

**NORTH FAYETTE TOWNSHIP
PLANNING COMMISSION**

**REGULAR MEETING
TUESDAY, NOVEMBER 17, 2015
7:30 P.M.**

The meeting was called to order with Chairman David Cosnek presiding.

MEMBERS PRESENT:

David Cosnek, Chairman
Charles Kyle, Vice Chairman
Bill Fitzgerald, Board Member
Fred Lutz, Board Member
Tom McDermott, Township Solicitor
Shawn Wingrove, EIT
Laura Ludwig, Township Community Development Director
Debbie Midgley, Deputy Recording Secretary

MEMBERS ABSENT:

Bob Owens, Board Member
Cheryl Cherico, Recording Secretary

OTHERS PRESENT:

John Smoker, Mackin Engineering Company
Jason Kambitsis, A.R. Building Company/ Bright Oaks
Geoff Campbell, Rothschild Doyno Collaborative
Kimberly Gales-Dunn, J.R. Gales & Associates

UNFINISHED BUSINESS:

A motion was made by Mr. Fred Lutz, seconded by Mr. Chuck Kyle, to approve the minutes from the October 20, 2015 meeting. Motion carried.

NEW BUSINESS:

- 1. Application 2015-24 – Tonidale Plan of Lots – Lot Line Relocation and Consolidation Plan** – Application for preliminary and final minor subdivision involving a lot line relocation and lot consolidation on 6.399 acres of land located at 7011 Steubenville Pike in a B-2 General Business Zoning District (Allegheny County Lot and Block Number 412-M-1).

Mr. Cosnek asked a representative to approach the Board.

Mr. John Smoker from Mackin Engineering Company approached the Board.

Mr. Smoker said he had a copy of the subdivision plan that he sent over to the office and that was reviewed. He said that he did get comments back. He asked if he could talk about the comments that were on that letter.

Mr. Smoker stated that they created an easement through Parcel 1 on the existing driveway that is going to service Parcel 2 as well. He said in the note in the letter from LSSE, it states that they want part of the easement to be on Parcel 2. He said he does not understand why that needs to be noted on the other parcel, because they are using the existing driveway that is on Parcel 1 to get access into Parcel 2. He said he had a copy of it if the Board wanted to take a look at it, he could show them.

Mr. Wingrove stated that LSSE's concerns were that once they strike the line for the existing parcel where the existing hotel and restaurant are, you have to come through the new parcel to get to the other stuff. So, they are cutting themselves off from the road access that is there.

Mr. Smoker said no. He stated the road is above both parcels.

Mr. Wingrove said but the driveway is not there. He said the driveway that they use now comes through the new parcel, doesn't it?

Mr. Smoker said it does not.

Mr. Wingrove asked if he could look at the plan to see what Mr. Smoker was referring to.

Ms. Ludwig said to her recollection the driveway goes through the existing parcel.

Mr. Wingrove (pointing to the plan) said to get to this parcel you would have to go through here, right?

Mr. Smoker said yes.

Mr. Wingrove said that they would need access for ingress and egress through this little triangle to get to this parcel here. He said this is their driveway and pointed to the plan. He said these guys over here are getting cut off from their extension.

Mr. Smoker said so right now the driveway is right through here (pointed to the plan). He said they could come here and still make this turn in.

Mr. Wingrove said the guiderail is there.

Mr. Smoker stated that he understood what Mr. Wingrove was saying now. He clarified that Mr. Wingrove was saying that the little piece here, the little triangle, needed to be included as part of the easement.

Mr. Wingrove asked if there was opposition from the applicant to include that piece as part of the easement.

Mr. Smoker said no.

Mr. Wingrove said what LSSE does not want to see happen is that while both properties are owned by the same person now, they might not always be. He said they don't want to create a situation where if one of the parcels gets sold to someone else, the owner of Parcel 1 would not have the legal right to come through the little triangle on Parcel 2. He said they could cut their own driveway up here (pointed to plan) if they get a new HOP but the way it is configured now, the only feasible access is through the parcel, which is why he recommends the little triangle also be included in the easement.

Mr. Smoker said he understood. He pointed to the plan and noted the piece to be included in the access easement.

Mr. Wingrove said fixing that would clean everything up and that the comment on the easement was LSSE's only comment at this point. He said the applicant looked to be in good shape, pending the revision discussed to include the triangle.

Ms. Ludwig asked the Planning Commission members if they understood what was just discussed. She said the discussion was in reference to where the driveway easement is shown on the plans. She said there is a small triangle next to it which should also be shaded in gray to note its part of the easement.

Mr. Smoker approached the Board to show them the plans and explain the issue.

Mr. Kyle asked if the applicant had any issues with making the change to the plan as discussed.

Mr. Smoker said that he had no issue with the change discussed.

The Board reviewed the comments of Ms. Ludwig and Mr. Wingrove.

Ms. Ludwig made the following comments:

I have reviewed the application submitted for preliminary and final minor subdivision involving a lot line relocation and lot consolidation and my comments are as follows:

1. This is an application for preliminary and final minor subdivision involving a lot line relocation and lot consolidation on 6.399 acres of land located at 7011 Steubenville Pike in a B-2 General Business Zoning District (Allegheny County Lot and Block Number 412-M-1).
2. This plan involves a lot line relocation and also a lot consolidation. The Quality Inn in Tonidale is located on Parcel 1 of the Plan. There is a vacant plot of land located next to the Quality Inn that is located within the same overall parcel, Allegheny County Lot and Block Number 412-M-1. The owners would like to create a new lot so that the vacant plot of land can be developed. On the other side of the vacant plot of land there is another lot which comes up as "not assessed" on the County website. The owners of the Quality Inn purchased this property and do now own it. Thus, it will be added to the newly created Parcel 2 as shown on the Plan.

3. The Plan provides an access easement for the ingress, egress, and regress of Parcel 1 through Parcel 2. A note has been added to the plan regarding this access easement for the shared driveway. Once Parcel 2 is developed, the access easement will be the only form of ingress and egress to and from the newly created parcel as well as the existing parcel.
4. Refer to any comments from the Township Engineer per LSSE's review letters dated November 5, 2015 and November 13, 2015. In LSSE's most recent review letter, there were some issues still at hand on how the access easement is shown.
5. Refer to any comments from the Township Solicitor.
6. To date, I have not received any review comments from the Planning Division of the Allegheny County Department of Economic Development.
7. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the Tonidale Plan of Lots preliminary and final minor subdivision application involving a lot line relocation and lot consolidation at 7011 Steubenville Pike is complete, pending the resolution of the access easement being shown graphically on the plan, as noted herein. Thus, I recommend that the Planning Commission recommend to the Board of Supervisors that the Tonidale Plan of Lots Lot Line Relocation Plan and Consolidation Plan be approved, contingent upon all comments being addressed in LSSE's review letter dated November 13, 2015 and this review letter dated November 15, 2015.

Mr. Wingrove made the following comments:

We have completed our review of the above referenced Subdivision Plan Application documentation, dated May 15, 2015, last revised November 9, 2015, prepared by Mackin Engineering Company, as received by our office November 12, 2015. The plan proposes the subdivision of an existing property into two parcels. The properties have frontage along Steubenville Pike (S.R. 3066), and are Zoned B-2 – General Business District in North Fayette Township.

Previous comments may be found in our letters dated November 5, June 11, 2015 and June 1, 2015.

The following listing presents unresolved/non-compliant items identified during our review that do not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22):

Subdivision

1. The Ordinance requires proposed easements including locations, widths and purpose. (Section 302.M.) **Previous comment:** *An access easement for the ingress, egress and regress of Parcel No. 1 through Parcel No. 2 must be provided.* **Previous Comment:** *No*

change. A note has been added to the plan, however, the location and limits of the easement must also be shown graphically on the plan. Status: An easement has been shown graphically on the plan, however it does not include the portion of the driveway on Parcel 2 required for ingress, egress and regress between Parcel 1 and Steubenville Pike.

The plans have been reviewed for conformance to the Township Ordinance standards only. The review is based on surveys and drawings prepared by others and assume this information is correct and valid as submitted. Independent confirmation of adequacy or applicability of surveys, design data or procedures has not been provided.

The plan, as submitted, will conform to the Township of North Fayette’s Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22) with the resolution of the above noted items.

Ms. Ludwig stated that her recommendation to the Commission this evening is to recommend approval of the plan, contingent on the easement issue being addressed or more simply on all comments being addressed in LSSE’s review letter and the Township’s review letter.

Mr. Cosnek asked if anyone had any comments or questions. Hearing none, he asked for a motion on the application.

A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. FRED LUTZ, AND CARRIED TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF THE TONIDALE LOT LINE RELOCATION AND LOT CONSOLIDATION PLAN, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE’S LETTER DATED NOVEMBER 13, 2015 AND THE TOWNSHIP’S LETTER DATED NOVEMBER 15, 2015.

ROLL CALL:	BILL FITZGERALD	YES
	FRED LUTZ	YES
	CHUCK KYLE	YES
	DAVE COSNEK	YES

- 2. Application 2015-25 – Bright Oaks Phase 3** – Application for preliminary subdivision involving the creation of 10 lots and an application for preliminary residential land development involving the construction of 44 townhomes on 66.6401 acres of land located at 310 North Branch Road in the R-2 Suburban Residential Zoning District and Planned Residential Development (PRD) Overlay District (Allegheny County Lot and Block #s 587-E-8 and 9929-X-81018).

Mr. Cosnek asked a representative to approach the Board.

Ms. Gales approached the Board.

Ms. Gales stated that as the Board knows, this is the bridge across the creek into the development which is Old Mill Road (pointing to the site plan). She said what they are proposing for access

into the plan is the same as before. She said their last revision to the PRD was for a 6th apartment building. She said they would now like to change that building into 44 townhome units that would also be for rental.

Ms. Gales stated the one modification request related to the townhomes would be for the width of the building reducing it from 20 feet to 16 feet.

Ms. Gales also stated that it was her mistake regarding one issue. She said the Township's code is 20 feet between buildings for buildings that are two stories above ground and 30 feet apart when its three stories above ground. She stated the townhome units would be from the basement up. She said the basements would not be buried. She said she would like to discuss the building width and the distance between buildings with the Board tonight.

Ms. Gales stated the sanitary sewers for the townhomes will come down and connect into the sewers that were built for the previous phases of Bright Oaks.

Ms. Gales stated the stormwater management will all come back to the existing pond. She said the pond was oversized so it will be able to accommodate the additional stormwater runoff from the new townhome units.

Ms. Gales further stated the proposed plan for the townhomes does meet the parking requirements per the ordinance, which is 2.5 spaces per unit. She said the units have internal parking inside and there are some other options that will be provided. She said the architect was present and would discuss the unit design with the Board.

Mr. Geoff Campbell approached the Board. He stated he was there representing the Rothschild Doyno Collaborative, based in the Strip District. He said they have been working with A.R. Building for 17 years now and are the architect for the Bright Oaks development.

Mr. Campbell said that one of the things A.R. has found is they want to provide a bit of a different market range than what they had in the development to provide another alternative to the 4 story apartment building. He said they've been working with A. R. to design something that would be a little more luxurious than the typical apartment. He said right now Bright Oaks does not provide any garage options for the existing apartment buildings. He said the townhomes would have integral parking underneath the building. He said the interior, 16 foot wide units would be two bedrooms and the end units, which would be 23 feet wide, would have up to three bedrooms and two-car parking. He said it would be one car parking or tandem parking for the interior units. He said he'd be happy to go into more detail on the interior of the units.

Mr. Cosnek asked what the square footage different was between the apartments that are there and the townhome units.

Mr. Campbell said that the townhomes are roughly 1,300 square feet each while the apartments range from 700 to 1,050 square feet.

Mr. Cosnek asked if the 1,300 square feet for the townhomes included the garages.

Mr. Jason Kambitsis from A.R. Building stated that number does not include the garages. He said what A.R. is trying to do with this is, originally, they wanted another one of their apartment buildings, which are renting very well. He said A.R. wanted to break it up a little bit to diversify their market. He said that is why they decided to switch to do a townhouse product. He said it's something a little different, something a little better that will really fit in with the Township and is something that is needed in the area. He said he is continuing to see townhomes pop up in suburban markets like North Fayette. He said they wanted to provide something where someone could come in and get some of the affordability of the apartments but get a single family home with covered parking. He stated what is great about the townhome units is you have two cars side by side on the larger units and the tandem parking for the narrower units.

Mr. Kambitsis said that A.R. is doing similar developments in other communities. He said they have 100 units of this type of townhome unit in their community called Springhouse in Bridgeville (South Fayette). He also said they have another community called Hawthorne out past Murrysville which has 15 foot wide townhome units, versus the 16 feet (not be confused with North Fayette's Hawthorne). He stated they are doing similarly-sized units in the City of Pittsburgh as well. He said it's a product that has been very well received. He said you get all the livable space of their biggest units but you get the covered parking as well. He said the covered parking is really what they are selling here.

Mr. Kambitsis said another A.R. community is Clinton Lake in Findlay, which is out past the airport. There is a mixture of townhomes there, not quite as narrow. He said those units are wider but are not as deep.

Mr. Cosnek said he had a question on the parking. He said they mentioned the parking requirements were met. He asked if we did a check on that.

Mr. Wingrove said yes. He said between the covered on-lot parking, either covered or in front of the homes, in addition to the on-street spots that they have, they have enough to meet the 2.5 spaces per dwelling requirement.

Mr. Cosnek said so the 16 foot units will each have two vehicle parking, one inside and one in the driveway?

Ms. Gales said that was correct. She said they did not count the possible tandem parking option for those that would choose the additional integral parking space in lieu of the 3rd bedroom.

Mr. Fitzgerald said but these are rental properties, right?

Ms. Gales said yes.

Mr. Fitzgerald said so then nobody is choosing anything. You guys are choosing.

Mr. Kambitsis said yes. They may do a three bedroom in some instances instead of a tandem parking unit.

Mr. Fitzgerald said A.R. is making the choice and that's what it comes down to. He said it's not the tenants. He asked how many they were going to build with a bedroom in the basement?

Mr. Kambitsis stated they have not picked a number yet.

Mr. Fitzgerald said he can recall this development since they started out with all the townhomes and then for whatever reason they changed to three-story buildings and tons of greenspace and then four-story buildings but there were less of them, because that was what was moving in the marketplace and that was what everybody wanted. He said then another building was approved, another four-story building just this year, and now they are changing it again.

Mr. Fitzgerald said he was under the impression that all of the greenspace was supposed to be deeded over to somebody else after the conclusion of the last building let alone the next building that got approved. He said now they are coming up with something that does not actually meet the building specs. He said it might work for them or a certain price point but they keep on changing what they are doing there. He said simple math says that if you put in something that meets the Township's spec, at 20 feet, using the same footprint they would have less units. He also said he was unsure about what was going on with the greenspace. He said he did not understand how the amount of greenspace grew, referencing Ms. Ludwig's review letter. He said he would like that to be reviewed.

Ms. Ludwig said that based on the plans submitted, the greenspace increased to a little over 40 acres.

Ms. Gales stated she would take a look at that.

Mr. Fitzgerald said, quite simply, if they were to put in stuff that were to meet our Township spec without having to ask for a modification to build 16 foot wide townhomes, they would be able to put in 35 units or so. He said but when they go to the 16 foot wide, they have room for 44 of them. He said that gives them a pretty decent bump on how many units they can fit on the property, even with the wider 23 foot end units.

Mr. Kambitsis said they did run the numbers with larger units, 18 and 22 feet wide, and they were still able to yield the same amount of units. He said it is not a situation where they are trying to put more units in. He said it's a situation related to the product they are trying to build. He said they could fit 44-45 townhomes at 20 feet wide. He said it is really a situation of giving people a differentiation of the market for the units. He said the smaller units really fit and coincide well with the larger two bedroom units and it's something that people really enjoy to have. He said that's what they are really looking at. He said it is not a situation of getting more yield out of it. He said they could get that yield even if they went to a bigger unit.

Mr. Kambitsis stated that in regard to the open space, they have been working with the Hollow Oak Land Trust. He said Hollow Oak is moving forward on their side of that and that A.R. Building/ Bright Oaks is happy to give the conservation space to them.

Mr. Fitzgerald said that A.R. Building has always stated they'd be happy to do it but it hasn't happened.

Mr. Kambitsis stated that Hollow Oak never agreed to take it before. He said there was a conversation about the open space going to the community or a land trust such as Hollow Oak. He said they are happy to hold off on final approval until the conservation easement agreement is

executed with Hollow Oak. He said that is part of their conditions for final approval and that he understands that has to occur and they are happy to do it.

Ms. Ludwig asked if the applicant was able to comment on Stonebridge at all. She said she knew Mr. Kambitsis had some discussions with them. She asked if they are okay with the switch from the 6th apartment building to townhomes. She said she had saw some email correspondences but nothing formal.

Mr. Kambitsis said that the conversation he had with Stonebridge, essentially they said they were totally fine with it. He said they are fine with it so long as the conservation easement occurs. He said they had no other issues with it based on the conversations he had with them. He stated their viewpoint was that they were smaller buildings and they will have less of an impact. He said that is where things were left with them.

Ms. Ludwig asked in the other communities where they are building these similar units, was their zoning ordinance similar to North Fayette's where a modification or a variance of some sort was needed?

Mr. Kambitsis said he was not sure. He said the other units in the other communities were not his projects.

Mr. Campbell stated that in the market itself, people want smaller and smaller units, particularly the younger demographic. He said A.R. Building is starting to work more nationally now and they are seeing it everywhere. He said his firm is working with four different developers right now and that all of them want to build 16 foot wide units. He said it is something that the younger market really likes. He stated they see it the most in the City.

Mr. Kyle asked if a vacancy in the apartment units at Bright Oaks was driving this change.

Mr. Kambitsis said it is just a differentiation in the market. He said it's not a vacancy issue at all. He said when they like to bring something new on, it is a question of they already have apartment units here so why not add some townhome units to the development as well. He said some people want those types of units and they also like the parking options that go with them. He said what drives it is really people wanting covered parking and people wanting to have internal access.

Mr. Kyle said so it's just to provide a different option.

Mr. Kambitsis said yes, that is really what it comes down to.

Mr. Fitzgerald said there was a conversation at some point about Bright Oaks adding some coverage near the apartment buildings over the existing parking.

Mr. Kambitsis said that yes, they are still doing that.

Mr. Fitzgerald said so there is the covered parking for the apartment.

Ms. Gales said the cover being added is not enclosed.

Mr. Kambitsis added that it was a covered, canopy type parking.

Mr. Kambitsis said that they have communities of townhomes and people really enjoy them and they like having a place to park their car and they sometimes like the feeling of a home. He said that is really what it comes down to. He said at the end of the day, different people like different types of units. He said there is demand for the townhome units within the community.

Ms. Ludwig said if they did look at the 18 foot wide units, how many more or less units could be included on the site if the units were 18 or even 20 foot wide. She asked if they were still able to get the same amount of units with the wider widths.

Mr. Kambitsis said that yes, they did look at that. He said it becomes a question of when you have one unit on each end that is as wide as 23 feet, in this case, 23'4", they can put two cars in it and it starts to make sense. He said in the case of the 18 foot units, they can't fit two cars but they get a bigger unit. He said it really just comes down to design and making it work. He said they did look at that and it wasn't really a yield number but a market number issue.

Mr. Campbell said that a lot of times when they are designing these, when they have a three bedroom is when they really need the 23 feet because of the two units in the back. He said with the 16 feet, they would still end up with spaces that are large enough. He said the one bedroom in the 16 foot wide unit is 11 x 15 right now. He said if you add on another two feet, then you'd end up with a 17 foot wide interior.

Mr. McDermott said following up on Mr. Fitzgerald's and Ms. Ludwig's questions, he asked how many 20 foot units can they put in this footprint, lawfully and without modification?

Mr. Kambitsis said the same amount of units. He said, right now, the end units are 23'4" wide. He said the 23'4" plus the 16 foot wide is 39'4" as it sits right now. He said so if you want to add up the units and the widths of those, they average out to about 20 feet wide, give or take six inches.

Mr. McDermott asked so they are not changing the footprint of the building, it is not longer or shorter or anything? He said so each building footprint is identical under the plan as it would be if it had all 20 foot minimum units.

Mr. Kambitsis said yes, they would essentially be taking up the same space. He said they are not getting more yield or taking any green space.

Mr. McDermott said he knows they are not taking green space, but within the lawfully, buildable space, does the footprint change at all with all 20 foot minimums versus the 16s.

Mr. Kambitsis said it would change by six inches per building.

Mr. Fitzgerald asked if that made sense.

Mr. Cosnek said what he is doing is the two end units wouldn't be 23'4", they would be 20s.

Mr. Kambitsis said it would actually differ by 8 inches then per building.

Mr. Cosnek said the four units in the middle would go from 16 up to 20.

Mr. Fitzgerald said when they measure inside the building it is from outside dimension to outside dimension, so the livable space is minus the drywall, 2x4s, etc.

Mr. Campbell said that usually accounts for about a foot or so. He said for a 16 foot wide building, it would be about 15 feet.

Mr. McDermott said the Township's rule on the 20 foot is an exterior measurement, he believed.

Mr. Fitzgerald said he did not know.

Mr. McDermott said when they say 20 feet, they mean brick to brick.

Mr. Wingrove and Ms. Ludwig both stated that was correct, or at least how they would interpret it.

Mr. McDermott said that regardless, it is a physical measurement.

Mr. Cosnek said the property line would be the center wall dividing the two units, right?

Mr. McDermott said he was simply speaking in terms of the total width of the whole building in which the units are.

Mr. Kyle asked if there was a reason behind the 20 feet and if there was something driving it from an engineering standpoint, other than space, that makes it advantageous. He asked how the Township arrived at the 20 foot.

Mr. Wingrove said from an engineering standpoint, no. He said maybe it came back to density, figuring how many units could be put in to a certain amount of space. He said that would be his best guess.

Mr. Kyle said so there would be nothing inferior about the units in terms of the Township's view related to the construction.

Mr. Wingrove said nothing that comes to mind, no.

Mr. McDermott stated you could build a 20 foot wide identically to a 16 foot wide. He asked if the total number of dwelling units change at all in the new plan with the modification.

Mr. Campbell said no, it did not change. He said they would be doing the same number of units regardless of if the width was 16 feet or 20 feet.

Me. McDermott further asked if this modification yields additional units.

Mr. Kambitsis said no.

Ms. Ludwig said that the plan as submitted has 44 total units whereas the 6th building was going to be 45 units.

Mr. Kambitsis said yes, they are actually losing a unit with the switch from the 6th building to the townhomes.

Mr. Fitzgerald said that they have not lost a unit anywhere, as he has been here through all of their approvals.

Mr. Kambitsis said where they came in before, it was 45 units. He said the revised plan is at 44. He stated they did look at it from that scenario to make sure it did not involve an increase in units.

The Board reviewed the comments of Ms. Ludwig and Mr. Wingrove.

Ms. Ludwig made the following comments:

I have reviewed the application submitted for preliminary subdivision and preliminary residential land development and my comments are as follows:

1. This is an application for preliminary subdivision involving the creation of 10 lots and an application for preliminary residential land development involving the construction of 44 townhomes on 66.6401 acres of land located at 310 North Branch Road in the R-2 Suburban Residential Zoning District and Planned Residential Development (PRD) Overlay Zoning District (Allegheny County Lot and Block #s 587-E-8 and 9929-X-81018).
2. The applicant has concurrently applied for a revision to the PRD for Bright Oaks. The outcome of that application is still pending the submission of a complete application, discussions at Planning Commission, and the required public hearing.
3. There are some issues with the subdivision and land development plans as submitted. One issue is in regard to the landscaping requirements outlined in Section 207.1.D. of the Zoning Ordinance, Chapter 27 of the Township's Code of Ordinances, Ordinance No. 418, which requires one tree to be planted for each dwelling unit. A total of 44 trees are required but only 31 are provided. The applicant should revise the plans to show the correct number of trees.
4. The townhome building width issue will be discussed at the PRD level. The applicant has requested a modification of Sections 205.3 and 607.2.D. of the Zoning Ordinance which requires a 20 foot minimum building width for townhomes. The applicant's plans propose 16 foot wide townhome buildings.
5. A copy of the application and plans was forwarded to the Planning Division of the Allegheny County Department of Economic Development (ACDED) for their review and comment. No comments have been received to date from ACDED.
6. Refer to any comments from the Township Engineer per LSSE's review letter dated November 9, 2015. There are still several outstanding issues to be addressed related to stormwater

management. In addition, there is an issue with the proposed cartways being consistent with the Township's Construction Standards.

7. Refer to any comments from the Township Solicitor.
8. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the preliminary subdivision and land development application filed by Bright Oaks LP for Phase 3 is incomplete, pending discussion and resolution of the items noted in this letter and LSSE's review letter dated November 9, 2015. At this time, it is my recommendation that the Planning Commission reject the application as administratively incomplete. The applicant can reapply for December's meeting.

Mr. Wingrove made the following comments:

We have completed our review of the above referenced Tentative Planned Residential Development, dated October 1, 2015, prepared by J.R. Gales & Associates, Inc., as received by our office October 26, 2015. The current submission proposes construction 44 townhouse units located in 8 apartment buildings and an associated access road and parking areas. The property is located along the northern side of North Branch Road, and is Zoned R-2 – Suburban Residential District, and is within the PRD – Planned Residential Development Overlay District.

The following listing presents items identified during our initial review that do not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22):

Zoning

1. The Ordinance requires one deciduous tree be planted for each dwelling unit. (Section 207.1.D) **Status: 44 trees are required, however, only 31 have been provided.**

Land Development

1. The Ordinance requires a Completion Bond in the amount of 110% of the cost of the required improvements. (Section 208.) **Status: An itemized quantity takeoff and unit price cost estimate has not been provided for review. The cost estimate will aid in the determination of the required bond amount.**
2. The Ordinance requires a Development Agreement be executed with the Township. (Section 209.) **Status: The Developer should contact the Township Solicitor to initiate the preparation of the Development Agreement.**
3. The Ordinance requires the layout of lots showing scaled dimension, lot number and areas for each lot be provided. (Section 302.G.) **Status: The overall site plan shows only the PRD perimeter lot line. Provide a plan showing property lines and parcel**

information for each lot within the PRD. A complete subdivision plan should be submitted to subdivide the parcels as shown on the Tentative PRD plan set.

4. The Ordinance requires all proposed streets whether or not offered for dedication be constructed to conform with the design standards of the Township's Construction Standard Details. (Sections 504.Q and 314). **Status: The Township's Typical Pavement Section detail has been provided on Sheet 13 which shows the cartway width to be a minimum 12 feet wide; however the plans only propose an 11 foot wide cartway.**
5. The Ordinance requires plans and profiles of each street in the plan. (Section 316.B.) **Status: A profile of the proposed access drive has not been provided.**

Stormwater Management

1. The Ordinance requires a list of approvals/permits relative to stormwater management that will be required from other governmental agencies and anticipated dates of submission/receipt. (Section 402.B.(17)). **Status: The applicant should indicate status of required permits for installation of the twin 60" pipes, and provide documentation of permit issuance upon receipt.**
2. The Ordinance requires all calculations, assumptions and criteria used in the design of the storm sewer system including hydraulic and energy gradelines. (Section 402.C.(1)). **Status: The Stormwater Management Report has been prepared for the previous proposed Phase 3 with 44 units located within one structure. Provide revised calculations demonstrating no increase in post-development rate of runoff based on the current proposed townhouse layout.**
3. The Ordinance requires all plans and profiles of proposed storm sewer and open channels. Swales and channels must provide 1 foot of freeboard above the energy gradeline. (Section 402.C.(2).) **Status: Calculations or details have not been provided for the proposed diversion channel.**
4. The Ordinance requires all information relative to the design and operation of emergency spillways. (Section 402.C.(9).) **Status: Provide calculations confirming the emergency spillway in existing Detention Pond 2 can adequately convey the new unattenuated 100-yr flow with 2-feet of freeboard, per the Township Standard Details.**
5. The Ordinance requires the 1-, 2-, 5-, 10-, 25- 50- and 100-year design storm frequencies be used for analysis of runoff. (Sections 502.B.(1).) **Status: Analysis of the 1- and 50-year design storms has not been submitted. Also, the rainfall depths used in the report do not match those required by Ordinance.**
6. The Ordinance requires post-construction stormwater management be addressed. (Section 804.1.) **Status: The Stormwater Management Report has been prepared for the previous proposed Phase 3 with 44 units located within one structure. Provide revised calculations based on the current proposed townhouses. Additionally, the report addresses the peak rate of runoff only. Provide documentation that the development**

complies with the DEP requirements for water quality and water quantity. The DEP worksheets provided identify wet capacity in the existing detention pond to be used to address the required water volume reduction. This capacity is also used in the routing calculations for rate control. The same BMP capacity cannot be used to address both rate and volume controls.

The plans have been reviewed for conformance to the Township Ordinance standards only. The review is based on surveys and drawings prepared by others and assume this information is correct and valid as submitted. Independent confirmation of adequacy or applicability of surveys, design data or procedures has not been provided.

The plan, as submitted, does not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22). Additional comments may be made and we reserve the right to comment further pending submission of revised plans.

A detailed written response to each comment identified in this letter along with revised plans for review is required.

Mr. Cosnek asked if Ms. Ludwig wanted to go through her review letter.

Ms. Ludwig said she did want to go through her letter. She said for purposes of the discussion this evening it seemed like the PRD revision application and the preliminary Phase 3 application were really combined into one larger discussion. She said that she did a separate review letter for each one, both of which are dated November 16, 2015.

Ms. Ludwig said that some of her comments included the building width modification request, which has been discussed at length already. She said she would touch base with Sean Brady of the Hollow Oak Land Trust. She said she saw Mr. Brady a couple of weeks ago at a meeting and he said he was still working through the due diligence on their end in terms of paperwork and everything before they can move forward. She said she knew Mr. Brady had given Mr. Kambitsis a draft conservation easement agreement for review.

Mr. Kambitsis said Mr. Brady received approval from his Board in July to move forward.

Ms. Ludwig said she was hopeful that the conservation easement would get finalized in the very near future.

Ms. Ludwig also said she would like to see something on Stonebridge HOA letterhead confirming what was stated in Mr. Sabo's email, that they are okay with the switch to townhomes so long as the conservation easement is finalized.

Ms. Ludwig said she had not received any comments yet from Allegheny County's Planning Division. She said perhaps by next month's meeting something may come in.

Ms. Ludwig said her last comment was about the 30 foot separation requirement. She asked Ms. Gales to talk about it.

Ms. Gales said they can make the 30 foot requirement work and still get the same amount of units. She said they took a look at that with the dimensions of how these units are and it is basically the same.

Mr. Kambitsis said the 30 feet is the dimension between the buildings.

Mr. Cosnek said so the nearest point on any two buildings would be 30 feet.

Ms. Gales said yes.

Ms. Ludwig asked how much area was shown in between the buildings now.

Ms. Gales said 20 feet, but she did prepare a revision to the plan with the required 30 feet in between the buildings. She said it required a little reconfiguration, just sliding the parking around and switching some spaces around, but it can work at the required 30 feet.

Ms. Ludwig asked if the one building that was encroaching on the bufferyard was addressed.

Ms. Gales said they can move it so that it doesn't encroach.

Ms. Ludwig said okay. They will need to move it as that could potentially disturb existing vegetation that is supposed to be the bufferyard for the development. She said the Township will want to make sure that that is maintained or replanted. She said the Township's preference would be if the trees are older, more mature trees, that the trees remain as is and are not disturbed.

Mr. Cosnek asked Mr. Wingrove if he had any additional comments.

Mr. Wingrove asked if it was okay to combine LSSE's two letters. He said everything in LSSE's PRD letter had been discussed already, including the narrower widths of the units and the spacing between the buildings.

Mr. Wingrove said in relation to the final land development comments for Phase 3, more trees need to be planted on site to meet the dwelling unit count. He said he assumed that should not be an issue as there is plenty of space and he doubts A.R. would have any issue planting more trees.

Mr. Wingrove said in regard to the stormwater plan, LSSE needs to see some added calculations as they are planning to use the existing basin there. He said LSSE just needs to make sure that everything still works with the new configuration, i.e. with the new townhouses, the new road layout and that kind of stuff, that it all still works and comes together as it should. He said they want to make sure everything is accounted for and make sure it all ties together and that it works. He said other than that, he did not think there was anything else significant unless the Commission members had questions.

Mr. Fitzgerald asked if they could review the calculations for what the new greenspace number will actually be, since a lot of the development has been sold on the amount of greenspace that would be maintained.

Mr. Wingrove said he did not have the plans in front of him, but, to his recollection he thought they were maintaining the same amount of greenspace as was proposed with the 6th apartment building. He said he could double check though.

Mr. McDermott said when they are talking about greenspace, are they referring to the dedicated open space?

Ms. Gales said yes.

Mr. Wingrove said the greenspace would need to comply with the PRD requirements.

Mr. Kyle asked if the change to the 30 foot spacing between the units will affect the amount of greenspace at all.

Ms. Ludwig said what confuses her is that the amount of greenspace noted on the plans went up with the townhomes when compared to the plans with the 6th apartment building. She said the written decision from earlier this year for the 6th building, it was 34.9877 acres of preserved open space.

Ms. Gales asked if Ms. Ludwig said 39.

Ms. Ludwig said no, 34, unless that is or was a typo at some point.

Ms. Gales said she would check that. She said she thinks in the earlier submissions they were going to dedicate some of it to PennDOT but then PennDOT did not want it.

Ms. Ludwig said it is now noted as 40 acres of open space on the plans submitted for the townhomes. She said it's actually gone up then if that number is correct. She said it is shown as 40.2537 acres of open space.

Ms. Gales said she would check that number for the open space. She noted they are well over the required 40% though.

Ms. Ludwig said she was just trying to figure out why that number went up. She said so long as it does not decrease from the 34.9877 acres promised as part of the approval from earlier this year, it was not an issue. She said that number can certainly go up but cannot come down. She said for purposes of the conservation easement as well, they need to get a handle on what the final open space number is.

Mr. Kyle asked if they were committed to the 30 foot spacing now or if it was still open to discussion.

Mr. Fitzgerald said they said they were going to meet the regulation.

Mr. McDermott asked if they are going to meet the regulation and if so, then they will not be requesting a modification on the building separation.

Ms. Gales said that was correct.

Ms. Gales also noted that the open space that is required is 26.65 acres.

Mr. McDermott asked if that was 26.65 acres required for just this phase or in the total plan.

Ms. Gales said for the total plan.

Mr. McDermott said that under the previous decision, it is what it is.

Mr. Kambitsis said it was either 35 or 39 acres.

Mr. McDermott said they don't get to bring the rule book out and do new calculations. He said this is a previously approved planned and it was approved with that amount of open space and there is an obligation to dedicate that same amount of open space.

Ms. Gales asked if it was at 40%.

Mr. McDermott said that whatever it is, it is stated in terms of acreage and it's actually on the plan.

Mr. Fitzgerald asked if they could review that and make sure they are still compliant.

Ms. Ludwig clarified that 40% is what is required. She said the open space acreage from the decision earlier this year was 34.9877 acres of open space.

Mr. Wingrove said there is one other thing that will need to be sorted out. He said although the roadway connecting all the units is private, the way the ordinance is written, all public and private roads need to conform to the Township's standards. He said he thinks they are a foot too narrow on the plans submitted.

Ms. Gales said they changed that in the revised version of the plans.

Mr. Wingrove said ok. He just wanted to make sure they did not need to request a waiver.

Ms. Gales said no waiver would be needed.

Mr. Cosnek said in Mr. Wingrove's letter there were a number of things, just going through it, things that needed to be taken care of. He asked if they had been taken care of.

Mr. Wingrove said no, he has not received a resubmission to date yet from the applicant.

Ms. Gales said the stormwater has been revised and that the items have been addressed. She said they have not yet made a formal resubmittal though.

Mr. McDermott said that based on the review letters, both applications are administratively incomplete.

Ms. Ludwig said yes, technically.

Mr. McDermott said on another technical matter that in condition K of the approval from April 2015, the applicant is not allowed to file an application for final approval of Phase 3, nor shall any approval be acted upon nor should any permit be issued for any work etc. on the 6th building tentatively approved, unless and until suitable arrangements for the final disposition and future ownership, conservancy, and maintenance responsibility of the foregoing Open Space consistent with the decision have been made to the satisfaction of the Township. He said depending on the interpretation of that, one might argue that they cannot even file the revised tentative approval application. He said if one took a more liberal or flexible interpretation that they are not precluded of filing an application seeking the revision of the master plan, the revised tentative approval. He said but technically, as well as for other reasons, the application is administratively incomplete. He said the Township cannot and will not consider the application for Phase 3, in whatever form it may be, whether apartment building or townhomes, until the open space has been lawfully transferred.

Ms. Gales said she thought that was for final approval only.

Mr. McDermott said they had an application for final approval in front of them today.

Ms. Gales said no, they have only applied for tentative.

Mr. McDermott said he thought there was a Phase 3 application as well as the revised tentative approval application. He said he has comment letters on the revised tentative as well as Phase 3.

Ms. Ludwig said she thought the applicant was submitted for both.

Ms. Gales said no.

Ms. Ludwig said ok. She was confused because she has two applications in her file.

Mr. McDermott asked to confirm so they only filed for revised tentative approval.

Ms. Gales said that was correct. She said they have a complete set of plans.

Mr. McDermott said for efficiency's sake, the Commission was just reviewing the nuts and bolts of everything. He said just so everyone knows, and in actuality, technically the Township will not accept the final application unless the Board changes its decision from April. He said the Township is constrained not to accept as complete an application for Phase 3, the actual Phase 3, until that land is conserved.

Mr. Fitzgerald agreed and said he would really like to see that happen as that was supposed to happen two times ago and it never did. He said he has asked representatives to say they were never going to come in again and say they wanted to use some of the land for some more buildings. He said it was always "No, we're not going to do that." He said that has not been the case here. He said with that being said, he stands behind the Township and believes the conservation of the open space needs to be taken care of. He said it should be a priority of Bright Oaks moving forward. He said that is not including whatever the Township decides on the 16 foot widths of the buildings, depending on what they agree to in the end. He said it's been overlooked before and he doesn't want the same mistake to happen again.

Ms. Gales said that is really not the decision nor how it is written. She said she thought it meant that they could not get final approval but could move forward with tentative approval for the actual Phase 3.

Mr. McDermott said at that time there was no vision that there was going to be an application to change the approval that was just granted in April. He said in April, the decision was for whether or not they could put a 6th building up and ask for revised tentative approval to do it. He said the tentative approval for the PRD is the master plan and then the actual land development plan is the final approval. He said it was envisioned in the spirit of that, that the K item was because of the concerns of the Commission and of the Board that they wanted that buttoned down. He said the reason they wanted it buttoned down and the way they buttoned it down was to say they would never accept an application on the 6th building until K was satisfied.

Ms. Gales said they never submitted for final approval of the 6th building.

Mr. McDermott said that's why he said maybe there is some sort of gap in item K and they can go back and do another revised approval. He said but the intent of that was no more approvals until the conservation easement is taken care of. He did say the more liberal interpretation might say there is nothing in item K that says they can't come in and revise the tentative and start what happened in April all over again, which is what they are doing now. He said if they are all on the same page and of the understanding that there has been no application for final approval of Phase 3 filed, then they are okay.

Ms. Gales said there has been no application for final approval of Phase 3 yet.

Mr. McDermott said he was just saying that they cannot accept an application or final approval of Phase 3 until the open space is taken care of.

Ms. Gales said there was no final application filed in April. She said they did get the tentative approval with that contingency but that they never filed for final approval.

Ms. Ludwig said they did submit for final earlier this year but then they withdrew the application before it got to the Commission when the idea of the townhomes surfaced.

Mr. Kyle said he wanted to clarify if item 2 on the agenda was then off the table.

Mr. McDermott said yes, there is apparently no item 2 that has been filed with the Township.

Ms. Ludwig said she is now confused because she has an application for Phase 3 in her files from what was submitted by the applicant. She said she thought they were applying for preliminary for Bright Oaks Phase 3 as well as the revision to the PRD. She said she has two applications in the file.

Mr. McDermott said there is no such thing as a preliminary in the PRD.

Ms. Ludwig said Ms. Gales submitted the application for preliminary approval for Phase 3 but not PRD revision application and that she had to ask Ms. Gales post-submittal to fill out the PRD application. She said she was clear with the applicant at that point that they needed to file and go

through the PRD revision process before they could do anything with Phase 3. She said they submitted the Phase 3 application originally which is marked as a preliminary application for a 5-10 lot subdivision.

Ms. Gales said she did submit the subdivision but that must have been her confusion then. She said she submitted the subdivision to ensure the Township that Bright Oaks was moving forward and working on the open space issue. She said they have the subdivision prepared and ready for the Land Trust to take it. She said that could be recorded and done. She said in good faith for her client she wanted to submit that as part of the PRD revision. She said the construction drawings may have caused the confusion,

Mr. McDermott asked why they needed to subdivide the open space.

Ms. Gales said Phase 3 needs to be cut out.

Mr. Fitzgerald said the development has changed so much over the years.

Mr. McDermott said he understood that but that it has not changed from April until now. He said the open space shouldn't have changed. He said the open space is a parcel within the parcels.

Ms. Gales said that was correct.

Mr. McDermott asked if the open space had its own parcel ID number and if he could look it up on the County website.

Ms. Gales said no, because Phase 3 was never recorded.

Mr. Fitzgerald said the size of the parcels hadn't changed but they are working off of percentages. He said if they're saying it still meets the minimum in terms of percentage that is one thing. He said he thinks it needs to be tightened up in terms of what is the correct amount of open space that is to be conserved.

Ms. Gales said they submitted the subdivision but the overall plans that were submitted were for amended tentative approval.

Mr. McDermott said that was fine and that was the only thing before the Commission.

Ms. Gales said the only reasons she included the subdivision plan was because she knows that has been a concern of the Township's. She said she wanted to get a jump on it but that it was not her intent to come to meeting to get Phase 3 final approval.

Mr. McDermott said as a legal matter the final application will not be considered to have been filed until the tentative PRD revision is approved. He said in this case the Township has said please don't even file an application until the tentative is wrapped up. He said they can proceed with the application seeking revised tentative approval without being inconsistent with K. He said they may not file the actual application for final approval though. He said suppose they apply and the Board recommends the revised plan with the townhomes be approved, even if it is approved, he assumes that same condition K will carry over to the new decision. He said there cannot be

another application, even taken to a clerk's desk, until the land for the conservation easement has been transferred.

Mr. Fitzgerald said so whether they make any motion or deem it incomplete, it is basically irrelevant so they should just deem it incomplete.

Mr. McDermott said no. He said they are under the common understanding that if the only application presently before them is the application seeking revised PRD tentative approval, then they can do that without straying from condition K and the Planning Commission can approve or disapprove it. He said regardless of whether or not they approve it, they cannot file an application for Phase 3 as an apartment building or as townhomes unless and until whatever the open space ends up being is transferred.

Ms. Gales said she understood and could see where the confusion was coming from.

Ms. Ludwig said since the application was numbered and was on the agenda as an agenda item, she recommended that the applicant withdraw the application related to Phase 3. She asked that an email be submitted tomorrow to that effect.

Mr. Cosnek said that was application 2015-25.

Ms. Ludwig said that was correct application number.

Mr. McDermott asked if that application was intended to be the final Phase 3 application.

Ms. Gales said it was not.

Mr. McDermott said it was intended to carve out a mini subdivision to carve out the open space so it could be deeded away.

Ms. Gales said yes. She said that has to really be done before they can come back for final approval.

Mr. McDermott asked if Ms. Gales was also saying if the final shape and form of the open space parcel won't be exactly known until the tentative revised approval is finalized.

Ms. Gales said no, that it would not change.

Mr. McDermott said asked if subject to the Township confirming the accuracy and adequacy of the acreage in the open space, Bright Oaks is in a position to proceed with the application that would officially carve out that open space.

Ms. Gales said that was correct.

Mr. McDermott said then the Township would accept an application with the purpose to subdivide out the open space for the purpose of transferring the open space.

Mr. Kyle asked if that was what Application 2015-25 is.

Ms. Gales said yes, so long as they were only looking at the subdivision plan and not the construction drawings for Phase 3. She said it is confusing but that subdivision has to be recorded.

Mr. McDermott suggested the Commission consider Application 2015-25 to have been withdrawn and for Bright Oaks to submit a pure subdivision application to carve out the open space.

Ms. Gales said ok, just with the subdivision.

Mr. Kyle said that would get them to where they need to go to get to the next step.

Mr. McDermott said frankly the Township is letting them front load it. He said as it is now they have to submit and go through the revised PRD and then they have to file a subdivision to carve out the open space and then they have to deed the open space and then submit a formal application. He said he didn't think the Township would have a problem with them preloading the subdivision whose very purpose is carrying out what we want them to do.

Ms. Gales said that was her intent.

Mr. Cosnek said so Application 2015-25 is being withdrawn, and no action needs to be taken.

Mr. McDermott said the legal opinion is that they are allowed to proceed under their previous decision with their attempt to revise the tentative PRD but the only other application the Township will accept besides that is the application to subdivide out the open space, because of K.

Mr. Kyle asked if they were going to take action on or discuss Application 2015-26 tonight.

Mr. Kambitsis asked if he could add something to that. He said under Application 2015-26, it says 195 apartment units but it is actually 199 units. He said there is one 39 unit building and four 40 unit buildings. He said they were approved for 200 units. He said he just wanted to make sure that it had the correct amount based on what was there.

Ms. Ludwig said ok, she would note that correction.

Mr. Kambitsis asked if it could state 200 apartment units as they were ultimately approved for a maximum of 245 units on site.

Ms. Ludwig said yes, she would make that change.

Ms. Gales said when they calculate the subdivision they can give Mr. Wingrove that analysis so he can double check the acreage for the open space.

Mr. Cosnek said okay and they could now move on to the next item.

Note: Application 2015-25 was withdrawn.

3. Application 2015-26 PRD – Bright Oaks Revised PRD Tentative Approval (3rd Revision)
– Application for revised tentative approval of a Planned Residential Development (PRD) on 66.6401 acres of land to consist of 200 apartment units and 44 townhome units located in 5 apartment buildings, 44 townhomes, a clubhouse, and 40.2537 acres of preserved open space along North Branch Road in a R-2 Suburban Residential/ PRD Overlay Zoning District.

Mr. Cosnek said that open space number is still generic and still needs to be confirmed.

Ms. Ludwig said that the 40.2537 is what is shown and noted on the most recent set of plans that were submitted.

Mr. Kambitsis said he just wanted to note again that the application summary should state 200 apartment units and not 199 or 195. He also said they can put up to 45 additional units on the site, it is not limited to 44 even though that is what the plan calls for now.

Ms. Gales noted that Mr. Kambitsis is referring more to what was previously approved as opposed to what has been built.

Mr. Fitzgerald asked if the 199 should change to 200.

Mr. Kambitsis said yes.

Ms. Gales said the 200 was what was previously approved.

Ms. Ludwig said that was noted and she would make the change in the file and on future agendas that 200 apartment units were approved along with up to 45 townhome units.

Mr. Fitzgerald asked how many townhomes they were going to build.

Mr. Kambitsis said 44 townhomes.

Ms. Ludwig said Mr. Kambitsis is quoting the numbers from their approval from April 28, 2015 and not the present application.

The Board reviewed the comments of Ms. Ludwig and Mr. Wingrove.

Ms. Ludwig's review comments were as follows:

I have reviewed the application submitted for revised tentative PRD approval and my comments are as follows:

1. This is an application for a revised tentative approval of a Planned Residential Development (PRD) on 66.6401 acres of land to consist of 195 apartment units and 44 townhome units located in 5 apartment buildings, 44 townhomes, a clubhouse, and 40.2537 acres of preserved open space along North Branch Road / Old Mill Road (the Bright Oaks apartment community) in an R-2 Suburban Residential/ PRD Overlay Zoning District.

2. Please note that this is the second revision to the overall approved Tentative PRD for Bright Oaks. Bright Oaks' original approval was for a total of five (5) buildings and 200 units in 2011. A revision to the Bright Oaks PRD was approved by the Township Board of Supervisors on April 28, 2015 for a final 6th building that was to consist of a maximum of 45 total units, bringing the total number of units in the Bright Oaks community to 245 units. A copy of the April 28, 2015 written decision from the Board is enclosed with this letter.
3. The original PRD approval from December 11, 2007 limited the total number of units to be constructed at 270.
4. The applicant has requested one modification of part of the revision to the PRD. The modification requested concerns the minimum building width for the townhomes. Section 205.3 and 607.2.D. of the Township's Zoning Ordinance, Chapter 27 of the Township's Code of Ordinances, Ordinance No. 418, requires a minimum 20 foot width for townhomes. The applicant has submitted a modification request to have a minimum width of 16 feet. It is my recommendation that the building width be discussed in more detail at the meeting. The reason stated in the application for this modification request is that the applicant has found there is a demand for townhouse rentals of this size and the smaller units are more marketable and successful.
5. In regard to the proposed open space and conservation areas, the last time I spoke with Sean Brady of the Hollow Oak Land Trust, he still had some work to do on his end but it seemed as if the conservation easement agreement between Bright Oaks and Hollow Oak was moving forward. We should ask Bright Oaks for an update on the status of this agreement at the meeting. Before moving forward and approving another revision to the PRD, this is something that the Township would like to see executed prior to the granting of any additional revisions.
6. It is my understanding that the applicant has reached out to the Stonebridge Homeowner's Association seeking their input and consensus in support of this latest revision. I would like to see something in writing, preferably on Stonebridge HOA letterhead, noting they support the change from the previously approved building #6 to 44 townhome units.
7. In addition to the discussion on the building width for the townhomes, there are some other issues with the overall design and layout of the townhome buildings. The plans submitted show one of the townhome buildings, Building No. 7, encroaching into the required building setback. In addition, the bufferyard around that building is affected by some proposed grading work. We will need to see a plan showing what will be planted where any of the existing buffers will be disturbed.
8. A copy of the application and plans was forwarded to the Planning Division of the Allegheny County Department of Economic Development (ACDED) for their review and comment. No comments have been received to date from ACDED.
9. Refer to any comments from the Township Engineer per LSSE's review letter dated November 9, 2015.
10. Refer to any comments from the Township Solicitor.

11. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the revised tentative PRD application filed by Bright Oaks LP is incomplete, pending discussion and resolution of the items noted in this letter and LSSE's review letter dated November 9, 2015. At this time, it is my recommendation that the Planning Commission reject the application as administratively incomplete. The applicant can reapply for December's meeting.

Mr. Wingrove made the following comments:

We have completed our review of the above referenced Tentative Planned Residential Development, dated October 1, 2015, prepared by J.R. Gales & Associates, Inc., as received by our office October 26, 2015. The application proposes revision to a previously approved planned residential development. The approved planned residential development proposed 240 dwelling units, a recreation building and pool. The current submission proposes construction 44 townhouse units located in 8 apartment buildings, in place of the single 45 unit apartment building approved for Phase 3, and an associated access road and parking areas. The property is located along the northern side of North Branch Road, and is Zoned R-2 – Suburban Residential District, and is within the PRD – Planned Residential Development Overlay District.

The following listing presents items identified during our initial review that do not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22):

Zoning

1. The Ordinance requires a 35-foot maximum building height. (Section 205.3. and 607.2.D) **Status: A modification was granted in the previous PRD approval to allow a structure height of 48'. The maximum height of the proposed structures should be shown on the elevation drawings.**
2. The Ordinance requires a minimum 20 foot width for townhouses. (Section 205.3 and 607.2.D.) **Status: The plans propose for 16 foot wide townhouses. The applicant has requested a modification of this requirement.**
3. The Ordinance requires the ownership of the common open spaces be identified along with proposed covenants, easements, rights of way and other restrictions applicable to the common open space for the development. (Sections 607.4.D., and 607.10.D.(4).) **Status: The owner of the open space and conservation easement should be identified on the plan. The Developer should contact the Township regarding the future ownership on the Conservation Easement Area.**
4. The Ordinance requires the perimeter of the PRD be screened at a minimum by Bufferyard B. (Section 607.8.B.) **Status: The landscape plan indicates that existing vegetation is to be used as the required bufferyard, however, the plan proposes grading in the bufferyard area near Building 7. Indicate specific plantings to be installed in the disturbed areas of the bufferyard.**

5. The Ordinance requires structures on the perimeter must be set back at least 30 feet from the rear lot line and neighboring to protect their privacy and amenity. (Section 607.8.A.) **Status: Building 7 is located within 30 feet of the eastern lot line.**
6. The Ordinance requires the minimum distance between the nearest points on any exterior building walls shall be not less than 30 feet. (Section 607.9.B.) **Status: Proposed building 1-6 do not meet this requirement**
7. The Ordinance requires copies of the proposed covenants, easements, rights of way, and other restrictions applicable to the common open space for the development. (Section 607.10.D.(14).) **Status: Not provided.**

General Comment

1. The Ordinance requires the plans must meet all of the requirements outlined in the Subdivision and Land Development Ordinance and Stormwater Management Ordinance (Section 607.10.D.(1) and Section 607.10.D.(6)) **Status: Refer to comments issued under separate cover for the Final Land Development plans for conformance with the SALDO and Stormwater Management Ordinance.**

The plans have been reviewed for conformance to the Township Ordinance standards only. The review is based on surveys and drawings prepared by others and assume this information is correct and valid as submitted. Independent confirmation of adequacy or applicability of surveys, design data or procedures has not been provided.

The plan, as submitted, does not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), for tentative Planned Residential Developments. Additional comments may be made and we reserve the right to comment further pending submission of revised plans. Please note that all requirements for preliminary and final land development must be met for Phase 3.

A detailed written response to each comment identified in this letter along with revised plans for review is required.

Mr. Cosnek asked if there was anything else to discuss on the application.

Ms. Ludwig said she thinks they already hashed everything out during the previous discussion. She said her preference this evening would be that the applicant resubmit a revised set of plans showing what changes they've made and the Township and LSSE can review that. She said the Commission could reject as administratively incomplete tonight. She said the applicant could resubmit and come back next month so that LSSE can review the revised plans and get an updated review letter out and at that point it should be closer to where it needs to be. She said they could tie all of the numbers up and make sure there are no questions. She said the Commission would have to assess their comfortability level with the 16 foot units.

Mr. Fitzgerald said that he thinks the Township should do a little bit of research on the building width. He said he knows in some areas of the Township with building standards years ago that in some instances could have been narrower than 20 feet. He also said to maybe look into some of

the history as to when it changed and what the thinking was behind it. He said he knows there are television shows now where people are building and looking for these tiny homes. He said if the Township is going to allow the 16 foot modification it is going to set a precedent for other people to come in and use so they should probably figure out whether they are comfortable with it or not before the Township moves forward.

Mr. Cosnek said the applicant did mention the other places where similar types of units were built.

Mr. Kambitsis said yes, Springhouse in Bridgeville, actually South Fayette Township. He said the units at Spring House are 15 feet wide.

Mr. Fitzgerald asked where that was located exactly.

Mr. Kambitsis said he did not have the address with him but it could be found on A.R.'s website which is www.arbuilding.com.

Mr. McDermott said he did a quick search on google for Springhouse in Bridgeville and got a hit on it.

Mr. Kyle asked what the occupancy rate of the Springhouse community was.

Mr. Kambitsis said he did not have the exact rate with him today but they are occupied all the time. He said it is probably fully occupied.

Mr. Cosnek said Mr. Kambitsis said there were some over Findlay.

Ms. Gales asked if the Hawthorne development Mr. Kambitsis referred to earlier is the one in North Fayette and if they were 15 foot wide.

Mr. Kyle said no, not North Fayette's Hawthorne.

Mr. Kambitsis said the Hawthorne with the 15 foot wide units is out near Murrysville. He also mentioned Clinton Lake in Finday Township.

Mr. Fitzgerald said that Clinton Lake does not have the smaller units though.

Mr. Kambitsis said that was correct, they are not as narrow as the requested 16 foot width.

Ms. Gales noted that the Clinton Lake units, while wider are not nearly as deep as the townhome units proposed at Bright Oaks.

Mr. Campbell said the overall square footage between Bright Oaks' proposed townhomes and the ones at Clinton Lake are probably pretty comparable.

Mr. Fitzgerald asked what the largest square footage that Bright Oaks offers in their apartment buildings.

Mr. Campbell said it is roughly 1,050 square feet in the apartment building.

Mr. Fitzgerald said the townhomes proposed are roughly 1,300 square feet.

Mr. Kambitsis said that was correct.

Mr. McDermott asked what the square footage is on the 23 foot wide units.

Mr. Kambitsis said the livable space is about 1,680 square feet in the wider units.

Mr. Fitzgerald asked what kind of rent do they plan to get for the townhome units.

Mr. Kambitsis said the ones in Bridgeville are about \$1,000-\$1,100 per month. He said that is an older product too. He said here at Bright Oaks they hope to get around that same number or even a little higher.

Mr. Kyle asked if that was comparable to the rent on the apartments.

Mr. Kambitsis said it is a little bit more.

Mr. Fitzgerald asked what the apartments go for.

Mr. Kambitsis said \$900 to start.

Mr. Fitzgerald asked what do the bigger apartment units go for.

Mr. Kambitsis said about \$1,250.

Mr. Fitzgerald said so the townhomes will fall in the middle then.

Mr. Kambitsis said yes, the 16 foot ones would. He said certain people want an elevated apartment building and certain people want a townhouse and they are just trying to provide that other option here.

Mr. Cosnek asked if there were any further comments or questions. Hearing none, he asked for a motion on the application.

A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. CHUCK KYLE, AND CARRIED, TO REJECT THE BRIGHT OAKS REVISED TENTATIVE PRD APPLICATION AS ADMINISTRATIVELY INCOMPLETE.

ROLL CALL:	BILL FITZGERALD	YES
	FRED LUTZ	YES
	CHUCK KYLE	YES
	DAVE COSNEK	YES

Ms. Ludwig noted that the applicant should resubmit their revised set of plans by December 1st to get on the agenda for the December 15th Planning Commission meeting.

COMMENTS:

Mr. Cosnek asked if anyone had any questions or comments about anything.

There were none.

ADJOURNMENT:

A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. BILL FITZGERALD AND CARRIED, TO ADJOURN THE MEETING AT 8:35 PM.

Respectfully submitted,

Laura Ludwig
Community Development Director
Secretary of the Planning Commission