

APPROVED

**MUNICIPALITY OF MT. LEBANON
PLANNING BOARD MINUTES**

DATE: Tuesday, April 24, 2012

TIME: 7 p.m.

PLACE: Mt. Lebanon Municipality – Commission Chambers

BOARD MEMBERS PRESENT: Bill Pope, Rick Sabeh, Jackie Dunn

STAFF MEMBERS PRESENT: Municipal Planner Keith McGill, Municipal Engineer Dan Deiseroth, Municipal Traffic Engineer Mark Magalotti

Agenda Items

Minutes of the March 27, 2012, Planning Board meeting. Ms Dunn moved and Mr. Sabeh seconded to approve the March 27, 2012, Planning Board minutes. The motion carried unanimously.

Old Business

None

New Business

- a. Marfred Realty LLC, Lot Consolidation Plan — a request by the property owners for preliminary approval and a recommendation for final approval of a subdivision plan. The owners of 1551 and 700 Connor Road are requesting a consolidation of the lots for purposes of combining two existing buildings currently located on the site.
- b. Request for a recommendation for final approval for a land development plan to construct a Fresh Market specialty grocery store — The applicant would demolish and remove the former Roth Carpet building located at 1551 Connor Road and construct a new approximately 19,000-square-foot building, reconfigure the parking area to provide ninety-eight (98) spaces and eliminate two (2) existing curb cuts on Connor Road and construct one (1) new main driveway and retain one (1) existing driveway to serve the property
- c. Request for a recommendation for Conditional Use approval by The Fresh Market Inc. — The Mt. Lebanon Code, Chapter XX, Zoning, Section (817.6) states that no Use shall provide more than one hundred ten percent (110%) of the required parking, except through the submittal of a parking demand analysis and approval of a Conditional Use Permit in accordance with Section 1002.

The applicant proposes to provide a total of 98 spaces whereas the Zoning Ordinance would limit parking to 55 spaces (110% of the required 50 spaces). The applicant has

submitted a parking demand analysis in support of the additional spaces and the municipal traffic engineer recommends approval of the additional spaces.

Kevin McKeegan, Meyer, Unkovic and Scott, counsel for Fresh Market, said the property is a little more than three acres and consists of two tax parcels. The properties are under common ownership, Marfred Realty, but operate as a single unit, therefore there is no need to keep them as separate tax parcels. Once the Roth Carpet building is demolished and the Fresh Market building is constructed, the new building would actually be straddling the property line. Combining the two properties takes away the necessity for a parking easement since the properties would become one. There were no significant issues from Gateway Engineer's point of view regarding the subdivision.

Mr. Deiseroth suggested the plan be renamed to Highland Terrace Addition No. 5, being a revision to other plans. He feels this will help to avoid confusion in the future.

Mr. McKeegan indicated that could be done easily. The second item is a recommendation to the Commissioners for a final land development. The planning board gave preliminary approval at the January board meeting. The comments that were made at the meeting have been satisfied. No changes have been made to the building design since that preliminary approval. There were a few changes to the site plan such as the lengthening of the left turn stacking lane on Connor Road per PennDOT's recommendations. Some directional signage notations have been added to the plan; several tweaks were made per Gateway's comments from a review letter from the previous week. One of the conditions of the preliminary approval was to get PennDOT approval for the traffic impact assessment (TIA). The TIA was approved by PennDOT on March 9. Trans Associates reviewed the final TIA and gave a report dated April 19, 2012, indicating that all outstanding technical comments have been addressed and gave their approval subject to a submission of a highway occupancy plan (HOP) to PennDOT. The HOP will be submitted by the end of May. A one-year follow-up study of both site driveways to make sure the design is working is also part of the condition and is acceptable to Fresh Market. Two waivers are needed to be considered by Mt. Lebanon regarding the SALDO section 404.6.3.1.2 requiring driveways to meet a level of service "C" standard. Driveway No. 2 will function at a level of service "D" during PM peak hours; driveway No. 4 will work at a level of service "F" during PM peak and "E" during Saturday peak. They have submitted a written request for this waiver indicating the level of service at both driveways is satisfactory to PennDOT. Fresh Market is implementing left turn restrictions out of driveway No. 2 during the PM peak hours. The other current entrances and exits are being eliminated from this site. The second waiver relates to section 704.1 of the SALDO regarding sidewalks abutting a street. There is currently a sidewalk leading from Washington Road to about halfway through the site. The condition will remain relatively unchanged except that the sidewalk will go to driveway No. 2. There is no reason for the sidewalk to continue further east because there is no connecting sidewalk leading to the community. The last item being considered by the planning board is a conditional use regarding the allowable maximum parking spaces of 110% of what is required. Currently the ordinance requires 50 spaces — 55% as maximum. The site contains 75 parking spaces with the site plan increasing that to 98. A variance was granted by the Zoning Hearing Board in June 2011 to allow parking within 10 feet of the

road right-of-way. A 10-foot buffer will be maintained. A parking needs analysis was submitted and looked at the parking lots and parking usage at two other Fresh Markets. The two sites selected were chosen because the demographics and traffic volumes are similar to this project. A parking needs analysis was conducted and concluded that 79 spaces for Fresh Market and 19 spaces for the Jos. A. Banks store were appropriate. He feels that anything less than 98 spaces will not be adequate for the two locations. He said that without the conditional use approval this site cannot be developed by Fresh Market.

Mr. Deiseroth read into the record a letter from Gateway Engineers dated April 19, 2012.

Mr. Magalotti read into the record a letter from Trans Associates dated April 19, 2012.

Mr. Sabeh asked if the level of service waivers was a decision for the Commission.

Mr. McGill said this is a Commission decision.

Mr. Sabeh asked what the no left turn hours would.

Mr. McKeegan said left turn restrictions would be Monday through Friday, 4 to 7 p.m. and Saturday 11 a.m. to 2 p.m.

Mr. Sabeh clarified that Marfred would still be the owner and Jos. A. Banks would be leasing.

Mr. McKeegan indicated that was correct.

Mr. Sabeh asked about the one year review and what types of mediation could be necessary.

Mr. Magalotti said the turning restrictions at driveway No. 2 could be made permanent, or there could be no left turns at all from that driveway. PennDOT has the right to come back and change the driveway restrictions if a safety issue arises.

Ms Dunn asked if it's the owners' responsibility to do the one-year study and submit it to PennDOT.

Mr. Magalotti said that was correct.

Ms Dunn asked if an agreement with the bowling alley for overflow staff parking had been reached.

Mr. McKeegan said no agreement has been reached yet. But they are still desirous of that and have included steps leading to the bowling alley parking lot in their drawing.

Mr. Pope asked if the questions regarding turning radii for delivery trucks and trash trucks has been addressed.

Peter Hogg, Fresh Market, said the turning radius software is very conservative and gives a broader sweep for turning. He feels there is plenty of room based on experience and simulations.

Ms Dunn asked if they had scheduled times for deliveries.

Mr. Hogg said they will try to have deliveries during off peak hours.

Mr. Pope asked if construction would encroach onto the bowling alley property.

Mr. Hogg said nothing has been finalized but they are working towards building stairs to the bowling alley property for overflow parking.

Mr. Deiseroth asked if Fresh Market is not able to get an agreement then they won't build the steps.

Mr. Hogg said that was correct.

Mr. Deiseroth said there should be a note on the plans explaining the step and wall construction will be done by easement or agreement.

Citizen Comments

Rollie Thomas, 1500 Navahoe Drive, representing Simmonds Family LTD. Partnership, is happy to see somebody moving into the area. He feels the traffic in this area is bad, but will never get better. He feels it is better to have an occupied building there instead of a vacant one.

Jerry Cooper, 101 Sunridge Drive asked what impact there would be on the neighborhoods if no left turns are allowed out of the property. He is concerned that drivers will turn right onto Connor, then either turn right into the Sunridge community, or left into the Terrace community in order to get back to Washington Road.

Mr. Magalotti said the left turns would be restricted during certain hours only. The driveway that is the farthest east will still allow for left turns onto Connor Road.

Ms Dunn moved and Mr. Sabeh seconded to grant preliminary approval and recommend final approval for the Marfred Realty, LLC Lot Consolidation Plan conditioned on the Engineer's review comments in a letter dated April 19, 2012. The motion carried unanimously.

Mr. Sabeh moved and Ms Dunn seconded to recommend final approval of the Fresh Market Proposed Retail Store land development plan conditioned on the Engineer's review comments in a letter dated April 19, 2012, the Traffic Engineer's review comments in a letter dated April, 19, 2012, review comments from PennDOT in a letter dated March 9, 2012, Commission approval of any waivers or modifications that may be required,

conditional use approval of more than 110% of the required parking and comments from the Planning Board. The motion carried unanimously.

Ms Dunn moved and Mr. Sabeh seconded to recommend approval of the conditional use application to provide parking in excess of 110% of the required parking, (98 spaces) as supported by the parking demand analysis and recommended by the municipal traffic engineer in a letter dated December 14, 2011. The motion carried unanimously.

Mr. McKeegan asked when Fresh Market would be on the Commission agenda.

Mr. McGill said the conditional use request would be introduced at the May 8 meeting with a public hearing at the May 29 meeting and then action could be taken at the June 12 meeting.

Citizen Comments

Rollie Thomas, 1500 Navahoe Drive, suggested larger plans be submitted and posted during the meetings so that people in the audience can see what is being discussed.

Next Meeting — The next regularly scheduled meeting of the Mt. Lebanon Planning Board is Tuesday, May 22, 2012, at 7:00 p.m.

The meeting was adjourned at 7:40 p.m.