

**Athens City Planning Commission
Minutes of Regular Meeting
Thursday, May 4, 2023 12:00 p.m.**

The regular meeting of the Athens City Planning Commission was held in City Council Chambers, third floor of City Hall, on May 4, 2023.

Attendees: Jeff Myers, Jared Decker, Barbara Stout, Mark Welch, Rob Delach

1. Call to Order

Steve Patterson called the regular meeting of the Planning Commission to order at 12:01 p.m. and administered the oath to those in attendance planning to speak before the commission. Quorum was established with four members present.

PLANNING COMMISSION MEMBERS:

Steve Patterson, Chair	Present
John Kotowski, Vice Chair	Present
Nancy Bain	Absent (arrived after item 2)
Austin Phillips	Present
Andy Stone, Service-Safety Director	Present

STAFF:

Paul Logue, City Planner	Absent
David Riggs, Code Enforcement Director	Present

2. Disposition of Minutes

John Kotowski moved to approve the March 2, 2023 minutes. Andy Stone seconded. Motion passed 4:0 (Nancy Bain absent at the time of the vote).

3. Cases

Case #23-01 Modified Site Plan
 Title 41
 960 East State Street
 Commercial Development (Chipotle and Starbucks)

David Riggs

- This case was approved at the March 2nd meeting, however, the developer is unable to meet all of the conditions of the approval. They are submitting a modified site plan to address the outstanding concerns.

Andy Stone

- Included in the commissioner's packet is a letter from him dated April 12, outlining the staff concerns. We are here to discuss the inability of the developer to meet some of the staff requirements.

Jared Decker/The PM Company

- Provided an overview of their solution while referring to the modified site plan that was projected on screen as well as included in the commissioner's packets. The turn issue out and onto E. State has been addressed by 1. Hashing area with "do not block intersection" signs, and 2. Bulk of the cars through Starbucks (70-80%) are being forced out through the secondary entrance point to the west because of the way the parking is aligned at Starbucks. It is likely that not everyone will abide by the signs, however, the peak time loads offset (Starbucks breakfast and Chipotle lunch/dinner) and the assumption is that most people will be turning right onto State St. so there won't be stacking.

Steve Patterson

- Appreciates knowing that the peak times of Starbucks and Chipotle don't overlap, that Chipotle opens at 11 a.m. and their peak is between 11 and 1 p.m. Starbucks peak time is 7-9:30 a.m.

Jeff Myers/Cardinal Commercial Real Estate

- The Chipotle and Starbucks partnership works well because they aren't competitors and they don't have overlapping peak times.
- Chipotle is not a drive through, it is a pickup window only. There is no menu board for people to take orders. People order on their phones and then are given a 10 minute pickup window.

Jared Decker

- Regarding the traffic issue, the city's solution was too costly for the developers but they feel that their proposed solution will be effective.

Jeff Myers

- They have been working on this site for 2 ½ years and have tried to work well with all parties involved.

John Kotowski

- Has concerns not so much about the circulation but about the traffic in and out, and the trench drain (feels this will fill up with debris periodically and will not work properly).
 - Jared D – the road is on their property and the title to the property states that maintenance is to be shared with all parties that use the road. The trench drain is on their property and they intend to maintain it. Their solution will help mitigate the issue.

Andy Stone

- Asked if the developer would be willing to record on the deed a requirement that the property owner will maintain the drain.
Jared D – typically enters into agreement with the city and record that against the property. The agreement would hold all property owners to have responsibility.

John Kotowski

- Appreciates that both businesses have different peak times, so how about eliminating the 2nd driveway and rely on the center driveway. Could the center driveway be redesigned and moved to the other side of the utility pole?
 - Jared D – the 2nd driveway was added in response to a Planning Commission concern. They can live without it if that is the wish of the commission. A redesign would not be feasible.

Austin Phillips

- Commended the developer on their efforts to work with all parties.

Andy Stone

- The city staff and the developer have differing opinions on the efficacy of their solution to the traffic issue. He asked if they would be willing to post a bond for a period of time protecting against a future problem.
 - Jared D – they would have to think about it. Asked where they fell short.
 - Andy S – the entering/exiting flow still posed a potential stacking problem. Vehicles making left turns have to wait longer than vehicles turning right. David R noted that the city requested 2 lanes in and 2 lanes out.
 - Jared D – stacking will occur every now and then but the city should do a cost/benefit analysis.
 - Jeff M – doesn't think this will happen – maybe during the grand opening week, but then it will die down.

Steve Patterson

- Inquired if this Chipotle will be applying for a liquor permit.
 - Jeff M – they could apply, it's not mandatory, but he doesn't think they will and they aren't promoting it.

John Kotowski

- Appreciates the effort they have made but remains concerned about slippage and not having 2 lanes out and 1 lane in.

Barbara Stout/954 E. State St.

- She is a property owner behind the proposed development. She expressed her concerns with slippage, driveway upkeep, driveway width, driveway drainage, and current parking situation with the apartment complex there.

Mark Welch/Pickering Associates

- The driveway entrance to the west will be widened by about 6' to 25-26'.
- The plan is to install a drainage ditch along the access road.
- The trench drain will also catch water.

Andy Stone

- He was not aware of the provision for surface-mounted reboundable traffic delineators or that Chipotle did not have a menu board and speaker and not functioning as a drive through.
- His concerns about accepting the plan as submitted is if there is a problem in the future the city will have to pick it up and solve it. Would they be willing to come back and install the delineators, short of a bond? There are conflicting problems – the driveway width and the stacking problem.
 - Jared D – they would be willing to agree to come back and install delineators if it was determined to be necessary.

Steve Patterson

- Before the roll call vote he wanted to point out that the current administration is very economic development forward/supportive, and strives to improve city infrastructure to support it.

Austin Phillips

- As a local business owner his experience is that if there is too much traffic people will go elsewhere. It is always in the businesses best interest to manage traffic flow effectively. If stacking becomes an issue the business will find a solution.

Andy Stone moved to approve the modified site plan with the understanding that the delineators. Austin Phillips seconded. Roll call vote: Austin P/Yes, Andy Stone/Yes, Steve Patterson/Yes, John Kotowski/No, Nancy Bain/No. Motion passed 3:2.

4. **Communications**

None

6. **Report from City Planner and Director of Code Enforcement**

No reports

7. **Opportunity for Citizens to Speak**

None

8. **Announcements & Other Business**

- Next meeting May 18, 2023

9. **Adjournment**

The meeting was adjourned at 12:55 p.m.