

THESE MINUTES ARE UNAPPROVED AND UNOFFICIAL UNTIL APPROVAL AT THE NEXT MEETING.
MINUTES OF TOWNSHIP OF PINE PLANNING COMMISSION MEETING

Monday, June 9, 2008

Pine Township Municipal Building

This session of the Township of Pine Planning Commission was called to order at 7:00 p.m. by Pasquale Avolio.

Members in attendance were: Pasquale Avolio, Chair; Joel Dennison, Vice-Chair; John Lombardo, Shannon Miller-Yeakel, and Garrin Welter. Also present were Larry Kurpakus, Director of Code Enforcement and Land Development; and Timothy R. McClelland, Lennon, Smith, Souleret Engineering, Inc.

There were eight visitors present.

Mr. Avolio explained that the Planning Commission is a recommending body and all approvals must be received from the Board of Supervisors.

PLEDGE OF ALLEGIANCE

MINUTES

Motion was made by Mr. Dennison and seconded by Mr. Welter to approve the minutes of the May 12, 2008 Planning Commission meeting. The aye vote on the motion was unanimous. Motion carried.

CABANA BAR

Mr. Avolio announced that the Cabana Bar submission was removed from the agenda and asked if any visitors were present with comments.

Mr. Stephen Kutlenios, 945 Park Plaza, expressed his displeasure and concern with parking issues over the weekend at the Cabana Bar.

GATEWAY TERRACE CONSOLIDATION PLAN – Preliminary and Final Approval

Mr. Kurpakus reported that Spagnolo Custom Homes is requesting the consolidation of two non-conforming lots on property located on Gateway Avenue in the “R-2” Zoning District. He also reported that Lots 8 and 10 will be consolidated into one conforming lot for the construction of a single family home.

No representative from Spagnolo Custom Homes was present.

Mr. Avolio opened the meeting to comment. As there were none, he questioned if there is any property zoned commercial adjacent to the property and Mr. Kurpakus answered that there is commercially zoned property on Gateway Avenue.

Motion was made by Mr. Dennison and seconded by Mrs. Miller-Yeakel to recommend to the Board of Supervisors, preliminary and final approval of the Consolidation for Gateway

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES

June 9, 2008

Page 2

GATEWAY TERRACE CONSOLIDATION PLAN – Preliminary and Final Approval (Cont.)

Terrance pursuant to Drawing 1 of 1 dated May 21, 2008, prepared by Tait Engineering. The aye vote on the motion was unanimous. Motion carried.

SONIC LAND DEVELOPMENT

Mr. Kurpakus stated that the proposed Sonic is to be located within the Village at Pine west of the GetGo on the unnamed private drive. It is to be a drive-in restaurant with 18 drive-in parking stalls with approximately 1700 square feet of building with patio seating. There are some outstanding items with the building façade and mechanical unit location and lighting requirements also need confirmed.

Mr. McClelland, of Lennon, Smith and Souleret Engineering, expressed his concern for building location as related to the Village at Pine Master Plan. Mr. McClelland stated the developer must be aware that the proposed Sonic may impact parking requirements for future buildings. It was identified that ADA ramps, sidewalk and the crosswalks need coordinated with the adjacent GetGo site.

Mr. Robert Dunn, representative of Sonic, noted that the mechanical units will be hidden and the lighting will comply with Township Code. He also stated that the developer is aware that the future retail building behind the Sonic will have to be smaller due to parking requirements. Mr. Dunn stated the streetwalk will be coordinated with the adjacent GetGo.

Mr. Avolio opened the meeting to comment.

Mrs. Miller-Yeakel wanted to know if the shared parking area would have a crosswalk to the sidewalk. Mr. Dunn stated that the safest way for pedestrian access is the sidewalk drawn. She also asked for the hours of operation and Mr. Dunn stated that the hours of operation have not been established. Mrs. Miller-Yeakel expressed concern with the noise level.

Mr. Dunn pointed out that there were no residences near the retail portion and stated that the facility would be in compliance with Township noise ordinances.

Mr. Lombardo stated that a designated loading and unloading area is needed. He also expressed his concern about the lighting. Mr. Lombardo stated the Code requires cutoff lighting.

Mr. Welter questioned if the yellow awning was permitted by Code. He stated that the colors used at the small retail buildings throughout the Village at Pine are acceptable.

Mr. Dunn stated that Sonic is not committed to the yellow color.

Mr. Dennison questioned the material of the white canopy over the seating area and Mr. Dunn advised that the canopy is constructed of a fabric style material. Mr. Dennison was concerned with the intensity of the LED accent lighting.

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES

June 9, 2008

Page 3

SONIC LAND DEVELOPMENT (Continued)

Mr. Avolio questioned if an overall master plan revision was proposed. He also identified concerns with the sidewalk adjoining the GetGo, and the landscaping location. He advised that it must be coordinated. Mr. Avolio also stated that he would like to see the materials to be used as well as alternate colors for the awnings. He then questioned if any outdoor loud speakers or music are being proposed. Mr. Avolio questioned the LED lighting. He commented on the truck loading area and that he would like to see that a truck could actually navigate in the space provided.

Mr. Dunn reiterated the intent to comply with the Township lighting requirements.

Mr. Avolio said that the Planning Commission could consider preliminary and final approval at the July meeting. He stated that there are too many details not clarified.

Mr. Trant, of Trant Engineering, entered the meeting at this time. Mr. Trant stated that a waiver is being requested for the drive-in parking stalls which are smaller than Township Code; he stated these spaces accommodate the canopy parking for the restaurant. He noted the stalls are 20.78 feet in length by 9.35 feet wide, which is standard for Sonic. Also, Mr. Trant stated that the dumpster pad location can accommodate the necessary truck use. Mr. Trant stated Sonic would like to request a waiver from the brick and pier fence since this detail was not a requirement for adjacent parcels and he felt it would be out of place.

Mr. Avolio requested that the details on the dumpster and parking issues be provided to Township staff for their review.

Mr. Kurpakus noted that the parking stalls are unique to the drive-in service. Mr. Dennison asked if this is Sonics standard stall size for the parking with canopies and Mr. Trant replied affirmatively.

Mr. Dennison stated that the brick and pier was an issue for other parts of the Village. He is in favor of a waiver as long as landscaping is added. It was mentioned that mounding was not a practical solution. It was suggested that Mr. Dunn provide staff with an alternate landscaping plan.

Mr. Lombardo wanted some type of fencing and or landscaping to reduce or eliminate the glare from headlights. He was also concerned with the cueing of cars and the stormwater regarding the canopies.

Mr. Trant said that the canopy is provided with a gutter or collection system but it is not yet determined how it will connect to the on-site stormwater system.

Mrs. Miller-Yeakel questioned the setbacks. Mr. Kurpakus identified that the Village at Pine is a PRD and amended set-backs can be requested. Mr. Kurpakus commented that the Sonic parcel is part of the complete Village at Pine Development.

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES

June 9, 2008

Page 4

SONIC LAND DEVELOPMENT (Continued)

Mr. Avolio would like to see taller landscaping if the waiver of the fencing requirement is to be granted. Mr. Avolio advised Sonic to meet with the Township staff to identify an alternate landscaping plan if the fence is to be eliminated.

Motion was made by Mr. Dennison and seconded by Mrs. Miller-Yeakel to table the Sonic Land Development until next month. The aye vote was unanimous Motion carried.

LAKE MACLEOD PRD, PHASE III – FINAL APPROVAL

Mr. Kurpakus noted that there are 29 lots in the Lake MacLeod, Phase III Planned Residential Development. Mr. Kurpakus identified that Shipley Brothers received Tentative Approval for the Lake MacLeod PRD in August of 2002. He stated that the developer is requesting waivers for the elimination of two trails that were part of the tentative approval. Mr. McClelland also stated that other waivers have been previously granted under the tentative approval.

Mr. Shipley and Mr. Sheffler both stated that the intent of the waiver was to limit the removal of trees. Mr. Shipley stated the development would be significantly impacted by the excessive grading that will be needed to complete the trail.

Mr. Avolio opened the meeting for discussion.

Mrs. Miller-Yeakel commended the developers on their thorough submission.

Mr. Dennison, while understanding the intent to keep Lake MacLeod PRD as natural as possible, asked the developers if they would consider a fee in lieu of construction for the trail.

Mr. Shipley was not in favor of the fee. He states that the elevation change is severe and would require significant tree removal for a 6 foot wide trail. He pointed out that Lake MacLeod has three trails totaling two miles which were not required by ordinance. Mr. Shipley stated the sidewalks throughout the development that are six feet wide can also be used as trails. Mr. Shipley also identified that no trail is proposed in the Village at Camp Trees development for trails to connect to.

Mr. Dennison suggested that the Parks and Recreation Commission review the PRD if the trail is to be removed. He asked Mr. Kurpakus if the Parks and Recreation Commission reviewed the trails plan prior to tentative approval and Mr. Kurpakus replied that would be typical. Mr. Dennison asked Mr. Kurpakus if it would be appropriate to have them review the waiver request and Mr. Kurpakus again answered affirmatively.

Mr. Avolio expressed that he would still like to see a fee in lieu of construction of the trails if an alternate trail location cannot be provided. He stated that use of Oak Park Drive is a concern.

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES

June 9, 2008

Page 5

LAKE MACLEOD PRD, PHASE III – FINAL APPROVAL (Continued)

Mr. Shipley stated that the use of Oak Park Drive will be limited to access the property until access can be provided from the existing Lake MacLeod streets. He noted that there is no access to where the new road will be located. Mr. Shipley stated that once the equipment is brought to the location, it will remain there until the road is constructed.

Mr. Avolio felt they should not make a recommendation on Oak Park Drive and suggested this issue be referred to the Board of Supervisors.

Mrs. Miller-Yeakel asked Mr. Kurpakus if developers are required to bond roads and Mr. Kurpakus answered in the affirmative.

Motion was made by Mr. Dennison and seconded by Mrs. Miller-Yeakel to recommend to the Board of Supervisors, final approval with conditions of the Lake MacLeod PRD, Phase III Planned Residential Development, pursuant to Cover Sheet (undated), Drawing 2 of 4 dated May 2008, Drawing 2 of 4 dated May 2008, Drawing 3 of 4 dated January 2004, Drawing 4 of 4 dated January 2004, Drawing C1 dated May 5, 2008, Drawing C2A dated May 16, 2008, Drawing C2B dated May 16, 2008, Drawing C2C dated May 16, 2008, Drawing C2D dated May 16, 2008, Drawing C3A dated May 16, 2008, Drawing C3B dated May 16, 2008, Drawing C3C dated May 16, 2008, Drawing C3D dated May 16, 2008, Drawing C4A dated May 16, 2008, Drawing C4B dated May 16, 2008, Drawing C4C dated May 16, 2008, Drawing C4D dated May 16, 2008, Drawing C5A dated May 16, 2008, Drawing C5B dated May 16, 2008, Drawing C5C dated May 16, 2008, Drawing C5D dated May 16, 2008, Drawing C6A dated May 16, 2008, Drawing C6B dated May 16, 2008, Drawing C7A dated May 5, 2008, Drawing C7B dated May 16, 2008, Drawing C7C dated May 16, 2008, Drawing C7D dated May 16, 2008, Drawing ES1 dated May 16, 2008, Drawing ES2A dated May 16, 2008, Drawing ES2B dated May 16, 2008, Drawing ES2C dated May 16, 2008, Drawing ES2D dated May 16, 2008, Drawing ES3 dated May 16, 2008, all prepared by Sheffler & Company, Inc., with the following conditions: 1. The developer is to comply with the Lennon, Smith, Souleret Engineering letter dated May 29, 2008. 2. Execution of a Developer's Agreement. 3. Payment of a fee in lieu of construction for the two trails shown on the master plan, with an amount to be confirmed by the Township Engineer. The aye vote on the motion was unanimous. Motion carried.

PINE CORPORATE CENTER LAND DEVELOPMENT

Mr. Kurpakus stated that Madia Properties proposes the construction of three, three story office buildings each with approximately 31,000 square feet in area. Mr. Kurpakus stated the property is located in the "C1/CDC" Zoning District. Mr. Kurpakus stated that streetwalks would be required along Christopher Wren Drive. He noted that pedestrian access should be provided from Wallace Road Extension and the two parcels should be consolidated.

Mr. Jim Ventura, civil engineer, stated that three buildings will be developed in phases and stormwater management already exists on site.

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES

June 9, 2008

Page 6

PINE CORPORATE CENTER LAND DEVELOPMENT (Continued)

Mr. Frank Madia stated that the access to the buildings is in the rear. Mr. Madia stated that the main entrance is in the back.

Mr. Ventura stated his concerns for a sidewalk along Christopher Wren Drive, stating that the property drops off at a steep slope and there is no room for a sidewalk.

Mr. Avolio opened the meeting for discussion.

Mrs. Miller-Yeakel asked if the rear entrances are in compliant with ADA and was advised that all main accesses are at grade. She also stated that lot consolidation was warranted.

Mr. Ventura expressed his intent to consolidate the lots.

Mr. Lombardo agreed that the sidewalk would not be feasible along Christopher Wren Drive. He asked if Mr. Madia would consider a payment in lieu of construction for the sidewalks and Mr. Madia answered that he would not. Mr. Lombardo questioned if the parking lot connection to the Copperleaf building was proposed.

Mr. Ventura also stated that the buildings can connect to Copperleaf, however provisions have not yet been made.

Mr. Lombardo requested that the center dumpster location be moved to the north. He also requested samples of the building materials.

Mr. Avolio questioned the color scheme and Mr. Madia stated that he did not have the specifics at this time, other than red brick.

Mr. Welter identified his concern with overflow parking at the church.

The Planning Commission wanted it noted that a variance had been granted by the Zoning Hearing Board related to the building articulation.

Motion was made by Mrs. Miller-Yeakel and seconded by Mr. Welter to recommend to the Board of Supervisors, preliminary and final approval of the Pine Corporate Center Land Development with conditions pursuant to Cover Sheet dated April 16, 2008, prepared by Partridge Venture Engineering, Drawing 2 dated September 2001 and revised April 16, 2008, prepared by Gateway Engineers, Drawing 3 dated April 16, 2008, prepared by Partridge Venture Engineering, Drawing 4 dated April 16, 2008, prepared by Partridge Venture Engineering, Drawing 5 dated April 16, 2008, prepared by Partridge Venture Engineering, Drawing 6 dated April 16, 2008, prepared by Partridge Venture Engineering, Drawing 7 dated April 16, 2008, prepared by Partridge Venture Engineering, Drawing 8 dated April 16, 2008, prepared by Partridge Venture Engineering, Drawing 9 dated April 16, 2008, prepared by Partridge Venture Engineering, Drawing 10 dated April 16, 2008, prepared by Partridge Venture Engineering,

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES

June 9, 2008

Page 7

PINE CORPORATE CENTER LAND DEVELOPMENT (Continued)

Drawing 11 dated April 16, 2008, prepared by Partridge Venture Engineering, Drawing 12 dated April 16, 2008, prepared by Partridge Venture Engineering, Drawing 13 dated April 16, 2008, prepared by Partridge Venture Engineering, Drawing A06 not dated, prepared by LLI Engineering, Drawing A07 not dated, prepared by LLI Engineering, with the following conditions: 1. Consolidation of the building lots. 2. Cross access for the parking to be provided if the adjacent copperleaf building owner agrees to provide access. 3. The center dumpster location to be removed and combined with the North Dumpster location. 4. Crosswalks to be provided at the access drive. 5. Building materials to be confirmed with staff. 6. Execution of a Developer's Agreement. 7. The Developer is to comply with the Lennon, Smith, Souleret Engineering review to be completed prior to the Board of Supervisors' approval. The aye vote on the motion was unanimous. Motion carried.

ADJOURNMENT

Motion was made by Mrs. Miller-Yeakel and seconded by Mr. Lombardo to adjourn. The aye vote on the motion was unanimous. Motion carried.

The meeting adjourned at 9:00 p.m.