

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
ZONING WORKSHOP MEETING
APRIL 7, 2016

The Board of Supervisors of Upper Merion Township met for a Zoning Workshop meeting on Thursday, April 7, 2016 in the Township Building. The meeting was called to order at 5:48 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Greg Philips, Greg Waks, Bill Jenaway and Carole Kenney. Also present were: Dave Kraynik, Township Manager; Sally Slook, Assistant Township Manager; Joe McGrory, Township Solicitor; Rob Loeper, Township Planner; Kyle Brown, Associate Planner. Supervisor Spott was absent.

DISCUSSIONS:

BUSINESS AND INDUSTRIAL DISTRICTS

Mr. Rob Loeper, Township Planner, discussed a few modifications that were made in the Business and Industrial Districts since the last meeting.

Footnotes are now placed in the order as they appear in the use table. Most of the changes relate to footnote #3 dealing with nursing homes, continuing care retirement community and multi-family residential.

Multi-family residential buildings subject to the following requirements:

- The maximum residential density shall be 30 dwelling units per net developable acre
- One and two bedroom units must comprise at least 80% of the total residential units
- 50% of all units must provide outdoor balconies
- Requirements for long term and short term bicycle parking
- Laundry facilities shall be provided in each dwelling unit
- Additional amenities based on the number of dwelling units

No changes were made with regard to nursing homes and continuing care retirement communities.

Other changes include:

- Building height shall be a maximum of 75 feet.
- Roof-top mechanical equipment, including antennas, shall be visually and acoustically screened from view of both the public right-of-way and adjacent properties. Screening may be accomplished by using parapets, walls or roof elements. Such screening shall be integral to the architectural design of the building.

Mr. Loeper stated there is a provision for maximum building coverage, parking setback, landscape buffers, and parking at one space per bedroom for multi-family. In accordance with what was done for the SM-1 District at least one boundary would be located within 1,250 feet of a train station or a bus stop that serves two or more bus routes as discussed at the last meeting. In addition, the proposed development would provide adequate pedestrian connections.

Mrs. Kenney asked for clarification on multi-family residential and if that meant duplex or apartment buildings. Mr. Loeper responded multi-family would be apartments as a duplex would be considered single family.

Mr. Loeper stated if it is felt the 30 dwelling units per acre is too high it could be lowered. It was noted the maximum building height of 75 feet would probably allow a six-story building. Mr. Loeper said number could be lowered or limited to an absolute height and/or maximum number of floors. Mr. Loeper pointed out the only place it might get a little complicated would be in the newer buildings that have a podium with parking underneath and building on top. The issue would be how that would impact building height if parking went into the grade or at grade.

In response to Mr. Waks question, Mr. Loeper responded multi-family units would be permitted as a conditional use in the Administrative Office, the Office Industrial but not the pure Industrial. He said the LI and HI is being eliminated and there will be one industrial.

Mr. Jenaway questioned the language regarding setbacks for building height over 65 feet and Mr. Loeper indicated this would be clarified and reworded.

With regard to multi-family, Mr. Waks suggested taking a wait and see approach for a few months to see how the Mixed Use District and other areas develop.

A discussion ensued during which the suggestion was made to delete multi-family residential for the time being since it could always be placed back in at some point in the future. Mr. Philips suggested having "NP" for multi-family and in this way it does not have to be deleted and could just be changed in due course.

Mr. Loeper stated a great deal of time has been devoted to substance abuse facility and methadone treatment facility. With regard to methadone, there is a specific provision in the MPC indicating it that says that it shall not be established within 500 feet of an existing school, public playground, public park, residential housing area, child care facility, church, meeting house or other actual place of regularly stated religious worship established prior to the proposed use. Mr. Loeper questioned how that distance is measured and if it is building to building or measured from the outbound property. Mr. McGrory responded the MPC specifically has criteria for methadone clinics and it is measured from use to use. He pointed out the MPC specifically recognizes a methadone clinic as a single separate distinct use.

Utilizing the color-coded map, Mr. Loeper pointed out areas a methadone clinic could be permitted as a conditional use in the Industrial District. While both methadone and substance abuse treatment facility would be conditional uses, the methadone clinic would only be permitted in the Industrial while the substance abuse would be permitted in Administrative Office, Office Industrial and Commercial Industrial.

Mrs. Kenney asked if substance abuse could also be limited to the Industrial District. A discussion followed about the difference in use between substance abuse and methadone treatment facilities.

Mr. Jenaway asked if there is a dimensional requirement for the complex or site that has to be considered and, if so, look at what portions of existing zoning could accommodate that size of facility.

After a brief discussion it was determined that having a minimum lot of 5 acres for these uses would serve to limit the uses in this township. Mr. McGrory suggested picking the least intrusive place in the community for these uses. Mrs. Kenney reiterated also having NP for substance abuse treatment facility in the same areas as methadone so both uses match in criteria and are both permitted as conditional in Industrial. Mr. Jenaway commented going with a 5-acre minimum would provide an additional restriction. Mr. McGrory said with 5 acres there would be an assurance of some separation between adjacent land uses. Mr. Jenaway indicated that would become a bullet point under item 4 and 5 of the Table of Permitted Uses.

Mr. McGrory asked Mr. Loeper to look at the industrial parcels, add these criteria and identify at least two existing parcels. Mr. Loeper said there are a lot of very large parcels that meet the minimum 5 acres and questioned if anyone would buy a 70-acre parcel. Mr. McGrory responded it would qualify since 5 acres of the property could be carved out and the rest sold.

Mr. Loeper commented it is better to have the provision than rely on an interpretation. Mr. McGrory said to establish criteria as long as it is reasonable and there are two parcels that qualify.

Even though multi-family is being removed for the time being, a discussion followed about the benefit of having a secondary vehicle access for such developments with more than 50 residential units.

Mr. Waks stated he favors the secondary vehicle access and asked even though multi-family is being tabled for a while if there was a way to have this requirement for future rezoning of the industrial or administrative offices. Mr. McGrory responded this was researched in his office a couple of years ago and he will follow up on this question.

A discussion followed about certain uses that would benefit from multiple access points during which Mr. McGrory suggested rather than zoning putting it in SALDO and waive it when it is appropriate.

James Davis, Mancill Mill Road, asked for clarification that substance abuse treatment facility would be taken out of office, office industrial and commercial industrial and he was informed that it would only be permitted in industrial.

Mr. Loeper reviewed the Residential Office District for properties along the portion of South Gulph Road corridor where variances have been obtained over the years to convert to business type uses and are no longer appropriate for residential use. He provided some historical background on some of the issues associated with the evolution of this general area over the years.

Mr. Loeper indicated the draft ordinance was based on a model ordinance prepared by Montgomery County and one of the key elements of the model ordinance was to preserve the existing structure. It was noted that may not be the best approach since it is difficult to take a residential structure and convert it into a business.

Mr. Loeper stated staff looked at the lot sizes and based on the supervisors suggestions at the last meeting took everything opposite South Gulph Road out of the equation and only allowed the properties that are between South Gulph Road and the expressway. Staff also pulled back properties from the Brooks Triangle based on the supervisors suggestions.

Mr. Loeper mentioned that he spent some time with John Tallman and discussed possibly allowing people to consolidate and redevelop into a new building, possibly with an office use on the ground floor and residential use on top with parking in the rear. Because of the small parcels the question would be how to handle the parking.

Mr. Loeper noted in the original county version of the code another issue would be dealing with access management if it is necessary to obtain an easement from the neighbor.

A discussion followed during which the supervisors offered their comments about some of the properties along South Gulph Road, including the small homes across from the cemetery.

John Tallman, Vice Chair Zoning Hearing Board, offered his comments from a real estate perspective that ultimately this is becoming a situation of decline with structures that are functionally obsolete. Referring to the area from Weadley to the synagogue or the other way also, he said he envisions as an experiment a modern townhouse type of office or bagel shop on the first floor and residential on the second floor with a walkway in front. If it works it could be applied further down the road.

Mrs. Kenney asked how Mr. Tallman's idea is different from mixed use zoning in the business park. Mr. Loeper responded it is the same thing although the densities are very low. Mr. Philips commented it is still a mixed use concept.

Mrs. Kenney asked if there is a way to put this in zoning. Mr. McGrory responded he likes live/work units in zoning.

Mr. Waks suggested the supervisors individually walk the area around Shoemaker to get a better feel for the situation. Mr. Jenaway liked the idea and said it is possible everyone will come back with five different visions of what would work in that area.

Mr. Jenaway asked that this be placed back on the next zoning workshop agenda for further discussion.

ADJOURNMENT:

Without further comment from the Board and public, it was moved by Mr. Waks, seconded by Mr. Philips, all voting "Aye" to adjourn the zoning workshop meeting at 7:09 p.m.. None opposed. Motion approved 3-0

DAVID G. KRAYNIK
SECRETARY-TREASURER/
TOWNSHIP MANAGER

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Minutes Approved:

Minutes Entered: