TOWNSHIP OF INDIANA

PLANNING COMMISSION

APRIL 24, 2024

The regular meeting of the Indiana Township Planning Commission was called to order at 6:00 p.m. by Chairman Michael Rouggie with the Pledge of Allegiance. The meeting was recorded on audio cassette.

The roll was called and Planning Commission Members present were Peter Blume, Kevin McKeegan, Michael Rouggie, and Daniel Taylor. Preston Moore did not attend. Also in attendance were Code Enforcement Officer Jeffrey S. Curti, Recording Secretary Jacquelyn Rouggie, Township Engineer Daniel Slagle from Nichols & Slagle Engineering, and John Hosa, Esq. from Tucker Arensberg Attorneys.

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REGULAR MEETING MINUTES OF MARCH 27, 2024

Mr. Taylor made a motion, seconded by Mr. McKeegan, to approve the March 27, 2024, Regular Meeting Minutes as presented. Motion carried unanimously.

DEVELOPMENT PROPOSALS

ALLEGHENY STEEL DISTRIBUTORS - SITE PLAN

Commission Members were presented with a Site Plan to construct an 1,800 sq.ft. one story steel frame and siding accessory building on an 8.96 acre parcel. The Allegheny Steel Distributors company already operates on this same parcel of land and it is located on Route 910, 480' north of its intersection with McClelland Road. It is located in an "L/I" Light Industrial Zoning District. John Olinski, Project Manager for Allegheny Steel Distributors, Inc. provided an overview of the site plan.

Mr. Olinski explained that due to recent supply chain and demand issues, as well as delays in getting parts, it has caused a growing need for additional storage space at their facility. He said the new building will be used for storage purposes only. He said the proposed building is located 11' from the existing building. The proposed structure is a pre-fabricated building.

Mr. Slagle said he believes that Allegheny Steel has been in operation in the Indianola area since 1983. Mr. Olinski said the company was originally founded n 1973, but then moved its location to Indianola. Mr. Slagle asked if Allegheny Steel Distributors owned the entire parcel of land; Mr. Olinski said they do. Mr. Slagle said the Township Ordinance requires space between the two buildings to allow for easy access by Emergency Services in the event of an emergency. Mr. Slagle asked what the proposed use is for the new building; Mr. Olinski said it will be used for storage only. Mr. Slagle asked if any of the materials being stored are made of combustible materials; Mr. Olinski said no.

Mr. Slagle reviewed his letter dated April 18, 2024. He said non-residential structures require a minimum of 25-feet between buildings to provide for access for emergency vehicles, if needed. Mr. Slagle said the new building is only proposed to be 11' away from the existing building. He said they need to either revise their location of the new building to allow for this access, consider connecting the buildings, or submit a request for a variance. Mr. Olinski said they are considering adding a breezeway or walkway to connect the buildings. Mr. Slagle continued with his letter. He said the LOMR Flood Information section needs to be updated. He said the zoning information of the adjacent properties needs to be added to the plans. Mr. Slagle said Note 5 regarding the building area appears to contradict the plans. He said the total building area, earth disturbance area, and proposed net increase in the impervious area need to be corrected. He also said the location of the gas mains and power lines servicing the proposed building needs to be added. Mr. Slagle said a note regarding not holding the Township responsible for any stormwater, wetlands, etc., as outlined in the Township's Ordinance, needs to be added to the plans. Mr. Slagle said all 3rd-party approvals need to be submitted before a Building Permit will be issued. He also said any exterior lighting needs to be shown on the plan; Mr. Olinski said none is proposed, other than some small lights for security purposes. Mr. Slagle said lighting cannot be visible to anyone traveling on the adjacent roadways.

Mr. Slagle said he recommends preliminary and final Site Plan, provided that the applicant complies with all the conditions in his review letter, including either adding a breezeway between the buildings or obtaining a variance by the Township Zoning Hearing Board.

Mr. McKeegan made a motion, seconded by Mr. Taylor, recommending APPROVAL of the "ALLEGHENY STEEL DISTRIBUTORS SITE PLAN", conditioned upon any outstanding items in the Engineer's Letter dated April 18, 2024 be addressed. These items include:

1. ***Non-residential structures shall be spaced to provide a minimum of 25-feet between buildings to permit fire fighters and other emergency personnel to safely approach the building from the side. The proposed building is 11 feet from the existing one-story block and metal siding building. Revise the plan, consider connecting the buildings, or submit a variance request. <u>The applicant said they plan to connect the two (2) buildings with either a causeway or a walkway</u>.***
2. ***Indicate LOMR 21-03-0173P effective February 7, 2022 within the Flood Information section of Sheet C101.***
3. ***Provide zoning information of adjoining properties on plan.***
4. ***The current Note 5 building area appears to contradict the plans. Verify the total building area, earth disturbance area, and proposed net increase in the impervious area.***
5. ***Indicate the location of gas mains and power lines servicing the proposed building.***

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6. ***Provide a statement to the plan indicating: "The Township by approving and/or executing this plan in no way undertakes any responsibility with regard to stormwater runoff, wetlands, archaeological sites, and/or other environmental requirements or matters. Further, the Township undertakes no responsibility for operating any activities at the Land Development."***
7. ***The Owner shall prepare, submit, and obtain approval of all required regulatory third-party permits. A copy of the approved permits shall be forwarded to the Township and the Township Engineer.***
8. ***Indicate any proposed lighting for the parking lot.***

Motion carried unanimously.

NEW BUSINESS

REQUEST FOR ZONING MAP AMENDMENT BY MPF MANAGEMENT LLC FOR PROPERTY LOCATED AT 920 ROUTE 910 (Block/Lot No. 836-E-207)

Board Members were presented with a Zoning Map Revision Request by MPF Management, LLC, to change the zoning of a parcel, known as Block/Lot# 836-E-207, located at 920 Route 910, from "O/C" Office Flex Commercial to "L/I" Light Industrial. The 59.87 acres parcel is currently owned by D&D Supply Inc. It is located on the eastern side of Route 910, at its intersection with the Westbound side of the PA Turnpike to Field View Lane. It is approximately 1,000' south of Emmerling Community Park, and adjacent to Deer Creek and the Rachel Carson Trail. MPF Management, LLC plans to apply for a Conditional Use Permit to develop a an unconventional well pad. Jake Polochak, Jon Teacoach, and Bill Smith of MPF Management, LLC, were present. Mr. Polochak handed out copies of a presentation for the Planning Commission Members, summarizing their project.

Mr. Polochak said he feels this change would be good for the Township. He said they are asking for the re-zoning of the parcel so they can construct a well pad, much like Range Resources put in, on nearby Cove Run Road. Mr. Polochak said the only Zoning District available for constructing such a Well Pad is in the "L/I" Zoned area. He said they have had numerous Advisory Meetings with officials from the Township. Mr. Polochak said they wish to keep the Well Pad as far away from any residentially zoned areas as possible. He said with the property currently zoned "O/C" a Well Pad is not allowed as a "Conditional Use". He said he feels that due to the irregular features of the land, it cannot be used for much of anything else. He referred to pictures of the parcel as shown in the presentation. Mr. Curti said the property slopes down into a ravine area, off of Route 910. Mr. McKeegan questioned why they wish to have the zoning of the parcel changed. He said there are other uses permitted in the current "O/C" zoning of the property. Mr. Polochak said he feels the property was unintentionally mis-zoned for Commercial Use. He said they considered other properties in the area that are already zoned "L/I', but they are very close to residentially zoned properties and would be highly visible to the public. He also noted a lot of the parcel is on a slope that is at 40%, which would be very costly to try to develop to fit one of the uses permitted in an "O/C" zoned property. Mr. Polochak said they hope to develop only a portion of the parcel for a drilling pad, and then donate the remaining property to nearby Emmerling Park

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or to the Allegheny County Conservation Trust. Mr. Polochak said he feels the re-zoning is consistent with the Township's Comprehensive Plan. He showed pictures of where they plan to put the well pad on the parcel. Mr. Polochak said they are not asking for permission to put in a Well Pad at this point; they are only asking for permission to have the property re-zoned. Planning Commission Members discussed other properties that are adjacent to the site. Mr. McKeegan asked if the site had frontage on Route 910. Mr. Polochak and Mr. Curti said that is the only access to the parcel and showed the location. Mr. McKeegan asked why a driveway could not be put in and a conventional commercial office building be built. He said it keeps being said that the land is "un-developable", but he said it appears that 5.76 acres of the land could be developed. Mr. Curti said the slope of the driveway prohibits any access, because it would be over a 20% slope. A discussion was held as to whether the land could be developed without being re-zoned, and the slope issues were considered. Mr. McKeegan also asked from a legal point, if the zoning request could be challenged as"spot zoning". Mr. Polochak said the land is adjacent to other parcels that are currently zoned "L/I". Mr. McKeegan said these parcels are divided by a 6-lane highway (the PA Turnpike). Mr. McKeegan pointed out the property is also surrounded on three sides by land that is zoned "MDR" residential. Mr. Polochak pointed out that Emmerling Park is located on one of these properties. Mr. Polochak also said they have been in contact with the Allegheny County Land Trust regarding donating a portion of the property to them. Mr. Polochak said they are also considering donating a portion of the land to the Township to add on to the adjacent Emmerling Park property.

Mr. Slagle confirmed that the Township has had Advisory Meetings with MPF Management regarding available properties and various permitted uses. Mr. Slagle said there are other areas of the Township that have undergone Zoning Changes at the request of a Developer. Mr. Slagle agreed that the location of this property is far away from any existing residentially developed areas. Mr. Curti said the slope of the land is very steep; Mr. Slagle agreed. The elevation variance was discussed. Mr. Slagle said a Public Hearing would be required to get the Public comment prior to any official change being made to the Zoning Map.

Mr. Curti said when MPF had their first Advisory Meeting with the Township, they were considering other nearby properties that are already zoned "L/I". However, they were very close to residential properties, especially the Black Oak Plan. Mr. Curti said the property they are now considering is located in a much more remote area of the Township. A discussion was held about the topography of the land in the area, and what the land could be used for. Easements, and access locations were discussed, as well as the potential need for well drilling on other parcels. Mr. Teacoach from MPF said this site has been considered for many other uses in the past, but it is not conducive to development due to the steep topography. Mr. Smith from MPF said they have met with representatives of the Allegheny County Land Trust, and they said they were very interested in acquiring the unused part of the parcel. He said from a Real Estate Brokers' point of view, the land is very challenging for any Commercial usage.

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Mr. Blume said he would be interested in having the Township's Solicitor look into the possibility of this being considered "spot zoning". Mr. Teacoach said at this time, they are requesting a recommendation for the re-zoning so a Public Hearing could be held for comment. Mr. McKeegan said he would first like the Township to research any legal issues that could arise; he said he is not comfortable with having a Public Hearing until that takes place

Mr. Rouggie opened the Meeting up for Public Comment.

Jon Neumann of 222 Chatham Lane, said as a Supervisor, as well as a resident, the Allegheny Land Trust has a year to raise 2.5 million dollars in order to proceed. Mr. Polochak said they are willing to help them donate land to meet their obligations. Mr. Neumann said he would like to see copies of emails.

Nettie Owens of 109 Bruno Drive, asked about the Environmental Impact the re-zoning of the land would have on nearby Deer Creek if it would be changed to "L/I'. Mr. Slagle noted that third-party approvals are needed prior to any development taking place. Mr. McKeegan agreed this is a good point, and the Board of Supervisors should consider the impacts of both uses of either in the "O/C" or "L/I" zoning districts. Mr. Polochak pointed out that a well pad requires more third party approvals than a standard commercial use.

Mr. McKeegan made a motion, seconded by Mr. Blume, to <u>TABLE</u> this Re-zoning Request by MPF Management LLC pending further legal research by the Township's Solicitor and legal team regarding "spot zoning" of this parcel. Motion carried unanimously.

<u>OLD BUSINESS</u>

REVISIONS TO THE PRD SECTION OF THE TOWNSHIP'S ZONING ORDINANCE #368

Mr. Slagle handed out for discussion a Comparison he put together entitled "Planned Residential Development: Updated Summary - Based on 10 Acres" which compared what is permitted in the PRD section of the Zoning Ordinance versus what could be changed. This Summary also compared what is permitted in nearby O'Hara Township's Ordinances. Mr. Slagle said with the suggestions and changes taken into account to the Current Ordinance, he feels the current "working" draft of the PRD Section of the Zoning Ordinance provides for a lot of variety of housing opportunities, as well as harmonious development. He said the current version was "re-submitted" based on Mr. McKeegan's version. Mr. Slagle and the Planning Commission Members considered the various suggestions that everyone has made, and how they were incorporated into the current "working draft copy" of the PRD Section of the Township's Zoning Ordinance. They feel a lot of consideration has been given to preserving the environment and wooded areas of the Township. Steams have also been considered, and the location of Detention Basins within Developments were discussed, as well as a lot of other environmentally sensitive matters. Public comments were also taken into consideration about buffer areas, steep slopes, etc. Mr. Slagle said the suggestion of having Auxiliary Parking Areas within a development will be taken into consideration.

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Planning Commission Members discussed the impact of a Multi-Subdivision as compared to a PRD. They also agreed that researching the surrounding municipalities Ordinances was also useful. They thanked resident Chris Capone for the immense amount of research and time he put into reviewing the Township's Ordinance, and comparing it to other municipalities. The Planning Commission also discussed that they do not want to prohibit Developers from building in the Township, but also wanted the guidelines to be flexible for everyone. Bonuses and trade offs were also discussed. Increases in density were also considered. They discussed Mr. Slagle's Comparison Summary that he provided. Waivers and Modifications given to Developer's were also discussed. The legality of certain provisions put on Developer's were considered. Everyone agreed that Density vs. Open Space is a very important issue, and what types of "caps" could be put in place. Open Space issues/restrictions also need to be added. Also, a variety of different types of housing as trending in the recent years needs considered, such as the "tiny house" concept, amount of setbacks for yard areas, etc. A discussion was held about promoting more Recreational Areas be added to developments, in lieu of taking the option to just pay the Developer's Recreational Fee. Clear cutting and timbering of property, and then waiting a number of years prior to applying for a new Development, was discussed. Resident Chris Capone also gave his input as to what he thinks should be taken into consideration. Marketability options were discussed, and the other Planning Commission Members said they were anxious to hear what new Member Preston Moore has to say, from a Real Estate Agents' point of view. The idea of larger tracts of land creating a "village" within a Development, with commercial and recreational areas, were discussed.

Jon Neumann of 222 Chatham Lane, said his biggest concern is conserving the land. He feels PRD's should not abuse what is allowed in the Ordinance, and that Net Areas, Slopes, and Green space, should all be taken into consideration.

Chris Capone of 3606 Windsor Court, said in the Borough of Fox Chapel, the houses are not close together. He said by keeping wooded areas within a development provides for a better appearance. Mr. Capone said he feels that this is beneficial to creating the feeling of a "community" within a development.

Nettie Owens of 109 Bruno Drive, said she feels the Blue Run Development, which is very near her home, is an example that should be considered. She said on one side of the Plan, a buffer area could not be met. Mr. Curti pointed out that the side she is referring to would be located in the front yards of homes along Bruno Drive, and a buffer area could not be put there. Ms. Owens suggested language be put into the revised PRD Section and new developments should be harmonious to the existing community. Mr. Slagle said recent court cases have "struck down" this loose wording. Ms. Owens also said she feels smaller houses on bigger lots should be encouraged, as well as affordable housing. She would like consideration given to encourage families with small children to live within a development. She feels more flexibility needs to be allowed, as well as preserving the existing land. She said she appreciated the Meeting that was held tonight, and felt the discussions were very informative.

APPROVED

The Planning Commission Members, as well as the Engineer and Mr. Curti, thanked everyone for their time and input given to helping with updating the Ordinance.

CORRESPONDENCE

LETTER OF RECOMMENDATION

Each Commission Member received a copy of the Planning Commission's Letter of Recommendation sent to the Board of Supervisors, which was written as a result of the Commission's March 27, 2024 regular meeting.

ADJOURNMENT

Mr. Taylor made a motion, seconded by Mr. Blume, to adjourn the April 24, 2024, Planning Commission Regular Meeting. Motion carried unanimously.

The meeting was adjourned at 8:02 p.m.

Jacquelyn A. Rouggie
Recording Secretary

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