MINUTES OF TOWNSHIP OF PINE PLANNING COMMISSION MEETING

Monday, October 10, 2016 Pine Community Center

This session of the Township of Pine Planning Commission was called to order at 7:03 p.m. by Joel Dennison, Vice Chair.

Members in attendance were: Joel Dennison, Vice Chair; Garrin Welter; Steve Olshavsky; John Lombardo; and Renee Evans. Also present were Larry Kurpakus, Director of Code Administration and Land Development; and Robert Firek, Lennon, Smith, Souleret Engineering, Inc. (LSSE).

There were 16 visitors present.

PLEDGE OF ALLEGIANCE

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

MINUTES

Motion was made by Mr. Lombardo and seconded by Mrs. Evans to approve the minutes of the September 12, 2016 Planning Commission meeting. The aye vote on the motion was unanimous with the exception of Mr. Olshavsky who abstained as he was not in attendance at that meeting. Motion carried.

MARTIN SMITH CONSOLIDATION PLAN

Mr. Kurpakus reported Martin Smith is proposing the consolidation of parcels 2001-G-3, 2001-G-4 & 2001-G-5 located at 300 Graham Road to construct an accessory structure. The current property use is single family residential. There are minor outstanding comments noted in the LSSE review letter dated September 30, 2016 which can be addressed on the final recording plan.

Mr. Dennison asked Mr. Firek if he had anything to add and Mr. Firek replied he did not.

Motion was made by Mr. Welter and seconded by Mr. Olshavsky to recommend the Board of Supervisors grant preliminary and final approval of the Smith Lot Consolidation plan drawing sheet 1 of 1 dated September 16, 2016 and prepared by Northern Surveyors & Associates with the following conditions:

1. Compliance with the LSSE review letter dated September 30, 2016.

The aye vote on the motion was unanimous. Motion carried.

CHICK-FIL-A SUBDIVISION AND LAND DEVELOPMENT PLANS

Mr. Kurpakus reported Chick-fil-A, Inc. is proposing the construction of a 5,651 square foot fast food restaurant with a drive-through. The proposed location is part of the existing Northway Christian Community Church parcel. Land development improvements include parking, landscaping and pedestrian improvements. No additional traffic improvements or curb cuts are proposed. There are outstanding comments noted on the HRG review letter dated October 4, 2016 regarding the traffic flow plan on the existing North Way Christian Community property. There are also outstanding items noted on the LSSE land development review letter dated October 3, 2016. Mr. Kurpakus added the applicant has the review letters. Mr. Dennison asked Mr. Firek if there were additional items to cover. Mr. Firek replied there were none at this time.

Jonathan Kamin an attorney representing the applicant introduced himself and the Chick-fil-A developing manager, Jason Pociask, and stated representatives from North Way Christian Community were also present.

Mr. Pociask described the background of the Chick-fil-A brand. He explained in 1967 the first franchise was opened in a mall, and in 1986 the first free standing restaurant was opened. Mr. Pociask stated there are 2,000 locations in 48 states and between 100 and 105 restaurants open each year. He stated the three differences between Chick-fil-A and its competition are: 1) Each owner is local to the community, and is encouraged to be part of the community, 2) the food is freshly prepared, half the building is a kitchen, and 3) customer service and hospitality.

Gary Rouse of GBC Design, Inc., Akron, Ohio, the site engineer, stated he had received the engineers' comments and will work with Mr. Kurpakus to address them. Mr. Kurpakus asked Mr. Rouse to go over the basic site plan. Mr. Rouse showed where the restaurant will be located and how it will be accessed. He showed the location of the 51 car parking lot and the double drive-through with a 25 car stack. Mr. Rouse explained how traffic will exit and stated he likes having the exit on the northerly end to avoid taking more parking from the church. Mr. Rouse explained the drive-through and how the stacking process works, adding the operation is smooth and quick because service is their number one priority. Mr. Kamin stated the drive-though is a standard model and Mr. Rouse added double drive-throughs have been used for the last 5 years because 60% of Chick-fil-A's business is drive-through, even though the buildings are nice inside.

Mr. Pociask explained the building entrance will be located away from the drive-through area. He showed the proposed building materials and stated they will be customized for the Wexford location. Mr. Pociask showed the building elevations and discussed the glazing requirements of 67%. Mr. Kamin added the building will be high quality and built to last forever.

Mr. Olshavsky asked if they are counting the parking spaces where the garbage receptacle is located. Mr. Rouse replied they are counting those spaces since garbage pick-up will be coordinated by the owner to be done during off-peak hours.

Mr. Welter stated he is looking forward to Chick-fil-A coming to town. He added he is surprised at the volume of people who go through the drive-through. Mr. Welter asked if deliveries are made during off times. Mr. Rouse replied they will be and the owner/operator is responsible to coordinate trash and deliveries times. Mr. Rouse added Chick-fil-A will be closed on Sundays, which is the church's busiest day. Mr. Pociask stated deliveries and trash pickup are usually done first thing in the morning before operating hours.

Mr. Welter stated the location is a tough site to work with, and is concerned about stacking backing up onto Wallace Road since 60% of the business is drive-through. Mr. Pociask replied stacking for 25 cars is well above what they design for and the orders will be processed quickly for customers to get in and out of the stack. Mr. Welter stated there is no way for motorists to get out of the drive-through if they are there by mistake. Mr. Welter added the parking spaces are not large enough, and asked if they plan to recalculate them. Mr. Rouse replied the spaces do not meet the minimum area and they will be re-worked. Mr. Welter asked if that meant there will be fewer spaces. Mr. Rouse replied there will not be fewer spaces because they will be angled. Mr. Pociask added there will be a cross parking and access agreement with church. Mr. Welter stated pedestrian connections are needed and asked for careful consideration of pedestrian access, crosswalks, etc.

Mr. Lombardo stated pedestrian access is needed to cross the buffer between the two properties and asked why Chick-fil-A is not open on Sundays. Mr. Pociask replied its founder S. Truett Cathy went to church on Sunday, and it allows team members to have a day to relax and it gives the equipment a day off “to catch its breath” and be maintained. Mr. Lombardo stated he admires Chick-fil-A employees and the restaurant is an amazing place. Mr. Lombardo stated they will need elevations for the trash enclosure facing Route 19. Mr. Pociask replied the trash enclosure will be the same brick as the building.

Mr. Lombardo asked why there is no outside seating. Mr. Pociask replied there is outdoor seating, but no outdoor patio. Mr. Lombardo asked why no outdoor patio is proposed. Mr. Pociask replied it depends on the location of the restaurant. Mr. Lombardo stated the neighborhood enjoys eating outdoors and to consider adding a patio.

Mrs. Evans stated the parking and driving lanes are one-way and asked if the stalls are changed what would discourage people from coming back out of the same entrance. Mr. Rouse replied signage and arrows would force one-way traffic.

Mr. Dennison stated a buffer is required between the two uses, and there should be a dedicated pedestrian way to walk from the shared parking and through the buffer. Mr. Dennison stated the flow of traffic needs to be improved and asked what they had in mind for the right in only entrance. He added he will take their word for the design of the stacking. Mr. Dennison stated the parking lot will need proper signage for motorists to find their way through the church parking to the exit and the church may have to help by having signs on their site. Mr. Dennison added he is not in favor of parking in front of garbage receptacle; they need to try to avoid potential conflicts.

Mr. Dennison asked if they could describe the plans for landscaping. Mr. Pociask replied he did not have the plan. Mr. Rouse added an outside contractor does the landscaping. Mr. Dennison stated the garbage receptacle should be hidden with landscaping even if the structure is attractive.

Mr. Dennison stated the building side facing Route 19 has glazing requirements. Mr. Pociask showed the glazing requirements have been met on the sides facing Route19 and Wallace Road. Mr. Dennison stated items on the LSSE letter need to be addressed.

Mr. Welter asked Mr. Rouse which engineer point concerned him the most. Mr. Rouse replied it’s the 10’ buffer requirement on the west side; space is needed for parking and cross access. He added he can work through the other comments. Mr. Welter asked what the best exit

strategy would be. Mr. Pociask described the plan and its staying away from the operations of the church. Mr. Pociask added they will use signage to direct people, and to keep simple they will use the existing curb cut. Mr. Welter agreed with his design and asked if there are sections that will need widening or improvement. Mr. Pociask replied there are not, and Chris Fitting of North Way Christian Community agreed there will be no problems with the flow of traffic.

Mr. Dennison asked if they will be able to conceal the mechanicals since the site sits down low. Mr. Pociask replied the mechanicals will not be seen from ground level or coming down Route 19, and added the trees will also provide cover.

Mr. Dennison asked if they plan to leave the street trees. Mr. Pociask replied they do and Mr. Kamin added a tree or two on Route 19 may be removed. Mr. Pociask added the trees that are removed will be replaced somewhere else in the development.

Mr. Dennison stated signage improvements require separate approval. Mr. Olshavsky asked if North Way's sign will stay where it is. Mr. Pociask replied it would.

Motion was made by Mr. Welter and seconded by Mr. Olshavsky to table the application to allow the applicant to address outstanding traffic and engineering review comments. The aye vote on the motion was unanimous. Motion carried.

VILLAGE AT PINE PRD AMENDMENT NO. 2 – PHASE 4D

Mr. Kurpakus reported Gigliotti Holding, L.P. is proposing an amendment to the Village at Pine P.R.D. to include an additional 4 attached single family residential lots. The project includes the extension of a private alley to serve the proposed lots and reduction of the recorded open space serving the Phase 4 park facilities. The submission has been reviewed for compliance with the tentative approval granted April 6, 1999 including modifications, as well as Township Code requirements. There are minor outstanding items noted on the LSSE review letter dated October 3, 2016.

The applicant engineer Donald Trant, Trant Corporation stated the parcel identified as open space is separated from the recreation area by a utility right-of-way and developing the parcel will still leave enough open space. He added the separated parcel does not make sense to be a recreation area because of an elevation change. Mr. Trant stated the proposed units will be the same type and style as the existing units, and will be 100' away from the recreation area.

Mary Wilczynski of 506 Broadmore Lane stated she lives directly across from the site and has five concerns: 1) the amount of greenspace, 2) safety for the neighborhood children, 3) retaining the neighborhood for families and that includes having greenspace, 4) parking will become more burdensome, and 5) it will be a major inconvenience to undergo construction again.

Nicholas Kennedy of 402 Rosecliff Road stated Mr. Dennison told the developers of Chick-fil-A that he would "take their word for it" and the residents took Ryan Homes' word for it when they were told the area would remain greenspace because of the utility right-of-way. Mr. Kennedy explained the grade change of 3-4' at this site is due to its having been a dumping zone for 1-1.5 years, and was a flat area until recently. He added more importantly the area was designed as a recreation area, and he was looking forward to having it as greenspace.

Christine A Knable of 602 Fairgate Drive showed where her home is located and stated she has original maps clearly delineating the area as greenspace. She stated the process of developing the park has been extremely slow and now it will be changed. Ms. Knable stated that she was told by the developer at the end of September that there wouldn't be any changes, but shortly afterward received notification from the township about the proposed development. Ms. Knable explained the area was not designated to have buildings.

Lucas Mulhollem stated parking for full sized trucks is terrible and the greenspace gives him room to park his truck. Mr. Mulhollem added he does not want a building 10' from Ms. Knable's home.

Peter Brown of 600 Fairgate Drive stated he was promised by Ryan Homes that there was going to be a greenspace behind his home. He added he has been there for four years, and there has been construction for four years, and now it is almost finished. He is unhappy about being told one thing and given something else.

Glen and Julie Leininger of 617 Broadmore Lane stated their home is next to the proposed site. Mr. Leininger explained the power lines do not separate the greenspace. He added that children play there. Mr. Lombardo stated the greenspace is key and developing the area will take away the character of the neighborhood. Mr. Lombardo asked Mr. Trant if the utilities were in place. Mr. Trant replied they are. Mr. Leininger stated having the utilities installed shows developing the greenspace was planned. He added the developer hasn't finished the original plan in multiple places; and taking away the greenspace is the wrong thing to do.

Mark Gibbons of 604 Fairgate Drive stated he is the original owner and was told when he purchased his home there would be greenspace. He added the Village is a nice neighborhood and developing the greenspace does a disservice to the neighborhood and is dishonest. He added this area is a chopped down version of other greenspace. Mr. Gibbons stated many residents own a dog in the neighborhood and this area gives them extra space to walk their pets. Mr. Gibbons stated he was disappointed when a large pavilion was built for mailboxes, it would have been nice to have a pavilion for picnic tables. Mr. Gibbons asked that the developer not be allowed to build, as it is already very dense and the additional greenspace is needed.

Mr. Mulhollem asked the planning commission members to go and view what the developer is calling greenspace; and added it is not fit for children to play on.

Mrs. Evans stated she had no questions for the developer, but wanted to add her own personal comment and said the area should be left as greenspace for the children to play outside. She added there are already many houses for sale in the Village, and they don't need four more.

Mr. Lombardo stated he feels sad that the developer said it would be greenspace and now wants to develop it, but the developer owns it and has the right to make the request.

Mr. Kennedy asked if developer still owns the greenspace, can Ryan Homes market the townhomes as having greenspace. Mr. Dennison replied Ryan Homes sold the townhomes based on the plan as it existed at the time and they were not being dishonest.

Mr. Welter asked Mr. Trant when the utilities for the proposed townhomes were laid. Mr. Trant replied the utilities would be there whether the greenspace was developed or not. Mr. Welter asked if the utilities were laid for the proposed development and Mr. Trant replied no. Mr. Welter asked Ms. Wilczynski to clarify what she meant as greenspace. Ms. Wilczynski replied greenspace is open area.

Mr. Welter asked Mr. Dennison if a townhome being an end unit and its greenspace would be referenced in the sales contract. Mr. Dennison replied it probably would not be mentioned. Mr. Leininger asked if the developer is meeting the minimum allotted greenspace. Mr. Welter replied in addition to the usable greenspace, unusable space can be used in calculations of greenspace. Mr. Welter added it bothers him when he hears homeowners say they were told something and were given something else. It is unfortunate it happens so often. Mr. Welter explained he did not have an opportunity to look at this site, although he usually does. He stated he finds much of the development excessive, with many different phases, and asked where does it end? Mr. Welter stated there are hundreds of dwellings, and asked where do you draw the line? Mr. Welter added the developer can do as he pleases as long as it follows Code. Mr. Welter stated in this situation he is looking at the volume of dwellings with a centrally located greenspace and is absolutely against it. Mr. Welter added people have been told it is greenspace and have purchased their homes based on that information. Mr. Welter stated the proposed plan will affect a number of homeowners and he cannot support it. Mr. Olshavsky stated he agrees with Mr. Welter and cannot say it any better than he did.

Mr. Dennison asked Mr. Trant what the elevation change from power line easement to parcel is. Mr. Trant replied it is 4'. Mr. Dennison stated many homeowners have similar elevation changes in their backyards, and with work the area can be a usable greenspace. Mr. Dennison stated the challenge is based on the calculations of the developer's requirement for greenspace since it is a PRD. He added the developer can request it since it meets the required greenspace. Mr. Dennison stated the developer can ask for an amendment since it is his property. Mr. Dennison questioned if it is the right thing to do. He stated the parcel could be a nice usable greenspace with work for the residents. Mr. Dennison stated the residents were told it would be greenspace. Mr. Dennison stated he cannot support the plan, the area is usable greenspace, and that is how it was originally planned.

The developer Dominic Gigliotti stated it was planned this way. Mr. Gigliotti stated it is a nice neighborhood and has a son who lives there. Mr. Gigliotti added the value of the homes is increasing and the additional homes won't affect their value. Mr. Gigliotti stated the utilities are there and it was planned that way. He added it is a nice development for children and there will soon be a ballfield. Mr. Gigliotti stated the area was not a dumping ground. The Village has basketball, soccer fields, playgrounds, and a two acre green area behind Giant Eagle. It is a great place to live and the home values will increase. Mr. Gigliotti added he is thinking about moving there himself, as more homes with first floor masters are built. Mr. Gigliotti stated every section of the Village has its own amenities. There is plenty of open space, and another phase may have additional greenspace.

Motion was made by Mr. Welter and seconded by Mrs. Evans to recommend the Board of Supervisors deny the Village at Pine PRD Amendment No. 2 – Phase 4D. The following voted aye: Mr. Dennison, Mr. Welter, Mr. Olshavsky and Mrs. Evans. The following abstained: Mr. Lombardo. Motion carried.

Mr. Kurpakus stated the plan will be presented at the Board of Supervisors' meeting on Monday, November 7, 2016 and no additional adjoiner notifications will be sent.

ADJOURNMENT

Motion was made by Mr. Welter and seconded by Mr. Olshavsky to adjourn the meeting. The aye vote on the motion was unanimous. Motion carried. The meeting adjourned at 8:15 p.m.