

**MINUTES – PLANNING COMMISSION MEETING
NOVEMBER 4, 2015 TOWN HALL**

CALL TO ORDER

Chairman Meinert called the meeting to order at 7:30 pm with the following in attendance: Messrs.: Childress, Lersch, and Schnupp. Councilman Oliver, Land Use Administrator Betty and Mrs. Lopus, Administrative Assistant were present.

**McCANDLESS CROSSING MEX
CUMBERLAND AND McKNIGHT ROADS**

Chairman Meinert stated that this is a Preliminary and Final Approval of a site plan application for McCandleless Crossing Mex. The property is located at Cumberland and McKnight Roads.

Land Use Administrator Betty said this is on the site of the Fifth Third Bank. The bank decided not to build and Emiliano's Mexican Restaurant has decided to build on the site. They are proposing a 5,200 square foot building. Angela Baehr and Chris Kerns from Eco Land Solutions were at this meeting to present the plan. Mr. Kerns said that the site sits on the corner of Cumberland and McKnight. He said that the Buckeye Pipeline took a fifty (50) foot right-of-way from the edge of the road, which is quite large. This made the site very tight. There will be fifty-three (53) parking spaces and the bufferyard is in place by the developer. There is a small part that will encroach into the planting area pushing the bufferyard further to McKnight Road and all plants will be relocated or replaced in kind. There will be two (2) entrances to the restaurant on the Lowe's side of the building. The stormwater has already been addressed by the developer as part of the underground system. Mr. Betty explained the stormwater and resource protection plan. This detention is below Lowe's and was added to accommodate the water quality controls. It goes from these pipes to the dam and all pipes are satisfactory. The impervious area is minimal and the lot is .69 acres. PVE Sheffler is satisfied with the plan and finds no exception. Mr. Kerns said revisions were submitted last week in regard to the Gateway review and some of the items addressed were the bufferyard, traffic, updated trip calculations and a lighting plan was provided. The geotech plan was provided to Gateway. Mr. Kerns explained that there would be a small segmental block retaining wall 3½ feet high on the eastern side. Ms. Baehr explained that they would be looking at signage at the main entrance and on the side road.

Mr. Betty said that the way this works is that the entire site was developed for stormwater. Below the Lowe's there is a huge detention facility. These are also tanks, which act primarily as water quality control but add volume control.

It was asked about the maximum occupancy; Ms. Baehr said she would get back to us. The Fire Marshal will have to determine how well the trucks can turn around in the plan. The kitchen is located near the loading area.

There will be a small 3 ½-foot retaining wall on the east end. There are eight (8) down lights on the building. Mr. Kerns pointed out the outside lighting and the building lighting. The chimney is for a two sided gas fireplace. Mr. Betty asked if the lights could be LED lights. Mr. Kerns said they were trying to stay in line with the Lowe's lights. Mr. Oliver said that these lights are high and we have to think of the residents. Mr. Kerns said that the restaurant sits in a bowl.

The sign plan has not been done. Mr. Betty said it would be good to have them. Ms. Baehr said she will submit the plan. Discussion about the signage ensued.

Regarding the fence on the east side of the building, will people have access to this? Mr. Kerns said no. The drop off follows the line of the wall and the fence is a four (4) foot metal decorative fence. Mr. Betty said it drops off quickly there.

The doors near the bar are a decorative feature. This allows natural light into the restaurant. This will also be an emergency exit. Discussion ensued regarding a sidewalk or concrete pad outside of the doors. Ms. Baehr said she would check the code and verify. The dumpster area will be the same as the building which is brick veneer colored to match the building.

Mr. Betty said the traffic information needs to be sent to Bob Goetz, the Town traffic engineer. Mr. Betty explained that no parking study is needed as it is determined with the development. The allowable is fifty-three (53) spaces.

Ms. Baehr said that the capacity for the restaurant is 114 for dining and 80 in the bar for a total of 194.

Mr. Betty said we require a 6/12 pitched roof. The air conditioning and the mechanicals will be located above the bar and kitchen. The height of the tower section of this building is thirty (30) feet.

Motion was made by Mr. Schnupp to approve this site plan provided all of Gateway Engineer comments, accessibility with the door swing is resolved, the sidewalk or pad from the emergency doors, comments from the Fire Marshal, the traffic counts, the interior traffic patterns, lights, signage and geotech are addressed. Motion was seconded by Dr. Childress and by a vote of four (4) in favor and zero (0) opposed it was unanimously approved. Mr. Gaertner, Mr. MacIntyre and Mr. Wehrspann were absent from the vote.

C-2 (NEIGHBORHOOD SHOPPING) DISCUSSION

Chairman Meinert stated that this is a review of the proposed amendment to permit restaurants on large lots in C-2 districts.

Land Use Administrator Betty said that he has been having discussions with representatives of Viola's at the Duncan Manor Plaza. Currently restaurants are not permitted in a C-2 zoned district. Duncan Manor has had a restaurant forever and Mr. Betty is not sure how it got in there. Mr. Betty said this is similar to the Wexford Plaza that was rezoned to accommodate a

new restaurant. The owner would like to add another restaurant. Mr. Don Graham of Dylan, McCandless, King and Graham to discuss the proposal they have. Mr. Graham said that the restaurant that is there since the 1970's when C-2 was allowed to have restaurants. The current restaurant is Blue, which is nice. There is a trend in the shopping center business. Used to be that large supermarkets or retail stores anchored shopping centers but now it seems shopping centers are anchored by restaurants. More restaurant tenants are looking to rent in the shopping centers. Mr. Graham said the C-2 district tends to be in small pockets around the Town and close to the road like in Ingomar and restaurants probably do not do that well in that situation. Mr. Graham said how they handled this was they drafted this ordinance with the idea that if the restaurant were located on a site with a certain amount acreage determined by the Town, that way the restaurants would only be located where appropriate and would be recognizing the trend to where more and more restaurants are located in shopping centers. Mr. Graham said they already have a prospective tenant that is interested in the Duncan Manor Plaza for a restaurant.

Mr. Betty said a parking study would be required. Discussion regarding the acreage desired ensued. Mr. Betty pointed out the C-2 parcels in the Town. All agreed that five (5) acres was a good idea. Suggested was drive-thru restaurants are not permitted and signage on the building would be limited.

Motion was made by Mr. Schnupp to recommend approval of this C-2 Ordinance provided a parking study is done, the minimum acreage is five (5) and that drive-through restaurants will not be permitted. Motion was seconded by Mr. Lersch and by a vote of four (4) in favor and zero (0) opposed it was unanimously approved. Mr. Gaertner, Mr. MacIntyre and Mr. Wehrspann were absent from the vote.

MINUTES APPROVAL

Motion was made by Mr. Lersch and seconded by Mr. Schnupp to approve the minutes of the October 6, 2015 Planning Commission meeting. The minutes were unanimously approved.

ADJOURNMENT

There being no further business the meeting adjourned at 8:45 pm.

Respectfully submitted,



Edward G. Meinert
Chairman, Planning Commission

EGM/ml