

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

Wednesday, May 7, 2014

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

Approval of Minutes

A motion to approve the Planning Commission Minutes of April 2, 2014 was made by Mr. Bartos and seconded by Mr. Morrill. The motion passed with a vote of 6-0-1, with Paul Pigman abstaining because he was absent.

Old Business

A copy of Ordinance 1317 that was approved by the Council in April was provided to planning members. The ordinance allows for the designation of Museum and/or Cultural Center that are non-profit organizations to have office on the first floor in the Village Overlay, as long as 50% of first floor space is open to the public.

Planning Commission was to hold a public hearing today to review the development plans for the new theater plan, but Village Theater Company chose to delay the hearing and wishes to wait until their lease with the borough is signed. Mr. Flannery indicated that will take place in June or July.

New Business

Subdivision and zoning map amendment for 349 Backbone Road. Bob Garlitz (surveyor) and Jim DeWeese (Director of Property Management at YMCA) presented subdivision plans for the YMCA lot of 7.6 acres, which would parcel off a small lot which currently has a residential building and to request rezoning of the new property from Institutional to single family residential (R-1); the remainder of the lot would remain with the YMCA. Many years ago, the YMCA provided these living quarters for the director's use. Since that time, the YMCA has rented the house. They wish to subdivide the property and return it to R-1 zoning district that matches the current use of the property and of the adjacent properties, so that they can sell the house.

Nancy Watt suggests changing zoning so that it fits into the existing use of the building and the neighboring lots. The building is currently considered an accessory unit to the YMCA facility. The lot set backs are in compliance with the zoning ordinance for R-1.

Mr. Bartos asked if the house creates tax payments and Mr. Flannery noted that it does and will be reassessed once subdivided.

Mr. Morrill made a motion to hold a public hearing to vote on a recommendation to subdivide the property and amend the zoning ordinance so that the new lot would be in the R-1 zoning district. The motion was seconded by Marlin Bartos and passed 7-0-0. The public hearing will be scheduled for July 9.

Subdivision and Zoning map amendment for 401 Waterworks Road

Bob Garlitz (surveyor), Mr. and Mrs. Rock (owners of the property) and Roy Kraynyk from Allegheny Land Trust were in attendance to submit a preliminary application for a subdivision for 13.6 acres of property that the Rock family recently purchased from Sewickley Borough at 401 Waterworks Road. The applicants propose to subdivide the lot into 4 acre and 9.6 acre lots. The four acre lot would remain in the Rock's possession, but the remaining 9.6 acres would be purchased by the Allegheny Land Trust. Mr. Rock indicated that they would potentially like to build a house on the four-acre lot so would like to rezone the property from Open Space to Residential (R-1A) and the remaining property would remain as open space. The Rocks own the adjacent property that is located in Sewickley Heights borough, where they currently have a home.

Mr. Rostek indicated that there is a bigger issue to change zoning for this lot compared to the previous discussion with the YMCA, because the YMCA lot would be rezoned to match the current use of the property and it would not make sense to keep it Institutional once the lot was subdivided. This lot on Waterworks is currently Open Space so if it's subdivided, it can still be used as Open Space. In addition, the lot is indicated to be Open Space in the Comprehensive Plan; rezoning it would be not be consistent with the borough's zoning map or with the Comprehensive Plan.

Ms. Pillar concurred and indicated that she thought that changing the zoning for the benefit of this one land owner would be considered spot zoning and would open the borough to additional legal challenge. In addition, this change would create a bad precedent for opening the borough's Open Space to development. Ms. Pillar asked Mr. Rock if he was aware that the property was zoned as Open Space and if he considered what would happen if he did not receive approval for rezoning. He indicated that he was aware and that if it wasn't approved, he will have spent a lot of money for green space.

Mr. Bartos inquired about the lot requirements for Sewickley Heights residential lots since this lot abuts a Sewickley Hts. residential lot. Several responded that residential lots are zoned to a minimal size of 5 acres. Ms. Kagle indicated that if the residential lot size in Sewickley Heights is 5 acres that the subdivided lot of four acres will not be consistent with the requirements for the adjacent property requirements. If the land in Sewickley was to be developed and rezoned it should be consistent with adjoining lot Sewickley Heights zoning lot requirements.

Roy Kraynyk indicated that the valley along Waterworks Road is designated by the Quaker Valley Conservation Area as greenway and that ALT is working to preserve this land and to protect the watershed. ALT has prepared a letter of interest to buy adjacent 30.2 acres to this 401 Waterworks lot from the Borough. Mr. Flannery explained that Davies Run runs through property and felt that ALT could take better care of the property and to protect the watershed.

Ms. Pillar asked why the Borough sold a portion of its open space to a private land owner, if it was concerned about protecting the watershed and questioned why the Borough didn't sell it to the Allegheny Land Trust. Mr. Flannery indicated that there was only one bidder at the sale of the property. Mr. Flannery mentioned that Mr. Rock came to the Borough some time ago and expressed interest in buying the property. Council sold the land as a revenue source for the borough, but decided to keep the remainder of the property as green space.

Ms. Watts indicated that the borough would require the lot to be zoned as R1-A, because the proposed lot does not meet the 75 foot minimum lot width for R-1.

Mr. Rostek expressed concerned that this four acre lot could be further subdivided into multiple lots that would still meet the R1-A designation. Mr. Kraynyk suggested that a conservation easement could be placed on the property that would limit the property to one household.

Mr. Rostek stated that if the Borough and water authority does not have need for this land then maybe the planning commission should have a larger discussion to plan for the use for this land (regarding the adjacent open space land owned by the Borough and the Water Authority), before making a decision of rezoning.

Mr. Rostek asked Mr. Rock to consider a continuance so that planning commission could further consider. Mr. Pigman clarified if applicant would like to go to public hearing for both subdivision and rezoning. The applicant noted that they wanted to continue.

Ms. Kagle requested that the Borough solicitor give guidance regarding if rezoning this property would be spot zoning.

Ms. Pillar motioned that the planning commission hold a public hearing on July 9 to consider the subdivision and rezoning of lot 509-L-100, parcels C-2R and C1R at 401 Waterworks Road plan of lots with the condition that the Borough solicitor render an opinion of spot zoning and provide options of other possible forms of restricting development to one building on the lot. Mr. Morrill seconded and the motion passed 6-1-0 with Mr. Rostek opposing.

Other

Mr. Pigman requested that Mr. Morrill give an update to planning commission members each month concerning issues and activities of the Council. This update will be included on the agenda in the future.

Planning commission decided to reschedule the planned meeting of July 2 to July 9, since many members will be absent.

Ms. Watts requested to discuss the procedure for sending applicants to the preliminary hearing. She has been using the checklist that was developed in the new SALDO and has agreed to provide the checklist to the planning commission for the pre application, preliminary plan, and final plan.

Mr. Rostek indicated that he had questions about the parking study and pointed out the study was completed only during one day and might not be a good indicator of overall need.. He also questioned if the new parking model that was developed by EPD consultants for the borough was taken into consideration for this study. Mr. Flannery indicated that the parking study will be presented to the Council on Monday, May 19 from 6:30-7:30 and encouraged all to attend.

Mr. Morrill motioned to adjourn the meeting. The motion was seconded by Mr. Bartos and passed 7-0-0. Meeting was adjourned at 8:55.

Respectfully Submitted,



Sharon Pillar
Secretary, Planning Commission

Approved by Planning Commission by a vote of 7-0-0 on June 4, 2014.