

**Minutes of the Special Meeting  
of the South Park Township**

**Board of Supervisors**

**March 30, 2023**

**Pledge of Allegiance**

**Roll Call**

Walt Sackinsky presiding. Board members Edward Snee and Brian Lucot were present. Also in attendance were Karen Fosbaugh, Township Manager; Tom Bonidie, Code Enforcement Officer; Irv Firman, Solicitor; and Carolyn Yagle, Planning Consultant.

Members of the Board of Supervisors were together on the following executive session:

Thursday, March 30, 2023 – Prior to the special meeting to discuss litigation and personnel issues.

**PLEASE BE INFORMED THAT THE TOWNSHIP OF SOUTH PARK RECORDS ALL PUBLIC MEETINGS AS PART OF THE MEETING MINUTES PROCESS.**

**ANYONE SPEAKING THIS EVENING IS REQUESTED NOT TO REPEAT THE SAME POINTS ADDRESSED AT A PRIOR MEETING. RESIDENTS ARE REMINDED THAT THE BOARD OF SUPERVISORS IS REGULATED TO ADHERE TO EXISTING ORDINANCES.**

**THE AUDIENCE AGENDA WAS PLACED ONLINE FOR RESIDENTS WHO MAY WISH TO OFFER PUBLIC COMMENT OR ASK A QUESTION WHICH WILL BE ENTERED INTO THE RECORD AT THE MEETING THIS EVENING. COMMENTS/QUESTIONS WERE TO BE SUBMITTED NO LATER THAN 4:30 P.M. TODAY.**

Mrs. Fosbaugh stated for the record that one (1) email was received today at 3:03 p.m. from Ms. Danielle Strimlan, which was amended from a previous email that she had sent. Ms. Fosbaugh read the questions from Ms. Strimlan's email, relative to adopting a new ordinance, and stated that they will be addressed by Ms. Yagle during the meeting.

Mr. Sackinsky read into the record Mr. Stephen Victor's request to withdraw his rezoning application, dated March 23, 2023, addressed to Mr. Thomas Bonidie, South Park Township Zoning Officer, in reference to the Sleepy Hollow property. Mr. Sackinsky commented that the only item on the agenda is the proposed resolution relative to Planned Residential Development (PRD) in the R-2 Zoning District. He requested that any comments or questions only address this issue.

**Ms. Yagle** explained that the advertisement is relative to evaluating and updating the zoning classifications as uses within the R-2 Zoning District. The consideration is relative to where there are different types of developments and the road network associated with them. She commented that the last time the PRD ordinance was amended was in 2009. Given how things have changed as part of growth within South Park Township, consideration for evaluating that type of policy and its criteria is something we want to put forth.

**Mr. Firman** commented that the key point emphasis is that the only issue on the agenda this evening is a resolution authorizing the advertisement of an ordinance that would remove Planned Residential Developments (PRD's) from the R-2 Zoning District. There are many areas in South Park Township that are zoned R-2. The resolution will make the Ordinance a pending ordinance and will go into effect immediately upon the adoption of the resolution. Therefore, PRD's would no longer be permitted in the R-2 Zoning District.

#### **Call on the People**

**Tim Foster, 1046 Westchester Drive** – Mr. Foster asked if a representative from Red Rocks Group will be required to attend a Planning Commission or Board of Supervisors' meeting, so that they can be asked questions relative to their proposed plan. Mr. Sackinsky replied that a Red Rocks Group representative would not come forth until they are ready to present their submitted plans. Mrs. Fosbaugh replied that when the initial presentation was made before the Planning Commission, it was limited solely to rezoning. If Red Rocks Group intends on following another type of development, they will be required at that time, if it is permissible under the Zoning Ordinance, to submit a full set of plan documents that would include all utilities, storm water management, etc. There would be a thorough discussion with the Township Engineer and a review with the Township Engineer and Planning Consultant. Mr. Foster asked that the Board of Supervisors insist the director of Red Rocks Group, Ethan Fellheimer, be required to attend and answer questions at future Township meetings in order to judge his character. Ms. Yagle asked Mr. Foster if his comments were related to the advertisement regarding the potential updates to the PRD. Mr. Foster replied that his comments were not related to the PRD.

**Walt Mager, 6710 Hilldale Drive** – Mr. Maher asked for clarification regarding Red Rocks Group rezoning application. Mr. Firman replied that they were requesting the Township consider a rezoning of the area from R-2 to R-4. The Planning Commission did not recommend the rezoning, and the Red Rocks Group withdrew their application. The resolution being considered this evening is relative to removing Planned Residential Development from all of the R-2 Zoning Districts.

**Michelle Dunn, 469 Temon Drive, Pleasant Hills** – Ms. Dunn commented that she is a former resident of South Park Township. She inquired about the capability of the sewage system if the property were to be developed. Mrs. Fosbaugh replied that whenever plans are submitted for a major development, they must include a planning module. The planning module goes before the appropriate sewer authority who makes the determination based on the per gallons, per use, per household. Mr. Sackinsky added that that is addressed during the planning stage.

**Raymond Steinhaser, 1555 Berryman Avenue** – Mr. Steinhaser inquired about the results of removing PRD from the R-2 Zoning District. Mr. Firman explained that if PRD remained in the R-2 Zoning District, any property owner could submit plans for a Planned Residential Development in any R-2 Zoning District throughout the Township.

**Danielle Strimlan, 1540 Truman Avenue** – Ms. Strimlan inquired about her questions that she had previously emailed to the Township. Mrs. Fosbaugh replied that they were entered into the record. Ms. Yagle answered Ms. Strimlan's questions, explaining that the advertisement in the paper was notification of a meeting to consider a resolution for preparing and advertising an ordinance. There was nothing in terms of an adoption that is being considered as part of what was advertised for adopting an ordinance this evening. In reference to the Planning Commission, they have not voted because there has not been that step in the process. It would come later if they would move forward. The county has not received any ordinance because the consideration in the resolution is for preparing and advertising an ordinance. The advertisement would come at a later date after this meeting if the Board of Supervisors adopts the resolution. In terms of any amendment to the Zoning Ordinance, there would be a public hearing, and that would go through the 45 days review process. The Board of Supervisors would still need to have a meeting where they would be authorizing that specific motion to have the preparation and advertisement of an ordinance. Therefore, this is the beginning of the process.

**Nick Simanic, Jr. – 1045 Westchester Road** – Mr. Simanic asked for clarification of a Planned Residential Development and if PRD is removed from the R-2 Zoning District what would no longer be permitted in the R-2 Zoning District. Ms. Yagle explained that a Planned Residential Development is permissible in many districts within South Park Township, one being R-2. There are multiple forms of a PRD that are permissible; and in this case, we are discussing R-2. One of those forms is a retirement community. Another permissible form of a PRD is not a retirement community but a different type of development. She added that there are many uses within the R-2 District. One of the land uses that is currently in the zoning ordinance is Planned Residential Development, including PRD's for retirement communities. With the rate of development in the Township, and the number of R-2 parcels, it is

time to re-evaluate the current format. Mr. Simanic asked what kind of buildings are permitted in the R-2 Zoning District in the current law and what would be the changes down the road if this gets approved. Mr. Sackinsky replied that it is more like clustered homes, and there are more homes per acre. Ms. Yagle clarified that there are different ways in which that density is calculated. It looks at net buildable area. There are different densities. The way in which those equations work is also different than what it is for single family dwellings, just as a standard development that is permissible in R-2. There are variations to that. There are specific open space requirements that are part of a PRD in terms of percentage of land that needs to be set aside for open space. That is actually a criterion that is required in a PRD, but it is not required in a standard R-2 development. Mr. Simanic asked if a multi-story building is permissible in the R-2 district. Ms. Yagle stated that in a retirement community PRD, many uses are permissible from a single-family detached dwelling to a garden apartment. A single-family dwelling could be multiple stories. If it is multi-family, it could be something like garden apartments, which is permissible currently in an R-2 PRD for retirement communities. If someone were to pursue an R-2 PRD that is not associated with a retirement community, as it is currently included within the Township Zoning Ordinance, that has single-family detached, single-family attached, and a two-family dwelling, but not garden apartments. So, again, there is variation depending upon how the PRD as it is currently called out and included within the existing zoning ordinance. Mrs. Fosbaugh added that one example of a PRD that is currently in our Township is Greenbriar Chase, which is off of Brownsville Road.

**William Patterson, 2032 Stoltz Road** – Mr. Patterson asked if the PRD was removed from the R-2 Zoning District, would the developer be able to build 294 townhouses. Mr. Sackinsky replied that they could not. They would only be able to build single-family homes. Ms. Yagle added that the base zoning requirement for PRD standard development has a minimum lot size of 12,000 square feet per lot, and it is single-family dwelling. The property is currently zoned R-2 and includes PRD's. There are many R-2 areas throughout the Township, and the consideration as part of this advertisement for this meeting is looking at the R-2 District as a whole.

**Drummond Beach, 1000 Ajay Drive** – Mr. Drummond commented that he attended the Planning Commission meeting. He asked if Allegheny County has been approached regarding buying the property. Mrs. Fosbaugh replied that it is the Township's understanding that the Allegheny Land Trust made an attempt to purchase the property from the property owner, but they were unable to come to financial terms at this time. She added that the County is aware of the parcel, but she does not know what their plans are relative to the property.

**Virginia Repine, 1048 Old Post Road** – Ms. Repine voiced her concern regarding the urgency of the special meeting this evening. Mr. Sackinsky replied that with the outcry of people that came with the proposed change, it came to the attention of the Board of Supervisors and our Planning Consultant that there were certain uses that might not be the best uses to be in an R-2 District because of collateral roads and auxiliary roads, and density. Our Planning Consultant came up with a plan to take another look and possibly remove the PRD's out of the R-2 District. Mr. Firman added that the property is in a R-2 Zoning District, and currently there are a variety of uses in the R-2 Zoning District, one of which is a Planned Residential Development. As Ms. Yagle explained, that includes garden apartments, townhouses, and a variety of other uses with different restrictions. What the resolution will do is take that option out of R-2. Ms. Yagle stated that the following uses are presently permissible within any R-2 Zoning District throughout the Township: single-family detached dwellings, group homes, essential service, oil and gas drilling subsurface facilities, and accessory uses to those. There are also conditional uses that include public recreation, public buildings, fire houses, schools, places of worship, public utility buildings, planned residential developments (including retirement communities). By special exception that goes before the Zoning Hearing Board, there are things that are permissible such as family daycare homes (as a home occupation), daycare center or nursery schools in a church or school, private stables, and temporary uses or structures, and accessory things that go along with that. There are quite a number of uses that are presently permissible within R-2, and PRD's are one of those items.

**Adam Williams, 822 Killarny Drive, Castle Shannon** – Mr. Williams stated that he is not a resident of South Park Township; however, he uses the park frequently. He commented that green spaces are indispensable for quality of life. He encourages the Board of Supervisors to make a thoughtful decision.

**Lindsey Brice, 988 Somerton Drive** – Ms. Brice commented that she is a lifetime resident of the Township. She asked Ms. Yagle to clarify the uses in the R-2 Zoning District. Ms. Yagle explained that only the PRD would be removed from the R-2 Zoning District if the resolution is adopted this evening. Ms. Brice asked why the other uses, other than single-family homes, were not being eliminated. Ms. Yagle explained that the purpose of the district is to preserve single-family residential neighborhoods which have developed at medium density, to allow undeveloped areas immediately adjacent to these established neighborhoods to be developed in a similar manner and to provide for accessory uses and compatible public and semi-public uses as conditional uses or uses by special exception. There are some things within this list that over time are viewed as, or generally compatible, or having some relationship to residential neighborhoods. There are uses within this ordinance that have been in this well beyond those 14 years. I think it is

a consideration for what exists within this district today. The intent is not to look at all of these uses to start creating lots of nonconforming, like taking the uses out. The particular component is that in the PRD line, when you look at the criteria for it, it has a greater permissible density. The density that it creates does not necessarily have the alignment with what the R-2 overall and Comprehensive Plan, future land use plan, where it is looking at the lower density. It is really trying to not just look at the dwelling height. That is one element of it, but it is actually sort of what is that compatibility for the density of the residential area. Ms. Brice commented that nobody wants to see a high density development there, but nobody wants to see a bank there, either. She added that other R-2 parcels may be more suitable for a bank or doctor's office. Ms. Yagle replied that nothing in that nature is in the R-2 Zoning District list. The non-residential uses include such things as a place of worship, a firehouse, utilities, or daycare center. They are not commercial uses. All of the uses must have the minimum lot size of either 12,000 square feet if it's residential or one acre for other uses. Ms. Brice asked if this meeting replaced the meeting on April 10<sup>th</sup>. Mrs. Fosbaugh explained that this is a special meeting, and the regular meeting will be held on April 10<sup>th</sup>. We will not have a public hearing on April 10<sup>th</sup> for the rezoning issue because it has been withdrawn.

**Dan Lippert, 1041 Maripat Drive** – Mr. Lippert asked if the people should vote for or against the resolution. Mr. Sackinsky replied that the people would want to vote for the resolution. Mr. Firman explained that this particular resolution would authorize an ordinance that would allow less uses in an R-2 District.

**Resolution No. 3-23**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve Resolution No. 3-23: A RESOLUTION OF THE TOWNSHIP OF SOUTH PARK, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, APPLYING THE PENDING ORDINANCE DOCTRINE AND THEREBY MAKING IMMEDIATELY EFFECTIVE AN ORDINANCE AMENDING CHAPTER 556 (“ZONING”) OF THE CODE OF THE TOWNSHIP OF SOUTH PARK TO REMOVE PLANNED RESIDENTIAL DEVELOPMENTS (PRD’S) AS A PERMITTED USE IN THE R-2 ZONING DISTRICT. All members voted aye. Motion carried.

**Supervisors’  
Comments**

**Mr. Lucot** – Mr. Lucot thanked everyone for attending. He realizes that some of this can get very convoluted, and he is happy that Ms. Yagle, Mr. Firman and the Board of Supervisors had to opportunity to explain the procedure. He hoped that everyone's questions had been answered.

**Mr. Snee** – Mr. Snee also expressed his appreciation for the large attendance and wished that the regular meetings would also have the same attendance. He thanked Mr. Firman, Ms. Yagle and Mr. Bonidie for explaining the procedure involved.

**Mr. Sackinsky** – Mr. Sackinsky echoed his fellow supervisors. He added that the supervisors look out for the rights of the residents and try to do the best for the community.

Adjournment

Motion by Mr. Snee, seconded Mr. Lucot, to adjourn the meeting. All members voted aye. Motion carried.

**Time: 6:52 p.m.**