

FIRST AMENDMENT

to the

Woolwich Township

WEATHERBY TOWN CENTER

REDEVELOPMENT PLAN

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March 2020

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REDEVELOPMENT PLAN AMENDMENT

Purpose

Amend the Weatherby Town Center Redevelopment Plan to specifically permit a supermarket in the Redevelopment Area since it is not directly indicated as a permitted use in the Redevelopment Plan.

Background

The need to amend the Redevelopment Plan arose from a 2019 decision by Judge Anne McDonnell J.S.C. in which she ruled that the Weatherby Town Center Redevelopment Plan does not permit a supermarket since it is not specifically called out, and as a result the Planning Board's approval of a ShopRite supermarket was inappropriately granted. The basis for this decision was that, while "supermarket" is a specific permitted use in certain districts of the Woolwich Township Zoning Ordinance, it is not directly indicated in the Weatherby Town Center Redevelopment Plan. While the Plan's 24 listed permitted uses include "retail sales and services" which the Township considers an all-inclusive term encompassing numerous retail types, according to the court, since the term "supermarket" is explicitly stated as a permitted use in other zoning districts, it should be clearly stated in the plan if the intent was to allow it in this Redevelopment Area.

The Weatherby Town Center Redevelopment Plan identified several guiding goals as stated below:

- To provide new commercial opportunities to enhance this section of Woolwich Township.
- To create an opportunity for mixed use development that meets market demand and individual preference.
- To provide a well-designed retail, commercial, and residential area that serves the neighborhood and addresses the needs of different ages and abilities.

The assumption, goals and objectives as indicated in the 2003 Master Plan and restated in the 2016 Reexamination Report remain viable. Furthermore, the 2020 General amendment of the Master Plan added additional objectives which further indicate the Townships desire for the amendments contained herein. These objectives are stated as follows:

- Provide all residents access to essential commercial services within the boundaries of the Township including, but not limited to, supermarkets, banks, gas stations and general retail.
- Strengthen commercial and retail options by providing a range of uses in town centers, specifically in the Weatherby General Development Plan area, Kings Landing Regional Center and, Auburn Road Village Center.
- Community-scale services such as, but not limited to, supermarkets, banks, gas stations, restaurants and general retail should be integrated and located in proximity of population centers.
- Support a zoning mix that is adaptive to commercial real-estate trends. Retail activities should be directed towards specific retail, commercial and entertainment sectors that are currently lacking within the Township

Recommended Amendments

The Weatherby Town Center Redevelopment Plan shall hereby be amended as follows:

1. The following definitions shall be added.
 - a. Center, Shopping - A group of commercial establishments planned, constructed, managed and integrated as a total entity.
 - b. Supermarket - A retail establishment offering for sale a wide variety of food products as well as other convenience and household items commonly associated with the same and having a gross floor area of more than 25,000 square feet. Supermarkets offer a broad of array of service amenities as well as sell a wide variety of goods beyond food products including, without limitation, prepared foods for onsite and offsite consumption, pharmaceutical goods, banking facilities and other related ancillary services.
2. Supermarkets shall be permitted as a principal use.
3. Supermarkets shall require - 4.5 spaces for each 1,000 square feet of gross floor area.

Conclusion

This plan recognizes that conditions may change and further refinement of this redevelopment plan may be necessary.

