

**TOWNSHIP OF FALLS
PLANNING COMMISSION MEETING
JULY 27, 2021**

Meeting commenced: 7:10 p.m.

Meeting adjourned: 7:30 p.m.

Members present: Brian Binney, Colin Henderson, Mary Leszczuk

Members absent: Ed Crohe, John Haney

Also Present:

Representing Raising Cane's: Michael Meginniss, Esquire (Begley Carlin), Kevin Tatlow, P.E. (Bohler Engineering) and Adam Caracci (Raising Cane's)

For the Township: Joseph Jones, Township Engineer, P.E., Matthew Takita, Township Manager, and Diane Beri, Recording Secretary

Item #2: Review of Ordinance Regarding Outdoor Dining

Chairman Binney states ordinance takes the outdoor dining provisions for all the zoning districts where its applicable and makes it an accessory use, rather than a conditional use.

Matthew Takita states this is correct subject to the regulations of Section 38.4 which is the new section that is part of this proposed ordinance. This governs the outdoor dining generally.

No Board questions.

Chairman Binney makes a motion to recommend to APPROVE the Outdoor Dining Ordinance.

Member Leszczuk seconds the motion.

All in favor 3-0. Motion carries.

Item #1: Raising Cane's, 640 Commerce Drive, Fairless Hills, PA 19030; TMP #13-003-036-006; Zoned: SC; Owner: Adam Caracci. Preliminary Land Development – Demolish existing restaurant (Macaroni Grill) and construction of a new restaurant with drive-thru capability.

Michael Meginniss, Esquire, presents the application and introduces Kevin Tatlow from Bohler Engineering and Adam Caracci with Raising Cane's. The site has been vacant since March of 2020. We have appeared before the Zoning Hearing Board in June of 2021 which granted a number of variances to facilitate the construction of Raising Cane's. Raising Cane's is a chicken finger only restaurant chain. The overall plan is to demolish the existing Macaroni Grill structure and construct a 3,329 sq. ft. with a 541 sq. ft. patio canopy. There will be seating both indoor and outdoor. In conjunction with this plan, we are reducing the impervious surface and are adding more green space. We are creating a drive-thru concept with two drive-thru lanes to cut down on the queuing and stacking. There is a striped crosswalk, the employees are rotated approximately every 30 minutes. There is air-conditioned space in the summer for the employees. We do not see the same level of stacking and queuing with this operation as we do with some of the competitors because Raising Cane's sells one product. The average time from ordering to delivery is 2-1/2 minutes.

Raising Cane's has over 500 locations nationally. This is the first expansion into Pennsylvania. They are very active in the local community. They did not lay off any employees due to COVID. They began a crew relief fund where they made \$2 million available to their employees who dealt with COVID issues. They intend to have that same level of commitment to the Township if approvals are received.

Adam Caracci continues and states we are a chicken finger only quick serve restaurant. You have a choice of 2, 3, 4 or 6 chicken fingers. All comes with French fries, coleslaw, a Cane's sauce and Texas toast. Basic options for beverages are Coke products, ice tea and lemonade. Our mission is to get people in and out as quickly as possible serving the freshest food possible. As people are coming into the restaurant or through the drive-thru, we drop chicken in the fryer so by the time they order, we can give them their meal. It's a very efficient operation located primarily in the south and southwest. This would be the first location in Pennsylvania.

We are very active in the community – we are behind entrepreneurship because we were started by an individual who took out a small business loan and created this business. He worked hard for two years in the oil fields of California and as a sock-eye fisherman in Alaska to raise the funds to start this business. We want to support other entrepreneurs as well as animal shelters, education and active lifestyles. It is not some person up in corporate who manages our philanthropy by handing out checks; this is local person to this restaurant whose specific job is to find ways to give back to the community. It is a big part of who we are.

Jones Engineering Review Letter dated July 9, 2021

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

- 191-39(G) Requesting a waiver for the installation of sidewalks along the frontage
- 191-60(A)
- 191-30(I)(2) Requesting a partial waiver for a traffic impact study
- 191-78(C)(2) Requesting a partial waiver

Kevin Tatlow, P.E. continues and states Raising Cane's is about half the size of the former Macaroni Grill which allows us to provide more drive-thru capabilities and more stacking. We were also able to reduce the parking and add additional green spaces. We are improving the area within the Macaroni Grill pad site. There are two drive-thru lanes as well as a bypass lane.

Chairman Binney asks how many cars will fit in the stacking lanes?

Mr. Tatlow states 11 cars per lane from the pick up window back to the end of the drive-thru. From the menu boards, there is at least 6 spaces per menu board from the menu board back in the stacking.

Chairman Binney asks if there is something to protect the innermost menu board from being hit by a car? It appears it's in a striped area, but I do not see any curbing or protection there.

Mr. Tatlow says correct, that does not have curbing around it. The other menu board in the outer lane is within an aisle there.

Chairman Binney states it appears when a truck loads or unloads whichever the case may be it blocks the driveway and the drive-thru and the entrance.

Mr. Tatlow states all deliveries of food occurs during off hours.

Discussion occurs on the parking calculations due to the fact there is another restaurant in the shopping center.

Member Leszczuk asks about the amount of product stored and delivered to the restaurant.

Mr. Caracci responds they get chicken deliveries every morning. The restaurant closes at 1:30 a.m on Sunday through Thursday, and 3:30 a.m. Friday and Saturday. The deliveries do come after the restaurant closes very early in the morning. Chicken is delivered every morning; paper and Coca Cola products come once a week. There is ample storage space in the back of the restaurant with a very large walk-in cooler. There is a walk-in freezer for the French fries.

Chairman Binney asks about the Bucks County Planning Commission's comment in their letter about the tax parcel numbers and whether the lot boundaries will be adjusted to coincide with the footprint of the new restaurant to be constructed. This footprint for Raising Cane's will not fit into the footprint for the Macaroni Grill. How will this be addressed?

Atty. Meginniss states we will work with the Township and the County to address the lot line to bring it into compliance.

Member Henderson asks if there will be employees at the drive-thru line taking payments?

Mr. Caracci states that is correct. There will be employees with tablets out there taking car payments and bringing food out from the window to the car. That is how it gets to the outside lane. There is a crew member bringing it to you, taking your payment and taking your order. During peak hours, the drive-thru menu boards are turned off and it's all crew members taking your order and pulling you forward. That is how the efficiency level stays good.

Member Henderson states the outside lane has curbing; the inside lane does not have curbing. Will there be bollards to protect the employees?

Mr. Caracci states they thought a raised medium would be more of a trip hazard for the employees. It is currently striped with yellow markings. They wear yellow safety vests and have crew area under the canopy to make it more hospitable for them. We do feel the raised sidewalk is more of a trip hazard.

Member Henderson says what about bollards?

Mr. Caracci states bollards would provide maneuvering obstacles, especially if there was an emergency.

No public comment.

Member Leszczuk makes a motion to recommend approval for Preliminary Land Development for Raising Cane's, 640 Commerce Boulevard, Fairless Hills, PA 19030, TMP #13-003-036-006, based on Jones Engineering Associates letter dated July 9, 2021, with a partial waiver of 191-30(I)(2), a waiver of 191-60(A), 191-39(G) and a partial waiver of 191-78(C)(2), the Fire Marshal's letter dated May 17, 2021, and the Remington Vernick Engineer's traffic letter dated June 16, 2021.

Chairman Binney seconds the motion.

All in favor 3-0. APPROVED FOR PRELIMINARY LAND DEVELOPMENT

Miscellaneous Item:

Chairman Binney states Mr. Jones had sent around probable sidewalk locations down at the NorthPoint development. There is no decision necessary, but if the members could take a look at the plan and forward any comments directly to Jones Engineering.

Mr. Jones says the sidewalk exhibit was provided to us by the KTC NorthPoint engineer (Gilmore Associates) as their idea for sidewalks throughout the KTC, specifically for Building 3 which will be subject for approval at the Board of Supervisors in August. We are asking for feedback on the sidewalk location as it reflects on Buildings 1 and 3. Any comments received will be incorporated into our comments for the Board of Supervisors meeting in August.

Item #3: Approval of Minutes

Minutes of June 22, 2021

All in favor 3-0. Minutes from June 22, 2021 approved.
