

June 7, 2019

TO: Planning Commission Members

FROM: Andrea Campisi, Senior Planner, Department of Building & Planning

SUBJECT: CONDITIONAL USE PLAN, 111 W. Lancaster Avenue, McDonald's, Ardmore, 3835C, Ward 4.

Proposal

The applicant, Jonathan Baske, seeks conditional use approval to deviate from the following design provisions in the Mixed Use Special Transportation District (MUST) associated with the renovation of the façade of the existing McDonald's restaurant:

- Zoning Code §155-87.25.C.2.d - To provide 24% clear windows and doors on the ground floor of the primary front façade where 50% is required. This façade currently contains 27% clear windows and doors.
- Zoning Code §155-87.25.C.2.f.2 - To provide window head height of 8'7", where 9 to 12 feet above the sidewalk is required.

The Conditional Use Hearing has been scheduled for **June 12, 2019 at approximately 6:00 p.m.** before the Building and Planning Committee.

The proposal is illustrated on the attached plan prepared by Core States Group dated May 10, 2019.

Background

The applicant appeared before the Planning Commission in February to seek both Conditional Use and Amendment Plan approval. The Planning Commission recommended approval of both applications.

Specifics of that application included amendments to the following conditions that were imposed on the original approval:

2. The entire exterior of the building shall consist of natural red brick with a limited amount of off-white stucco. Trim may be white and the roof may be red, provided any trim around and on top of the roof is white. All windows shall contain off-white muntins.

The elevations presented in February contained a limited amount of brick.

3. The commercial operation shall only be open for retail sales between 6 a.m. and 11 p.m. Sunday through Thursday and 6 a.m. and 12 a.m. Friday through Saturday.

The applicant seeks approval to allow the drive through to operate 24 hours on the weekend.

The applicant also sought approval from the Board of Commissioners to use stucco on more than 50% of the façade.

- Zoning Code §155-87.25.C.2.j states: Stucco or artificial materials, except fire clay products such as brick, shall not occupy more than 50% of the building facade unless the Board of Commissioners makes a specific finding that more than 50% is appropriate, and similar to the architectural features on other similar buildings in the district.

A conditional use hearing was held before the Hearing Officer on February 12, 2019. Following the hearing, the Hearing Officer issued a recommendation for approval. The Building and Planning Committee reviewed the Hearing Officer's recommendation and issued a recommendation for approval and also recommended approval of the Amendment Plan. At the meeting, several committee members expressed concern with the elevations since they did not contain a significant amount of red brick as required by the original condition. Subsequently, **the Board of Commissioners denied the Conditional Use Plan and tabled the Amendment Plan.**

The applicant subsequently resubmitted his conditional use application showing the entire front façade of the building clad in brick.

Property Description

The property contains approximately .8 acres and is improved with a McDonald's restaurant, associated drive-through lane, and 30 parking spaces. The property is within the ASDD1/MUST Zoning Districts. On the draft Zoning Update Map the property is proposed to be included in the TC1 Zoning District.

The property is located across from the intersection of Lancaster and Ardmore Avenues within the Ardmore Commercial District. The property is next to a Township-owned driveway that leads to Public Parking Lot 16 and the Ardmore West Shopping Center. A 25-foot-wide access easement exists along the rear of the property and provides access from the site to the Ardmore West Shopping Center and the Township parking lot.

Property History

McDonald's has operated in the current building for approximately 17 years. The existing building was redeveloped prior to the enactment of the MUST District. The proposal is part of a nationwide remodeling program being undertaken by McDonald's to renovate all existing restaurants to create a more contemporary look. A similar renovation was completed at the Rosemont McDonald's (1257 W. Lancaster Avenue) which required Conditional Use to deviate from the Bryn Mawr Village Design Standards.

Montgomery County Planning Commission Review

The County is not required to review amendment plans or conditional use applications.

ISSUES

1. Conditional Use Requests

The applicant seeks the following Conditional Uses which were the same as those requested in February:

- Zoning Code Section §155-87.25.C.2.f.2 to provide a window head height of 8'7", where 9 to 12 feet above sidewalk level is required.

Given the de minimus nature of the deviation and the fact that the windows are existing, staff does not have an issue with this request.

- Zoning Code Section §155-87.25.C.2.d to provide 24% clear windows and doors on the ground floor of the primary front façade where 50% is required. Currently the primary front façade contains 27% clear windows and doors and the proposed elevations contain 24%.

Staff is not opposed to the reduction in the percentage of glazing being provided as it is directly related to the increased height of the parapet and not an actual reduction in the existing glazing.

Element	Required	Existing	Proposed
Clear Windows/Doors	50%	27.2%	24%
Window Head Height	9-12' above sidewalk	8.7"	8.7"

It is the applicant's burden to demonstrate compliance with the legislative intent of MUST below, as well as, the Conditional Use criteria contained in Zoning Code Section 155-141.2, which are attached.

§ 155-87.25, Development design standards:

(1) *The purpose of this section is to require pedestrian-oriented buildings and to require building entrances to be oriented toward the streets, sidewalks and/or public accessways. Windows must facilitate views into and out of buildings. Requirements for orientation and primary entrances are intended to:*

- (a) *Provide for convenient, direct and accessible pedestrian access to and from public sidewalks, transit facilities, and residential and commercial uses;*
- (b) *Provide a safe, pleasant and enjoyable pedestrian experience by connecting activities between buildings in the MUST District and within a structure to the adjacent sidewalk and/or transit stop; and*
- (c) *Promote use of pedestrian and mass transit modes of transportation to access residential and commercial facilities.*

(2) *New and renovated buildings may be either traditional in their architectural character or be a contemporary expression of traditional styles and forms, respecting the scale, proportion, character and materials of structures within a five-hundred-foot radius.*

(3) *The preservation and rehabilitation of existing buildings and structures is strongly encouraged in order to create diversity of development, accent pedestrian-scale activity, and to preserve the character of Lower Merion's existing commercial districts in the vicinity of the train stations.*

C. Architectural design standards.

(1) *The architectural design standards have been incorporated into this district to ensure that the size and proportions of new buildings relate to the scale of the existing structures, especially at the street level. The first three stories of new buildings must relate to the street level heights of existing buildings. The architectural features of the vertical and horizontal facade character of new buildings must relate to adjacent structures (especially at the street level). The setback of the new buildings must relate to the setback established by the surrounding existing buildings.*

ACTION:

The Planning Commission must make the following recommendations on this application:

1. A recommendation to the Building and Planning Committee on the Conditional Use requests:
 - **To reduce the amount of glazing on the primary front façade from 27% to 24%** as required in Zoning Code Section §155-87.25.C.2.d.
 - **To provide a window head height of 8'7", where 9 to 12 feet above sidewalk level is required** in Zoning Code Section §155-87.25.C.2.f.2.