

**O'HARA TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
JULY 16, 2007
7:30 P.M.**

The Planning Commission met on July 16, 2007 in the Township Municipal Building, 325 Fox Chapel Road, at 7:30 p.m. for its regular meeting. The meeting was brought to order and preceded as outlined on the agenda.

Present: Judith Spray, Chairperson; Edward Crates, Vice-Chairperson; W. Cleland Dowler, Jr., Secretary; John J. Claus, Third Ward; Ronald L. Flucker, First Ward; Joseph Zgurzynski

Absent: Joseph Kelly, At-Large

Staff: Julie A. Jakubec, CPA, Township Manager; Eric C. Tissue, P.E., KLH Engineers, Inc./Consulting Engineer; Charles W. Steinert, Jr., P.E., Township Engineer

SUMMARY OF AGENDA ITEMS:

I. CALL TO ORDER

II. OLD BUSINESS

- A. O'Hara Capital Partners
Application for Preliminary Land Development Approval
Construction of a Three-Story Office Building

III. NEW BUSINESS

- A. Sprint / Nextel
Application for Conditional Use Approval
Addition of Three (3) Antennae on Existing Tower
- B. Ace Bindery
Application for Preliminary Land Development Approval
Building Addition
- C. St. Joseph Roman Catholic Church
Application for Conceptual Review
Subdivision and Land Development

IV. APPROVAL OF MINUTES

- A. May 21, 2007 Meeting Minutes
- B. June 28, 2007 Special Meeting Minutes

V. OTHER BUSINESS

VI. ADJOURNMENT

I. CALL TO ORDER

Chairperson Spray called the meeting to order at 7:30 p.m. and welcomed new Township Engineer, Chuck Steinert.

II. OLD BUSINESS

- A. O'Hara Capital Partners
Application for Preliminary Land Development Approval
Construction of a Three-Story Office Building

Mr. Eric Tissue, P.E., Consultant of KLH Engineers, Inc., noted the purpose of the application is to construct 50,220 s.f., three-story office complex within the RIDC Park, and read the Engineering Report, which is attached and made a permanent part of these minutes. Mr. Tissue, P.E. reviewed the eleven conditions of approval as noted at the June 25, 2007 Planning Commission meeting, of which three issues remain outstanding, including indication of the lighting standards on the plan, approval of the Erosion and Sedimentation Control Plan by Allegheny County Conservation District, and review of the planting plan by the Township Zoning Officer.

Mr. Bob Smith, of Hampton Technical Associates, stated the Erosion and Sedimentation Control Plan would be submitted to Allegheny County Conservation District for approval, along with application for the NPDES permit and other necessary permits, the exact height of the lighting standards would be indicated on the plan, and offered to work with the Township to provide an acceptable planting plan. Mr. Smith deferred the traffic signal issue to Mr. Terry Palmer.

Mr. Palmer, representative on behalf of O'Hara Capitol Partners, noted correspondence between the Township's Solicitor and O'Hara Capitol Partner's Attorney, regarding an offer of \$10,000 specifically for a traffic signal at Zeta and Gamma Drives in RIDC Park. Mr. Palmer also stated O'Hara Capitol Partners is not obligated to mitigate the traffic situation in order to proceed with the development.

In response to Mr. Dowler's comment concerning the proposed landscaping on the plan, Mr. Palmer indicated the Landscape Architect is currently working on the specifics of plants.

Mr. Dowler questioned if RIDC had been contacted concerning the traffic signal. Mr. Palmer stated he spoke with Mr. Bill Burrows, however a lot of things have changed with regard to the covenants developed in 1963.

Chairperson Spray noted those who work in RIDC Park would suffer the consequences due to the increased traffic at that intersection. Mr. Palmer shared the Planning Commission's concerns, however, he believed it to be unfair that the last person to build a property is being required to mitigate the traffic situation, and proposed a joint effort between O'Hara Township and RIDC with regard to a traffic signal. Manager Jakubec stated in the event this development is approved, she would contact RIDC to discuss the traffic issue.

Chairperson Spray clarified the residents of O'Hara Township did not contribute to the traffic problem in RIDC Park, are not affected by it, and should not be expected to invest in the installation of the traffic signal.

Chairperson Spray reviewed the following conditions of approval:

1. The Erosion and Sedimentation Control Plan must be approved by Allegheny County Conservation District and NPDES construction permit and any other required permits shall be obtained.

2. The lighting standard fixture height shall be shown on the plans.
3. A complete planting plan shall be submitted to the Township and is subject to approval by the Township Engineer.
4. O'Hara Capitol Partners and the Township of O'Hara shall continue discussions with regard to the traffic situation.

Motion to approve application subject to above stated conditions by Vice-Chairperson Crates, was seconded by Mr. Zgurzynski, and carried unanimously.

Mr. Palmer clarified O'Hara Capitol Partners would pursue dialogue with Township staff in regard to the traffic situation.

III. NEW BUSINESS

- A. Sprint / Nextel
Application for Conditional Use Approval
Addition of Three (3) Antennae on Existing Tower

Mr. Tissue, P.E. read the Engineering and Zoning reports, which are attached and made a permanent part of these minutes. He also referenced a letter received with regard to the electromagnetic radiation, and provided a copy of the letter to Mr. Zgurzynski.

Chairperson Spray questioned if the tower would be at full capacity with the three additional antennae.

Ms. Brenna Fleming, representative of Sprint/Nextel, explained Nextel is currently located on the third platform from the top of the tower, with nine antennae. Three of the existing antennae will be moved to an open space on the tower and the three new antennae will be installed on the open space created. The tower has the capability of putting on two more full platform carriers. Each platform is approved for 12 antennae.

Chairperson Spray questioned who receives the revenue generated by the tower. Ms. Fleming stated Sprint/Nextel receives the revenue, which goes to Crown Castle, who leases from RIDC. Chairperson Spray noted a huge potential for revenue production, which could assist the Township in providing the previously discussed traffic signal if the Township could become a part of that agreement.

Mr. Flucker clarified the Township's revenue stream is tax on the value of the property and structure.

Mr. Steinert, Jr. suggested the Township consider possibly implementing an antenna replacement fee to generate revenue.

Chairperson Spray noted there were no potential conditions for approval. However, the Planning Commission requests Township staff investigate the possibility of a permit fee for antenna replacement, and investigate the possibility of O'Hara Township entering discussions with RIDC relative to possibly joining into the agreement to realize a share of revenue from the tower.

Motion by Mr. Flucker to recommend conditional use approval of the subject application, was seconded by Mr. Dowler, and carried unanimously.

B. Ace Bindery
Application for Preliminary Land Development Approval
Building Addition

Mr. Jim Venture, of Partridge Venture Engineering, P.C., Mr. Rick Criscella, of Americo Construction Co., and Mr. Craig Collins, of Axis Architecture, P.C., were in attendance representing the applicant.

Mr. Tissue, P.E. read the Engineering and Zoning Reports, which are attached and made a permanent part of these minutes.

Mr. Venture explained the proposal consisting of redeveloping the site and construction of a small building addition, with minor modifications to the existing parking area. Mr. Collins added the purpose of the addition is to store products prior to shipment. Mr. Criscella noted the improvements are intended to meet Code.

Items of discussion included abandonment of the driveway that runs along the railroad side to the back of the building, removal of asphalt on the south side of the building, existence of an easement to access the property, communications with the railroad relative to the plans, and hours of operation.

Vice Chairperson Crates suggested making application to PennDOT for a driveway permit, indicating “no change or use or curb cut” since the use could impact Sharpsburg Borough, and providing a copy of the application to the Township.

Mr. Dowler suggested making the two islands in the middle of the parking lot a little wider so the trees could survive.

Chairperson Spray summarized the following conditions of approval:

1. The Erosion and Sedimentation Control Plan is subject to approval by Township Engineer.
2. The planting islands shall be slightly wider than shown on the plan, as approved by the Township Engineer.
3. Acquisition of a variance from the Township Zoning Hearing Board with regard to increasing the nonconformity of an existing nonconforming structure.
4. Acquisition of a variance from the Township Zoning Hearing Board for the front and rear yard set backs.
5. The submittal of design specifications for the exterior lighting standards.
6. Submittal of an application to PennDOT stating there is no change in use and explaining the existing driveway situation.

Chairperson Spray stated the Planning Commission recommends to the Zoning Hearing Board that the variances be granted on the basis that site is remote and isolated and the fact that there is no impact on adjoining properties.

Motion by Vice Chairperson Crates, to recommend approval of the plan subject to the above stated conditions, was seconded by Mr. Zgurzynski, and carried unanimously.

C. St. Joseph Roman Catholic Church
Application for Conceptual Review
Subdivision and Land Development

Chairperson Spray noted the application is for conceptual review and does not require action by the Planning Commission, nor would action be taken. She also noted typically staff reports are not prepared for conceptual reviews.

Mr. Tissue, P.E. explained due to a number of issues the reports were prepared. He proceeded to read the Engineering and Zoning Reports, copies of which are attached and made a permanent part of these minutes.

Mr. Zgurzynski stated for the record that he is a member of St. Joseph Church and the Church Building Committee for this project, and therefore would abstain from voting to avoid any conflict of interest.

Mr. Claus stated he also is a member of St. Joseph Church. Chairperson Spray encouraged Mr. Zgurzynski and Mr. Claus to participate in the conceptual plan discussion this evening. Though Chairperson Spray did not believe a conflict of interest existed as a member of the church, she suggested Mr. Claus not vote on the formal preliminary application. The fact that Mr. Zgurzynski is on the building committee could create the appearance of a conflict of interest.

During discussions it was noted the school was considered the main use of the property when properties were classified, and schools are permitted uses in the CD-1 zoning district. The church is not a permitted use in the CD-1 zoning district. The proposed parking lot encroaches the adjacent property that is zoned R-2. The Zoning Officer is considering the parking on the R-2 parcel as an accessory extension of the church.

There are currently 450 seats in the church and 600 seats was a projection of a suitable amount of total seating to provide due to concerns of parishes merging in the area and fewer Catholic Priests are available. The church surveyed the number of attendees and cars over several Sundays to determine the proportion of people in worship service to the number of cars, which is 2.6 people per car. The current Zoning Ordinance requires one car for every two people for all the different uses, which creates a lot of unused parking spaces. The biggest use is for worship on Sunday morning and the maximum capacity for the sanctuary will be 600 seats in the new development. It was noted that there is a possibility of an additional 200 seats, but there is room on the site for additional parking spaces if and when that happens. Chairperson Spray indicated the Planning Commission would need to see a plan including the possible 200 additional seats and parking in consideration of a future building permit.

Mr. Brenenborg indicated a traffic circulation diagram would be provided. He also noted more people would probably fill the parking lot on Christmas, but did not think residents would want to see 100 extra parking spaces unused 51 weeks out of the year. Mr. Dowler concurred, and suggested the use of pervious pavers in the event of an overflow of cars, which would remain grassy a majority of the time. He opposed the parking cutting across the big field and suggested shifting things to retain the big grassy area. Mr. Dowler also suggested widening the entrance aisles.

Discussion continued regarding the existing and proposed parking at the rectory, noting a need to provide significant screening from the neighboring residents. Chairperson Spray strongly recommended conversing with the neighbors to keep them apprised of the development.

It was noted the subdivision plan is dependent upon the acquisition of the adjacent property to the church, and that a land development plan would not likely be approved prior to approval of the subdivision plan. Mr. Brenenborg stated the owner of the property has been kept apprised of the planning process, and the owner does not intend to delay the project.

Mr. Brenenburg questioned the need for a traffic impact analysis, noting the second exit could provide limited access for Sunday services or a special event, to allow people turning right to exit, while the remaining traffic utilizes the main driveway.

Mr. Brenenburg presented the possibility of using a mixture of interior lighting, with lower light poles along the road and higher poles as you go farther back the property and ground slopes away from road and other visible areas around it. The intent is to maintain the mature trees along road, extensive landscaping on one side, and address the thin landscaping on other side. He also explained the plan proposes to extensively use median strips between parking rows for trees, and minimize traffic islands in middle of site due to problems with snow removal and shadows from the trees due to the lighting. Planting islands would be provided at the parking aisle ends for trees and to provide good lighting distribution.

It was noted that the following applications must be submitted to the Township:

1. Application for subdivision approval to consolidate three lots into one lot
2. Application for conditional use approval for the accessory parking use on the adjacent R-2 parcel
3. Applications for preliminary and final or preliminary/final land development to construct the church building addition.
4. Application for Zoning Hearing Board consideration of variances for:
 - a. Non-conforming use of church in CD-1 zoning district
 - b. Reduced number of parking spaces provided
 - c. Light Poles in excess of 17' in height
 - d. Reduced number of planting islands every ten parking spaces

Other documentation that must be provided to the Township for review include:

1. Erosion and Sedimentation Control Plan must be submitted to the Township and Allegheny County Conservation District for approval
2. Stormwater Management Analysis
3. Highway Occupancy Permit must be obtained from PennDOT for the entrance driveway
4. Landscape Plan
5. Sewer Planning Module is required

IV. APPROVAL OF MINUTES

- A. May 21, 2007 Meeting Minutes

Motion by Vice Chairperson Crates, seconded by Mr. Claus, to approve the May 21, 2007 meeting minutes as presented, carried unanimously.

- B. June 28, 2007 Special Meeting Minutes

Motion by Mr. Zgurzynski, seconded by Mr. Flucker, to approve the June 28, 2007 special meeting minutes as presented, carried unanimously.

V. OTHER BUSINESS

Mr. Tissue, P.E. anticipated Ace Bindery would appear before the Planning Commission in August for Final Land Development approval. Manager Jakubec noted Council did not intend to meet during the month of August.

VI. ADJOURNMENT

Motion by Mr. Claus, seconded by Mr. Dowler, to adjourn the meeting, carried unanimously. The meeting adjourned at 9:30 p.m.

W. Cleland Dowler, Jr.
Secretary

Attachments