

November 4, 2015

Planning Commission  
City of Jamestown, ss:

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Proceedings by Authority

State of New York,  
Mayor's Conference Room

The regular meeting of the Planning Commission for the City of Jamestown, New York was held on Tuesday, November 4, 2015 at 3:30 p.m.

Members Present: Chairman Paul Whitford, Jeff Lehman, James N. Olson, Paul Andalora, Regina Brackman, Joe Trusso

Members Absent: Jeff Nelson, Alfonso Pagan

Others Present: Bill Rice, Jeff Hollern, Vince DeJoy, Jeff Lewis, Tim Shults

Chairman Whitford called the meeting to order.

**SHULTS AUTO CREDIT BUILDING 1315 WASHINGTON STREET**

Mr. Lewis: I am Jeff Lewis. I am the contractor that the Shults Real Estate group has chosen to do this project. I live at 5299 Route 380 in Sinclairville, New York. We have, hopefully, everything we need here for the new buildings at the Auto Credit facility. Are there questions about what's – is there anything that you folks need to know, questions I can answer on what we have...

Mr. Rice: One thing that's going to have to be worked out is the letter I just gave you from the New York State DOT. I brought some extra copies if you want to take a look at that. We're going to look at this as a contingency with final approval coming down as to how the entry/ exit point...

Mr. Lewis: Sure. From our discussion, they're wanting it more this end.

Mr. Rice: I don't know if the existing curb cut is going to be sufficient, but that you'll have to work out with them.

Mr. Lewis: Yes I believe those are 24' curb cuts.

Mr. Rice: Yes.

Mr. Lewis: Where this one was a 40'; the one that we were proposing.

Mr. Rice: Well in there and the location is important. They prefer to have it directly in line with 14<sup>th</sup> Street, but you also have manhole covers there. The next opportunity would be

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just south of this light pole somewhere in there so I don't know if that's going to work; the existing or not.

Mr. Lewis: Okay. And that's something I can work out with them directly. Okay.

Mr. Rice: Yes. And of course that's going to affect your landscaping a little bit too.

Mr. Lewis: Sure.

Mr. Rice: Do you want to explain to the commission what the function is and how this is going to work?

Mr. Lewis: Right. Basically what we would like to do is; the old building needs renewed. It's pretty old. There is a lot of maintenance required on it so they want to put these new buildings up. Building One is the new sales/banking area over here. They do have a future driveway in case they wanted to make it a showroom in there, but we're not really foreseeing that, it was just kind of a thought.

Mr. Whitford: You do your own financing there?

Mr. Lewis: Yes, they're a buy here, pay here. They finance directly with the bank, that's more Kyle's end of the business. I'm just the builder, but yes they do the buy here, pay here for the customers. At the drive up window they do, it's a regular bank teller window. Now this really doesn't mean much, we're going to switch it to here, but it actually helped with the flow a little in and around, make the payment at the window, back out.

This Building Two is full service detail area for Kyle so he's able to service his own vehicles right there, detail them right there and basically do more in-house stuff to help them give the customer a more affordable vehicle and not pay secondary prices on mechanic work and car washing and such. It will be a four bay unit, two mechanic bays, two detail bays. The front entrance here is just a waiting area, there's just going to be a service desk in there with a computer and seating for a person or two. There isn't a whole lot. He's basically servicing these vehicles before they're on the lot for sale basically is what that boils down to. He's going to be taking the auto credit vehicles mainly, not customers coming in off the street.

Mr. Lehman: Have the parcels been combined yet?

Mr. Lewis: I know – are we at the point where the parcels have been combined?

Mr. Shults: Not as of yet.

Mr. Rice: That would be a contingency.

Mr. Lewis: Right okay.

Mr. Rice: One thing I noticed when reviewing this, you have landscape areas designated here, but I didn't see any connection to the plan as to where those areas were so that's

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something that's still not clear in my mind. Another thing that you've got to be careful too, when you're exiting the site, those landscaped areas, you had some arborvitae, I don't know if those are cone shaped, how tall they're supposed to get, but they need to be pulled back far enough that you can actually see in both directions as to where you're going so the location of that is going to be very important on that. I don't think it's necessary to landscape an entire strip. I'd recommend maybe some street trees, I don't know if they want to do that. You've already met your quota on trees on the site as it is. That was just a recommendation.

Mr. Lewis: Right. A big concern was the curb appeal. If we get anything too high, the people driving down the street aren't going to see the vehicles that are for sale so that's why we stuck with the low lying stuff. I met with the Jamestown arborist and he kind of pointed us in the right direction of what the plant were to hold up.

Mr. Rice: It's a little bit of overkill on that and it's also a maintenance issue that you're going to have.

Mr. Lewis: Right that's a lot of plants in there.

Mr. Rice: I was suggesting just go to a grass strip there except for right at the entry point, ten feet on both sides of it.

Mr. Lewis: Oh that would be beautiful.

Mr. Rice: But again, that's going to be dependent where the DOT...

Mr. Lewis: Where they want their entrance.

Mr. Rice: Yes.

Mr. Shults: Jeff are we ending up with one entrance when we have two now?

Mr. Lewis: Yes.

Mr. Shults: Why is that?

Mr. Rice: DOT wants that.

Mr. Olson: Can you move to the table Tim, when you're talking and give your name and address please?

Mr. Shults: Sorry, I haven't had a chance to review this. Tim Shults, president of the Shults Auto Group. I'm just reviewing the plan for the first time with the one entrance. The purpose of the meeting is to...

Mr. Lehman: Approve your site plan.

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Mr. Shults: Approve this site plan. So this site plan is what we're proposing? One entrance? We're okay with that?

Mr. Rice: That's the requirement of the New York State DOT. I've indicated that to them, there are manhole covers there and they said the next option is – on the plan you'll see a round brown indication there, there's a wood pole with lighting on that. They said just south of that would be workable. They may be fine with just the existing entryway. That's something that you'll have to work out with Ed Bukowski on.

Mr. Shults: The southern entryway?

Mr. Rice: Yes.

Mr. Shults: I would think – how many entry cuts do we have now on the existing two parcels that have not been combined?

Mr. Lewis: Five.

Mr. Rice: There's quite a few and one thing they're going to require of you is to close those off and restore them back to the condition before the curb cuts.

Mr. Shults: I would be able to at least put two in.

Mr. Rice: Not there. If you look at the correspondence you'll see and you talk to Ed.

Mr. Lewis: The state stipulation as it happened Friday.

Mr. Rice: Friday and a couple times before that. They're pretty adamant about one entry/exit way.

Mr. Shults: Even though there are six now.

Mr. Rice: Yes.

Mr. Shults: Well I also heard the question to Jeff about the purpose of the facility and everything. It's a facility that has been serving Jamestown for a number of years already and we've taken a brownfield site and purchased it, that has been sitting empty, and we're putting it together to bring a better service to Jamestown and two brand new facilities. I kind of feel like, again, instead of being helped we're being halted. It doesn't ever feel good. We're getting someone to help us who, the properties and the Shults Group, helped that land value move forward.

Mr. Rice: Well you're going to have to talk with the New York State DOT on that.

Mr. Lehman: Yes. We approved the preliminary plan with two entrances and it came back and the DOT...

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- Mr. Shults: Well I can't say I'm totally prepared...
- Mr. Summers: Jim could I approach the table and give my name and address so that I may comment?
- Mr. Olson: Yes.
- Mr. Lehman: We're regulated by the DOT same as is everybody.
- Mr. Summers: My name is Paul Summers, I'm the chief financial officer for Shults Auto Group and in our plan where we are taking, here would be the one item, Mr. Shults and I have talked about two entrances. This part doesn't seem logical. That is, were we to not have added the second parcel, there was another buyer to the second parcel, it would stand to reason that the buyer of the second parcel wouldn't be able to enter the real estate industry. Correct?
- Mr. Rice: You're going to talk to the New York State DOT on this.
- Mr. Summers: Bill just give us some insight. What do you think they would say – I'm not asking you for a conclusion. It would seem logical...
- Mr. Rice: I know what they're going to tell you because they've told me a number of times over the phone.
- Mr. Summers: Then we'd love to hear it.
- Mr. Rice: One entry, one exit. That's what they told me. And this is over a number of telephone calls with New York State DOT.
- Mr. Whitford: It sounds like that is a valid argument; if you're going to argue the DOT – and we don't do that. This is your site plan. I understand the logic to that. If someone else were to purchase that site, they would have one entrance, one exit.
- Mr. Lewis: Yes the bank did before.
- Mr. Whitford: I understand that, but this commission can't make the decision on that. We can approve the site plan based on your making an agreement with the DOT; a stipulated agreement with them.
- Mr. Shults: So we put this site plan together based on your feedback from the DOT.
- Mr. Summers: And we understand that. Let me just ask a hypothetical, again, hypothetical, not asking for a conclusion. We go ahead and we get our site plan approved and start building and then we petition the DOT to review their decision with an eye toward getting that second entrance and if we would do so, would then, would it be, again, hypothetically likely that the City would approve, or do you have to approve if DOT gives us a second entrance on a post-project basis, is there concern for this committee or no?

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Mr. Rice: I think we can give it contingent upon their final approval, whichever, single entrance or double entrance.

Mr. Trusso: That's right.

Mr. Lehman: For clarification, Washington Street is a state road which is why the state has...

Mr. Summers: We understand that. We're in the midst of yet another project to invest yet more into the – this is the sales portion of the commentary – into the City of Jamestown. I guess the question is answered and that being so the contingency is if we would petition and get a second entrance everybody here says it would be okay.

Mr. Rice: It would have been preferred that all of these things were worked out before this came before us, but we've known the history of this issue, it's been a long time coming that has not been very good.

Mr. Lehman: Not for lack of trying anyone's part.

Mr. Rice: Believe me, no. And your contractor can tell you fairly well.

Mr. Summers: Okay. We understand.

Mr. Rice: So we're kind of, in a way, we're doing you a favor by doing this as quickly as possible because of your timing issue, but this stuff should've been worked out.

Mr. Summers: Yes we agree.

Mr. Whitford: We don't have an issue about approving the site plan based on your agreement with the DOT whether it's going to be one or two, but it has to...

Mr. Lewis: So from here back, you'll be happy with everything and this part up here, I've got to get cleared up with them.

Mr. Lehman: Yes. If you do go to two entrances, we'd have to see the modification. Internally.

Mr. Rice: At staff level. Also when it comes to the landscaping on those, show us what you're going to do.

Mr. Lewis: Yes. Once I know placement, where we do just this portion...

Mr. Whitford: We want to be clear that, especially with the landscaping, you can maintain the integrity of the visual effect of what you have on the market plus take care of our issues as far as the landscaping and I'm sure the arborist will work with you. Dan is a good guy.

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Mr. Lewis: Yes. He's been super helpful to us.

Mr. Shults: So this plan meets the green space and – I understand what you said about the grass strip and the visuals moving in and out, we've worked with that before on projects.

Mr. Rice: Yes when you talk about the landscaping, I just want to see the placement of those and what the bush really is so we get an idea if you're far enough back so the corner vision isn't impaired. The arborist is going to look at the species and stuff like that. We're more interested in the location.

Mr. Lehman: I would imagine you're not doing landscaping this fall anyways.

Mr. Whitford: Are there any other questions?

Mr. Trusso: I'm just wondering there's a Quality Market building over there right across the street from you guys. Have you considered doing anything with that building over there? As a huge showroom? You have the trucks parked all over there.

Mr. Summers: Sir it would be unlikely that the manufacturers who have to approve every franchise ever come together, that would be the most auspicious example of herding cats; because the manufacturers all, generally, want separate facilities, separate identification, separate customer touch points. We are in the middle of this in our project at the 2200 block now of Washington Street where one manufacturer who is clearly predominant over the other one is saying, "get the other guy out of there. We don't want our people touching those people".

Mr. Trusso: That would be the largest indoor showroom in Chautauqua County and probably in Erie County. I don't think they have one that big.

Mr. Shults: It's a beautiful building. 63,000 square feet plus the Rite-Aid.

Mr. Trusso: It is. Just think of the taxes we could collect on that.

Mr. Shults: Someone would have to pay them.

Mr. Trusso moved, seconded by Mr. Lehman to approve the SEQR.

Carried 6-0

Mr. Lehman moved, seconded by Mr. Trusso to approve the site plan with the following conditions: Combine all the parcels into one, final approval for entry/exits for New York State DOT, modifying landscaping as was discussed and remove all unused curb cuts that exist and they be restored back to before the curb cuts went in.

Carried 6-0

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There being no further business, the meeting was adjourned.

James N. Olson, Director of Financial Services/City Clerk