote the district.

11. Plans shall indicate the Frontage Yard type and Façade type as per §155-6.6, Table 6.6.6.

12. Architectural elevations and renderings of all sides of the proposed building shall be submitted with the Final Plan, including the proposed materials. The applicant shall provide a chart to demonstrate compliance with the architectural design standards in §155-6.6(I) and §155-3.9.

13. The applicant shall provide rendering(s) to illustrate the proposed structures in the context of the existing office structure, City Avenue and Belmont Avenue.

14. The mean grade of the structures shown shall be verified. Documentation showing the calculations shall be provided. The architectural plans shall be coordinated with and shall comply with the grading proposed with this application.

15. The HVAC/mechanical equipment shall be screened on all sides whether on the roof of the building or on the ground. If located on the roof, the screening shall be integrated into the architecture of the building to improve the appearance and better mitigate noise from the unit(s).

16. Exhaust vents and mechanical equipment on any building wall fronting the public gathering space shall be separated from it by a barrier sufficient to substantially, visually and audibly, conceal the audio and visual effects of its presence and operation as per §135-4.6(B)(2)(d).

Reserve Parking Structure:

17. The applicant shall agree in a recorded covenant, approved by the Township Solicitor, to install the reserve parking spaces at any future time, if and when, the Zoning Officer determines that the reserve parking spaces are needed to accommodate the use of the property, subject to applicable appeal rights as per §155-8.3(F).

18. The applicant shall adhere to the applicable conditions required by the Board of Commission resolution approving the reserve parking request.

19. The applicant shall be required to complete the land development process for the reserve parking structure in the future if it is to be built.

- Traffic Impact:

20. The applicant shall submit a plan identifying any material changes to the site plan required by PennDOT which differ from the plan approved by the Township. The Township shall be copied on all PennDOT correspondence.

21. If due, a traffic impact fee based on the Code requirements shall be submitted prior to the issuance of a building permit. The final amount of the fee, if required, shall be verified and may be adjusted as determined by staff.

- Parking and Circulation:

22. In lieu of providing the required number of bicycle parking spaces, the applicant shall install 26 bicycle parking spaces, a 15-space bike share station, and agree to enter into a minimum 3-year contract to host the bike share station. In the interim time from land development approval until project completion, the applicant shall work with the Township to provide a temporary location on the property for the bike share station. As required for station operation, electrical power shall be supplied to the bike share station. In the event that the applicant does not install the bike share station, the applicant shall install the balance of the required bicycle parking spaces.

23. Bike racks shall be located in proximity to building entrances. A minimum of six (6) bike parking spaces shall be provided within the public gathering space as per §135-4.6(B)(3)f).

24. In addition to a 'Do Not Enter' sign and line striping, the applicant shall add physical design elements that prevent vehicles from entering the entrance road going the wrong way.

25. As relevant, future plan submissions shall be updated to reflect any changes or implementation of PennDOT's TIP Project No. 115429, Belmont Ave & St. Asaphs Rd once PennDOT finalizes their updated intersection evaluation and determines a preferred alternative of either a roundabout or other roadway improvements with a modernized traffic signal.

26. Interim improvements on Belmont Avenue along the site frontage may be required to provide a center left-turn lane prior to the implementation of PennDOT's TIP Project 115429 improvements.

27. A post-occupancy traffic analysis shall be conducted for the site access driveways to determine the need for site driveway turn restrictions and/or adjacent traffic signal optimization, as required by the Township Engineer. The applicant shall implement necessary modifications as required by this analysis.

- Landscape & Greening:

28. A revised landscape plan complying with the natural features code requirements of §101-9, the plant material and planting specification requirements of §135-5.8 and conditions herein shall be prepared and sealed by a Registered Landscape Architect and submitted with the Final Plan and shall include compliance charts demonstrating compliance with each code section.

29. The applicant shall provide section elevations and cross-sections for the City Avenue streetscape to show retaining walls, sitting walls, handrails, and ramps to illustrate how the various streetscape elements relate to the site grade. The applicant shall work with the Township on the City Avenue-facing treatment of the long seating wall and consider adding a mural or stone facing to deter graffiti.

30. The applicant shall consider incorporating columnar canopy trees and other landscaping along building facades to soften the architecture.
31. The applicant shall consider planting flowering vines at proposed pergola structure(s) to enhance the visual appeal of the pergola with seasonal color and passive cooling and shade.
32. Sight lines for all intersections, including West Road and North Road, shall be shown on the landscape plans. Trees shall not be planted within sight lines and any plantings within sight lines shall be 18" maximum height.
33. The applicant shall provide a section and section elevation with elevation points, through Building 1 with attached pergola and seating walls under the pergola.
34. Plans and compliance charts shall demonstrate compliance with buffer and screening requirements for dumpsters and loading areas, §135-5.2(F). Screen details, specifications and elevations shall be provided. Any shrubs used for screening shall be evergreen.
35. The applicant shall demonstrate compliance with §135-5.8.A.(5) to meet the requirements for native species for the proposed vegetation. A compliance chart shall be added to the plans.
36. The applicant shall demonstrate compliance with §135-5.8.A.(6) to meet the requirements for minimum species diversity for all the proposed vegetation. A compliance chart shall be added to the plans.
37. Additional lighting shall be added to the north lot to provide lighting coverage for the entire lot.
38. The applicant shall incorporate vegetation within the three (3) tree pits located adjacent to the public gathering space at the Belmont Avenue frontage.
39. The landscape plan shall correct the code section references in the §135-5.5 greening standards chart and provide specifications for the moveable seating shown in the public gathering space.
40. Landscaping, streetscape and public gathering space improvements and any existing vegetation to remain shall be perpetually maintained in a healthy and sound condition in compliance with Natural Features Code §101-11 and shall include litter control, lighting and adherence to required lighting levels, and the care and replacement of furnishings and vegetation. The applicant shall record a covenant on the property in a form acceptable to the Township Solicitor to guarantee this requirement.
41. Plans shall include a maintenance and operations plan for all proposed landscaping, including the public gathering space, street trees and amenities installed along the street frontages. The maintenance plan shall require a minimum every five (5) years evaluation of the street trees.
42. The applicant shall coordinate with the Township on the final design and location of all proposed amenities, street furniture including benches, trash and recycling receptacles, tree grates and bicycle racks. Product specifications for all site amenities shall be provided with the Final Plan. Any changes made prior to construction shall be subject to staff approval.

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Trees:

43. The demolition plan shall clearly indicate trees and shrubs to be removed and/or impacted and include a table noting the genus/species, caliper and size of each tree to be removed or impacted with corresponding numerical labeling on the plan.

44. Trees planted within the parking islands of the north lot shall be full-canopy deciduous trees.
45. Native canopy trees shall be provided within the existing tree pits closest to St. Asaphs Road.
46. In accordance with §135-5.1(C)(9) and §135-5.8(C)(3), the plans shall demonstrate that the minimum required soil volume for street trees will be provided, either through tree pits or linear tree planting areas, and that the proposed tree grates comply with applicable standards.
47. The applicant shall work with staff on street tree pit details. Street tree pits shall be designed to provide adequate space for root zones based on the species of tree selected. Where space exists without interference from underground utility lines and facilities, structural or amended soil shall be used.
48. The street tree branching height shall be increased to eliminate the potential for conflicts with signage, trucks and pedestrians.
49. The applicant shall work with the Shade Tree Commission on street tree species selection. Final locations of all street trees shall be subject to the review of the Shade Tree Commission, Township Arborist and the Traffic Safety Unit.

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Public Gathering Space and Pathways:

50. The public gathering space shall be permanently set aside as such by a recorded covenant in a form acceptable to the Township Solicitor as per §135-4.6(B)(2).
51. The Public pedestrian pathways shown on the plan that are also designated on the CAD Official Map shall be permanently designated as such by a recorded covenant in a form acceptable to the Township Solicitor as per §135-4.6(H).
52. As per §135-4.6(B)(2)(e), the public gathering space shall be open to the public whenever the development is open to the public. An Entry Plaque sign that indicates the hours of public access shall be clearly visible from a public way. The Entry Plaque sign shall also indicate that the public gathering space is part of a privately owned open space system and shall provide information as to maintenance responsibility and contact information.
53. Rendering(s) shall be provided to illustrate the public gathering space within the context of the site.
54. Electrical power shall be supplied to the public gathering space to support any future programming.
55. Plans shall demonstrate that trees in large planters will be planted with the required amount of soil volume as per §135-5.8(C). The applicant shall consider incorporating an irrigation system to ensure proper watering and drainage. The maintenance and operations plan shall include trees planted in large planters.
56. The Applicant shall work with staff and the City Avenue District to design and install Wayfinding signage and Entry Plaque Signage to support the public gathering space and public trails. Wayfinding signage shall show the location of the proposed public gathering space and trails in relation to the City Avenue District, Cynwyd Trail and Pencoyd Landing trail networks, and include residential and commercial landmarks, bike share/transit infrastructure and locations accessible to the open space/trail network.
57. Plans shall show the locations of the wayfinding signage to public transit facilities and/or public trails and on-site and/or electronic transportation information displays proposed in the applicant's Transportation Demand Management Plan Strategy. On-site transportation displays shall be located to be seen by the greatest

number of tenants/employees and site users. The design of the wayfinding signage shall be consistent with other wayfinding signage in City Avenue District and the applicant shall work with Township staff on the final signage design and placement.

Transit:

58. The location and design of the westbound bus stop shall be reviewed and approved by SEPTA as per §135-4.9(K)(2). The applicant shall provide a copy of documentation from SEPTA approving the location.

59. The applicant shall work with the City Avenue District and SEPTA to determine if an additional bus shelter on the eastbound side of City Avenue across from the site is feasible. If determined to be feasible, the applicant shall provide a financial contribution to the City Avenue District toward the installation of the bus shelter.

60. The applicant shall provide information to retail tenants regarding the Township's Transportation Demand Management Policy, including the Employer Best Management Practices and shall provide tenants with a listing of facilities available for bicyclist, carpoolers, pedestrian, and transit riders.

Utilities and Permitting:

61. An encroachment agreement, approved by the Township Solicitor, shall be required for the proposed hardscape and landscape items located within the right-of-way and/or public easement(s).

62. The applicant shall take ownership of the sanitary sewer main located on their property and agree to assume all associated responsibilities, contingent upon the Township's formal abandonment of the main. The applicant will work with the Township's Public Works Department and Solicitor to formalize the agreement.

63. The applicant shall coordinate with PECO and relevant utility companies to install underground service cables from the ROW to any on-site structures.

64. The applicant shall obtain a Highway Occupancy Permit (HOP) as required by PennDOT. Public Works shall be copied on all communications with PennDOT regarding any required HOP permits. The applicant shall submit a plan identifying any changes required by PennDOT which differ from the plan approved by the Township. The HOP shall also address changes being proposed for the stormwater inlet.

65. The applicant shall obtain driveway, curb and sidewalk permits as required by Public Works.

66. The applicant shall obtain a sanitary sewer connection permit for the proposed sanitary sewer connections and plans shall include drawings of connections and laterals.

67. The location of all transformers and utility boxes shall be shown on the Final Plan. 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.

Engineering:

68. The site access and work within the Belmont Ave and City Ave require PennDOT approval of a Highway Occupancy Permit. The proposed improvements shall be coordinated with the preferred Belmont Ave and St. Asaph's Road intersection improvement alternative as determined by PennDOT and Lower Merion Township.

69. Permits from the Public Works Department shall be required for the proposed connections to the sanitary sewer.

70. The Zoning Officer shall agree with the number and tabulation of the final parking demand schedule.

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Lighting:

71. 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. The location, luminaire type, wattage, means of control and pole height shall be indicated. Lighting shall be designed to minimize the off-site transmission of light, to shield the source of illumination and to prevent glare on adjacent properties. Exterior luminaires shall be full cut-off unless it can be demonstrated that cut-off luminaires are more appropriate and will result in less off-site light trespass.

72. The lighting plan shall be designed to comply with the IECC or the ANSI/ASHRAE/IES Standard 90.1 that is in effect at the time of the application.

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Other:

73. The applicant shall select street names in compliance with §133-30 which states that streets with the same name but different street type designation shall not be permitted. The approved plan for the development at 121 E City Avenue states that, following completion, West Drive will be evaluated for connection to Belmont Avenue. The applicant shall incorporate names associated with Bala Cynwyd history for the internal roadways, public gathering space and, if possible, proposed buildings.

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Sustainability:

74. The applicant shall consider incorporating green technology into the project including, but not limited, to green roofs, solar panels, and geothermal heat and air conditioning. The applicant shall also consider having no natural gas connections.

75. The applicant shall submit a statement with the Final Plan indicating how the Township's recycling requirements will be complied with.

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Construction:

76. The applicant shall salvage the existing wall along City Avenue and shall coordinate with the Township to offer the salvaged material to the Township for trail use.

77. The applicant shall conduct regular street cleaning of all roadways adjacent to active portions of the construction site. Staff shall have the right to order street cleaning more often if there is evidence of construction related debris in the roadway during the project.

78. 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.

79. The applicant shall identify a contact person to be on-site and enforce the construction parking plan as well as other neighborhood issues that may arise due to the construction.

80. 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 personal vehicles operated by construction workers or vehicles operated for construction workers, material suppliers, product vendors, and all construction trades engaged in the project.

81. As feasible pedestrian access shall be maintained through the site during the construction and installation of new walkways.

Standard Conditions:

82. Sidewalk and curb shall be repaired/replaced at the direction of the Township.

83. Signage shall be subject to the review and approval by the Zoning Officer.

84. The applicant shall install a Knox Box entry system at the exterior of all commercial, institutional and multifamily residential buildings at or near the main entrance to the building and/or at other locations as determined and approved by the Fire Marshal.

85. 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.

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

87. 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).

88. The final plan submission 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.

89. 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 the Preliminary Plan approval by the Board of Commissioners.

90. 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. The 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.

91. 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.

92. 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.

PUBLIC COMMENT

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Issue Briefing	Issue Briefing

- TE Review
- County Review

- Backup Material
- Backup Material

June 30, 2025

TO: Planning Commission Members

FROM: Sarah Carley, Planner

SUBJECT: PRELIMINARY LAND DEVELOPMENT PLAN
1 Belmont Avenue, Bala Cynwyd, Ward 9, LD# 3925PP

PROPOSAL

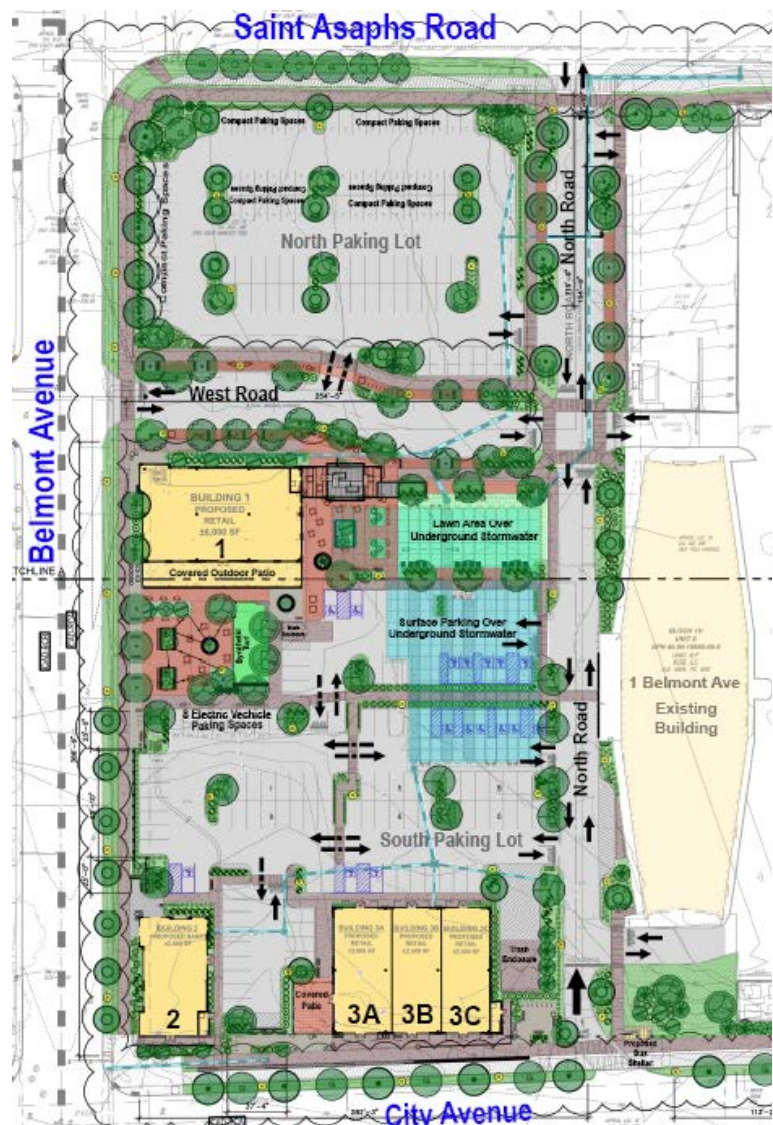
The applicant, George Broseman, Esq., on behalf of KGSB, LLC (Applicant) is seeking Preliminary Land Development Plan approval for improvements at 1 Belmont Avenue in Bala Cynwyd (Property) including:

- Three (3) commercial buildings (17,700 SF total gross floor area.)
- 14,724 SF of public gathering space.
- Two (2) new minor streets with on-street parking.
- 226 surface parking spaces.
- Onsite stormwater management system.

Waiver Request: The Applicant seeks relief from Code §135-3.2(A), requesting to waive the Tentative Sketch Plan review process for the project.

Submission: Materials submitted include:

- Preliminary Land Development plans prepared by Bohler Engineering consisting of 35 sheets originally dated 11/01/24 and last revised 06/20/25.
- Landscape and Lighting plans prepared by Stuart and Associates, LLC consisting of 11 sheets originally dated 01/17/25 and last revised 06/20/25.
- Architectural drawings prepared by RHJ Associates, PC consisting of six (6) sheets dated 06/19/25.
- Parking Assessment Study and Transportation Demand Management (TDM) Strategies prepared by Traffic Planning & Design, Inc. last revised 05/15/25.



KEY PLAN REVISIONS SINCE LAST REVIEW

The Planning Commission reviewed a tentative sketch plan for the project on 11/04/24 and the Applicant subsequently requested to waive the Tentative Sketch Plan.

Significant changes from the Tentative Sketch include:

- Revised architectural design including the addition of a tower feature on Building 2 at the corner of City Avenue and Belmont Avenue.
- A pergola structure connected to Building 3 along West Road.
- West Road realigned to comply with a PennDOT requirement to intersect Belmont across from the 121 E City Avenue driveway.
- Adjustments to accommodate potential future PennDOT intersection improvements at Belmont Avenue and St. Asaphs Road.
- Pedestrianway along Belmont Avenue and connecting to the City Avenue District trail network.
- Greening and lighting improvements to the north lot surface parking area.
- Consolidated storm water management system situated beneath Public Gathering Space and parking lot.

PROPERTY DESCRIPTION

The Property is a 6.8-acre double corner parcel on Belmont Avenue between City Avenue and St. Asaphs Road. To the east, the property abuts 225 E. City Avenue.

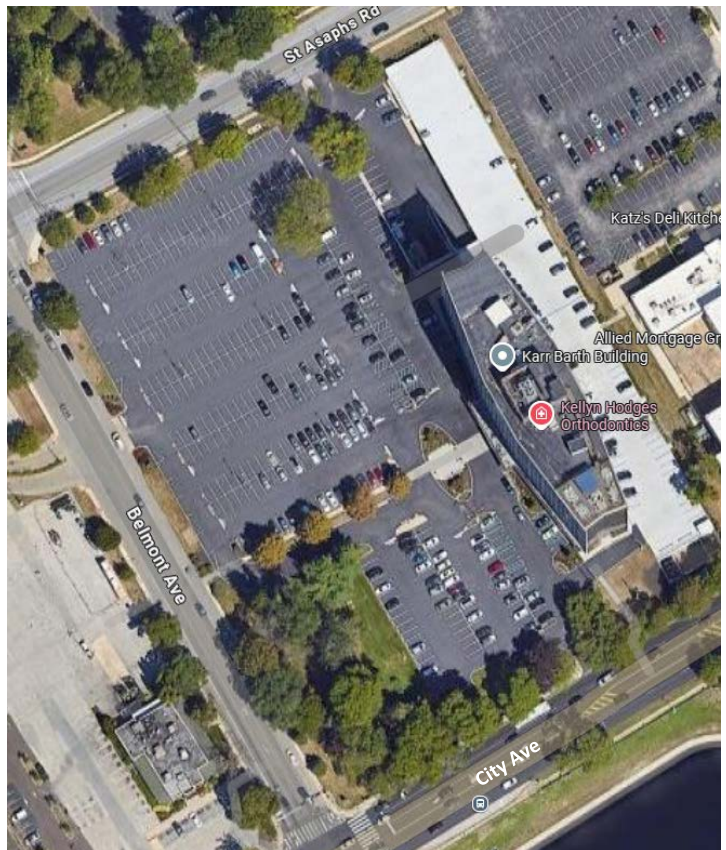
The property is currently improved with a 12-story commercial office building with an attached partially underground parking structure, large surface parking areas and driveways connecting to adjacent streets. At the corner of City Avenue and Belmont Avenue, the Property features a grassy area with mature trees. The existing building with attached parking will remain.

The construction of a mixed-use development on the adjacent property at 121 E. City Avenue (across Belmont Avenue) is currently underway and includes 15,547 SF retail commercial use and 220 residential units. A master plan for the large site to the north, across St Asaphs Road (231-251 St Asaphs Road), was approved in 2022 and Phase 1 of the Bala Plaza development is currently under land development review.

PREVIOUS APPROVALS

The Applicant received previous land development approval (LD #3889) in 2022 for a larger-scale project on the Property to construct two (2) residential/ commercial mixed-use structures on the existing surface parking area of the site including:

- An 18,881 SF 7-story building with 165 units and 2,674 SF commercial use.
- A 35,647 SF 5-story building with 107 units and 25,844 SF commercial
- A 595-space parking structure.
- A public gathering space, internal roadways and streetscape amenities.



The current proposed project differs significantly from the previously approved project which included multi-story mixed-use structures and a grocery store at the City Avenue corner. While the buildings on the proposed plan are a much smaller scale than previously approved, the public improvements including a public gathering space, pedestrianways, new minor streets, street trees, and sidewalks are the same.

REVIEW PROCESS & MEETING SCHEDULE:

The purpose of a Preliminary Land Development Plan is to determine the final locations and dimensions of buildings, driveways, streets, sidewalks, public gathering spaces, parking lots, landscape and street trees, and stormwater infrastructure. The plan must comply with the Township's Comprehensive Plan, Zoning and Subdivision Land Development Ordinance, and Official Map.

Tentative Dates for Preliminary Plan Review

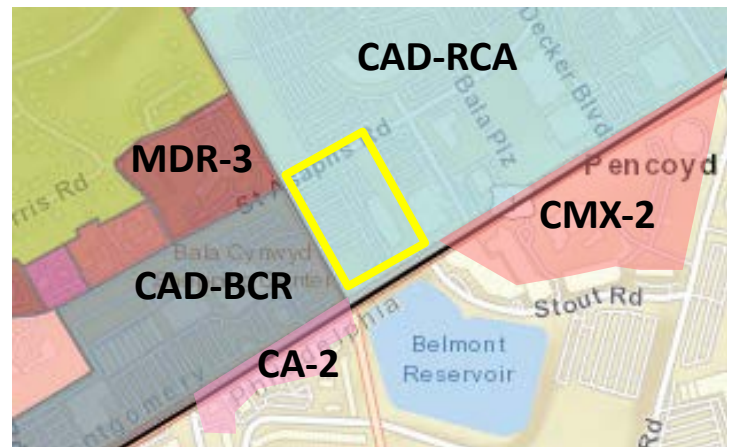
→	06/30/25	Planning Commission
	07/09/25	Building & Planning Committee
	07/16/25	Board of Commissioners

The Township's Land Development approval process is illustrated in the [Subdivision & Land Development Flowchart](#). This application review is currently in *Stage 4: Public Meetings*.

ZONING

The Property is located in the [City Avenue District-Regional Center Area \(CAD-RCA\)](#) zoning district and is an existing non-conforming lot due to a greater than 600' lot width.

Adjacent property zoning includes CAD-RCA, CAD-BCR, and MDR3 on the Lower Merion Township side of City Avenue, and CMX-2 and CA-2 commercial/commercial mixed-use on the Philadelphia side.



Dimensional Standards - CAD-RCA §155-6.6

Lot Occupation	Required	Existing	Proposed
Lot width	600 feet maximum	CITY AVE: 467.3' BELMONT: 642.2' (ENC*) ST. ASAPHS ROAD: 467.0'	CITY AVE: 467.3' BELMONT: 389.7' ST. ASAPHS ROAD: 269.5'
Impervious surface	70% maximum	76.6% (ENC)	69.5% With Reserve Structure 69.7%
Primary frontage	60%	N/A	CITY AVE: 60% BELMONT: 60% WEST: 60.5%
Frontage Yard Type	See §155-3.5	N/A	Urban Yard - Permitted
<i>*Existing Non-Conforming (ENC)</i>			
Building			
Build-to-Line	City Ave: 25' min, 40' max All Others: 20' min, 30' max	N/A	Building 3 (City): 31.7' Building 2 (City): 37.4' Building 2 (Belmont): 23.1' Building 1 (Belmont): 24.8' Building 1 (West): 29'

Floor area ratio (FAR)	0.7 (1.75 max with density bonus)	0.72	0.78 (using public gathering space* 0.15 density bonus)
Height	2 stories or 28' min	N/A	28'
* A public gathering space at this location is required as shown on the City Avenue District Official Map.			

PARKING

Reserve Request: The Applicant made a conditional use request that was reviewed by the Planning Commission on 11/04/24 and heard by the Township Hearing Officer on 11/11/24. The Applicant requested conditional use approval for reserve parking, pursuant to Code §155-8.3, to hold 60 parking spaces in reserve while undertaking the proposed land development project. If ever needed, a 36,000 SF lined parking structure with 237 parking spaces total will be constructed on the site of the currently proposed surface parking area between West Road and St Asaphs Road. The Township Hearing Officer recommended approval of the conditional use request to hold 65 spaces in reserve.

Vehicle Parking	# Spaces
Existing Office	344
Required for Proposed	339
TOTAL REQUIRED	683
Total Proposed	584
Conditional Use Recommended to Hold in Reserve	65
Additional Reserve to be Requested	34

Since the date of the Conditional Use Hearing, staff has asked the applicant to increase greening in the north lot and PennDOT has provided comments regarding potential future intersection improvements. Subsequently, the applicant will request to hold an additional 34 vehicle parking spaces in reserve. The Board of Commissioners will consider this request in July.

Electric Vehicle: While the proposed land development is subject to the electric vehicle requirements of §135-4.9(R), electric vehicle spaces are required to be installed only if the development requires more than 25 additional parking spaces. With 778 existing spaces and only 683 required spaces, the proposed development results in a net loss of parking. Regardless, the Applicant intends to install seven (7) electric vehicle spaces in addition to the six (6) spaces in the existing structured parking.



Bicycle Parking: The Applicant intends to host a bike share station on the Property to provide an active transportation option for employees, shoppers and nearby residents to navigate the City Avenue District and the Township's trail network. With support from Montgomery County, the Township is working with Indego Bike Share and coordinating with the City Avenue District and three sites, including 1 Belmont, to add publicly available bike share stations in or near City Avenue District. The 1 Belmont station will have 15 spaces and provide both conventional and electric bicycles.

PATHS AND PUBLIC GATHERING SPACE

The Property occupies a pivotal location on the Township's City Avenue District Official Map, situated almost in the center of the City Avenue zoning district and bounded by the Belmont Avenue primary axial north from City Avenue. The official map codifies the Township's commitment to install pedestrianways and multipurpose paths as development occurs in City Avenue and to transition of the area from being automobile-oriented to pedestrian-oriented.

The CAD Official Map requires a public gathering space on the Property and public multipurpose paths along City Avenue and St. Asaphs Road. While a multipurpose path is not required on the east side of Belmont Avenue, to enhance

connectivity and encourage pedestrian and active transportation access to the site, the Applicant proposes to install a 10'-wide path, exceeding the walkway width required.

The proposed public gathering space will be situated in the center of the Property at the intersection of the new West Road and North Road and will consist of two contiguous areas wrapping around Building 1 and fronting Belmont Avenue and West Road. The public gathering space will feature lawn and hardscape areas, moveable and bench seating, landscaping in large raised planters and shade trees.

Pedestrianways §155 Table 6.6.1	Required	Proposed
City Avenue	24' wide total 6' landscaped verge at curb 8' public multipurpose path 2' verge 8' public walkway	24' wide total 6' landscaped verge at curb 8' public multipurpose path 2' verge 8' public walkway
Belmont Avenue (City to West)	14' total 6' landscaped verge at curb 8' public walkway	17.5' total 7.5' landscaped verge at curb 10' public walkway
Belmont Avenue (West to St. Asaphs)		21' total 11' landscaped verge at curb* 10' public walkway
St. Asaphs Road	23' total 5' landscaped verge at curb 8' public multipurpose path 2' verge 8' public walkway	30' total 12' landscaped verge at curb* 8' public multipurpose path 2' verge 8' public walkway
<i>*Verge widths allow for potential future PennDOT intersection improvements.</i>		

Public Gathering Space (PGS) §155 Table 6.6.5	Required	Proposed
Size	5% lot size minimum Net Lot = 294,481 SF	14,724 SF

BELMONT AVENUE / ST. ASAPHS ROAD INTERSECTION

PennDOT is exploring intersection improvements at the intersection of Belmont Avenue and St. Asaphs Road. The Township is working with PennDOT to integrate intersection improvements into the Township's land use and circulation plans for the City Avenue District. As part of the approvals for previously approved plans (LD# 3889), the Applicant has modified its plans for the Property to accommodate the potential PennDOT project.

TOWNSHIP AND REGIONAL COMPREHENSIVE PLAN COMPLIANCE

The proposed project is located in the City Avenue Regional Center as defined by the [Land Use Element](#) of the 2016 *Lower Merion Township Comprehensive Plan*. The goal of the Regional Center is "to transform the predominant auto-oriented, office-based environment into a more functionally diverse live/work/shop environment." The proposed project will result in an overall more productive land use than the Property's existing use as surface parking. The addition of two minor streets will create smaller blocks and the implementation of streetscape improvements will result in a pedestrian-friendly environment in alignment with the intent of the CAD-RCA legislative code.

The City Avenue District area of Lower Merion Township is identified as a Regional Mixed Use Center in the Future Land Use Plan of the Montgomery County Comprehensive Plan, [Montco 2040: A Shared Vision](#). Regional Mixed Use Centers are intensely developed suburban cores with significant retail, office, and residential land uses, ideally with a clearly

defined public gathering space, internal road system, and over time, the possibility to “evolve with higher buildings, diverse uses and structured parking.”

ADDITIONAL REVIEWS

- **Township Engineer Review (attached):** The Township Engineer’s 06/27/25 review has been incorporated into the recommended conditions of approval.
- **Montgomery County Planning Commission (attached):** The County’s 06/27/25 comments encourage the applicant to explore additional architectural design elements to emphasize the human-scale of the development and to ensure the architectural and streetscape design work together to create a cohesive development in keeping with the goals of the City Avenue zoning district.
- **Civic Association:** The Applicant presented the proposed project to representatives of the Neighborhood Club of Bala Cynwyd civic association on October 28, 2024.

APPLICABLE STUDIES AND REPORTS

- *Potential Economic Impact of Redevelopment*, Economics Research Associates, 2007
- City Avenue Transportation Services Area Studies:
 - *Land Use Assumptions Report*, KSK Architects Planners Historians, Inc., 2010
 - *Roadway Sufficiency Analysis & Transportation Capital Improvement Plan*, McMahon Transportation Engineers & Planners, 2011
- *City Avenue District Official Map*, 2012
- *City Avenue Connectivity Plan*, Whitman, Requardt & Associates, LLP, 2014
- *City Avenue Landscape Master Plan*, SALT Design Studio, 2023
- *Commercial Retail Analysis*, MSC, 2023.

RELIEF REQUEST

The applicant has met the substantive design, landscape and stormwater requirements of the subdivision and land development ordinance. The applicant seeks relief from Code [§135-3.2\(A\)](#) to waive the Tentative Sketch review process and states that the purpose of the tentative sketch plan requirement has been satisfied for these reasons:

- The applicant has received considerable feedback from the Township including extensive comments from the Land Development Committee and multiple meetings with Township staff.
- The Tentative Sketch Plan and Conditional Use Application were reviewed by the Planning Commission at a public meeting on 11/04/24 and the Planning Commission recommended approval with recommended conditions.
- The applicant met with representatives of the Neighborhood Club of Bala Cynwyd who expressed no opposition to the project.
- The project underwent additional review through the Conditional Use process.

Standards for consideration of a waiver of requirements are stated in [§135-1.6](#):

§135-1.6 Waiver of Requirements.

Where, owing to special conditions, a literal enforcement of any of the requirements of this chapter would be unreasonable, would cause undue hardship or where an alternative standard can be demonstrated to provide equal or better results, the Board of Commissioners may make such reasonable exception thereto as will not be contrary to the public interest and that the purpose and intent of this chapter is observed. All requests for modifications shall be provided in writing and be part of the application for subdivision and/or land development. In the request for a modification, the applicant shall:

- A. State the ground and facts of unreasonableness or hardship on which the request is based or demonstrate that an alternative standard can provide equal or better results.
- B. List the provision(s) of the chapter involved.
- C. State the minimum modification necessary.

CONSIDERATIONS

1. Architectural Design

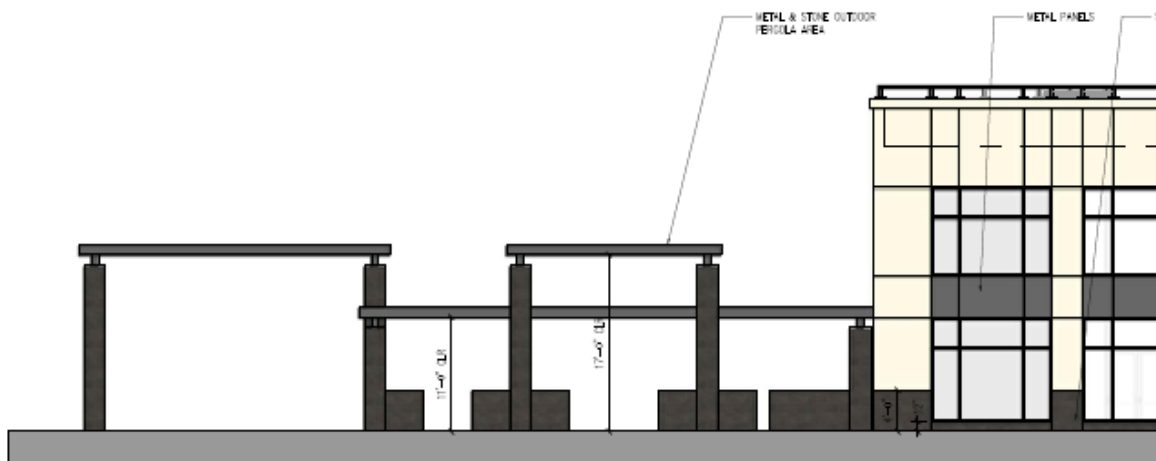
The Property's location at the intersection of City Avenue and Belmont Avenue makes it a key gateway site within City Avenue District with the potential to significantly impact the overall character of development on the City Avenue corridor. CAD-RCA zoning encourages higher density mixed- and multiple-use pedestrian-oriented development and recognizes the importance of City Avenue as a gateway community to the Township. It is essential that the design of the structures on the site, particularly at the City/Belmont corner, create an attractive and vibrant gateway to the Township and City Avenue District.

The architectural design elements included on the applicant's most recent submission aim at creating a gateway design at the City/Belmont corner. Opportunities may exist to further enhance the gateway and to create a more impactful pedestrian-oriented design that is integrated with landscaping and streetscape features through the use of material selection, façade articulation, wrapped awnings, and signage placement.

Within the context of the proposed development's location immediately adjacent to the 12-story existing office structure and on the busy City Avenue corridor, it is important that the architectural and site design provides a cohesive pedestrian-scaled environment in order to successfully achieve the intent of the zoning. The use of pergola extensions as a design feature on each of the proposed structures would be an effective design gesture to further enhance a human-scaled and welcoming environment and create a more cohesive site.



The design of Building 2, as shown by elevation facing City Avenue, includes a tower feature to accentuate the site's importance as a gateway site.



The design of Building 1 as shown here along the West Road facade effectively uses a pergola extension to create a pedestrian-scale environment.



The previously approved land development for the Property demonstrates a thoughtful pedestrian-oriented design including an at-grade primary facade entrance, pedestrian-scale signage and unique awning and window frame color.

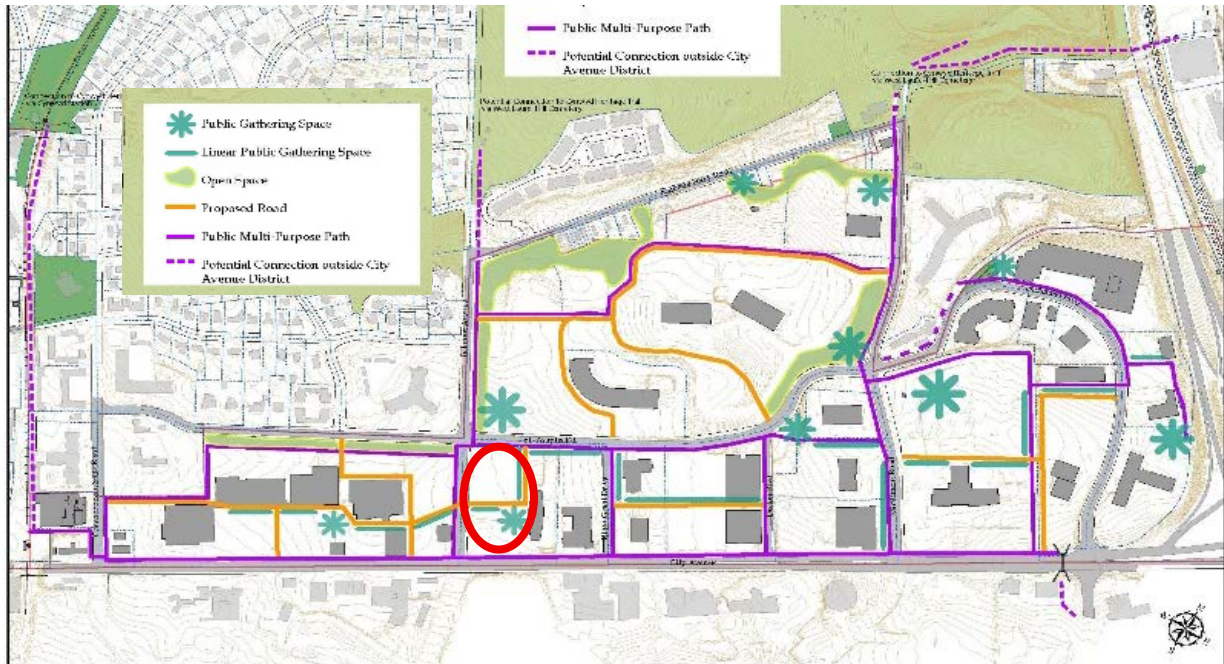
The following recommended conditions of approval (RCA) address this consideration:

- RCA 5. The applicant shall continue to work with staff on the overall architectural design of the structures, particularly Building 2, to ensure that the design adequately recognizes the site's importance as a Township and City Avenue gateway and to better align with the intent of the architectural design standards stated in §155-6.6(l)(5) and §155-3.9.
- RCA 6. Exterior wall materials shall be as per §155-3.9. Where stone is utilized on the walls facing public streets, the applicant shall consider materials that have a similar appearance to the type of stone in the existing wall to be removed along City Avenue. To enhance the pedestrian scale of the structures, stone or similar material shall be installed to a height of at least 12 feet on portions of walls facing public streets that are adjacent to pedestrianways. Final materials selection shall be approved by the Township.
- RCA 7. The applicant shall consider increasing the pedestrian scale of the overall plan through the use of pergola extensions along street frontages from each of the three structures.
- RCA 8. Building signage shall be mounted no higher than 20 feet as per §155-9.8(A)(5). The applicant shall consider installing signage on awnings or in the area immediately above the ground floor windows.

2. Public Gathering Space and Pedestrian Connections

As noted above, the Property is situated at the heart of the City Avenue District and the required multipurpose paths required by the City Avenue District Official Map are integral to the creation of the Township's pedestrian and active transportation network, connecting residents, employees and visitors to the Cynwyd Heritage Trail, Main Line Greenway and regional trail network.

The proposed public gathering space will be a centrally located within in the district as shown on the City Avenue District Official Map below and will complement the existing and future planned network of trails and pedestrian oriented spaces. With the presence of a rapidly growing residential community and active on-site and nearby office and commercial uses, the Property's public gathering space will be an axis of activity that will be accessible by a short walk or bike ride for many. Opportunity exists for future programming including the Bala Cynwyd Farmer's Market and other community events.



The City Avenue District Official Map shows the Township's vision for a network of public gathering spaces and trails through, and connecting to/from, the district. The Property is centrally located and will be an axis of activity.

This is an exciting time for trail and public space development in the Township. A number of current and proposed projects in the City Avenue District are spurring the implementation of the envisioned trail network and public gathering spaces. The installation of wayfinding signage and the bike share station will promote the development's location on the Township's trail network and the proposed food-related uses provided in the plan will provide a much-needed community resource and destination.

The following recommended condition of approval (RCA) furthers this consideration:

- RCA 55. The Applicant shall work with staff and the City Avenue District to design and install Wayfinding signage and Entry Plaque Signage to support the public gathering space and public trails. Wayfinding signage shall show the location of the proposed public gathering space and trails in relation to the City Avenue District, Cynwyd Trail and Pencoyd Landing trail networks, and include residential and commercial landmarks, bike share/transit infrastructure and locations accessible to the open space/trail network.

ACTION

The Planning Commission must take the following actions with respect to this application:

1. A recommendation on the request to waive the Tentative Sketch Plan.
2. A recommendation on the Preliminary Land Development Plan.



Wayfinding signage will show pedestrian and active transportation connections between the Property, City Avenue District and the Township's trail network.



**TOWNSHIP
OF
LOWER MERION**
MONTGOMERY COUNTY

TOWNSHIP ENGINEER

75 E. Lancaster Avenue
Ardmore, PA 19003 2376
Telephone: (610) 645-6200
www.lowermerion.org

LOWM 260.44

June 27, 2025

Christopher Leswing, Director of Building and Planning
Township of Lower Merion
75 East Lancaster Avenue
Ardmore, PA 19003

**Re: One Belmont Avenue
Preliminary Plan Review**

Dear Mr. Leswing:

In accordance with your request for the referenced submission, we have reviewed a set of thirty-five (35) plans dated 11-01-24, last revised 06-20-25, and associated stormwater management report dated 11-01-24, last revised 05-16-25, prepared by Bohler Engineering, LLC. We have also reviewed a Transportation Impact Study dated 05-15-25, prepared by Traffic Planning and Design, Inc. We offer the following comments for your consideration:

A. MAJOR ENGINEERING ISSUES

- ❖ **Traffic**—The proposed development is one of several pending major developments surrounding the intersection of Belmont Avenue and St. Asaph's Road which will collectively have a large impact on the existing roadway network. The revised site driveway location to Belmont Avenue has been coordinated with the proposed land development plans for the 121 City Avenue site. However, based upon recent meetings with PennDOT, the preferred improvement alternative at the intersection of Belmont Avenue and St. Asaph's Road has not yet been determined, and may require turn restrictions at the site driveway. The applicant must continue to work with the Township, the City Avenue Special Services District, PennDOT, and the adjacent developers to formulate an overall mitigation plan for the roads and intersections impacted by the development(s).

With the resolution of the preceding major engineering issues and the remaining comments in this letter incorporated, we recommend that the Preliminary Plan be approved.

B. ORDINANCE REQUIREMENTS

1. Section 101-6A(1)—All woody vegetation to be retained within twenty-five (25') feet of a building site or disturbed area shall be protected from equipment damage by fencing placed at the driplines. The location of the fence shall be provided. A detail shall be included on the plans that complies with township standards. The Township Arborist must approve the location of the tree protection fence if it is not indicated at the driplines.
2. Section 101-6A(6)—Grade changes around the driplines of trees to be retained shall be minimized. Impacted trees to remain shall be clearly identified. Treatment of any impacted trees prior to construction to protect the root system shall be performed if/as directed by the Township Arborist. The Township Arborist must also approve the procedure.

3. Section 121-4E(4)—A description of how the permanent stormwater control facility will be operated and maintained shall be submitted by the design engineer. The frequency of inspection shall be listed on the plan. The contact information for the party responsible for the operation and maintenance of the facility shall be listed. The plan shall be presented in recordable form as a covenant running with the land and must be approved by the Township Solicitor prior to recording the Final Plan.
4. Section 121-12—For disturbance of over one acre, an NPDES Permit must be obtained from the Montgomery County Soil Conservation District prior to issuance of any permits.
5. Section 135-4.9(Q)—The Fire Marshal must approve the design for access and maneuverability.
6. Section 135-19B(8)—The sight distance for the proposed driveway locations must be shown on the plan and must meet the minimum safe stopping sight distance as specified by PennDOT. The Traffic Safety Unit of the Lower Merion Police Department must review the final drive configuration/location.
7. Section 135-4.4(F)—Concrete road control monuments shall be shown to be installed at the right-of-way at the intersection of each property line and at all changes in direction. Iron pins can be used with the concurrence of the Township Engineer.
8. Section 135-4.10(B)—A Planning Module or Exemption must be approved by the City of Philadelphia and the DEP prior to recording the Final Plan.
9. Section 155-6.6(N)—The project is located within the City Avenue Special Services District. A transportation impact fee is applicable to this development.
10. Section 135-8.2(C)1—The Traffic Impact Study must address the following items:
 - a) Several intersections in the area experience a high number of crashes each year. The applicant shall identify and implement low-cost safety improvements at these locations, with particular emphasis on the intersection of St. Asaph's Road and Belmont Avenue. While PennDOT is advancing a safety improvement project that may include a roundabout at this intersection, the proposed development is expected to open before that project is completed. Therefore, the applicant must address current safety concerns through interim improvements until the PennDOT project is in place.
 - b) We concur with the recommendation in the study regarding the implementation of a center left-turn lane on Belmont Avenue along the site frontage. This improvement shall be shown on the revised land development and PennDOT Highway Occupancy Permit (HOP) plans.
 - c) The applicant shall provide further discussion and any supporting documentation for the Multimodal reductions applied to the trip generation estimates for the proposed retail land uses (High-Turnover Sit-Down Restaurant, Fast Casual Restaurant, and Bank). These projected reductions may not be considered when calculating the traffic impact fee for City Avenue District.
 - d) The study indicates that the queue of exiting traffic on West Road (site driveway) to Belmont Avenue will block the proposed parking lot access driveway on the north side of West Road. The parking lot access driveway to West Road must be relocated to the eastern side of the parking lot.
 - e) A flashing yellow arrow signal head on the proposed mast arm on the northeast corner of City Avenue and Belmont Avenue shall be installed. An additional three-section signal head for the through movement shall be included. The signal heads opposite the appropriate northbound Belmont Avenue travel lanes shall be aligned. These items are subject to review and approval from PennDOT and the City of Philadelphia.

- f) The applicant shall coordinate with the Philadelphia Streets Department Traffic Unit on any signal improvements on City Avenue. Provide coordination in future submissions.

C. ENGINEERING COMMENTS

1. The site access and work within the Belmont Ave and City Ave require PennDOT approval of a Highway Occupancy Permit. The proposed driveway on Belmont Ave shall be coordinated with the preferred Belmont Ave and St. Asaph's Road intersection improvement alternative as determined by PennDOT and Lower Merion Township.
2. Permits from the Public Works Department will be required for the proposed connections to the sanitary sewer.
3. The Zoning Officer must agree with the number and tabulation of the final parking demand schedule.
4. A Planting Plan must be approved by the Planning Department and the Township Arborist.
5. The Director of Building and Planning must approve the lighting plan.

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.

Please advise if we may be of further assistance in this matter.

Sincerely,



Joseph A. Mastronardo, P.E.

PENNONI ASSOCIATES

Township Engineer

cc: Colleen Hall, Senior Planner
Bohler Engineering, LLC

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SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

June 27, 2025

TO: Christopher Leswing, Director of Building & Planning
Building & Planning Department
Township of Lower Merion
75 East Lancaster Avenue
Ardmore, PA 19003

FROM: Marley Bice, AICP, Community Planning Assistant Manager
marley.bice@montgomerycountypa.gov | 610-278-3740

SUBJECT: MCPC #18-0322-009
SOPI – 1 Belmont Avenue

We have received a “SOPI” submission for the above-referenced subdivision and land development application as you requested on June 13, 2025. In addition, some updated plan sheets were received from the township staff on June 23, 2025. The comments in this memo are based on the most recent submission. We have attached our most recent full review letter (for submission MCPC #18-0322-007) for reference; however, some comments in our previous review letter(s) may have been addressed.

UPDATED BACKGROUND

We have reviewed the most recent “SOPI” submission and noted that since our most recent full review letter (for submission MCPC #18-0322-007) the amount of commercial square footage proposed has not changed but the amount of proposed surface parking has been reduced from 262 spaces to 226 spaces and the amount of proposed on-street parking has been reduced from 22 spaces to 15 spaces. In addition, it appears that the proposed size of the public gathering space has been reduced from 16,262 square feet to 14,724 square feet. It was also noted that the alignment of proposed West Road has been altered and alternative site layouts taking into account a previously proposed roundabout at the intersection of Belmont Avenue and St. Asaph’s Road are no longer included. Other minor revisions include changes to the layout of the northern parking lot, architectural designs, and landscaping.

ADDITIONAL REVIEW COMMENTS

We feel that several comments from our January 30, 2025 review letter (please see Attachment B) may still be worthy of discussion. In addition, we wish to reiterate and update the following specific comments:

- Architectural Design. Development design standards for this zoning district are contained in §155-6.6.I. of the township’s zoning ordinance. We feel that the following development design standards are particularly applicable to the review of the applicant’s proposed architectural design:

- §155-6.6.I.(5)(a) – “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.”
- §155-6.6.I.(5)(c)[5] – “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.”

Due to the development site’s prominent corner location within the City Avenue District, we encourage the applicant to continue to work with the township to explore additional design elements to emphasize the human-scale of the development and ensure the architectural and streetscape design work together to create a cohesive development in keeping with the goals of the City Avenue District. To that end we wish to offer the following specific design observations and suggestions, including example photographs, with a particular focus on the proposed corner building that will establish the streetscape pattern for both the City Avenue and Belmont Avenue frontages at this key gateway location:

- The proposed addition of a third floor on the outside corner of Building 2 has the potential to create an iconic feature at this prominent corner. However, the current shallow stepback at the third floor of this feature could have the potential to de-emphasize this feature, therefore we would suggest that the third-floor façade be flush with the lower levels.
- The placement and type of building signage can contribute to a more pedestrian-oriented feel. Often, the traditional “sign band” in a walkable setting is the space between the 1st and 2nd floor windows. In addition, projecting signs, rather than only flush-mounted wall signs, are more visible to pedestrians walking along the sidewalk.
- We suggest that at least one more, warmer-tone color and more natural building material could be added to the design. For example, the graphic below is from a 2022 rendering for a taller building at this same location. The use of warmer tones, such as the lighter-colored brick and wood tone on the upper floors, as well as the gold color metal accents around the windows and on the awning, created a unique architectural appearance that still complemented the gray tones of the existing One Belmont office building.



WDG
ONE BELMONT AVE, BALA CYNWYD, PA

CITY AVE, PERSPECTIVE

WA20006

- Greening Standards. We wish to reiterate that it appears that the applicant is using some elements of the plan that are required by other sections of the zoning (e.g., public gathering space for a FAR bonus, bike parking) towards the required greening standards.
- Landscape Plan. The landscaping requirements table on Sheet 1 of 11 of the landscape plan set does not appear to contain calculations demonstrating compliance with the buffer requirements around site elements such as dumpsters and loading areas (see §135-5.2.F.).
- Handicapped Parking and Access to Existing Office Building. Several handicapped parking spaces are shown on either side of a pedestrian walkway in the southern parking lot near the entrance to the existing office building. An ADA curb ramp is shown on either side of the pedestrian walkway connecting to a loading zone between ADA parking spaces on the civil plan set; however, no curb ramps in these locations are shown on the landscape plan.
- Proposed Bus Shelter. We commend the applicant for proposing to include a bus shelter as part of their development; however, the location of the bus shelter is not shown consistently across the civil site plan and landscape plan submissions. We wish to reiterate that the township has detailed design guidelines for bus stops and bus shelters in §135-4.9.K. of the township's subdivision and land development ordinance. For example, an ADA loading pad is required to be provided adjacent to the curb; however, a continuous landscaped verge is shown along the curb in front of the proposed bus shelter. Overall, we encourage the applicant to coordinate with SEPTA and the township to ensure the placement and design of the proposed bus shelter complies with all applicable standards.

ATTACHMENTS

Attachment A: Reduced Copy of Applicant's Proposed Site Plan

Attachment B: MCPC #18-0322-007 Review Letter Dated January 30, 2025

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SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

January 30, 2025

Mr. Christopher Leswing, Director of Building & Planning
Building & Planning Department
Township of Lower Merion
75 East Lancaster Avenue
Ardmore, PA 19003

Re: MCPC #18-0322-007
Plan Name: 1 Belmont Avenue
(17,700 sq. ft. commercial on approximately 6.76 acres)
Situate: City Avenue (N); Belmont Avenue (E)
Lower Merion Township

Dear Mr. Leswing:

We have reviewed the above-referenced land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on January 17, 2025. We forward this letter as a report of our review and recommendations.

BACKGROUND

The applicant, KGSB, LLC, proposes to construct three new retail commercial buildings, primarily on an existing surface parking lot. An existing eleven-story, 219,390 square foot office building and an existing parking structure on the property are proposed to remain. The property is located in the township's CAD-RCA City Avenue District – Regional Center Area zoning district.

The proposed new buildings are:

- Building 1 located at the intersection of Belmont Avenue and proposed West Road is a single-story retail building containing 6,000 sq. ft.
- Building 2 located at the intersection of Belmont Avenue and City Avenue is a single-story bank building containing 3,500 sq. ft.
- Building 3 located on the City Avenue frontage of the site is a single-story retail building containing a total of 8,200 sq. ft.



Two new minor roads are shown from St. Asaph's Road and Belmont Avenue. A total of 262 surface parking spaces and 22 on-street parking spaces are shown, in addition to 344 parking spaces in the existing parking structure attached to the office building. A central public gathering space totaling 16,119 square feet in area is shown with frontage on Belmont Avenue and West Road.

Additional improvements shown at this time include widened sidewalks along the City Avenue, Belmont Avenue, and St. Asaph's Road frontages of the site; a public multi-purpose path along the City Avenue and St. Asaph's Road frontages of the site; new internal pedestrian pathways; and stormwater management facilities.

According to the information provided, the applicant is seeking conditional use approval to hold a portion of the minimum required parking in reserve and has provided site plan drawings showing the location of a potential parking garage structure in place of the northern surface parking lot. The parking structure, if constructed, would include 16,500 square feet of additional retail space.

In total, the sketch plan submission includes site layouts for four scenarios: a surface parking lot at the corner of St. Asaphs Road and Belmont Avenue, with or without a roundabout at that intersection, and a parking structure at the corner of St. Asaphs Road and Belmont Avenue, with or without a roundabout at that intersection.

COMPREHENSIVE PLAN COMPLIANCE

The City Avenue District area of Lower Merion Township is identified as a Regional Mixed Use Center in the Future Land Use Plan of the Montgomery County Comprehensive Plan, *Montco 2040: A Shared Vision*. Regional Mixed Use Centers are intensely developed suburban cores with significant retail, office, and residential land uses. The proposed development will activate portions of an existing surface parking lot with new uses and create public amenities such as a central gathering space and improved sidewalks, which is generally consistent with the goal to "encourage development and transformative investment where infrastructure already exists."

The Land Use Element of the 2016 Lower Merion Township Comprehensive Plan identifies the City Avenue District area as a Regional Center which is the primary growth area within the township. The proposed development of single-story commercial buildings amongst surface parking does not appear to significantly advance the goal of the Regional Center "to transform the predominant auto-oriented, office based environment into a more functionally diverse live/work/shop environment and a pedestrian-friendly district." However, the proposed development includes amenities that would improve this prominent property, including streetscape improvements, public gathering space, a bus shelter, and outdoor dining.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal. However, in the course of our review we have identified the following issues that the applicant and Lower Merion Township may wish to consider prior to moving forward. Our review comments are as follows:

REVIEW COMMENTS

ZONING ORDINANCE COMMENTS

Based on the information provided, we have identified the following items related to the Lower Merion Township Zoning Ordinance that we feel should be addressed as part of any future land development submissions associated with this proposal:

- A. Frontage Occupation. Section 155-3.5.B.(1) of the township's zoning ordinance establishes how frontage occupation is calculated. Table 6.6.6 states that the minimum primary frontage required in the CAD-RCA zoning district is 60%. It appears that the applicant may be excluding pedestrianways from the frontage occupation calculation, which is permitted by §155-3.5.B.(1). We noted that the township's definition of "pedestrianway" is: "a public or private linear space or an area where the primary users are pedestrians and that may also accommodate bicyclists." In addition, §155-6.6.B.(4) provides additional standards for what is considered a "pedestrianway" within the CAD-RCA, including that "the pedestrianway shall begin at the curbline." The areas identified as "pedestrianway" on the proposed site plan appear to be short segments of additional pavement that may not meet all of the criteria for "pedestrianway".

In addition, the Primary Frontage Calculation Chart on Sheet C-103 states that some roads are "not a primary frontage", suggesting that the frontage occupation requirement may not apply to those frontages. However, the township's zoning ordinance broadly defines "primary frontage" as "the frontage of a lot facing onto a public or private street", which would appear to apply to more frontages within the development site.

Overall, we defer to the township regarding the applicability of this definition and the accuracy of the frontage occupation calculations provided.

- B. Minimum Building Height. Section 155-6.6.D.(5) establishes a minimum building height for the entire CAD-RCA district of 2 stories, or 28 feet, and that "the second-story floor area shall be equal to or greater than 75% of the grade-level building area." It appears that the applicant proposes single-story buildings.
- C. Maximum Driveway Width. Section 155-6.6.H.(2)(c) of the township's zoning ordinance states that the "maximum driveway width is two lanes and 22 feet unless a dedicated separate left-turn egress lane is required, based on a traffic study." The driveway off of St. Asaphs Road appears to be greater than 22 feet in width.
- D. Public Gathering Space Design. Standards related to public gathering space are contained in Table 6.6.5 of the township's zoning ordinance. We noted the following potential design questions related to the proposed public gathering space:
- "A minimum of 30% of the public gathering space shall be landscaped with trees, shrubs, and mixed plantings with year-round interest." *Sheet 1 of 11 of the landscape plan set states that 17.4% is landscaping.*
 - "One bicycle space shall be provided for every 300 square feet of public gathering space." *The proposed public gathering space size of 16,119 square feet would require 54 bicycle parking spaces. No proposed bicycle parking spaces were identified within the public gathering space.*
 - "Location of a public gathering space adjacent to a parking lot is discouraged." *The proposed public gathering space is directly adjacent to the surface parking lot on several sides.*

- E. Development Design & Architecture Standards. Development design standards for this zoning district are contained in §155-6.6.I. of the township's zoning ordinance. We noted the following potential design questions related to the development design standards:
- §155-6.6.I.(5)(a) states that "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.*" *We encourage the applicant to explore additional design elements to emphasize the human-scale of the development. For example, the large, flat parapet wall faces and flush-mounted signage appear to create more of an auto-oriented appearance. Additional roofline articulation and projecting signs oriented towards the pedestrian realm could be beneficial.*
 - §155-6.6.I.(5)(c)[4] states that "the second story and above of primary front facades shall contain a minimum of 20% of the façade as clear windows." *It is unclear if this requirement would apply to the proposed buildings.*
 - §155-6.6.I.(5)(c)[5] states that "building corners at intersections of public streets shall be visually emphasized through design features [...]." *We encourage the applicant to incorporate additional design features to accentuate the prominent building corner at City Avenue and Belmont Avenue.*
- F. Greening Standards. Sheet 1 of 11 of the landscape plan set contains information on how the applicant proposes to comply with the greening standards, as required by §155-6.6.K.(2) of the township's zoning ordinance. However, it appears that the applicant is using some elements of the plan that are required by other sections of the zoning (e.g., public gathering space for a FAR bonus, bike parking) towards the greening standards.
- In addition, the tables on Sheet 1 of 11 of the landscape plan refer to an outdated section of the township's subdivision and land development ordinance. Greening standards requirements are now contained in §135-5.5.
- G. Street Screens. Section 155-8.4.C.(1) of the township's zoning ordinance states that surface parking "shall be masked from frontages by a building, liner, or street screen." A proposed screen wall is shown on the landscaping plan, but is not shown on the civil site plan.
- H. Parking Space Dimensions. Table 8.5.1. of the township's zoning ordinance establishes minimum dimensions for off-street parking. It appears that some of the parking spaces within the northern parking lot do not currently meet these minimum dimensions.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

Based on the information provided, we have identified the following items related to the township's subdivision and land development ordinance that we feel should be addressed as part of any future land development submissions associated with this proposal:

- A. Public Gathering Space Design. Future versions of the plans should specify how the proposed public gathering space complies with the public gathering space regulations in §135-4.6.B. of the township's subdivision and land development ordinance.

- B. Sidewalk across Driveways. Section 135-4.9.F.(2)(a) requires that “the grade and paving of the sidewalk shall be continuous across driveways.” Future versions of the plan should be revised to show the grade and pavement material of the proposed sidewalk extending across all of the proposed driveways, such as the driveways from West Road and North Road into the northern parking lot.
- C. Pedestrian Access within Parking Lot. Section 135-4.9.Q.(7) contains standards for pedestrian pathways and crosswalks that apply to all surface parking lots with 10 or more new parking spaces. The proposed site plan does not appear to provide any pedestrian pathways through the northern parking lot.
- D. Landscape Plan. We have identified the following comments related to the proposed landscape plan as it relates to standards in the township’s subdivision and land development ordinance:
- The landscaping requirements table on Sheet 1 of 11 of the landscape plan set does not appear to contain calculations demonstrating compliance with the buffer requirements around site elements such as dumpsters and loading areas (see §135-5.2.F.).
 - The northern parking lot, which appears to be a partial reuse of the existing parking lot, does not appear to comply with the parking lot landscaping design standards, such as the requirement that a planting island of at least 340 square feet in area be provided every 12 parking spaces (see §135-5.3). Sheet C-305 contains an alternative layout for the northern parking lot incorporating additional planting islands. We support this alternative layout that would markedly improve the distribution of the proposed tree canopy and visual appearance of this prominent corner of the site and encourage the applicant to pursue this design. If parking spaces that would be lost with the addition of plantings islands need to be replaced, it appears that additional parking spaces could be provided along the West Road frontage of the northern parking lot.
 - Several trees are proposed to be planted in large planters within the public gathering space. We support this innovative design choice, but feel that additional information could be helpful to determine if the proposed planters will provide the required amount of soil volume (see §135-5.8.C.). Irrigation systems or other methods to ensure proper watering of trees in planters may also be beneficial.

VEHICULAR CIRCULATION

- A. Intersection of West Road with Belmont Avenue. A new road labeled West Road is proposed to be constructed through the site and is shown intersecting Belmont Avenue less than 150 feet from the proposed roundabout with St. Asaph’s Road. It is our understanding that additional development, including the construction of a new road intersecting Belmont Avenue, is being proposed on the adjacent site at 121 E. City Avenue. We strongly encourage the applicant to continue to coordinate proactively with the adjacent property owner, PennDOT, and Lower Merion Township to determine the best location for a new intersection along Belmont Avenue, which is a State road. Such discussions could also explore whether a traffic signal at this new intersection would be warranted and whether a pedestrian crossing could be safely accommodated at this location.
- B. Placement of Driveway into Northern Parking Lot. The access driveway into the northern parking lot off of West Road is shown in close proximity to the external road of Belmont Avenue. Given this close proximity, it appears likely that queuing cars on West Road waiting to exit the site could potentially block cars from entering or exiting the northern parking lot at this location.

PEDESTRIAN CIRCULATION

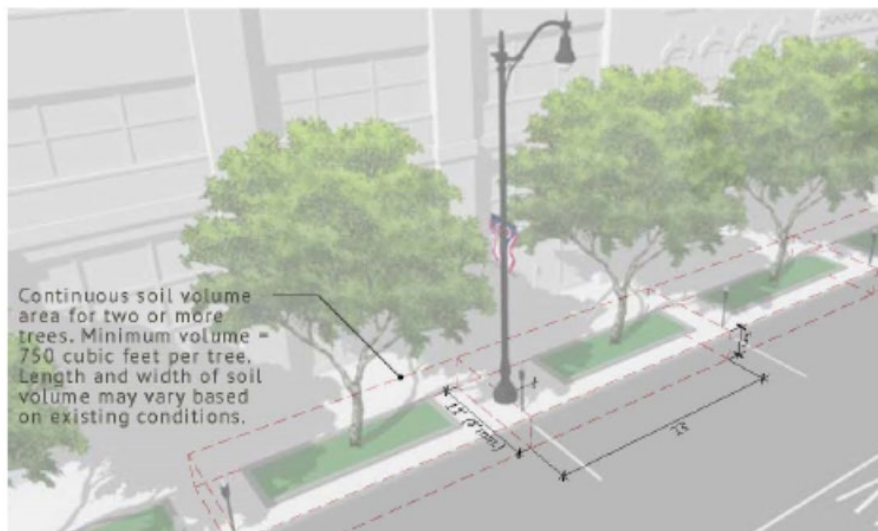
- A. Handicapped Parking and Access to Existing Office Building. Several handicapped parking spaces are shown on either side of a pedestrian walkway in the southern parking lot near the entrance to the existing office building. An ADA curb ramp is shown on either side of the pedestrian walkway connecting to a loading zone between ADA parking spaces on the civil plan set; however, no curb ramps in these locations are shown on the landscape plan.
- B. Handicapped Parking and Access in Reserve Parking Structure. With regards to the parking structure proposed to be held in-reserve, additional retail space is shown within the parking structure. A single handicapped parking space is shown on the ground floor of the parking structure with additional spaces on upper levels. If plans for the parking garage progress, we encourage the applicant to include an ADA-accessible pathway and marked crossings, if applicable, between the handicapped parking and all proposed retail spaces.

PUBLIC TRANSIT

A proposed bus shelter is shown along City Avenue near the intersection with Belmont Avenue. The township has detailed design guidelines for bus stops and bus shelters in §135-4.9.K. of the township's subdivision and land development ordinance. We encourage the applicant to coordinate with SEPTA and the township to ensure the placement and design of the proposed bus shelter complies with all applicable standards.

STREET TREE PLANTING

We commend the applicant for proposing to plant over 70 street trees to create a cohesive and attractive streetscape throughout the large site. We noted that some street trees are proposed to be planted within landscaped verge strips and other street trees are proposed to be planted in tree pits meeting or exceeding the minimum opening size. However, it is unclear how the minimum soil volume for street trees (§135-5.1.C.(9)) will be provided. In addition, the proposed tree grates must comply with the standards in §135-5.1.C.(9)(a). Alternatively, we encourage the applicant to explore utilizing linear tree plantings areas, as shown in the graphic below from §135-5.8.C. of the township's subdivision and land development ordinance.



FUTURE ROUNDABOUT

The applicant has provided site plans for the intersection of St. Asaphs Road and Belmont Avenue for four scenarios: a surface parking lot at the corner of St. Asaphs Road and Belmont Avenue, with or without a roundabout at that intersection, and a parking structure at the corner of St. Asaphs Road and Belmont Avenue, with or without a roundabout at that intersection. In the development scenario where the parking structure is constructed without a roundabout, it appears that a large landscaped area would be created. If this development scenario progresses, we encourage the applicant to consider creative uses of this area, even if it is temporary. For example, planting this area with a meadow mix could provide additional benefits for pollinators and stormwater management, while also requiring less maintenance in the interim. In addition, the site design in this scenario should consider where pedestrian entrances and walkways to the retail space on the western side of the parking garage would be provided.

ELECTRIC VEHICLE CHARGING STATIONS

The applicant proposes to include seven electric vehicle charging stations in the southern parking lot along the Belmont Avenue frontage. Symbols that appear to indicate electric vehicle charging equipment are shown on the civil site plan; however, these structures are not shown on the landscape plan. In addition, the required screen wall (which is shown on the landscape plan but not the civil site plan) appears to be proposed in the same vicinity. We suggest that the civil site plan and landscape plan be revised to show all proposed improvements in order to determine whether the electric vehicle charging equipment will impact the placement of the proposed screen wall and landscaping in the same vicinity of the parking lot.

BICYCLE PARKING

Several bike racks are shown around the site, primarily along the frontages of West Road and within areas labeled as “pedestrianway” along the City Avenue frontage. We feel that providing bike racks closer to the primary entrances of the proposed commercial buildings would be beneficial, depending on the specific uses proposed. In addition, we encourage the applicant to explore providing bicycle parking for the existing office building.

CITY AVENUE STREETSCAPE

The applicant appears to be providing a unique combination of pathways and streetscape elements and other pedestrian amenities along the City Avenue frontage; however, additional information, such as cross-sections, may be beneficial to understand how the various streetscape elements also relate to the grade on this portion of the site. For example, the civil site plan shows stairs along the City Avenue frontage of Building 2 and several areas of sidewalk that ramp and require handrails.

MULTI-PURPOSE PATHWAYS

We recommend that clearly marked crosswalks be added where any proposed multi-purpose pathway crosses a driveway or new minor street.

CONCLUSION

We wish to reiterate that MCPC generally supports the proposed development; however, we believe that our suggested revisions will better achieve the township's planning objectives for commercial development.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files. Please print the assigned MCPC number (#18-0322-007) on any plans submitted for final recording.

Sincerely,



Marley Bice, AICP, Community Planning Assistant Manager
610-278-3740 – marley.bice@montgomerycountypa.gov

c: George Broseman, Applicant's Representative
Gilbert P. High, Jr., Esq., Twp. Solicitor
Ernie B. McNeely, Twp. Manager
Jody Kelley, Twp. Secretary
Joseph Mastronardo, P.E., Twp. Engineer
Charlie Doyle, Twp. Asst. Dir. of Planning
Colleen Hall, Twp. Senior Planner
Greg Prichard, Twp. Hist. Preserv. Planner
Holly Colello, Twp. Planner
Sarah Carley, Twp. Planner
Hope Viviani, Twp. Planning Technician
Fran Hanney, Scott Burton, Paul Lutz, PennDOT

Attachment A: Reduced Copy of Applicant's Proposed Site Plan
Attachment B: Aerial Image of Site



AGENDA ITEM INFORMATION

ITEM: RESOLUTION - AUTHORIZATION OF A GRANT APPLICATION FOR THE MAIN LINE GREENWAY

Consider for recommendation to the Board of Commissioners adoption of a resolution authorizing the Township to submit a grant in the amount of \$15,000 to Pennsylvania Environmental Council 2025 Cycling Activation Mini-Grant Program for the Main Line Greenway.

PUBLIC COMMENT

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Issue Briefing	Issue Briefing
<input type="checkbox"/> Backup Materials	Backup Material

TOWNSHIP OF LOWER MERION

Building & Planning Committee

Issue Briefing

Topic: Authorization of application and grant match to the Pennsylvania Environmental Council (PEC) 2025 Cycling Activation Mini-Grant Program.

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

Date: September 5, 2025

- I. Action To Be Considered by The Board:** Adopt a resolution authorizing submission of a Pennsylvania Environmental Council (PEC) 2025 Cycling Activation Mini-Grant application, including commitment for required matching funds in the amount of \$35,000.
- II. Why This Issue Requires Board Consideration:** A resolution must be passed by the Board of Commissioners to commit a funding match should the grant be awarded.
- III. Current Policy or Practice (If Applicable):** The Board of Commissioners approved the preliminary concept for the Main Line Greenway (MLG) bike route on October 4, 2023 (<https://www.lowermerion.org/MainLineGreenway>).

In addition, the Board received the Township's first Sustainability Plan on June 7, 2023 (www.lowermerion.org/SustainPlan). Strategy MO4 of the Sustainability Plan, "Increase Multimodal Access," recommends that the Township systematically evaluate opportunities to increase multimodal access to essential goods and services in the Township.

The 2025 Capital Improvement Plan includes \$35,000 to fund cycling mobility wayfinding improvements throughout the Township.

- IV. Other Relevant Background Information:** The 2025 Cycling Activation Mini-Grant Program provides grants for projects that activate existing cycling assets. Applicants can request \$1,000-\$15,000 with a minimum 1:1 match. Upon authorization from the Board of Commissioners, Staff intends to apply for the maximum award of \$15,000.

Main Line Greenway

The Main Line Greenway was developed to serve as a safe, easy, and accessible bike route connecting residents from Lower Merion Township, Haverford Township, and Narberth Borough to local economic hubs and community gathering places. Though available virtually, there is no physical signage directing residents along the bike route itself. The estimated cost to fabricate and install signage along the Southeast portion of the Main Line Greenway route is approximately \$75,000. Staff have developed a plan to complete the

project in phases, allowing the Township to strategically utilize smaller funding sources such as the 2025 Cycling Activation Program.

Sign Design and Pricing

Exit Design, a design consultant based in Philadelphia, provided conceptual designs for the signage with six distinct sign types. These types vary in size, amount of information, and use of existing vs. new poles. Exit worked with a signage fabricator/installation firm to estimate the cost of fabrication and installation for each unique sign type.

It is expected that these estimates will fluctuate based on changing material and labor costs. Staff believes that some costs could be reduced if different materials and installation methods are considered assuming these materials can be modified to conform with the design and color standards established with Exit's conceptual sign plan.

Sign Location Mapping and Prioritization

Township Staff and the Township Engineer have formulated a sign location plan based on the needs for marking certain turning points within the "Southeast" section of the approved Main Line Greenway route, connecting Haverford College on the west end with the Cynwyd Heritage Trail on the northeast end. The portion of the MLG through Narberth Borough are being funded and installed by the Borough. The current proposal includes directional signage to allow users to navigate the Southeast portion of the MLG. Additional trailhead signage (showing the entire network) and wayfinding signage (directing users to specific locations such as Philadelphia or commercial districts) can be added as funds become available.

Among the conceptual sign types are signs that include panels with the names of specific wayfinding locations in addition to the standard Greenway logo and directional arrow. Some signs of this type are likely to be prioritized where the Greenway splits in Merion Station, where different spurs of the Greenway can be followed to Overbrook train station, the Cynwyd Heritage Trail, St. Joseph's University, and the City Avenue District.

A set of trailhead signs are planned at ends of the route and significant stops throughout. These signs, the largest and most costly in the program, are intended as introductory elements to the Greenway and will include a map and other general information. Though five trailhead signs have been included in this phase, staff anticipates that these signs will be funded by means other than this grant.

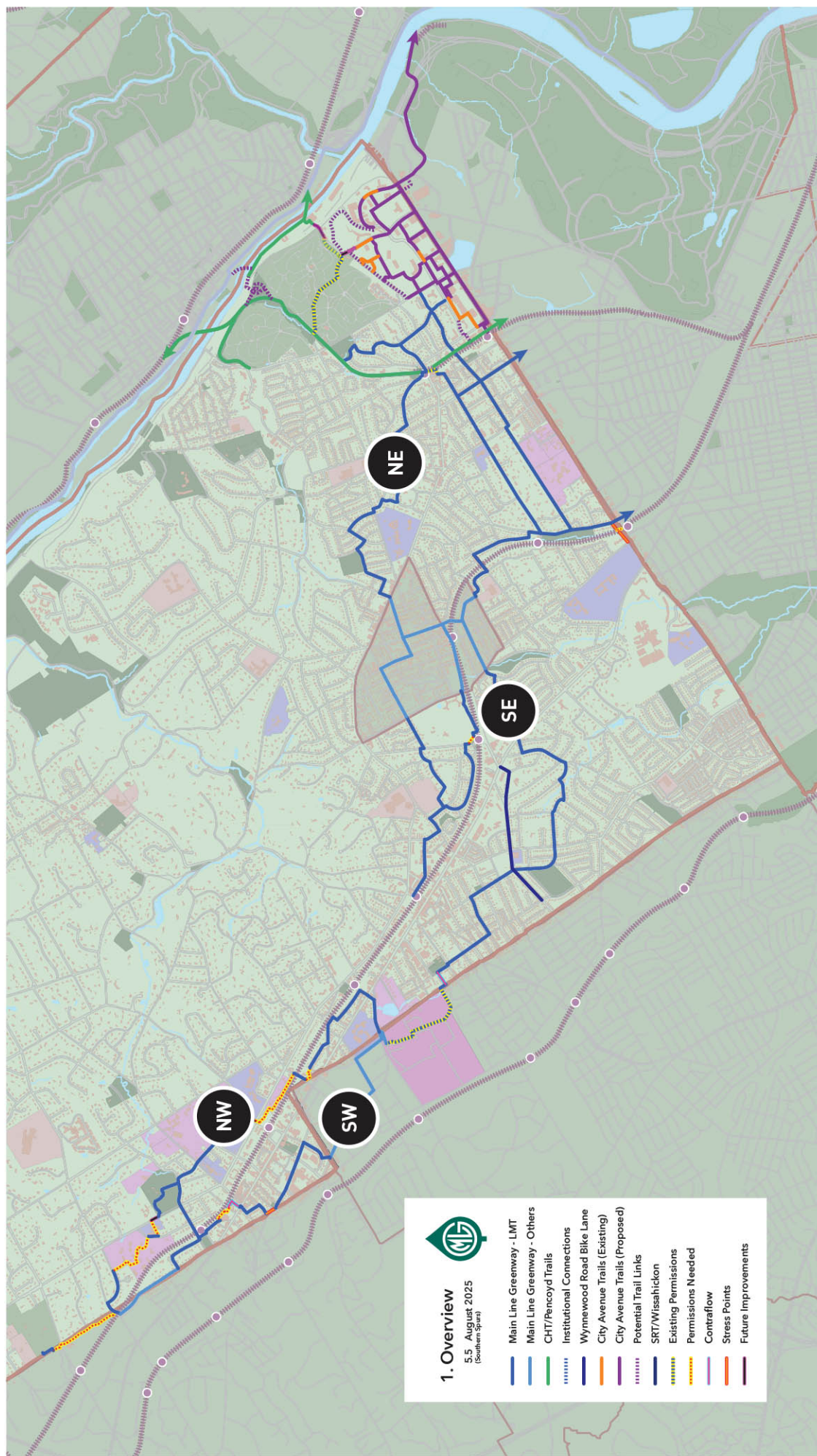
- V. Impact On Township Finances:** Should the Township be awarded the \$15,000 mini-grant, a minimum 1:1 match would be required. The 2025 Capital Improvement Plan includes \$35,000 to fund mobility wayfinding improvements throughout the Township, to be directed towards this match.
- VI. Staff Recommendation:** Staff recommend adopting a resolution, authorizing submission of a Pennsylvania Environmental Council (PEC) 2025 Cycling Activation Mini-Grant application, including commitment for required matching funds in the amount of \$35,000.



Main Line Greenway Sign Plan

Township of Lower Merion
Borough of Narberth

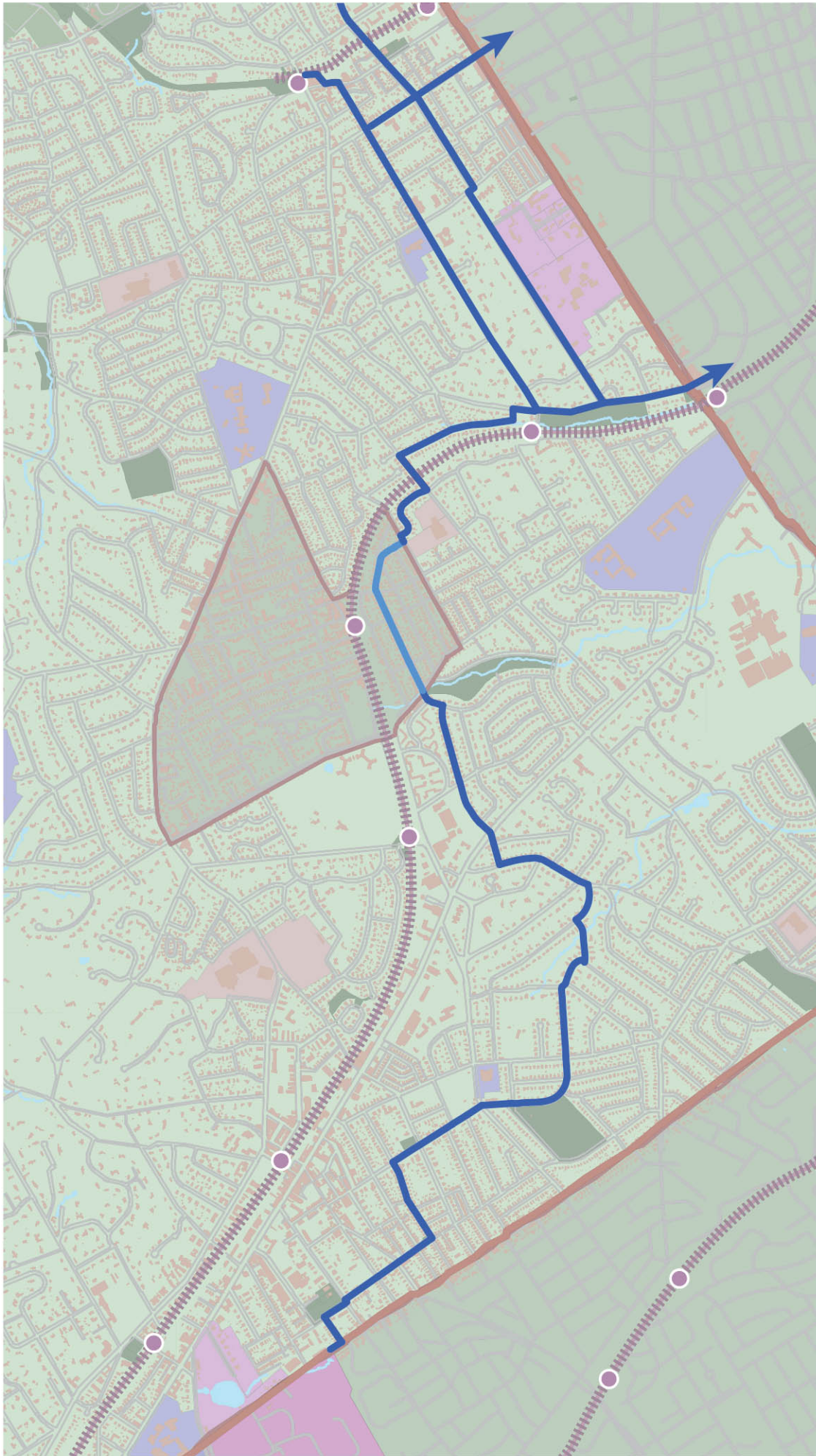
Phase 1A: September, 2025



Main Line Greenway
Sign Plan

Greenway Overview Map

Showing all phases of the Greenway and related trails and connections

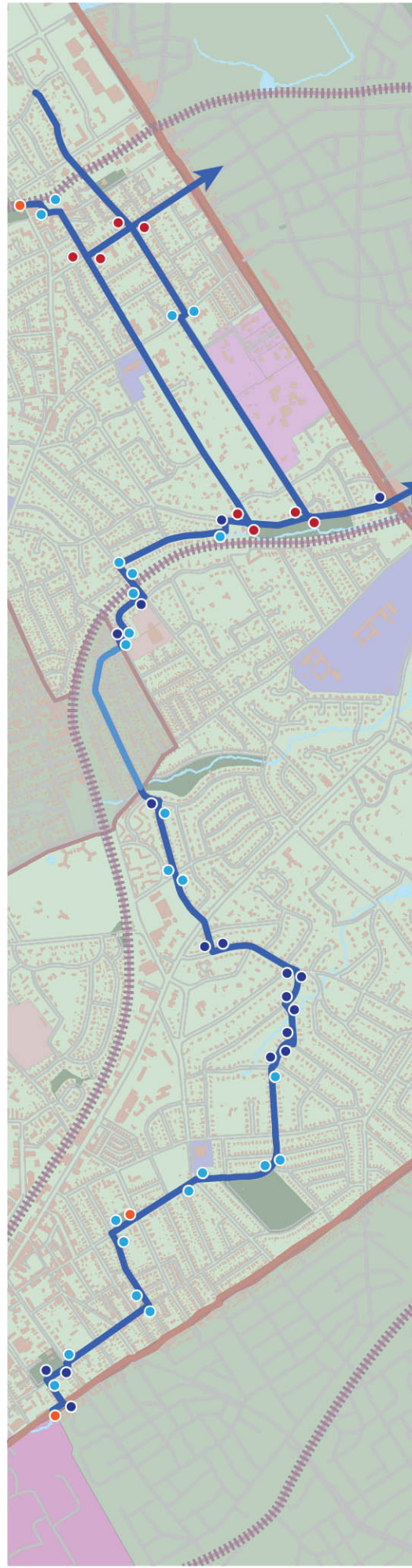
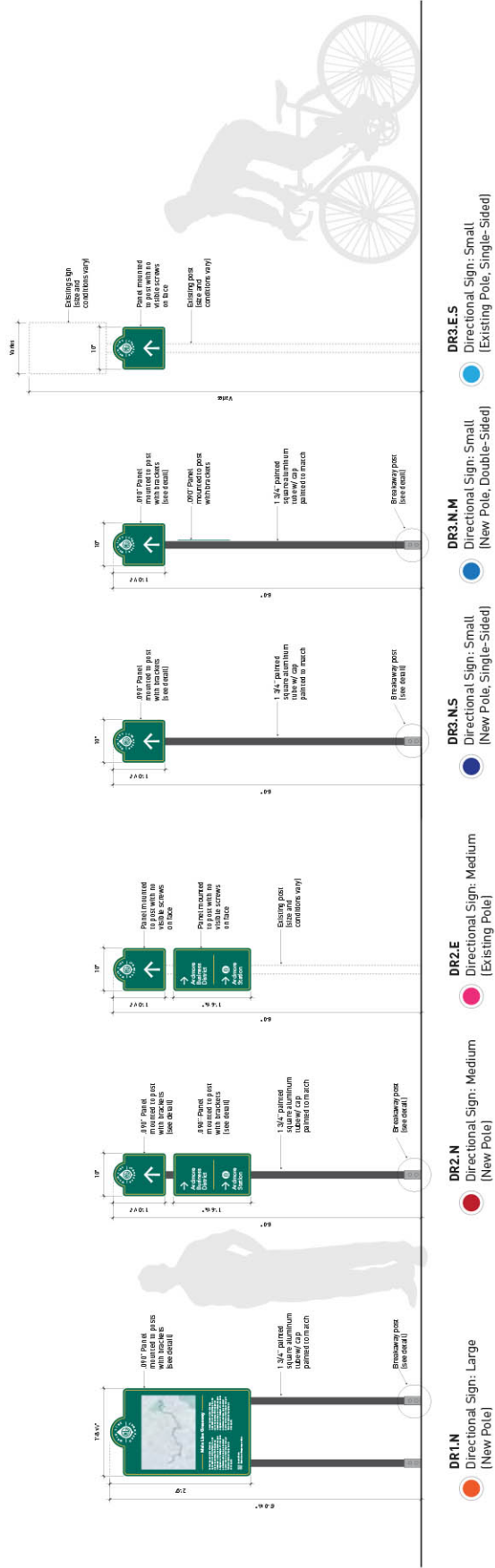


Main Line Greenway
Sign Plan



Greenway Phase I - SE Section

The planned first phase of the Greenway - 5.5 miles





AGENDA ITEM INFORMATION

ITEM: APPROVAL OF CERTIFICATES OF APPROPRIATENESS

Consider for recommendation to the Board of Commissioners approval of the following certificates of appropriateness as recommended by the Historical Architectural Review Board at their meetings held on July 1 and September 2, 2025:

- a) 527 Old Lancaster Road, Haverford Station Historic District, 25-09 – approval to demolish a dwelling, which is a Contributing Resource in the Haverford Station Historic District, and to construct a new dwelling.
- b) 1017 Black Rock Road, Gladwyne Historic District, 25-21 – approval to partially pave the front yard of a non-contributing resource within the Gladwyne Historic District with a vehicular turn-around area, citing Secretary of the Interior’s Standards 9 and 10.
- c) 30-38 West Lancaster Avenue – Ardmore Commercial Historic District, 25-16 – approval to modify an unapproved membrane roof installation above the front cornice, with a subcommittee to review detail drawings before the beginning of work.

PUBLIC COMMENT

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Supplemental Materials	Backup Material



527 Old Lancaster Road, Haverford Station Historic District

25-09

HARB

2

Action:

Approval to demolish a dwelling, which is a Contributing Resource in the Haverford Station Historic District, and to construct a new dwelling.

3

HARB Process

HARB considered proposed renovations to the existing residence in 2024. Upon exploratory demolition, the applicant determined that the existing structure could not be salvaged.

The demolition of a Contributing Resource to a Historic District is among the most serious applications HARB can review. In addition to considering the impact of demolition, HARB must be confident that the new construction is consistent with the district in terms of scale, massing, materials, and other factors.

HARB's thorough review of the proposed demolition and new construction took place over **six** regular meetings in 2025.

4



Existing Residence: Believed to be a former outbuilding that was converted into a dwelling. Last major interior/structural renovation was poorly executed in the 1970s.

5



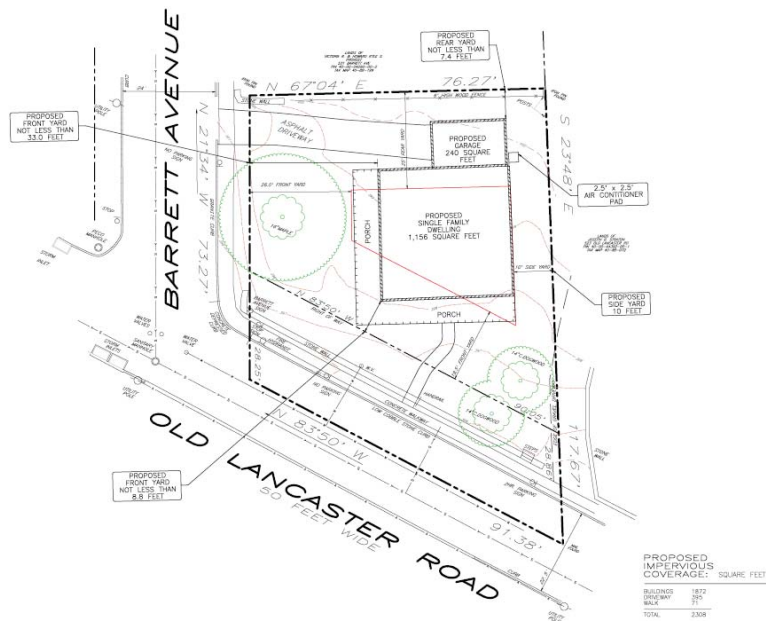
A structural engineering report found the building to be structurally unstable and recommended full demolition.

6



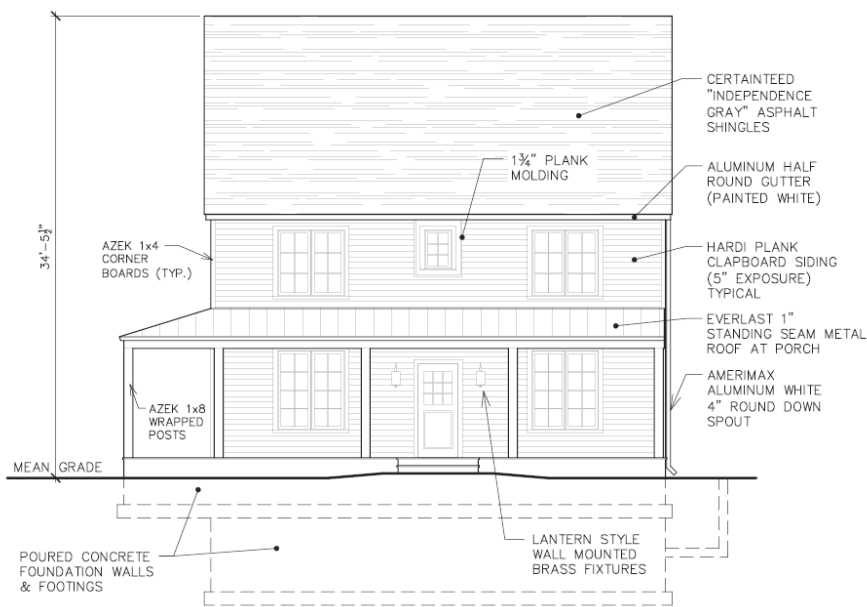
HARB's assessment included an in-person visit to the property

7



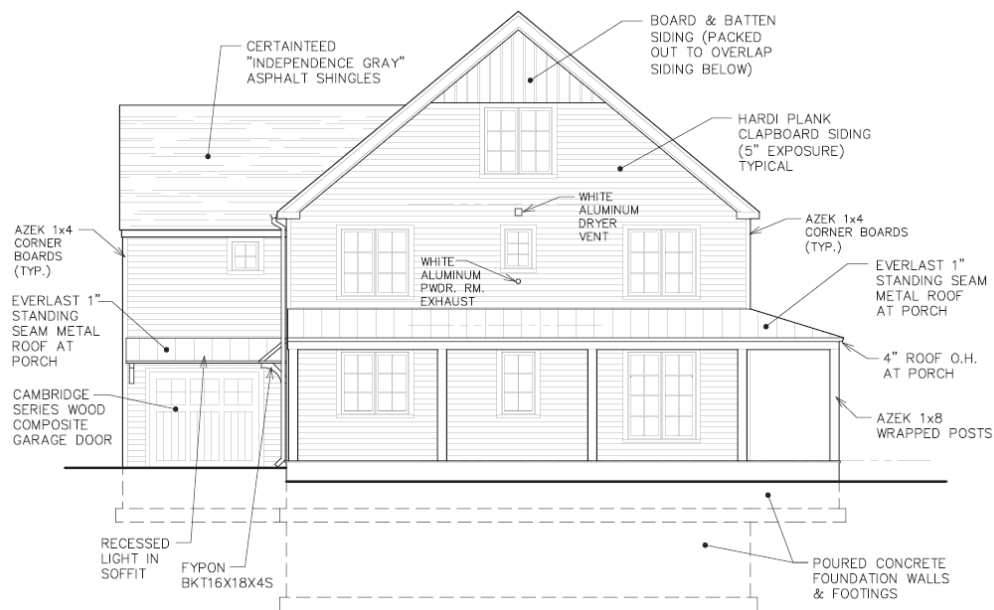
New Residence: Proposed Site Plan

8



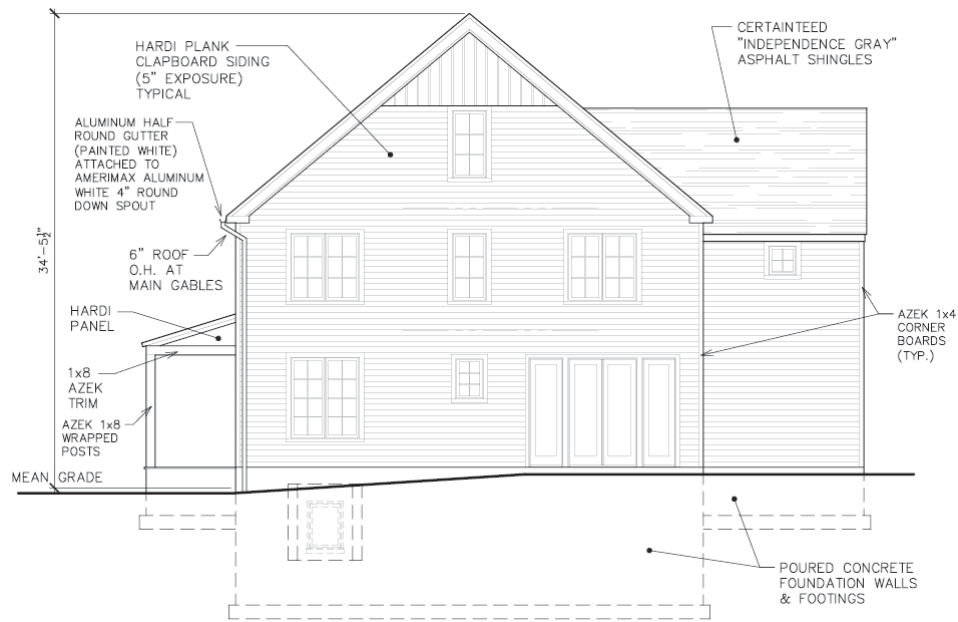
New Residence: Proposed Front Elevation

9



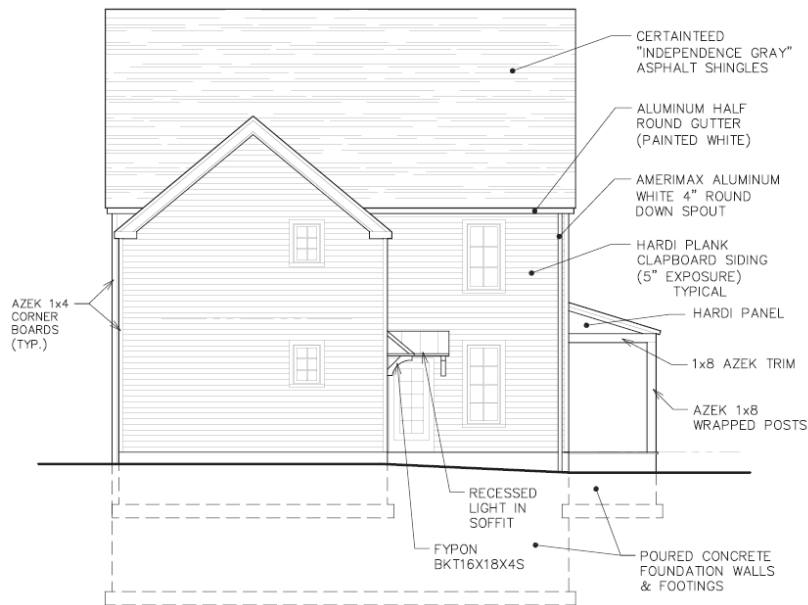
New Residence: Proposed Left Side Elevation

10



New Residence: Proposed Right Side Elevation

11



New Residence: Proposed Rear Elevation

12

Zoning Hearing Board Relief

Appeal No. 4630

Applicant sought variances from §155-Table 4.2.1(B) & (D) to allow for a proposed new single-family dwelling to infringe into the required front and rear setbacks and §155-3.14 to allow for HVAC equipment to be placed within the 10-foot required side setback.

The request was GRANTED by the ZHB on July 31, 2025.

13

Additional HARB Comment

"HARB believes that the aspects of the project being recommended for approval are appropriate for new construction within a Historic District and would be compatible with the surrounding context. HARB also recommends approval of the demolition of the existing house given that it cannot be rehabilitated in a meaningful way.

"Given these findings, and given the specifics of this particular property and its physical configuration and location, HARB supported the zoning relief and believes that it is appropriate for this District, tied specifically to the configuration of this lot."



LOWER MERION
TOWNSHIP
HISTORIC
PRESERVATION

STAFF ONLY

APPLICATION NUMBER:

HRI SURVEY #:

HARB MEETING DATE:

H
A
R
B

HARB Certificate of Appropriateness Application

For Work Involving a Property in a Local Historic District

PROPERTY ADDRESS

ADDRESS [STREET, CITY]: 527 Old Lancaster Avenue, Haverford PA 19041

APPLICANT INFORMATION

NAME: Bill and Julie Figures

ADDRESS:

TELEPHONE #:

ALTERNATE #:

EMAIL:

ZIP/POSTAL CODE:

APPLICANT'S CAPACITY: ☒ OWNER ☐ ARCHITECT ☐ ATTORNEY ☐ CONTRACTOR ☐ OTHER:

OWNER INFORMATION [IF DIFFERENT FROM ABOVE]

NAME[S]: RGBL, LLC

ADDRESS:

TELEPHONE #:

ALTERNATE #:

EMAIL:

ZIP/POSTAL CODE:

PROPERTY INFORMATION

NAME OF BUSINESS [IF APPLICABLE]:

CURRENT USE:

PROPOSED USE:

PROJECT DESCRIPTION [CHECK ALL THAT APPLY]

☐ ADAPTIVE REUSE ☐ ADDITION ☐ ALTERATION ☒ DEMOLITION ☐ NEW CONSTRUCTION
☐ REPAIR ☐ REPLACEMENT ☐ PAINTING ☐ OTHER (IDENTIFY)

ARCHITECTURAL FEATURES	MASONRY/ BRICKWORK	SIDING	TRIM	ROOF	DORMER/CUPOLA	CHIMNEY	GUTTER/DOWNSPOUT	EAVE CORNICE/SOFFIT	WINDOW/SCREEN/ STORM/SHUTTER	DOOR/SCREEN/STORM	PORCH/DECK/ STOOP/STAIR	PORCH ROOF	PORCH OR DECK RAILING/BALLUSTER	STOREFRONT	SIGN	AWNING	FENCE/WALL/GATE	OTHER STRUCTURE
REPAIR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
REPLACE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ADD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
REMOVE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CONTINUED

PROJECT DESCRIPTION USE ADDITIONAL PAGES AS NECESSARY TO DESCRIBE ALL OF THE WORK PROPOSED. PLEASE REFER TO THE CHECKLIST WITHIN THIS APPLICATION FOR ADDITIONAL SUBMISSION REQUIREMENTS.

Structural instability, as determined by the structural engineer firm Structural Design Assoc., Downingtown, PA makes the rehabilitation of this structure not feasible. See narrative attached for more detail.

Note: Please include all information requested in the application checklist. Work cannot commence until a Certificate of Appropriateness, necessary building permits, and any zoning relief have been issued.

PROPOSED START DATE:

PRESERVATION OF HISTORIC CHARACTER WHAT STEPS WILL BE TAKEN AS PART OF THE SCOPE OF THIS WORK TO PRESERVE YOUR BUILDING'S HISTORIC CHARACTER AND THAT OF THE SURROUNDING DISTRICT?

Suzanna Barucco, historic preservation consultant, will be present at the March 2025 HARB meeting to address this question. Her report will be part of the presentation.

OTHER INFORMATION THE HARB SHOULD CONSIDER WHEN REVIEWING THIS APPLICATION

SIGNATURES

APPLICANT:

DATE:

OWNER [IF DIFFERENT]:

DATE:

Note: This completed application, along with all required materials, must be submitted via original printed copy, email, or other electronic means to the Department of Building & Planning a minimum of ten (10) calendar days prior to the next HARB meeting for consideration.

In lieu of a signature, the owner can issue a letter stating agreement with the application and further agrees to be bound by any conditions imposed by the granting of the Certificate of Appropriateness.

Revised 10/2023

Narrative

- 527 Old Lancaster Road was purchased by RGBL, LLC, owned by William and Julia Figures, in June, 2024.
- The property owners contracted with Fred Bissinger, architect, to design the renovation of the property. Property owners and Mr. Bissinger presented the plans to the Historic Architecture Review Board (HARB) during the summer of 2024. HARB, with a few adjustments, approved the building design.
- Gary Serok, general contractor, applied for and received the LMT permit for interior demolition and removal of the roof from the rear structure. During the roof removal, the structure failed. The removal of the interior drywall exposed the deteriorated condition of the framing, which had been placed on dirt.
- Mr. Bissinger and Yerkes Assoc created the documents necessary for submission to LMT Building and Planning and in October we applied for the permits. The permits were then denied, stating that the non-conforming rear structure had been "taken down by purpose."
- After uncovering the extreme deterioration of the entire building and the subsequent liability exposure if the structure collapsed during renovation, all parties involved, owners, general contractor, architect, felt we needed to rethink the planned renovation.
- Building owners contacted Andrew Scheerer of Structural Design Associates, Downingtown PA to assess the feasibility of rehabilitation. His recommendation is as follows:

Conclusions and Recommendations

The exposed framing repairs of the main residence were poorly executed and require significant upgrades/replacement. The existing exterior cladding demolition permit by Mr. Gary Serok if executed for the main house will cause the residence to become structurally unstable.

SDA will be happy to meet with the Township to review the as-built construction concerns. SDA recommends 100% demolition and replacement of the residence in-kind.

- At this point all parties decided that the only way forward was demolition.
- In order to comply with LMT regulations, we contacted Suzanna Barucco, historic preservation specialist, to prepare the required documentation for the March HARB meeting.
- At the January HARB meeting, we made an informal presentation of the history of this structure, dating from the acquisition in June 2024, including our determination that demolition was necessary. A group of HARB representatives made a site visit to assess the state of the building in person.
- In conclusion, we request permission to demolish 527 Old Lancaster, then rebuild a new residence that will be a welcoming gateway to the Haverford Station Historic District.



Preliminary Consultant Review

Compiled by Carol Quigley, Senior Designer / Project Manager Frens & Frens Studio, Patterhn Ives LLC

25-09

527 Old Lancaster Avenue, Haverford Station Historic District

Applicant / Owner: Fred Bissinger for Julie Figures

Application Type: Residential

Project Summary: Following years of design, review, approvals and unsuccessful renovations, the applicant now proposes total demolition of the existing resource and construction of a new residence in a similar footprint. The applicant received a recommendation for approval of the demolition, massing, setbacks, and conceptual design of the new residence along with support for the requested variances needed to complete the project at the June meeting and noted the requirement for additional details and notes to complete the final HARB recommendation. The applicant returns to the HARB this month with updated plans and details and requests final recommendation for approval.

- At the June HARB meeting a motion was made providing recommendation of approval of the demolition and general new construction proposal and also cited specific additional submission requirements. Those items have been resolved or require additional information as follows:
- Garage setback from main volume of new residence: Updated plans show a 6" step from the right façade of the dwelling to the façade of the garage wing, as recommended by the HARB.
- A single tread off the front porch has been added to the front elevation drawing in the updated submission. Applicant should edit the drawings to show the step at the first floor plan and should note the material of the tread and any planned details flanking the step.
- As discussed at the HARB meeting, the site plan should be edited and resubmitted to the HARB showing the planned location for outdoor mechanical units. It was stated during the meeting that the units would be placed at the back (side or rear) of the garage. (This is being submitted.)
- HARB requested the typically required details and notes for the project. Applicant has included within its updated submission a typical wall section, porch eave and post detail, and house eave detail. These are helpful details but should be coupled with annotation on the elevations that is in agreement with the details. Plans and elevations have been edited to include indication of the proposed pent eaves over the rear door and garage door, corrected location of doors and windows on the right façade, and inclusion of the step at the front porch. Additional annotation, through a list of key notes or materials or standard annotation should be added to at least the front and right side façade so that it is clear where the materials indicated in the wall section and other section details apply. Specifically, elevations

should include annotation that notes the following: roofing material at all roof locations, gutters and downspouts, vent locations and materials, wall finish at all wall locations, trim material at all different trim type locations (eave, rake, window trim, door trim, porch fascia, rake, post), foundation material, etc so that all materials are identified not just their form (siding) but their specific material (cementitious? PVC? Poly ash? Fly ash? Wood?)

Given the conditions noted above, we would recommend conditional approval of this application in accordance with Standards 1 and 9.



1017 Black Rock Road, Gladwyne Historic District

25-21

HARB

16

Action:

Approval to partially pave the front yard of a non-contributing resource within the Gladwyne Historic District with a vehicular turn-around area, citing Secretary of the Interior's Standards 9 and 10.

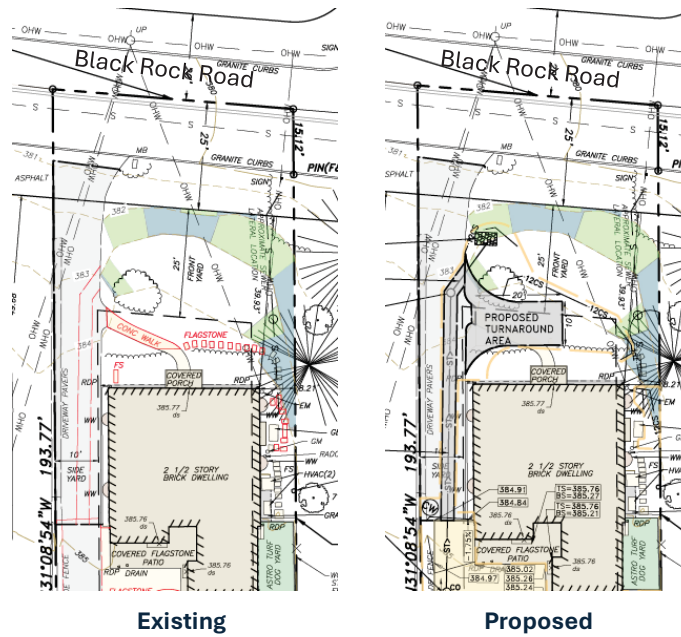
17



Proposed Turn-Around Area

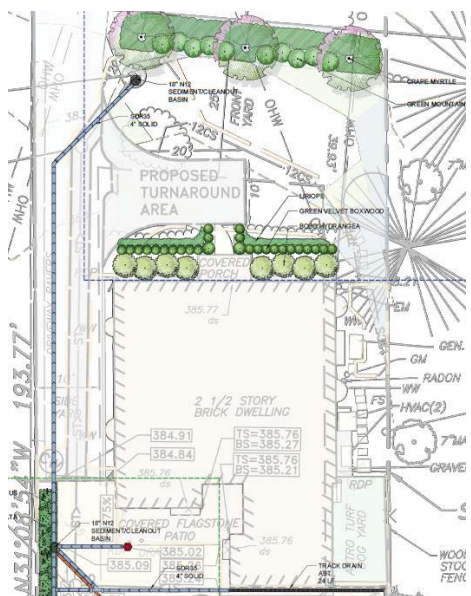
Location of Proposed Turn-Around Area

18



Site Plan: Existing and Proposed

19



20



LOWER MERION
TOWNSHIP
HISTORIC
PRESERVATION

STAFF ONLY

APPLICATION NUMBER:

HRI SURVEY #:

HARB MEETING DATE:

H
A
R
B

HARB Certificate of Appropriateness Application

For Work Involving a Property in a Local Historic District

PROPERTY ADDRESS

ADDRESS [STREET, CITY]: 1017 Black Rock Rd, Gladwyne

APPLICANT INFORMATION

NAME: Dan Cunningham

ADDRESS: 1017 Black Rock Rd, Gladwyne, PA

TELEPHONE #:

ALTERNATE #:

EMAIL:

ZIP/POSTAL CODE: 19035

APPLICANT'S CAPACITY: ☒ OWNER ☐ ARCHITECT ☐ ATTORNEY ☐ CONTRACTOR ☐ OTHER:

OWNER INFORMATION [IF DIFFERENT FROM ABOVE]

NAME[S]: SAME AS ABOVE (TYP.)

ADDRESS:

TELEPHONE #:

ALTERNATE #:

EMAIL:

ZIP/POSTAL CODE:

PROPERTY INFORMATION

NAME OF BUSINESS [IF APPLICABLE]: N/A

CURRENT USE: Single Family - Residential

PROPOSED USE: Single Family - Residential

PROJECT DESCRIPTION [CHECK ALL THAT APPLY]

☐ ADAPTIVE REUSE ☒ ADDITION ☐ ALTERATION ☐ DEMOLITION ☐ NEW CONSTRUCTION
☐ REPAIR ☒ REPLACEMENT ☐ PAINTING ☐ OTHER (IDENTIFY)

ARCHITECTURAL FEATURES	MASONRY/ BRICKWORK	SIDING	TRIM	ROOF	DORMER/CUPOLA	CHIMNEY	GUTTER/DOWNSPOUT	EAVE CORNICE/SOFFIT	WINDOW/SCREEN/ STORM/SHUTTER	DOOR/SCREEN/STORM	PORCH/DECK/ STOOP/STAIR	PORCH ROOF	PORCH OR DECK RAILING/BALLUSTER	STOREFRONT	SIGN	AWNING	FENCE/WALL/GATE	OTHER STRUCTURE
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REMOVE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CONTINUED

PROJECT DESCRIPTION USE ADDITIONAL PAGES AS NECESSARY TO DESCRIBE ALL OF THE WORK PROPOSED. PLEASE REFER TO THE CHECKLIST WITHIN THIS APPLICATION FOR ADDITIONAL SUBMISSION REQUIREMENTS.

The proposed project includes the replacement of the existing poolside patio and a portion of the rear driveway with expanded hardscape improvements. A landscape buffer is planned along Black Rock Road and the property perimeter to provide visual screening and enhance site aesthetics. Additionally, a front-yard turnaround area is proposed to improve vehicular safety and maneuverability when entering or exiting the driveway, in response to the high traffic speeds and challenging roadway grades along Black Rock Road at this location.

Note: Please include all information requested in the application checklist. Work cannot commence until a Certificate of Appropriateness, necessary building permits, and any zoning relief have been issued.

PROPOSED START DATE: Fall 2025/Spring 2026

PRESERVATION OF HISTORIC CHARACTER WHAT STEPS WILL BE TAKEN AS PART OF THE SCOPE OF THIS WORK TO PRESERVE YOUR BUILDING'S HISTORIC CHARACTER AND THAT OF THE SURROUNDING DISTRICT?

The proposed improvements are concentrated at the rear of the property and will be visually screened from the surrounding historic district. To further preserve the district's architectural integrity and streetscape character, a licensed landscape architect has been retained to develop and implement a cohesive landscape screening plan along the full extent of the property frontage. The design intent is to ensure that all new plantings and visual buffers are contextually appropriate and maintain continuity with the established historic aesthetic of the area.

OTHER INFORMATION THE HARB SHOULD CONSIDER WHEN REVIEWING THIS APPLICATION

Proposed turn around area will only be used for turning around to improve vehicular safety and maneuverability when entering or exiting the driveway due to the roadway condition of Black Rock Rd at this location. This area will not be used as a front parking area.

SIGNATURES

APPLICANT:

DATE:

OWNER [IF DIFFERENT]:

DATE:

Note: This completed application, along with all required materials, must be submitted via original printed copy, email, or other electronic means to the Department of Building & Planning a minimum of ten (10) calendar days prior to the next HARB meeting for consideration.

In lieu of a signature, the owner can issue a letter stating agreement with the application and further agrees to be bound by any conditions imposed by the granting of the Certificate of Appropriateness.

Revised 10/2023



Preliminary Consultant Review

Compiled by Carol Quigley, Senior Designer / Project Manager Frens & Frens Studio, Patterhn Ives LLC

25-21

1017 Black Rock Road, Gladwyne Historic District

Applicant / Owner: Daniel Cunningham / Nancy Annesley

Application Type: Residential

Project Summary: Expansion of driveway in front yard to allow for vehicular turn-around space.

- The applicant proposes to improve the hardscape and landscape amenities on the property, focused on development of the rear yard but also including an additional paved area alongside the existing driveway in front of the residence entrance that will allow vehicles to turn around rather than backing down the driveway into Black Rock Road. Also included in the proposed materials are additional plantings at the front of the yard along Black Rock Road which would screen the new driveway area from the street view.
- The heart of the Gladwyne Historic District is the village crossroads of Youngs Ford Road and Righters Mill Road which is comprised of small narrow lots with dwellings tight to the road. The perimeter of the historic district was extended beyond that crossroads point to include a number of larger historic parcels significant to the village history. The subject parcel is a non-contributing resource that is situated along Black Rock Road at the northwest edge of the district in the immediate vicinity of some of the larger historic parcels.
- In most residential areas of the Township, parking areas are most appropriate at the sides or rear of the dwelling units. At the edges of the Gladwyne historic district, patterns of driveways and dwelling units are inconsistent and range from driveways along the side yard, some reaching to a rear yard detached garage (as is the case on this lot), or “U” shaped driveway in the front yard; corner lots have driveways off of side streets.
- Ideally, a paved area providing a turning radius could be provided at the back of the lot, in front of an adjacent to the garage. If for some reason that is not possible and the front yard turning radius is necessary, it should be limited to the minimal area required, and screened with vegetative plantings to obscure the paving area. Some of the vegetative screening indicated within the landscaping plan may be more successful in its goal of screening if planted just in front of the paving rather than at the street.

Given the considerations noted above, we would recommend approval of this application in accordance with Standards 9 and 10.



30-38 West Lancaster Avenue – Ardmore Commercial Historic District

25-16

HARB

22

Action:

Approval to modify an unapproved membrane roof installation above the front cornice, with a subcommittee to review detail drawings before the beginning of work.

23



Membrane Roof



Before and After Membrane Roof Installation, Viewed From Lancaster Ave.

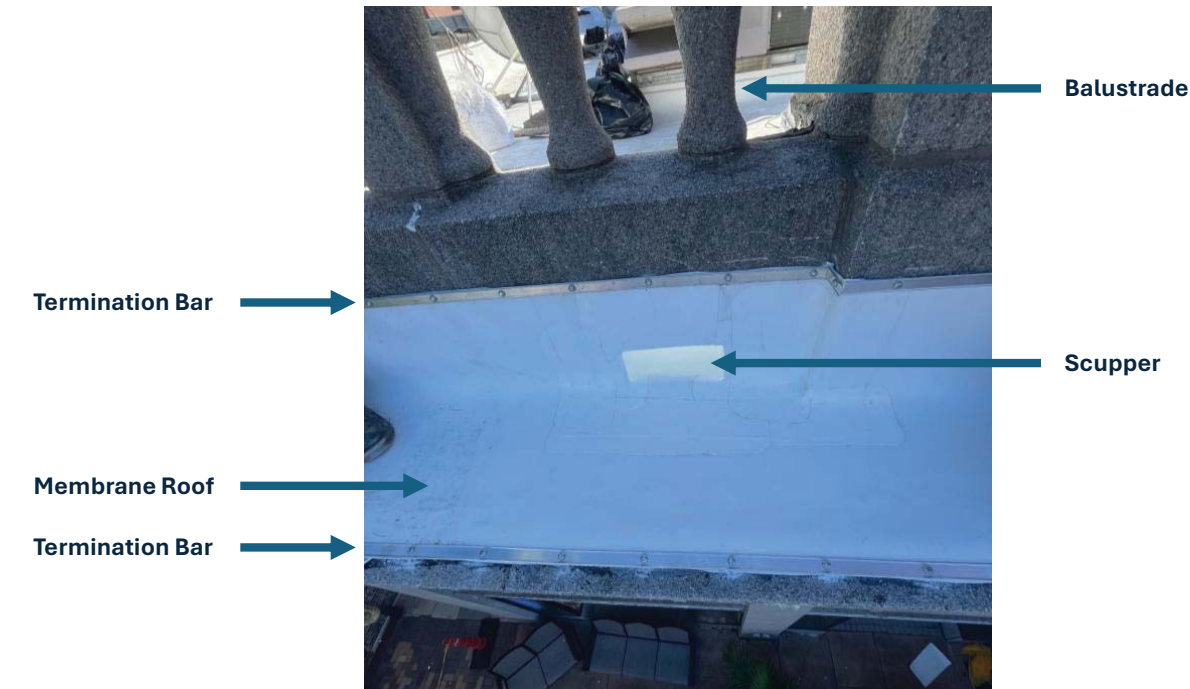
24

Membrane Roof



Overall View From Lancaster Ave.

25



Close-Up View

26

Additional Requirements

- The existing non-permitting membrane flashing at the east wing and the membrane flashing around the scuppers at the west wing will be removed.
- Where the termination bar will be removed, all fastener locations will be patched.
- Any pre-existing flashings and coatings will be removed, with the original reglet to be cleaned to allow for the installation of new lead-coated copper or Freedom Gray counter-flashing and sealant.
- The applicant has agreed to install a flashing strip on top of the new termination bar that will not be visible to the public.
- The applicant will provide section detail drawings showing the location and dimensions of any existing materials to remain, new flashing that is to be installed, and the scupper, for subcommittee review.

27



LOWER MERION
TOWNSHIP
HISTORIC
PRESERVATION

STAFF ONLY	APPLICATION NUMBER:		HARB
	HRI SURVEY #:		
	HARB MEETING DATE:		

HARB Certificate of Appropriateness Application

For Work Involving a Property in a Local Historic District

PROPERTY ADDRESS

ADDRESS [STREET, CITY]: 30138 Lancaster Ave

APPLICANT INFORMATION

NAME: Elan Levy TELEPHONE #: ALTERNATE #:

ADDRESS: EMAIL: ZIP/POSTAL CODE:

APPLICANT'S CAPACITY: ☐ OWNER ☐ ARCHITECT ☐ ATTORNEY ☒ CONTRACTOR ☐ OTHER:

OWNER INFORMATION [IF DIFFERENT FROM ABOVE]

NAME[S]: TELEPHONE #: ALTERNATE #:

ADDRESS: EMAIL: ZIP/POSTAL CODE:

PROPERTY INFORMATION

NAME OF BUSINESS [IF APPLICABLE]:

CURRENT USE: Patio Store PROPOSED USE:

PROJECT DESCRIPTION [CHECK ALL THAT APPLY]

☐ ADAPTIVE REUSE ☐ ADDITION ☐ ALTERATION ☐ DEMOLITION ☐ NEW CONSTRUCTION
☒ REPAIR ☐ REPLACEMENT ☐ PAINTING ☐ OTHER (IDENTIFY)

ARCHITECTURAL FEATURES	MASONRY/BRICKWORK	SIDING	TRIM	ROOF	DORMER/CUPOLA	CHIMNEY	GUTTER/DOWNSPOUT	EAVE CORNICE/SOFFIT	WINDOW/SCREEN/STORM/SHUTTER	DOOR/SCREEN/STORM	PORCH/DECK/STOOP/STAIR	PORCH ROOF	PORCH OR DECK RAILING/BALLUSTER	STOREFRONT	SIGN	AWNING	FENCE/WALL/GATE	OTHER STRUCTURE
REPAIR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
REPLACE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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CONTINUED

PROJECT DESCRIPTION USE ADDITIONAL PAGES AS NECESSARY TO DESCRIBE ALL OF THE WORK PROPOSED. PLEASE REFER TO THE CHECKLIST WITHIN THIS APPLICATION FOR ADDITIONAL SUBMISSION REQUIREMENTS.

Install TPO Roof to the (2) Front
Roots over Patio Furniture. Install
TPO to the ledge Roots.

Note: Please include all information requested in the application checklist. Work cannot commence until a Certificate of Appropriateness, necessary building permits, and any zoning relief have been issued.

PROPOSED START DATE:

PRESERVATION OF HISTORIC CHARACTER WHAT STEPS WILL BE TAKEN AS PART OF THE SCOPE OF THIS WORK TO PRESERVE YOUR BUILDING'S HISTORIC CHARACTER AND THAT OF THE SURROUNDING DISTRICT?

These were Flat Roots. Issue we come upon
was on the ledge we ran TPO too high to
stop leak.

OTHER INFORMATION THE HARB SHOULD CONSIDER WHEN REVIEWING THIS APPLICATION

Handwritten mark

SIGNATURES

APPLICANT:

DATE: 8/27/25

OWNER [IF DIFFERENT]:

DATE:

Note: This completed application, along with all required materials, must be submitted via original printed copy, email, or other electronic means to the Department of Building & Planning a minimum of ten (10) calendar days prior to the next HARB meeting for consideration.

In lieu of a signature, the owner can issue a letter stating agreement with the application and further agrees to be bound by any conditions imposed by the granting of the Certificate of Appropriateness.

Revised 10/2023



Preliminary Consultant Review

Compiled by Carol Quigley, Senior Designer / Project Manager Frens & Frens Studio, Patterhn Ives LLC

25-16

30-38 West Lancaster avenue, Ardmore Theater, Ardmore Historic District

Applicant / Owner: Elan Levy for Owner

Application Type: Commercial

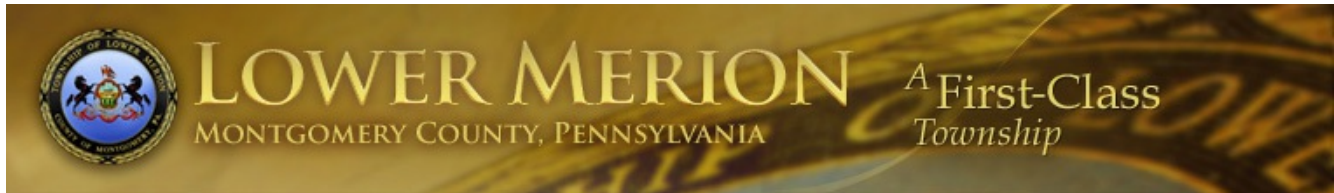
Project Summary: The applicant proposes to remove recently installed inappropriate flashing and provide new appropriate flashing at the base of the roof balustrade.

- The applicant, a roofing contractor, had installed a bright white membrane flashing systems on the top of the cornice and the bottom face of the balustrade as an extension of the flat roof replacement that was occurring behind the balustrade. Given the flat roof condition that is not visible from the street, that portion of work did not require HARB review. As the scope of the work extended to the face of the building, which is visible from Lancaster Avenue, the progress was noticed and the work was stopped.
- As installed, the white membrane flashing extended above (by 8 or 12”) the line of the original flashing in that area, and given its extent and color is highly visible from the street and in great contrast to the concrete and stone-colored assembly of the building and the other materials of the district. The original flashing, which was at a height that was just barely visible from the street, was a sheet metal – most likely copper – which had been coated over with an asphaltic coating to seal open joints over the decades. The dark line of the top of the coating can be seen from street views of the building.
- The appropriate treatment at such a condition, when roofing and flashing systems are being replaced, would be to replace the original flashing with new sound material, matching the material, dimensions and profiles of the existing assembly. The applicant has agreed to remove the recently installed flashing and provide new copper flashing that will be let into the existing reglet at the base of the balustrade assembly.
- The installed membrane at the top face of the cornice assembly is not visible from the street. It would be best to remove that and replace it in copper along with the copper counterflashing installation noted above. If it is to remain in place, it should be supplemented with a flashing strip that could cover the numerous penetrations of the retainer bar into the top of the masonry cornice.
- One alteration from the existing detail is proposed at the scupper boxes that penetrate the base of the balustrade as they allow water to overflow from the flat roof. The applicant proposes to line the scupper with copper and overlap the face of the balustrade at all sides of the scupper to create a sealed box. This is similar to traditional flashing details at similar

conditions. The perimeter flashing will be visible from the street, but the material will patina to a color that is typical of historic flashings in the district.

- The applicant should confirm the proposed dimensions of all the flashing components in a final set of details for the various assemblies.

Given the considerations noted above, we would recommend approval of this application in accordance with Standards 9 and 10.

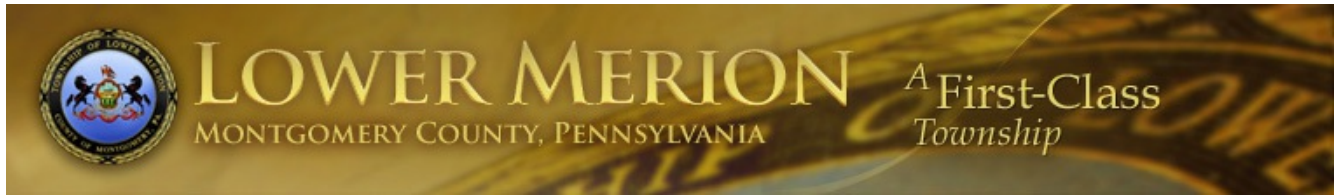


AGENDA ITEM INFORMATION

ITEM: REAPPOINTMENTS TO THE HISTORICAL ARCHITECTURAL REVIEW BOARD

Consider for recommendation to the Board of Commissioners the reappointment of Donna Lisle and Brian Horne to the Historical Architectural Review Board for five year terms, such terms to expire September 2030.

PUBLIC COMMENT



AGENDA ITEM INFORMATION

ITEM: REAPPOINTMENT TO THE HISTORICAL COMMISSION

Consider for recommendation to the Board of Commissioners the reappointment of Melanie Piltch to the Historical Commission for a five year term, such term to expire April 2030.

PUBLIC COMMENT

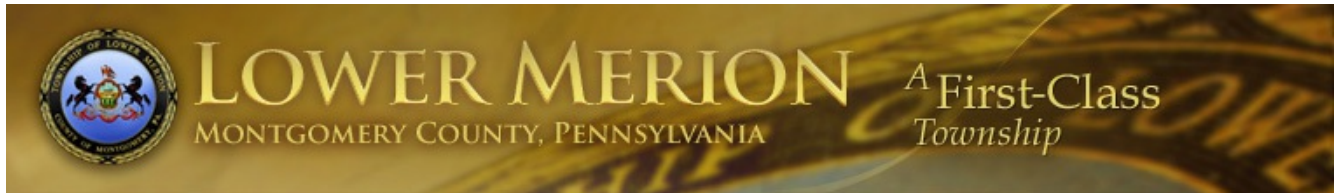


AGENDA ITEM INFORMATION

ITEM: REAPPOINTMENTS TO THE UNIFORM CONSTRUCTION CODE APPEALS BOARD

Consider for recommendation to the Board of Commissioners the reappointment of Ross Acchione and Tim Lisle to the Uniform Construction Code Appeals Board for five year terms, such terms to expire October 2029.

PUBLIC COMMENT

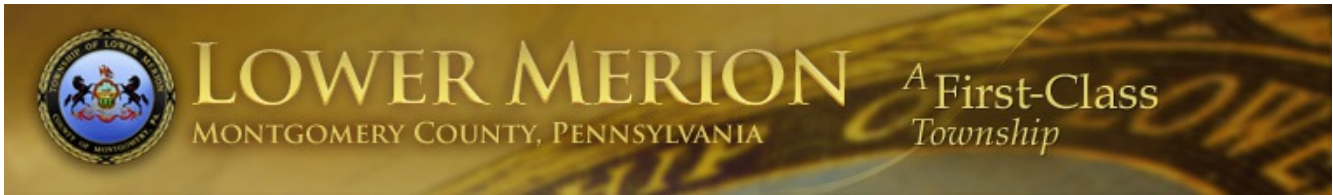


AGENDA ITEM INFORMATION

ITEM: REAPPOINTMENT TO THE ZONING HEARING BOARD

Consider for recommendation to the Board of Commissioners the reappointment of Anthony Vale to the Zoning Hearing Board for a three year term, such term to expire February 2028.

PUBLIC COMMENT



AGENDA ITEM INFORMATION

ITEM: ADVANCE RELEASE FOR INFORMATION ONLY - NO PRESENTATION OR DISCUSSION THIS MONTH - AUTHORIZATION TO ADVERTISE ORDINANCE - CHAPTER 105, NOISE & EXTERIOR LIGHTING - NOISE ENFORCEMENT AMENDMENTS

Consider for recommendation to the Board of Commissioners authorizing the Township Secretary to advertise notice of intent to adopt an Ordinance to amend the Code of the Township of Lower Merion, Chapter 105, Noise And Exterior Lighting, by adding definitions for Continuous Sound and Impulsive Sound and to apply those definitions to the chart providing maximum a-weighted sound pressure levels in residential and nonresidential zoning districts.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Issue Briefing - Noise Enforcement Amendments	Issue Briefing
<input type="checkbox"/> Draft Ordinance - Noise Enforcement Amendments	Ordinance

TOWNSHIP OF LOWER MERION

Building & Planning Committee

Issue Briefing

Topic: Proposed Ordinance to Amend Chapter 105, Article II, Noise

Prepared by: Ernest Pendleton, Assistant Director, Building and Planning
Christopher Leswing, Director, Building and Planning

Date: September 5, 2025

I. Action To Be Considered By The Board:

Authorize advertisement of an Ordinance to amend the Code of the Township of Lower Merion, Chapter 105, Noise And Exterior Lighting, by adding definitions for Continuous Sound and Impulsive Sound and to apply those definitions to the chart providing maximum a-weighted sound pressure levels in residential and nonresidential zoning districts.

II. Why This Issue Requires Board Consideration:

An amendment to the Township Code is subject to the approval of the Board of Commissioners.

III. Current Policy Or Practice (If Applicable): N/A

IV. Other Relevant Background Information:

Sections of the code related to noise were last updated in April 2024. In the year since the regulations were adopted, staff has continued to evaluate the effectiveness of the provisions. The proposed amendments will enhance enforcement capabilities, refine sound level metrics, and update maximum permissible sound levels. These changes aim to provide clearer guidelines to improve enforcement effectiveness and better protect the community from excessive noise.

As part of an effort to evaluate the effectiveness of the Township's noise regulations, staff consulted with the Rutgers University Noise Technical Assistance Center. Members of staff completed a course and received the Community Noise Enforcement certification. The Center's director Eric M. Zwering reviewed the Township's code in partnership with Township staff. Which resulted in the following changes aimed to better align Township noise regulations with best practices and recognized standards:

Proposed Amendments to Chapter 105:

- Background Noise Level (5 dBA Metric). This proposed amendment maintains the neighborhood residual sound (background noise) as the baseline, while permitting a maximum increase of 5 dBA above this background level provided it does not exceed the newly proposed maximum A-Weighted Sound Pressure Levels (SPL). This metric provides a flexible yet controlled approach to noise limits, allowing for minor fluctuations above ambient sound while preventing significant disturbances.
- Maximum A-Weighted Sound Pressure Levels (SPL). The proposed amendment slightly lowers maximum sound levels and clarifies wording for limits, categorized by zoning district and time of day.

The proposed amendments also include the addition of the following definitions:

- **Impulsive Sound:** Sound lasting less than 1 second.
- **Continuous Sound:** Sound lasting 1 second or longer, or an impulsive sound that occurs 5 or more times an hour.

The redlined chart below from Township Code §105.3 reflects the proposed changes detailed above.

Maximum A-Weighted Sound Pressure Levels (SPL) 8:00 a.m. - 8:00 p.m., Daytime/8:00 p.m. - 8:00 a.m., Nighttime			
Zoning District of Receiving Property	Time of Day	Maximum Impulsive SPL (dBA)	LEQ Average Continuous SPL (dBA)
Residential (R)	Daytime	75	70 65
	Nighttime	60	50
Nonresidential (C)	Daytime	75	70
	Nighttime	65	55

These adjustments aim to reduce overall noise pollution, particularly during sensitive nighttime hours, and provide clearer, more enforceable thresholds for different types of sound. The specific rules for frequent impulsive sounds address a common source of disturbance. In addition, clarified wording and specific definitions for continuous and impulsive sounds will reduce ambiguity, making the Code easier to interpret and enforce.

In addition to the proposed amendments, specific training for staff will enhance enforcement. The Assistant Director for the Building Division and a Building Regulations Inspector have successfully completed the Community Noise Enforcement Certification through Rutgers University. This certification equips enforcement staff with a thorough understanding of applicable Code, proper enforcement techniques, and strategies for real-world situations. The certification of enforcement staff ensures they possess the necessary expertise and legal

understanding to effectively apply and enforce the Code. This certification is recognized nationwide, ensuring professional and consistent enforcement of noise regulations. The certification will be recommended for the Township's Code Enforcement Officers moving forward.

Anticipated benefits for residents include a quieter environment, particularly at night, and more effective resolution of noise complaints. Nonresidential entities will need to be aware of the slightly reduced nighttime continuous and impulsive sound limits. Compliance may require adjustments to operations or equipment in some cases.

These proposed amendments and enhanced training represent a significant step towards more effective noise regulations. By investing in enforcement training, refining measurement metrics, and adjusting sound level limits, the community can expect a more peaceful environment and a more robust framework for addressing noise concerns.

V. Impact on Township Finances:

The cost of the recommended changes as well as the intent of Township staff to receive enhanced training would result in a training cost of \$750 per certified individual.

VI. Staff Recommendation

Staff recommends authorizing the ordinance for advertisement.

AN ORDINANCE

NO. _____

AN ORDINANCE To Amend The Code Of The Township Of Lower Merion, Chapter 105, Noise And Exterior Lighting, By Adding Definitions For Continuous Sound And Impulsive Sound And To Apply Those Definitions To The Chart Providing Maximum A-Weighted Sound Pressure Levels In Residential And Nonresidential Zoning Districts.

The Board of Commissioners of the Township of Lower Merion hereby ordains:

Section 1. The Code of the Township of Lower Merion, Chapter 105, Noise and Exterior Lighting, Article I, Definitions, shall be amended by the addition in alphabetical order of the following:

Article I. Definitions

§ 105-1 Definitions

* * * * *

Continuous Sound

Sound lasting 1 second or longer, or an impulsive sound that occurs 5 or more times an hour.

* * * * *

Impulsive Sound

Sound lasting less than 1 second.

Section 2. The Code of the Township of Lower Merion, Chapter 105, Noise and Exterior Lighting, Article II, Noise, §105-3 Maximum permissible sound pressure levels, subsection C thereof, shall be amended to provide as follows:

Article II. Noise

§ 105-3 Maximum permissible sound pressure levels

* * * * *

C. Notwithstanding the provisions in Subsections A and B above, during daytime (8:00 a.m. - 8:00 p.m.) or nighttime (8:00 p.m. - 8:00 a.m.) hours, the maximum permissible sound pressure levels and average levels shall not exceed those set forth in the following chart:

Maximum A-Weighted Sound Pressure Levels (SPL) 8:00 a.m. - 8:00 p.m., Daytime/8:00 p.m. - 8:00 a.m., Nighttime			
Zoning District of Receiving Property	Time of Day	Maximum Impulsive SPL (dBA)	LEQ Average Continuous SPL (dBA)
Residential (R)	Daytime	75	70 65
	Nighttime	60	50
Nonresidential (C)	Daytime	75	70
	Nighttime	65	55

Section 3. Nothing in this Ordinance or in Chapter 105 of the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 105 prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5 This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this day of , 2025.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF LOWER MERION

Todd M. Sinai, President

ATTEST:

Jody L. Kelley, Secretary