

BUFFALO TOWNSHIP PLANNING COMMISSION

REGULAR MONTHLY MEETING

AUGUST 2, 2017

The Regular Monthly Meeting of the Buffalo Township Planning Commission was called to order on August 2, 2017, at 7:40 p.m. in the Buffalo Township Municipal Building by the Chairman, Ray Smetana. This Meeting is being recorded. If anyone is taping this Meeting, please state your name and address.

The following members were present at this evening's meeting: Ray Smetana, Grant McConnell, Chris Foust, Donna Davis, John Zurisko, Amy Trulik, Atty. Joe Charlton, Ken Howard, David Ivanek, and Roger Kelly. Absent was Dave Koedel, who emailed.

APPROVAL OF THE MINUTES

On motion of Grant McConnell, seconded by John Zurisko, to approve the minutes of the July 5, 2017, Regular Monthly Meeting of the Planning Commission as recorded. Motion Carried. Un.
Approval.

F & M CHAMPION TRAINING CENTER, LLC (FLO'S GYM) – EKASTOWN ROAD – SITE PLAN

F & M Champion Training Center (Flo's Gym) is proposing an addition to their existing building located on Ekastown Road. The existing building is a total of 9,174 square feet. The proposed addition is a total of 6,437 square feet.

The township office has received the Site Plan Drawing, Site Plan Filing Fee, Municipal Authority comments (The Municipal Authority of Buffalo Township does not have public water service within the vicinity of this project; however, public sewage is available and already serves this premise. The project has no impact on sewage service as per letter received 7/27/17), and Twp. Engineer comments (see letter received 8/2/17).

Richard Craft stated we put together a draft response letter. We are looking to expand the facility. The intent of the expansion is to provide additional gym space. We are not looking to expand the building to bring in more students. The current building is just under 9,200 sq. ft.; we are looking to add approx. 6,500 sq. ft. As part of our addition we are proposing to expand the parking. At this point I would like to go through the comment letter and give our responses. The first comment is regarding the building height. The maximum requirement in the Ordinance is 45 feet. The existing building is just under 31 feet in height. The proposed addition would be at the same height as the existing building. The second comment is in regard to slope stability and existing resource plan. The proposed area of the addition is a former sand mound and existing maintained lawn area. We are questioning the existing resource plan. The next comment deals with the off-street loading area. The required loading area will be provided at the rear of the building and eight parking spaces will be removed in order to provide it. The next comment deals with off-street parking. The majority of the parking lot area is existing. The

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new parking lot area is being added behind the building on the west. The total area of the new parking lot is approx. 5,000 sq. feet. What portion of the parking lot needs planting? We need to know how to proceed. Ken Howard stated they need to know whether they need to bring their existing parking into compliance or just the new addition. We have traditionally allowed people to work with us. Atty. Charlton stated you could request a modification on that. Richard Craft stated we do have some existing vegetation. Regarding comment number five, the revised site plan will provide for fifty (50) parking spaces. Anticipated occupancy is approximately 100 persons. A maximum 150 person occupancy will be posted on-site and will not be exceeded. It does not appear as if the proposed parking lot will comply with the setback requirement. Atty. Charlton stated that is an existing, non-conforming encroachment. The next comment deals with a Traffic Impact Study. The building expansion is intended to provide additional gym space to the current students and will not represent an increase in additional traffic to the site. Ray Smetana stated you are not increasing occupancy or traffic. Ken Howard stated it is up to the discretion of the Township or the Engineer to require this Study. They could provide a format of the flows that they expect it to be with the expansion and peak hours. Richard Craft stated the next comment deals with outdoor lighting. He explained the current outside lighting and what they are proposing. Ken Howard stated our Lighting Ordinance is generic. You will need to provide safe lighting for your customers. Richard Craft stated the next comments deal with stormwater management. The first comment stated there is a note that states "install ditch along driveway, as required." There is an existing ditch along the driveway on the adjoining property. It is unclear from the field data if the ditch extends beyond the property addition. It is clear from field evidence that the intent for this ditch is there. The intent of our note is to have the ditch maintained as needed beyond the development/infiltration sump watershed area. Ken Howard stated our concern about that is it appears that the ditch is on the Gregori Property. They will need to get an easement for that. Richard Craft stated we will meet with Gregori's and formalize that. All runoff will be directed into the detention structure by way of the proposed inlets in the southeastern parking lot area. An existing ditch along the southern end of the site will convey runoff from the parking lot area from the addition to the front lot. The existing stormwater management facility was already located in this area and the site naturally flows to this location. We will provide the channel calculations. Many of the existing and proposed contours that were used in the existing and proposed plans overlay one another because much of the site is not being graded. These contour lines will be modified for clarity. We have a question about the next comment. We disagree that the new building area required earth disturbance. The new building area is a gravel area that will be used for building construction. This is a critical issue since adding the building area to "earth disturbance" will delay the project by many months and cost an additional ten of thousands of dollars. If we get over an acre of disturbance, it will significantly impact the project. We would need to do an NPDES Permit which requires a lot more cost. We would also need to get approval from the Butler County Conservation District which would delay us significantly. Atty. Charlton stated that is not our determination; we have nothing to do with the NPDES Permit. Ken Howard stated

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anything you excavate has to be considered disturbance. David Ivanek commented. Ken Howard stated typically we would show the entire building. Richard Craft stated the quality of the runoff is being improved as a result of the conversion of the detention facility from an existing detention basin to an infiltration sump. The small storms and initial runoff flow from the site will be “trapped” in the sump and infiltrated into the groundwater table. This will collect sediment and improve the quality of the runoff from the site. Ken Howard commented. Richard Craft stated the H & H table line 2 indicates that the required detentioning for the 25-year storm event is 4.6 cubic feet per second. This value is the result of subtracting the 25-year developed flow rate of 8.9 cubic feet per second and the 10-year pre-development flow rate of 4.3 cubic feet per second. This value is met and exceeded as indicated in line 18 of the H & H Table by 0.2 cubic feet per second. Our report indicates that the stored runoff volume is assumed to infiltrate at a rate of 0.5 inches per hour and given the invert area of the facility it will drain within 15.22 hours. Infiltration tests can be performed just prior to installation and the invert area adjusted to obtain the 24 hour minimum if necessary. David Ivanek stated this is an underground detention facility. The 72 hour length is a concern because of mosquitoes. This should not be an issue in this case. Richard Craft the basin discharge is an existing facility that is not being proposed to be modified as a result of this project. Ken Howard stated we should look at that. Richard Craft stated we will provide the channel calculations for the existing/proposed ditch along the southern side of the site. We will have the Operation and Maintenance (O & M) Agreement covering all stormwater control facilities that are to be privately owned signed and ready. The proposed slopes along the driveway will be revised from 2:1 to 3:1 and a geotechnical report will be provided for the 2:1 slope along the western side of the site. This existing 2:1 slope has existed for over ten years without a slide. We will provide the information for the back side of the site. Permits will be sought for all new signs. We acknowledge that a final inspection of all improvements will be required prior to receiving the Occupancy Permit. I know we need to follow up with drawings. Ray Smetana stated I think with the amount of work that needs to be done, we should table this. Ken Howard stated the item we are most concerned about is the ditch that will need to be worked out with Gregori’s. If they don’t get that worked out they would have to change the design. We would make a recommendation that this be tabled until that is resolved.

On motion of Donna Davis, seconded by John Zurisko, to table the F & M Champion Training Center, LLC (Flo’s Gym) Site Plan on Ekastown Road. Motion Carried. Un. Approval.

JKESS L.P. – SUBDIVISION – SOUTH PIKE ROAD

JKESS L.P. is proposing a subdivision of property located on South Pike Road, the northwest corner of South Pike Square and Mulone Drive. The purpose is to subdivide Parcel B of the South Pike Square to create an area that meets the land requirements of a future tenant. The total acreage is 1.87+- acres. The zoning is “B-1” Business District and the “A-2” Access Management Overlay. Proposed Lot “B-1” will be a total of 0.9019+- acre; proposed Lot “B-2” will be a total of 0.9692+- acre.

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The future development of Lot "B-2" will include a continuous service drive or cross-access corridor right-of-way in conformance with Section 605 of the Buffalo Township Zoning Ordinance.

The township office has received a copy of the Subdivision Plan, Filing Fee, Municipal Authority Comments (Public water and sewage does exist in the vicinity of this project as per letter received 7/27/17, and Township Engineer's Comments (Zoning Districts and associated requirements for both the "B-1" Business District, as well as the "A-2" Access Management Overlay shall be denoted on the Plan. Please provide closure and area report as per fax dated 8/1/17).

David Brooks from Fahringer, McCarty, Grey, Inc., stated this is a simple minor subdivision to prepare a lot for a future tenant of South Pike Square. One lot is for a future tenant; the other lot will remain vacant for future development. We provided the revised plans addressing the two comments to the Township Engineer this afternoon. Ken Howard explained this was originally two lots and is going back to two lots.

On motion of Chris Foust, seconded by John Zurisko, to make a favorable recommendation of the JKess L.P. Subdivision to the Board of Supervisors. Motion Carried. Un. Approval.

PEC MANAGEMENT II – BURGER KING RESTAURANT & DRIVE THRU – SOUTH PIKE SQUARE – SITE PLAN

PEC Management II is proposing the construction of a Burger King Restaurant and Drive Thru to be located on property owned by JKESS, L.P. The proposed Burger King Restaurant and Drive Thru will be located on .90+- acres of Parcel "B-1" of South Pike Square located on South Pike Road and Mulone Drive. The approved Planning Module, Public Water/Sanitary Sewer Service availability letters and Highway Occupancy Permit were submitted and approved as part of the original South Pike Square Land Development.

The township office has received the Site Plan Drawing, Site Plan Filing Fee, Municipal Authority Comments (Public water and sewer does exist in the vicinity of this project. MABT has the capacity to furnish both services as per letter received 7/27/17), and Township Engineer's Comments (see letter dated 8/1/17).

Ken Howard stated I believe they are ready to address our comments and provide us with the information we are asking for. David Brooks introduced the people attending the meeting with him. He explained where the proposed Burger King will be located and the entrance road. The proposed building is 3100 sq. ft. with 58 seats for patrons. Also there is a drive thru around the building. We have provided for 30 parking spaces including two ADA Spaces. The circulation through the site is one way. He explained the circulation. We have provided space for 10 cars in the drive thru. Water, gas, and

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electric are all along Rt. 356. The sanitary sewer runs through the southern edge of the property. He explained the stormwater management. We provided the site line today to Ken Howard and addressed many of the comments. David Ivanek stated there are some outstanding items. We haven't had time to review all of those items in detail. This Plan was put in the early 2000's. They were granted a no harm evaluation. At that time the Stormwater Management Ordinance allowed this. He explained that this particular development caused no harm to the stream. The current Ordinance in effect does not allow no harm evaluation. We didn't know if this was grandfathered in. We deferred to Atty. Lutz. He did a lot of research and stated for this particular site we will allow no harm evaluation. The new Ordinance has volume controls and water quality. They designed an underground system to meet the current water quality requirements. Donna Davis asked in your opinion is there a problem with this? David Ivanek answered no; I have reviewed hundreds of pages of calculations. This site is just under one acre; it is exempt from NPDES. If they would have to apply for an NPDES Permit, they would be mandated to comply with the Township Ordinance. Ken Howard stated other items in our letter were in regard to building elevation. We haven't had a chance to review all of the details. Atty. Joe Charlton asked are there any issues that they won't be able to take care of before the next meeting? Ken Howard answered no. Grant McConnell asked what happens to the current sign? David Brooks answered that is the South Pike Development Sign; it will remain. David Ivanek asked about the setback for the pylon sign? David Brooks answered we will come in for approval. Ken Howard stated we can recommend approval contingent on meeting the items in our letter dated August 1, 2017, and pending a full review from our office.

On motion of Amy Trulik, seconded by Chris Foust, to make a favorable recommendation of the PEC Management II, Burger King Restaurant & Drive Thru, Site Plan to the Board of Supervisors contingent on meeting the items in the Township Engineer's Letter dated August 1, 2017, and pending a full review from the Township Engineer's Office. Motion Carried. Un. Approval.

REMARKS FROM THE FLOOR

A person came to the Planning Commission Meeting to ask about signage for the Childcare/Preschool to be located in the Kelly Building on Sarver Road. Ken Howard stated if it is small enough, Roger Kelly can take care of that.

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ADJOURNMENT

There being no further business, it was on motion of John Zurisko, seconded by Chris Foust, to adjourn this Meeting. Motion Carried. Un. Approval. Adjournment at 8:40 p.m.

APPROVED:

CHAIRMAN

SECRETARY