

**TOWNSHIP OF FALLS
PLANNING COMMISSION MINUTES
MARCH 25, 2014**

Meeting commenced: 7:30 p.m.

Meeting adjourned: 8:00 p.m.

Members present: Binney, Goulet, Miles, Perry, Rittler, Shero, Vergantino

Members absent: None

Also present: Thomas Hecker, Esquire, and Matthew Rutt, P.E., representing Planet Fitness; Michael Peters, Esquire, representing USS Real Estate; Joseph Jones, P.E. (T & M Associates); Tom Bennett, Chief Code Enforcement and Zoning Officer; and Diane Beri, Recording Secretary

Item #1: Planet Fitness, 223-229 Plaza Boulevard, Morrisville, PA 19067; TMP #13-028-029-001 & TMP #13-028-028-001; Zoned: SC; Land Development – Waiver – allocation of space – dividing Sears Hardware store into Planet Fitness and a future store

Thomas Hecker, Esquire, presents the application.

This application is a request for a waiver from land development because we are not proposing any new construction or any new development of the center. It is simply a rehabbing of the existing Pennsbury Plaza shopping center. Planet Fitness has entered into a lease to occupy the building formerly used by Sears Hardware.

ARD Pennsbury intends to purchase the shopping center. Part of the plan here is to renovate the center, utilizing up to two million dollars between a new façade and improvements not only in the Planet Fitness space, but one or two other stores as well. This shopping center is old and in need of an upgrade. ARD Pennsbury has intentions to renovate the shopping center and as a result was able to secure Planet Fitness as a tenant. This shopping center is located in both Falls Township and Morrisville Borough; however, Planet Fitness is all within Falls Township.

The plan submitted includes the rehabbing of the façade, which represents a substantial improvement to the shopping center which will attract other users. In fact, there already is serious interest from a couple of other users.

There is no development plan, just some upgrading to the façade and lighting. Because there is no new construction, we are asking for a waiver of land development in order to expedite the process so ARD Pennsbury can go to settlement. Also, we wanted to ensure that the Township is on board with the rehabilitation of this shopping center.

Member Binney asks if ARD Pennsbury will acquire the entire shopping center, even the portion within Morrisville Borough.

Atty. Hecker states yes.

T&M Review Letter dated March 18, 2014

Member Binney asks, with regard to the parking, the plan states that there is 81,000 square feet of shopping center overall. How was this figure calculated?

Mr. Rutt states that it is a conservative number. In addition to the portion in Morrisville Borough, we assumed all square footages in the shopping center, including the 2nd floor space.

Member Binney asks if there is a second floor on the proposed portion that is being renovated.

Mr. Rutt states no and indicates on the plan where the second floors are located.

With regard to T&M's review letter, all are will comply items with the exception of the following:

Subdivision & Land Development Ordinance

- 191-37(G)(1) Request a waiver – curbed raised planting beds at intervals (will result in loss of parking)
- 191-37(G)(2) Request a waiver – one shade tree in raised planting beds
- 191-48(A) Request a waiver – street trees along frontage
- 191-48(B) Request a waiver – street trees (planted 40 ft apart)
- 191-48(E) Request a waiver – street streets (10 ft wide planting easement)
- 191-78(C)(2) Request a partial waiver
- 191-78(C)(4) Request a partial waiver
- 191-78(C)(5) Request a partial waiver
- 191-78(C)(8) Request a partial waiver
- 191-78(D)(8) Request a partial waiver

General Comments

- #1 Removed from the plan
- #2-6 All are will comply items.

Member Rittler makes a motion to recommend approval of waiver of land development for Planet Fitness, Pennsbury Plaza, TMP #13-028-029-001 and 13-028-028-001 based on T&M Associates review letter of March 18, 2014, with waiver requests for 191-37(G)(1), 191-37(G)(2), 191-48(A), 191-48(B), 191-48(E), and partial waiver requests for 191-78(C)(2), 191-78(C)(4), 191-78(C)(5), 191-78(C)(8) and 191-78(D)(8).

Member Perry seconds the motion.

All in favor 7-0.

APPROVED FOR WAIVER OF LAND DEVELOPMENT

Item #2: USS Real Estate – Motor Room – Middle Drive, Morrisville, PA 19067; TMP #13-051-002; Zoned: MPM; Minor Subdivision for development

Michael Peters, Esquire, presents the application.

This property is a portion of the Keystone Industrial Port complex. The request is for a subdivision of 9.42 acres of the remaining 1,400 acres that are still owned by USS Real Estate. We are not here tonight for the actual land development. When the proposed user actually moves forward with their land development, they will come back before you for the land development process. We are here for the subdivision of the parcel only.

There is an existing building already there (approximately 78,000 square feet) and the site is 9.42 acres. The proposed user intends to put computer servers in there. They are not going to change the building footprint, but retro-fit the inside of the building to be compatible for their servers. But again, they will be back before you for the full land development process.

Member Binney states that given the unusual shape of this property and all the encumbrances with the easements, there is a large portion of this property that is unusable as far as construction of a building.

Atty. Peters states that is correct, which is why they are not demolishing the current structure. The current building works for what they need to do.

Member Binney states that if there is new construction, they would have to ask for numerous waivers and expresses his concern.

Atty. Peters states that is true, but they intend on using the existing structure.

T&M Associates Review Letter of March 19, 2014

All are will comply items with the exception of the following:

Subdivision and Land Development Ordinance

- 191-31(A) Request a waiver (cartway with curbs)
- 191-48(A) Request a waiver (street trees)
- 191-52.1 Request a partial waiver
- 191-62(B) Request a waiver
- 191-79(D)(8) Request a waiver
- 191-79(D)(9) Request a waiver

Member Rittler makes a motion to recommend approval of the minor subdivision for the Motor Room at USS Real Estate, One Ben Fairless Drive, Fairless Hills, TMP #13-051-001, based on the March 19, 2014 letter from T&M Associates with waiver requests for 191-31(A), 191-48(A), 191-62(B), 191-79(D)(8), 191-79(D)(9), and a partial waiver for 191-52.1.

Member Perry seconds the motion.

All in favor 7-0.

APPROVED FOR MINOR SUBDIVISION

Item #3: Approval of Minutes

Motion to approve January 28, 2014 minutes.

All in favor 7-0.

Meeting adjourned 8:00 p.m.