



Regional Civic Association Meeting Notes

Merion, Merion Park, the Neighborhood Club of Bala Cynwyd,
Belmont Hills, and Narberth

March 25, 2019 – 7:00 p.m. - 9:00 p.m.

Board Room, Township Building

Approximately 40 members of the public were present, including several commissioners. Township Staff Present included: Chris Leswing, Director, Building & Planning, Jillian Dierks, Planner, and Colleen Hall, Planner-GIS Technician.

INTRODUCTION

Mr. Leswing called the meeting to order at approximately 7:05 PM. He explained that the Regional Civic Association meetings are informal meetings to discuss questions that everyone has. The Township has undertaken a comprehensive update to the Land Development Codes. The new code will address the goals of the Comprehensive Plan and also be calibrated to better meet the built environment. Most of the zoning is being translated into the new code, and provided a brief overview of the zoning code adoption process. Mr. Leswing welcomed everyone to ask questions or to share their comments.

QUESTIONS & COMMENTS

Below is a summary of the Questions and Comments from the meeting.

Gary Ammon, Bala Cynwyd, asked about the Neighborhood Conservation Districts and whether the boundaries have been determined in the first three districts and if so, where are they available?

Mr. Leswing responded that the draft boundaries have been put on the draft zoning map and that the draft standards for these districts will be posted along with the link for the guidelines that were developed these draft standards. The Township has a historic consultant to develop historic district guidelines which we tagged onto the Neighborhood Conservation Districts to that document. There is an overall document to describe what the neighborhood “should be”, what its defining features and characteristics are.

Mary Dubin asked where the Township sees her neighborhood in Lower Merion in the area of Merion Station, over by St. Joseph’s, in the next 10-15 years?

Mr. Leswing responded that he feels the neighborhood will look just like it does today. The new zoning code allows is not much redevelopment in that area. Most of that neighborhood is single

family and has been built out to what it can be. Most of the what is occurring in that neighborhood is modernization of what exists today.

Pastor of Ardmore Methodist Church mentioned that his church property is being rezoned to Institutional, as is other religious institutions within the Township. He asked what this means whether the church can have profit, not-for profit (commerce) activities on the property. Another member of the audience asked to have other educational properties such as day-care, schools within church buildings to this question?

Mr. Leswing replied that institutions are a very important part of the Township and approximately 15% of the land area in the Township are Institutional uses and within that, there are multiple properties and having them placed into one (1) category of Institutional does not seem to work. The Township has proposed four (4) different categories for Institutional Zoning: (1) Nature Preserve (the lowest in density); (2) Institutional Civic (neighborhood organizations); (3) Institutional Education, and (4) Institutional Housing.

Audience member asked how a daycare or preschool located within a church would be affected?

Mr. Leswing responded by saying daycares/preschools are customarily accessory to a church and within the church building and many churches have these currently. The new Institutional Civic Zoning District recognizes that these are accessory in nature to the primary use.

A member of the audience has two (2) questions, 1. The Board of Commissioners repeatedly comment that they are bound by law that the developments in Bala Cynwyd have to go through because they are mandated by law and there is nothing that can/could do to stop it. Is there anything in the new zoning Code to stop the variances so that the Board of Commissioners can stop the development? 2. It was mentioned by you (Mr. Leswing) that the development in Lower Merion is going to stop or it's more that we ran out of space so it's now about fixing up the houses, etc. The most recent development in Bala Cynwyd is chopping up behind Acme and building another apartment building in the back-parking lot, so clearly they are going to find empty lots where they can develop, so is there going to be in the new zoning code something that says we have an empty parking lot that can be chopped up for development?

Mr. Leswing responded to the first question by stating that the Board of Commissioners, when presented with a development plan adheres to the Zoning Code, it must be approved because those are the rules set forth as it pertains to real estate and its development within the community as required by law. Also, with the new zoning code, it cuts back much of the potential for development across much of the Township. One of the concerns was single family development; 70% of the Township are residential neighborhoods and over the last 25 years, the Township experienced many tear downs and re-builds, more often in the western part of the Township. The new zoning code significantly reduces lot subdivision, which was occurring with many larger lots and the homes being torn down and re-built by creating a greater minimum lot width and increasing minimum lot sizes.

In response to commercial re-development, a lot of the commercial areas in the Township were not planned and developed before zoning, i.e. Ardmore, Bryn Mawr, Bala. This code addresses mainly, the modernization of existing commercial properties. Montgomery Avenue in Narberth along the commercial stretch where Staples and Wawa are is a great example of the existing commercial

zoning before the new proposed code. If one of these older properties comes in for changes, they will be made to conform to the new Zoning Code and if it runs into a residential area, will be required to be in a 20' buffer between the properties. The new code puts in responsible form-based elements, i.e. wide sidewalks with street trees. This code is trying to regulate the modernization of old commercial properties to provide consistency in revitalization instead of blight. The Township wants our community to be attractive, walkable, and productive. Stormwater management is being addressed within the code(s) in order to provide a more viable, productive property.

Gilda Kramer, Bala Cynwyd, near Levering Mill Road and Montgomery Avenue; there is a business district that runs down Levering Mill Road to Montgomery Avenue. Other than the buffers, is there going to be other changes within the new zoning code for these commercial properties that the owners need to be aware of?

Mr. Leswing responded by saying that it will change in a couple of different places: 1) Along Montgomery Avenue, the code is going to require all of the buildings to be built to the street line with street trees as in Bryn Mawr. Current zoning for this area is a general Commercial Zoning (C1 and C2) to the Village Center Zoning. This means the buildings will need to come forward to the street creating more room in the back for parking/buffer to residential properties in the rear. Curb cuts discourage walkability. There are businesses that are naturally going to need to be modernized over time and the new zoning code will allow for planning and revitalization.

In the 1940s the Township decided that every community should have a park and that was how General Wayne Park came into being. The Township continues with this philosophy today. The next phase of planning will be the commercial areas and we can decide as a community wants for activity, what level of intensity is desired for these areas and will also require public investment to make it work, zoning can only do so much.

Real estate development has been the driving Lower Merion Township for 100 years. Part of that has been successful private real estate development. This community has succeeded on the back of other people's development. The Township did not invest in commercial area for many years, residentially, there was basic zoning and people built good homes. Not having much in the way of regulation left many commercial properties without greenspace where people can sit and walk, be social. We also, as a Township without many regulations, have incurred many lot by lot development where each business was required to provide their own parking on their property. Mr. Leswing and the Township's contention is that successful business districts do not operate that way. The Township may have to intervene in the Montgomery Avenue corridor and negotiate with the business owners to create this shared environment going forward and link the parking lots together behind the buildings.

The Township is moving to three (3) classifications for commercial zoning areas besides City Avenue as a module for the Township to work from: They are 1. Village Center; 2. Town Center 1; and Town Center 2.

Aaron Gross, Bala Cynwyd, Birch Street being changed to R4 to MDR1, concern is reducing from 2 parking spots to 1 in front which means getting rid of all curb cuts because there won't be parking in front of the buildings, which might be great for walkability but it's a residential neighborhood

currently so there is walkability currently. What is the overall plan in regard to density if R4 are going to become MDR1?

Mr. Leswing answered that the plan was to keep the residential the way it is, however, what our consultant did with parking is from what they have seen on a national basis that there are overall less cars being used and people won't have as many cars in the future. The Township staff has rejected this idea and is not, at this time, going to change the parking standards that exist today in residential neighborhoods will not change and this is what will be recommended to the Board of Commissioners.

One of the key elements is that homes with architecture that are modernized are consistent with what is consistent the block.

Mr. Gross commented that with all the talk about affordability and compatibility, community development, Community Benefit Agreements are shared equity are land trusts, etc. and every option doesn't work for every community but a big part of Bala Cynwyd and his moving from an apartment to a long-term housing is having greenspace for children to play. And lastly, the plan that is in place, how will this code be implemented without dragging the process down, which are the shopping districts around Bala Cynwyd, Rockhill District, Bala Village, City Avenue, and how the residents are going to be guaranteed that those things are going to actively be looked at in the process. Is there going to be an appropriation for a master plan done now?

Mr. Leswing confirmed that 24 months ago, the Township hired DPZ Associates through a different Board of Commissioners and just finished the Comprehensive Plan. The Board leadership wanted the Planning Department to finish the Zoning Code in a timely manner. We found through the updating to the Comprehensive Plan that residents come to meetings with their singular issues, not taking into consideration their neighbors/neighborhood and the impact to them, which made things very challenging. All of the pieces will never align at the same time. We want to capture the vast amount of what we can that we all agree to by consensus and then go back to working on other areas that require meetings with other people to come up with master plans for these commercial areas. It is the Planning staffs' goal to complete the Zoning Code this year and the Board is committed to making this happen. Each commercial area may need to be looked at in more detail separately in the future beyond what Zoning can achieve.

Mr. Leswing reiterated that there are members of the Board of Commissioners at this meeting listening to the residents and their concerns/questions. Over the past 15 years that Mr. Leswing has been with the Township, he stated that the most common issue within the Bala Cynwyd community has been walkability. The Commercial Area sections of the Zoning Code will improve the commercial areas 100 percent of all the areas that weren't master planned, which were C1 and C2 zones. The improvement to remove parking in front of buildings is a great benefit. Affordability will not be solved with this Zoning Code because it needs to be shared resources and balancing. The same application of affordability doesn't apply to seniors as it does to younger people. Workforce housing, there is a variety of strategies, it is a very complicated topic and will be an ongoing topic of conversation, as well as senior housing, and also sustainability.

A resident asked Mr. Leswing about when he talks about the neighborhood conservation areas and the pocket he describes in Bala Cynwyd, and the consistency with the way things look, she has a

mid-century modern house. Do the new regulations of the Neighborhood Conservation District mean that a new home cannot be built with that same type of home because of the restraints in the new zoning?

Mr. Leswing answered by saying that if the new build is in the Neighborhood Conservation District, maybe and maybe not. These districts are an experiment in local determination. Our staff will conduct a meeting with the residents who are in the boundary of this district and ask if they would like to add more regulation and architectural integrity to their properties? The Township will not mandate the characteristics, it will come via those neighborhood owners. The Neighborhood Conservations District guidelines are very unlikely be ready for presentation by the July vote. These guidelines will only be recommended and before the Board of Commissioners if it is felt by the residents and Planning staff that it is the right thing for the neighborhood to do.

Another resident raised the question that given the fact that Bala Avenue is captured by City Avenue comprehensive zoning plan, how will the Bala Avenue Commercial District square with the rest of Lower Merion's new commercial district zoning?

Mr. Leswing responded that Bala Village District is one of those negotiated areas is not slated for any change at this time. What is in the Code currently is being transitioned into the new Code.

Another question presented from a member of the audience One Bala has put proposals seeing that zoning is going to be changing for 1000-unit apartment building, more office space, more retail space, and a hotel. They can't do it all, but are covering all of their options. Can any of those plans be grandfathered in and are there other commercial properties looking to submit future proposals so that those plans can also be grandfathered in?

Mr. Leswing responded that if a property owner submits plans prior to the enactment of the new zoning code, you are technically grandfathered in. However, these plans were submitted on City Avenue separately from the new zoning code effort and happened as a result of a specific effort the Board of Commissioners wanting to reduce residential growth within City Avenue specifically. The applicant has the right under existing codes to have their plans processed then vested for up to 5 years of the application.

A resident whom lives on Bentley, one block off of Montgomery Avenue, has seen over 14 years of living on this street, become more of an access road for the commercial buildings. As development continues, can zoning account for the commercial truck traffic that is using this street as an access road to the building sites?

Mr. Leswing stated that Zoning cannot, but site planning for commercial areas can, and both efforts need to be involved to create a solution. Zoning can address building type, dimensions, exterior, etc., site planning can address the roads and infrastructure that is associated with these commercial areas. Zoning comes first, individual site planning is outside of zoning, but is the tool that is used next for each development.

The next question is about density and broader than Bala Cynwyd. The changes to allow increases to residential density in terms of quads, in terms of being able to add residential density to these areas. Is the increased residential density being talked about more for the eastern part of the Township or

the western? What conversations have been had or will be had with the school district in regard to increased density?

Mr. Leswing replied that the new code is not about increased residential density in the eastern part of the Township. Also, the presence of Quads in the Codes are not new in the Township. Our existing code allows Quads in the R6, R6A and R7 districts.

The concern is that whether they, Quads, should be allowed to remain in the new Code? And secondly, the schools are obviously interested in the institutional zoning code, but in regard to building a new elementary school, there is no way it will be built in the eastern part of the Township. The increase in enrollment in our schools is primarily due to the turnover of single-family homes. The Township has not changed much in the last 50 years except for the fact that there are less schools in the Township. The single-family homes turnover is coming from older adults moving out and younger families with children purchasing them. The other factor is that people moving into the Township are sending their children to private schools at a much lower percentage. The other part is that the older residents who want to stay here are turning to apartments which has resulted in the uptick of those units. There have been invitations from the Township to meet and coordinate these planning efforts.

Roger Moog questioned, that this new change in zoning is not increasing the density in the eastern part of the Township? Mr. Leswing confirmed that statement. Question: If you add in the additional units generated in the regional center area, dwelling units, how can it realistically be said that there will be no increase in density in the eastern section? That is the reality that the residents of Bala Cynwyd have to deal with.

Mr. Leswing responded by stating that this new Code begins in July, not three years ago when the current developments were approved and now in the process of being built, therefore, the new Zoning Code is not increasing density from the previous Zoning Code.

More conversation between audience members takes place and the concern that is brought forward from one of the attendees is that Bala Cynwyd is not an urban area, it is a suburb and was established as a bedroom community. The community does not want the commercial businesses and to become Philadelphia. Mr. Leswing again, reiterated that the New Zoning Code does not include changes to City Avenue.

A question is brought forward to Mr. Leswing asking if there is something in the Zoning Code today that will prevent another 335 Richters Ferry Road from being built in the future in Bala Cynwyd.

Ms. Dierks responded that there were several amendments approved in December by the Board of Commissioners that curtailed some of the development potential along City Avenue.

Barbara Finkelstein, Merion, asked if the changes made in December did or did not change the residential density along City Avenue. She feels that the number of units that have come in for City Avenue and Bala Cynwyd are really threatening the stability of the neighborhoods around those developments.

Mr. Leswing replied that she was reading too much into his comments. What everybody wants for City Avenue is to get commercial development. Commercial development offsets residential

property taxes. It's a good thing. The City Avenue surface parking lots are an obsolete land pattern. Making sure those commercial businesses stay, residential was introduced as a tool to compliment the commercial. Because of different market values in the past 10 years, multi-family development has exploded. Multi-family units are becoming more and more popular in the suburbs because the land is not available for single family home building.

One of the concerns brought up by a resident was that it was requested by residents to the Board of Commissioners to look at the City Avenue Master Plan 10 years ago and they were not given the opportunity. Part of the concern is that when you look at Bryn Mawr, and you understand that there was a massive entity that financed the Bryn Mawr Master Plan, that has produced a zoning amendment that has resulted in really positive development in Bryn Mawr. Why isn't there a concern with getting a master plan done for City Avenue before you do anything to City Avenue?

Mr. Leswing responded that there have been some large commercial businesses talking about leaving the Township and if they were going to have to relocate to another community. The key companies, including the largest employer in the Township, have decided to stay because they believe that City Avenue improvements will enhance their business and the community at large. If these businesses had left, this would have devastated the City Avenue district and could have drastically increase the residential property taxes. There needs to be a balance with the different variables along City Avenue, which is trying to be accomplished with planning. The Township has trained planners on staff who are trained to work with people and developers and our staff knows the community. The Bryn Mawr Master Plan was expensive but it is a strong master plan.

Another resident asks the question that she thought that people of this Township and specifically those here tonight from Bala Cynwyd and Merion, that the re-write of the Zoning Code was going to "right all of the things that needed to be fixed" in these areas, not just substantially reduce certain things. She said that Mr. Leswing stated that the Board of Commissioners have to pass what is allowed by Code as bound by law and bound by right, but that if there are areas needed to be addressed, existing Conditions of Approval were attached and must be addressed and solved before continuing the development. What is going to happen now with the new Zoning Code and any conditions of approval passed prior to development if they are in conflict with the new Zoning Code?

Mr. Leswing responded by reading page 109, of draft 2.0, section regarding previous approvals: "Institutions that have been approved for public process shall continue to adhere to the order of the Zoning Hearing Board and or the land development conditions of approval that existed prior to the effective date of this Code unless otherwise modified".

A question is raised about parking on the street for a development or apartment projects in Bala Cynwyd?

Mr. Leswing said that the code requirement for these uses is not changing in the new Zoning Code. New developments will need to provide on-site parking, street parking will not be included.

Michael Spatacco, Belmont Hills Civic Association, has brought to the attention of Mr. Leswing and the attending Commissioners pre-existing issues in their neighborhood that seemed to have existed many years ago that may have been commercial. Currently, one property is being used for

residential; one is a small residential tri-plex; and both being zoned as Village Center. He is wondering why that is the pre-existing zoning? What is the way for Belmont Hills to get this on a watch list for the Planning Department and what is the right way to move going forward?

Mr. Leswing acknowledged that there were some the same mapping issues that have been refined. The general Zoning map was created by the consultant and they essentially transitioned what was on the ground into this new map. You'll see the first draft of the Zoning Code had a map and then last Friday, our Planning Department released a new map with refinements, which is on our website. Keep in mind that this is a draft and some things aren't correct, but it is a working draft of the map. An example occurred in North Ardmore along Montgomery Avenue. This is a case where our staff is actually recommending a zoning district less intense than what the civic association is recommending. We are working together to come up with what a good recommendation will be. The Township holds in high regard our Civic Associations and their opinions for their neighborhoods that they represent. It is the best way to have your voice heard in this project.

The oldest resident attending spoke up and asked when this new Code is finally decided, she hopes that all residents, young and old, new or long-time residents, are able to enjoy where they live and not to feel over-powered, over-burdened, over-built, and over-whelmed.

Betsy Goldmuntz, Merion, asked how is the new Zoning Code going to protect residents from institutional growth, in particular to how it relates to commercial use of those entities, as well as parking on streets, as well as the opportunity to place night lights on athletic fields. I think there are increased use that imposes on in the neighborhood, particularly when they aren't particularly required to provide all of the parking not on their facilities. This doesn't pertain to just institutions but to commercial entities as well. Can you elaborate on these issues, and particular commercial use of institutional properties?

Mr. Leswing mentioned again that there is a new section in the new Code that deals with Institutional Zoning. Institutional uses will be allowed to maintain and necessarily evolve on their own campuses. It concentrates on the idea that new growth will be concentrated to the center and away from the residential edge that surrounds it. One of the key elements is a Campus Plan that will detail where their future growth goes. Institutions and all development plans are required to meet their parking requirement on site.

Ms. Goldmuntz interrupted by saying that a former commissioner said that the parking requirement isn't in the previous code, but is implied and wants to know what is explicitly written about the parking requirement in the new Code for institutional education developments?

Mr. Leswing does not have the actual page that addresses this on hand but will provide it tomorrow morning. The evolution of the Zoning Code has brought about a parking table that will be included in the new Code. He suggested that those who are interested, arrange a meeting with him to go through the parking section line by line. Institutional uses vary and have varying requirements as it pertains to parking, it does not allow commercial use because that is what it is zoned for.

Lee Mumford, Latches Lane, Merion Station, presented two questions: 1. Mr. Leswing said that institutions are going to be granted more impervious, she lives between Adath Israel and St. Joe's; where is the water supposed to go? 2. How do you classify institutions with a delineator of 5 acres?

There could be a great variety in uses depending on the type of institution, from hospital to high school to college in regard to traffic and employee hours.

Mr. Leswing responded that the Zoning Code uses five acres as a guide, but the Zoning Map actually shows what properties will be regulated by specific zoning regulations for institutions. The water will go underground where it will be re-charged according to the Township's Stormwater Code. When new development occurs on a property in excess of 1500 square feet, it triggers a runoff permit, which triggers stormwater management. When the properties are re-developed and/or changed, they are required to provide a stormwater management plan, most of the time in an underground basin. The Township has some of the most stringent stormwater management requirements in the region.

Mr. Leswing repeated that Institutions have been broken down into four categories: Nature Preserves, Institutional Civic, Institutional Education, and Institutional Housing, and they have their own specific requirements within that category.

A comment is made about how the institutions can be vastly different within the same category and it seems that the Code is lumping them together without care or concern to the type of use.

Mr. Leswing took exception to that comment in that he expressed how much time his staff has taken in creating and working with others to establish the new Zoning Code. The categories have been subdivided and many hours of work has been done in defining these institutional areas. The Township has gone from having nothing in place to what is being presented. He again re-emphasizes that if anyone wants to meet and discuss how and why these areas have been established, he is welcome to sit down and have that meeting.

A question is raised in regard to the timing of the new Zoning Code and when it may be re-visited by the Township to investigate whether or not it has worked the way it had been intended? 10 yrs., 30 yrs.? Never again?

Mr. Leswing answered that it is always being looked at which is the nature of zoning.

Scott from Belmont Hills stated about 10-12 years ago the Township was working on the Rowhome Ordinance, Rockhill Road Ordinance, and the height restriction, which was talked about going up to 110' and was able to come down to 65'. In the new Code, height is allowed to be up to 80' and wondering why?

Mr. Leswing commented that he will need to look into that as it should not have changed in the transition to the new Code.

Another question regarding Belmont Hills and the R5 zoning is now LDR4. A good amount of structures and home were built before it was R5 and don't meet that Code. Now overlaying LDR4, what happens to those homeowners who have a rowhome and try to sell it? The LDR4 zoning is not keeping Belmont Hills/Rockhill Rd the same.

Mr. Leswing said that the history of zoning in Belmont Hills is an anomaly was originally much higher than it is today and has been down-zoned several times. In the Zoning Code Article 11, there are provisions expansions for non-conforming conditions.

Why is the Township taking an area that is zoned for higher density and changing it to lower density that doesn't comply with the existing fabric of the community that is there?

Mr. Leswing replied by saying that the direction the staff and the consultant received from the Belmont Hills community and its previous commissioner is that "we don't want any more of that", they wanted Belmont Hills to remain as it is.

Someone asked if a request for a zoning variance could be brought before the Planning Commission and Mr. Leswing answered that variances are going to be extremely difficult to obtain and they are heard by the Zoning Hearing Board, unless there is an unique land situation. If there is a need for change, the rules need to be changed instead of variances being granted.

Paul Goldberg, resides two houses from Meeting House Lane, stated that Merion Mercy Academy which is an institution, decided to build a gym before the new Code, which faces Meeting House Lane with a glass front that rises pretty high and keep their lights on late into the night, which is very bothersome. The new rules would most likely require the school to face the glass inward instead of outward, can anything be done about this building now?

Mr. Leswing answered that Zoning will not change the existing structure unless someone comes in with a change to the property. He suggested that Mr. Goldberg work with his Civic Association, but he is sure that the land development part required a lot of trees which have probably not grown to maturity yet.

Mr. Goldberg responded that it will be many more years before the trees are mature enough to cover the lights in the parking lot that are left on late at night. Mr. Leswing will check on that situation regarding the lights with the Township's lighting consultant. However, working with and through your civic association, your ward commissioner, the Township and addressing the land owner may achieve the desired result.

A question regarding if a Campus Plan is done for a university or an institution, can the Campus Plan be modified or is it written in stone and the institution must follow the plan?

One of the keystones to this new Institutional Zoning is that the institution, in order for development, is going to be required to create a campus plan, showing not only just the buildings today, but what they anticipate will be the buildout over time. Years down the road, if the campus plan requests a change, a process is in place for re-submission and approval of those changes. St. Joseph's University has embraced the master plan process.

CONCLUSION

Mr. Leswing thanked everyone for coming and sharing their questions and drew the meeting to a close at approximately 9:30 PM.

Meeting notes recorded by Staff.