



Zoning Hearing Board

Wednesday, January 17, 2018 4:00PM

City Council Chambers



REORGANIZATION OF THE ZONING HEARING BOARD

Prior to the testimony for the Special Exception at hand, board member Jon Hillwig **motioned** to keep Charlotte Kuhns as Chair and Patsy Iapalucci as Vice-chair of the Zoning Hearing Board. Chair Charlotte Kuhns **seconded the motion**.

BEFORE THE CITY OF GREENSBURG ZONING HEARING BOARD

In the matter of:
Rassame's Thai Cuisine

Appeal:
Special Exception §265-129

Property Location:
430 Grove Street

Hearing Date:
January 17, 2018

PROCEDURAL BACKGROUND

Keith & Rassame King of **Rassame's Thai Cuisine** are requesting a **SPECIAL EXCEPTION** as per §265-129 of the City Code to change from one nonconforming use, i.e, a catering/café to a restaurant or the property located at 430 Grove Street, Greensburg, PA. Subject property is zoned **R-2 General Residence District**

Members of the board present: Charlotte Kuhns-Chair
Patsy Iapalucci-Vice Chair
Jon Hillwig
Barry Gaetano – Arrived at 4:04PM
Justin Calisti – Arrived at 4:10PM

Also Present: Lou DeRose, Solicitor
Barbara J. Ciampini, Planning Director

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Charlotte Kuhns introduced the Board Members present and advised all persons present who planned to participate in the scheduled hearing to stand and be sworn in.

There were no objections to advertising or procedure at the onset of the hearing. Barry Gaetano motioned to grant the special exception. Jon Hillwig seconded the motion. All were in favor.

DISCUSSION

Keith King of *Rassame's Thai Cuisine* stated that he and his wife Rassame are looking to purchase the property at 430 Grove Street from Duane and Marcia Sompel, based on its location close to Westmoreland Hospital and Downtown Greensburg as well as the building already having a full kitchen and eat in area. Mr. King made mention that no alcohol would be sold, and business hours would include being closed on Monday, Tuesday through Thursday 11am until 9pm, Friday and Saturday 11am until 10pm, and Sunday 11am until 9am. As far as parking, the property is located on a corner lot which will use utilize street parking for customers. Mr. King would like to possibly purchase a grass lot across the street if the business is successful to put in a parking lot. There is also a small area behind the building where a dumpster is currently located that can accommodate four (4) to five (5) employee vehicles. The parking in the area of this property is permit parking; however, discussion with the Police Chief and City Staff will allow for parking issues to be sorted out regarding permits for the perimeter of the building and for customers. In the future, if this business location is successful in the City of Greensburg, Mr. King plans on looking for a second location roughly 20-30 minutes along Route 30. Planning Director, Barbara Ciampini, asked how many employees there will be for the business to which Mr. King stated there would be roughly five (5) to six (6) employees for the opening and as business expands more employees will be recruited. The kitchen staff will include Rassame King as well as others who have expertise and a background working with Thai cuisine. Ancillary staff members will be needed for food prep and service positions. Board member Barry Gaetano posed the question related to the occupancy load for the building and how many tables there are for customers. Ms. Ciampini responded to Mr. Gaetano saying that an inspector from the Planning and Development Department will be performing an occupancy inspection as well as a health inspection prior to the business opening that will allow for more detailed information relating to the occupancy load. Currently, there's approximately seating for 30 customers. Mr. Gaetano asked out of curiosity what Thai cuisine entails. Mr. King explained that Thai cuisine is similar to Chinese food, but is slightly different. All food is prepared ahead of time, and will be cooked to order. A menu was passed around to board members for review.

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In regards to the time frame of when the business will open, Mr. King explained that he has already signed a sales agreement; however, he was waiting for the Zoning Hearing Board decision to complete the transaction. If the ZHB is in agreement for granting the special exception, Mr. King is hoping to have the business open for the end of February or the beginning of March barring any unforeseen circumstances. Inspections will be completed for Occupancy and Health permits, and any work being completed inside the structure will be cosmetic only at this time. The menu and financing for the initial opening of the business is complete.

Solicitor Lou DeRose mentioned that the record should show a few items prior to a vote by board members. First, the current catering business at this location is a non-conforming use and this hearing is related to a transfer of a non-conforming to a different non-conforming use. The issues are pretty simple; is it going to be worse for the area than what is there now, i.e. parking and the feel for the neighborhood. This is a lateral move and there's no problem legally with moving over to another non-conforming use by truly calling this location a restaurant as opposed to catering/café. The current business is still in operation, so the non-conforming use status has not been lost. Vice-chairman Patsy Iapalucci mentioned that this location used to be a grocery store at one point in time, which created additional traffic and parking concerns for the area, but it seems that the neighborhood is used to the business' location and issues that could arise.

There were no further questions or concerns from board members and/or Mr. King. No other audience members were present. Board member Barry Gaetano **motioned** to approved the facilities as zoned allowing for a change from one non-conforming use, i.e. catering/café, to a second non-conforming use, i.e. restaurant. Board member Jon Hillwig **seconded the motion**. All board members approved. Motion passes. Chairwoman Charlotte Kuhns made the following statement: Within 30 days of the decision of the board, this decision may be appealed to the Court of Common Pleas of Westmoreland County. It is important that you understand that the persons requesting the action may take the appeal of this decision to the board against him, but those opposed to his or her requests may also take an appeal within the 30 day period. If the action of the board results in an approval of the request or an individual, no work may proceed on the property until the 30 day appeal period has expired. Any person requesting a copy of this decision, you can leave your name and address with the secretary.

Board member Jon Hillwig motioned to adjourn the meeting.

*Meeting adjourned at 4:24pm.

