

The regular meeting of the Planning Commission of the Township of Upper St. Clair, duly advertised and posted in accordance with the law, was called to order by the Director of Planning and Community Development at 7:31 PM, Thursday, January 17, 2019, in the Township Municipal Building Board of Commissioners' Meeting Room, located at 1820 McLaughlin Run Road, Upper St. Clair, PA 15241.

PRESENT: Kimberly Smith
David Wade
Todd Burlingame
Scott Slagle
Robert Stevenson
Adam Benigni, Director of Planning and Community Development
Michael Albright, on behalf of the Township Engineer
Chris Cahillane, on behalf of the Township Attorney
Christina Phlegar, Planning and Zoning Assistant

ABSENT: Joel Helmrich
Kevin Turkall

PUBLIC: Thirty (30)

ELECTION OF OFFICERS

Mr. Benigni requested nominations for Chairman. On motion by Mr. Slagle, seconded by Mr. Wade, Ms. Smith was nominated and elected Chairman by unanimous voice vote, 5-0.

Mr. Benigni requested nominations for Vice Chairman. On motion by Mr. Wade, seconded by Mr. Burlingame, Mr. Helmrich was nominated and elected Vice Chairman by unanimous voice vote, 5-0.

Mr. Benigni requested nominations for Secretary. On motion by Mr. Burlingame, seconded by Mr. Stevenson, Mr. Wade was nominated and elected Secretary by unanimous voice vote, 5-0.

Mr. Benigni then turned the meeting over to Chairwoman Smith.

CONSIDERATION OF THE MINUTES OF THE INFORMATIONAL AND REGULAR MEETINGS OF DECEMBER 20, 2018

On motion by Mr. Wade, seconded by Mr. Stevenson, carried by a voice vote, 5-0, the minutes were approved for filing as written.

OLD BUSINESS

PLC18-0014 – TUSCANY POINTE – PLANNED RESIDENTIAL DEVELOPMENT – AMENDED TENTATIVE APPROVAL

Ms. Gales, engineer for the applicant, introduced the presentation as well as the applicant, Jeffrey Thomas, Jesse Thomas, Mike Mudry from Traffic Planning and Design, and Seth Mendelson from Silver Hills Development. She described the property at hand, 1500 McLaughlin Run Rd, which sits on 20.58 acres zoned R-4 & RM and explained the similarities to the plan that was previously approved under Ordinance

No. 2154 on November 7, 2016. She further expressed that the main differences are that there is no longer a clubhouse on the proposed plan and the number of units has increased to 30 units in each of the top 4 buildings and 21 in each of the bottom 4 buildings and 204 parking stalls. She spoke about the changes to integral parking garages and showed the dumpster location, 3 rain gardens, 2 sanitary sewer connections, and clarified that the applicant is asking for the same 3 modifications that were previously approved. Ms. Gales further described the buffer space that will exist around each side of the development. She then turned to the bridge proposed to cross over McLaughlin Run designed for the 1995 flood as previously approved by PennDOT. Ms. Gales then turned the presentation over to Mr. Mendelson.

Mr. Mendelson explained that all changes were based off of the approved plan and meant to improve the project. He expounded on the size of the units and the extra storage provided in each unit. Further, he explained the high end amenities proposed for the development and then went on to describe the demographics that tend to favor this type of high end development. Mr. Mendelson stated that the façade is almost exactly the same as before, with some added stone and the number of bedrooms have decreased but 40 more parking spaces have been added inside of the building versus outside. He continued to explain the target audience (60 and older that are looking to downsize and people in the age range of 30-40 that are looking to start their homes). He continued that the proposed complex serves what Upper St. Clair has always stood for and offers what does not currently exist in the community and reiterated their goal to be good members of the community.

Mr. Slagle asked for more information concerning the bridge.

Ms. Gales explained that they are going through DEP process of review and are scheduling a meeting onsite within the next few weeks. The bridge will be a wider 2-lane with a sidewalk, able to handle firetrucks.

Mr. Burlingame asked about emergency access and whether there are any exits on the southerly side of the plan. Ms. Gales responded that the bridge is the only access point and is designed based on what has previously been approved.

Ms. Smith asked if there were any questions from the public.

Ms. Susan Abbott, 1647 Tiffany Ridge Road, spoke about her concerns surrounding flooding and safety hazards from debris that she feels has been neglected to be cleaned from various culverts. She asked the Planning Commission to further investigate the elements of this case and the safety hazards that exist with this proposed plan. She thanked the Commission for their time.

Ms. Smith thanked Ms. Abbott for her time and asked Mr. Benigni if he could speak to any of the issues raised by Ms. Abbott.

Mr. Benigni spoke about maintenance along the creeks. He stated that property owners abutting creeks are responsible for maintenance of those specific segments of the creeks. The Township has sent out a letter a few months ago making the residents aware of that requirement.

Ms. Deloris Abbott-Stevens, 1647 Tiffany Ridge Road, voiced her concerns about any further development and asked that the Township spend more money on the safety of the existing residents rather than focusing on new development. She thanked the Commission for their time.

Ms. Smith thanked Ms. Abbott-Stevens and asked if there were any further comments from the public.

Mr. Jeff Wilhelm, attorney for Reed Smith representing Ann and Dmitri Shiry, 1309 Wellington Court, spoke on behalf of his clients. He noted that he had submitted a letter to the Township dated January 9, 2019 concerning the type of approval that Tuscany Pointe is seeking to obtain. He found that this applicant must either build the plan that was approved, abandon the plan, or modify the plan. If they deviate from the approved plan they must make specific findings (no additional harm, to his clients' property and no special benefit applied to the developer). This application changes the mix and density of these units on the property. Mr. Wilhelm explained his confusion for who actually benefits from this proposed plan, and does not believe that his clients do. He stated that the impervious area has been increased and asked whether that has been accounted for in their stormwater analysis. He continued that this is also the third plan in 3 or 4 years and asked: The developer has yet to produce a development, why? Why can't he develop that which he has already been approved for? If they abandoned the plan they have to go through the curative amended process. He thanked the Commission for their time.

Mr. Cahillane noted that the Township Solicitors have reviewed the aforementioned letter and procedures being used. They believe the Township is following the proper procedures and he reminded the Commission and the public that there will be a legal hearing for this case before the Board of Commissioners. He confirmed that the Township is proceeding with the application as an Amended Tentative Approval.

Ms. Smith asked if there were any further comments.

Ms. Kathy Schwaba, 1305 Wellington Drive, described the events of the June 20, 2018 flood. She stated that Pittsburgh received the most rain on record in 2018 and that 2019 is expected to be wetter and snowier. Ms. Schwaba also quoted studies on the dangers of building in a flood-prone area and the impact of these unpredictable weather patterns. She also voiced her concerns about the maintenance of McLaughlin Run within the Township. She asked: Has Mr. Thomas ever built this type of construction before? Is this the first project for Silver Hills Development? Why would this building be appealing to an empty nester? Ms. Schwaba also questioned the modification that had been granted to the applicant concerning building height back in 2016. Further, she asked about the rationale behind this project when there are two similar developments already existing that are not fully occupied. Ms. Schwaba thanked the Commission for their time.

Ms. Smith asked if there were any further comments from the public. She then turned it over to Mr. Benigni.

Mr. Benigni reiterated that Upper St. Clair maintains the debris that falls into the creek that abuts Township property and is following requirements. Private property owners are required to maintain the portion of the creek that abuts their own property.

Mr. Wade asked if a second access point is required for Tuscany Pointe and Mr. Benigni stated that there is no requirement for a second point of access.

Mr. Jerry Remaley, 1405 Deepwood Drive, voiced his concerns about dumpsters and why the pool and clubhouse were not included in the plans anymore.

Mr. Wade clarified whether there are any plans being reviewed by Bridgeville and Ms. Gales responded that there were not.

Mr. Benigni further explained the eight conditions imposed on Tuscany Pointe after the last approval and stated that Ms. Gales has addressed the conditions on the proposed plan. He also reiterated that the bridge

will be a private improvement and will not be maintained by the Township. He stated that Staff has recommended that the Planning Commission recommend approval by the Board of Commissioners subject to certain conditions and comments in the Staff Report.

Ms. Smith asked if there were any further questions and/or comments from the audience. There being none, a motion was made.

MOTION: THAT the Planning Commission recommend approval by the Board of Commissioners for PLC18-0014 – Tuscany Pointe – Planned Residential Development – Amended Tentative Approval subject to submission by Wednesday, February 6, 2019 of four (4) sets of revised plans and supplemental materials addressing the comments in the Staff Report, the Township Engineer’s review letter dated January 11, 2019, the Township Traffic Engineer’s review letter dated December 14, 2018, the Parks and Forestry Administrator’s review letter dated January 11, 2019 and the Township Superintendent of Public Improvements review dated January 10, 2019.

Motion by Mr. Slagle seconded by Mr. Stevenson, carried by unanimous voice vote, 5-0.

PLC18-0015 – SOUTH HILLS VILLAGE MALL REDEVELOPMENT PLAN – AMENDED TENTATIVE APPROVAL

Mr. Benigni gave a brief overview of this application stating that the applicant’s three main goals are: the redevelopment of the Sears Building, demolition of Sears Auto to build a Life Time Fitness facility, and to redevelop the existing food court. He stated that there have been a few slight changes to the plan since the presentation at last month’s Planning Commission meeting; the addition of a three-way stop at the intersection by the Life Time Fitness and DSW which our Township Traffic Engineer concurs with the proposed three-way stop, sidewalks and maintenance of the retaining wall. He added that Bethel Park will also have to approve this plan as it has portions that extend into Bethel Park. He then introduced the engineer for the project, Mr. Michael Takacs of Bohler Engineering.

Mr. Takacs introduced his associates involved in the South Hills Village Mall redevelopment, Mr. Scott Richardson of Simon Properties and Mr. Kevin McKeegan. He then reiterated the purpose of the application to redevelop the mall via PowerPoint Presentation. Mr. Takacs went into detail describing each portion of redevelopment through existing pictures of the property and renderings of proposed changes. He described the details of Life Time Fitness including the outdoor pool and three levels of the proposed building. He then turned to the changes to the existing Sears Department Store as a viable access point for shoppers as a result of new externally facing retail shops and their added benefit even though they will be losing gross leasable area (GLA). Mr. Takacs then described the third phase, redevelopment of the existing food court, and proposed changes to the exterior, showing outward facing shops, a new mall entrance and more of a pedestrian space. He explained that the second and third phases would ultimately undergo the same changes.

He continued to describe the details of Life Time Fitness (3 stories, 120,000 square feet) by stating that the facility is more of a two story building on the Village Drive side, has rooftop amenity space and steps down in that area helping to segment the façade of the building so that it does not appear to be as large. The 3 story façade has the pool deck and the deck ends up on-grade when at the level of the parking lot. He said that the landscape plans are not well represented on the site plan and there are a lot of outdoor planters on the pool deck and greenery in general.

Mr. Wade questioned what the fencing will look like along the road. Mr. Takacs explained that it will be a retaining wall that tapers down to be on-grade from the upper end of the building and there will be ornamental fencing. They plan to provide further details when the plan comes through for final approval.

Mr. Burlingame asked about landscaping and Mr. Takacs stated that there will be landscaping along both sides of the wall, which will be reflected in the final plans.

He also described their request for a modification to the building setback. The Township Code requires a 100ft setback and the facility does not meet the required building setbacks, therefore they are asking for a reduction to 66ft. Mr. Takacs explained that having the building closer to The Ashby Apartments allows them to maximize their parking spaces. Mr. Takacs added that they are requesting a second modification as well for the square footage of the Life Time Fitness which requires three (3) loading berths. He explained that the facility has never need a loading berth in the past. Their footprint and model does not require that. He also stated that they will be coming through the final approval process in three separate phases for each of the three proposed development areas.

Mr. Benigni added that Bethel Park will be requiring Simon Properties to obtain a variance for the outdoor pool that would be attached to Life Time Fitness.

Mr. Burlingame asked about pedestrian foot traffic that would take place between The Ashby Apartments and Life Time Fitness and whether a crosswalk should be put in. Mr. Takacs replied that mid-block crosswalks are usually a safety concern and that the existing crosswalk should be suitable. He also stated that there is not enough space to add a crosswalk on the Life Time Fitness side.

Mr. Benigni added that a crosswalk could be painted across Village Drive if necessary.

Ms. Smith asked if there were any further questions and/or comments from the audience. There being none, a motion was made.

MOTION: THAT the Planning Commission recommend approval by the Board of Commissioners for PLC18-0015 – South Hills Village Mall Redevelopment Plan – Amended Tentative Approval subject to submission by Wednesday, February 6, 2019 of four (4) sets of revised plans and supplemental materials addressing the comments in the Staff Report, Township Engineer’s review memo dated January 11, 2019 and the Township Traffic Engineer’s review memo dated January 10, 2019.

Motion by Mr. Wade seconded by Mr. Burlingame, carried by unanimous voice vote, 5-0.

NEW BUSINESS

None.

OTHER BUSINESS

CONSIDERATION OF 2018 ANNUAL REPORT

MOTION: That the Planning Commission approves the 2018 Annual Report as written.

Motion by Mr. Wade, seconded by Mr. Slagle, carried by unanimous voice vote, 5-0.

ADJOURNMENT

There being no further business, it was moved, seconded and carried unanimously that the meeting be adjourned at approximately 8:58 PM.

Respectfully submitted,

Christina Phlegar
Planning and Zoning Assistant