PLANNING BOARD MEETING MINUTES
DECEMBER 12, 2013
The Planning Board met at 6:30 PM local time Thursday, December 12, 2013 in the Auditorium conference room to discuss, in a meeting open to the public, tabled matters and other business that was before it.

I. CALL TO ORDER:

PRESENT: Allyn Hetzke, Jr
Bill Bastian
Jim Burton
Roseann Denoncourt
Bob Kanauer
Doug McCord
Terry Tydings

ABSENT:

ALSO PRESENT: Katie Evans, Planning Board Clerk
Katherine Kolich-Munson, Secretary
Zach Nersinger, Planning Technician
Mark Valentine, Planning Department Head
Peter Weishaar, Planning Board Attorney

II. APPROVAL OF MINUTES: November 14, 2013

The Board approved the minutes of November 14, 2013

Vote: Moved by: Hetzke  Seconded by: Kanauer

Kanauer - Aye  McCord - Aye  Tydings - Aye

Motion was carried.

III. PUBLIC HEARING:

1. Costich Engineering, 217 Lake Avenue, Rochester, NY 14608 /Morgan Acquisitions LLC, requests under Article VIII-8-2, IX-9-2 and X-10-2 of the Code for Preliminary and Final Resubdivision and Site Plan and Conditional Use Permit approval to allow the renovation of a 2,400 +/- sq. ft. building with the construction of a 450 +/- sq. ft. addition and associated site improvements for a Qdoba Mexican Grill restaurant on 0.78 +/- acres located at 1867 Empire Boulevard. The property is now or formerly owned by Edward Kellett Jr. and Penfield-Kellett LLC, and is zoned GB. Appl# 13P-0033 SBL# 093.11-1-35

Chris Centola and Mark Costich of Costich Engineering accompanied by Matt Lester of Caliber Commercial Brokerage addressed the Board and described the scope of the application.

- They will be redeveloping the site and reusing the existing building. The site has been cleared of tanks and they will renovating the existing building and
will also be adding an expansion to the rear of the existing structure. The existing gas canopy will be removed from the site. The water and sewage will stay the same, but they will add a grease trap for the kitchen that is being added to the building.

- Qdoba will be purchasing and adding 1/10th of an acre to the existing parcel. This piece of property is located north of the parcel and is currently owned by Wegmans. Once this piece is added into their holdings Qdoba will have two means of ingress/egress instead of having an access easement out to Bay Road.

- An application has been made to the Zoning Board in January of 2014 to get a setback variance for the new addition at the rear of the building. Currently the building is 10 feet away from sidewalk and the proposed addition will be 11.2 feet. This new additional will not extend any closer to the property line than the existing building does currently.

- Mr. Centola also indicated the proposed parking spaces are based on the number of seats in the restaurant. Seating will be available for 44, plus one parking space for each employee.

- Mr. Centola received comments from PRC, but one area of concern was the access to Empire Boulevard. Mr. Costich indicated that he spoke with Town Engineer Geoff Benway and he suggested the Empire Blvd. entrance be modified to a right in and right out. NYS DOT is not in favor of the right in/right-out because people don’t pay attention and will make illegal lefts.

- Mr. Costich stated the center turn lane to make left turns into Wegmans will provide a pocket for left turns into the subject property when traveling north bound.

- Mr. Lester explained that Qdoba is a Mexican restaurant that is similar to a Chipotle restaurant.

- Mr. Costich explained, when looking at that type of service, you look at the pass-by traffic and count on the peak hours of traffic along the main roads to contribute to the success of their business.

- Mr. Centola presented the architectural building material samples that will be used on the Qdoba facade.

Board Member Comments:

- Board member McCord had asked about the number of lanes fronting the site. Mr. Costich responded that there are two lanes going East and two through lanes with the left turn lane.

- Board member Jim Burton asked if Qdoba was a franchise and how many other restaurants do they have in all? Mr. Centola responded that it is a franchise. Matt Lester with Qdoba indicated the restaurant was owned/parent company by Jack-in-the-Box and have 1600 restaurant locations, including the Jack-in-the-Box locations. There are approximately 200 Qdoba restaurants in the country. Qdoba will have sit down accommodations as well as take-out and catering. They will have seating for 44 patrons at this location with the plan to ultimately have six restaurants in Rochester.

- Board member Burton asked how many other Qdoba restaurants are there nationally. Mr. Lester responded there are approximately 200 other locations
with the hours of 10:00 a.m. - 10:00 p.m. weekdays 10:30 a.m. - 11:00 p.m. weekends.

- Board member Burton inquired about the two employees parking places and wanted to know how Qdoba will reconcile serving 44 guests with only two employees, plus the take outs. He feels it will lend itself more traffic during peak hours. Mr. Centola informed the Board, the seating was based on 44 seats @ 1.5 per every two seats which came up with 33. They also typically have five employees per shift.

- Board member Bastian asked what the peak hours are for lunch and dinner. Mr. Lester stated the peak hours are between 5:00 - 7:00 p.m. Mr. Lester said the restaurant is known for quick and convenient service. There will be no waited service.

- Board member Bastian asked if the trees, shrub will obscure anyone's sight (view) at all? Mr. Centola explained the intention of the proposed landscaping plan. Mr. Centola said the added trees and shrubs should not affect any visuals into or out of Qdoba's property. Mr. Centola also indicated they will keep as much of the existing landscaping that is worth keeping and then supplement it with new trees and shrubs. The highest landscape area will be by the outdoor patio area with ornamental trees and roses that are seasonal. There are existing evergreens along the property boundaries and Qdoba will be adding to them. They also plan to frame the views of the building with small ornamental trees and shrub material.

- Board member Bastian asked where snow storage will be accommodated? Mr. Centola indicated they will use the green space on the north side of the parcel for the snow storage.

- Board member McCord asked about the seating on the patio? Mr. Centola responded that it will seat 6-10 people.

- Board member Denoncourt asked if any fencing will be used near the patio area? Mr. Centola will provide some cut sheets with the proposed materials.

- Board member McCord also asked where the entrance and exit be located. Mr. Centola responded that the existing curb cuts will remain.

- Board member McCord asked about the left lane use now and how it is being utilized now? Mr. Centola did state the left hand lane was used previously for the gas station and a carwash that was formerly operated there.

- Board member Hetzke asked if there were any data/accident reports when the gas station was operational. Mr. Centola will request that data from the NYSDOT.

- Board member Denoncourt asked what type of signage and lighting will be used? Mr. Centola and Mr. Lester had said the original plan was to re-use lighting, but it was not adequate, so they will be replacing it with a new plan.

- Board member Kanauer asked if there was any ground contamination

- Board member Tydings asked where the ventilation will be located and where they will be placed. Mr. Centola said they will be using HVC or some sort of exhaust equipment and will work with Town staff to ensure the parapet will be high enough to screen it.

- Board member Hetzke inquired about the proposed floor plan. The site plan footprint by geometry is wrong, and doesn't seem to match. The footprint on site plan is L shaped, but in viewing the current plan, it appears to be
rectangle. Mr. Centola indicated the first proposal provided was only a prototype.

- Board member Bastian asked what the total square feet with the addition will be. Mr. Centola indicated that the total would be approximately 2400 sq. ft.
- Board member Bastian asked what type of equipment will be used on the roof and what type of screening will be proposed. Mr. Centola and Mr. Lester showed renderings of building currently as they will be removing the hipped roof and replacing with a flat roof. HVAC units will be on top of the roof and screened to provide better function for restaurant. Also showed the materials such as stone, bronze canopy, and color scheme. Qdoba's decision to use the materials/architecture is based solely based on observation of what is being used already in the community.
- Board member Denoncourt asked how the dumpster area will be set-up. Mr. Centola will be using the same dumpster location, but is talking with Qdoba to see if there is a better spot instead of in front of the restaurant.
- Board members asked what the percent of the business was for dine in.
- Board member Hetzke would like to see lighting plan, patio and fencing information, and sign information.

Public Comments:

- No comments were made.

The Board discussed the application following the public hearing. The Board directed the following to be included within the tabling resolution:

The Board requests the following be incorporated into the project drawings:
1. Coastal Assessment Form since the property resides within the limits of the Local Waterfront Revitalization Program.
2. The applicant is directed to revisit the submitted short Environmental Assessment Form. Specifically, questions #5.b., 6, 9, 12.b, and 13.b. In the case of questions #6 and 9, the Board requests additional detailed responses.
3. The Board would like to know the following:
   - What are the anticipated peak restaurant hours?
   - How many meals are anticipated to be served during the peak hours?
   - What percentage of customers are take out vs. eat in?
   - What are the average sales per hour for both take out and eat in?
   - What are the proposed hours of operation?
4. Provide colored renderings of all four sides of the building with landscaping included.
5. The Board would like a copy of any accident report data available that occurred when the Mobil was in operation.
6. The Board prefers the kitchen exhaust system to vent through the roof with adequate screening vs. out the side of the building. There is concern if it vents out the side of the building that the exhaust will cause build up over time and detract from the façade treatments.
7. The following shall be added or amended to the proposed site plan drawing set:
Photometric plan with associated cut sheets for all exterior site lighting. The Board requests that you take the entrance to the site off of Bay Road into consideration as you design the site lighting. It is the Board's preference to replace the existing light at the Bay Road site entrance.

- Plans for the restaurant patio shall include but not be limited to furniture cut sheets and an impact resistant design to protect patrons on the patio from vehicles in the parking lot.
- Drawing A-100 should be overlaid on the proposed site plan.
- The dumpster should be relocated if possible given the likely conflict with the handicap parking spaces located directly in front of it.
- Snow storage details are to be included on the site plan and/or a proposed snow removal plan.

The Board TABLED the application pending the submission and review of the items identified above and the preparation of an approval resolution.

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<th>Vote:</th>
<th>Moved by:</th>
<th>Tydings</th>
<th>Seconded by:</th>
<th>Denoncourt</th>
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<tr>
<td>Kanauer - Aye</td>
<td>Tydings - Aye</td>
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Motion was carried.

IV TABLED:

1. Jacob Cooper, The Architectural Clinic of F.L. Snyder & Associates, 301 Idlewood Boulevard, Baldwinsville, NY 13027/Dr. Menish Sanon, D.D.S. requests under Article IX-9-2 of the Code for Final Site Plan approval to allow the construction of 3,250 +/- sq. ft. single story dental office on 0.51 +/- acres located at 2214 Penfield Road. The parcel was one of four lots which received preliminary overall site plan approval on January 25, 2007 under the name Eastside Medical Urgent Care/LaBella Medical Aesthetics & Day Spa. The property is now or formerly owned by H&T Development LLC, and is zoned LB and TF. Appl# 13P-0031 SBL# 140.01-1-7.4.

The Board discussed the application.

Planning Department Head, Mark Valentine provided the Board with an update on the changes that have been made to the plans and the additional materials that were submitted by the applicant.

- Revised landscape plans were provided showing additional detail and providing a rendering showing four sided building elevations and proposed landscaping.
- Snow storage areas were identified along with details on how to prevent vehicles from accidentally going into the stormwater treatment.
- Revised lighting plans that incorporated LED lights were provided as the Board requested.
- Revised architectural plans that compliment the architecture of the two
existing buildings on the LaBella campus were provided for the Board’s consideration.

- The Board discussed and required a legal cross access agreement between the Urgent Care facility parking lot to the constructed stub road at the southwest corner of the Tim Hortons parcel. This executed agreement and associated filing fees will be required prior to obtaining signatures on the final mylars for 2214 Penfield Road application. The Board also determined the cross access is to be constructed prior to issuance of final Certificate of Occupancy.

The Board APPROVED the application with conditions.

Vote: Moved by: Hetzke Seconded by: Tydings
Kanauer - Aye McCord - Aye Tydings - Aye

Motion was carried.

V. MISCELLANEOUS:

1. The Board finalized plans for its holiday gathering on January 16, 2014 at Signatures restaurant.

There being no further business to come before the Board, this meeting was adjourned at 7:30 PM, Thursday, December 12, 2013.

These minutes were adopted by the Planning Board on ____________.