



# Regional Civic Association Meeting Notes

Haverford, Gladwyne, Bryn Mawr, Penn Valley, and Rosemont-Villanova

**January 31, 2019 – 7:00 p.m. - 9:00 p.m.**

Board Room, Township Building

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*Approximately 25 members of the public were present, including Commissioner Josh Grimes, Commissioner Scott Zelov, and Planning Commissioner Scott France. Township Staff Present included: Chris Leswing, Director, Building & Planning, and Carissa Hazelton, Planner.*

## **INTRODUCTION**

Mr. Leswing called the meeting to order at approximately 7 PM. Mr. Leswing stated that the new Zoning Code will be form-oriented and add more standards to guide what new development looks like. Most of Code will have similar standards to the existing Code. Tonight, the discussion will focus on changes to the Code.

The Zoning Code is based on the new Comprehensive Plan. The Code is being prepared by DPZ, a firm that pioneered form-based codes. They have been reviewing the existing code, identifying what works and what doesn't, and preparing a new draft. The draft Zoning Code was released in October 2018. Since then staff has been meeting with groups and individuals to gather input and suggested edits. As part of the public engagement process staff has been meeting with various stakeholders.

The Regional Civic Association Meetings are intended to answer the questions residents have. Staff would like the opportunity to listen to the questions and have a chance to respond. The peer review is helpful in this process. It is anticipated that the revised draft will be completed in the next few weeks. The next draft is not the final draft, but it will clean up a lot of items already captured. Mr. Leswing welcomed everyone to ask questions or to share their comments.

## **QUESTIONS & COMMENTS**

Carl Watson, Shortridge Civic Association, asked about the adoption process. Mr. Watson asked when the new Zoning Code will stop developers from racing to the courthouse.

Mr. Leswing responded that the Board of Commissioners set a target adoption date of July 31, 2019. According to the state statute a final draft of the Zoning Code must be prepared 45 days in advance for public advertisement. The Township has already seen property owners submitting plans to vest their development rights. Developers can submit their plans to vest their development rights under the existing Zoning Code up to the adoption date.

Mr. Watson stated that the Zoning Code is the first of two shoes that have to drop to get the land development ordinances revised. Mr. Watson asked if a revised Subdivision and Land Development Code also has to be adopted.

Mr. Leswing responded that the Township has two complementary land development codes: the Zoning Code and the Subdivision and Land Development Codes. The two codes work together, and development must comply with both codes. The consultant is tasked with updating both codes. The Zoning Code controls the density, use and height. The Subdivision Code establishes the process and includes design standards. The existing Zoning Code is transitioning to a form-based code. In other states the codes are combined into a unified development code. In Pennsylvania, the state enabling legislation is not clear, so the Zoning Code and the Subdivision Code will be kept as separate documents based on the Township Solicitor's guidance. The Zoning Code will be adopted this summer and the Subdivision and Land Development Code will be adopted this fall.

David Lefkowitz & Elena Berman, Nelly Berman School of Music, 461 W. Lancaster Ave., Haverford, asked if there is a plan for all properties in the Township. Mr. Lefkowitz asked what is planned for their property.

Staff pulled the property up on the interactive zoning map, which is available online at [www.lowermerion.org/rezoning](http://www.lowermerion.org/rezoning). The property is currently zoned R6A. It is proposed to be zoned Institutional Education. The current zoning allows for institutional uses in residential districts by special exception. The draft zoning code includes institutional districts. One of the key pieces to this is the change to impervious surface for institutions. Institutions have been required to meet the same impervious surface requirements as residences. As they need to expand, they have been acquiring adjacent residential properties and demolishing them to meet the impervious surface standards. The new zoning allows institutions to modernize within the boundaries of the institutional district but limits the ability to expand beyond the institutional district.

Bruce Walsh, stated that while there are impervious surface and height incentives provided in exchange for a "public benefit" under the institutional zoning, there is no definition for "public benefit".

Mr. Leswing stated that the land use attorneys have picked that up as well. Lower Merion has a high proportion of institutional uses. The institutions make up a large proportion of open spaces and scenic vistas. Public benefits may include historic resources, or pedestrian access across campuses. The term "public benefit" needs to be calibrated and defined.

Joe Sgro, Gladwyne, stated that it seems that the idea with institutions is to require them to do a Campus Plan and then freeze the resources in that area relating to impervious surface and height. Mr. Sgro asked if an institution would need to come in for a special exception if they wanted to do anything more.

Mr. Leswing responded that the institutional zoning is the part of the Code that needs the most work. The goal is to better regulate institutions and to make sure that the neighborhood is shielded from negative impacts of institutional growth. Institutions should be allowed to modernize by following Code requirements, without a special exception process. A threshold needs to be established to require a Campus Plan. The Campus Plan will show what the institution is planning to do next. It's an opportunity to open community dialogue and can lead to getting a better plan.

Mr. Sgro asked how a change in use will be managed. For example, churches can change to a residential use.

Mr. Leswing responded that the Zoning Code has a conversion ordinance that allows buildings to be converted to residences provided they're listed on the Historic Resource Inventory. That is still allowed under the proposed Zoning Code. What is being removed is the ability for single-family development of institutional properties by-right.

Hala Imms, Haverford, asked what the autobody shop Lancaster Avenue and N. Buck Lane is proposed to be zoned.

Staff responded that the property is zoned MDR1. It was formerly zoned R6A. The autobody shop was either nonconforming or was permitted by a variance.

Ms. Imms asked if the property next to the church on Barrett Avenue, which is currently an apartment that is used for student housing will be zoned MDR1.

Staff verified that the property is proposed to be zoned MDR1, which would allow a twin home on the lot.

Ms. Imms stated that this small neighborhood (on Barrett Avenue) has porches in the front and garages in the back. Ms. Imms asked if the Zoning Code will provide for that.

Mr. Leswing responded that this neighborhood was built prior to the enactment of the first Zoning Code. The new Code should align better with the built pattern and now we must test it.

Ms. Imms stated that a lot of neighborhoods are begging for off-street parking. The fact that Nelly Berman is in a historic district – does that help or hurt them?

Mr. Leswing responded that the fact that it is a historic property helps them, because there are some relaxations for bulk standards, such as impervious surface.

Ms. Imms stated that she is concerned that stormwater management systems are not required for additions up to 1,000 square feet.

Mr. Leswing stated that staff can look into the thresholds for requiring stormwater management.

Mary Walsh, Haverford, asked if there is somewhere easy on the website that residents can go to view the new land development plans, considering that developers are submitting plans prior to the Zoning Code adoption.

Staff responded that all land development plans are posted on the Building & Planning Facebook Page.

Elena Berman stated that the Nelly Berman could currently convert back to a residential use by-right and asked if that would still be allowed.

Mr. Leswing responded that the property is a historic resource and under the proposed code, the building could be converted back to a residential use.

A resident asked what the real need for car parking is in a place like the Wynnewood apartments. It's right across from the train station, yet a number of cars pull out of the apartments every morning. We need to have car parking for everyone in a house that can drive a car. Requiring 1.5 spaces per unit is not enough.

Mr. Leswing responded that the consultants had suggested reducing the parking standards in the MDR district. What the consultants were trying to do was to promote affordability. Requiring more pavement and more parking increases the construction costs. However, as a community we've made the choice to keep two parking spaces per unit. The reality is that everyone has a car and the on-street parking is already being used.

Steve Filippone stated that the neighborhoods need the on-street parking, but it is lost to driveway aprons for new construction. Mr. Filippone stated that the Zoning Code should do something to maintain some on-street parking.

Mr. Leswing stated that the Zoning Code adds new tools and it includes coding for a lot-by-lot basis, which will continue to be refined over time.

Mark Weaver, Wynnewood, stated that we're a nation built on property rights. We pay taxes and pay for improvements but the default is what the Township and neighbors say versus what the property owner who has a vested right would like to do.

Mr. Leswing stated that we're shifting from a property-rights Zoning Code to one that shares responsibility. We live together. The value of your property isn't because you have a square or rectangular lot. It is also based on the value of your neighborhoods. The Code still protects property rights, but it also includes a layer of responsibility to help maintain the wealth and value of the neighborhood.

Mo Gillen, Haverford, asked where the design guidelines fit in the Code.

Mr. Leswing responded that under Pennsylvania law the design guidelines typically go into the Subdivision and Land Development Code, but that Code only applies to residential development of three or more units. The guidelines should apply to all properties, so it is included in the Zoning Code. There are general design guidelines and there are guidelines in the Neighborhood Conservation Districts. There are three pilot Neighborhood Conservation Districts that will have architectural guidelines.

Ms. Gillen stated that there are two sets of design guidelines and asked when they will come forward.

Mr. Leswing responded that the Historical Architectural Review Board (HARB) will review the design guidelines before they are incorporated into the Zoning Code. There will also be meetings with the neighbors. It will come forward as a part of the overall Zoning Code update. There will be a public hearing and opportunities for public comment.

Michelle Detweiler, Penn Valley, stated that she will be interested to understand what triggers a Campus Plan.

Mr. Leswing responded that DPZ asked been asked to put the Campus Plan requirements more in our language. We'll get back to you to play the scenario of an expansion to the local school out.

Karen Ayd, Gladwyne stated that this meeting was for the western part of the Township and asked what one or two changes to the Zoning Code will most impact us.

Mr. Leswing responded that this area has the least amount of change. Staff heard from Gladwyne residents that they don't want it to change. We've heard from Bryn Mawr that they don't want it to change. This area will be most impacted by the institutional district. The proposed zoning benefits residents because it establishes the boundary of the institutional district. One change that already occurred was the revision to the lot width standards. Increasing the minimum lot width reduces the subdivision potential and keeps the neighborhood pattern where it is.

What is proposed for Gladwyne is Village Commercial zoning. What is allowed under the current C2 zoning is buildings up to 65 feet in height. The proposed zoning caps the height at three stories. The height of each story will be recalibrated, so the overall height and mass will be changed. For the residential districts people might see a bump in impervious which gives you the ability to modernize the homes.

Ms. Aydt stated that the Gladwyne Civic has come up with a list of questions that can be discussed at a future time.

Mr. Leswing responded that staff appreciates getting questions in writing because we can share the questions amongst staff.

Ms. Aydt asked how staff plans on policing institutions. She asked if the community will get to see the annual plans and the campus plans or if they will have to request it from the Township.

Mr. Leswing responded that we haven't gotten to the specifics of how to share those documents. The idea is that they'll be public.

Ms. Detweiler asked if the new draft is out and if the changes trackable.

Mr. Leswing responded that it's not out yet, but we're hoping to get the next draft out in the next couple of weeks. The changes will be shown in tracked changes. There will also be a clean version.

## **CONCLUSION**

Mr. Leswing thanked everyone for coming and sharing their questions and drew the meeting to a close at approximately 8:55 PM.

Meeting notes recorded by Carissa Hazelton, Planner