

# **TOWNSHIP OF LOWER MERION**

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

### **Issue Briefing**

**Topic:** Ordinance to Amend City Avenue District – Regional Center Area

**Prepared by:** Christopher Leswing, Director, Building & Planning Department

**Date:** November 1, 2017

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

Consider for recommendation to the Board of Commissioners authorization to advertise and hold a public hearing on December 20<sup>th</sup>, and consider for adoption an ordinance to amend the Zoning Code to revise the City Avenue District – Regional Center Area (RCA) to remove incentives for single-use development, including single-use buildings developed as part of a multiple-use development, and to allow a second curb cut/driveway by Conditional Use to facilitate a shared parking arrangement. The amendments also apply to the Bala Cynwyd Retail District (BCR) as the bulk requirements refer back to the RCA standards.

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

The Board of Commissioners must adopt Zoning Code amendments in compliance with the Pennsylvania Municipalities Planning Code.

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

Not applicable.

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

The City Avenue District RCA and BCR offer 18 incentives relating to parking, impervious surface and various bulk standards. The incentives are offered in exchange for elements that advance the goals and objectives of the district and provide some element of public benefit. Six (6) of the incentives are available exclusively to mixed-use buildings or multiple use developments. The remaining 12 incentives could be applied to single-use buildings. A full list of incentives is provided in Table 1 at the end of this memo.

The RCA District limits the number of curb cuts to one per street frontage to foster a pedestrian-friendly environment. A variance from the Zoning Hearing Board is required to allow additional curb cuts.

In light of recent land development applications involving primarily single-use,

residential buildings, staff has been directed to review the use of incentives in the City Avenue District. Since 2010, three large single-use apartment buildings comprised of a total of 503 units have been proposed in the Regional Center Area and the Bala Cynwyd Retail District. All three applications involved infill development, wherein the existing buildings on the site remained. During this period, no new office development and minimal retail development has been proposed. Each of the residential development applications used some level of incentive as illustrated in Table 1 on the following page. Additionally, conceptual plans have been submitted for 9 Presidential Boulevard and other developers and large landholders have expressed an interest in developing their properties in the City Avenue District.

The developments at the Bala Cynwyd Shopping Center (121 E City Avenue) and the Mack-Cali property (150 Monument Road) were both considered multiple-use developments as the existing retail and office buildings remained on the property. The development at 150 Monument Road also included a stand-alone parking structure with ground floor retail along Monument Road. Multiple-use developments include two or more buildings on one or more lots and may include single-use structures; however, no single use may occupy more than 80% of the total floor area of the buildings. The proposed amendment would limit the application of the incentives to mixed-use buildings.

The shared parking arrangements encouraged in the City Avenue District have not been realized. The proposed amendment to allow a second curb cut by conditional use when it facilitates a shared parking arrangement is intended to advance the goal of encouraging the development of shared parking.

**V. Impact on Township Finances:**

This ordinance will have no impact on Township finances.

**VI. Staff Recommendation**

Staff recommends the Board of Commissioners authorize a public hearing in December to obtain public comment on the proposed ordinance. If authorized, the Board will also consider whether to adopt this ordinance at their December meeting after receiving public comment.

Table 1: City Avenue District: Regional Center Area and Bala Cynwyd Retail Area Incentives								
	Code Section	Requirement	Incentive	Qualifying Element	Proposed Amendment to Limit Application to Mixed-Use Buildings	Application of Incentives		
						150 Monument Rd	335 Righters Ferry Rd	121 E City Ave
Incentives available to Multiple-Use Developments under existing zoning								
1	155-217C(1)	Building Area	10% Increase	Mixed-Use Building or Multiple Use Development	Y	N	N	N
2	155-217C(6)	Impervious surface	10% Increase	Mixed-Use Building or Multiple Use Development	Y	Y	N	NC
3	155-217C(9)	Base Floor Area Ratio	0.1 FAR Increase	Mixed-Use Building or Multiple Use Development	Y	Y	N	N
4	155-217D(3)	Parking	Parking reduction	Mixed-Use Building or Multiple Use Development (Peak Hour)	Y	Y	N	Y
5	155-217D(3)(b)	Parking	Parking reduction	Mixed-Use Building or Multiple Use Development where parking is provided below-grade	Y	N	N	N
6	155-217E(4)	Floor Area Ratio	0.05 FAR Increase	Mixed-Use Building or Multiple Use Development that provides an off-site traffic improvement	This section is redundant and will be removed	N	N	N
Incentives available to Single-Use Developments under existing zoning								
7	155-217E(1)	Floor Area Ratio	0.15 Increase	Public Gathering Space	Y	Y	Y	N
8	155-217E(2)	Floor Area Ratio	0.15 Increase	Aggregation of Public Gathering Space	Y	N	N	N
9	155-217E(3)	Floor Area Ratio	0.1 Increase	Residential single-use or mixed-use where primary use is residential	Y	Y	Y	N
10	155-217E(5)	Floor Area Ratio	0.18 Increase	Structured Parking	Y	Y	Y	N
11	155-217E(6)(a)	Floor Area Ratio	0.5 Increase	Underground Parking	Y	N	Y	N
12	155-217E(6)(b)	Floor Area Ratio	0.25 Increase	Wrapped Parking	Y	N	N	N
13	155-217E(7)(a)	Floor Area Ratio	0.05 Increase	Transit Facility Improvements	Y	N	N	N
14	155-217E(7)(b)	Floor Area Ratio	0.15 Increase	Transit Facility: On-site bus stop	Y	N	N	N
15	155-217E(8)	Floor Area Ratio	0.1 Increase	Historic Preservation	Y	N	N	N
16	155-217E(9)	Floor Area Ratio	0.15 Increase	Public, multipurpose pathway	Y	Y	Y	N
17	155-217E(10)	Floor Area Ratio	0.2 - 0.77 Cumulative Increase	Off-site Traffic Improvement	Y	N	N	N
18	155-217C(2)	Build-to-Line	20 feet further from curbline	Public Gathering Space or outdoor dining	This incentive will remain in place.	Y	NA	N