

Red Lion Borough Planning Commission Meeting Minutes
Monday, August 19th, 2024

Members present

Cindy Barley
Evan Hiester
Wade Elfner

Others present

Michelle Poole, Asst. Borough Mgr.
Mike Craley, Solicitor
Samantha Craley, Solicitor
Stacy Myers, Recording Sec'y

Visitors

Aleksa Keithan
Atty. John Ogden

Jordan Ilyes
Logan Harman

Ray Abboud

1. The meeting was called to order @ 7:08pm followed by the pledge to the flag. The committee is operating tonight without a quorum, so no action could be taken & no recommendations made. The following discussion was held.
2. **Cash Now LLC (Ray Abboud) submitted an application, Case No. 01-06-24 to expand on the approved Special Exception use (Case 03-08-22) as an Auto Sales lot located at 261 E. Broadway, Red Lion, PA, which is in the Industrial Zone.** Atty. John Ogden represented Mr. Abboud tonight and stated, in 2022, Ray had applied & received a Special Exception to allow 5-10 vehicles onsite at one time. This property was formerly Broadway Transmissions & when Ray purchased it, he was unsure how successful he would be in relation to car sales. Ray found he's doing a lot more car sales than car repairs. Because the car sales are so successful, he would like to expand the number of cars for sale on his lot and do less inspection/repair work. Michelle had recently visited the property at 261 E. Broadway, after she received complaints that motorists coming down Redco Avenue to the Stop sign (at E. Broadway) couldn't see past larger vehicles (SUV's, vans, etc.) parked on the Cash Now lot. The sight distance is 75' from the center line on Redco Avenue & 150' across East Broadway. Ray agreed to park cars in the front lanes, closer to E. Broadway & keep trucks, vans, etc. in the rows further from E. Broadway, and since Michelle's visit, he has moved the larger vehicles to comply with the sight distance. His main reason for wanting to expand on the Special Exception use was, as his attorney stated, the car sales is much more successful than he planned; however, he & his employee conduct state inspections & small repairs, such as brakes, suspension & some engine work. Cars on the lot for service typically don't sit overnight but could be there for 1-2 days. Most cars on the lot are for sale or are cars that Ray owns & are being serviced to sell. Ray said the sight triangle was not mentioned at his 2022 hearing for the Special Exception. The prior decision didn't address it. Because the former hearing only allowed for 5-10 cars on the lot, Ray liquidated what he could to come into compliance. He currently has 25 cars on the lot (those for both sales and service) and said that's a comfortable number to make the car sales successful. Ray also called PSP to inquire about incidents at that intersection of Redco/E. Broadway, and the Police said there were 0 accidents due to sight restriction. Engineer Eric Johnston had created a small site plan of the Cash Now property with sight distances. Eric interpreted a "yield" at the intersection rather than a Stop, but Michelle said the Borough Ordinance is what must be followed. Accessible parking on the lot was discussed. Ray also has 7 bays where cars can be parked & he used those after Michelle's visit to the property. Eight (8) parking spaces are required for employees & customers, and he has that (six in the back & two on the side). The two spaces on the east side of the property are ADA-compliant. Michelle is amenable to Ray's Special Exception request to expand the number of vehicles on his lot, assuring that trucks, SUV's or vans will be kept out of the sight triangle and right-of-way. She and Ray agree to a maximum of 25 cars on the lot at any given time, so Ray would be looking for a Zoning Hearing decision to expand the former zoning decision (from 2022) from 5-10 cars to a

maximum of 25 cars (using non-customer, non-employee spaces). Atty. Craley said Ray has met all the specific criteria for the Special Exception, and he sees no issue with the application. The Board cannot make any recommendations to the Zoning Hearing Board tonight but those present were in favor of Ray's request, as stated above.

3. **Public Comment**—Because of the lack of a quorum, no action could be taken, but at this time, the Board welcomed public comment:

- Jordan Ilyes, owner/developer of 214 N. Franklin Street, is proposing a floating patio design to use as outdoor seating in collaboration with the Food Hall. He was unsure if a sidewalk permit would be needed, which Michelle determined is not; however, the eating area is to be enclosed (Ordinance states outside eating areas must be fully enclosed by a 3' fence). The public sidewalk at this property offers entryway into the floating patios on grade, so he was hoping to not have to enclose them. At their present design, the floating patios would create a really nice space for outdoor eating, seating space, etc. Michelle also stated, we must keep the width of the sidewalk handicap accessible, which may be impossible with fencing. Does Jordan need a Variance to avoid installing fencing? Zoning was created years ago, not expecting these types of eateries which are growing in popularity, especially since Covid. When Michelle met Jordan onsite, she said he would need to apply for a Variance, or the Ordinance could possibly be updated to match current times & popular trends such as this. Atty. Craley said the Ordinance can be updated, as the Sign Ordinance is being updated currently, but it will take time. Since Jordan is in agreement that the outdoor seating/eating would be a seasonal thing, when the weather is favorable, Atty. Craley suggested he apply for a temporary (seasonal) Variance that would allow for the outdoor seating without a fence, for May thru October of this year. Committee members informally agreed with Jordan submitting an application for a seasonal Variance, in hopes of attending the next Zoning Hearing. The Committee can then make plans to remove the 3' enclosed fence requirement prior to next season.
- Logan Harman, 235 W. High Street made an informal request for the Borough to install a 4-way Stop at the intersection of N. Franklin & W. High Streets in an effort to curb speeding & help alleviate accidents in that area. High Street is a state road, so PENNDOT would dictate what occurs on that road. Committee members agreed with Logan that it's a bad intersection, and Council has added flashing speed signs in an effort to slow down motorists. Atty. Craley said he's almost certain PENNDOT would never allow a 4-way stop there, but Logan is welcome to come to the next Borough Council meeting with his request, as Planning Commission would not act on this issue. Another option for Logan is to discuss this issue with Representative Wendy Fink.
- Aleksa Keithan, 82 N. Main Street, had concerns about the proposed rezoning of the Anderson property from the Industrial Zone to Residential Town. Although it makes sense as a residential property, she said Church Lane is a dangerous alleyway to use as an access road, as they're proposing. Aleksa said many schoolchildren leaving Mazie Gable, use Church Lane (& other alleyways) to walk home. Atty. Craley said Church Lane is a "service street" so it cannot be used as an access road without a Variance. Once rezoned to RT, the owners can do whatever is allowed in that zone. Section 512 of the SALDO is less strict than the Zoning Ordinance, so those street classifications can be researched. If the property owners get a Highway Occupancy Permit from PENNDOT, they could make an access drive off of Prospect Street.

4. **Development of Regional Significance/Windsor Plaza**—Windsor Township sent this letter to Red Lion Borough as a courtesy of the proposed land development (near Aldi's), as it would have no impact on Red Lion other than creating more traffic on Main Street.

5. **Adjournment**—With no further business for discussion, the meeting adjourned at 8:11pm.

Respectfully submitted by:

Stacy Myers, Recording Secretary