

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