

MAIN LINE TIMES

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LM planners move on O'Neill plan, City Ave.

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Two of the longest-running land-use decisions in Lower Merion are nearing the end of their multi-year journey, and this week the township's planning commission weighed in on both.

In a meeting that wrapped up after 12:30 a.m. Tuesday, the commission voted to make recommendations to the board of commissioners on a preliminary land-development plan for the O'Neill Properties Group's proposed 580-unit apartment complex on the Scheykill riverfront, and on ordinances related to City Avenue rezoning.

On the first matter, planners learned that a settlement agreement for the much-discussed riverfront project is "much further along than anything we've seen yet," according to township staff. While clearly signaling that they wished the much-improved plan could be even better, they voted 4-1 to recommend approval.

Co-chairman Robert Gray and members Charles Howland, Tony Vile and Mark Vitale voted in favor. Member Brian O'Leary cast the "no" vote. Co-chairman A'an Ritterband and member Brian Hirsch were absent.

With the City Avenue ordinances headed to public hearing April 24, the five members present voted unanimously to recommend approval. In a point-by-point review of proposed amendments to the massive rezoning the board of commissioners adopted last December, the planners in almost all instances opted for the less restrictive versions, where alternative language has been proposed.

In virtually all of those instances, that means they have rejected the stricter amendments sought by the Neighborhood Club of Bala Cynwyd.

No representative of the civic group was present at the time of the vote. Ellen Wertheimer, speaking for the civic group during a public-comment period earlier, had told the commission it could support the zoning ordinance with several amendments that are "important" to it.

Riverfront plan

The O'Neill Properties Group's plan for the former Connelly Container parcel at 600 Righters Ferry Road in Bala Cynwyd has been the subject of numerous discussions since December. That is when a settlement agreement on conditional-use approval for the new multi-family residential development was first floated. On a parallel track, O'Neill has been seeking approval of a preliminary plan that could finally move the project to construction.

Both have been bogged down while another player, Penn Realty Group, which owns parcels to the east of the O'Neill land, has pushed to be included in a three-party settlement with the township and O'Neill. Planning staff, meanwhile, have sought to resolve remaining issues of the preliminary plan.

On Monday night, Assistant Building and Planning Director Chris Lesswing said the township last Friday got a draft three-party agreement that seems very close to being mutually agreeable. The development-plan issues have also been narrowed to two, one involving how O'Neill would meet a requirement for plaza areas for the use of apartment residents, and the other how the developer would fulfill a requirement to provide recreational areas on site or pay an in-lieu fee.

A crucial issue until recently had been the ultimate parking ratio for the apartment complex. Last month, the board of commissioners indicated its preference to allow a reduced requirement while holding some spaces in reserve. With that direction, Lesswing said some more space on the tightly planned parcel was found for the plaza. That in turn allowed him to calculate how much of the recreation requirement has been met.

O'Neill attorney Marc Kaplin indicated his client still takes a different view on the recreation fee, which he intends to pursue with the board of commissioners. By Lesswing's calculations, the developer would still need to pay some \$570,000; Kaplin disputes those calculations and offered an alternative. He suggested the township could condemn a small parcel between the western boundary of the O'Neill property and a township-owned parcel that might someday link to a riverfront trail. O'Neill could cover the costs at considerably less than \$570,000 and meet the recreation requirement, he suggested.

For the planning commission's purposes, however, the recreation fee was still to be set, and Gray suggested that the preliminary plan was in a form that he was "comfortable" advancing to the board.

He and other members were open with their wishes that the development could include more green and open space. "The density of this project is the whole problem" and is driving a number of compromises, Vale commented. The answer to that, Howland remarked, is fewer apartments, a concession O'Neill has not been willing to make. For O'Leary, the lack of additional green space, particularly around the five proposed apartment buildings, was "disappointing" enough that he could not support the plan.

It was unclear when the next step would come. The preliminary plan was not on

the agenda for a Building and Planning Committee meeting Wednesday night, and any settlement agreement would have to be discussed at a meeting of the Legal Affairs Committee. At press time, no such meeting had been scheduled this month.

City Avenue rezoning

When the board of commissioners voted to adopt a rezoning ordinance permitting significantly greater density of development in the prime commercial corridor in December, it did so with the understanding there might be amendments.

Another item to be completed was creation of an Official Map, a planning tool that allows a municipality to indicate its priorities for location of new streets and amenities such as public gathering spaces and trails.

For that reason, the effective date of rezoning was delayed to April 30.

Over the past few months, the township has held more public workshops to flesh out amendments, a number of which were proposed by the Neighborhood Club of Bala Cynwyd to address impacts of development.

Some of these had to do with certain uses permitted in the new zoning districts, defined as indoor entertainment facilities, indoor family entertainment centers, and indoor recreational facilities. Neighbors in areas next to the commercial districts wanted a buffer from those uses, which they said might attract crowds.

While some of the con-

cerns about recreation facilities have been tempered, a major point of difference in alternative amendments has been whether a separation requirement should extend from residential uses in residentially zoned areas, or from any existing residential use at the time the ordinance goes into effect.

The latter, specifically, would cover existing condominiums (the 191 Building and the Corinthian), which sit on commercially zoned parcels. A separation requirement from those buildings would push the potential location for the entertainment and recreation facilities closest to City Avenue.

In their discussion, planning-commission members were of the same mind that the alternative including existing residential uses regardless of their zoning was too restrictive.

Another provision of the ordinance that has been fundamentally important to the Neighborhood Club and of concern to other area residents deals with the single most contentious issue in the City Avenue rezoning debate: the traffic impact of development.

Concerned that road improvements will not keep pace with development, even with the traffic-impact fee that the township has set, the civic association has looked for ways the problem could be addressed by other developer contributions.

A key part of the ordinance establishes density bonuses for certain amenities that developers could opt to provide, such

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as structured parking or transit facilities. The adopted ordinance sets one prerequisite for getting any other bonuses. That is providing new public gathering spaces.

The Neighborhood Club wants to add contributions to off-site traffic improvements as a second prerequisite.

Again Monday night, Terry Foley, executive director of the City Avenue Special Services District, told the commission the traffic improvements should be an option, not a mandate. "We don't want to send a message that we don't want to do business ... or to penalize smaller developers," he said. Planning-commission members tended to agree an

additional mandate was piling on. "There are a lot of incentives to do the right thing," Gray suggested. Another prerequisite "might be overreaching."

Among other amendments, the commission supported one that increases a setback along part of Belmont Avenue (along One Bala Plaza) to preserve a wooded buffer. That has been another key issue for the Neighborhood Club.

In exchange, under the amendment, the building-height limit farther back on the parcel would be raised from 120 to 150 feet, and potential density would be increased.

A public hearing on the City Avenue ordinances will be April 25 at 6 p.m. at the Township Building.