

TOWN OF McCANDLESS  
MINUTES – ZONING COMMITTEE MEETING  
JANUARY 11, 2016      TOWN HALL

The meeting was called to order at 7:32 p.m. by Committee Chairman McKim with the following in attendance: Committee members Zachary, Aufman, Mertz, Powers, Walkauskas and LeDonne; Town Attorney Ries, Town Manager Cordek, Assistant Manager Ebner and Marie Haller, Administrative Assistant.

NOTIFICATION OF A PUBLIC HEARING  
PROPOSED AMENDMENT TO “PLANNING AND ZONING CODE”  
C-2 NEIGHBORHOOD SHOPPING DISTRICT

The Committee was notified a public hearing is scheduled for Council’s Regular Business meeting on an ordinance proposing to amend the Town of McCandless “Planning and Zoning Code” to permit restaurants in the Town’s C-2 Neighborhood Shopping District under certain standards and criteria as per the request of Dillon McCandless Kin Coulter & Graham, LLC on behalf of Viola Food Stores, Inc.

Councilman McKim provided an overview of the proposed amendment. Zoning Officer Betty reported Viola Food Stores, Inc. submitted a draft of the proposed amendment to the Zoning Code to permit restaurants as conforming/permitted use in the Town’s C-2 Neighborhood District. Since, modifications were according to recommendations made by the Planning Commission and the Zoning Committee.

Mr. Betty introduced Attorney Tim Bish of Dillon McCandless King Coulter & Graham, LLC, representing Viola Food Stores, Inc. Mr. Bish explained the primary purpose of this proposed amendment is to bring Viola Foods Stores in compliance with the Town of McCandless Zoning codes. He noted lenders and financial institutions are increasingly aware property development must be considered conforming/permitted use in municipal zoning districts. He remarked that restaurants are more and more often considered to be anchor points in shopping centers and for this reason the owners of Viola’s Food Stores would like to consider leasing space to a breakfast/lunch restaurant in the Duncan Manor Shopping Plaza. Mr. Bish acknowledged and reviewed the standards and criteria included in this proposed ordinance which states, “restaurants may only be located on a lot that is at least 5 contiguous acres in lot area, a parking study shall be performed by a professional traffic engineer at the expense of the applicant and restaurants shall not include a drive-thru.”

John Harrison, 1473 Hedwick Drive, commented about the proposed traffic and parking study and expressed concern with previous studies. He discussed issues with parking at McCandless Crossing. Zoning Officer Betty briefly discussed parking at McCandless Crossing and invited Mr. Harrison to meet with him in the Zoning office to discuss further details.

Barbara Richards, 305 Manor Court, asked if any consideration has been given regarding the impact to the Thompson Run Road, Duncan Avenue and Ferguson Road five-point intersection located adjacent to the Duncan Manor Shopping Center. It was reported there is likely a prior Highway Occupancy Permit

(HOP) issued by PA Department of Transportation (PennDOT) for this intersection which would have considered anticipated traffic flow for the prior grocery store located in this plaza. Restaurants typically have less traffic volume than a grocery store, no change is anticipated but this determination would be made by PennDOT.

Deb Sagan, 9994 Parkland, suggested there is a need for better defined entrances to the plaza. She also asked if there are any limits to square footage. Mr. Betty reported any addition exceeding 25% of the current structure would be required to be reviewed via the public hearing process.

STATUS REPORT  
DUE DILIGENCE – RAVE PROPERTY

A status report on the due diligence regarding the potential purchase of Rave Cinema property was discussed. It was noted that a substantial discussion regarding the due diligence process has previously occurred. Attorney Ries commented there are number of issues are being considered to determine whether Town Council will extend the current agreement which expires on January 18, 2016. He explained that due to the inherent confidentiality of this Real Estate matter, Council will discuss details in an Executive Session, although their decision will be shared publically.

Town Manager Cordek remarked due to the time frame, a Special Meeting may be held for Council to vote on this matter. He advised a meeting would be posted on the Town's website and publicized accordingly.

ADJOURNMENT

Councilwoman Powers moved Council into an Executive Session at 8:11 p.m. The Executive Session adjourned at 9.12 p.m. After a brief recess, the Zoning Committee adjourned at 9:22 p.m.

Respectfully submitted,

  
Marie A. Haller