

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – FEBRUARY 10, 2020

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on February 10, 2020. Mr. Bryson called the meeting to order at 7:30 p.m.

Those present:

Planning Commission: Craig Bryson, Chair
Ross Bruch, Vice Chair
Tony Bush, Secretary
Dawn Stern, Member

Others: James Majewski, Director Planning & Zoning
Barbara Kirk, Township Solicitor
Andrew Pockl, Township Engineer
Frederic K. Weiss, Supervisor Liaison

Absent: Adrian Costello, Planning Commission Member

APPROVAL OF MINUTES

Mr. Bruch moved, Mr. Bush seconded and it was unanimously carried to approve the Minutes of January 27, 2020 as written.

SALDO ORDINANCE AMENDMENT DISCUSSION ON DESIGN GUIDELINES IN OFFICE/
COMMERCIAL/MIXED-USE DISTRICTS

Mr. Bryson stated Mr. Majewski had sent out information on the Promenade at Granite Run.

Mr. Bryson stated tonight is a workshop-type meeting. He stated he would first like to discuss if this is being proposed to be included in SALDO as a Guideline. He asked if the Township wants to provide a guideline of suggested designs or will it be made part of the SALDO; and if the developer does not do what is in the Design Guidelines, a Waiver would be required. He stated he has seen this in the Zoning Code in Abington, and if a developer wants to deviate from the requirements, they have to get a Variance.

Mr. Bush stated the Township already has an example with the Traditional Neighborhood Development Overlay Ordinance which is in Zoning, although that does not mean the Township would have to do that in this instance.

Mr. Majewski stated that is a key item to decide. He stated if this is put in Zoning, it would be a requirement. He stated for Edgewood Village with the TND, the Township wanted certain things to be done there specifically to maintain the look that was complimentary to the Edgewood Village Design Guidelines which the Township developed over the years for Edgewood Village. He stated Edgewood Village is at the intersection of Edgewood Road, Langhorne-Yardley Road, and Stony Hill Road. He stated it is the area where the Flowers Field development is going in and is the location of Edgewood Café and DeLorenzo's. Mr. Majewski stated it is a very narrowly-defined area along the spurs of those various streets. Mr. Majewski stated that is a Historic District recognized by the National Register of Historic Places, and the Township developed Design Guidelines specifically to be historic. He stated the Township also wanted a certain look that was compatible with Edgewood Village. He stated that is an example where it would be appropriate to have it in Zoning since it would be more exactly complimentary to the Edgewood Village Design Guidelines.

Mr. Majewski stated in the case they are discussing now, there is not the push to make it have an exact, certain look; and he does not feel having this in Zoning would be appropriate. He feels development would be market driven and the Township would have guidelines. He stated developers would have to meet the general intent and look of what the Township is looking for as far as pedestrian walkways, open spaces, public assembly areas, and lighting so that it does not have a "strip mall look." Mr. Majewski stated he feels the developers who presented the proposed Wegmans/apartment project did a really good job of mimicking what the Township had originally envisioned with a Mixed-Use Overlay.

Mr. Majewski stated when the Planning Commission was discussing the Comprehensive Plan in 2017, one of the items he discussed was the Newtown Mixed-Use District to show what was being done in other Townships; and that there could be a Mixed-Use with a certain look which would be desirable for the community and not be just another shopping center. Mr. Majewski stated the Wegmans developer seemed to have incorporated a lot of the things that were in other Mixed-Use Guidelines into their Plan. Mr. Majewski stated he feels that is why that Plan was favorably received by a number of people.

Mr. Majewski stated he feels this should be in the Subdivision and Land Development Ordinance, and it would be guidelines to promote a general feel as opposed to prescribing exactly what the buildings and everything else would look like. He stated the developer would be asked to provide a coherent plan so that everything blends together in a pleasing aesthetic.

Mr. Bryson stated while the most “extreme” would be putting it in Zoning, having it in SALDO would provide some control through the Waiver process. He added that he would not want to have them just be guidelines with no “bite” to it.

Mr. Pockl stated information was provided regarding the Mall Conversion Overlay District in Middletown Township, Delaware County, and that was in their Zoning Ordinance with a Design Guideline Section which states: “Development in this District shall comply with Design Guidelines but shall be subject to Township Council’s approval in conjunction with the approval of any Land Development Application filed pursuant to the Mall Conversion Overlay District regulations.”

Ms. Kirk stated if it is put in Zoning, the mechanism for relief is in front of the Zoning Hearing Board.

Mr. Bush stated included in the Design Guidelines the Planning Commission was provided for the Promenade At Granite Run there is a different process described. He noted Page 3 indicates that there is a Design Guideline Review Committee. He stated while he is not advocating for another Township Committee, it calls for a group of people to get together and review the proposal with the Applicant; and if they cannot reach a resolution, it would then go to the Township’s governing body.

Ms. Kirk stated she would avoid putting this in the Zoning Code because the mechanism for relief would then be the Zoning Hearing Board, and it would eliminate the control that the Planning Commission and the Board of Supervisors may want with respect to the appearance of the District. She stated if a developer were to indicate that they could not meet a specific standard for the design, they would not come to the Planning Commission; and it would go right to the Zoning Hearing Board. Ms. Kirk stated if the Planning Commission wants to have the ability to maintain more control over the development, they should not put it in the Zoning Code.

Mr. Bryson stated he is not in favor of putting it in the Zoning Code. He stated a lot of the Design Guidelines are interpretative. He noted particularly the word “pleasing,” which could be different for different people. Mr. Majewski also noted what was “pleasing” in 1985 would be different from what it is in 2020.

Mr. Bryson stated he feels they are in agreement that the Design Guidelines should be incorporated within SALDO.

Mr. Majewski stated with regard to Mr. Bush’s comments about the Design Review Committee, essentially the Planning Commission would be laying out what they feel would be appropriate. He stated if the Planning Commission felt they needed additional expertise such as an architect or a landscape architect, they could seek them out. Mr. Majewski stated he feels the Guidelines would be in SALDO and the developers would be advised that the Township wants them to meet this type of criteria and demonstrate that it has been met.

Ms. Stern asked if this is just for the one specific project, and Mr. Bryson stated that is another issue that they should discuss. Mr. Bryson stated he feels it is best to separate a specific Application from what the Township is trying to accomplish. He stated he feels this is something that could have a big impact in the community in the future. Mr. Bryson stated the Planning Commission had already made recommendations for the Development scenarios, but he feels what was missing from that were Design Standards as far as aesthetics. He stated he does not want to have this be a discussion just about one specific development/developer since Wegmans may decide that they are not proceeding. Mr. Bryson stated when the Planning Commission was going through the Comprehensive Plan, he was envisioning this type of development. He stated he wanted to make this an Overlay District for Mixed-Use, and he feels that the Wegmans site needs a Mixed-Use and not Office/Research.

Mr. Majewski stated he agrees with Mr. Bryson that while the Wegmans development is “on the table,” they could leave and someone else may come in. He stated while a very nice plan was presented which he feels most people were in favor of, if they leave, someone else may come in and want to do a less-expensive project. He stated this is why he feels the Township should be moving forward with Design Guidelines for this site as well as other locations in the O/R District. He stated currently there are no any Guidelines, and the developer could make it as dense as the Ordinance allows without any guidance

to be creative and provide open space, gathering spaces, walkability, etc. He noted what the Lower Makefield Corporate Center has recently done proposing to turn it into something that looks better and will probably be more marketable.

Ms. Kirk asked if there are other areas in the Township that could be developed for a Professional Office campus or some other Commercial campus where this would be applicable. Mr. Majewski stated in the O/R District they have the Aria Hospital parcel which is 41 acres, Shady Book Farm below that which is 50 acres, and the parcel with the Wegmans between the Corporate Center North and South. Mr. Majewski stated there are also other Commercial areas that might in the future be involved with re-development.

Ms. Kirk stated asked if other than O/R, are there Commercial areas where these Design Standards would be applicable for re-development. She asked if they would envision a Section that could be applicable. Mr. Majewski stated at some point in the future someone may want to re-develop/re-envision the Lower Makefield Shopping Center where Giant is located. Mr. Bush stated he believes that a number of years ago Sketch Plans were brought in to re-develop that shopping center. Ms. Kirk asked what District that would be, and Mr. Majewski stated he believes that it is C-1.

Ms. Kirk asked if rather than just doing this in response to the Mixed-Use Overlay would it not make sense to incorporate it into other Commercial Districts. Mr. Bryson stated he would not have a problem with this being a Mixed-Use/ Commercial Overlay. Ms. Kirk stated it would therefore be applicable for either new development or re-development of existing sites. Mr. Bryson stated he feels that they would then have to have a process for an Overlay for all of those parcels. He stated they could then advise developers that if they want an Overlay District, this is available under O/R and Commercial. Ms. Kirk stated under SALDO they could state that if there is going to be re-development of land within the C-1 or C-2 Zoning Districts, these Design Standards would apply.

Mr. Bryson stated if one of the shopping centers was reaching the end of its lifecycle and needed a façade change, etc. if they have these Design Standards it could become cost prohibitive, and the developer may decide not to do anything. Ms. Kirk stated they could come before the Township requesting Waivers if it is under SALDO. Mr. Majewski stated they could make it required in the O/R, Mixed-Use area, and suggested in the other areas.

Mr. Pockl stated they could change the language so that for certain Guidelines it would indicate they “shall” be required to meet those Guidelines, but for other Design Guidelines they “may” be required.

Mr. Bryson stated that for the Application that is driving this, that developer would choose to use the Overlay since the Overlay would give them the bonuses they need in order to develop. He stated his concern is with other developers doing re-development who may not follow the Guidelines as it could involve additional expense. Ms. Kirk asked if it would make sense to take some of the bonus options that were presented with the Mixed-Use Overlay and add them into the Design Standards so that if someone were re-developing Commercial property and they did certain of the items as set forth in the Design Standards, they would get certain bonuses. Mr. Bryson stated he would be in favor of that. He stated there could be a bonus for Best Management Practices with regard to stormwater which would encourage them to be more environmentally-friendly with these older sites.

Mr. Bruch stated he felt there was a concern that some of the bonuses were a little “generous.” Mr. Bryson stated he believes what the Planning Commission recommended was a little more stringent, and it may have become even more so once it went through the Board of Supervisors. Mr. Majewski stated it has not yet gone to the Board of Supervisors as they are still waiting on traffic.

Mr. Pockl stated there was language that identified a maximum bonus they could have, and they could not take advantage of all of the bonuses. He stated he believes that ten were listed, and the maximum that they could take was three.

Mr. Majewski stated the EAC had some concerns that some of the environmentally-friendly items were included as bonuses, and the developer should just have to do them, with the Board of Supervisors making the ultimate decision as to whether certain ones should just be made requirements.

Mr. Bush stated with regard to re-development versus undeveloped areas, in terms of the Giant and McCaffrey Shopping Centers, there are certain things in the Guidelines that could not be done since there is not enough room for them to do them. He noted the Public Realm Features and the Circulation Guidelines.

Mr. Bryson stated he feels that they could take square footage away to accomplish those. Mr. Bush stated without changing the footprints of the buildings, they could not implement some of these items; and Mr. Bryson agreed.

Mr. Bush asked if they want to make this mandatory for existing areas in the event they are just doing a “freshening up of the exterior.” Mr. Majewski stated he feels re-development would be different from a “fresh piece of property.”

There was discussion about what was done when McCaffrey’s re-built after the fire, and Mr. Majewski stated McCaffrey’s enlarged their building slightly.

Mr. Bryson stated it seems that the Planning Commission agrees that they want this to be in SALDO. He stated they want to create a District that could be Multi-Use for both the Office/Research District along with Commercial, and they also want to implement this for re-development of the parcels within the same Districts and encourage this during a re-development/rehab.

Mr. Majewski stated there would be a difference if they were just updating the façade and painting compared to making significant changes where this would come more into play. Mr. Bruch asked how they would draw the line between the two, and Mr. Bryson stated he feels it would be if there was earth disturbance. Mr. Majewski stated he has seen some shopping centers which were almost torn down and then re-built, and that is when this would come into play. Mr. Bryson stated he feels there should be a restriction on the change of square footage so that if there is more than a 10% change in the square footage of the building that would justify using the Design Standards.

Mr. Bryson stated he knows the individual who wrote the Guidelines that were provided, and there are a lot of the examples that have been shown to be successful. He noted a project done in Exton in 2005 or 2007 which was a huge success. Mr. Bryson stated the issue now is with Retail and a lot of what is re-developed rather than being strict Retail now includes Office. He stated boutique offices, restaurants, and food service are all increasing. He stated rental properties for Residential are also increasing. Mr. Bryson stated Retail is not much of a driver anymore. Mr. Pockl stated entertainment uses are also increasing.

Mr. Bryson stated he feels that if there are offices and restaurants, they need to consider access for Uber drop off and pick up which is a trend they need to consider since Ubers go right to the front door and do not wait in parking lots.

Ms. Kirk asked if they should consider Uber lanes similar to bike lanes, and Mr. Bryson agreed. Mr. Bruch stated they will have that same issue should cars become autonomous in the future.

Mr. Bryson asked if they want to designate a consultant or a person on the Planning Commission to go through the information they have been provided to see what they might want to implement. He stated eventually we will need to generate our own document.

Ms. Stern stated she has considered that and since there are five major areas in the Design Guidelines for the Promenade at Granite Run that they were provided, she felt that they could be split up among the members of the Planning Commission. Mr. Majewski stated he was thinking that as well, and they could have one person focus on one area and then bring it back in front of the Planning Commission to discuss. Mr. Majewski stated they could work on one section at every meeting.

Mr. Bryson stated he would be in favor of that process, and each member would be responsible for one area, and they could discuss one section a month. He stated he would like to have a document completed by the end of the year. Mr. Majewski stated if Wegmans goes forward, the Township would need to have this completed sooner; and he would recommend that they have a presentation every meeting and complete it in a few months.

There was discussion about what would be included in the Public Realm portion, and Mr. Bryson stated if they consider the Wegmans project, they had a Public Realm portion which include open space and gathering spaces. Mr. Pockl stated outdoor dining spaces would also be included in this.

Mr. Pockl stated he feels with regard to Residential and Commercial, they should split up the Architectural Guidelines. Mr. Bryson stated it will still be a massing of big buildings, and they would not be having single-family homes. Mr. Pockl stated there could be Retail on the first floor and apartments above that. Mr. Bryson stated that is an element that he would like to discuss.

Mr. Bryson stated they will break this up into Public Realm, Circulation, Architectural Guidelines, and Landscape and Hardscape. He stated he would have no objection if a Planning Commission member also wanted to help with another category. Mr. Majewski stated he would be in favor of that proposal.

Ms. Stern stated she would be willing to do Public Realm. Mr. Bush stated he would be willing to work on Circulation Guidelines. Mr. Bryson stated he would do Architectural Guidelines. Mr. Bruch stated he would do Landscape and Hardscape Guidelines.

Ms. Kirk stated the Planning Commission should also work with Mr. Majewski on different ideas since he has experience seeing a lot of projects coming through the Township.

It was agreed that at the next meeting of the Planning Commission to be held on February 24, Mr. Bryson will present his first draft.

Mr. Majewski stated with regard to the Architectural Guidelines, the information he sent to the Planning Commission was a Mall conversion which is not quite what the Township is looking at. He stated they do have some ideas with what was presented for the Mixed-Use for the Wegmans as to what it could look like.

Mr. Bryson stated what has been provided is a good starting point, and they may decide to just take what is shown and modify it if necessary.

Ms. Kirk asked if there are some other similar documents that could be distributed to the Planning Commission to be used to compare and contrast. Mr. Majewski stated he can send out some additional Guidelines. Mr. Pockl recommended one from King of Prussia, and Mr. Bryson stated Upper Merion has a good one. Mr. Pockl also noted the Newtown Mixed-Use, and Mr. Majewski stated he can provide that as well. Mr. Bryson stated there is one from Plymouth Township that is also good.

Mr. Majewski stated they will plan on discussing the Architectural Guidelines at the next meeting of the Planning Commission to be held on February 24. He stated there may also be an Informal Sketch Plan for a two-Lot Subdivision.

Ms. Stern asked if there is a particular development they may have seen that they are working toward, and Mr. Majewski stated the proposed Wegmans Plan is what they have in mind. He stated he felt a number of people were in favor of that Plan; however, the fear was that they may pull out and someone else could come in; and there is nothing in place to get the look that the Township wants.

Mr. Bryson stated the closest one that he knows of that resembles what was brought in by the Wegmans Application is the Wegmans that was built in Warrington. He stated it is a Mixed-Use Overlay with Office over Retail in one piece, a Wegmans, and then a separate section that is strictly Residential. Mr. Bryson stated his

concern with the Wegmans Application was that there was Retail and Residential, and there was no real Mixed-Use. He stated he feels Mixed-Use is blending. He stated he does not feel it is just two uses on the same property, and the idea of Mixed-Use is to interact your daily life. Ms. Kirk noted there is an example in the Township at DeLorenzo's where the restaurant is on the first floor, and there are apartments upstairs.

Mr. Bruch asked if there would be an objection to the Mixed-Use with an apartment over top of a restaurant/bar which would result in crowds below at all hours. Mr. Bryson stated he does not feel there is a problem with putting Residential on top of Retail. Mr. Bruch asked if there is a fear that developers would not want to have apartments over Retail. Mr. Bryson stated he feels it would be a business decision. Dr. Weiss noted a number of locations in Bucks County where there is Retail and apartments. He stated he is anxious to see what the Planning Commission comes up with.

Ms. Kirk stated she feels Newtown Borough is a perfect example as a lot of the units are Retail with apartments upstairs or a conversion where there are condos.

Mr. Bryson stated the success for any Retail depends on having parking in close proximity.

Mr. Majewski stated he feels that what works with the proposed Wegmans Mixed-Use is that it is "book-ended" on either side by the Commercial and it blends together in a large Mixed-Use.

Mr. Bryson stated he feels another key element is the ability to cross the bridge, and he would like to see that happen.

There being no further business, Mr. Bruch moved, Ms. Stern seconded and it was unanimously carried to adjourn the meeting at 8:25 p.m.

Respectfully Submitted,

Tony Bush, Secretary

