

# MOON TOWNSHIP PLANNING COMMISSION MINUTES

June 29, 2010  
6:00 P.M.

## **Planning Commission:**

Alan Bross  
Nancy Mills  
Joseph D'Andrea  
Zelik Ratchkauskas  
Craig Swen

## **Other:**

Adam McGurk – Moon Township  
Lynda Shandrick- Moon Township  
Fred Wolfe- Township Solicitor  
Dan Kauffman-Township Engineer  
Garen Fedeks- Township Solicitor

Mr. Bross called the meeting to order at 6:00 P.M.

## **Roll Call:**

Mr. D'Andrea-present, Ms. Mills-present, Mr. Bross- present, Mr. Swen-present, Mr. Racthkauskas-present. Mr. Melton and Mr. Panucci were not present.

## **Approval of the Minutes:**

Mr. Bross called for a motion to approve the May 25, 2010 minutes and asked for any changes or corrections.

Mr. Swen made a motion to approve the May 25, 2010 minutes.

Seconded by Ms. Mills.

## **Roll Call Vote:**

Ms. Mills-yes, Mr. D'Andrea- yes, Mr. Ratchkauskas-yes, Mr. Swen-yes, and Mr. Bross-yes. Motion passed.

**Sketch Plans:**

None

**Applications Filed for Review:**

None

**Old Business:**

**Combined Preliminary/Final Major Land Development Plan: Kenny Ross Toyota Dealership**

Mr. Kamin and Mr. Cooper were present to answer any concerns or comments. Mr. Kamin said the site plan needs approval, conditional use approval was previously granted. We have met with Township staff and the Township Engineer and Mr. Kamin feels they have met all requirements.

Mr. Bross asked Mr. McGurk if all comments have been addressed.

Mr. McGurk said there are a few issues to address.

Mr. Cooper stated, I have met with Mr. McGurk and the issues will be addressed before we submit our revised plan, July 7, 2010 to the Board of Supervisors.

Mr. Bross asked if there were others questions or concerns.

Ms. Mills made a motion to recommend approval for the Combined Preliminary/Final Major Land Development Plan: Kenny Ross Toyota Dealership contingent upon all comments being addressed in the Planning Director's revised review letter dated June 23, 2010.

Seconded by Mr. Ratchkauskas.

**Roll Call Vote:**

Ms. Mills-yes, Mr. D'Andrea- yes, Mr. Ratchkauskas-yes, Mr. Swen-yes, and Mr. Bross-yes. Motion passed.

**New Business:**

**Subdivision Application: Estate of Cora Mae Burke Plan of Lots**

The applicant, Sue Barron was present to give a summary of the request. Ms. Barron said the property will be divided into 2 lots and I will be building a home on one of the lots, known as lot 2. Lot 2 will be facing Montour Street. The driveway that serves the neighboring property will be deeded to Mr. Baldolf. There are a few items that need addressed, but we are working the issues now.

Mr. Bross asked the applicant to clarify there will be two lots.

Mr. Bross asked if there were any other comments.

Mr. D'Andrea made a motion to recommend approval for Subdivision Application: Estate of Cora Mae Burke Plan of Lots subject to all comments being addressed in the Planning Director's letter dated June 8, 2010.

Seconded by Mt Ratchkauskas.

**Roll Call Vote:**

Ms. Mills-yes, Mr. D'Andrea- yes, Mr. Ratchkauskas-yes, Mr. Swen-yes, and Mr. Bross-yes. Motion passed.

**Rezoning Application: 1521 Coraopolis Heights Road (596-R-12)**

Mr. Kamin said the plan was before the Planning Commission 8 months ago, but we did not include the Carnot Village Overlay District. The property is zoned for single family residence, the house is not in good condition, the surrounding area is growing and developing and we feel an assisted living facility is a compatible use for the area.

Mr. Victor added the property is on 4 acres at the intersection of Beaver Grade Road and Coraopolis Heights Road. There is a traffic signal on the corner. The surrounding uses are as follows; the west has office complexes, south and east has single family residents and Huntsman Funeral Home is across the street on Coraopolis Heights Road. We feel commercial use is a more appropriate use for the property.

Mr. Kamin said the assisted living use would house 75 years or older persons and they would not drive, residents would need help cooking or other daily task. Traffic would be minimal, limited to employees and visitors.

Mr. Bross asked if the zoning has been changed any where else in the Township.

Mr. McGurk said there have been a few revisions, but not on R-1A to C-1.

Mr. D'Andrea asked what the surrounding zoning is for the property.

Mr. D'Andrea asked about the buffer area for the residents.

Mr. Victor said it will be of the highest level of Moon Township's requirements and additional screening would be added if needed.

Ms. Mills's commented that Kay Pierce from Allegheny County feels the use is consistent with surrounding area in her comment letter.

Mr. Victor said we are hoping to provide a better sidewalk linkage for pedestrians from Nyetimber and Beaver Grade Road.

Mr. Ratchkauskas has concerns with how you fit 14 people into one residence.

Mr. Victor stated that some of the 14 people would share rooms (2 per room) and staff would not be staying, but a rotating staff. We will be complying with Moon Township requirements. Mr. Kamin said that issues relates to the other the other application and not the rezoning.

Mr. Bross asked, what happens to the assisted living use if the financing is not granted.

Mr. Kamin said we could form a covenant providing wording to assure the use stays the same, even if the deal falls through.

Mr. Swen asked if we would want to make any approval contingent upon the covenant and state clearly in the motion.

#### **PUBLIC COMMENT**

Robert Capwell, Coraopolis Heights Road, I have been before the Planning Commission and Board of Supervisors and clearly have stated we do not want the zoning to change. I feel granting this use would create a 24-7 constant use and create traffic issues. Please do not approve this request and keep our neighborhood the same as it has been in the past.

Jerry Pearl, Eastern Avenue, how many of you people attended the Comprehensive Plan Review 10 years ago. I was at every meeting. It is your responsibility to know the ins and outs of the plan. You as commissioners have a responsibility to the residents not the developers. It is your job to know the ordinances and codes.

Steven Jurman spoke on behalf of several Nyetimber residents, as you know this is the 3<sup>rd</sup> time this proposal has been before the board and nothing has changed. The zoning change request has not changed since Sunrise proposed a request to rezone. The Planning Commission and Board of Supervisors have turned this down twice before. We are asking you to please keep the zoning as it is today.

Mr. Bross asked if there were any other questions or comments.

Mr. D'Andrea made a motion to recommend approval for the Rezoning Application: 1521 Coraopolis Heights Road (596-R-12) and to include a covenant with language for assisted living be included in the plan.

Seconded by Ms. Mills.

Roll Call Vote:

Ms. Mills-yes, Mr. D'Andrea- yes, Mr. Ratchkauskas-abstain, Mr. Swen-no, and Mr. Bross-no. Motion is not recommended.

Mr. McGurk said a public hearing is scheduled for July 7, 2010.

**Combined Preliminary/Final Major Land Development Plan: Wal-Mart Supercenter**

Mr. D'Andrea made a motion to table Wal-Mart.

Seconded by Mr. Ratchkauskas.

Roll Call Vote:

Mr. D'Andrea-yes, Ms. Mills-no, Mr. Bross-no, Mr. Swen-no, and Mr. Ratchkauskas-no. Motion did not pass.

Mr. D'Andrea stated the reason for tabling Wal-Mart is I feel we should hold a public meeting in 3 days and let the small business come to get their input.

Mr. Wilhelm is present and will answer any questions or concerns. I am now going to have Rick Celender speak on the redevelopment of West Hills to Wal-Mart Supercenter. Mr. Celendar said in 2008 we received approval from the Board of Supervisors, but we now have revised plans. The following was discussed with the Planning Commissioners, utilities, the property is on 22 acres located along University Boulevard and Broadhead Road, it is zoned C-1, in the University Boulevard Overlay District, entrance and exits, the round about has been removed, improvements to Carnot Road, bus stops, traffic signals, parking, landscaping, lighting, pedestrian walkways, and sidewalks.

Mr. Celender stated we are requesting conditional use deviations and preliminary/final approval.

Mr. Bross asked about the traffic analysis and if all issues have been worked out with PennDot.

Mr. Wooster is present to discuss the roadway improvements. Mr. Wooster said the traffic study has been submitted to the Department of Transportation and your consultant. We received a letter dated June 23, 2010 from your traffic engineer and it states all issues are addressed but the left hand turn. There are improvements to Beaver Grade Road, we will lengthen the turning lane on Broadhead Road and improvements to the intersection of Beaver Grade, University Boulevard and Broadhead Road.

Mr. Swen asked Mr. Wooster to address the Colony West Drive issue concerning traffic flow and the turning signal entrance.

Mr. Wooster said Colony West Drive will not change, if you are driving east to Colony West there will be a new turning lane and traffic signal at Wal-Mart's driveway.

Mr. Swen asked but how will this affect Colony West Residents.

Mr. Wooster said the signal will help eliminate queing or stacking.

Mr. Ratchkauskas said the left turn will create traffic back up and Wal-Mart will create traffic back up especially around 4-4:30 PM week days

Mr. Bross asked how many traffic studies are there and are they updated.

Mr. Wooster said we have many revisions due to PennDot, and the Township Engineer. We are addressing any concerns that come up.

Ms. Mills asked to make sure the traffic study is clarified, we need to know it was done correctly.

Mr. McGurk added that the new application has several reports and review letters, and they are part of the land development plan this evening.

Wal-Mart's architect is present to give a brief overview of the store. The store floor plan is for a supercenter with groceries, outdoor living, general merchandise, and 3 main entrances. The back side/receiving will be screened, the front will have 60% glazing, we have an additional landscaping on the store, we will follow Robert Morris University colors to keep a theme going, awnings, we are following codes & ordinances, and we feel we have met all requirements of Moon Township.

Mr. Swen asked if the outdoor center area would be screened since it's seasonal?

Mr. McGurk asked if the applicant had a picture of the building from University Boulevard so a view could be provided to show screening of the building's roof.

Wal-Mart's architect said they did not have a picture to show the screening.

Mr. Bross asked why the increase in the size of the building and what improvements are there to Carnot Road.

Mr. Gimble said the reason for the increase in size is for the comfort of the shoppers to move around with more elbow room and Carnot Road improvements will meet Township standards.

Ms. Mills asked if parking and parking islands have been resolved.

Mr. Celender said they have been resolved.

Mr. D'Andrea asked what would be built on the 2 out parcels.

Mr. McGurk stated any construction on those two building would have to go before the planning Commission.

Mr. D'Andrea said, I am not apposed to Wal-Mart moving forward, I feel the design is standard and Moon Township should have a better design.

Mr. Gimble said it has a similar design but it has surpassed the standard design.

PUBLIC COMMENT

Katherine Jones, for Moon First, has issues with the lighting proposal and I have found they are in violation of code for glare. The revised plan have 2 fixtures that that looked turned off but are clearly over zero candle light. It appears they did not run calculations for the whole plan. This could be fixed by lowering the lights.

Mr. McGurk stated the glare is noted in the township's review letter and noted on the engineer's review letter.

Mr. Swen asked if there is room for interpretation of the plan.

Ms. Jones said they could eliminate a pole and meet the requirements, but if you turn lights off in this area you will loose lighting that is needed for curbs.

Ms. Jones discussed the following; problems proposing the parking area being too far from the sidewalk, making this a safety issue and if there are enough walkways or parking spaces according to the plan. The entrance violates Moon Township's code in reference to the usually fast food chains that go in around Wal-Mart There is no pedestrian study for the crossing roads on the traffic study so there for no safety plan. The driveway is to maintained by Moon Township, why should tax payers have to foot the bill on this. The overlay district speaks about a town center, ask Mr. D'Andrea about this a town center creating a special look. What about the traffic impact on the area and Colony West residents and how will out parcels impact Colony West. Screening the roof seems unresolved. What about the noise issue that will be 24 hours/ 7 days a week for Colony West residents.

Mr. Messter, Fox Hollow, my concerns are traffic and the left turn, traffic is backed up now from 3-6 P.M. Maybe a portable light for these hours would help.

Ms. Singer, Colony West, we can not get out of Colony West now because of traffic. How can this study show little impact for this area. Also, think about the business that will be hurt by Wal-Mart, such as Kuhns and K-Mart.

Mr. Johnson, Colony West, I am concerned with traffic. Let's bring quality to Moon Township with paying jobs.

Mr. Pearl, Eastern Ave., if Moon First had not hired experts would you know about the problems presented. This isn't a revision to the plan this is a new plan. I have vision of a town center not traffic jams and noise. Tell Wal-Mart to go back and redesign.

Ms. Rodgers, Colony West, you people are elected by us. Traffic will be a nightmare, plus Wal-Mart pays minimum wage, no insurance, and does not take care of their employees.

Ms. Cooney, Patton Drive, I have concerns that people will use Patton Drive as a cut through to University Boulevard to go to Wal-Mart. Moon has been special if you let Wal-Mart in it will not be special anymore.

Mr. Nixon, attorney for Colony West residents, discussed the following; traffic stacking in front of Wal-Mart, signage placement, sidewalk to Colony West property line (please give consideration to connect a sidewalk), bufferyards, the request to mulch under the trees, drainage from the rear of Wal-Mart and making sure the run off goes to a detention pond and not Colony West, the out parcels and making sure the storm water will be addressed for the future, the noise that will be created 24 hours a day, and making limits on construction hours.

Chris, Colony West, when Wal-Mart comes in the crime rate soars, traffic is a huge concern, Wal-Mart does not pay enough to keep good employees, and what about the building when they abandon it.

Becky Berline, 447 Spring Run Road, I would like to see more projects towards kids such as movies, bowling, etc.

Donald Deep, Great Oaks Drive, I feel Walgreens has been an assist to Moon Township. My point is West Hills is an eye soar and Wal-Mart will be an improvement to Moon Township. I support Wal-Mart as long as it is done correctly. I would like to see the corner of Moon Clinton & University Blvd (old gas station) cleaned up next.

Mr. Bross asked if there are any other comments.

Ms. Mills asked for clarification on lighting and glare. We have to make sure they have complied and include the Meadows.

Mr. McGurk said the revised plan was submitted but has not been reviewed.

The Planning Commission asked about parking lot issues that were raised in reference to safety and parking walkways.

Mr. Celender said the three isles shown on the plan are required by the township. I agree more walkways may be needed and we will incorporate more into the plan. There are enough parking stalls.

Ms. Mills asked about traffic concerns with Colony West.

Mr. Wooster said part of the traffic study was modeling traffic. The queing will help move traffic. We are not anticipating a huge traffic volume due to our model addressing the issue. We do not see traffic backup but traffic moving much smoother.

Mr. Swen asked about safety study for pedestrians.

Mr. Wooster said we have included a pedestrian study in the traffic study.

Mr. Swen asked about storm water.

Mr. Celender said both outfalls are located by the Meadows. We have met all of Moon Township's requirements.

Mr. Swen asked about the 40 foot setback.

Ms. Mills asked about the noise levels and the truck noise.

Mr. Celender said we have to meet the time requirements in the building permit and hours of operation for work.

Mr. Swen asked about roof screening.

Mr. Gimble said we are doing the screening in layers. We are raising the layers to hide the roof top units. All equipment on the roof will be painted white and additional landscaping will be planted along University Boulevard.

Mr. Wilhelm wanted to add that Wal-Mart owns this property and will be paying taxes all long as they own it.

Ms. Mills made a motion to recommend approval for a conditional use deviation which would move the street trees closer to the public right of way, subject to the Township Planning Director's letter dated June 10, 2010.

Seconded by Mr. Swen.

Roll Call Vote:

Mr. D'Andrea-no, Ms. Mills-yes, Mr. Bross-yes, Mr. Swen-yes, and Mr. Ratchkauskas-yes. Motion passed.

Ms. Mills made a motion to recommend approval for the condition use deviation which would increase the maximum front yard set back, subject to the Township Planning Director's letter dated June 10, 2010.

Seconded by Mr. Ratchkauskas.

Roll Call Vote:

Mr. D'Andrea-no, Ms. Mills-yes, Mr. Bross-yes, Mr. Swen-yes, and Mr. Ratchkauskas-yes. Motion passed.

Ms. Mills called for motion to recommend approval for the conditional use application for the alternative sidewalk plan, subject to the Township Planning Director's letter dated June 10, 2010.

Roll Call Vote:

Mr. D'Andrea-no, Ms. Mills-yes, Mr. Bross-yes, Mr. Swen-yes, and Mr. Ratchkauskas-yes. Motion passed.

Mr. D'Andrea called for a motion to not recommend Combined Preliminary/Final Major Land Development Plan for the Wal-Mart Supercenter.

Seconded by Mr. Ratchkauskas.

Roll Call Vote:

Mr. D'Andrea-yes, Ms. Mills-no, Mr. Bross-yes, Mr. Swen-no and Mr. Ratchkauskas-no. Motion did not pass.

Ms. Mills called for a motion to recommend approval for the Combined Preliminary/Final Major Land Development Plan for the Wal-Mart Supercenter, subject to the Township Planning Director's letter dated June 10, 2010.

Seconded by Mr. Ratchkauskas.

Roll Call Vote:

Mr. D'Andrea-no, Ms. Mills-yes, Mr. Bross-no, Mr. Swen-yes, and Mr. Ratchkauskas-yes. Motion passed.

Mr. D'Andrea stated he voted no because he feels the plan did not follow the Carnot Village Overlay District requirements.

Mr. Bross said he voted no because he feels the store size is too large for the site.

**Adjournment**

Mr. Swen made a motion to adjourn.

Seconded by Mr. Ratchkauskas.

**Roll Call Vote:**

Mr. D'Andrea-yes, Ms. Mills-yes, Mr. Bross-yes, Mr. Swen-yes, and Mr. Ratchkauskas-yes. Motion passed.

Respectfully submitted by: Lynda Shandrick