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Workshop: No consensus so far on City Avenue corridor

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With two months to go until new zoning could go into effect in the City Avenue corridor, neighbors and commercial property owners struggled again this week to find common ground on a few key issues.

There was less contention at a joint workshop with Lower Merion commissioners and members of the planning commission Monday night on creation of an Official Map for the area that would guide placement of new public amenities.

After adoption in December of a rezoning ordinance, the workshops are continuing with two focal points: first, to create the map as an additional planning tool, and second, to consider several remaining amendments sought by the primary civic association for the area, the Neighborhood Club of Bala Cynwyd.

The effective date of the ordinance was delayed to April 30 to allow that conversation to take place.

There was little forward movement on the amendments this week, however, except that representatives of the property owners are becoming more vocal with their concerns that any additional restrictions could tip the balance against redevelopment and revitalization of Lower Merion's prime commercial corridor.

The less troublesome part of the discussion was presentation of a revised draft of the Official Map. Building and Planning Director Bob Duncan said several changes have been made in response to public comments provided at a January workshop on the topic.

Changes primarily involve moving proposed sites for new public gathering spaces

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or parks and extending a proposed new multi-purpose trail network to connect with the Cynwyd Heritage Trail and a future Schuylkill riverfront trail.

At the same time, however, Duncan reported that township solicitor Gilbert High has cautioned that the enforceability of the map in future development may be significantly limited.

As provided in the Pennsylvania Municipalities Planning Code, adoption of an Official Map to show preferred placement for new streets, parks, trails and such amenities would allow Lower Merion Township one year to acquire a site, if a development plan differs from the map.

There has been a suggestion that compliance with the Official Map should become a prerequisite for developers to receive density bonuses. Duncan said the solicitor has warned that the township might not be able to enforce such an additional function of the map.

While at least one property representative suggested the map is adding to the clutter of restrictions, there was more general questioning of and objection to some of the proposed ordinance amendments.

These fall into two areas. First, there has been concern on neighbors' part that the definitions for some permitted uses are too vague, and that the ordinance needs to include buffer requirements to keep some uses at a distance from existing residences, including a couple of condominium buildings that are on commercially zoned parcels.

The latest proposed amendments would push certain uses, such as an indoor entertainment (think a movie theater) or family entertainment facility (a Chuck E. Cheese or Dave & Buster's) or an indoor recreation facility where alcohol is served (perhaps a bowling alley), closest to City Avenue.

Discussion again this week caused Rich Gottlieb of Keystone Property Group to wonder why exactly residents are so leery of such uses, which, in the proposed amendments, could include such relatively innocuous uses as fitness centers and indoor tennis courts.

While neighbors said the real concern is with facilities that could attract crowds, David Haas of the Neighborhood Club said the recreation definition in particular leaves the door open to many types of facilities.

There was some agreement that fitness centers or similar uses might be listed separately, without the same buffer requirements.

Where there remained a clear division is in the area of how traffic improvements will be provided, not only to deal with existing traffic congestion and falling intersections, but with new traffic from future development.

Still under consideration are provisions that will dictate at what point in the future a re-evaluation of traffic impact would be triggered. The amendments

include two trigger points, but property owners this week said the provisions may be too broad and too punitive, when the problems they are intended to address may not be directly related to a development proposal.

Even more of a concern, several said, is a proposal to require developers to make off-site traffic improvements or pay a fee-in-lieu to a traffic-improvement fund before they can use density incentives. The fee listed is \$1.65 per square foot of additional floor area constructed.

Last month, when the topic came up, Terry Foley, executive director of the City Avenue Special Services District, cautioned against making off-site traffic improvements a prerequisite without providing an incentive, in addition to a prerequisite in the adopted ordinance to provide public gathering spaces.

This month, Foley made the objection more explicit. "What we're doing here is counterproductive," he told the group, referring to a chart listing the various incentives. "We're lowering the incentives for things that we want and adding another [prerequisite]," he said, suggesting that developers may choose not to provide desired features because the cost of the prerequisites may be prohibitive.

"Every dollar costs," he said, while representatives of some of the property owners explained why too many requirements may stifle development.

"We're not saying that anything in and of itself kills development. We're saying everything added together makes development difficult," said Janet Giuliani, representing Tischman Speyer, owners of the One, Two and Three Bala Plaza parcels.

"You're layering on," agreed Jim Stevenson of Federal Realty Investment Trust, owners of the Bala Cynwyd Shopping Center. "You're asking developers to contribute to something that isn't going to increase the value of [their] property."

Giuliani gave some figures to back up her comment. Commercial rents in the City Avenue corridor are in the \$25- to \$30-per-square-foot range, she said, somewhat lower than in competitor Conshohocken. To provide such features as structured parking, one of the major density incentives, she estimated rents would have to be as high as \$45 per square foot.

David Haas of the Neighborhood Club said, however, that the civic association has proposed the contribution because public dollars for long-needed traffic improvements are going to be "more difficult than ever to get." In response to Stevenson, he pointed out that the development is "getting a benefit" from rezoning in the form of increased density.

It could also be a significant benefit to developers, Haas said it should be considered, if traffic flow in the corridor is improved, making it easier for employees, consumers and other visitors to get to their properties.

Duncan was asked to take another look at the incentives for an upcoming workshop.