

**APPROVED**

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

**DATE:** Tuesday, June 26, 2018

**TIME:** 7 p.m.

**PLACE:** Mt. Lebanon Municipality – Commission Chambers

**BOARD MEMBERS PRESENT:** Suzanne Sieber, Matthew Simonds, Dennis Pittman, James Cannon, Andrew George

**STAFF MEMBERS PRESENT:** Municipal Planner Ian McMeans, Municipal Engineer Matt Bagaley

**1. Minutes**

- a. May 22, 2018 meeting. Mr. George moved and Mr. Pittman seconded to approve the minutes of the May 22, 2018, Planning Board Meeting. The motion carried unanimously.

**2. Old Business**

- a. Discussion of a Zoning Ordinance Amendment. At the May 22 Planning Board meeting the board heard a presentation on an amendment to the Zoning Ordinance to encourage increased vibrancy in the Central Business District by changing the zoning designation of offices and medical clinics/facilities. The Planning Board will discuss the potential changes to the zoning ordinance.

**Citizen Comments**

Milan Liptak, owner of 667 Washington Road, architect, wanted to discuss the intended zoning change. His office has been at this address for 38 years, with many positive changes throughout the years. He is concerned about the effect a change in the ordinance might have diminishing non-retail establishments. Many of the businesses that would be prohibited from the first floor add to the business on the street. Good Orthodontics, operating on the first floor of his building, have many employees and clients who support restaurants and stores that might not come to the business district if they didn't have an appointment scheduled. He is concerned the business district might revert to the 1980s when the district was dying. He feels the consequences of establishing these changes need to be weighed. He talked about the buildings that face Parse Way and explained there is a lot of garbage on the street. He also feels the traffic island at Shady Drive East and Alfred Street prohibits anyone coming from Castle Shannon cannot enter the business district. It actually forces people to bypass the business district. He feels there are other items for the business district that need to be addressed before changing the zoning ordinance.

Rose Liptak, 667 Washington Road owner, said Good Orthodontics and other similar establishments, brings 70 families a day to the business district. They also have 30

employees who go out for lunch often, which helps improve the business district. She also talked about Parse Way, and encouraged the municipality to seek development of it. Many people take the LRT and exit at Parse Way, where she has seen rats running down the street. She encouraged the municipality to improve those areas before telling building owners to whom they can rent.

Bill Callahan, 600 Oxford Blvd, president of the Mt. Lebanon Partnership, said the partnership sent a letter to the economic development council and the planning board. He emphasized from the letter the Partnership is working to implement the municipality's comprehensive plan, and the Uptown strategic plan. This effort contains a broad scope of projects and programs the partnership is pushing to implement, including the activation of Parse Way, developing a comprehensive public art program to connect Uptown Mt. Lebanon with the LRT station. Through the implementation of public surveys, the partnership learned the community wants a wider selection of retail and food service establishments in Uptown. The data they have garnered supports this type of ordinance to create additional vitality in a commercial business district like Uptown. To have optimal vitality in a business district there should be approximately 10% professional office space use facing the business district; Uptown is near 25%. The proposed change would not eliminate office space use, and existing office spaces would be grandfathered in. This ordinance would restrict the existing conditions, leaving them at about 25%. He said the partnership is proposing to help pay for appropriate language, based on other communities that have this type of zoning, as well as developing definitions that don't currently exist.

Mr. Pittman said he appreciated the presentation by the Partnership last month, and has reviewed the information regarding this item. He believes there is significant synergy between non-retail stores and the longevity of offices and professional buildings vs. retail. Business districts are market-driven, which does not preclude 10% or 25%. He feels there are several issues that need to be contemplated before action is taken. There are secondary issues that should be considered, recognizing that traffic patterns and disposable income has changed. He is not ready to make a decision, and wants more time to consider all factors, such as how much time should be allowed for an office space to be vacant before it is no longer grandfathered in.

Mr. McMeans summarized the May 22 planning board meeting: the board indicated they wanted to see a more formal ordinance draft to make street-facing offices on first floor a conditional use or a non-conforming use, meaning they would not be allowed, in the zoning code. He included in the board's packets along with a chart showing existing businesses, expansion of businesses, and what happens if an existing business moves out.

Ms. Sieber appreciates the hard work the Partnership puts in to make Mt. Lebanon a vibrant community. She visited Beaver's business district and was impressed with the vibrancy of that community. She believes the change in the zoning ordinance is a good idea.

Mr. Cannon thinks the board needs more time to consider.

Mr. Pittman moved and Mr. Cannon seconded to table the potential changes to the zoning ordinance. The motion carried to table any action.

- b. Request for a preliminary approval for the Residences at Poplar Consolidation Plan. G&B Consulting Partners, LLC has equitable interest in a property located on an unopened section of Pennsylvania Boulevard. The developer is requesting approval to consolidate four parcels currently identified as lot and block 192-C-23, 192-C-24, 192-C-30 and 192-C-32 in the Avondale Plan of Lots.

Christopher Peters, MDM LLC, gave a review of the process so far. He said the plans were first submitted in December 2017, there have been revisions to the plan over the past six months. All of the materials have been provided to the planning board, and the engineer has reviewed them. He feels the plan meets the ordinance requirements, and requests the board approve recommendation for preliminary approval.

Mr. Bagaley read into the record a letter from Gateway Engineers dated June 20, 2018. There are some minor stormwater management items and street lighting that are being reviewed. He read into the record the modifications that are being requested, and summarized what is needed for final approval.

Mr. George asked about supplementing shade trees with some other type of tree in front of the development since the density does not allow for larger trees.

Mr. Peters said they have planned to alternate Pin Oak and Linden trees at 40-foot intervals. Due to the space between the back of the curb and sidewalk, and all the utilities and stormwater system, there is not enough room to put larger trees that won't interfere with the utilities as they grow.

Mr. George asked if there were fewer units would there still be a problem.

Mr. Peters said even if they had fewer units, they would pick up only two feet between the driveways.

### **Citizen Comments**

Dan Earley, 322 Pennsylvania Boulevard, said he is the closest to the development, and represents approximately 200 people who signed a petition opposed to the density of the building. Most people thought this development is out of character for this neighborhood. He feels this is too large of a building being crammed into the lot. Homes in this area have front yards, large side yards, and large back yards; this is in an historic district. They are counting on the board to preserve the character of the neighborhood. The zoning laws were developed by the vision of previous boards, and if the zoning laws were strictly enforced this building would not be acceptable. He demonstrated how large the proposed development would be in relation to the neighborhood. He said the proposed building is bigger than 900 Washington Road, and will be a 300-foot wall of facades. The residents

are asking for a better development, something that fits in better with this historic neighborhood.

Mr. Simonds asked if Mr. Earley objected to the size of the building.

Mr. Earley said he does not want the lots consolidated at this time, and asked the board to consider this development. The residents would not have a problem if these were single-family units, or duplexes with front yards, back yards, and shade trees. This project belongs in a denser area.

Mark Barnett, 114 Poplar Drive, has concerns with designs of the building. He feels it violates the purpose and design of the zoning code for an R-3 district. He believes the long, unbroken, contiguous 13-unit townhouse configuration with no greenspace does not meet the urban design requirement. He read various sections from the municipal code. He said the bulk, density and scale of the proposed project does not maintain the surrounding R-2 residential scale of the immediate historic neighborhood. He discussed the proposed street trees and the variance awarded by the zoning hearing board. He feels the number of modifications requested are a negative for the project. He would like to see a cross-section of the site and rear-building elevations so that neighbors on Ashland would know what they would see from their back yards. He said it is the responsibility of municipal officials to adhere to the ordinances and design intent and purpose. He feels the property consolidation and land development vote be postponed until all of the required drawings are submitted, reviewed and approved by Gateway Engineers.

Mr. McMeans said all drawings required for preliminary approval were received. Site cross-section drawings are required for the submission for final approval.

Donald Mosshart, 349 Ashland Avenue, directly above the proposed development, asked about the driveway width and is concerned that the front of the property is almost completely paved. The code has a limitation driveway width less than 50% of the width of the dwelling. The dwelling is 23 feet, 6 inches and the driveway is 17 feet. That is an excess of 50%.

Mr. McMeans forwarded Mr. Mosshart's question to Joe Berkley, zoning officer and chief building inspector, and read into the record his response of June 25, 2018:

"Ian: I have reviewed The Residences at Poplar Plan of Lots as submitted by McIlvried, DiDiano & Mox, LLC prepared for G&B Consulting Partners, LLC along with the engineer's review letter from Gateway Engineers dated June 20, 2018.

You asked me why I did not call out the obvious driveway width noted on the drawings as not being compliant with section 817.9.4 of the zoning ordinance. My opinion is that this section is specifically for new detached single-family dwellings that typically have more front façade frontage and would create driveways in excess of 24 feet wide. Our office has never interpreted this section to be applied for new attached dwellings such as the ones for this project."

Mr. Mosshart objected to what he considered to be selective application. He discussed the requirements for the cul-de-sac in Section 5 of Chapter 16 (SALDO), says the local radius is 47 feet. He heard about a meeting of interested parties to determine if a fire truck could navigate this cul-de-sac, and that it was determined the fire truck could indeed navigate the cul-de-sac. He is concerned about the future size of fire trucks and garbage trucks and whether they will be able to navigate this cul-de-sac if the size of the vehicles gets bigger. He urged the board to consider all of these concerns.

Mr. Pittman asked about the turning radius of fire trucks.

Mr. McMeans said the fire trucks and garbage trucks already navigate current dead-end streets, without cul-de-sacs.

Mr. Mosshart is concerned about the density of the development, and compared the garage doors as similar to self-storage facilities. He also compared the building to a shopping center with parking and paving in front of the building.

Wayne Schmidt, friend of 339 Ashland Avenue resident Mary Collins, who passed away, read a letter from her discussing trees that would be lost.

Bill Stolze, developer for the project, said the currently designed development meets the R-3 zoning code. The zoning board approved the variance and the contiguous design meets the municipal code. He said every effort has been made to meet the requirements of the municipal code and respectfully requests an approval from the planning board.

Mr. Pittman moved and Mr. Simonds seconded to grant preliminary approval for the Residences at Poplar Consolidation Plan conditioned on the comments in the engineer's review letter dated June 20, 2018, and any additional comments from the Planning Board. The motion carried 3 to 2 to grant preliminary approval for the consolidation plan. Mr. Cannon, Mr. Pittman and Mr. Simonds voted in favor of approval. Mr. George and Mrs. Sieber voted against approval.

- c. Request for preliminary approval of a land development plan. G&B Consulting Partners, LLC has an equitable interest in a number of undeveloped parcels on Pennsylvania Boulevard. The developer is requesting approval for a land development plan to construct 13 townhouse units on Pennsylvania Boulevard. The developer would also be responsible for construction of a road improved to municipal standards including sidewalks and utilities to serve the proposed units.

Mr. Cannon moved and Mr. Pittman seconded to grant preliminary approval for the Residences at Poplar Land Development Plan conditioned upon compliance with the comments in the engineer's review letter dated June 20, 2018, any additional comments by the Planning Board, and the commission granting any requested waivers or modifications. The motion carried 3 to 2 to grant preliminary approval for the land development plan.

Mr. Cannon, Mr. Pittman and Mr. Simonds voted in favor of approval. Mr. George and Mrs. Sieber voted against approval.

**3. New Business**

- a. Request for recommendation for approval of a conditional use. Mary's Place, a Pennsylvania Non-Profit, is seeking conditional use approval to locate an Institutional Home at the property located at 2905 Castlegate Avenue. Mary's Place would provide care, support, and housing for unwed expectant mothers and live-in staff. The property is zoned as R-4 Multi-Family Mixed Residential with a Continuing Care Overlay. Chapter XX, *Zoning*, of the Mt. Lebanon Code, identifies "Institutional Homes" as a Conditional Use in the Continuing Care Overlay district.

Molly Meyers, Leich Tischman, 525 William Penn Place, representing Mary's Place. This property is zoned R-4, residential, with a conditional use overlay. The applicant sees a need in the community to provide faith-based housing for single, expecting mothers, and plans to provide health care, life skills education, services to provide alternate housing, and spiritual support counseling. The building is remaining unchanged except for security amenities.

Mr. Pittman asked for the organizational structure of Mary's Place.

Ms. Meyers said this is 501c3 organization – non-profit, charity. This is a new organization and will have five members on the board of directors.

Quintin Kittle, QK Architecture, 340 Parkside, said this is a privately-funded organization through solicited donations for charitable contributions.

Mr. McMeans said the municipality does not require proof of financial viability for any development projects.

Mr. Simonds asked for more information regarding the proposed facility operations.

Ms. Meyers said they will provide shelter for single moms, health care, educational, counseling, and more. Staff will live at the residence, and there will be 24-hour supervision. This is a faith-based organization so spiritual services will be provided.

Mr. Kittle said there will be full-time staff, 24-hour staff, and volunteers from other organizations, such as doctors, colleagues, college students. One of the modifications they are adding will be a security door.

Mr. George asked about the occupancy limit.

Mr. Kittle said they can take in six women, plus house three staff, and any children that come with the mothers.

Mr. Pittman asked no exterior changes for vehicles or parking.

Mr. Kittle said there will be no exterior changes with plenty of parking existing currently.

Mr. McMeans asked about a visitation policy.

Mr. Kittle said they have not established visitation policy yet, but they realize security can be an issue. Some women may be homeless or coming from difficult relationships and will want to protect the residents. There will be a front office for visitors.

Mr. George asked Mr. McMeans to read the definition of institutional home.

Mr. McMeans read into the record the definition from the municipal code.

Mr. George believes Mary's Place meets that definition.

**Citizen Comments**

There were no citizen comments.

Mr. Pittman moved and Mr. Cannon seconded to recommend conditional use approval for Mary's Place application for an Institutional Home to be located in the Continuing Care Overlay District at 2905 Castlegate Avenue. The motion carried unanimously.

- b. Request for preliminary approval of the Murovich-Camillo subdivision plan. The property owner of 555 Briarwood Avenue is seeking to acquire property from the adjoining parcel at 559 Briarwood Avenue. The plan would move the internal property line of 555 Briarwood Avenue by three (3) feet, creating an addition of 332 square feet to be acquired and consolidated with the property at 555 Briarwood Avenue.

McMeans, read into the record a letter from Mr. Berkley, zoning officer.

**Citizen Comments**

Janice Garrone, 533 Sleepy Hollow Road, is below the two properties and is concerned about water coming into her house.

Mr. George asked if there was intention to put an air conditioning unit on one of the houses.

Mr. Bagaley said he was not sure why the owner wanted to move the lot line.

Mr. Pittman asked if the zoning hearing meeting would be posted for residents to attend.

Mr. McMeans said notification letters are sent to residents within 200 feet of the property, and the zoning hearing board meeting is open to the public.

Mr. Simonds moved and Mr. George seconded to table preliminary approval for the Murovich-Camillo Subdivision Plan to give the applicant time to apply for a variance as recommended by the zoning officer's letter dated June 15, 2018. The motion carried unanimously.

**4. Citizen Comments**

There were no citizen comments.

**5. Next Meeting** — The next regularly scheduled meeting of the Mt. Lebanon Planning Board is **Tuesday, July 24, 2018**, at 7:00 p.m.

**6. Adjournment**

Meeting adjourned at 8:55 p.m.