

**MINUTES OF A MEETING OF THE
VILLAGE OF AVON PLANNING BOARD
TUESDAY, JANUARY 15, 2019
6:00 PM; VILLAGE HALL**

I. ATTENDANCE

Paul M. Drozdziel, Chairman
Marilyn Borkhuis
Patrick McCormick
Kevin O'Donoghue

GUESTS

Molly B. Gaudio, Barton & Loguidice
John Steinmetz, Barton & Loguidice

ABSENT

William Wall

QUORUM, 4 Present, 1 Absent

STAFF

Lance Brabant, Sr. Planning Associate, MRB Group
Anthony Cappello, Code Enforcement Officer
Robert Hayes, Trustee, Village Board Liaison (6:55 PM)
Gary Margiotta, Deputy Clerk

II. ZONING CODE UPDATE

Article IIA Business Districts

MOLLY B. GAUDIOSO, COMMUNITY PLANNER

Barton & Loguidice

Existing business districts were:

- Central Business (B-1) (downtown, around the Circle Park, short distances on East & West Main Sts)
- General Business (B-2) (East Main St . east of Hal Bar Rd to near Pole Bridge Rd)
- Combination Central Business/Light Industrial (C-2) (West Main St opposite Rochester St)

Proposed business districts were:

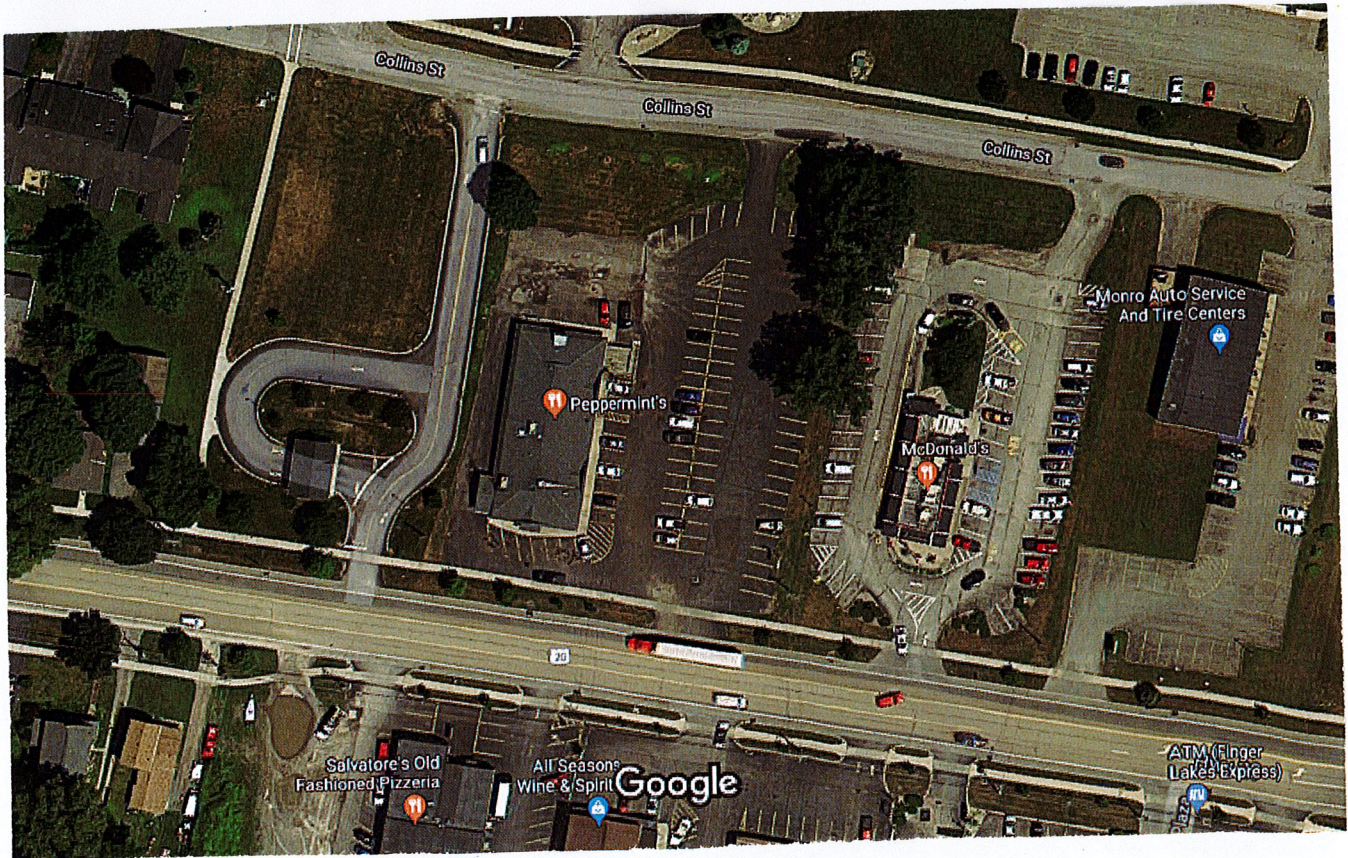
- General Business (GB) (East Main St., east of Hal Bar Rd to near Pole Bridge Rd)
- Village Business (VB) (downtown, around the Circle Park, short distances on East & West Main Sts)
- Combination Business (CB) (Rochester St, West Main St, Railroad Ave, Spring St & Wadsworth Ave)

General Business District (GB)

The boundaries for the General Business District would remain the same, Gaudio began.

According to the update draft Gaudio had provided, the GB was intended for larger scale commercial activities that depended on visibility for larger volumes of traffic. Ample greenery and **landscaping** would be considerations.

The Village's B-2 district, which would become the GB district when the update was adopted, included businesses such as TOPS Friendly Market, the **McDonald's**, Peppermints and Tom Wahl's Restaurants, CVS and the Avon Town Plaza among others.



Combination Business (CB) District vs. the Light Industrial (LI) District

O'Donoghue wondered what the difference was between the Combination Business (CB) District and the Light Industrial (LI) District.

According to the update draft Gaudioso had provided, the Combination Business District was intended to permit the continuation and protection of residential uses in combination with small scale, limited commercial and industrial uses.

Light Industrial, Gaudioso confirmed, wouldn't address residential uses while the Combination Business District would.

Expanding on that, her update draft stated, LI was intended to permit low impact industrial and commercial uses on smaller lot sizes than permitted in the General Industrial District. But, the draft also said LI properties should be screened and buffered from any adjacent residential properties.

General Business District Setbacks

Page 14 of her Business Districts update draft outlined use and dimensional requirements in the General Business District; setbacks were included as well.

Automobile-oriented businesses - such as vehicle sales, service and repair shops, gasoline service stations and car washes - would still be permitted in the General Business District, but would require a special use permit, Gaudioso told Board members.

Maximum lot coverage had been bumped from 30 percent up to 50 percent – including parking areas. Gaudioso said that could be ramped up for businesses with larger parking areas such as TOPS, CVS, Peppermints and Tom Wahl's.

Minimum setbacks were 10 feet with 35 feet as the maximum, Gaudioso said. Drive-thru businesses would be permitted as an accessory use only, but not a primary use.

Would a business such as the ESL Federal Credit Union at 238 East Main Street be permitted? McCormick inquired.

No, Gaudioso replied, ESL could continue as a pre-existing/non-conforming use, but wouldn't be allowed as an incoming business. ESL's East Main Street location is drive-thru only, it has no building or staff.

McDonald's, on the other hand, had a restaurant with a drive-thru, that sort of a drive-thru would be allowed in the General Business District with a special use permit, Gaudioso indicated.

Borkhuis disagreed, saying she wouldn't want ESL where it was with a drive-thru only.

What's the harm? McCormick asked.

Particularly if it were an existing parking lot, Drozdziel remarked.

ESL looked fine and what other kind of business would you have with just a drive-thru? McCormick asked.

Could we make it allowable with a special use permit? O'Donoghue asked.

Yes, Gaudioso said.

Drozdiel mentioned TOPS parking lot as a possible drive-thru business location, noting the lot was a sea of asphalt.

Village Business (VB) District

According to Gaudioso's update handout, the VB was meant to maintain and enhance the historic character and vibrancy of the Village's multi-story, mixed-use, 19th Century Main Street.

Sidewalk connectivity, traditional architecture and a dense concentration of activity with a high degree of amenities should characterize the VB. The restoration or rehabilitation of structures for reuse was highly encouraged.

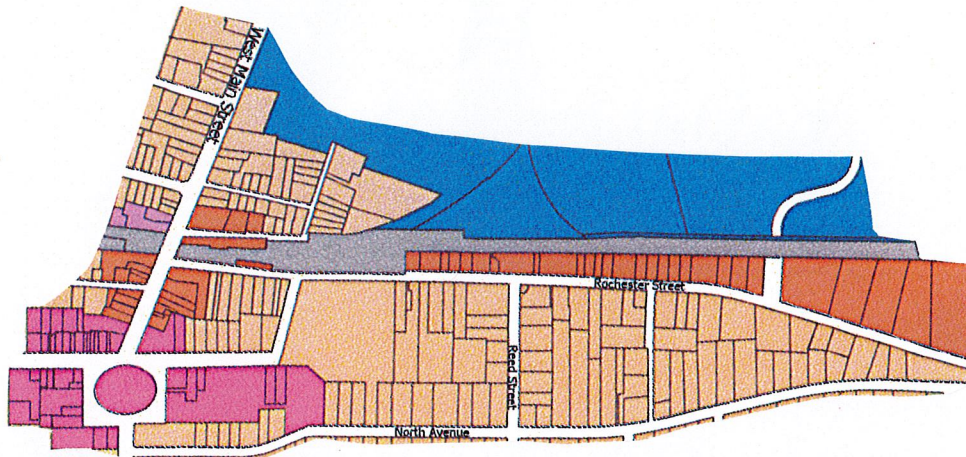
Some of the lots in the Village Business District were very small, Gaudioso remarked. Auto-oriented businesses wouldn't be allowed.



Combination Business (CB) District

CB districts were intended to provide increased economic development opportunities in neighborhoods where low-impact commercial, office and light industrial uses were desired. Structures could be developed or adapted provided their purpose was compatible with the scale, form and level of intensity of nearby, existing structures.

Single and 2-family dwellings would be allowed, Gaudioso said, as would upper floor dwellings. Her draft zoning map showed much of the west side of Rochester Street as CB.



Would you want 400-square-foot apartments in that district? Drozdziel wondered, questioning if there would be enough parking?

INDUSTRIAL DISTRICTS

Existing industrial districts included:

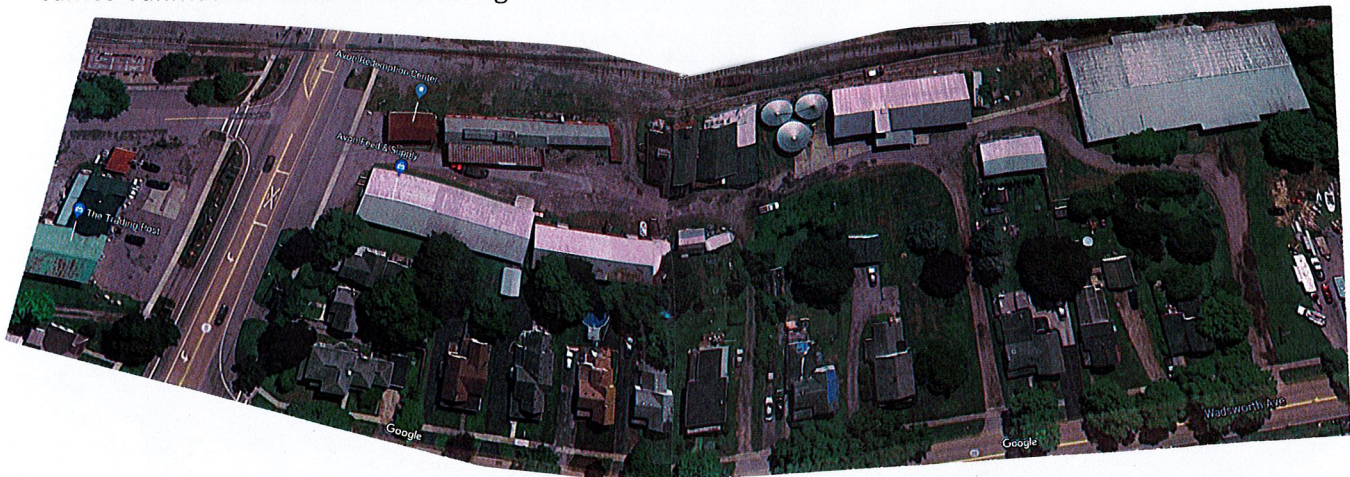
- Light Industrial (I-1)
- Special Light Industrial (I-2)
- Combination Multiple-Family/Light Industrial (C-1)
- Combination Central Business/Light Industrial (C-2)

Proposed industrial districts included:

- Light Industrial (LI)
- General Industrial (GI)

LI was intended to permit low-impact industrial and commercial uses on smaller lots. All uses should be properly screened and buffered from adjacent residential properties. Full-blown retail uses wouldn't be allowed, Gaudioso said.

According to the draft zoning map, LI properties were those located along the railroad tracks from West Main Street for approximately 1,300 feet south, properties such as the King Cole Bean Company buildings south to James VanMaaren General Contracting at 144 Wadsworth Avenue.



This district could be eliminated, Gaudioso suggested.

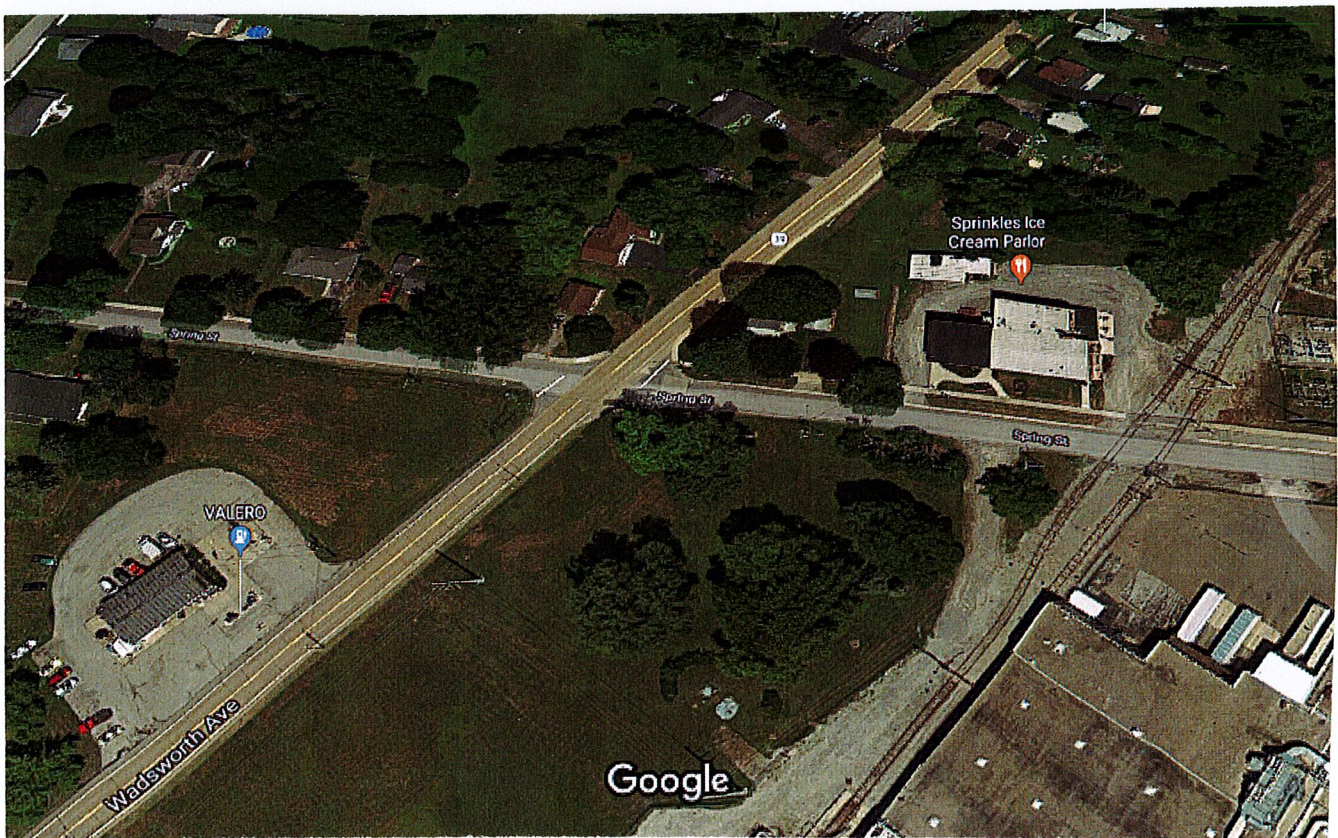
Drozdziel wondered if they might be omitting some uses, if they did that.

LI had been a step back from GI, Gaudioso remarked. GI was intended for low-impact industrial uses as well as commercial uses such as: telecommunications, self-storage facilities, animal grooming, indoor recreation or entertainment facilities and professional and medical offices. Agricultural uses would also be permitted on lots of 3 acres or more.

Would the Village want recreational/entertainment facilities next to, say, Barilla? McCormick asked.

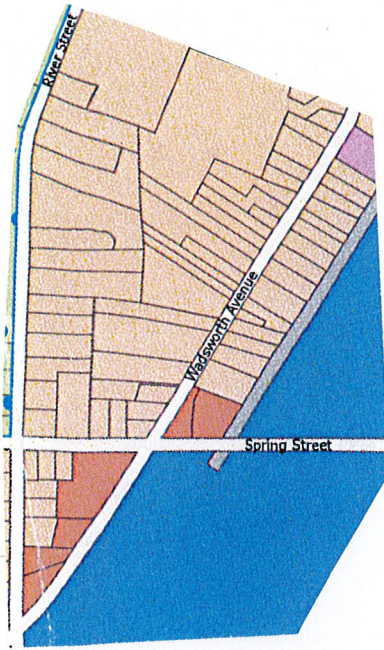
They could be made specially permitted uses, Gaudioso suggested.

How would the Wadsworth Avenue and Spring Street intersection be considered under the upgrade? Drozdziel wondered.



The zoning map draft showed the property at that intersection as follows:

- The northwest corner as Village Residential (VR) (a house)
- The southwest corner as Combination Business (CB) (a gas station)
- The northeast corner as Combination Business (CB) (a house)
- The southeast corner as General Industrial (GI) (vacant land owned by the Kraft Heinz Food Company)



The could mesh LI with CB and come up with CB1 and CB2 Districts, Gaudioso suggested.

AGRICULTURAL DISTRICT (A)

Responding to a question from McCormick, Gaudioso said the Agricultural District would permit uses such as grain silos and fertilizer plants. The intent of the district, according to the update draft, was to provide for continued operation of farms and farm industries.

The Special Flood Hazard (F) District was intended to allow the Genesee River to carry abnormal flows of water in times of flood, to prevent encroachments into the flood plains of this waterway which would unduly increase flood heights and damage and to prevent excessive property damage as well as a potential threat to the health and safety in the area of greatest flood hazard.

Gaudioso told Board members she had made no changes to the Special Flood Hazard (F) District portion of the Code.

SPECIAL REQUIREMENTS

The Board would address special requirements next. The next zoning update workshop would be 6:00 PM Thursday, February 7, 2019 at Village Hall.

IV. NEW BUSINESS

McDonald's Restaurant Remodel
 250 East Main Street
 Site Plan Review Application

Michael Wall, T.Y.LIN International
 Rochester, NY

New roof, color scheme and trellis

The remodel would feature a new color scheme, going from white with red and yellow trim to Fairview taupe and Iron Mountain red. The new color scheme is corporate-driven, Wall told Board members. The mansard roof would be replaced with an understated, squared-off roof line.



The golden arches would be smaller and white, aluminum accent trellis/canopies would be installed above the windows, Wall continued. They had retained a third party Americans with Disabilities Act (ADA) specialist for affected parts of the project.



Sidewalk from East Main St public sidewalk with ADA ramp.
 New color scheme, aluminum trellis, downsized name and arches.



Side entrance to lobby, aluminum trellis.
 Existing building built in 1994.

MRB Review

McDonald's had 50 parking spaces, one would be removed, Wall said. MRB had reviewed the final site plans for the project and offered the following comments:

1. The plans should be updated to reflect the project was occurring with the VILLAGE of Avon and not the Town.
2. Color, architectural and site renderings of the proposed building and site improvements should be provided to the Planning Board to assist in the review of the aesthetics of the site including the building materials and color scheme signage and proposed landscaping (photo copies showing the color and architecture of the building were provided; a landscaping plan and lighting detail were provided as a follow-up)
3. Parking calculations should be provided indicating the number of spaces required per code, the number of existing spaces and number of proposed spaces. One ADA space is being removed however, the ADA spaces remaining met the requirements.
4. The ADA accessible spaces, if possible, should be moved closer to the nearest ADA accessible entrance. Also, ADA-compliant walkways are to be provided from the parking spaces. Is the curb that is depicted on the plans to be flush with the pavement? Pavement transitions should be clearly identified on the plans. Where a flush curb is proposed and no sufficient barrier is provided, wheel stops should be considered to prevent intrusion into walkways.
5. The new sidewalk, leading from the existing public sidewalk along East Main Street, should be provided with ADA accessible ramps.
6. An approval from New York State Department of Transportation (NYSDOT) will be required for all work proposed within the State right-of-way (ROW).
7. Lane widths and inner radii should be labeled on the site plans.
8. A photometrics plan should be provided inclusive of all existing and proposed site and building lighting. Full manufacturer cut sheets should be provided for all proposed lighting.
9. All sign lighting is to be compliant with S30.42, B., 1., K. requirements.
10. The business sign data is to be updated as there appears to be several errors in the total area column for the existing thank you).
11. Is landscaping proposed? Additional landscaping should be considered along New York State (NYS) Routes 5 & 20 and along property lines where applicable.

Wall said the walkway from the East Main Street sidewalks would be 5-feet wide. Lighting around the building was directed towards and designed to illuminate the sidewalks. All lighting, he added, was dark sky compliant.

Would the small, East Main Street-facing patio be staying or going? Drozdziel asked.

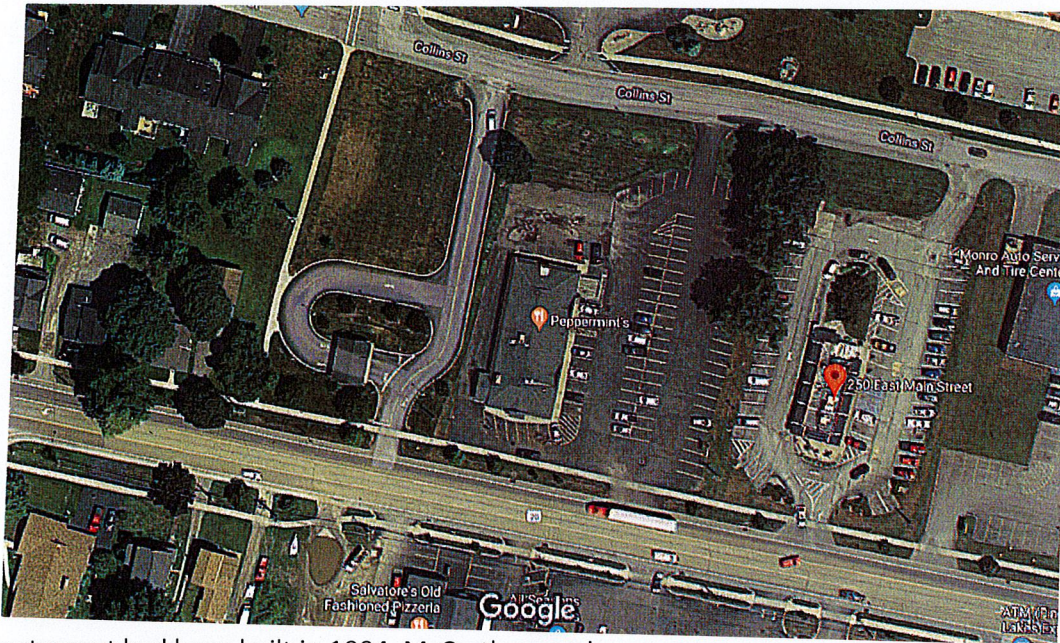
Staying, Wall said, adding the building footprint – including the patio – would not be changing. The McDonald’s sign would be smaller and the lighting in the accent trellis would be directed downwards to illuminate the sidewalks.

Lack of landscaping improvements a concern

Were any landscaping improvements proposed to the lawn between McDonald’s and Peppermints Restaurant, which neighbored to the west? McCormick wondered.

Would there be any landscaping improvements out front (the area facing East Main Street? Drozdziel followed up.

It’d be nice to take the opportunity to improve the landscaping, McCormick remarked.



The restaurant had been built in 1994, McCarthy noted.

Wall wondered what sort of improvements Board members might have had in mind. No specifics were offered.

Would there be any repair work on the parking lot? Drozdziel asked.

There wasn’t any provision for recreational vehicle (RV) or boat trailer parking, McCormick followed-up.

Would the drive-thru lane remain the same? Trustee Hayes asked.

McCarthy indicated it would and added the restaurant would remain operational during the remodel. The remodel should get underway this spring and, he estimated, take two-to-three months to complete.

Interior renovations limited

Inside, McCarthy told Board members new sinks and tile would be installed in the restrooms; both men’s and women’s restrooms already had infant changing tables. No changes were planned for the dining room, McCarthy continued.

Positive Recommendation

MOTION: O'Donoghue moved for a positive recommendation to the Village Board, seconded by McCormick. Voting in favor were: Drozdziel, Borkhuis, McCormick and O'Donoghue. Voting against were: none.

CARRIED, 4 Ayes, 0 Nays

Members encouraged landscaping enhancements and cleaning-up the rear parking area.

III. APPROVAL OF THE MINUTES

MOTION: McCormick moved for approval of the minutes of the meeting of December 18 and the work session of January 9, 2019, seconded by O'Donoghue. Voting in favor were Drozdziel, Borkhuis, McCormick and O'Donoghue. Voting against were: none.

CARRIED, 4 Ayes, 0 Nays

V. ADJOURNMENT

MOTION: McCormick moved for adjournment at 7:59 PM, seconded by O'Donoghue. Voting in favor were: Drozdziel, Borkhuis, McCormick and O'Donoghue. Voting against were: none.

CARRIED, 4 Ayes, 0 Nays

Gary Margiotta
Deputy Clerk

Addendum 1: from Lance Brabant, MRB: McDonald's Remodel Plans to be revised to address the MRB comment letter 2. Applicant to provide additional landscaping along the front and side property lines where they could (Applicant mentioned that utilities might be in the way and would see what they could do).

Addendum 2: from Lance Brabant, MRB: McDonald's Remodel Plans, applicant to verify if additional space (gravel or paved) along the rear of the property was available to accommodate larger vehicles for parking.

Addendum 3: from Mayor Thomas W. Freeman, a landscaping drawing will be forthcoming.