

Pledge of Allegiance

Present:

Present at the meeting: Ryan Lemke, Jayne Hoy, Bob Mitall, Edward Patrick, James Olszewski, Chris Kerns, and Anthony Livecchi. Also in attendance were Chief Administrator Jim Morrison, Administrative Assistant Patti Loughner and Code Enforcement Officer Josh Steele.

Absent: Council Liaison Carl Stepanovich

Approval of Minutes: Ms. Hoy moved to approve the March 9, 2021 minutes; Mr. Lemke seconded. All voted aye. Motion approved.

Public Comment: None.

New Business:

1. **MAGAM, SP-4-21, A proposed mixed use development, four retail spaces and eight two bedroom apartments, Kistler Road and Route 22, M-U zoning.**

This matter has been tabled.

2. **Kish Boutique, SP-3-21, 4373 Old William Penn Highway. The application is for the addition of parking in the front yard to meet the Murrysville Land Development Ordinance and provide additional spaces for the customers of the businesses in the building, M-U District.**

Mr. Dan Irvin from Morris Knowles & Associates is the representative speaking on behalf of Kish Boutique. Mr. Irvin advised that all the comments and concerns have been addressed that have been brought to their attention. Mr. Irvin stated that they are adding 4 parking spaces, one which is a handicapped stall and a ramp up to the front door. Mr. Mitall asked Mr. Irvin if the set of stairs/steps will come out. Mr. Irvin advised yes the stairs/steps will come out because there is not enough room once they put the parking and the sidewalk in. Mr. Mitall asked if this is going to be a showroom for the window operation. Mrs. Kish stepped up to the microphone and stated that the upper level will be a chiropractic office, nail salon, and Kish Windows and Doors Showroom, and the lower level is a makeup studio, which is already up and running. Mr. Kerns stated that he looked over the landscaping plans, as advised by the EAC, and they look perfectly fine to him. Mr. Irvin stated that the plants that they have proposed are used widely throughout the municipality. Mr. Morrison advised that the only conditions would be the execution of the stormwater management agreement, execution of developer's agreement and providing a landscaping bond.

Ms. Hoy made a motion to send this onto the April 21st Council Meeting. Mr. Livecci seconded the motion. All voted aye. Motion Approved.

3. Kish Warehouse, SP-1-21, 6337 and 6339 Old William Penn Highway, The application is to convert the existing non-conforming structure into a warehouse, R-3 zoning.

Mr. Dan Irvin from Morris Knowles & Associates is the representative speaking on behalf of Kish Warehouse. Mr. Mitall stated that from looking at the briefing almost everything has been resolved, is that correct? Mr. Morrison stated that he received waivers today for stormwater management requirements. Mr. Irvin advised that the revised cover sheet that was sent over this morning has the same waiver and modifications; the language was just revised to be in conformance with the language in the briefing document. Mr. Irvin stated that due to the elevation of the stream at the bottom of the site and the ground elevation, there's only about 2 feet of separation, which prohibits any kind of BMP's from being placed at the lowest portion of the site. Mr. Irvin further stated that they were able to put an underground detention system on top of the hill closer to Old William Penn Highway to collect as much impervious area as possible; however, due to that, we're unable to meet a couple of the ordinances; one of them being 80% of the 10-yr volume must be treated by a BMP. Mr. Irvin stated that at this point, they're collecting about 63% of the 10-yr volume and treating that, so they're asking for a waiver of the 80% of the 10-yr volume requirement. Mr. Irvin stated that another requirement is that 100% of the area drain to a BMP and they are not able to capture 100% of the impervious area but they are reducing the amount of untreated impervious area on the site. Mr. Mitall asked what percentage are you capturing? Mr. Irvin answered about 51%. Mr. Mitall asked Mr. Irvin if there are any other waivers that he is requesting? Mr. Irvin answered, the underground detention must be 50 feet from any property line and since the property isn't 50 feet wide, we weren't able to meet that requirement. Mr. Morrison advised that he's still waiting for the conservation district final review, stormwater management final review, maintenance agreement and the financial security. Mr. Morrison advised that the stormwater management ordinance does provide for exception in extraordinary instances and this is a non-conforming property and a certificate has been issued, there's not a whole lot of uses for the property. Mrs. Kish stepped up to the podium and asked the planning commission is she could make a modification to the landscaping requirement. Mrs. Kish advised that she'd like to keep the landscaping out front, along Old William Penn Highway. She further goes on to state that the property in the back floods a few times a year and all the landscaping in the back is problematic to the flooding, so what she would like to recommend is if she could make a donation of \$1,500 to the Municipality to plant trees somewhere where they'll do better and live, and she can dedicate her resources to the building. Mr. Mitall asked Ms. Kish, in exchange of money, what would she delete from the landscaping plan? Mrs. Kish stated that she would like to delete 5 trees in the back and about 30 ink berry bushes. Mr. Morrison stated that the EAC recommended some kind of buffering in-lieu of the plantings, the issue being they are

getting waivers on the impervious surface and other hard surfaces there that they felt there should be some sort of buffer between there and the stream. Mr. Morrison advised that there will have to be a waiver of the landscaping requirements and the subdivision ordinance for the plantings to meet the parking lot requirements of the subdivision ordinance. Mr. Mitall asked the question, council can grant a waiver for that? Mr. Morrison answered, they can for the subdivision but they can't for the zoning. Mr. Patrick makes a motion to recommend approval of this condition upon the stormwater agreement, developer's agreement, approval of the waivers and modifications as shown on the cover sheet, plus adding the modification of the landscaping, which is deleting 4 trees and all the bushes around the parking lot in exchange for a \$1,500 donation made payable to Parks and Recreation Foundation with the designation to be used for landscaping at the MCP Clubhouse. Mr. Morrison advised that he will need a revised site plan because that will be a historical record. Ms. Hoy seconded the motion. All voted aye. Motion Approved.

4. Murrysville Racquet Club, SP-5-21, 4062 Norbatrol Avenue, B Zoning. The application is for the construction of six (6) outdoor tennis courts.

Brian Almeter from Fahringer, McCarty, Grey Inc. is the representative speaking on behalf of the applicant SASI, LLC. Also with me, this evening, is Arshad Hafeez who is part of the ownership. Mr. Almeter advised that the property is approximately 7.6 acres with a portion of the building being a manufacturing facility and the other portion is an indoor tennis court, which was constructed a number of years ago. The area to the right was overflow parking for the building before the current owners purchased the property. I'd say about 1/3 of the property was a gravel overflow parking. Mr. Almeter goes on to further say that the intent of the application is to develop a full time, year round, indoor outdoor tennis facility. The intent is for six tennis courts, 120 feet deep and 310 feet long, which will meet the national tennis association stands. The upper right of the court there is about 6 to 7 feet of cut and 4 feet of fill on the lower side to flatten it out. The intent is to grade the courts to be level at all four corners and pitch in between courts to a low point; minimal grading, minimal slopes to provide the best playing surface. That will also capture 100% of the proposed pavement area and the stormwater management facility will be underneath the tennis courts. The drains would be in between the courts, small inlet, patio type, which would go to the underground facility. No stormwater runoff will be going towards Turtle Creek or towards the sides. Ms. Hoy asked if there will be any new parking? Mr. Almeter advised that there will be no new parking and stated that a study done by Trans Associates worked on parking needs for this facility and confirmed that with the minimal people that are using the facility and national average for tennis court use, they came up with the number of 52 parking spaces, which is currently on the property now. Mr. Patrick asked Mr. Almeter if there are any plans of hosting any tournaments? Mr. Almeter answered, that would be the intent to be able to have that availability to do that. Mr. Patrick asked the question of how would you handle the parking for tournaments. Mr. Almeter advised that through the parking study that was done by Trans Associates, there would be enough

parking for tournament events. Mr. Patrick asked the question, would there be enough parking for spectators? Mr. Almeter advised there would be enough parking for the parents who would be coming. Mr. Mitall asked if there would be bleacher seating? Mr. Almeter stated no bleacher seating. Mr. Mitall stated that when the owner brought this to us years ago about the building addition, there was a big issue about parking and the number of parking spaces. Mr. Mitall goes on to further state that he thought there was to be an overflow area where the tennis courts are now. Mr. Almeter stated that the overflow area was already there, it was part of the manufacturing facility before the tennis courts were installed. Ms. Hoy asked if there was any proposed lighting to be used in the evening. Mr. Almeter answered, no, no lighting. Mr. Mitall stated that all they're doing tonight is accepting the application. Mr. Almeter stated that he thought the planning commission would make a recommendation and he received a handful of comments which he will address. Mr. Arshad Hafeez stepped up to the podium and asked the planning commission what would it take to send this matter to council because it is a straight forward project and they want to get things started in the summer. Mr. Mitall stated to Mr. Hafeez that it's not quite there yet. Ms. Hoy stated that the stormwater calculations need to be completed. Mr. Morrison stated that it's not ready to go yet. Mr. Patrick makes a motion to accept the application. Ms. Hoy seconded the motion. All voted aye. Motion Approved.

Other Business: None.

Adjournment: Ms. Hoy: Moved to adjourn at 8:00 p.m.
Mr. Patrick: Seconded
Motion Approved: 7-0