

Ross Township Commissioners Meeting
1000 Ross Municipal Drive
Pittsburgh, PA 15237
February 11, 2019
7:30 p.m.

COMMISSIONERS PRESENT: Daniel L. DeMarco, Jeremy Shaffer, Patrick Mullin, Jason Piring, Jack Betkowski, Grace Stanko, Joseph Laslavic and Richard Avon

ABSENT: Stephen Korbel (Joined meeting at 9:45 p.m via telephone)

SOLICITOR: P. J. Murray, Esq.

TOWNSHIP MANAGER: Douglas Sample

RECORDING SECRETARY: Noreen A. Re

DIRECTOR OF COMMUNITY DEVELOPMENT AND BOARD LIAISON: Dominic J. Rickert

(Whereupon, in Commissioner Korbel's absence, Commissioner DeMarco chaired the meeting.)

Pledge of Allegiance/Invocation

Commissioner DeMarco marked the passing of a former commissioner and Zoning Hearing Board member, Mr. Frank Kodrich, who was also a beloved crossing guard at Highcliff Elementary School. A moment of silence was held in Mr. Kodrich's honor.

PUBLIC COMMENT ON AGENDA ITEMS ONLY:

Commissioner Shaffer requested to suspend the rule that only residents and taxpayers of Ross Township may speak in regard to CU-18-1 and SP-19-1.

Motion to suspend the rule prohibiting only residents and taxpayers of Ross Township to speak on CU-18-1 and SP-19-1 at the appropriate time and with the same time limits made by Commissioner Shaffer and seconded by Commissioner Stanko.

Motion passes – 8 to 0

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Ms. Sarah Thomas, 211 Bellwood Drive, Pittsburgh, PA 15229, addressed the Board regarding her concern with the mall development and the lack of pedestrian access from McKnight Road.

ADDRESSING THE BOARD - None

PRESENTATION OF PLAQUE:

Ms. Melva Deitt – Celebrating her 100th birthday

Commissioner Mullin presented Ms. Deitt with a plaque commemorating her 100th birthday.

(Whereupon, an Executive Session was held to discuss one current litigation matter and one potential litigation matter from 7:45 p.m. to 8:18 p.m.)

VICE PRESIDENT’S REPORT:

Commissioner DeMarco commented on a tragic fire last Friday evening in White Oak Heights. Although no lives were lost, the property was heavily damaged. He commended the volunteer fire companies for their efforts under adverse conditions. There was difficulty with the fire hydrants, and tankers had to be called in. He indicated there was a GoFundMe page set up for the resident, who had no insurance.

TAX COLLECTOR REPORT – None

JUNIOR COMMISSIONER REPORT - None

CONSENT AGENDA:

Approval of Minutes – January 21, 2019

Bill List – February 11, 2019

Motion to approve made by Commissioner Laslavic and seconded by Commissioner Mullin.

Motion passes – 8 to 0

APPOINTMENTS FOR OPEN BOARD SEATS:

Library Board – One (1) opening for the five-year Commissioner term to expire on December 31, 2023

Motion to appoint Commissioner Dan DeMarco to the five-year term as Trustee on the Northland Library Board of Trustees made by Commissioner Betkowski and seconded by Commissioner Mullin.

Motion passes – 8 to 0

ADMINISTRATION, OPERATIONS AND POLICY:

Chair: Joe Laslavic; Members – Dan DeMarco and Pat Mullin

Ordinances to be Introduced

Prohibiting Signs in the Right-of-Way

Mr. Sample indicated there would be up to a \$300 fine for violation of the ordinance.

Motion to adopt Resolution No. 2314 resolving that the township will consider at a future meeting an amendment to Chapter 27 of the Ross Township Code of Ordinances regarding temporary political signs made by Commissioner Laslavic and seconded by Commissioner Mullin.

Motion passes – 8 to 0

Resolution – Vacant Property Application for Jackson Avenue – Parcel No. 611-N-168

Motion to adopt Resolution No. 2313 authorizing the acquisition and subsequent disposition of Parcel No. 611-N-168, which would be in accord with the Comprehensive Plan of Ross Township, made by Commissioner Laslavic and seconded by Commissioner Mullin.

Motion passes – 8 to 0

Administrative Training Request

Motion to authorize Dan DeMarco, Dan Berty, Mike Funk, Joe Ley and Doug Sample to attend the 2019 PELRAS Conference from March 19-22, 2019, in State College, PA, at a cost not to exceed \$4,500.00 made by Commissioner Laslavic and seconded by Commissioner Mullin.

Motion passes – 8 to 0

Executive Training Request

Motion to authorize Commissioners Laslavic, Stanko, Perring, Korbek and Betkowski and Manager Sample to attend the 2019 ALOM Conference from April 4-7, 2019, at Seven Springs, PA, at a cost not to exceed \$7,500.00 made by Commissioner Laslavic and seconded by Commissioner Mullin.

Motion passes – 8 to 0

FINANCE, BUDGET AND PENSION

Chair: Jason Perring; Members - Joe Laslavic and Dan DeMarco

Sale of 2010 Ford F-150 Police Vehicle

Motion to ratify the sale of the 2010 Police Ford F-150 to John Caruso for the high bid of \$7,005.00 made by Commissioner Piring and seconded by Commissioner Mullin.

Motion passes – 8 to 0

PLANNING, ZONING AND ECONOMIC DEVELOPMENT:

Chair: Dan DeMarco; Members – Jack Betkowski and Grace Stanko

CU-18-1 – Kossman Development Company is requesting Conditional Use approval for a proposed Mixed-Use Development on property located at Lot & Block No. 611-L-60, 7910-7920 Perry Highway, in a C-1 Zoning District of the 9th Ward.

Mr. Curtis Kossman, 11 Parkway Center, Suite 300, Pittsburgh, PA 15220, and Richard Moses, Esq., were both present on behalf of the applicant. Mr. Kossman went through a brief history of the property. After having done a number of different market studies, Mr. Kossman stated they determined that an 89,000 square foot climate-control self-storage facility in conjunction with 27,000 square feet of retail with a 20,000 square foot gym in conjunction with 124 apartments would be the highest and best use for the site. He went through the planned mixed-use development in detail. There is a proposed outparcel drive-thru restaurant with sufficient parking. Variances have been granted for the parking.

Upon inquiry by Commissioner Shaffer regarding parking at the fitness center, Mr. Kossman indicated a rule of thumb is 5 cars per 1,000 square feet and that this parking is sufficient. Upon inquiry by Commissioner Laslavic regarding traffic, Mr. Kossman indicated they would have a full-blown traffic study done as part of the final site plan approval. The traffic study will be reviewed by Gateway and PennDOT.

Upon inquiry by Commissioner Stanko, Mr. Kossman stated the rent would be market rate, \$1,000 for a one-bedroom apartment.

It will be 60 percent one-bedroom apartments and 40 percent two-bedroom apartments.

Commissioner Perring commented on the size of the project and if the developer definitely wanted the storage units. Mr. Kossman stated they definitely wanted the storage units. Upon inquiry by Commissioner Shaffer, Mr. Kossman indicated there would not be many children in the apartments, and it will have little effect on the school district.

The points of ingress and egress were discussed in detail. Left-hand turns in, other than at the light, will be determined by PennDOT. The buffer adjacent to the residential properties was discussed. There will be no structures in the buffer, only roads. Mr. Kossman indicated there is approximately a half a mile of right-of-way in the valley floor that leads to Babcock Boulevard. He proposed for the township's consideration to do a public/private partnership to create a walking and biking trail. The proposed trail would only be in Ross Township. Mr. Kossman also proposed that the water retention pond be a wet water retention pond.

The flood plain was discussed in detail. Mr. Kossman stated they would be hiring a professional engineer to do a full-blown stormwater management plan addressing all concerns and mitigation. They are also planning to put five-foot sidewalks along the road as part of the extension and progress of walkability for the community. There are large green spaces along the main entrance and along the courtyard, which are intended to be rain gardens that will help control stormwater runoff and be a part of the mitigation process for the development.

Design of the storage units was discussed. Commissioner DeMarco questioned the color of the rolling doors. Commissioner Shaffer questioned Mr. Kossman regarding the buffer on the north side of the development and the drainage. Mr. Kossman stated there would be a swale at the bottom of the slope. Drainage was discussed in detail.

Mr. Kossman described the amenity package for the apartments. Mr. Rickert stated the revised plans show a road that fire

trucks could use to get to the back of the development. They are encapsulating the cell tower base into the building. Signage was discussed in detail. The cell tower will be 170 feet tall and meets all the necessary requirements.

Upon inquiry by Commissioner Betkowski, Mr. Rickert stated the mixed-use ordinance permits a mixed use such as what Mr. Kossman is proposing within any C-1 district as a conditional use. It was stated conditional use to allow the mixed use does not in any way guarantee the site plan. Commissioner Betkowski commented that if there was additional information that was available prior to the meeting that could not be gotten to him, he would have come and picked it up himself. Mr. Rickert reminded everyone that the Board has 90 days from the date that the plan was reviewed at the Planning Commission level to render a decision, so there will be time to review new information that was provided.

Mr. Joe Corso, 120 8th Avenue, Pittsburgh, PA 15229, spoke in opposition to the request and addressed the Board regarding contractors storing equipment that holds gasoline in a residential area.

Mr. Scott Metzger, 128 Kaylor Road, Pittsburgh, PA 15237, spoke in opposition to the request. He spoke on behalf of several of the residents of Kaylor Road. He addressed concern with the number of variances granted and variances still requested, among other things.

Ms. An Dong, 3725 Allendale Circle, Pittsburgh, PA 15204, owner of the apartments, was present and spoke in opposition. She indicated her biggest concern is traffic and safety.

Ms. Heather Collins, 171 Ridgewood Road, Pittsburgh, PA 15237, spoke in opposition to the request.

(Whereupon, Commissioner Korbel joined the meeting via telephone at 7:45 p.m.)

Mr. Joe Helffrich, 7840 Old Perry Highway, Pittsburgh, PA 15237, spoke in opposition to the request.

Mr. Roger Gelik, 228 Dombey Drive, Pittsburgh, PA 15237, spoke in opposition to the request and was concerned about privacy.

(Whereupon, a short recess was taken, at which time Commissioner Korbel arrived in person at the meeting.)

Motion to grant the Conditional Use request for the proposed Mixed-Use Development and the Conditional Use to locate a restaurant and private recreational facility within the same at the property located at Lot & Block 611-L-60, 7910-7920 Perry Highway, in a C-1 Zoning District of the 9th Ward made by Commissioner Betkowski and seconded by Commissioner Piring.

Commissioner Betkowski reiterated that the motion complies with all of the existing ordinances for the conditional use. Mr. Rickert stated the Planning Commission recommended conditional approval of the preliminary site plan with final approval being granted when they meet all the conditions in Gateway's letter and the comment letter given to the applicant on February 6, 2019, which was for the preliminary only.

Motion passes – 8 to 1

Commissioner Laslavic voting in the negative

SP-19-1 – Kossman Development Company is requesting Preliminary Site Development Plan approval for a proposed Mixed-Use Development on property located at Lot & Block 611-L-60, 7910-7920 Perry Highway, in a C-1 Zoning District of the 9th Ward .

Motion to table SP-19-1 for further consideration made by Commissioner Betkowski and seconded by Commissioner Korbel.

Motion passes unanimously

SP-19-2 – Ross Park Mall Redevelopment of a portion of the mall.

Mr. Michael Takacs from Bohler Engineering was present on behalf of Simon and Ross Park Mall. Mr. Takacs stated the old Sears property would be demolished, and he outlined in detail the proposed development. In addition to reconstructing the old Sears space, they will be adding a separate 23,000 square foot retail facility outside of that, which will be self-contained. The existing food court will be moved to the Sears space. There will be 29,000 square feet broken up on two levels.

There will be a climbing and fitness facility called First Ascent. There will be a 50-foot climbing facility inside the mall space itself. There will be new small space shops on both the first and second level. There will be a new cinema on the third level. The stand-alone facility is basically a relocated RH, formerly known as Restoration Hardware, which will be one story with a second small portion on a roof and a rooftop patio located on the roof elevation. Mr. Takacs described in detail the layout of the new design. The parking lot will also be reconfigured.

Upon inquiry by Commissioner Shaffer, Mr. Takacs stated the current food court will be reconfigured with additional retail shops. Commissioner Shaffer also inquired about pedestrian improvements for workers that catch buses on McKnight Road. Mr. Takacs stated the problem is the mall has always been geographically challenged. He didn't believe there was physically enough room along the edge for a sidewalk. He also stated they would not be accessible. Mr. Takacs stated there is a bus route that does run to the mall. They are currently in discussions with the Port Authority looking to basically relocate that bus stop. Commissioner Betkowski also commented that it is dark for the workers to go down the hill at night to catch the bus.

Commissioner Korbel stated the situation is “untenable” the way it is. He expressed concern for safety. He indicated the developer of the Cosmopolitan was asked to work with the mall on installing a set of stairs that would go up the hillside. Ms. Earl had indicated to Commissioner Korbel that it was a liability issue.

Discussion ensued regarding concern for pedestrians. Commissioner Mullin suggested the mall could invest in a van service to take people down the hill late at night following a movie.

Mr. Takacs stated that this is the first that the redevelopment team has heard of these concerns. They were not mentioned at the Planning Commission or mentioned as part of the engineer's review. He indicated they are open to working to a solution.

Commissioner Avon commented that when the Cosmopolitan went in that that was the time when pedestrians accessing the mall should have been discussed. He indicated the proposed plan was a good thing for the township to take care of the blight at the mall and increase the tax revenue. Commissioner Avon suggested asking the developer to go back and see what they are willing to do. He also stated developers need to follow through with the promises the township asks for and make sure they are finished, or there will be penalties imposed.

Commissioner Korbel requested the developer come back on March 18th with a revised proposal addressing the pedestrian concerns. Mr. Scott Richardson with Simon stated the connectivity did not come up with the development of Nordstrom, the Cheesecake Factory, Crate & Barrel or L.L. Bean. He stated they were not the developer of the Cosmopolitan. Commissioner Korbel stated the developer of the Cosmopolitan reached out to the mall regarding steps, and the mall responded in the negative. Mr. Richardson stated they are willing to look at things, but there are site constraints.

Motion to table SP-19-2 for further consideration made by Commissioner Betkowski and seconded by Commissioner Korbel.

Motion passes unanimously

PUBLIC SAFETY:

Co-Chairs: Jack Betkowski and Dan DeMarco; Member - Pat Mullin

Ordinances to be Introduced

No Parking Ordinance for 5th Way

The matter will be placed on the March 18th agenda.

Civil Service Commission – Creation of New Hiring List

Motion to instruct the Civil Service Commission to create a new eligibility list for hiring made by Commissioner Betkowski and seconded by Commissioner Purring.

Motion passes unanimously

OTHER BOARDS/ENTITIES (COG, CONNECT, Intergovernmental) - None

PUBLIC COMMENT:

Ms. Maryann Mohr, 103 Ennerdale Lane, Pittsburgh, PA 15237, inquired if the redevelopment of the Sears would be the same footprint. Commissioner Korbel stated they represented it was slightly smaller. She also questioned the location of the outparcel and the effect the construction will have on traffic on McKnight Road. She also inquired as to how long the project was going to take. Upon inquiry by Commissioner Betkowski, Mr. Rickert stated the developer will not be asking for night work. 6:00 a.m. to 10:00 p.m. is the construction time frame, but they have indicated they would not be working until 10:00 p.m.

Ms. Sarah Thomas, 211 Bellwood Drive, Pittsburgh, PA 15229, thanked the Board for considering the pedestrian issue.

Mr. Tim Phelan, 200 Ridgewood Road, Pittsburgh, PA 15237, inquired if there would be a buffer with the redevelopment of Sears.

Commissioner Korbelt stated he has talked to the mall, and they will be planting trees in the buffer zone.

Ms. Heather Collins, 171 Ridgewood Road, Pittsburgh, PA 15237, suggested a pathway around the mall for people to walk.

Motion to adjourn made by Commissioner Korbelt and seconded by Commissioner Mullin.

Motion passes unanimously

MEETING ADJOURNED AT 10:46 P.M.

Manager/Secretary

**President,
Stephen Korbelt
Ross Township Board of
Commissioners**

Minutes transcribed by *Noreen A. Re, Certified Realtime Reporter*