

**Red Lion Borough Planning Commission
Meeting Minutes
Monday, September 19th 2022**

Members present

Cindy Barley
Joyce Seabolt
Muriel Slenker
Wade Elfner

Others present

Dan Shaw, Codes/Zoning
Mike Craley, Solicitor
Dianne Price, Borough Manager
Stacy Myers, Recording Sec'y

Visitors

Shari Dunlap
James Dunlap
Ray Abboud

1. The meeting was called to order @ 7:00pm
2. **Approval of Meeting Minutes**—Mrs. Barley made a motion to approve the August 15th Meeting Minutes; Mrs. Slenker seconded. All were in favor; motion carried.
3. **An application was submitted by Cash Now, LLC for a Special Exception** to allow automobile sales on a property located in the Industrial Zone at 261 E. Broadway (formerly Broadway Transmissions). Ray Abboud, owner of Cash Now, LLC stated that the building will be reopening for vehicle service, state inspections, etc. in approx. a week or two, as renovations are wrapping up. In addition, Mr. Abboud wants to add auto sales to help bring in more revenue. He plans to have 5-10 vehicles onsite at one time. As the Committee members pointed out, Mr. Abboud will keep sight distance in mind. Broadway Transmissions had vehicles parked near the roadway making it difficult for motorists to pull out onto East Broadway from Redco Avenue. He plans to also move cars being serviced in & out within a few days, nothing will be kept on the lot for several weeks, as was the case with Broadway Transmissions.
The customer drop off/pick up area will be in the rear of the property, along with employee parking. There will be two employees but there's five available parking spaces. Additionally, there are two bays upstairs that can be accessed through the rear of the building for longer-term vehicle repairs/service. Mr. Abboud said it's not the plan to have disabled vehicles sitting on the lot for months at a time. They want to keep a clean image. New garage doors will be installed shortly.
Existing signage out front & on the building will be used, no additional signs are proposed. The name "74 Motors" is being considered for the business.
Mr. Abboud agreed that all his representations on the plan and in his narrative are what he intends to do with the property. Mr. Craley said he saw nothing that was out of compliance with the Borough Ordinance & would recommend the Commission recommend approval of the Special Exception.
Mrs. Barley made a motion to recommend approval of the Special Exception at 261 E. Broadway; Mrs. Slenker seconded. All were in favor; motion carried.
4. **An application was submitted by Hub & Corner Café for a Special Exception** to allow a Tavern in the Borough Center Zone and a **Variance** to the requirement of a 500' setback from the Residential Town Zone on the property known as Hub & Corner Café at 157 E. Broadway. James & Shari Dunlap own Shadesville Hair Studio and also the Hub & Corner Café next to it. Broadway Alehouse used to be inside the Hub & Corner Café for a small-type processing facility which is allowed in the Borough Center Zone. The bar area was an accessory to the actual brewing operation. It was a use by right operation, but the Alehouse has since moved out. The Dunlap's now have another distilled brewer who wants to sell his product in the Hub & Corner Café, but he will not be brewing onsite.

Dan Shaw said this is a similar situation to Scrubby's (in Lion Bowl) who needed a Special Exception to allow a Tavern, and a Variance for the setback requirements to a school & the residential properties in their area.

Other points discussed:

- Beer, distilled alcohol, "spirits" & wine—any PA-made products can be served with his type of brew license
- According to this type of craft brew license, they must sell 50% of their own-made product.
- Hours of operation—
 - Thursdays & Fridays—4:00-10:00 (or 11pm)
 - Saturdays—1:00-10:00 (or 11pm)
 - Sundays—open during football season
 - He may decide in the future he wants to be open additional days of the week, so a condition of approval can be hours "any night no later than 11pm, except Saturday night, no later than 1:00am".

Mr. Craley doesn't believe they meet the criteria for approval of a Variance simply because they want to open a Tavern; there's no hardship. However, in order to protect the community from undue influence, the hours of operation can be as listed above, as well as the condition of only selling through a brewer's and/or distiller's license, allowed by PA Liquor Control Board. It protects the community against the next person (if/when Jimmy Jax moves out) from dealing with problems that may stem from "just another bar or tavern" type of operation that does not have limitations put on it.

Dan Shaw suggested that Jimmy, as well as Hub & Corner Café neighbors attend the Zoning Hearing to speak on Jimmy's behalf and to clarify any questions or concerns anyone may have. Mrs. Barley made a motion to recommend approval of the Special Exception to allow a Tavern in the Borough Center Zone and a Variance to the 500' setback from the RT Zone with the conditions being on hours of operation and those limitations instilled from the PLCB to sell through a brewer's and/or distiller's license. Mrs. Seabolt seconded. All were in favor; motion carried.

Mr. Craley said the fact that a similar type of business had previously been open in the café (Broadway Alehouse) with no problems or adverse impact to the nearby residences gives much more credibility to this situation.

5. **The Zoning Hearing** to rule on both above cases is scheduled for Tuesday, October 11th @ 6pm.
6. **Adjournment**—With no further business before the Committee, Mrs. Barley made a motion to adjourn the meeting @ 7:37pm. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary