

EAST AURORA PLANNING COMMISSION
REGULAR MEETING

June 20, 2007

7:00 PM

Present	Dan Castle, Chairperson Stacy Oar Randolph West Laura Mehl Patrick McBurney	Code Enforcement Officer, Bill Kramer Deputy Clerk, Sue Wolff
Absent:	Dan Bermingham Lowell Dewey	Others Present Representing Mobil Gas Station: Ralph Lorigo, Atty. Wendy J. Ferrie, Archt. Patrick Hyde, Mobil Gas Station Tom Hagner, Village Resident

Chairman Dan Castle called the meeting to order at 7:06 PM

Randy West moved that the minutes of the May 2, 2007 meeting be approved. Laura Mehl seconded the motion, which was then followed by a unanimous vote to approve.

**Mobil Gas Station @ 56 Hamburg St., ZONING RECLASSIFICATION FOR 155
Oakwood Ave. property. Proposed use Gas Station/Express Mart & Rapid Car Wash**

Attorney, Ralph Lorigo addressed the planning commission with regard to the proposed demolition and reconstruction at 56 Hamburg St. & 155 Oakwood Ave. As Mr. Lorigo walked through the development plan application, he made note of the following:

- Parcel at 56 Hamburg St. zoned CM, acquired ownership of adjoining parcel at 155 Oakwood Ave. which is zoned RC. Would like to have both parcels joined as one and rezoned CM.
- Demolish all three structures that are currently there, rebuild one.
- There will be one curb cut each on Hamburg St. and Oakwood Ave. with one additional proposed curb cut for Oakwood Ave. to help out with employee parking and to provide an additional escape route for the person who may have gotten into the car wash line and didn't want to be there.
- The new bldg. will be set further back on the property then the original bldg. with the car wash immediately to the rear of the building.
- Cueing for 10 cars at the car wash.
- Plenty of space for all lot lines.
- Landscaping plan is included
- One canopy with 4 gas pumps/stations, bldg. larger convenience bldg.

After the presentation was made the planning commission members followed with questions to the petitioner.

- Dan Castle made a comment to the petitioner that during certain times of the day, that particular corner is one of the most congested areas for traffic in the Village.
- Randy West made the comment that even though the petitioner is discussing the site plan tonight, at this particular time the planning commission should only be thinking about the rezoning issue. The site plan review would come later.

- Dan Castle made mention that he is not a fan of demolition, especially when the house that is slated for demolition is in such good condition. He asked if the developer would have a problem with trying to relocate the house on a vacant piece of land in close proximity of existing location. Petitioner had no objections to that, but it would have to be done in a timely fashion once they would be given approval to start construction. Wouldn't want to hold up the development.
- Laura Mehl questioned petitioner about site being large enough to handle extra traffic, to which Mr. Lorigo replied that he feels the proposed usage (gas station, express mart & car wash) will not see any significant increase in traffic then what is already generated with the existing station.
- Dan was interested in finding out where the Tim Horton entrances line up on Oakwood Ave. in comparison to the curb cuts for the new proposed site. Mr. Lorigo replied that the drawings do not show it, but he explained that they are further down from the existing curb cuts for Tim Horton's or the Burger King parking lot. Randy West replied that these must be accurately shown on the site plan drawings.
- Many questions arose on storm water management. How many catch basins are there and where will they be located? Wendy replied that they are still in the preliminary stages with that, engineers are working closely with Matt Hoeh on the requirements for water retention. There is an existing catch basin on the corner of Hamburg & Oakwood Avenue that will be utilized again. In addition a catch basin will be added between the express mart & the pumps, along with a natural swale around the whole site that will empty into another catch basin. That location is being worked out with Matt Hoeh. Another catch basin will be added at the exit of the car wash and a grease trap/filter is also required by the Village at that point. Dan questioned where the soapy water will be emitted. Patrick Hyde mentioned that most will enter the catch basins and be treated at the treatment plant with the exception of some soapy water that may be left on the cars as they exit the car wash, dripping off, and going directly into the storm sewer. Dan feels that all soapy water should be treated and not just emitted into the storm sewer that ends up draining into the ravine. Wendy went on to explain that all of this could change once requirements are discussed further with Matt.
- Stacy Oar asked if a lighting plan was in place. Wendy replied that there would be a light on the back of the building along with lights around the canopy. Also there would be a light to illuminate the exit door for the employees.
- Dan Castle questioned about the hours of operation. Gas & Car Wash would be open 24 hrs.
- Randy West asked if an application for a Special Use Permit was also necessary. Bill Kramer replied yes. Randy mentioned that the whole process involves 3 separate issues.
 - 1.) The Rezoning procedure.
 - 2.) Special Use Permit
 - 3.) Development Plan.
- Randy West questioned if the project would be doable without a car wash. Mr. Lorigo said that the car wash would be a convenience item for the customers who are purchasing gas.
- Patrick McBurney again questioned the petitioner if the rezoning did not get approved, would you still be able to move ahead with the proposed plan without the car wash. Ralph Lorigo felt that they would probably not move ahead.
- Dan Castle asked if this plan had been referred to the County to which the Code Enforcement Officer replied yes, but that we haven't received any recommendations. Also has a Public Hearing been set yet or is the Village Board waiting for the Planning Commissions comments before setting that date for Public Hearing. Bill Kramer replied yes that the Village Board was waiting for comments.

Thomas Hagner resident of the Village made a comment on the Car Wash. The two curb cuts should be moved further down Oakwood and then have existing traffic make a right-turn only out of the car wash on Oakwood. This would help with the congestion at the traffic light along with the Tim Horton & Burger King exits.

Randy West made a motion to **NOT REZONE** the subject parcel from RC to CM, motion seconded by Laura Mehl. The motion passed unanimously.

Findings & Recommendations:

1. RC is an appropriate buffer between the CM & Residential Zones.
2. No need to demolish a residential structure that is in good condition, to make way for a car wash.
3. There is plenty of CM land throughout the Village that would accommodate a car wash. And given the traffic situation at this intersection is presently a nightmare, this proposal would only worsen that situation.
4. Car Wash will significantly increase storm water run off into the ravine.
5. By expanding this development the lighting to the back would be very intrusive to the buildings/homes to the rear of the proposed development.
6. Allowing a car wash on this RC site, which is situated on Oakwood Ave., defeats the spirit & intent of the zoning ordinance 285-22B (4) of the Village Code.

NOTE: The Planning Commission voted on the proposed Rezoning only. If the Village Board should approve the proposed Rezoning of the site from RC to CM, then the plans would have to be resubmitted to the Planning Commission for the consideration of the Site Plan Review and the Special Permit actions.

Aurora Ice Rink - Riley Street met informally with the Planning Commission members to explain their new redesigned site plan. It was made clear to the AIA representatives in attendance that the project had been taken off the formal agenda, so that the Planning Commission would not take any action on this matter at this meeting. It was agreed to informally listen to their presentation regarding their revised site plan, and discuss the proposal, but the Planning Commission would not formally reconsider this proposal until such time as all the information requested by the Planning Commission, including the Traffic Study, is made available.

Present from the ice association were Anthony DiFilippo, Sam Miller, Carol Halter & Dave Johnson

Sam Miller gave a brief overview of where the changes have been made to accommodate the 10 foot setback of the building and keep the building on their own property. He went on to explain that the architects reviewed the surveys and the following changes have been made to the site plan.

- The two rinks will remain the same size. They have to be regulation size which is set by NHL.
- The additional space needed for the rear setback, was taken from the lobby extension at the front of the building on Riley Street. With removing the front lobby area, and moving the building forward 7 ½ feet, the rear setback will now be correct.
- Parking spaces will remain the same at 130.

- With the gaining of 7 ½ feet to the rear of the building there are 2 additional advantages in the site plan. A 20 foot driveway will now become 24 feet which was recommended at the last PC meeting. There will also be an additional 3 ½ feet to accommodate a sidewalk to the rear of the building.
- Stacy Oar asked if the direction had changed from the last proposed plan, Sam Miller replied yes, and explained that cars dropping off at the front entrance will now be able to go one way instead of having to turn around.
- Dave Johnson spoke briefly on the storm-water retention system.
- Anthony DiFilippo mentioned that the ice association is trying to acquire E. Fillmore property for possible additional parking of 42 cars. Also mentioned that there are 17 marked spaces on Riley Street.
- Traffic study should be here in approximately 2 weeks.
- Sam Miller mentioned that the utilization of both ice rinks for competition will be on Friday & Saturday nights.

Once the presentation was finished, Dan Castle went on to explain that the Planning Commission was waiting for the traffic study before going any further with review. Once they receive that information, a Planning Commission meeting will be scheduled, probably sometime later in July.

Since the ice rink was not on the agenda for tonight, the item was **TABLED**.

A motion was made by Randy West to adjourn the meeting at 8:35 PM, seconded by Patrick McBurney. Motion carried.

Respectfully submitted,

Susanne M. Wolff,
Deputy Clerk