

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – SEPTEMBER 26, 2016

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on September 26, 2016. Mr. Tracey called the meeting to order at 7:35 p.m.

Those present:

Planning Commission: John Tracey, Chair
 Dawn DiDonato-Burke, Vice Chair
 Craig Bryson, Member
 Charles Halboth, Member

Others: Steve Ware, Keystone Municipal Services
 Barbara Kirk, Township Solicitor
 Judi Reiss, Supervisor Liaison

Absent: Chad Wallace, Planning Commission Secretary

APPROVAL OF MINUTES

Mr. Halboth moved, Mr. Bryson seconded and it was unanimously carried to approve the Minutes of September 12, 2016 as written.

DISCUSSION OF CAPSTONE O/R TEXT AMENDMENT INFORMAL REVISED SKETCH PLAN

Mr. Bob Dwyer was present and stated in May he shared with the Planning Commission an idea for Residential at their location on Stony Hill Road and Township Line Road which is currently Zoned O/R. Mr. Dwyer stated O/R has been struggling, and this property had been approved eight years ago for 180,000 square feet; but no one has been interested in it. He stated vacancy rates have been increasing along the corridor, and they proposed an alternative plan for Residential. Mr. Dwyer stated based on feedback they looked into the the potential for Retail. Mr. Dwyer showed this evening sample Sketches, and he asked for feedback.

Mr. Dwyer showed SK1 which is a Retail Center that has 73,000 square feet of Retail and 7,200 square feet of Restaurant. He stated if Liquor Licenses were to be approved at some point in the future, it is likely this Plan would change. He stated currently they would propose Retail and Restaurants that would not serve alcohol. He stated the Retail could be Whole Foods or some other large anchor. He stated Whole Foods has approached them, and would love to be there. He stated many Retailers are interested. Mr. Dwyer stated SK1 shows one scenario which would require re-Zoning and a Text Amendment as well. Mr. Dwyer showed where they would have access which is where they had proposed it for the Office Complex across from Shady Brook Farm and one close to the intersection with Stony Hill Road.

Mr. Dwyer showed SK2 which shows a bank or pharmacy in the front. He stated Walgreens is always looking to compete. He stated this Sketch would also require re-Zoning and a Text Amendment and would include the same types of tenants. He stated if Liquor Licenses were available, this Plan would also change. Mr. Dwyer stated if Liquor Licenses were available, they would be able to attract different tenants.

Mr. Dwyer stated there are a number of different options and Retailers are interested. He asked if the Planning Commission would like to see him pursue this further and come back with more detailed plans.

Mr. Tracey stated he feels this has a lot more viability than the Residential option and more flexibility. Mr. Dwyer stated what would drive the design of the center would be the anchor. He stated if Whole Foods were to come in they would indicate what they would like to see. Mr. Tracey asked about Trader Joe's instead of Whole Foods. Ms. Reiss stated she feels that would be an ideal site for Trader Joe's. Mr. Dwyer stated Trader Joe's does prefer more urban settings, but they would love to have a Trader Joe's and Lower Makefield has good demographics for this.

Mr. Dwyer showed a rendering of a Retail Center they are doing in Delaware County which includes a Whole Foods.

Ms. Burke stated she would prefer this proposal as opposed to Residential. Ms. Reiss stated she would be in favor of Trader Joe's and also suggested Stein Mart would be good at this site as they are not huge stores and the closest one is in Jenkintown.

Mr. Tracey asked Mr. Dwyer about his reference to potential pursuit for Liquor Licenses, and he asked if he could discuss this further. Mr. Dwyer stated he is loosely affiliated with a group that is trying to get this on the Ballot at the next Primary in 2017. He stated they feel Edgewood Village and the area would then become more of a destination if there were Liquor Licenses. Mr. Dwyer stated they may also be able to draw another hotel.

Ms. Kirk stated she understood that the Licenses are available through the State, and you could only purchase a Liquor License from an existing facility that is moving and carry it over. She stated she understood that the State had very limited Liquor Licenses. Mr. Dwyer stated there are a number of lawyers and lobbyists working to try to get this on the Ballot. He stated the population of Lower Makefield would add some additional Liquor Licenses. Ms. Reiss stated she believes they will allow Lower Makefield nine to eleven Licenses depending on the population. Mr. Tracey stated he understands that this has to be presented in a Ballot situation, and Ms. Reiss stated it has to be a Referendum on the Primary. Mr. Dwyer stated you also need a certain number of signatures on a Petition before that. He added that they came very close to getting that number last year but there was a problem with the weather.

Mr. Jeff Benedetto stated it would be eleven Liquor Licenses for 33,000 people, and the Lower Makefield Business Association is going to try to do this. He stated they will have a campaign “Repeal the Ban.” He stated it is \$250,000 per License, and they need 3,401 signatures. Mr. Benedetto stated the marketing group that is putting the campaign together is going to come to a Board of Supervisors meeting in November. Ms. Reiss stated there are three Supervisors that are definitely on board. She stated this will result in good ratables and tax money coming in.

Mr. Dwyer stated he believes the Board of Supervisors are going to move the Comprehensive Plan into discussion on October 5, and he believes they will discuss the O/R at that time which was one of the critical components of the update.

Mr. Benedetto stated the Planning Commission recommended the Comprehensive Plan in March, 2015 and it will be on the Board of Supervisors’ Agenda for adoption. Mr. Bryson asked for a copy of the Comprehensive Plan, and he was provided a copy this evening. Mr. Bryson stated there is a concern when you start taking O/R Districts and converting them to fit an Applicant.

Ms. Kirk stated under the current Zoning regulations for the O/R District, the only thing that would need a change would be to include Retail. She stated Financial Services are already a use by right and restaurants are permitted by Special Exception. Mr. Bryson stated he feels those are easily uses which are associated with Office and Research, but a grocery store is not; although he is not saying that he is not in favor of this. Mr. Bryson stated they are setting themselves up for a precedent when anyone can then come in and put something in there that is not appropriate. Ms. Reiss stated she feels they need to look at what properties they have and decide what they want to do. Mr. Bryson stated there is also an issue of taking away uses in accordance with the State Municipal Code. He stated this has to be done carefully, and it is usually done with an Overlay; and Mr. Dwyer stated that is how he proposed it. Mr. Bryson stated they have to make sure that this is done correctly so that there are not problems in the future.

Mr. Dwyer stated hopefully the Comprehensive Plan will allow for a segue to talk about what he is discussing this evening as a way to make the O/R District more viable since it is not currently. Mr. Dwyer stated the vacancy rates are at an all-time high and the rents are lower.

Mr. Bryson asked who owns the property; and Mr. Dwyer stated it is BPG/Equus, and they bought it ten years ago, but the market has changed and many people no longer work out of offices. Mr. Dwyer stated it is critical to find some way of getting this done soon as it may get pushed back several years based on the sewer capacity issues.

Ms. Reiss stated she likes that it appears the Sketches show sufficient parking.

There being no further business, Ms. Burke moved, Mr. Halboth seconded and it was unanimously carried to adjourn the meeting at 8:00 p.m.

Respectfully Submitted,

John Tracey, Chair

