

MUNICIPALITY OF MONROEVILLE

PLANNING COMMISSION

MAY 15, 2024

MINUTES

The meeting was called to order by Chairman Leonard Bertoni at 7:36 p.m.

PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

The Pledge of Allegiance was recited and a moment of silence was observed.

ROLL CALL

The Recording Secretary, Sharon McIndoe, called roll and the following were present: Leonard Bertoni, Bruce Walker, Ronald Massung, P. Lorraine Lewis-Burke, Paul Whealdon and Darren Meyer. Mrs. Lawrence, Mr. Segelson and Mr. Lionelli were absent.

APPROVAL OF MINUTES

There being no corrections, additions or deletions to the minutes of March 20, 2024, a motion was duly made by Mr. Massung to approve them, as submitted and Mr. Walker seconded it. Upon a voice vote, the motion carried unanimously.

The agenda was amended to allow the new business to be considered prior to the old business.

NEW BUSINESS

SUBDIVISION 24-3-SUB

JOHN SILVESTRI

The applicant is requesting Preliminary and Final Subdivision approval to subdivide Tax Parcels 638-F-74 into two lots. Lot 1 with a total area of 0.676 acres and Lot 2 with a total area of 0.958 acres, in the R-2, Single/Multi-Family Residential Zoning District. The property is located 3668 Northern Pike.

Mr. John Silvestri, applicant, came forward to explain the request. He reported this is to subdivide Lot No. 1 to build a ranch home away from the rest of the property. He stated the small shed would be removed and the other buildings would remain until they decide what to do with them. He reported the property was rated commercial when he went before the zoning hearing board by the assessors but he converted it from commercial to residential.

After a brief discussion, a motion was duly made by Mrs. Lewis-Burke to approve Application No. 24-3-SUB and Mr. Walker seconded it. Upon a voice vote, the motion carried unanimously.

CONDITIONAL USE 24-1-C

ENTERPRISE RENT-A-CAR

The applicant is requesting Conditional Use approval pursuant to Article V, Section 503.KKKK, Vehicle Leasing/Rental or Sales of the Monroeville Zoning Ordinance, No. 2779 to establish a vehicle

rental business. The property is located at 120 Mall Boulevard and know as Tax Parcel ID 639-C-120 in the BLVD, Boulevard Zoning District.

Ms. Catherine White came forward representing Enterprise Rent-A-Car. She explained the property being considered is the Don Pablo portion which is part of the larger parcel. She reported they have been located in Monroeville for 35 years and she managed the first location in Monroeville. She stated they have outgrown their current location at the Jonnet Building and wanted to stay in Monroeville. She reported this proposed location is large enough to allow them to grow and it has 94 designated parking spaces. She explained they use lots as metrics and formulas to determine what they need for parking for idle fleet, rented fleet, and how often cars return which currently is 55 cars. She pointed out relocating to a facility with additional parking allows them to continue to grow and not infringe on the neighbors would be a win for them. She reported this company is unique in that it cannot be taken to senior leadership until they have the use approval for the property. She stated they are in the early stages of the project and the lease has not been executed and they cannot move forward without the use approval.

Mr. Bertoni inquired whether the sole purpose is to just lease the vehicles and Ms. White answered it will strictly be rentals and cleaning of vehicles. She added they do no maintenance on site other than refilling wiper fluid and they have another location in Monroeville to do mechanical work.

Mrs. Janice Olschewlsky, resident, inquired whether it would only be leasing and Ms. White answered it would be car rentals only.

There being no further discussion, Mr. Massung duly made a motion to approve Application No. 24-1-C and Mr. Walker seconded it. Upon a voice vote, the motion carried unanimously.

#### OLD BUSINESS

#### PLANNED RESIDENTIAL DEVELOPMENT 23-1-PRD

#### OLD STONE COMMONS

The applicant, Burkentine Land Development, is requesting approval, pursuant to Article VI, Planned Residential Development (PRD), of the Monroeville Zoning Ordinance, No. 2779, to construct a Planned Residential Development consisting of seven apartment buildings with a total of 426 units and associated site amenities. The property is located adjacent to Giant Eagle and identified as Tax Parcels 744-F-29, 744-F-41, 744-F-43, 744-F-51, 744-F-160 and 744-R-145 in the R-5, Multiple Residential and S, Conservancy Zoning Districts.

The applicant requested tabling until May 15, 2024.

#### CONDITIONAL USE 23-7-C

#### OLD STONE COMMONS

The applicant, Burkentine Land Development, is requesting Conditional Use approval, pursuant to Section 504. VV, Major Excavation of the Monroeville Zoning Ordinance, No. 2779, to permit a cut and fill operation totaling approximately 43,702 cubic yards of earth. The property is located adjacent to Giant Eagle and identified as Tax Parcels 744-F-29, 744-F-41, 744-F-43, 744-F-51, 744-F-160 and 744-R-145, in the R-5, Multiple-Family Residential and S, Conservancy Zoning Districts.

The applicant requested tabling until May 15, 2024.

SUBDIVISION 23-6-SUB  
OLD STONE COMMONS

The applicant, Burkentine Land Development, is requesting Preliminary and Final Subdivision approval to subdivide and consolidate Tax Parcels 744-F-29, 744-F-41, 744-F-43, 744-F-51, 744-F-160 and 744-R-145 into one lot with a total area of 53.785 acres, in the R-5, Multiple-Family Residential and S, Conservancy Zoning Districts. The properties are located adjacent to the Giant Eagle and Target Shopping Center.

The applicant requested tabling until May 15, 2024.

Whereupon, Mr. Walker duly made a motion to remove these applications from the table and Mr. Massung second it. Upon a voice vote, the motion carried unanimously.

Mr. Matt Flinkinger, came forward representing the Burkentine Group, and reported he oversees the land planning for the Burkentine Group. He stated he is familiar with Pittsburgh and the Monroeville area. He gave a brief overview of their company as a small shop which was started in 1989. He reported they are very interested in this project and are currently in four to five states. He explained they want to comply with the items in this project.

Mr. Ray Gusty from Farringer, McCarty, Grey came forward representing the applicant. He oriented everyone with the location of the proposed project and pointed out the Old Stone Church, Stroschein Road, Get Go, Target, Giant Eagle and the proposed Old Stone Village. He reported there would be two access points to the site one from Monroeville Boulevard at the traffic signal with Old Stone Commons Drive along the loop road then connects to the proposed Village Drive. He explained there is an access easement agreement in place with Giant Eagle and Target for access through the commercial property. He pointed out the second access point would be with Village Drive connecting with Stroschein Road in the upper left-hand corner. He stated it gives an overall view of how the development fits within the surrounding area.

Mr. Gusty showed an enlargement of the Old Stone Village Plan with Giant Eagle to the right and pointed out Old Stone Commons Drive and the connection to Village Drive. He explained Village Drive winds around down and connects to Stroschein Road at the top of the drawing. He pointed out they are proposing sidewalks on the western side where Building Seven is located from Stroschein Road up to Old Stone Commons Drive. Also, there will be sidewalks on the eastern side of Village Drive from the apartment complex up to Old Stone Commons Drive.

Mr. Gusty reported one of the suggestions from the county was to add a bike lane so they are adding a bike lane coming up Village Drive and a shared use lane for vehicles and bikes going down Village Drive. He explained there are seven apartment buildings that range from four to five stories in height. He pointed out Buildings Four and Five are four stories and the other buildings are five stories for a total of 426 units with a combination of one, two and three-bedroom apartments. He reported they have met the parking requirement which is one and a half spaces per unit and they have a total of 639 parking spaces throughout the plan.

Mr. Gusty reported one of the items of concerns from the Red Oak Court Homeowners Association was to extend the sound wall from the existing sound wall which ends in the lower corner to the end of the parking. He stated they have done that but there is a gap from the end of the existing sound wall over to the beginning of the new sound wall. He pointed out there is a 40-foot wide Sun Pipeline easement, a two to one slope and there is a service gate that leads down to Basin B. He reported the gap would be filled in with a 10-foot high chain link steel security fence. He stated from the end of the parking lot around to a point will be proposed sidewalk. He explained the utilities are all available to the site and there is an existing 12-inch line that was extended back when the Giant Eagle Development was done and it will be picked up looping the water line around the development down to Village Drive and connecting to Stroschein Road. He stated the gas is available but the development will be mostly electric. He pointed out the sanitary lines between the buildings run down along the opposite side of Village Drive and connects to an existing sanitary line along Stroschein Road. He mentioned the storm water and reported they are utilizing the two existing basins and pointed out Basin A and B which serves the Old Stone Commons Plan. He stated it was sized to include that development but the storm water ordinance has changed in the last 27 years. He explained they added a third basin to the two existing basins located between the buildings and there are four underground detention systems. He pointed them out, one, in front of Buildings Two and Three, the second is located in front of the club house and the third one is located in front of Building Six and the fourth is located next to Building Seven. He pointed out the rain garden behind Building Six. He reported the third basin and the four underground detention systems are used for stormwater detention and water quality. He explained everything has to flow properly and each of the basins are used for rate control. He reported they designed the outlet structure in each basin to match the current stormwater ordinance. He explained it is a 50 percent release rate for Basin A and a 70 percent release rate for Basin B so they will not only hold back runoff from the proposed development but also 50 percent of the current runoff in one water shed and 30 percent in another. He pointed out the amount of runoff will be drastically reduced once the proposed plan is implemented and the stormwater detention facilities are in place.

Mr. Gusty reported they are proposing a 7,500 square foot club house, swimming pool, two pickle ball courts and a trail through the existing woods. He explained it would go through the woods down along the stream valley and back up to the island that lines up with Building Two or six tenths of an acre.

Mr. Gusty pointed out the elevations of Buildings One and Two, with cultured stone on the first floor with the vertical and horizontal siding.

Mr. Bertoni inquired whether there is still anything outstanding or any holdups at this time for them to continue to move forward on the development. He questioned whether they have a proposed timeline to break ground. Mr. Gusty stated they still need the National Pollutant Discharge Elimination System (NPDES) permits and he estimated start in the fall or spring of next year. He mentioned there are still issues with Red Oak Court. Mr. Bertoni inquired whether they have met with the residents to work out the issues and Mr. Gusty answered affirmatively. Mr. Bertoni questioned what is still outstanding. Mr. Gusty reported one issue is an exhibit for site line for the wall which needs to be modified and he explained the residents are concerned with the residents in the apartments being able to look down into the Red Oak Court homes. Mr. Bertoni explained the planning commission is a recommending body and he felt the applicant has done everything to comply with Monroeville. He wanted to hear the residents' concerns.

Mr. Norman Edelstein, a resident and President of the Executive Board of Timberland Estates Home Owners Association, came forward to express his concerns. He explained they are comprised of lot owners and are the community adjacent to the site of the proposed development. He reported over the years there have been several attempts to develop this property and during those years and at the request of the owners of the property for support of efforts to achieve rezoning of the property, agreements have been made between Timberland Estates Homeowners' Association and the property owners. He pointed out those agreements are recorded in the Allegheny County Real Estate Records, and contain covenants and restrictions that run with the land and affect the development of this site. He reported the first agreement was in 2001 and the last update was in 2021 and the recent update agreement was written with the input and expertise of Millcraft which is now Piatt, an experienced, large, premier Pittsburgh Developer who had no reservations, objections or problems with the building covenants and restrictions that run with the land. He stated they do not oppose the concept of an apartment development but they want a statement from this developer that Burkentine acknowledges the application's restrictions and covenants in the agreements to the intended development. He reported they had meetings with James Holcombe from Millcraft/Piatt and also some with Burkentine. He stated specific details were not available at that time but everyone understood that the agreements would be honored in the proposed development. He explained since that initial meeting, they have not been given the opportunity to physically meet with Burkentine to discuss issues relative to compliance with the agreements and covenants. He added they did secure from the developer's engineer a copy of the revised plans that were submitted to Monroeville for this meeting but those plans do not ensure from the developer that they need to confirm to their members they will comply with the agreements and any variations to the restrictions will be subject to their approval. He indicated they need documentation that demonstrates that the restrictions which were imposed on the site, in consideration of their agreement not to oppose rezoning will be honored. He added any review, comments or recommendations at this time without their cooperation is a waste of Monroeville's resources. He stated as residents of Monroeville and for the benefit of the municipality, they request that this project again be tabled until the developer meets with them so there are no concerns, conflicts or challenges.

Mr. Bertoni inquired whether they would oppose trying to resolve the issues at this meeting. Dr. Edelstein answered it cannot be cleared up this evening because their attorney is not present and the members of the board were not in attendance. He asserted they have been trying to get them to meet and reported they had one physical meeting in August 2023. He reported they have not been able to achieve a physical meeting and they did have one brief conference call with three board members but they cannot speak for three blocks of homes. He stated they want to have a physical meeting and resolve the issues. He reported there are agreements recorded that run with the land put in place by the property owners when it was rezoned. He explained they just want it to be held until they can all meet to resolve the issues.

Mr. Bertoni inquired whether legal counsel was available from Burkentine. Ms. Kriste Kochosky from the Lynch Law Group came forward representing Burkentine. She reported she spoke with Ms. Sebring concerning these issues and one of the concerns of the HOA was whether or not Burkentine would comply with the existing agreement between Old Stone Commons and the HOA. She referred to their drawings on Page 2C, on the face of the drawings it reflects, as per the agreement with Timberland Estates HOA, no building construction is permitted to commence until the sound wall extension chain

link security fencing and locked security gates are completed in their entirety. Phase construction of said items is not permitted. She pointed out that assumed obligation is repeated on Page C12 under construction sequence in Paragraph 23. She referred to the amendment to the agreement in 2021 which was entered into in the contents of seeking cooperation from the board to allow rezoning of this area to high density residential R4 and R5 and commercial. She pointed out there were two primary obligations that were assumed by the owner and still are in affect which was in two parts, one, to provide illustrative development plans or supporting materials accompanying any rezoning petition that are consistent with the drawings attached. She stated they have gone a step further because the rezoning application was presented and completed by the prior developer that fell through. She reported they have created drawings with assistance from the engineer or architect that comply with the drawings that were attached to the original agreement created between Old Stone Commons and the HOA in 2021 even though they dealt with a different developer that has a smaller scaled proposed development. She stated the face of the documents that have been submitted as part of the application reflect they agree with the terms and conditions. She pointed out their first obligation is to provide illustrative plans that comply with the existing drawings. She stated the second part is not to start any vertical construction of buildings until the sound wall extension, the chain-link fence and the security gate are completed. She added it is reflected on the face of the plans. She indicated they are open to have a continued dialogue with the board from now until the construction is complete but they feel the current obligation is provided in the drawings and not to construct vertically until the wall and security fence is completed.

Mr. Bertoni suggested there are still issues that need to be addressed and the parties need to meet to during the tabling to agree on them. Mr. Flickinger reported he had a zoom call with Dr. Edelstein three weeks ago to possibly work out a memorandum of understanding (MOA) to address some of their concerns. He stated he is willing to have a physical meeting if needed.

Ms. Kochosky suggested they bullet point any immediate or specific concerns that they have. She pointed out they cannot match the prior developer's drawings because it is a different development. She felt if they bullet point their concerns they could address each in turn to their satisfaction.

Mr. Bertoni inquired whether the residents could meet with the developer within the next 30 days. Dr. Edelstein answered affirmatively and requested a sit-down meeting. He suggested this has been going on for 25 years and everything was worked out with the prior developer and they are surprised to be here at this time. He again suggested a sit-down meeting to review the details which have not been addressed in the drawings. He felt that is the appropriate approach for the neighbors of two blocks of homes in Monroeville.

Ms. Kockosky asserted they are making every attempt to appease the residents. She pointed out the only obligation from the HOA is that they not interfere with the application process which is their only concern. She stated they have agreed to abide by the previous agreement even though they did not enter into it. She again stated the HOA's only obligation is to not stonewall their application process which is what they are trying to get through. She suggested they bullet point their concerns so they can respond to specific issues instead of general issues.

Dr. Edelstein stated they do not oppose the development and they just want the opportunity to be able to meet with them face to face so everyone can move forward.

Ms. Janice Olschwelsky, resident, came forward to report she ran the tax cards for Mountain Top Associates which is Giant Eagle and Target. She is concerned about when Old Church Commons sold the properties in 1997 and 1998 to the entities. She pointed out the tax map shows they are being charged for the roads that go through the properties. She was concerned with the traffic on Monroeville Boulevard and inquired whether the plans have been submitted to the county. Mr. Whealdon answered the plans have been submitted to the economic development. Mrs. Olschwelsky inquired whether a traffic study has been done and Mr. Whealdon answered affirmatively. Mrs. Olschwelsky mentioned there was concern with trapping with the traffic exceeding the amount of traffic on the Old Stone Commons Drive which includes Target and Giant Eagle. She again stated she was concerned with the trapping at the traffic light and the amount of traffic during the week day at peak hours because this would be one of the access points to the proposed site with 400 units.

Mr. Bertoni reported the municipality has a traffic consultant to clarify the issue if necessary. Further discussion ensued. Mrs. Olschwelsky pointed out one of the concerns is the design in the handbook in the PennDOT Traffic Signal Design because of the close proximity of the two red lights. She mentioned the concern about the traffic stacking which is why they have a turning lane into Giant Eagle and Target. She wanted to know if they will comply with that trapping situation. Mr. Bertoni stated that would be reviewed but the studies are still being done. He pointed out the municipality has consultants to review it. Mr. Whealdon stated the applicant's traffic engineer can address the intersection issues.

Mr. Robert Goetz from Trans Associates came forward to address the commission. He reported they did a traffic study and HRG reviewed it for the municipality in December 2023 with minor comments. He explained there is 420 feet between signals and they do a queueing analysis where they look at the data once they add the additional traffic from the development and wheel it back up between the intersections. He stated it has been shown not to do that but one of the things that came out of the review was to do upgrades to the signal at Old Stone Commons Drive, specifically, new detection, new signal heads, new controller and new timer. He suggested it would be an entire upgrade of the signal except the supports or poles. He stated the developers agreed to those upgrades which would be a condition of approval and it is being addressed.

Mrs. Olschwelsky pointed out the manual also states that the speed affects the quality of the signals. She mentioned there are charts in the manual that can be followed. She did not feel that road could accommodate the proposed 426 units on that site through Target and Giant Eagle. She was concerned with the lighting along the driveway because both of those commercial properties have specific hours of operation. Mr. Bertoni suggested all of those issues would be considered.

Mrs. Lois Drumheller, resident, came forward to express her concerns. She referred to Building No. 4 with the parking places and there is an R5 zoning line and S, Conservancy. She explained there are nine parking spots behind Building No. 4 that encroach into what should be left alone and should not be part of any parking because it is S, Conservancy. She inquired why there is parking into a S, Conservancy zoning district.

Mrs. Drumheller then referred to the traffic light coming into the site from the intersection of Monroeville Boulevard and Stroschein Road then there is the curb cut and traffic light at the entrance of Giant Eagle and Target site. She was concerned with patrons of those stores stepping off the curb of the last parking spot into the street. She felt the street is to flow traffic through and enters into all the parking for Target or Giant Eagle. She suggested it would be popular because of the light coming into

the property even though there is another entrance that is not defined very well. She explained it comes in on the side that if a motorist crosses the intersection and continues down Stroschein Road going by the apartments on the left coming would go around the curve then behind to a driveway by a healthcare facility. She mentioned the land locked property by a single-family residence. She reported the area around the healthcare facility is mined on both sides but she was uncertain about the slope. She was curious as to whether there were any core samples that were taken throughout that area and the yet-to-be constructed driveway.

Mr. Gusty reported a geotechnical report was done and submitted to Monroeville for review. He stated there were some issues with the mines but those items will be addressed during construction. Mrs. Drumheller inquired about the slope going up the driveway into the site and Mr. Gusty answered it is 12.4 percent. Mrs. Drumheller pointed out there is mining on both sides of that road. Mr. Gusty explained two soils reports were done, one ten years ago and then one done within the past year for this development. Further discussion ensued.

Mrs. Drumheller questioned why there was an encroachment into an S-1 Conservancy. Mr. Gusty stated that is one of the issues with the HOA and it will be addressed.

Mr. Bertoni suggested that would be part of the 30-day tabling for the parties to meet and resolve the issue.

Mrs. Drumheller felt the stormwater controls will improve the area but with that many units she felt the issue is with all of the additional traffic going into the site through the entrance to Target and Giant Eagle which is an area that is a safety concern. She disagreed with having a bike lane.

Mr. Bertoni wanted to get the parties to work together to get all the issues resolved.

Whereupon, Mr. Walker duly made a motion to table all three applications until next month and Mrs. Lewis-Burke seconded it. Upon a voice vote, the motion carried unanimously.

#### ADJOURNMENT

There being no further business to come before the Planning Commission, at this time, Mr. Massung made a motion to adjourn the meeting at 8:32 p.m. and Mrs. Lewis-Burke seconded it. Upon a voice vote, the motion carried unanimously.

Respectfully submitted,

Leonard Bertoni  
Chairman

LB/sam

