

**SOUTH STRABANE TOWNSHIP  
ZONING HEARING BOARD MEETING MINUTES**

**JULY 12, 2021**

**APPROVED MEETING MINUTES**

**1. ROLL CALL AND CALL TO ORDER**

On Monday, July 12, 2021 at 6:00 p.m., after due advertisement according to law, a public meeting of the Zoning Hearing Board (“ZHB”) was held at the South Strabane Township Municipal Building (550 Washington Road, Washington, PA 15301) and the following were present:

Art Sullivan, Chairperson  
James Stewart, Vice-Chair  
Andy Rembert, Member

**Also Present**

Robert J. Garvin, Goldberg, Kamin & Garvin, LLP, representing Chick-Fil-A  
Jay Yanak, Owner/Operator, Chick-Fil-A Washington  
Bob Howell, Representative, Chick-Fil-A Support Center  
Jim Curry, Vice President – Projects, JLL (Real Estate Firm)  
Michael Takacs, Bohler Engineering  
Michael Cruny, Zoning Hearing Board Solicitor  
Brandon Stanick, Township Manager  
Jim Sutter, Assistant to the Township Manager  
Sheila Rozanc, Stenographer

**2. Approval of the Zoning Hearing Board Meeting Minutes – June 16, 2021**

Chair Sullivan moved to approve the June 16, 2021 Meeting Minutes as presented. Mr. Stewart seconded the motion. The motion passed on a unanimous voice vote.

Ms. Rozanc administered the oath to those in attendance.

**3. Public Hearing: Consideration of an application by Bohler Engineering, submitted on behalf of Washfila Pooh, LLC., seeking the following for the existing Chick-fil-a site located at 375 Old Mill Boulevard. (“Restaurant”) in the C-2 Zoning District: a variance from Section 245-183 regarding the minimum required parking spaces for fast food restaurants to accommodate an expansion of the existing drive-through facility**

Chair Sullivan introduced the item before the ZHB and the public hearing was opened for the consideration of an application from Bohler Engineering, submitted on behalf of Washfila Pooh, LLC. (“Applicant”), requesting a variance from the minimum required parking spaces for fast food restaurants from 64 to 51 spaces to accommodate an expansion of the existing drive-through facility.

Mr. Robert J. Garvin of Goldberg, Kamin & Garvin, LLP, representing the Applicant, introduced the members of the team that will be providing testimony before the ZHB and

described them as individuals intricately familiar with the operations and infrastructure of the Restaurant.

Mr. Jay Yanak, the Owner/Operator of the Restaurant, provided initial testimony describing the operations prior to the COVID-19 pandemic that began in March 2020. Mr. Yanak stated that previously there was an almost even split between sales coming from the drive-through facility and those that came from dine-in/carry-out customers. He then cited statistics from June 2019 which showed 57% of sales were generated from the drive-through facility.

In response to the pandemic, operations were adjusted to maintain the drive-through and to implement a curbside pick-up option. Under this adjustment, sales from the drive-through facility increased to 83% of total sales. Mr. Yanak noted this greatly affected traffic in and out of the location. Mr. Yanak stated the dining room re-opened for customers in April 2021. He then cited statistics from June 2021 after the dining room had been open for several months showing 71% of all sales came from customers utilizing the drive-through facility. Mr. Yanak stated this showed the pandemic had changed customer behavior.

Chair Sullivan asked if there has been any change in the overall amount of business generated at the Restaurant. Mr. Yanak stated there had been growth from pre-pandemic levels with a 10% increase in sales this year. Mr. Rembert asked if these rates were comparable with what has been observed at other locations around the country. Bob Howell, a representative from the Chick-Fil-A Support Center in Atlanta, Georgia, said that the split in sales the Restaurant experienced was consistent with nationwide trends.

Mr. Stewart asked how are to go orders classified. Mr. Howell stated that they are included in the dine-in category. He further clarified that drive-through customers were those that did not leave their vehicles, while dine-in included customers that park and either leave their car or get curbside pick-up.

Mr. Yanak then moved on to describing some of the traffic issues they have observed due to the increased usage of the drive-through facility. He stated the primary issue was cars from the drive-through facility backing onto the road and blocking the free passage of vehicles. Mr. Yanak noted he observed drivers not intending to visit the Restaurant getting angry when faced with this challenge. He also stated that he observed the potentially dangerous practice of these drivers leaving the designated traffic lanes in order to go past the cars in line for the drive-through facility. Mr. Yanak also described instances of dine-in customers attempting to circumvent the inaccessible entrance driveway by entering the store parking lot through the exit driveway. This has also caused traffic conflicts and potentially dangerous situations.

Mr. Rembert asked for clarification on the number and types of drive-through lanes and what traffic flow would look like if the variance was granted and the drive-through facility expansion implemented. Michael Takacs, of Bohler Engineering, then presented site plans and described the current flow of traffic and compared it to the potential flow as a result of

the expanded drive-through. Currently, there is only one order fulfillment lane (order pick-up). This causes bottlenecks and the ensuing traffic back-up when the two order placing lanes merge into this one fulfillment lane. The primary change will be the creation of an additional fulfillment lane to alleviate this issue. Mr. Takacs explained that full configuration and circulation details will be included in the potential follow-up land development plan that will go before the Planning Commission. Other items noted were the total impervious area is not expected to increase and exit signs will be made clearer in an attempt to mitigate the usage of those driveways as entrance points.

Mr. Stewart asked if decreasing the current parking capacity to 51 spaces will be adequate to accommodate walk-in traffic. Mr. Yanak stated it would and they have an informal agreement with the adjacent Longhorn Steakhouse to use its back row of parking spaces on peak days when they are expecting a higher than usual number of customers. Township Manager Brandon Stanick stated that the Township currently does not have record of this shared parking agreement. Mr. Yanak stated that the agreement is verbal, but that they can get it in writing.

Mr. Cruny asked the Applicant to confirm it had received an initial variance in 2014 to have less than the required minimum of 64 parking spaces and the request before the ZHB is seeking a further reduction to 51 total spaces. Mr. Takacs confirmed this and further stated there are actually 66 parking spaces, 2 above the minimum the previously granted variance allows. Mr. Cruny further asked while the testimony is related to extraordinary circumstances (the COVID-19 pandemic), the Applicant anticipates these new habits will not change and the 70 to 30 ratio of drive-through to dine-in customers will be maintained. Mr. Cruny asked for clarification the request for 51 parking spaces is the absolute minimum variance needed. Mr. Takacs confirmed this is the absolute minimum request. In closing, Mr. Cruny asked for clarification the requested variance and resulting expansion in drive-through facilities would alleviate the queuing and traffic congestion and improve overall safety. The Applicant confirmed this is the case.

Mr. Rembert then inquired on the minimum number of employee spaces required when the Restaurant is fully staffed. Mr. Yanak states there are 30-35 employees working during peak times. A discussion then ensued if there would be enough parking spaces for dine-in customers should the drive-through expansion be implemented. Mr. Yanak noted the agreement with the adjacent Longhorn Steakhouse and stated customers have rarely complained about the lack of parking. Mr. Howell stated a similarly sized store typically requires 40-45 parking spaces.

Mr. Stanick briefly gave testimony regarding the Board of Supervisors recent directive to the Planning Commission to examine the drive-through standards in the Zoning Code. Following this, Mr. Cruny entered the following exhibits into the record:

- A. Advertising Notices of Hearing in Observer-Reporter - June 25, 2021 and July 5, 2021;
- B. Letter to property owners within 300 feet of the subject property dated June 30, 2021;

- C. A copy of the Application dated June 21, 2021;
- D. Washington County Tax Assessment with Parcel Information confirming the property owner;
- E. Minutes from the May 12, 2014 and June 30, 2014 ZHB meetings at which the initial variance was granted; and
- F. Site plans comprised of 3 sheets

Chair Sullivan moved to approve the request for a Variance from Section 245-183 of the Code regarding the minimum required parking spaces for fast food restaurants to accommodate an expansion of the existing drive-through facility for the Chick-fil-a Restaurant at 375 Old Mill Boulevard. Mr. Stewart seconded the motion. The motion passed on a unanimous voice vote.

- 4. Public Hearing: Consideration of an application by Custom Signs, Inc. submitted on behalf of Washington Mall JCP Associates LTD seeking: i) a variance from Section 245-188D(1) of the Code regarding the maximum number of wall signs on lots with multiple street frontage to allow wall signs on elevations without street frontage; and ii) a variance from Section 245-191C(1)(c) regarding the maximum allowable aggregate surface area for all wall signs for the new Huntington Bank facility located at 10 Trinity Place in the C-2 Zoning District**

No representatives from Custom Signs, Inc. were in attendance and there were no comments from the public. As a result, no action was taken on this matter.

- 5. Public Hearing: Consideration of an application from All American Mobile Restaurant requesting a Use by Special Exception pursuant to Section 245-79C(1)(f) of the Code to all the operation of a mobile food truck at the Victory Soccer Fields Property located at 265 Berry Rd. in the I-1 Industrial Zoning District**

The application for this request for Use by Special Exception has not been received. Additionally, no representatives from All American Mobile Restaurant were in attendance and there were no comments from the public. As a result, no action was taken on this matter.

**6. PUBLIC COMMENTS**

The ZHB allocates a period of time during this item for those individuals who would like the opportunity to address the ZHB on any matter. Each person addressing the ZHB is asked to limit their comments to a maximum of three (3) minutes.

There were no comments from the public.

**7. ADJOURNMENT**

As there was no further business to come before the ZHB, Chair Sullivan moved to adjourn. Mr. Stewart seconded the motion and the meeting adjourned at 6:51 p.m.

South Strabane Township  
Zoning Hearing Board Meeting Minutes  
July 12, 2021

Respectfully Submitted,

Brandon J. Stanick  
Township Manager / Zoning Officer