

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
ZONING WORKSHOP MEETING
APRIL 4, 2024

The Board of Supervisors of Upper Merion Township met for a Zoning Workshop Meeting on Thursday, April 4, 2024, in the Township Building. The meeting was called to order at 6:28 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Bill Jenaway, Greg Waks, Greg Philips, Carole Kenney and Tina Garzillo. Also present were Anthony Hamaday, Township Manager, Amanda Lafty, Assistant Township Manager, Jarrett Lash, Township Planner, John Walko and Tyler Miller, Township Solicitor's Office.

CHAIRPERSON'S COMMENTS: None

DISCUSSIONS:

A. PARCELS WITH SPLIT ZONING DISTRICTS:

Jarrett Lash, Township Planner went over a few split zoning areas that the Township has been dealing with lately. The first one is off of South Gulph Road where there is a residential mixed-use area which is mostly AR but there is also R1 zoning at the front part of those parcels. The other parcel is by Heuser Park where the AG District slightly goes into the R1 backyards. Another plan that the Zoning Hearing Board thinks will be coming for review is for an area around Presbyterian Church and Nursery School on Prince Frederick and Town Center Roads. The Church is in R2 zoning and the School is in the Garden Apartment Zoning. Chairperson Garzillo asked Jarrett to explain that particular zoning.

Jarrett said Garden Apartment Zoning is a small multifamily complex with a maximum of 3 stories and has 100 ft. setback on all sides which acts as a buffer from the surrounding commercial activities. Upper Merion has three Garden Apartment Zoning areas, Kingwood Apartments, Henderson Square, Court 1 and 2, also Tanglewood Apartments. He did note that the Tanglewood Apartments do not have the required 100 ft. setback.

Another example he mentioned is at 1034 Mt. Pleasant Road where a builder wanted to put 4 semi-attached units there but that area is zoned R1. The Board would have to rezone the area to R3 but the Zoning Hearing Board struck that down.

Jarrett said there are a few split zoning areas in the Township which should be identified. By identifying the properties, they can figure out which ones are highly problematic so the Board can address accordingly or maybe they might be interested in making sure none of the parcels have split zoning. Jarrett also mentioned if the Township should adopt something into the Code that would not make it necessary for us to have to go parcel by parcel. They can just address the problematic parcels by advertising and then hold a public hearing for that particular parcel. For the parcels that don't raise a particular issue the Township can look at those split zoning areas and make them into the predominant zone, ex: if a parcel is 51% LI and 49% R1 and the builder wants LI usage then the zoning becomes a LI parcel and if they disagree then they would have to go to ZHB for a Use Variance for the other use on that parcel.

Chairperson Garzillo doesn't feel comfortable about deciding the zoning by the higher percentage and Mr. Walko, Township Solicitor said the Township has to decide soon to establish some type of Ordinance. Someone mentioned that they should audit all the parcels to see how many there are and what category they're in. Ms. Amanda Lafty asked if we can use Tracer to define the parcels. Jarrett said the Townships Zoning Map isn't on Tracer and has to be updated before they can load it into Tracer. Mr. Hamaday said they will have to pull Ordinances to see how the lines were drawn identifying a particular parcel.

Supervisor Waks mentioned that a parcel can be split having mixed-use but some mixed-use can be incompatible with each other. Also, the developer can double up on the mixed-use by calculating it a certain way which can cause problems. So, the Board has to define mixed-use, what can be with what or what's compatible, ex: residential with some commercial, but not residential with a warehouse next to it.

B. MURAL AMENDMENT:

Jarrett mentioned this is the third discussion at a Zoning Workshop about murals, where they should be permitted and what content can be permitted on it. Tonight's discussion focuses on deciding what size a mural should be. The Planning Commission wants to look at it as whole, not one project at a time and maybe allowing murals in certain areas only. They referenced the mural on Colonial Electric's wall, which faces Henderson Road, saying any mural that tastefully depicts the history, heritage or cultural events of the local area is encouraged. With that said, Jarrett asked the Board of Supervisors to think where else murals can be permitted or what other use may be permitted for murals in Upper Merion Township. Then he presented a sample scale model wall showing 9 different facades to choose from, 3 for each in different sizes, one in 25%, 33% and 50%. By playing around with the different sizes may help the Board visualize how it would look on the actual wall so they can decide on the parameters.

Chairperson Garzillo and Vice-chair Jenaway feel that the Board has to move forward in implementing a Mural Ordinance for the KOP Mall area soon due to the fact that Netflix is coming to the former Lord & Taylor building and they are requesting murals on their walls. Then they said they can work with maybe the BID later or create a subcommittee to figure out if and where other murals can be permitted in the Township. So, after a long discussion Jarrett said he has a lot of good suggestions to present to the Planning Commission about future murals but would like a decision on the percentage of how big a mural can be. The Board agreed that a mural can cover up to 33% of the wall façade and two walls can have a mural up to 33% coverage on each façade whether it wraps around or is totally separate.

Public Comments: None

ADJOURNMENT:

Board Action:

It was moved by Vice-Chair Jenaway, seconded by Supervisor Waks, all voting "Aye" to adjourn the meeting. None opposed. Motion passed 5-0. Adjournment occurred at 7:40 pm.



ANTHONY HAMADAY
TOWNSHIP MANAGER

lr
Minutes Approved:
Minutes Entered:

