

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 LONGHORN STEAKHOUSE
5 206 AND 208 WOLF ROAD
6 SKETCH PLAN REVIEW

7 *****

8 THE STENOGRAPHIC MINUTES of the above
9 entitled public hearing by NANCY
10 STRANG-VANDEBOGART, a Shorthand Reporter,
11 commencing on March 12, 2013 at 8:47 p.m. at The
12 Public Operations Center, 347 Old Niskayuna Road,
13 Latham, New York

14 BOARD MEMBERS:
15 PETER STUTO, CHAIRMAN
16 BRIAN AUSTIN
17 SUSAN MILSTEIN
18 KATHY DALTON

19 ALSO PRESENT:
20 Elena Vaida, Esq., Counsel to the Planning Board
21 Joe LaCivita, Director, Planning and Economic
22 Development
23 Rob Osterhout, Bohler Engineering
24 Brett Mashchak, Rare Hospitality

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1 CHAIRMAN STUTO: The next item is the Longhorn
2 Steakhouse, 206 and 208 Wolf Road, sketch plan review.
3 The proposal is to raze existing residence and
4 construct a 6,266 square foot restaurant.

5 MR. LACIVITA: This project was before the DCC on
6 October 10 2012. The project resides in the airport
7 area GEIS area, so mitigation fees will apply to the
8 project. The project is also based on the DCC
9 application seeking two waivers; one will be incentive
10 zoning due to the reduction in the greenspace and the
11 other will be the front yard setback. Other than that,
12 we are ready to turn it over to Longhorn Steakhouse
13 representatives.

14 MR. OSTERHOUT: Thank you. My name is Rob
15 Osterhout and I'm here representing Rare Hospitality
16 International on their application for the Longhorn
17 Steakhouse. I also have with me Mr. Brett Mashchak
18 from Rare Hospitality sitting in the back row here
19 (Indicating).

20 CHAIRMAN STUTO: Why don't you sit next to your
21 engineer, so that we can get a good look at you?

22 MR. OSTERHOUT: So, we're here tonight to
23 represent the application to the Planning Board for
24 review and we feel that we have a great project here.
25 The site is located on 206 and 208 Wolf Road. It's out

1 in front of the Best Western. There is an existing
2 residence on our project site, and an existing garage.

3 CHAIRMAN STUTO: Are they in use or are they
4 abandoned at this point?

5 MR. OSTERHOUT: They are in use. The site
6 encompasses two tax map parcels here. So, we have a
7 total of a little over .72 acres for a direct project
8 site. That's the leasehold for Longhorn. We're
9 implementing a lot of measures on this plan that I
10 think that the Planning Board and the Town will embrace
11 because it takes into account a lot of the amenities
12 that are looked upon favorably in the Town regulations.
13 I'll kind of walk you through those and explain those
14 to the Board. Like I said, we have an existing
15 residence and garage facility on the property; roughly
16 3,000 square feet of building space. The building that
17 we are proposing for the Longhorn is a little over
18 double that size at 6,200 and change square feet.

19 The excising parcel is accessed by three
20 driveways on that small .7 acre lot. The three
21 existing driveways will be eliminated as this
22 project moves forward. What we will be proposing
23 is no direct access off of Wolf Road to the
24 project site. Instead, we're proposing a shared
25 access by the existing signalized intersection

1 that provides access to the Best Western facility.

2 We're also looking at some shared parking for
3 this project. That's another item that was looked
4 favorably upon by the Town regulations. We will
5 have on-site parking directly on the site, but
6 other than that we will have shared parking with
7 the existing hotel site to accommodate the full
8 parking build-out.

9 CHAIRMAN STUTO: Who is going to own the property?

10 MR. OSTERHOUT: The properties are currently owned
11 by the same people that own Best Western. They will
12 continue to own the parcels in the future and we'll
13 just be under a lease agreement. There will be a lot
14 consolidation as part of the project, as well. Those
15 two existing tax map parcels would be merged into a
16 single lot and then the Best Western site will stay on
17 its own parcel as well.

18 CHAIRMAN STUTO: So, now you have three parcels,
19 with the hotel, when you're done?

20 MR. OSTERHOUT: Correct, they are owned by that
21 management.

22 CHAIRMAN STUTO: So, if they wanted to sell it at
23 some point they could.

24 MR. OSTERHOUT: Correct.

25 CHAIRMAN STUTO: Since they are separate parcels,

1 is the shared parking going to be recorded in some
2 fashion?

3 MR. OSTERHOUT: Yes, there will be shared parking.

4 CHAIRMAN STUTO: And that will be recorded?

5 MR. OSTERHOUT: Correct.

6 There is existing streetscaping along the
7 frontage here on the site (Indicating). The
8 aerial doesn't quite do it justice. I'll put up
9 our rendered plan. The existing residence sits
10 over in this area (Indicating). The existing
11 garage sits over in this area. What we are
12 proposing is to put the restaurant in the northern
13 portion of the site where the existing residence
14 is, and then combine our parking with the existing
15 parking on the site and access out to Wolf Road
16 via the signalized intersection.

17 As far as the streetscape goes, there is some
18 existing mature vegetation over the frontage in
19 this area (Indicating). There is some other
20 existing vegetation just south of the site as we
21 get to the entrance. We're proposing to
22 supplement that for the frontage build-out here by
23 adding in some additional plantings and some
24 additional fencing and stone piers there. We'll
25 be planting an island here and some stone piers

1 here as well as additional frontage build-out
2 going down the frontage of what is not necessarily
3 the Longhorn parcel, but what is part of the Best
4 Western parcel. So, we've got some additional
5 frontage build-out that we're doing on property
6 that's not necessarily under the applicant's
7 control, but it was something that we heard from
8 the DCC and we'll coordinate those changes into
9 the project plans that you see before you. So,
10 we're implementing the streetscape to help with
11 the frontage build-out.

12 CHAIRMAN STUTO: That's all along Wolf Road,
13 correct?

14 MR. OSTERHOUT: All of the frontage is along Wolf
15 Road; correct. We're joined over here by the Homewood
16 Suites, the Best Western, and the obviously further
17 down there is some other development.

18 CHAIRMAN STUTO: Can you just go through this with
19 me in a remedial type way? So, if I wanted to eat
20 there, show me how I would get there and park.

21 MR. OSTERHOUT: Absolutely. You would enter via
22 the signalized access and pull into the site. Parking
23 for Longhorn is primarily to be identified as this
24 parking here (Indicating). There is other parking back
25 here. There is other parking down the side here that

1 can be accommodated. There is handicapped accessible
2 parking here along side of the building (Indicating).
3 The access into the building is along the front. What
4 we see here is we have a 20-foot setback requirement so
5 we have a little over - I think that we have 21 or 22
6 feet for the primary portion of the building. We have
7 a vestibule entry area that juts out beyond that
8 setback. We're roughly eight feet off of the property
9 line with that vestibule. So, there will be a variance
10 required for that. We do have a pedestrian connection
11 to the sidewalk on Wolf Road here, as well. We'll be
12 improving the sidewalk here along Wolf Road and take
13 out the other driveways that exist there today.

14 CHAIRMAN STUTO: Can you trace the two lots - the
15 two tax parcels that constitute the garage?

16 MR. OSTERHOUT: Yes. Right here is the outline
17 of those two parcels (Indicating).

18 CHAIRMAN STUTO: But they can park at areas left
19 of the gray as well, right?

20 MR. OSTERHOUT: Yes, there would be shared parking
21 here, and throughout the back here.

22 CHAIRMAN STUTO: Is there a barrier on the upper
23 side of the gray parking lot? Is there a barrier
24 between that and the main parking?

25 MR. OSTERHOUT: No, there is no barrier here.

1 That is free parking that would be connected.

2 CHAIRMAN STUTO: So, it's one continuous parking
3 lot.

4 MS. DALTON: Shouldn't there be islands and stuff
5 like that? I think that you're going to have to get
6 some islands in there.

7 MR. OSTERHOUT: For additional greenspace within
8 the parking area?

9 MS. DALTON: Yes, because we have rules with
10 regard to how many parking spaces that you can have and
11 how it's broken up. Even though in theory they are two
12 different spaces, in reality you're proposing shared
13 parking, so I think that those would apply.

14 MR. OSTERHOUT: Like I said, I'd like to talk
15 about that. Parking for the Longhorn is one thing, but
16 when we start encompassing the bigger area with Best
17 Western -

18 MS. DALTON: No, I don't think I'm taking about
19 Best Western. Just where the gray area is running
20 along the Best Western area, rather than having that be
21 back to back parking space, contiguous. I think that
22 at least some delineation of greenspace there is
23 appropriate.

24 MR. OSTERHOUT: That's understood as long as we're
25 talking about the Longhorn.

1 MS. DALTON: I think that people will agree - at
2 least up here - that we don't want it to look like one
3 vast paved over parking area.

4 MR. OSTERHOUT: Understood.

5 MR. AUSTIN: Joe, what are the standards on that?

6 MR. LACIVITA: That's what I'm looking for because
7 we're looking for shared parking. The Land Use Law is
8 silent to that use of it. If this was a full site,
9 we'd be talking about interior landscaping with
10 Boulevards and things like that.

11 MR. AUSTIN: It says 21 spots on the plan of
12 shared parking.

13 MR. OSTERHOUT: We have 45 spaces proposed with
14 that area.

15 MR. AUSTIN: That other gray strip right there has
16 the 21 shared parking.

17 CHAIRMAN STUTO: We can continue on and focus on
18 that issue and figure out what the requirements are for
19 islands and so forth.

20 MR. OSTERHOUT: We are not only reducing the
21 number of curb cuts along Wolf Road which is a Board
22 consideration from an access management perspective,
23 We're also reaping a little bit of benefit from that in
24 that we're converting those access drives that are
25 currently paved impervious areas into additional

1 greenspace that is not reflected on the site. So,
2 maybe that's something that we can talk about as well
3 when we're talking about the parking lot and the
4 additional greenspace requirements here.

5 With that, relative to the remainder of the
6 site, the build-out here - all of our utilities
7 would be provided via public utilities that are
8 available at the site. We've got a waterline that
9 runs through the site today that serves the Best
10 Western. Our original plan had predicted a water
11 surface coming off of the main that's out to Wolf
12 Road. We got feedback from DOT where we should
13 look at other options, so we didn't have to
14 disturb the pavement there. We do have an option
15 that we could come off that existing surface to
16 avoid any disruption to Wolf Road and to the
17 pavement out there.

18 Sanitary sewer runs along the side of the
19 project site here (Indicating). It runs through
20 an easement through the site and that's Town sewer
21 that runs into the Best Western facility. We're
22 proposing as part of the project that there would
23 be a relocation of that sanitary sewer because the
24 easement of that sanitary sewer conflicts with the
25 building location here. We are proposing to shift

1 that sanitary sewer back to accommodate the
2 project. Other than that, we have electric, gas
3 and every other detail that he covered at the site
4 location here.

5 Dumpster location is located off of the rear
6 of the facility so that it's free from visibility
7 from Wolf Road and adjoining uses. We have an
8 enclosure that exists of material that's
9 representative of the building structure to screen
10 the structures, so there should be a nice blend
11 there.

12 Landscape, we've got a nice landscaping that
13 is proposed out front here. We will be
14 supplementing that as we go over with our detailed
15 plans. The frontage build-out - I think - is an
16 important consideration from the Town's
17 regulations here and we have incorporated not only
18 the frontage build-out on the project, but
19 additional frontage build-out on the existing Best
20 Western site to help address some of the Town's
21 concerns with the project.

22 CHAIRMAN STUTO: Joe Romano, do you have any
23 comments on this?

24 MR. ROMANO: I think that obviously the curb cut
25 reduction on Wolf Road is a big plus for the project.

1 Can you talk about access through the site?
2 Say a delivery vehicle is coming in to service the
3 Longhorn Steakhouse. How is the plan that they
4 are going to snake their way through it? It seems
5 like an awkward entrance into the site for them
6 and for them to be able to get to the back of the
7 building.

8 MR. OSTERHOUT: Keep in mind that those deliveries
9 will be made in off-beat hours. Yes, access could come
10 in a number of ways. It could come in here and
11 circulate through the larger site plan here. There is
12 a little bit better representation of the overall site.
13 I'll show you the bigger picture here. They would come
14 in and circulate through and unload here. The other
15 option that they would have would be to circulate
16 around the facility and come around that way
17 (Indicating).

18 MR. ROMANO: As you move farther along, you'll
19 have to do some turning templates on it just to make
20 sure that it can make that right hand turn. If not,
21 you might need to flip off some of those islands.

22 At the DCC meeting there was a comment raised
23 regarding access to the adjacent hotel. Can you
24 speak to that?

25 MR. OSTERHOUT: There is currently a connection to

1 the Homewood site. It's a gated access, so it's
2 emergency access that exists today. The DCC comment
3 incorporated your request to remove the existing gate
4 that's at that location so that it would be
5 free-flowing between the sites. Our client has
6 broached this subject with the owners of the site and
7 has indicated that is going to be part of the project
8 as we move forward. That's going to be removed as it
9 exists now.

10 MR. ROMANO: The existing waterline that you're
11 tying off of -, is that an existing line, or is it a
12 private line that you'll have to make public?

13 MR. OSTERHOUT: It's a public line.

14 MS. DALTON: There is some mention of the fact
15 that there used to be a comedy club here and the comedy
16 club has moved, but there is still an existing
17 restaurant in that building?

18 MR. OSTERHOUT: Correct. The Best Western is not
19 only an 853 room hotel, but as you mentioned there used
20 to be a comedy club in the facility. The comedy club
21 has vacated the premises and moved elsewhere. They're
22 over by Memorial Hospital, as I understand it now.
23 There is a restaurant in the hotel today. That hotel
24 would be removed from the Best Western if the Longhorn
25 project moves forward. So, that facility would come

1 out of the Best Western. Under their flag, they have a
2 requirement to have a breakfast scenario, as most
3 hotels do these days. So, they are planning on
4 converting that space not into additional rooms or
5 meeting space or anything like that, but into a
6 breakfast area.

7 CHAIRMAN STUTO: Do they still sponsor events in
8 there?

9 MR. OSTERHOUT: They do have meeting space already
10 in there, though. That will remain.

11 CHAIRMAN STUTO: It looks pretty darn good to me.
12 Susan, do you have any comments or questions?

13 MS. MILSTEIN: No, nothing.

14 CHAIRMAN STUTO: Brian?

15 MR. AUSTIN: No, I like how you are prepared. It
16 looks really good.

17 MR. OSTERHOUT: And I do have the architectural
18 elevations here. They were in everybody's packages.
19 I'll put those up in case anybody wants to see what we
20 are proposing for the facade.

21 CHAIRMAN STUTO: You want to talk about it
22 briefly?

23 MR. OSTERHOUT: Sure. Basically what we are
24 looking at here is the front elevation. This would be
25 the view that you see from Wolf Road with the vestibule

1 entrance here (Indicating). There are a lot of earth
2 tone colors, natural materials and you can see the
3 extensive landscaping. These are prototype elevations,
4 so please don't take them as 100 percent. They're
5 intended to give you an idea of what you are proposing
6 here for the project. This would be the elevation view
7 looking from the north at the side of the building. If
8 you on the Homewood side of the site, looking at the
9 facility, this would be the rear of the facility. Then
10 the immediate view to the north through the parking lot
11 - this is the entrance over here on your right side
12 (Indicating).

13 CHAIRMAN STUTO: How big of a chain is this? Are
14 there any in his area? Where are they located?

15 MR. OSTERHOUT: Brad, you can help me out with
16 that one. Where is the nearest Longhorn? I know that
17 I went to one in Rochester recently.

18 MR. MASHCHAK: I apologize, this is my new
19 territory.

20 CHAIRMAN STUTO: Can you give us an overall view
21 of the company?

22 MR. MASHCHAK: Longhorn Steakhouse is a chain
23 that's been in existence since 1981. It started in
24 Atlanta Georgia. It's slowly grown. I believe that
25 we're up to 400 locations and are continuing to grow at

1 a good pace every year. We're slowly moving. It's a
2 family oriented restaurant.

3 CHAIRMAN STUTO: Do you have many units in New
4 York State?

5 MR. LACIVITA: I don't know if they were talking
6 about many in New York State when I was going through
7 the due diligence of the company.

8 What is the parent company again?

9 MR. OSTERHOUT: It is Darden Restaurants.

10 MR. LACIVITA: They have the Bahama Breeze and a
11 number of different restaurants.

12 MR. OSTERHOUT: They also have Olive Garden and
13 Red Lobster, which are two of their concepts. We own
14 Bahama Breeze and Seasons 52 and we own the Capital
15 Grill, as well.

16 MR. LACIVITA: When Darden first came to look at
17 the site, they were actually looking at the Burger King
18 site. They wanted it to be contiguous to their other
19 two holdings. They unfortunately couldn't get the
20 parking configuration to work on that site because it
21 had to do with their land acquisition where Exit 3 was
22 supposed to come in by Hess, so they went for this
23 alternative site.

24 CHAIRMAN STUTO: It's 6,000 and some feet. Is
25 that relatively small for a restaurant? How does that

1 compare to the other ones on Wolf Road that you have?

2 MR. MASHCHAK: That is actually on par with them.
3 It's generally a little bit bigger than that. Red
4 Lobster right now is a little bit smaller. Our other
5 concepts are much bigger. They go to 10,000 square
6 feet.

7 CHAIRMAN STUTO: Thank you.

8 I don't see any major problems, myself. I
9 think that the curb cut thing is a good thing. I
10 think that the enhancement of that property is a
11 good thing. I think that it's a good looking
12 restaurant. I think that it will be a welcome
13 addition. I think that you can work out the
14 details between now and the next time you're here.

15 MR. OSTERHOUT: Thank you for your time.

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18 (Whereas the proceedings were concluded at

19 9:15 p.m.)

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CERTIFICATION

I, NANCY STRANG-VANDEBOGART, Shorthand Reporter and Notary Public in and for the State of New York, hereby CERTIFY that the record taken by me at the time and place noted in the heading hereof is a true and accurate transcript of same, to the best of my ability and belief.

NANCY STRANG-VANDEBOGART

Dated March 15, 2013

