

**SHREE MATA 4365 TEXT AMENDMENT
ZONING ORDINANCE TEXT AMENDMENT REQUEST 2022-501**

ATTACHMENTS

- 1. Memorandum**
- 2. Proposed Text Amendment**
- 3. Applicant Narrative**
- 4. Applicant Supporting Documentation**
 - A. Allentown Morning Call Article “Empty Anchor Stores Challenge Malls’ Creativity”**
 - B. Kaplin Stewart Article “Prohibited Uses In Modern Shopping Centers”**

TO: PLANNING COMMISSION
FROM: GREGG ADAMS, PLANNER
SUBJECT: SHREE MATA 4365 TEXT AMENDMENT
ZONING ORDINANCE TEXT AMENDMENT REQUEST 2022-501
REQUEST FOR ZONING ORDINANCE TEXT AMENDMENT REVIEW

DATE: NOVEMBER 11, 2022

COPIES: BOARD OF COMMISSIONERS, T. PETRUCCI, D. MANHARDT, L. HARRIER,
J. ZATOR, ESQ., J. ALDERFER, ESQ, A. TALLARIDA, S. PIDCOCK,
APPLICANT, SUB. FILE 2022-501

BACKGROUND:

At the September 7, 2022 Board of Commissioners meeting, the applicant approached the Board of Commissioners to request a Zoning Ordinance Text Amendment to add two new uses to the required majority Uses that define a Shopping Center and to add to Shopping Centers the Off-Street Parking reductions for size currently existing within the Minimum Off-Street Parking Calculations within Coordinated Developments. They presented that the Dorneyville Shopping Center no longer meets the definition of “Shopping Center” within the Zoning Ordinance because Retail Sales and Personal Service Businesses no longer make up the majority of the Primary Use space. They also presented that Coordinated Developments enjoy a reduction of required parking based on size of the Primary Use, while Shopping Centers (a subset of Coordinated Developments) do not. They presented that they are proceeding through the land development process to add a Fast-Food Restaurant pad to their Shopping Center but require a number of variances and/or favorable interpretations from the Zoning Hearing Board in order to proceed. They presented that they met with staff to discuss the options and afterward determined that it would be unlikely to be granted said variances and that requesting a text amendment would be a more reasonable approach. They presented that the aforementioned text amendment would be useful to all Shopping Centers within the Township, as all Shopping Centers were experiencing the same market shifts that Dorneyville Shopping Center was experiencing. The Board of Commissioners directed the applicant to pursue both the Text Amendment application to the Planning Commission and the Zoning Appeal application to the Zoning Hearing Board. The applicant had submitted an Appeal application on July 20, 2022. On September 13, 2022, the applicant submitted a Text Amendment application to the Planning Commission.

Staff reminds Planning Commission to consider the implications of the Zoning Ordinance amendment across all Shopping Centers, existing and potential, in the Township when considering the proposed amendment.

ADDITIONAL BACKGROUND AND COMMENTARY:

Prior to 2014, Off-Street Parking Requirements were typically calculated by the Use. In Coordinated Development situations, the Zoning Officer was to keep track of the Off-Street Parking Requirement for every Use within the Coordinated Development as well as the total for all required Off-Street Parking Spaces of all of the Uses within the Coordinated Development, to ensure that the total required Off-Street Parking Spaces did not exceed the number of actual spaces delineated on the site. This grew into such a problem for the Zoning Officer that, in 2014, staff created Shopping Center Off-Street Parking requirements in the 2014 Zoning Ordinance. This new requirement (one space per 225 square feet of Use) was based upon the experience of staff from the prior decade. With the reformation of the Zoning Ordinance in 2017, staff further modified Shopping Centers to define them (within the Coordinated Development family of Uses) and adding Large Off-Street Parking Space and Loading Zone requirements. Considering the cultural changes to Shopping Centers over the last eight years (the reduction of retail space, increase in restaurant space, and general acceptance of health clubs and similar recreational opportunities within Shopping Centers, the generational changes to shopping patterns, and the impact of COVID on shopping patterns), staff is not opposed to the proposed amendments. Staff would like to clarify a portion of the Definition to make clear that the Primary Use area of a Shopping Center should include any vacant space within the Shopping Center, as today's vacant space will likely be occupied at some point and generating traffic that will require parking spaces.

Staff provides below a table of the current "Shopping Centers" in the Township. Without a detailed review of the exact Use and square footage of every tenant space within the "Shopping Center", staff opines that at least two of the "Shopping Centers" below no longer meet the definitional requirements to be classified as a Shopping Center in the Zoning Ordinance – Dorneyville Shopping Center and Allentown Towne Center. Take note that Dorneyville Shopping Center, Tilghman Square, and Village West have received variances from the Zoning Hearing Board to reduce their parking requirements prior to the 2014 Zoning Ordinance adoption. Based upon anecdotal evidence, staff opines that Crest Plaza and Allentown Towne Center are dramatically over-parked. Since both of these "Shopping Centers" have not been redeveloped within the last 20 years, they have not taken the opportunity to increase their marketable square footage to take advantage of the more recent changes in the Minimum Off-Street Parking Requirements in the Zoning Ordinance. Tilghman Square, on the other hand, has done just that, adding square footage in 2012 and 2015. Of the five "Shopping Centers" listed Tilghman Square would be the best example to get a sense of how well the current Shopping Center Minimum Off-Street Parking Requirement is performing.

Staff suggests that the Planning Commission consider two additional considerations when considering the amendment:

1. Shopping Center operators are likely well-informed as to the parking needs of their tenants and will be directly impacted by poorly planning for those needs. A Shopping

Center that fails to provide sufficient parking for its tenants will likely lose tenants at a higher rate than its competitors and will likely attract fewer new tenants.

2. Consider the worst-case scenario for an under-parked Shopping Center. Is there available parking in the immediately surrounding area able to accommodate overflow parking within a walkable distance? What would be the implications of Shopping Center customers taking advantage of that nearby parking, if it is available? Are potential customers more likely to walk a greater distance from off-site parking opportunities or are they more likely to simply take their business elsewhere?

"Shopping Center"	Primary Use Square Footage Total	Current Parking Space Total (Lower Number is the Original Requirement before Variances)	Current Required Parking Spaces as Shopping Center	Required Parking Spaces Under the Proposed Amendment
Dorneyville Shopping Center	109,478	487 632	487	414
Crest Plaza	260,294	1,540 1,506	1,157	984
Allentown Towne Center (K-Mart Plaza)	164,685	940 925	732	623
Tilghman Square	266,700	1,338 1,182	1,186	1,008
Village West	139,644	765 931	621	528

As with all Ordinance amendments:

This text indicates explanations of proposed amendments.

This text indicates existing Ordinance Sections when used for reference or as examples.

This text indicates existing text within proposed amendments.

~~**This text** indicates proposed deletions within proposed amendments.~~

This text indicates proposed additions within proposed amendments.

PROPOSED TEXT AMENDMENT

The existing Section 350-48(s)(8)(A) DEFINITION:

(A) Definition: A specific type of Coordinated Development consisting of a group of at least three (3) of the following uses - Retail Sales, Personal Service Business, Business and Professional Office, Medical Office, bank, Restaurant - which are planned, constructed and managed as one entity of at least 10,000 square feet of gross Primary Use area, where each establishment has an individual entrance from the Parking Area or Street, and where customer and employee parking is shared and provided on-site. Other Primary Uses permitted within the zoning district may be permitted in a Shopping Center so long as the Retail Sales and/or Personal Service Business comprise the majority of the total Primary Use area within the Shopping Center. The regulations for Coordinated Developments also apply to Shopping Centers, unless otherwise specified in Subsection (E) below.

The existing Section 350-48(s)(8)(D) MINIMUM OFF-STREET PARKING CALCULATIONS:

(D) Minimum Off-Street Parking Calculations: 1.0 space for each two hundred twenty five (225) square feet of gross Floor Area, plus 1.0 space for every two hundred twenty-five (225) square feet of exterior display area open to the public, 1 Large parking space for parking areas containing more than 50 Standard spaces. PLUS Off-Street Loading Zones as required by each individual use.

→Staff recommends that Section 350-48(s)(8)(A) DEFINITION be amended as follows:

(A) Definition: A specific type of Coordinated Development consisting of a group of at least three (3) of the following uses - Retail Sales, Personal Service Business, Business and Professional Office, Medical Office, bank, Restaurant, **and Recreational Facility** - which are planned, constructed and managed as one entity of at least 10,000 square feet of gross Primary Use area, where each establishment has an individual entrance from the Parking Area or Street, and where customer and employee parking is shared and provided on-site. Other Primary Uses permitted within the zoning district may be permitted in a Shopping Center so long as the **Restaurant, Recreational Facility**, Retail Sales, and/or Personal Service Business comprise the majority of the total Primary Use area within the Shopping Center (**including vacant space within the Primary Use area**). The regulations for Coordinated Developments also apply to Shopping Centers, unless otherwise specified in Subsection (E) below.

→Staff recommends that Section 350-48(s)(8)(A) DEFINITION be amended as follows:

(D) Minimum Off-Street Parking Calculations: 1.0 space for each two hundred twenty-five (225) square feet of gross Floor Area, plus 1.0 space for every two hundred twenty-five (225) square feet of exterior display area open to the public, 1 Large parking space for parking areas containing more than 50 Standard spaces. PLUS Off-Street Loading Zones as required by each individual use.

(i) For Shopping Centers of 25,000 square feet or more, but less than 75,000 square feet, of primary use area, reduce the parking requirement by 10%

(ii) For Shopping Centers of 75,000 square feet or more of primary use area, reduce the parking requirement by 15%

SHREE MATA, LLC, OWNER OF THE DORNEYVILLE SHOPPING CENTER
REQUESTS THAT THE PLANNING COMMISSION GIVE FAVORABLE
CONSIDERATION TO THE FOLLOWING PROPOSED ZONING ORDINANCE
CHANGES.

What is commonly called the Dorneyville Shopping Center opened in approximately 1964 as the Crossroads Shopping Center and subsequently was owned by Laneco which sold food and a variety of other products.

The property continued in existence until 1999 when the then owner went before the Zoning Hearing Board on a variance request in 1999 (Zoning Application A-14-99). The Zoning Hearing Board again recognized the property known as the "Dorneyville Shopping Center" as a Shopping Center.

Subsequently, the Zoning Ordinance was changed which resulted in a requirement that fifty (50%) percent of a Shopping Center be occupied by certain designated facilities. Under this formula, the Dorneyville Shopping Center is no longer designated as a Shopping Center. The purpose of the proposed Amendment to Section 350-48(s)(8) Paragraph A Definition is to introduce into the definition of a Shopping Center two new uses "Restaurants and Recreation Facilities". This amendment is consistent with Shopping Centers, as we all know them, which are currently populated by these additional facilities.

We also request that you consider changing Section 350-48(s)(8)(D) Minimum Off-Street Parking Requirements as follows;

- (i) For Shopping Centers of 25,000 square feet or more, but less than 75,000 square feet, of primary use area, reduce the parking requirement by 10%.
- (ii) For Shopping Center of 75,000 square feet or more of primary use area, reduce the parking requirement by 15%.

This amendment would revise the Shopping Center Ordinance in a similar fashion as Coordinated Developments where parking demand is expected to reduce for facilities with a larger primary use.

You have received copies of a study made with respect to Shopping Centers which specifically recognizes the significant changes which have occurred in Shopping Centers nationally.

Shree Mata 4365, LLC, owner of the Dorneyville Shopping Center requests that you allow the appropriate Petition to be filed by Dorneyville Shopping Center with the Planning Commissioners to determine if appropriate changes should be made in the Ordinance.



Brian Fulmer raises his arm in the air to demonstrate how high his corn should be at his Juniperdale Farms in Plainfield Township if it weren't for the lack of rain. RICK KINTZEL/THE MORNING CALL PHOTOS

Too little, too late

Heavy rain does little to remove frustrations felt by Lehigh Valley farmers

By Anthony Salamone
The Morning Call

The dry summer in the Lehigh Valley has frustrated many of the area's roughly 840 farmers already dealing with inflation and spiraling costs of fuel, fertilizer and other items.

Tuesday's much-needed rainfall — Lehigh Valley International Airport recorded an official 1.41 inches of rain — helped with drought-like conditions, but it was too little, too late for those whose business relies on the land, area farmers and others say.

"Any rainfall is helpful, but our field corn really needed rain in July and August, when we weren't getting



Fulmer on Friday shows the damage the lack of rain did to the strawberry crop at his Juniperdale Farms in Plainfield Township.

it regularly," said Andrew Frankenfield, a Penn State Extension agronomy educator whose territory includes

the Lehigh Valley. The Valley's farmers typically face a "small window" of time when it comes to

pollination and kernel developing for corn plants, Frankenfield said. Not enough moisture plus constant heat leads to excessive stress to the point where "water is not going to help."

"Everything went through a lot of stress because of heat and drought," Frankenfield said.

The U.S. Drought Monitor said the Valley and much of Pennsylvania is in an "abnormally dry" stage, which means crop growth is stunted, among other things.

Even when rain fell, it wasn't always helpful.

"A lot of farmers happened to be in areas for, whatever reason, the rain was going around them

Turn to Farmers, Page 3

VOWS TO CONTINUE his mother's legacy

By Danica Kirka,
Jill Lawless
and Sylvia Hul
Associated Press

LONDON — King Charles III vowed in his first speech as monarch Friday to carry on Queen Elizabeth II's "lifelong service" with his own modernizing stamp, as Britain entered an uncertain new age under a new sovereign. Around the world, the queen's exceptional reign was commemorated, celebrated and debated.

Charles, who spent much of his 73 years preparing for the role of king, addressed a nation grieving the only British

He takes the throne in an era of unease for both his country and the monarchy itself.

He spoke of his "profound sorrow" over the death of his mother, calling her "an inspiration and example to me and to all my family."

"That promise of lifelong service I renew to all today," he said in the nearly 10-minute address, recorded earlier in the day and delivered with a framed photo of the queen on a desk in front of him.

"As the queen herself did with such unwavering devotion, I, too, now solemnly pledge myself, throughout the remaining time God grants me, to uphold the constitutional

Turn to Pledge, Page 17

Empty anchor stores challenge malls' creativity

There are plenty of choices, real estate experts say, and many don't involve retail

By Evan Jones
The Morning Call

There were a handful of customers in Salisbury Township's South Mall on a recent Wednesday around lunchtime. A couple was munching on slices of pizza from Dino's while others were browsing around South Mall Mercantile.

Two of the mall's anchor stores were locked. Stein Mart left in 2020 and The Bon-Ton closed in 2018. The latter's exterior still

had the look of the original tenant, Hess's, that dates to 1971.

The only thing greeting customers at the darkened doors were "For Lease" signs from The James Balliet Property Group. There was a sign of life in the former Stein Mart — a pop-up Halloween-themed store was stocked and appeared ready to go for the upcoming season.

These sightings became

Turn to Stores, Page 2

'You Belong. You Matter' signs in Nazareth spark controversy

Group sends letter decrying effort; inclusivity organizers hosting open event

By Molly Blinsid
The Morning Call

An inclusivity campaign that has spread throughout the Lehigh Valley is drawing the ire of some Nazareth residents, so organizers decided to strike back by hosting an all-are-welcome event.

The Saturday rally, called Nazareth Together, aims to make every resident feel safe, included and welcome,

said organizer April Gabriel-Ferretti. She and others have been spreading the "You Belong. You Matter" campaign throughout the borough, but last month she and local businesses displaying the sign received a letter from a group called Parents for Choice Nazareth, decrying the effort.

In addition to stating the group is "concerned"



Beth Knerr, of Verve Salon and Boutique, stands beside her inclusion signage in Nazareth on Friday. "This is a good thing," Knerr said. JANE THERESE/SPECIAL TO THE MORNING CALL

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Stores

from Page 1

more common in the U.S. and around the world in the last decade as digital retail started growing exponentially. The COVID pandemic only served to speed up the process.

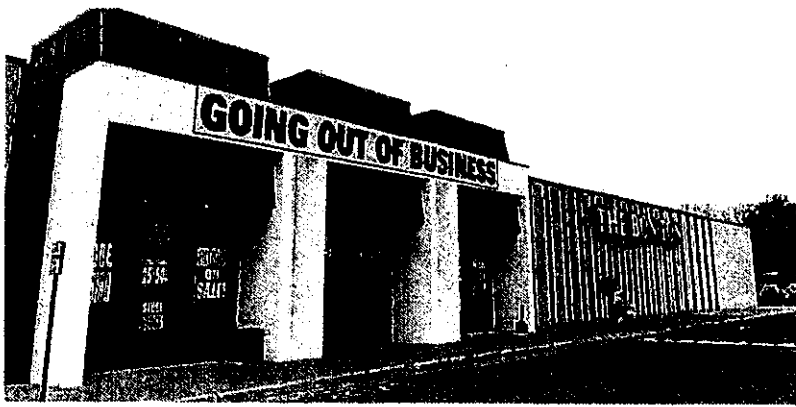
So what's next for these former giant stores?

For Loren Keim, owner of Century 21 Keim Realtors in Allentown and a professor at Lehigh University's College of Business, it's a slight mystery will have to get used to. Many of the vacancies may last 10, perhaps 20, years, Keim said.

"Part of the challenge with any of these shopping centers has been, whether it's a shopping center or mall, is that the number of anchor stores that are out there that can take up space is dwindling," Keim said. "The competition with Amazon is one thing, but then you've also got the problem with the quarantine killing off a lot of these businesses. Anything like a Bon-Ton or a Stein Mart that wasn't able to serve food and beverage and so forth wasn't allowed to be open. So that really cuts into the bottom line."

Another problem is that the demise of anchors trickles down to the smaller stores in the interior.

"I don't think you're ever going to see a solid recovery of most of these anchor stores. So the question is, what do you replace that space with?" Keim said. "And the in-line stores, all the small ones really are dependent unless they're a comic book store that has a draw from a larger area because people who are into that want to go there, or a card shop or something like that. If you don't have that sort of business and



The former Bon-Ton department store in the South Mall on Lehigh Street in Salisbury Township, shortly before it closed in 2018. MIKE MIORELLI/THE MORNING CALL

you're relying on people coming to a mall to shop and browse your store, you need those anchor stores to draw people in."

The challenge

James Balliet, president of the James Balliet Property Group in South Whitehall Township, is handling big-box spaces in the Lehigh Valley and beyond.

His listings include the Bon-Ton and Stein Mart spaces at South Mall, the former Kmart at Bethlehem Plaza; a former Weis Market in Coopersburg; and a closing Redner's supermarket in Quakertown along with an adjacent former Bon-Ton. Overall, it totals about 442,000 square feet.

Balliet said getting a new tenant "presents a fairly unique economic challenge."

"The reason boxes in this size range [between 30,000-175,000 square feet] sometimes sit vacant for extended periods of time is a complicated question," he

said. "First, there is a much smaller pool of tenant prospects to fill spaces of that size. Secondly, it is generally quite expensive to retrofit a building that was built nearly 50 years ago for a specific user in mind."

"Kmart stores by example typically cannot accommodate a modern retail concept such as Home Depot or Giant Foods," Balliet said. "The main systems such as HVAC, electrical, plumbing, floor slabs and fire suppression are much more robust today. Most shopping center owners typically end up splitting or dividing the space into smaller, more leasable storefronts if a large box vacancy is sitting long enough."

The good fight

Overall, Balliet said, the Lehigh Valley has remained strong for retail real estate despite the changes in the market.

"The Lehigh Valley retail real estate sector has bounced back to nearly full

recovery from the COVID-19 dip," he said. "The Lehigh Valley is specifically very strong as our population counts are growing and there is more and more need. We are extremely active with new retail concepts and restaurants seeking space in the area."

While Balliet wasn't sure about the specific amount of vacant retail space in the Valley, he said a majority of it is occupied.

"Most shopping centers we lease locally are running approximately 75%-100% occupied."

One place that's almost completely full is Lehigh Valley Mall. David Simon, chair and CEO of Simon Property Group, which manages and partly owns the Whitehall Township center, is bullish about the future of brick-and-mortar retail.

Indianapolis-based Simon, which also owns the mammoth King of Prussia Mall in Montgomery County and has interest in more than 200 properties worldwide, said in its 2021 earnings report that it had signed more than 4,100 leases for more than 15 million square feet, which was its highest amount of activity in six years.

"We kicked the crap out of '21. It was an unbelievable year," Simon told analysts and investors on the company's yearly earnings call in February. "We took a bet that the world of bricks-and-mortar was not going to end. We bet on our company. We made the right bet and it produced the results that we wanted to see."

Simon Properties reported in its second-quarter report in August that it had signed more than 2,200 leases for more than 7 million square feet in the first half of 2022.

Lehigh Valley Mall itself is at 94.4% capacity, according to Simon. It's down from 97% in 2019, but up from 91% in 2020.

The National Retail Federation reported that consumers have been returning to stores as the pandemic restrictions were eased. Mastercard Spend-

ingPulse said in-store sales were up 11.1% in July.

In the first six months of 2022, major U.S.-headquartered retailers announced plans to open about 5,080 stores, the NRF reported, about the same as 2021. There were plans to close about 895 stores in the same period, down 63% during the same time last year.

However, most of those announcements have been concentrated in the discount/dollar and off-price sectors, which can be less vulnerable to online competition and less translatable to e-commerce than other areas of retail, the NRF said.

Keim said there will always be a demand for brick-and-mortar stores, but the number will continue to dwindle.

"There's always going to be a component of physical shopping, especially around the holiday season that some people have that need to go out and physically go out and shop," he said. "There's always going to be people who want to touch and feel everything that they buy even 20 years from now, and you'll still see that there are people who still go to old downtowns just to shop because they liked that."

"Unfortunately, it's going to be to a lesser and lesser degree," he said. "And because of that, I think you're going to have the percentage of shopping centers that have department stores and large numbers of stores, it's probably going to dwindle. So many of these sites are gonna have to be repurposed whether they become hospital centers, or they become warehouse distribution. I think a number of them are gonna go away."

Simon Properties reported in its second-quarter report in August that it had signed more than 2,200 leases for more than 7 million square feet in the first half of 2022.

What's next?

Drive by the former Kmart on South Fourth Street in south Allentown and you will find fencing around the parking lot and construction on the building.

A new big-box store? No. "I just don't see the number of anchor stores

coming back," Keim said.

Instead, it is being converted into a self-storage facility, which could take up the entire space.

"Many of these stores are going to have to divert to something else," Keim said. "The only other option is, and I don't think this will work, if you take those stores and break them up into smaller units. The problem is, if you look at the footprint for CVS, it's not big enough to be department store-sized, and most of these empty spaces that are creating problems in the shopping centers and malls are really the major player in the anchor store."

Keim says there will be many physical changes to shopping centers. An example is the Promenade at Granite Run, in Middletown Township, Delaware County, which was formerly the Granite Run Mall.

Developer Bruce Toll converted the old mall, which had 125 stores at its peak, to an exterior mall, similar to the Hamilton Crossings in Upper Macungie Township or Southmont Plaza in Bethlehem Township.

The new Granite Run includes entertainment venues and luxury apartments, providing constant foot traffic to the stores. A similar concept is Lancaster's Shoppes at Belmont, which is anchored by Target and Whole Foods Market and includes a townhome community in easy walking distance of the stores.

"That shopping center has almost all big-box stores," Keim said of Granite Run. "So creating something like that is outward facing because that seems to be more popular, at least at this point in time. The Lehigh Valley Mall has done that somewhat successfully as well creating some additional stores on the outside, I think you're going to see more of that trying to change the footprint and you're also seeing mixed use coming into a lot of these centers to try and generate that foot traffic."

Even Simon is looking into alternate uses. An empty Lord & Taylor anchor at King of Prussia has been slated to be converted into office space known as the York Factory. Keim said it creates foot traffic that will visit adjacent stores inside the mall.

Balliet said that's the future.

"I do not believe adding non-traditional tenants into retail shopping centers is a trend at all but more so the new reality," Balliet said. "You will find evidence of this across the nation as the medical facilities, churches, fitness centers, vocational schools, etc. take large chunks of space and require retail type locations as consumers demand one-stop shopping convenience."

Morning Call reporter Evan Jones can be reached at

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Attorneys at Law

NEWS & RESOURCES

Prohibited Uses in the Modern Shopping Center Era

10/28/2016 | [Articles & Alerts](#)

The modern shopping center just ain't what it used to be. Community shopping centers of yester-year were stocked with, perhaps, a grocery store, and then various merchants selling hard and soft goods. Power centers had their pick of multiple tenants for each of the various categories of retail, such as books, electronics, home improvement and office supplies. Today, while grocers still anchor community centers, restaurants and service uses dominate the balance of the tenant line-up. In the declining number of power centers being developed, many of the big-boxes have significantly cut growth, and some have gone by the wayside, leaving only one tenant in a category.

So, then who is leasing space in our shopping centers? Most of the new tenants are those that sell goods and provide services that you can't buy online. Restaurants, health clubs and medical uses are the big space-takers in the current market. These users have provided a great boost to landlords needing to fill their spaces. However, the complication is that these tenants are found on almost every prohibited use list that you find in leases with tenants that have the cache to impose these prohibited uses. The





Big box retailers and supermarkets, who are the tenants that impose prohibited use restrictions, are pretty smart and have a good instinct for self-preservation. They know that a dark shopping center does not help, so it is possible to draft prohibited use clauses to protect the parking field and integrity of the center, while at the same time providing a landlord flexibility to lease its center.

Restaurants have to be permitted. If parking is an issue, designate areas where restaurants are not permitted, and, if necessary, differentiate between restaurants that do and don't overly burden parking. A quick-service restaurant requires much less parking than a 6,000 square foot casual dining restaurant with a liquor license.

Medical uses also need to be permitted. "Doc in a box", dental offices and urgent care centers are moving from office space to retail space. Likewise, "service retail" should not be caught in a restriction on "non-retail" uses. Banks, hair salons, nail salons, stock-brokers, weight loss centers and similar uses, while not selling goods, provide services to the public that draw traffic to shopping centers. If a big box tenant wants some limit, then it is reasonable, and common, to see a limitation on the amount of medical and service retail permitted (such as, not more than "x" percent of the shopping center to be used for these uses).

Lastly, health clubs and gyms not only lease space, but they lease large chunks of space. Health clubs are presumed to take significant parking for long periods of time. However, the reality is that health clubs are busy at times when other retailers aren't; early mornings and later in the evening. However, to assuage the concerns of retailers, health clubs can be limited to designated areas, or landlords can agree to locate the front entrance of a health club in a location that promotes parking away from other retailers' primary parking fields.

Retailing is changing, but with careful planning everyone can get live together in harmony.

