

**Borough of Sewickley  
Planning Commission Notes  
Meeting Minutes**

**Wednesday, April 2, 2014**

The Planning Commission was called to order at 7:00pm by Vice Chair Marlin Bartos. Also in attendance were planning commission members Erica Kagel, Nathan St. German, Tom Rostek and Sharon Pillar; Jamie Morrill, Council liaison to planning; Kevin Flannery, borough manager. Chairman Paul Pigman was absent due to a work commitment.

**Approval of Minutes**

A motion to approve the Planning Commission Minutes of March 5, 2014 was made by Tom Rostek and seconded by Nathan St. German. With a vote of 6-0-0, the motion passed.

**Old Business**

A public hearing to review the Museum/Cultural Center Amendment which allows non-profit organizations to have office on first floor with 50% of first floor space for open to the public.

Mr. Bartos opened hearing and the oath was administered by Ms. Donna McMullen.

Mr. Bartos asked for proponents to speak.

Jennifer Markus of Village Green Partners which owner of 611-619 Beaver St. stated that she was in favor of the change. She noted that Village Green, a non-profit entity, plans to move their office to the new building and will use most of the first floor as a Welcome Center that will be open to the public. Their office will be located in the back of the building.

Mr. Bartos asked for opponents to the zoning change.

Blair Bower, owner of Sewickley Traditions, expressed concerned that we have too many service industries and that we need more retail in the Village. He is worried this change will be destructive to the village. Mr. Bartos stated that we've had multiple discussions in the planning commission with various business owners and some actually want to change the Village overlay to include more office space and less retail.

Clifford Krey expressed concerned that the non-profit definition was too broad. He provided a proposal to constrict the Village Overlay so that more building could have office on the first floor. He also opined that the proposed ordinance change was provided for one property owner and thought that it was considered spot zoning. He asked to table the ordinance to have more comprehensive discussion to reduce the overlay. Ms. Pillar responded that the change applies to the entire Village Overlay and not to just one property.

Mr. Bartos opened the discussion to the planning commission. He noted that the planning commission has considered other requests to reduce the Overlay and has concluded that for now it is important to maintain Village Overlay.

Mr. Rostek reiterated that some business owners were asking the planning commission to change the Village Overlay to include more office space on first floor for businesses. He feels that this proposed change to the ordinance is a first step to address these changes. He expressed concern about removing business from overlay because we would lose the setbacks and change the streetscape. Ms. Kagle noted

that that intent of proposed zoning change is to allow for a mixed uses as consistent with the Village Overlay and to maintain the design standards by not reducing the size of the Overlay. Mr. Bartos noted that Mr. Krey's proposal would eliminates one third of the Village Overlay.

Ms. Pillar requested that the proposed definition of non-profit be changed to a 501(c)(3) organizations as was agreed upon in a previous planning commission meeting. This change would then attract organizations that fit the spirit of the "non-profit" definition that the borough would desire.

Mr. Bartos closed the public hearing. Mr. Rostek made the motion to close the hearing, which was seconded by Ms. Kagle. The motion passed with a vote of 6-0-0.

Mr. Rostek moved to recommend the zoning change to Section 303 Terms Defined and to Section 803 Q. Museum/Cultural Center as presented for the public hearing with the change to the Non-Profit definition to include "Internal Revenue Code Section 501(c)(3)." Ms Pillar seconded the motion, and it passed 6-0-0.

### Village Theatre Company

Susan Kaminski was present to represent Village Theater Company for the preliminary hearing. Also in attendance were other board members and the architect for the development.

It was noted that the address of the proposed theater is actually 418 Walnut, but the Sewickley Water Dept. has 417 Walnut on their documents. The address will be decided by the zoning officer.

The following information was presented/discussed:

- Hoey's Run – there is question as to the exact location of the stream under the building, which will be important in order to protect Hoey's Run during construction. Mr. Flannery stated that the engineers are looking at Hoey's Run and will discuss with architects.
- The theatre is intended to be used primarily for movies, but they would like to accommodate small live events/speakers, but not large band/orchestra as there is no large stage.
- There is a community room that can be rented for parties or small events.
- Parking study is due to council on April 15<sup>th</sup>. This study will inform the need for parking for the theater and if shared parking will be necessary.
- There is a stormwater facility at rear of property currently. There was a question as to whether it will be paved over. The development will contain a catch basin in back of property. Mr. Bartos asked and suggested that the stormwater management plan should be combined and understood in conjunction with the new approved, adjacent office building and municipal property. This will need to be resolved.
- Mr. Bartos asked about the distance expected between the adjacent building. The architect is waiting to see where Hoey's Run is located so they can decided on the exact location of the south side of building line. If the building cannot be built at 100% lot coverage, they may require variance because side lot line is required to be at 0' as the building is located in the Village Overlay.
- The borough will be presenting a subdivision plan since they own the property, which will then be leased to Village Green Partners to build the theater.
- A stormwater management plan, traffic study, parking plan, signage plan, Hoey's Run designation determination and exterior lighting plan were not presented/not complete.
- The building will contain a sprinkler system.
- The loading zone and drop off zone would be in front of building and will be shared with adjacent businesses. There's no parking in front of the building currently.

- The lease agreement is being worked out by the borough and Village Theatre Company.
- Planning commission discussed the need to require a traffic impact study, which was temporarily waived for preliminary hearing. The decision will be made after reviewing the parking study.
- Planning commission discussed moving to a public hearing given that there a number of missing pieces of information. The applicant indicated that they will have the missing information and wished to move to a public hearing.

Mr. Rostek moved to approve the development for final hearing on May 7. Mr. St. German approved the motion. The motion passed 5-1-0 with Ms. Pillar opposing the motion.

Mr. Rostek moved to hold a public hearing on the development with the condition that that the borough parking study would be available, as well as the signage plan, stormwater management plan, and compliance with items outlined in Nancy Watts' code enforcement letter of 3/27/14. Mr. Morrill seconded the motion.

Mr. Bartos amended the motion to require inclusion of the complete lease agreement with the borough and the subdivision plan. The motion, as amended, passed 5-1-0 with Ms. Pillar opposing.

Mr. Flannery noted that the county will need to review the plans.

### **New Business**

Mr. Morrill summarized the solar ordinance discussion from council. They decided that Historic Review Commission should create design guidelines just for the historic districts and that the borough will wait to change the existing solar ordinance for the entire borough in the future.

### **Correspondence**

Mr. Flannery noted that planning commission received correspondence to Sewickley Heights regarding comments to their 2014 Draft amendment to their comprehensive plan to increase housing density on Blackburn Road for a residential development with about 33 new multi-family units.

### **Other**

Ms. Pillar asked the commission to decide when we would accept a development plan for a preliminary hearing and noted that when the planning commission restructured the SALDO, the consultants created a checklist that developers would need to present to the code officer before a plan would go before the planning commission. Mr. Flannery added that the checklist also helps to determine when the clock starts for the borough's obligation to review a development plan and if it is not completed within the required timeframe, that a development will be deemed approved. Therefore, it is in the best interest of the borough to have the documents in place before submitting the documents to the planning commission for review.

In the past, developers were asking approval for plans without presenting complete information or presenting missing information the night of the planning commission meeting, so that planning commission members did not have time to make informed decisions. The planning commission discussed the procedure and several members noted the desire not to hold up development over minor issues; however, the SALDO specifies what documents are needed for a preliminary and final hearing. Mr. Bartos

agreed to arrange a meeting with Mr. Pigman, Ms. Pillar, Mr. Morrill and Nancy Watts to discuss the use of the checklist approved in the SALDO.

The meeting was adjourned at 9:09 pm. Motion made by Ms Pillar, seconded by Ms. Kagel; passed 6-0-0.

Respectfully Submitted,

Sharon Pillar  
Secretary, Planning Commission

Approved by Planning Commission on May 7, 2014 by a vote of 6-0-1, Mr. Pigman abstaining due to his absence.