



# Planning Commission Meeting

## *Borough of Quakertown*

October 10, 2015

*In Council Chambers of Borough Hall*

*At 7:00 pm*

### BOARD MEMBERS IN ATTENDANCE:

Jon Roth – Chairman

Cathy Gillahan - Secretary

Michele Scarborough

Michael Haywood

Ronald Heller

Philip Abramson

### BOARD MEMBERS NOT IN ATTENDANCE:

Fred Tirjan – Vice Chairman

Michael Orzel

William Kee

### ALSO IN ATTENDANCE:

Cheryleen Strothers- Engineer of Cowan & Associates

Douglas Wilhelm, Building Code Officer

Katherine Renner - Recording Secretary

<u>AGENDA</u>	<u>DISCUSSION</u>	<u>RECOMMENDATION</u>	<u>DENIAL/ APPROVAL</u>
<b>PROCEEDINGS</b>	Meeting called to Order by Jon Roth at 7:00 pm		
<b>MINUTES</b>	Approval of August 13, 2015 Meeting Minutes	Phil Abramsom made a motion to approve the August 13, 2015 minutes. Michael Haywood seconded the motion.	August 13, 2015 Minutes were approved.

<u>AGENDA</u>	<u>DISCUSSION</u>	<u>RECOMMENDATION</u>	<u>DENIAL/APPROVAL</u>
<p><b>SMOKESTACK LOUNGE &amp; RETAIL STORE</b> 132 E. BROAD STREET TMP 35-008-327 <i>CONDITIONAL USE</i></p>	<p><b>Douglas Wilhelm</b>- 132 E Broad Street, which use to be the old Cigar Lounge, is seeking approval for a conditional use to allow the business, Smokestack Lounge &amp; Retail Store to go into this space. This is considered a smoke house or a Hookah Lounge type facility. The property is located in the TC - Town Center District as well as the PMU- Pedestrian Mix-Use Overlay District.</p> <p>Quakertown's Zoning Ordinance indicates and is a recommendation from the Borough's Attorney, for a Conditional Use to allow this type of use within these Districts is required.</p> <p>The Planning Commission's comments &amp; possible additional restrictions for this use will be forwarded to Borough Council for the Conditional use Hearing at the November 2015, Council Meeting.</p> <p><b>Caine Lihn</b> -Good evening, my partner, Joshua Heidecker is with me to present to you both a Lounge and a Retail store for both Hookah and Vapor / E- cigarettes. Also trying to allow for some entertainment on Friday and Saturday evenings to be able to attract more business.</p> <p>Joshua and myself are both from Quakertown and have strong roots here. We have used these products before and gained the knowledge about them to be able to sell and share them with others. We want to give an alternative night life than just going out to a bar. In the area, there is not many options for things to do besides going out to a bar. We believe this is a good way to go out and have a good time with friends and not have to worry if someone will be impaired or to drunk to drive. We want people to come in , listen to some local entertainment, stay for a while, purchase some pre- package foods and non alcoholic hot and cold beverages and relax whilehaving a good time.</p>		

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<p><b>SMOKESTACK LOUNGE &amp; RETAIL STORE</b> 132 E. BROAD STREET TMP 35-008-327 <i>CONDITIONAL USE</i></p>	<p><b>Caine Lihn</b> -The hours of operations will start out as Wednesday, Thursday, and Friday evenings with the majority of the day on Saturday and Sundays. In hopes of having the store open Friday &amp; Saturday nights approximately until 1am, to go along with the "night life" time table for those patrons to socialize and gather.</p> <p>What we will be carrying in the retail part is a vapor cigarette, also known as a E-cig, which is an alternative for smoking regular cigarettes. The vapor cigarette / E-cig comes with options for the levels of nicotine or none at all and many different flavor additives. The additive used in the flavors for those are all food based. The process of these vapor cigarettes / E-cigs is a vaporization or vapor of the flavored liquid after it has been heated.</p> <p>As far as the Hookah, it is a water pipe. It is a basic version of what the vapor does; it draws heat through the medium. There is a little acceleration over the medium along with a tiny bit of smoke in the beginning. After that it is pretty much the vaporization process. With this the nicotine levels can also vary. We did find to have some reservations with the Hookah themselves because they are operated with coals that burn at the top . So we adhered a cup with a lid to contain the coals along with a customized built table to lock the mechanism in for it to be nearly impossible to knock over. This is just another of many reasons as to why we are not permitting alcohol on the premises. We do not want anyone to stumble and fall into a table and knock it over.</p> <p><b>Chairman Jon Roth</b>- At this point do you have an tentative lease agreement for 132 E Broad St. , In Quakertown?</p> <p><b>Caine Lihn</b> - No, They are wanting a commitment along with payment but we won't do that until we know if we are able to have the business or not. If we can , we will sign the lease.</p> <p><b>Chairman Jon Roth</b> - I believe you already answered this question but you are not allowing any alcohol on the premises not even BYOB?</p> <p><b>Caine Lihn</b> - That is correct , No alcohol at all. That just invites all sorts of problems that we do not want to occur.</p>		

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<p><b>SMOKESTACK LOUNGE &amp; RETAIL STORE</b> 132 E. BROAD STREET TMP 35-008-327 <i>CONDITIONAL USE</i></p>	<p><b>Ron Heller</b> - What were the hours and what type of entertainment are you referring to?</p> <p><b>Caine Lihn</b> - The hours would tentatively be ; Tuesdays, Wednesdays, and Thursdays 4 - 10pm. Then Fridays, 4 - 1 am ; Saturdays 12pm - 1 am; and Sundays 12pm - 10pm.</p> <p><b>Joshua Heidecker</b> - The entertainment will be light music , we want to have a calm and relaxing atmosphere . No loud, heavy, or electronic music. The Hookah &amp; vapor is used as a social gathering settings and we want you to be able to have a conversation with your friends. We don't want the music loud to make people talk louder or shout to be heard.</p> <p><b>Ron Heller</b> - The only parking you will have is on the street.</p> <p><b>Caine Lihn</b> - We been told there is a public parking lot across the street behind a plumbing place, Willies Plumbing &amp; Heating. Also if this is a go , we can talk to J &amp; D Whistle stop to work something out . We wont have the same hours of operations.</p> <p><b>Phil Abramson</b> - Is there any apartments above the posed site? What is on either side of the building?</p> <p><b>Doug Wilhelm</b> - 1 apartment above that is vacant and the property is up for sale or lease at this time. One side is Commercial business and the other side is a Apartment building that is part of Tri-County Resbit . Office on the first floor and apartments on the 2nd and 3rd floors.</p> <p><b>Ron Heller</b> - What would be the reasoning for having the business open until 1am?</p> <p><b>Caine Lihn</b> - To give people something else to do besides hanging out at a bar. Most bars are open until 2 am and we would like to offer an alternative to going to the bar.</p>		

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<p align="center"> <b>SMOKESTACK LOUNGE &amp; RETAIL STORE</b>            132 E. BROAD STREET            TMP 35-008-327  <i>CONDITIONAL USE</i> </p>	<p> <b>Phil Abramson</b> - Well, a bar is a social atmosphere that allowed to be open until 2 am. This is also a social atmosphere. We can't put different standards on this place and not any of the other social atmosphere places, like the bars here in town.  <b>Michael Haywood</b> - I would like to make a motion for a recommendation to Borough Council to approve the conditional use for 132 E Broad Street to have Smokestack Hookah and Vapor Lounge there.             1st motion made by <b>Michele Scarborough</b>.            2nd motion made by <b>Phil Abramson</b>.   <b>Chairman Jon Roth</b> - asked for a roll call vote         </p>	<p> <b><i>Roll Call was issued:</i></b>            Jon Roth <u>Yes</u>            Fred Tirjan <u>Absent</u>            Cathy Gillahan <u>Yes</u>            Michael Orzel <u>Absent</u>            William Kee <u>Absent</u>            Michele Scarborough <u>Yes</u>            Ron Heller <u>Yes</u>            Michael Haywood <u>Yes</u>            Phillip Abramson <u>Yes</u> </p>	<p align="center"><b>Motion Carries</b></p>
<p align="center"> <i>RENEW DEVELOPMENT, LLC 105 E MILL STREET PREPOSED INDEPENDENT LIVING COMMUNITY</i> </p>	<p> <b>Doug Wilhelm</b> - To let you know where we are at as of this afternoon. Mr. Ken Bissinger and Renew Design Group are here this evening for the 2nd review and final land development for Approval process. The plans were sent to Bucks County Planning Commission for their review and as you can see that it basically mirrored Cheryleen's review from Cowan. It will be on November 2015 Borough's work session and on the agenda for the Zoning Hearing Meeting.  <b>Ken Bissinger</b> - I would like to thank Cheryleen for the timely review letter and I have no other comments except we will comply with everything.  <b>Chairman Jon Roth</b> - My thoughts were that it was agreed upon that a sidewalk would go around the outside of the complex? But the sidewalks would not be as wide as the sidewalk in the front, by the club house.  <b>Ken Bissinger</b> - We didn't want to run the sidewalk all the way around the complex. We felt it would take away from the what little landscaping spaces and patios we do have there. We did add the sidewalk in the front by the club house to deal with the zoning issue that was going on. Technically, it being a residential driveway we didn't feel that there would be very much traffic in that area.  <b>Chairman Jon Roth</b>- How wide are those sidewalks?         </p>		

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<p style="text-align: center;"> <b>RENEW  DEVELOPMENT, LLC  105 E MILL STREET  PREPOSED  INDEPENDENT LIVING  COMMUNITY</b> </p>	<p><b>Cheryleen-</b> They are 5 feet and should be kept at that because what will happen is some issues with the grading with the depression because of the slopes coming down from a gull curb height to that impression. If you go any less with the width you are going to have more sloping curb coming down and all that storm water is running up against that curb. We will need to be concerned with having it ice up in that area and residents slipping and falling. What might be better is having a delineating walking area in front of the parking spaces or behind the parked cars and then a cross walk over. If they put the sidewalks in the way you suggested , that means they will have to walk from the cars over to the sidewalk and step up onto the curb or most people will likely walk in the street to get to the depression part of the sidewalk.</p> <p><b>Douglas Wilhelm -</b> Would you be willing to forgo the sidewalks and do something like painting a striped crossing walk area with in the part of the complex that delineates those areas to make it more Pedestrian Safety oriented.</p> <p><b>Ken Bissinger -</b> Absolutely, I do like that Idea and would be more than willing to work with Cheryleen on designating those areas for walking areas.</p> <p><b>Chairman Jon Roth -</b> What will be the speed limit around the one way part of the complex? And will it be posted?</p> <p><b>Ken Bissinger -</b> Yes , it has to be posted and I believe it will be 5 or 10 MPH. The good thing about these communities is that there are a lot of internal policing going on. Everybody knows everybody , so they will know who is driving over the speed limit .</p> <p><b>Phil Abramson -</b> I understand this is an independent living complex but is there any handy cap parking besides up at the club house?</p> <p><b>Ken Bissinger -</b> That is correct and we just talked about this morning , with adding more and we can.</p> <p><b>Phil Abramson-</b> I was thinking that maybe by the cross walk area the first two parking spots could be the handy cap spaces.</p>		

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<p style="text-align: center;"> <b>RENEW  DEVELOPMENT, LLC  105 E MILL STREET  PREPOSED  INDEPENDENT LIVING  COMMUNITY</b> </p>	<p><b>Cheryleen</b> - Just so you know, if you put two (2) handy cap parking spaces next to each other that takes up 3 normal parking spaces. It will reduce the number of parking's spaces by do that. The Federal Code states they need to have additional handy cap parking spaces in the car ports. It is easier to add single ones than doubling it because they will lose parking. A small adjustment of maybe 5 feet would give them enough to have a handy cap space in each of those car ports.</p> <p><b>Ken Bissinger</b> - We can certainly do that . We can put them at the ends of the car ports with some easy adjustments. We will still be able to have 2 parking spaces per unit.</p> <p><b>Chairman Jon Roth</b> - Will the driveway from Mill St. to the complex where it meets the start of the one way circle be posted as no parking?</p> <p><b>Ken Bissinger</b> - There is nothing shown now but we certainly can post the signs along the driveway area with no parking signs. We will work with Cheryleen on as to where and how many to post.</p> <p><b>Steve Biddle</b>- Is there a way that you could reduce the number of residential parking to give visitors and or caregivers more parking?</p> <p><b>Cheryleen</b> - The Planning Commission can not override what the Zoning Ordinance states with parking . They have met all requirements as to how many parking spaces per unit will be needed and have added 4 more parking spaces per Planning Commission 's request.</p> <p><b>Ron Heller</b>- What about lighting around the complex?</p> <p><b>Ken Bissinger</b>- There is a lighting plan and with either not enough or too much lighting. That is on Cheryleen's review and we are working with her on that.</p> <p><b>Phil Abramson</b>- I would like to make a motion to approve the plans as long as the Renew Group Developers implements Cheryleen of Cowan and Associates and Bucks County Planning Commission reviews . Along with re-evaluating the handy cap parking spaces and no parking signs not only in driveway but also around the complex. Also with the condition of either the sidewalks or crosswalk painted areas to be implemented in the areas around the complex.</p>		

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<p style="text-align: center;"> <b>RENEW DEVELOPMENT, LLC 105 E MILL STREET PREPOSED INDEPENDENT LIVING COMMUNITY</b> </p>	<p> <b>Michael Haywood</b> - I second the motion.   <b>Chairman Jon Roth</b> asked for a roll call vote.           <b>Doug Wilhelm</b>- One of the reasons I asked Mr. Bissinger to put that architectural color scheme together is this is in the Pedestrian Mixed Use area. So it has to be shown as architectural designs to see if the design scheme fits in with the area and what are the materials being use. We need to have additional motion to approve this.  <b>Michael Haywood</b> - made a motion to approve the architectural color scheme.  <b>Michele Scarborough</b> - second the motion .  <b>Chairman Jon Roth</b>- asked for another roll call vote. </p>	<p> <b>Roll Call was issued:</b>  Jon Roth            <b>Yes</b>  Fred Tirjan        <b>Absent</b>  Cathy Gillahan    <b>Yes</b>  Michael Orzel      <b>Absent</b>  William Kee        <b>Absent</b>  Michele Scarborough <b>Yes</b>  Ron Heller         <b>Yes</b>  Michael Haywood <b>Yes</b>  Phillip Abramson <b>Yes</b> </p> <p> <b>Roll Call was issued:</b>  Jon Roth            <b>Yes</b>  Fred Tirjan        <b>Absent</b>  Cathy Gillahan    <b>Yes</b>  Michael Orzel      <b>Absent</b>  William Kee        <b>Absent</b>  Michele Scarborough <b>Yes</b>  Ron Heller         <b>Yes</b>  Michael Haywood <b>Yes</b>  Phillip Abramson <b>Yes</b> </p>	<p style="text-align: center;"> Motion Carried  <i>All in Favor</i> </p> <p style="text-align: center;"> Motion Carried  <i>All in Favor</i> </p>
<p><b>OLD BUSINESS:</b></p>	<p>Was condemned due to trash truck hitting the overhang park of the roof. That has been</p>		
<p style="text-align: center;"><b><i>Hair Cuttery</i></b></p>	<p>fixed and now is no longer condemned. They have there use and occupancy to open up</p>		
<p style="text-align: center;">1463 W Broad St</p>	<p>but the decided to renovate the whole entire store. Which now they need to have drawings issued and get approvals.</p>		



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<b>OLD BUSINESS:</b> <i>Continued</i>	<p>This was condemned because of structural concerns at the front corner of the end row home, where it has dropped a good inch and a half into the foundation. A Structural engineer came out to look it over to see what can be done. Drawings were submitted and permits have now been issued. They started working on this corner as of yesterday to correct the problem.</p> <p>A phone call was made to them to deal with weeds &amp; trash. They said someone made them an offer on the property and were thinking about it. As of three weeks ago, they declined the offer and Mattress Warehouse is coming and are suppose to be submitting building plans.</p> <p>Is 80 percent torn down and Enterprise Car Rental is going in there. The footer inspections are tomorrow.</p> <p>Is going to be Home Town Pharmacy. It is an individual guy that is mainly like the Medicine Shoppe. He is actually being recognized by St. Lukes. St. Lukes believes, recognizes that this personal one to one pharmacist is suitable for some types of people.</p>		
<b>52 Main Street</b>			
<i>Row Home</i>			
<b>Mattress Warehouse</b>			
<i>20 S West End Blvd</i>			
<b>Old Rita's</b>			
<i>80 S West End Blvd</i>			
<b>Old Cardinal Camera</b>			
<i>1 N West End Blvd</i>			
<hr style="border-top: 1px dashed black;"/>			
<b>NEW BUSINESS:</b> <i>Town Center Building</i>	<p>Mr. Soliday did get a partner for this project, who is Vince from Dommicks. Vince is the one who will be putting a "high end" restaurant in the first floor and is 1/2 partners with Dan Soliday. As of right now they are finishing up with their financing and once that is done they will start the land development plans. This will be an 18 month process with getting things done so nothing is coming for some time.</p>		
<b>ADJOURN:</b>	<p><b>Chairman Jon Roth</b> asked for a motion to adjourn.</p>		
<b>Recording Secretary:</b>	<i>Katherine Renner</i>	<p>Ron Heller made the motion to adjourn. Cathy Gilahan seconded the Motion.</p>	<p>The next meeting to be scheduled for November 12, 2015</p>