

AGENDA

AMBLER BOROUGH PLANNING COMMISSION

- I. CALL TO ORDER** **October 25, 2022 (7:00 PM)**
- II. ROLL CALL**
- III. APPROVAL OF: September 27, 2022 Minutes**
- IV. NEW BUSINESS:**
1. Review the Transit-Oriented Development Ordinance Amendment draft
 2. Review the 9 N. Maple Street Preliminary Plan Application proposing a 92 residential unit five story building with associated parking – Ambler Lakeview Development LP
- V. OLD BUSINESS:**
1. Montgomery County Planner is putting together the final draft for the Park System incorporating the recommendations submitted to Borough Council in September
 2. Borough Sign Ordinance amendment regarding architectural elements and other inconsistencies under review.
- VI. ADJOURNMENT**

**BOROUGH COUNCIL
BOROUGH OF AMBLER**

MONTGOMERY COUNTY, PENNSYLVANIA

PROPOSED ORDINANCE NO. _____

"Transit-Oriented Development Ordinance Amendment"

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF AMBLER, CHAPTER 27 (ZONING), PART 2 (DEFINITIONS), SECTION 27-202 (DEFINITION OF TERMS) IN ORDER TO ADD THE NEW DEFINITION OF "TOD EFFECTIVE TRACT AREA"; AND FURTHER AMENDING CHAPTER 27 (ZONING), PART 27 ("RO" REDEVELOPMENT OVERLAY DISTRICT), SECTION 27-2703 (USE REGULATIONS), PARAGRAPH "E" (TOD TRANSIT-ORIENTED DEVELOPMENT), SUBPARAGRAPH (4) (CONDITIONAL USE STANDARDS), SUB-SUBPARAGRAPHS (a)1) TO PERMIT TOD DEVELOPMENT ON TRACTS WITH UNDERLYING "RSC" ZONING, AND PERMITTING REDUCTION OF THE RAIL FRONTAGE REQUIREMENT TO 750 FEET FOR TRACTS WITH AT LEAST 450 FEET OF FRONTAGE ON A PUBLIC ROAD PROVIDED SUCH TOD APPLICANT AGREES IN WRITING TO UNDERTAKE THE PERMANENT MAINTENANCE OF A PORTION OF A NATURE, WILDLIFE OR SIMILAR PRESERVE WHICH PRESERVE IS ITSELF LOCATED WITHIN 500 (FIVE HUNDRED) FEET OF THE PROPOSED TOD DEVELOPMENT ; AND FURTHER AMENDING SUBPARAGRAPH (a)2) TO ESTABLISH A MINIMUM TOD EFFECTIVE TRACT AREA OF TWO ACRES WHERE CERTAIN CONDITIONS ARE MET; AND FURTHER AMENDING SUBPARAGRAPH (b)1) TO LIMIT TOD DEVELOPMENTS WITH UNDERLYING "RSC" ZONING TO A MAXIMUM DENSITY OF 50 DWELLING UNITS PER ACRE OF TOD EFFECTIVE TRACT AREA SUBJECT TO CERTAIN CONDITIONS; AND FURTHER AMENDING SUBPARAGRAPH (b)4) TO LIMIT THE LENGTH OF MULTI-FAMILY BUILDINGS IN TOD DEVELOPMENTS TO 375 FEET IN LENGTH; AND FURTHER AMENDING SUB-SUBPARAGRAPH (h) TO ADD NEW SUBPARAGRAPH 4) TO PROVIDE AN EXCEPTION FROM THE PLAZA REQUIREMENTS FOR TOD DEVELOPMENTS LOCATED WITHIN 500 (FIVE HUNDRED) FEET OF A WILDLIFE, NATURE OR SIMILAR PRESERVE WHERE THE APPLICANT HAS AGREED IN WRITING TO UNDERTAKE SUCH MAINTENANCE RESPONSIBILITIES AS ARE MUTUALLY AGREED UPON BETWEEN THE APPLICANT AND THE OWNER OF THE PRESERVE.

The Borough Council of the Borough of Ambler does hereby **ENACT** and **ORDAIN**:

SECTION I. – Amendment to Code

The Code of the Borough of Ambler, Chapter 27 (Zoning), Part 2 (Definitions), Section 27-202 (Definition of Terms) is hereby amended to add the following new term:

TOD EFFECTIVE TRACT AREA – The aggregate Net Lot Area of the parcels involved in a Transit-Oriented Development including any land subdivided off an adjoining parcel and merged in ownership with the proposed TOD Development or land immediately adjacent to the TOD Parcel on which the TOD Applicant benefits from a recorded, perpetual, irrevocable easement for use and access as permitted by the Borough.

SECTION II. - Amendment to Code

The Code of the Borough of Ambler, Chapter 27 (Zoning), Section 27-2703 (Use Regulations), Paragraph “A” (Parking Garage/Structure), Subparagraph (1) (Dimensional Regulations) is hereby amended to add the following new Sub-subparagraph (e):

- (e) Setbacks. Joint use with other principal use in same structure: Setback applicable to other principal use.

SECTION III. - Amendment to Code

The Code of the Borough of Ambler, Chapter 27 (Zoning), Section 27-2703 (Use Regulations), Paragraph “E” (TOD Transit-Oriented Development), Subparagraph (4) (Conditional Use Standards), Sub-subparagraph (a)1) is hereby repealed in its entirety and replaced with the following new subparagraph (a)1):

- 1) A tract proposed for TOD development must be zoned “OC” or “RSC”; and must be located within 675 feet of an active of proposed commuter rail station (and/or support parking lot for such station); and must have a minimum of 1,250 feet of frontage on an active, passenger rail line. The 675 foot requirement (for proximity to a commuter rail station) shall be measured from the nearest property line of the TOD to the nearest property line of the commuter rail station or supporting parking lot property.
 - a. Transportation oriented development shall also be permitted in the Industrial Zoning District for parcels fronting on both an active passenger rail line and a public street.

- b. The frontage requirement on an active passenger rail line shall be reduced from 1,250 feet to 750 feet if the tract proposed for a transportation-oriented development has frontage on a public street of at least 450 feet and the TOD Applicant has agreed in writing to be responsible for the permanent maintenance of a portion of a nature, wildlife or similar preserve which preserve is itself located within 500 (five hundred) feet of the proposed TOD Development.

SECTION IV. – Amendment to Code

The Code of the Borough of Ambler, Chapter 27 (Zoning), Section 27-2703 (Use Regulations), Paragraph “E” (TOD Transit-Oriented Development), Subparagraph (4) (Conditional Use Standards), Sub-subparagraph (a)2 is hereby deleted in its entirety and replaced with the following new Sub-subparagraph (a)2):

- 2) Minimum Lot Area: eight acres. The minimum lot area requirement may be reduced to two acres of TOD Effective Tract Area if: (1) no less than one and a half acres is located in the Borough; (2) the tract proposed for the transportation oriented development has at least 450 feet of frontage on a public street; (3) no development bonus permitted by Section 27-2704 is applied to the TOD; and (4) the Applicant has agreed in writing to be permanently responsible for the maintenance of a portion of a nature, wildlife or other similar preserve which preserve is itself located within 500 feet of the TOD property.

SECTION V. – Amendment to Code

The Code of the Borough of Ambler, Chapter 27 (Zoning), Section 27-2703 (Use Regulations), Paragraph “E” (TOD Transit-Oriented Development), Subparagraph (4) (Conditional Use Standards), Sub-subparagraph (b)1) is hereby repealed in its entirety and replaced with the following new Sub-subparagraph (b)1):

- 1) The maximum residential density for a TOD development shall not be more than 35 dwelling units per gross tract acre, except that tracts zoned “RSC” shall be permitted to have TOD developments with a maximum residential density of 50 dwelling units per gross TOD Effective Tract Area acre provided the TOD Applicant has agreed in writing to be permanently responsible for the maintenance of a portion of a nature, wildlife, or similar preserve which preserve is itself located within 500 (five hundred) feet of the proposed TOD Development.

SECTION VI. – Amendment to Code

The Code of the Borough of Ambler, Chapter 27 (Zoning), Section 27-2703 (Use Regulations), Paragraph “E” (TOD Transit-Oriented Development), Subparagraph (4) (Conditional Use Standards), Sub-subparagraph (b)4 is hereby repealed in its entirety and replaced with the following new Sub-subparagraph (b)4):

- 4) The maximum length of any building used exclusively for multi-family residential use (excluding mixed-use buildings), shall be 375 feet.

SECTION VII. – Amendment to Code

The Code of the Borough of Ambler, Chapter 27 (Zoning), Section 27-2703 (Use Regulations), Paragraph “E” (TOD Transit-Oriented Development), Subparagraph (4) (Conditional Use Standards), Sub-subparagraph (h) is hereby amended to add a new Sub-subparagraph 4) as follows:

- 4) The green space and village green/plaza requirements for a TOD development solely containing multi-family residential dwellings shall be eliminated if: (a) the transportation oriented development contains a minimum of 20% green area throughout the site; and (b) the TOD development is located within 500 (five hundred) feet of a nature, wildlife or other similar preserve, where the applicant has agreed to undertake such permanent maintenance responsibilities as are mutually agreed upon in writing between the applicant and the owner of the preserve.

SECTION VIII. - Severability

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Borough that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION IX. - Failure to Enforce not a Waiver

The failure of the Borough to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

SECTION X. - Effective Date

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION XI. - Repealer

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED AND ENACTED by the Borough of Ambler, Montgomery County, Pennsylvania, this _____ day of _____, 2022.

BOROUGH OF AMBLER

By: _____
Frank DeRuosi, President of Council

Attest: _____
Mary Aversa, Manager

APPROVED: _____
Jeanne Sorg, Mayor

PROPOSED PUBLIC NOTICE

NOTICE is hereby given that the Borough Council of the Borough of Ambler, at its public meeting on _____, 2022 at Borough Hall, 131 Rosemary Avenue, Ambler, Pennsylvania 19002, will hold a public hearing on and could vote to adopt an ordinance entitled "Transit-Oriented Development Ordinance Amendment" amending the Code of the Borough of Ambler, Chapter 27 (Zoning), Part 2 (Definitions), Section 27-202 (Definition of Terms) in order to add the new definition of "TOD Effective Tract Area"; and further amending Chapter 27 (Zoning), Part 27 ("RO" Redevelopment Overlay District), Section 27-2703 (Use Regulations), Paragraph "E" (TOD Transit-Oriented Development), Subparagraph (4) (Conditional Use Standards), Sub-subparagraphs (a)1) to permit TOD development on tracts with underlying "RSC" zoning, including reduction of the rail frontage requirement for tracts with 450 feet of frontage on a public road, provided the TOD Applicant has agreed in writing to undertake the permanent maintenance of a portion of a nature, wildlife or similar preserve which preserve is itself is located within 500 (five hundred) feet of the proposed TOD Development; and further amending Sub-subparagraph (a)2) to establish a minimum TOD effective tract area of two acres where certain conditions are met; and further amending Sub-subparagraph (b)1) to limit TOD developments with underlying "RSC" zoning to a maximum density of 50 dwelling units per acre of TOD effective tract area subject to certain conditions; and further amending Sub-subparagraph (b)4) to limit the length of multi-family buildings in TOD developments to 375 feet; and further amending Sub-subparagraph (h) to add a new Sub-subparagraph 4) to provide an exception from the plaza requirements for TOD developments located within 500 (five hundred) feet of a wildlife, nature or similar preserve, where the applicant has agreed to undertake such maintenance responsibilities within the preserve as are mutually agreed upon in writing between the applicant and the owner of the preserve.

Copies of the full text of the proposed ordinance are available for examination during normal business hours at the Offices of Montgomery News, 290 Commerce Drive, Fort Washington, Pennsylvania 19034, the Montgomery County Law Library, Court House, Norristown, Pennsylvania 19401, and Ambler Borough Hall, 131 Rosemary Avenue, Ambler, Pennsylvania 19002 where a copy of the proposed ordinance may be obtained for a charge not greater than the cost thereof.

APPLICATION FOR SUBDIVISION &
LAND DEVELOPMENT REVIEW
BOROUGH OF AMBLER
131 Rosemary Avenue
Ambler, PA 19002
(215) 646-1000
FAX (215) 641-1355



Development Name: The Ambler

Site Location: 9 N. Maple Avenue

Legal Property Owner Name: Ambler Lakeview Development, L.P.

Address: 201 S. Maple Ave., Suite 100, Ambler PA 19002

Phone: 484-532-7830

Fax: 484-532-7833

E-Mail Address: jzaharchuk@summitrealtyadvisors.com

Contact Person (to whom all correspondence will be sent):

Name: John Zaharchuk

Address: 201 S. Maple Avenue, Suite 100, Ambler PA 19002

Phone: 484-532-7830

Fax: 484-532-7833

E-Mail Address: jzaharchuk@summitrealtyadvisors.com

Interest of applicant is: (X)Owner ()Equitable Owner ()Other-explain

Zoning Information:

District RSC

Tax Parcel Number 01-00-02938-40-9

Block 47 Unit 8

Permitted Density 67 untis

Total Area 2.669 AC.

Type of Review Requested:

☐ Subdivision Plan ☒ Land Development ☐ Conditional Use ☒ Amendment

Type of Plan:

☐ Sketch ☒ Preliminary ☐ Final

Type of Submission:

☒ New Proposal ☐ Revised Prior Submission

Statement of Intent: To prepare a text amendment, zoning overlay or new zoning district to permit our proposed use.

Land Use/Proposed Number of Lots/Units Intended Use(s):

<input checked="" type="checkbox"/> Residential	92 Units	Apartments
<input type="checkbox"/> Commercial	_____	_____
<input type="checkbox"/> Industrial	_____	_____
<input type="checkbox"/> Office	_____	_____
<input type="checkbox"/> Other	_____	_____

Please complete the following items which are applicable to your project:

Attorney's Name: James Garrity, Esq. (Wisler Pearlstine, LLP)

Address: 460 Norristown Rd., Suite 110, Blue Bell PA 19422

Phone: 610-825-8400 **Fax:** 610-828-4887

E-Mail: jgarrity@wispearl.com

Engineer's Name: Bill Rearden, P.E. (Bohler)

Address: 1600 Manor Dr., Chalfont PA 18914

Phone: 215-996-9100 x2119 **Fax:**

E-Mail: wrearden@bohlereng.com

I certify that the plans submitted comply with the requirements of Chapter 22 of the Ambler Borough Code of Ordinances.

Plan submitted by: John Zaharchuk

Applicant's Signature: 

Application Fee: \$ _____ ☐ Attached ☒ Under separate cover

Escrow Amount: \$ _____ ☐ Attached ☒ Under separate cover

Ambler Borough Fee Schedule (non-refundable)
Checks should be made payable to "Ambler Borough"

RESIDENTIAL SUBDIVISION/LAND DEVELOPMENT: Application Fee

Preliminary Plans	\$150.00 plus \$20.00 per unit/lot or each additional 1,000 S.F.
Final Plans	\$150.00 plus \$20.00 per unit/lot or each additional 1,000 S.F.

NON-RESIDENTIAL SUBDIVISION/LAND DEVELOPMENT: Application Fee

Preliminary Plans	\$150.00 plus \$20.00 per unit/lot or each additional 1,000 S.F.
Final Plans	\$150.00 plus \$20.00 per unit/lot or each additional 1,000 S.F.

ESCROW FUND: Established based on the following calculations

Minor Subdivisions/Land Development (4 lots or fewer)	AT COST
Major Subdivisions/Land Development (5 lots or greater)	AT COST

CONDITIONAL USE HEARING (Council):

Residential \$500.00; Non-Residential \$1000.00 plus costs.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

October 18, 2022

File No. 2021-03028

Mary Aversa, Manager
Ambler Borough
131 Rosemary Avenue
Ambler, PA 19002-4476

Reference: Preliminary/Final Land Development
Residential Apartment Building - Ambler Lakeview Development, L.P.
9 N. Maple Avenue, Ambler Borough and 5 N. Maple, Upper Dublin Township
Tax Parcel #01-00-02938-40-9; Tax Parcel #01-00-02938-00-4

Dear Mary:

As requested, Gilmore & Associates, Inc. has reviewed the information below regarding the preliminary/final land development plan application referenced above.

- A. Preliminary/Final Land Development Plans (26 sheets), prepared for Amber Lakeview Development, L.P. by Bohler Engineering, dated March 3, 2022.
- B. Stormwater Management Calculations, prepared by Bohler Engineering, dated March 1, 2022.
- C. Traffic Impact Study, prepared by Traffic Planning and Design, Inc., dated March 10, 2022.
- D. Will Serve Letter, prepared by Ambler Borough Water Department, dated March 2, 2022.
- E. Proposed Transit-Oriented Development Ordinance Amendment (02555823v2)

The proposed development is located at 9 N. Maple Avenue in Ambler Borough and 5 N. Maple Avenue in Upper Dublin. The area of the project within Ambler (1.554 acres) is within the RSC Retail and Service Commercial District with the RO Redevelopment Overlay District. Portions of the site are also within the Floodplain Conservation District. The existing parcels comprise a 2.16-acre TOD Effective Area and are vacant. The Applicant, Ambler Lakeview Development, LP, proposes a 5-story 92-unit apartment building. The first floor will be parking and floors 2-5 will be the residential units. The portion within Upper Dublin Township (0.606 acres) is proposed as parking only and would be subject to Upper Dublin's ordinances and land development review and approval.

A Zoning Ordinance text amendment is under consideration by Ambler Borough Council. The amendment is regarding the transit-oriented development (TOD) use in the RO Redevelopment Overlay District (Chapter 27, Part 27). Our review of this application assumes the text amendment will be adopted. If the amendment is not adopted, there may be additional aspects of the plan that are not consistent with the current Ambler Zoning Ordinance. These inconsistencies, with the current Ambler Zoning Ordinance, are not identified in this review.

Zoning Comments

- 1. §27-413 & §27-2703.E(3) & (4) – The TOD use is permitted within the RO Redevelopment Overlay District in RSC Retail and Service Commercial District zoned areas by conditional use.
- 2. §27-1906.E, F, G, I, & J – A special exception is required to permit several proposed uses within the Floodplain Conservation District: sanitary or storm sewers and impoundment basins, driveways, grading or regrading of lands, and fences.
- 3. §27-1907.1 – A special exception is required to permit portions of proposed retaining walls with the Floodplain Conservation District.

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

Gilmore & Associates, Inc.
Building on a Foundation of Excellence
www.gilmore-assoc.com

4. §27-2104 & §27-2705.F(5) – The northern most parking area is located on an adjoining lot (Parcel A). It is not clear if this lot will be merged with the lot where the primary use is located. This parking area appears to be within an easement for parking. We defer to the Borough Code Officer to determine if these parking spaces are considered off-site facilities subject to the requirements of these sections. A copy of the easement for ingress, egress, & parking on Parcel A shall be provided for review by the Borough.
5. §27-2703.E(4)(a)2 & (h) & §27-402 – Given the proposed TOD Effective Tract Area of less than 8 acres and greater than 2 acres and that no green space is provide on the proposed lot, the applicant shall agree in writing, to the satisfaction of the Borough Solicitor, to be permanently responsible for the maintenance of a portion of a nature, wildlife, or other similar preserve located within 500 feet of the TOD property.
6. §27-2703.E(4)(a)1 & 2 – We recommend that the applicant provide exhibits demonstrating compliance with the various conditional use standards regarding the location of the proposed TOD in relation to other uses in the Borough (e.g. train station, nature preserve, ROW frontage, etc.)
7. §27-2703.E(4)(a)5 & §27-2705.A – The development will be required to be serviced by public water and sewer. The applicant should confirm sewer service is available. Documentation regarding availability of water service has been provided.
8. §27-2703.E(4)(a)7 – TOD development shall be designed to be compatible in use with the existing Borough development and in its residential and nonresidential components in terms of architecture, building materials, massing, and scale. We defer to Borough Council to determine its compatibility.
9. §27-2703.E(4)(b)6 & 7 & §27-2703.E(4)(c) – These sections are regarding architectural elements of the buildings. The Applicant supplied three architectural renderings of the building with the sketch plan submission. We defer to Borough Council to determine if the renderings are sufficient.
10. §27-2703.E(4)(d) & §27-2705.M – Pedestrian and TOD elements. New curb and sidewalk are proposed along the building frontage (Parcel B). We recommend that new curb and sidewalk be provided on Parcel A (North & South) as well. Ideally, a continuous pedestrian route should be provided from the proposed TOD to the SEPTA station on the south side of Butler Avenue.
11. §27-2703.E(4)(e) – It appears that the number of parking spaces proposed (139) is compliant with the requirement (1.5 space per DU). Several covered parking spaces appear to be constrained by walls and/or pillars. Circulation plans shall be provided documenting vehicles can navigated the parking spaces.
12. §27-2705.F(3) – Off-Street Parking and Loading. The Applicant proposes 1.5 parking spaces per dwelling unit per the TOD requirements. The application does not include a mixed use. We defer to the Borough regarding the need for a parking needs analysis.
13. §27-2705.H – The applicant should demonstrate that the proposed trash facilities will be adequate to service the proposed number of dwelling units.
14. §27-2705.I – Signs. All signage shall meet the requirements of Part 20 of Zoning. We defer review and approval by the Borough.

Subdivision and Land Development Comments

15. §22-305.2.D – Each sheet shall be consecutively numbered to show its relation to the total number of sheets (e.g. 1 of 25). The plans have "X of X" in the title block.
16. §22-305.4.A.(1-8) – Existing and proposed features are to be shown on the plans within 400 feet of any part of the land being developed.
17. §22-305.4.B.(2) – North Maple Avenue. The street width shall be dimensioned on the plans. The physical width of the right-of-way shall be dimensioned on the plans.
18. §22-305.4.B.(7) – The location of the Flood Hazard Area (FHA) is shown on the plans is based on the existing retaining wall that will be removed. A revised boundary based on the proposed grading and building location shall be shown to ensure the proposed building is outside the FHA area.
19. §22-305.6.B – The applicant shall provide the base flood elevation of the floodplain on the plans.
20. §22-306.A.(2)(e) – The applicant shall indicate on the plans that any future development of Parcel A must conform to existing zoning regulations and that such activity will be carried out in a logical and satisfactory manner.

21. 22-307.1.D – The applicant shall include the number of bedrooms per dwelling unit.
22. §22A-101.B(1) - The pavement cross section detail on C-302 shall be made consistent with local/residential road standards of this section.
23. 22A-102.A – Label all curb radii. Provide turning analyses for fire, trash, and moving trucks accessing the site. Increase radii as needed.
24. 22A-113.1 – Monuments must be placed at all corners of the property and changes in direction of property line.

Stormwater Management Comments

25. §26-428 – The applicant proposes redevelopment of an existing site and is therefore exempt from stream bank erosion requirements per Table 26-406.1.
26. §26-429.A – Design storm rainfall depths shall be per those in Table A-1 (Appendix A to Chapter 26).
27. §26-429.D.2 - The applicant proposed a 20% reduction in impervious cover in the post-development conditions and is therefore exempt from peak rate controls per this section.
28. §26-431.2.A.(9) – A 15-foot wide access easement is required around all stormwater BMPs that provided ingress to and egress from a public right-of-way for the Borough.
29. §26-431.2.D – A statement, signed by the landowner, acknowledging that the stormwater BMPs are fixtures that can be altered or removed only after approval by the Borough of Ambler must be added to the plans.
30. §26-438 – The applicant shall enter into an O&M agreement for privately owned stormwater facilities to the satisfaction of the Borough Solicitor.
31. §26-441 – Show the roof drains on the plans. These should discharge to the BMPs at the building corners.
32. The applicant shall include pipe calculations.
33. The boundary line between the drainage areas for Rain Garden #3 and Rain Garden #4 is not running along the high point ridge created by the proposed grading. Revise Sheet C-612 and the stormwater calculations accordingly.

General Comments

34. Given the previous uses on this site, and in this area of the Borough, the Applicant should perform Environmental Site Assessments if material will need to be removed from the site.
35. It is the applicant's responsibility to verify the property meets residential health standards.
36. PennDOT compliant curb ramps shall be provided on N. Maple at both driveways.
37. Design and details for the retaining wall in Rain Garden #3, including any required guards per IBC Section 1015, are required for review and approval by the Borough prior to construction. If these will not be provided during the land development application review process, a note shall be added to the plans stating that these will be provided to the Borough for review and approval prior to construction.
38. Spot elevation grades shall be shown around the accessible parking spaces to ensure compliance with accessibility requirements.
39. A manhole shall be provided where the proposed storm sewer connects to the existing sewer near the south driveway. A proposed manhole is noted on the profile but shall also be depicted on the plan. A doghouse manhole may be appropriate at this location.
40. Label Parcel B on the plans.
41. Due to anticipated construction vehicle traffic, we recommend that the applicant include mill and overlay of Maple Avenue in the scope of this project.
42. Detectable warning surfaces in the ROW shall be the wet-wet replaceable type.
43. The applicant shall provide documentation that Upper Dublin has approved the proposed parking area on Parcel A.
44. The Applicant should obtain all required approvals, permits, declarations of restrictions and covenants, etc. (e.g., PADEP, PennDOT, MCPC, Montgomery County Conservation District, Fire Marshal, etc.). Copies of these approvals and permits should be submitted to the Borough and our office.

If you have any questions regarding the above, please contact this office.

Sincerely,



James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.

JPD/si

cc: Glenn Kucher, Code Enforcement Officer – Ambler Borough
Joe Bresnan, Esq. - Solicitor
John Zaharchuk - Ambler Lakeview Development, LP Owner/Applicant
James Garrity, Esq. – Wisler Pearlstine, LLP
Lindsey Breylinger – Bohler Engineering PA, LLC
Damon Drummond, P.E. – Gilmore & Associates, Inc.

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR
KENNETH E. LAWRENCE, JR., VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
NORRISTOWN, PA 19404-0311
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WWW.MONTCOPA.ORG

SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

October 11, 2022

Glenn Kucher, Zoning Officer & Planning Coordinator
Ambler Borough
131 Rosemary Avenue
Ambler, PA 19002

Re: MCPC #21-0200-002
Plan Name: The Ambler
(2 lots comprising 2.67 acres)
Situates: 9 North Maple Avenue
Ambler Borough

Dear Mr. Kucher:

We have reviewed the above-referenced land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on September 13, 2022. We forward this letter as a report of our review. We previously reviewed a sketch plan of this proposal on July 22, 2021.

BACKGROUND

The Applicant, Ambler Lakeview Development LP, proposes to develop a new five-story residential building containing 92 dwelling units on vacant land that was a former industrial site. Two parcels are involved in the development, both of which have frontage on North Maple Avenue on one side and the SEPTA regional rail tracks on the other side.

The primary parcel proposed for development (labeled "Parcel B" on the plan set; parcel ID # 01-00-02938-40-9) is 1.55 acres and proposed to contain a new building with 52 motor vehicle parking spaces on the first level and 92 residential dwelling units on floors 2 through 5. The first floor is also proposed to have a mail room, lounge, leasing office, bicycle parking room, trash room, mechanical area, and storage space. This parcel is also proposed to contain an outdoor parking area located between the building and the train tracks. The parking areas include ADA spaces and electric vehicle charging spaces.

The second parcel involved is located in three municipalities. Labeled Parcel A on the plan set (parcel ID # 01-00-02938-00-4), this 2.36 acre parcel is proposed to contain a parking lot, driveway trash enclosure, and curbing. The portions proposed for development are located within Ambler Borough and Upper Dublin Township. There is a small portion also located within Whitpain Township on which no development is proposed.



The development is proposed to have two driveways on North Maple Avenue – one on each side of the building. The proposed parking areas inside and outside of the building provide a total of 139 parking space. The total proposed area of disturbance is 2.24 acres.

Although portions of both parcels are located within a flood hazard zone, the location of the building itself is outside the flood hazard area. The applicant is seeking two Special Exceptions from Zoning Ordinance provisions in Chapter 27, Part 19: the Floodplain Conservation District.

The portions of the parcels in Ambler Borough are located within the RSC – Retail & Service Commercial Zoning District and within the RO – Redevelopment Overlay District Zoning. The applicant proposes a zoning text amendment that would allow transit-oriented development, a use already defined in the borough's zoning ordinance, to be permitted on this parcel. A few other accompanying zoning changes are proposed.

COMPREHENSIVE PLAN COMPLIANCE

This proposal is generally consistent with the goals of Montgomery County's Comprehensive Plan, *Montco 2040: A Shared Vision* (2015). This plan furthers the goals to 1) improve transportation options for county residents and workers and 2) support housing choices and opportunities to meet the needs of all people and 3) encourage development and transformative investment where infrastructure already exists. Although *Montco 2040* recommends limiting development in or near the floodplain, the one exception is for brownfield sites in redevelopment areas. This site in Ambler fits that description, thus this proposal is consistent with the county's goals for flood prone areas as well.

This proposal supports the vision from Ambler Borough's Comprehensive Plan Update (2013), including the redevelopment of underutilized industrial sites, the development of new housing, and transit-oriented development.

Both the county and the borough's comprehensive plans support new pedestrian infrastructure. Although some new sidewalks are proposed, this proposal could be stronger in its support of improving the pedestrian network.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal, however, in the course of our review we have identified the following issues that the applicant and Ambler Borough may wish to consider prior to final plan approval. Our comments are as follows:

REVIEW COMMENTS

PEDESTRIAN INFRASTRUCTURE

- A. Maple Avenue Property Frontages. The plan set indicates that the applicant proposes to add sidewalk along the Maple Avenue frontage of Parcel B, the parcel where the building is proposed. We strongly recommend that the applicant be required to complete the sidewalk along all frontages of both parcels with Maple Avenue.

- B. Maple Avenue Adjacent Properties. Although an applicant cannot generally be compelled to complete off-site improvements, we suggest that the transit-oriented development (TOD) use is only appropriate where pedestrian infrastructure is complete and good quality between the development and the train station. We do not recommend approval of this plan or the granting of the conditional use for the TOD use without complete pedestrian infrastructure to the train station. We do not believe that a high density TOD use such as this one is appropriate without sidewalks along the full east side of North Maple Avenue within Ambler Borough.
- C. Internal Parking Lot Circulation. We suggest that the applicant add a few more internal pedestrian connections within the site. We encourage the applicant to consider:
1. a pedestrian pathway (sidewalks plus crosswalks as needed) from the parking lot on Parcel A to the street,
 2. a pedestrian pathway (sidewalks plus crosswalks as needed) from the parking lot on Parcel A to the building,
 3. crosswalks across the driveway entrances to the site, and
 4. crosswalks across the driveway entrances to the first floor parking areas in the building.
- D. Crossing Maple Avenue to Wissahickon Waterfowl Preserve. The proposed development site is across the street from the Wissahickon Waterfowl Preserve, managed by Wissahickon Trails, a non-profit organization. The Preserve includes a short walking trail and a bench, and will be a beautiful amenity for residents of this development. We recommend that the applicant work with the borough to create a crosswalk that connects across Maple Avenue to one of the trail entrances on the preserve.
- E. Intent of Zoning Districts and Uses. We note that the RSC Zoning District, the Redevelopment Overlay District, and the TOD Use all discuss the importance of a pedestrian environment, pedestrian orientation of buildings, a pedestrian system, connections to pedestrian destinations, etc. We feel that prioritizing excellent pedestrian infrastructure and circulation is key to making applicant's proposal successful and is required in order to align with the intent of the borough's zoning ordinance.

PLAN SUBMISSION

- A. Parcel and subdivision clarity. The applicant's submitted plan set does not show the entirety of both parcels and is lacking clarity as to whether the two parcels are proposed to be merged into one as part of this proposal. We suggest that the applicant may need to join the parcels in order to comply with zoning in the municipalities. If Parcel A remains as a separate parcel, its principal use will be as a parking lot, which may not be a permitted use in the relevant zoning districts in all three municipalities.
- B. Submission to additional municipalities. We believe that this proposal needs to be submitted to Upper Dublin Township for their review and approval. We suggest the applicant consult with their solicitor as to whether Whitpain Township needs to review and approve this plan set as well.
- C. Redevelopment Overlay Additional Requirements. The TOD use requires some additional submission requirements for the TOD use. Although these are required to be submitted at the tentative sketch plan phase, we suggest that the applicant submit any of these that have been updated or were not previously submitted:

1. Conceptual architectural plans and architectural design (required by §27-2705.N,1.b and §27-2705.N.3.c in compliance with 27-2703.E.4.c.
2. Pedestrian circulation system linking the site to parks, transit facilities, and the remainder of the borough (§27-2705.N.3.a).

ZONING AMENDMENTS

- A. Maintenance of Nature Preserve. At several points in the proposed ordinance amendments the applicant references different requirements for applicants who have agreed to be responsible for the permanent maintenance of a nearby nature preserve. We do not generally recommend language such as this in zoning ordinances, though it may be appropriate in some cases. If the applicant and the borough plan to pursue this requirement, we suggest the applicant submit the agreement for maintenance prior to preliminary plan approval and zoning amendment adoption.
- B. Green Space. The intent of the requirement for green space in the borough's existing zoning ordinance appears in part to be about usable area for residents such as recreation activity area, plazas, seating areas such as a gazebo, landscaping such as a garden, etc. Although some reduction in the requirement for green space may be appropriate, we suggest that the applicant consider whether any of the site could be available for any type of residential outdoor use or amenities.
- C. Measuring Distance from Rail Station
 1. *Support parking.* The borough's existing zoning ordinance and the applicant's proposed revisions both reference a distance to a commuter rail station "and/or support parking for such station." We feel that distance to parking that supports a train station is not a useful measure for the TOD use. We recommend that the borough consider removing any references to train station parking. (Proposed § 27-2703.E.4.a.1.)
 2. *Property line.* Similarly, we also feel there could be a better measurement than to the property line of the commuter rail station. SEPTA often owns large areas of property in the vicinity of rail stations. We suggest that the measurement be taken along the pedestrian pathway from the nearest edge of the rail station platform or platform access point. (Proposed § 27-2703.E.4.a.1.)
- D. Railroad Frontage Requirement. The borough's existing zoning ordinance and the applicant's proposed revisions both reference a minimum requirement for frontage along the actual railroad tracks in order to be eligible for a TOD use. We suggest that this requirement may not be necessary to achieve the borough's goals for development and redevelopment in the area of the train station. It may be more appropriate to only require a maximum distance from the station and not factor in whether the property has a certain amount of frontage on the tracks.
- E. Montgomery County's Transit-Oriented Development Model Ordinance. The applicant or the borough may find it helpful to reference MCPC's recently published Model Ordinance for Transit-Oriented Development for additional suggestions on zoning language. See www.montcopa.org/Transit-OrientedDevelopment for more information.

BUILDING DESIGN

- A. Past Comments. We appreciate that the applicant has added an entrance on Maple Avenue and a corridor through the building on the first floor.

- B. Internal Parking Circulation. We suggest the applicant consider a one-way parking drive aisle for the internal parking. This would allow for slight narrowing of the parking entrances, safer pedestrian crossings, and simpler vehicle circulation.
- C. Building Massing. The building will be quite large, especially as seen from Maple Avenue. This is not necessarily a problem giving the building's location – there are no buildings in use on any adjacent property. However, we encourage the applicant to continue to consider ways to break up the building façade with materials, colors, balconies, bay windows, and other changes in building plane to make the building more attractive and less imposing.

CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal but we believe that our suggested revisions will better achieve Ambler Borough's planning objectives for industrial redevelopment and transit-oriented development. Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files. Please print the assigned MCPC number (#21-0200-002) on any plans submitted for final recording.

Sincerely,



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- c: John Zaharchuk, Applicant
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Mary Aversa, Manager, Ambler Borough
Robert Lagreca, Chair, Municipal Planning Commission
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Claire Warner, MCPC Senior Community Planner for Upper Dublin Township
Kurt Ferguson, Manager, Upper Dublin Township
Roman Pronczak, Manager, Whitpain Township
Jessica Buck, District Manager, Montgomery County Conservation District

Attachment A: Aerial Image of Site

Attachment B: Reduced Copy of Applicant's Proposed Site Plan

ATTACHMENTS A & B



The Ambler
MCPC#210200002

Montgomery
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Planning
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Scale: 1 inch = 100 feet
North Arrow

