

THESE MINUTES ARE UNAPPROVED AND UNOFFICAL UNTIL APPROVAL AT THE NEXT MEETING.
MINUTES OF TOWNSHIP OF PINE PLANNING COMMISSION MEETING

Monday, July 14, 2008

Pine Township Municipal Building

This session of the Township of Pine Planning Commission was called to order at 7:00 p.m. by Pasquale Avolio.

Members in attendance were: Pasquale Avolio, Chair; R. Jeffrey McGeary, and Shannon Miller-Yeakel. Also present were Larry Kurpakus, Director of Code Enforcement and Land Development; and Timothy R. McClelland, Lennon, Smith, Souleret Engineering, Inc.

There were approximately 35 visitors present.

Mr. Avolio explained that the Planning Commission is a recommending body and all approvals must be received from the Board of Supervisors.

Mr. Avolio noted that a voting quorum was not available that evening due to the absence of Planning Commission members. He explained that therefore, they would be unable to provide formal recommendations to the Board of Supervisors, although the Board would receive a copy of the Planning Commission minutes, which would provide their consensus and any concerns. He advised that the applicants had the option of requesting a tabling of their submission but there were no requests by the applicants to table their submissions. Mr. Avolio also advised that the order of agenda items had been revised.

PLEDGE OF ALLEGIANCE

MINUTES

Mr. Avolio advised that the June 9, 2008 minutes would be considered at the August 11, 2008 meeting, due to the lack of a quorum.

VILLAGE CIRCLE DRIVE ASSOC. (d/b/a/ Oxford Athletic Club) – Conditional Use Request for an alternate parking plan for the Oxford Athletic Club, 100 Village Club Drive

Mr. Kurpakus reported that the Village Club Drive Associates (d/b/a/ Oxford Athletic Club) has submitted an application for Conditional Use Approval for an alternate parking plan, using valet parking. He advised that a valet parking study, prepared by the applicant's traffic engineer, Trans Associates, proposes utilization of 56 overflow parking spaces at the Athletic Club, six parking spaces to be constructed in a new cul-de-sac, and off-site parking at the Pittsburgh Home Saving Bank to meet the parking requirements. Mr. Kurpakus stated that preliminary staff review indicates this proposal does not meet Code requirements.

Mr. McClelland stated he was not requested to prepare a review of the submission as the Township's traffic engineer reviewed the submission.

Mr. Mark Magalotti, Trans Associates, specified that there are currently 358 paved parking spaces at the Athletic Club and the Township's previous approval required 500 parking

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES

July 14, 2008

Page 2

VILLAGE CIRCLE DRIVE ASSOC. (d/b/a/ Oxford Athletic Club) – Conditional Use Request
for an alternate parking plan for the Oxford Athletic Club, 100 Village Club Drive (Continued)

spaces. He explained their proposal to provide 501 parking spaces with the additional spaces to be used only for overflow parking, typically on Friday and Saturday evenings. Mr. Magalotti commented that although the Township Code does not provide specific criteria for valet parking or off-site parking, it was his opinion that the proposal will meet all their parking needs. He added their intent to meet all conditions for Conditional Use approval.

Mr. Matt Radinovic, Herbert Rowland & Grubic, distributed his July 1, 2008 review of the Trans-Associates report and expressed his opinion that the proposed valet parking scheme was not a viable plan. Mr. Radinovic requested that his review letter be entered into the record as an attachment to the meeting minutes.

Mr. Avolio opened the meeting to public comment.

Mr. Stephen Kutlenios, 945 Park Plaza, acknowledged that less cars have been parking along Park Plaza, although he indicated that the fire lane violations were observed on July 11, 2008. He questioned the purpose of Cabana Club employees greeting cars as they enter the parking lot.

Attorney Charles Caputo, introduced himself as legal counsel for both the Athletic Club and the Cabana Bar. He explained that employees are advising the patrons that they must park in a designated parking space. Mr. Caputo noted that the Oxford Athletic Club has provided written permission for the towing of cars on their private property if they are parked in the fire lane. He added that Oxford has granted themselves permission for overflow parking in grass areas which have a sub-base, and Mr. Kutlenios may not realize where they are parked.

Mr. Kutlenios stated that “No Parking – Fire Lane” signs are located nearby and Mr. Caputo stated the sign locations may be in error.

Ms. Miller-Yeakel questioned if the use of valet parking will be mandatory as it appears that is the only way the proposed valet parking could work.

Mr. Magalotti acknowledged there will be a transition period with patrons at both the gym and the Cabana Bar, but their intent is to mandate valet parking on Friday and Saturday evenings after 7:00 p.m.

Ms. Miller-Yeakel pointed out that restaurant patrons who arrive prior to valet parking may be impacted by the valet parking and others may just object to the requirement. She questioned if the intention is for overflow parking to remain grassy and Mr. Magalotti replied that it would.

Mr. McGeary commented that emergency vehicles must have full access to all areas of the buildings.

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES

July 14, 2008

Page 3

VILLAGE CIRCLE DRIVE ASSOC. (d/b/a/ Oxford Athletic Club) – Conditional Use Request
for an alternate parking plan for the Oxford Athletic Club, 100 Village Club Drive (Continued)

Mr. Magalotti stated that a 13 foot drive aisle will be maintained with the 50 degree parking layout, which they felt would be sufficient for emergency vehicles based on his parking standards. He reiterated that the maximum parking area will only be needed 16 to 18 evenings annually.

Mr. Avolio remarked that the submission Figure 4 was not reasonable or achievable and suggested that Figures 3 and 4 be disregarded as mandatory valet parking would not be practical. He suggested a combination of self-parking with some valet parking. He questioned if a written agreement is in place with Pittsburgh Home Savings Bank for off-site parking as he surmised that would be a condition if Conditional Use approval is granted by the Board of Supervisors

Mr. Fritz Baehr, Architect, after consultation with Dan Griffin of the Oxford Athletic Club, stated that they have an agreement in principal, but not yet in writing.

Mr. Avolio stated that all overflow parking should be clearly defined.

Mr. Baehr pointed out that the areas for overflow parking were indicated by striping.

Mr. Caputo stated that he expected the Township would prefer to not pave greenspace for use only 16 to 18 times annually.

Mr. Avolio expressed his concern that parking not affect the neighboring properties.

Mr. Magalotti referred to the HRG correspondence dated July 14, 2008 and stated that he did not believe standard parking stall requirements would apply to valet parking. He added that he does not believe they are violating required fire access lanes, but he could not state that they didn't and agreed he would need to review that situation. Mr. Magalotti stated that he did not feel a parking analysis should be required.

Mr. Caputo stated that Judge James and the Allegheny County Health Department have set the permitted Cabana Bar occupancy at 700, to which the Cabana Bar intends to comply.

Mr. Magalotti continued in his response to the HRG correspondence by acknowledging that Athletic Club and Grazie Restaurant patrons may be negatively affected by the valet parking, although he did not believe that will occur often or be unmanageable. He explained that he believed a shuttle will transport patrons and employees to the Cabana Club from the bank and agreed to provide full size plans. Mr. Magalotti stated that it may be beneficial to meet with HRG.

Mr. Avolio felt that may resolve some of the missing and outstanding issues. He indicated that it may be beneficial to have Township staff present at that meeting.

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES

July 14, 2008

Page 4

VILLAGE CIRCLE DRIVE ASSOC. (d/b/a/ Oxford Athletic Club) – Conditional Use Request for an alternate parking plan for the Oxford Athletic Club, 100 Village Club Drive (Continued)

Mr. McGeary suggested that the plan should address the off-site parking being utilized first and then the paved area.

Ms. Miller-Yeakel questioned if the Township Code addresses off-site parking and Mr. Kurpakus replied that the Code does.

Mr. Avolio stated that although the Code does address the subject, the proposed valet scheme fails to provide sufficient details. Mr. Avolio then suggested that the Township Fire Marshal review the plan.

It was the consensus of the Planning Commission members that the applicant failed to meet the requirements of Section 84-116 and 84-137 of the Township Code as submitted and that the applicant should address the items identified in the HRG correspondence of July 11, 2008 and the review comments made that evening.

The Recording Secretary noted that the Board of Supervisors work session was rescheduled to Tuesday, July 22, 2008 and the Public Hearing requested by the applicant is scheduled for this meeting.

NORTH PARK LOUNGE FIELD CLUB (d/b/a/ Cabana Bar – Revised Land Dev. Plan

Mr. Kurpakus reported that the North Park Lounge Field Club Revised Land Development Plan was tabled at several previous meetings and most recently at the April 14, 2008 Planning Commission meeting and has now been resubmitted. He noted that the July 8, 2008 engineering letter of review still indicates a number of unresolved issues.

Mr. McClelland noted that the parking issues, if approved by the Board of Supervisors, may resolve several of the engineering issues.

Mr. Avolio pointed out that an inadequate stormwater plan was also a deficiency and that the same issue applies to the overall Village at Pine.

Mr. Baehr acknowledged receipt of the July 8, 2008 engineering review and that stormwater and parking issues remain. He requested to schedule a meeting with the Township staff and engineer.

Mr. Avolio stated that the Planning Commission cannot provide a recommendation on the revised land development plan due to unresolved issues and the need for Conditional Use approval from the Board of Supervisors. He requested a copy of the stormwater report.

Mr. McGeary questioned if there were any other changes to the plans and Mr. Behr stated there were not as he had just received the engineering review.

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES

July 14, 2008

Page 5

NORTH PARK LOUNGE FIELD CLUB (d/b/a/ Cabana Bar – Revised Land Dev. Plan (Cont.)

Mr. Avolio recommended that a fence or barrier be constructed between Park Plaza and the parking area as he felt the valet parking, if approved, will not resolve the issue and will increase illegal parking.

Ms. Miller-Yeakel suggested that the applicant make more of an attempt to resolve issues outside of those under court jurisdiction at this time.

Mr. Caputo replied that several items on the engineer's letter have already been resolved. He complained that the July 8, 2008 letter of review was the third review letter and each one has additional issues. Mr. Caputo stated that in conference with Judge James and the Township Solicitor, it was insinuated that some of the engineering issues do not apply. He expressed his opinion that outside of the parking and stormwater issues, most of the engineering issues are irrelevant, not required by the court, or have been addressed.

Mr. Avolio asked that Mr. Kurpakus address those remarks with the Solicitor. He added that the engineer has no authority to waive Code requirements.

Mr. Caputo expressed his opinion that the Township has not been amenable and that communication between the parties could be greatly improved.

Mr. McClelland pointed out that he has not received responses to his previous two engineering reviews.

Mr. Dan Griffin, Oxford Development, remarked that they expended extenuating effort to count attendance the prior week-end and felt it did not exceed 630.

Mr. Caputo expressed his intent to see that the concerns stated that evening will be addressed on revised plans.

The consensus of the Planning Commission members was that the plans, as submitted, do not meet Code requirements.

ENGLISH ESTATES PRD – Revised Tentative and Final Approval

Mr. Kurpakus reported that the English Estates Planned Residential Development proposes ten lots on 29.53 acres along the east side of English Road. He reminded that the Planning Commission recommended tentative approval on May 12, 2008 with the conditions that: 1. The developer is to address the mitigation of trees as recommended in the Environmental Advisory Council's correspondence of April 14, 2008. 2. The developer is to comply with the Lennon Smith Souleret Engineering review of May 7, 2008. 3. The developer is to provide a right-of-way for future road and sewer connection to the undeveloped property to the south per Code Section 78-44. 4. Staff and solicitor to prepare any additional necessary conditions to assure Code compliance. 5. Developer to consider landscaped island at the cul-de-sac. Mr.

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES

July 14, 2008

Page 6

ENGLISH ESTATES PRD – Revised Tentative and Final Approval (Continued)

Kurpakus reported that revised plans were submitted to the Supervisors on June 16, 2008 and they tabled their consideration until the Planning Commission reviewed those revisions.

Mr. McClelland referred to his review of July 1, 2008 and pointed out that Item 16E is a new item and is a grading issue.

Mr. Saad explained that the revised plan creates a better future access for Baur Drive residents.

Ms. Miller-Yeakel requested a pedestrian easement so all lots have access to the greenspace, to which Mr. Saad agreed. Ms. Miller-Yeakel stated she was not in favor of the proposed landscape island due to its required maintenance.

Mr. Saad stated that the cul-de-sac was added at the request of one of the Supervisors.

Mr. Avolio stated that he would like to see the cul-de-sac wider although it does meet ordinance requirements.

Ms. Miller-Yeakel questioned if it met emergency vehicle access requirements and Mr. Saad confirmed that it did.

Mr. Avolio noted there was no detail for the sanitary sewer or a manhole shown on plans extending the line to Baur Drive.

Mr. Saad clarified that he will deepen the location of the sanitary sewer line and extend it to the property line, which will make a gravity flow system available for some Baur Drive residents.

Mr. Avolio opened the meeting to public comment, noting that only property under Mr. Saad's control should be addressed.

Mr. Victor Lisotto, 625 Baur Drive, asked that the Township act on their mission statement for connection of streets and neighborhoods to assist the Baur Drive residents. He also asked that a fire hydrant be provided on Baur Drive.

Mr. Saad stated he will provide a right-of-way for future connection of Baur Drive, but declined to pave the connection due to Baur Drive being a private road, which would require all owners on the right-of-way to be in agreement.

Mr. Avolio explained that the area for connection will be graded for future connection and a sign will indicate the roadway may be extended in the future. Mr. Avolio expressed his opinion that the applicant has met all requirements and, in several circumstances, has exceeded

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES

July 14, 2008

Page 7

ENGLISH ESTATES PRD – Revised Tentative and Final Approval (Continued)

them. He suggested that Mr. Lisotto contact Mr. Kurpakus on the requirements for Baur Drive to be improved for acceptance as a public road.

Mr. Saad stated he will provide connection if 100% of the residents agree.

Mr. Joseph Machi, 515 Fair Vista Court, stated that he owned the property at 381 English Road and he had understood that public water and sewer would be made available for his connection.

Mr. Saad stated to extend the lines to that property would require the consensus of all 14 Baur Drive residents. He stated he would review the possibility of extending the public sewer and water will extend to 381 English Road.

Ms. Pamela Koryak, 661 Baur Drive, stated her hope that the trees will remain at the lower end of Lots 7 and 8, as she was concerned that removal will impact drainage onto her property and Mr. Saad stated that those trees will not be removed.

Mr. Avolio noted that final drawings would be required to meet stormwater requirements.

Ms. Koryak questioned if the Allegheny County Health Department can force connection to the sanitary sewer line. She also questioned if the Township can apply for a grant to construct a sanitary sewer line on Baur Drive.

Mr. Kurpakus recalled that the Township unsuccessfully applied for a grant for sanitary sewer on Babcock Boulevard.

The Planning Commission members present agreed that the revised plan meets the prior recommendation for approval.

Mr. Machi questioned if there was any potential that public water will be available to his property in the foreseeable future.

Mr. Avolio suggested that he contact the West View Water Authority for that information.

Mr. Saad agreed to grant Mr. Machi an easement for that connection.

ADJOURNMENT

Motion was made by Ms. Miller-Yeakel and seconded by Mr. McGeary to adjourn. The aye vote on the motion was unanimous. Motion carried.

The meeting adjourned at 9:25 p.m.