

**MUNICIPALITY OF MT. LEBANON
PLANNING BOARD MINUTES
MEETING HELD VIRTUALLY**

DATE: Tuesday, August 17, 2021

TIME: 7 p.m.

PLACE: Mt. Lebanon Municipality – Commission Chambers

BOARD MEMBERS PRESENT: Andrew George, Rebecca Griffith, Clint Rounsfull, David Hornicak, Suzanne Sieber

STAFF MEMBERS PRESENT: Municipal Planner Ian McMeans, Municipal Engineer Dan Deiseroth

BOARD LIAISONS: Commissioner Steve Silverman, Historic Preservation Board member Matthew Moses

Meeting Procedures and Outline – The Pennsylvania Office of Open Records has advised that to ensure continued compliance with the Sunshine Act, the procedures for online meetings should be stated at the beginning of the meeting. There is one applicant appearing before the board tonight. I will read the agenda item and then the applicant will have the opportunity to make remarks. After that, the Planning Board will provide their comments and feedback followed by members of the public. Finally, we will play and read any public comments related to the application that were received prior to the meeting. Any public comments received not relating to the application before the board will be read at the end of the meeting. The applicant has agreed to these procedures, including conducting the meeting virtually.

1. Meeting Minutes

- a. Approval of the minutes from the July 20, 2021, meeting. Mr. Hornicak moved and Ms Sieber seconded to approve the minutes of the July 20, 2021, Planning Board meeting. The motion carried unanimously.

2. Old Business

- a. Consideration of an amendment to the zoning ordinance. Section 104.5 of Chapter XX of the Municipal Code (Zoning) currently restricts property in the R-1, R-2, and R-3 zoning districts to only one principal building per lot. The proposed amendment would remove the R-3 zoning district from Section 104.5 of Chapter XX. The Planning Board tabled the discussion of this ordinance at the July 20, 2021, meeting until August 2021.

Mr. McMeans said the current ordinance restricts properties in the R-1, R-2, and R-3 zoning district to one principal building per lot except when the lot is part of an overlay (transitional) area. A lot of the area currently zoned as R-3 was made that way through a 2005 zoning ordinance update that removed all of the transitional zoning districts from the zoning map. At that time there were at least 26 transitional overlay districts, R-1 through R-4, three commercial business districts, and a parks district, but also many transitional overlays that were created between 1972, when the map was first updated, and 2005 when it was updated again that

included overlays A-Z. Many of the transitional overlays were incorporated into the various Residential districts. Mr. McMeans showed a zoning map with current R-3 properties mostly located near transit stops, which includes the T and bus stops, and near commercial districts. This is good planning practice by having denser population located near public transportation and business areas. R-1 and R-2 districts designate single-family homes only; R-3 allows for denser development, including townhouses, single-family attached duplexes, and small apartments, going up through R-7 where high-rise apartments are allowed. As the R numbers go up, the areas allow for denser developments, starting with R-3. He explained the reasons for the proposed changes starting with the stormwater management ordinance, which had some unintended consequences. Many developers that come in for pre-development consultations, are proposing building condos and setting up homeowner's associations (HOA) to cover shared assets, such as stormwater management installation, that must be put in for new developments. There are requirements for public street frontage, but there is no requirement for lot shapes as long as the street frontage requirement is met, which does cause some development challenges. The municipality conducted a transit-oriented development study that recommended permitting multiple structures on properties when proximate to transit. The current R-3 district was established in the 2005 zoning ordinance update which incorporated previous transitional overlays. It was previously discussed by the board that the current uses were changing, but the ordinance would not change the current permitted uses and the current requirements for density – for example, lot size, lot width, setbacks, building coverage – would not change. He showed a table displaying the current requirements for R-3 districts. On one acre of land with front and rear yard setbacks, 13 townhouse dwellings could be sold as individual condominiums, with an HOA that would cover items such as retaining walls, shared driveways, landscaping, and stormwater management. The same design could also be divided and sold as fee-simple, single-family attached dwellings, with each property owning the front yard and back yard setbacks. This type of development is allowed under the current ordinance. Two-family dwellings could also be developed on the same one-acre lot, with property lines between each duplex, provided side yard setbacks are observed. Under the current ordinance what could not be designed would be five duplexes on a one-acre lot without property lines. Therefore, a homeowner could not own one-half of the duplex, but an HOA could not be developed that would maintain the front and back yard setbacks, the structures, stormwater management, etc. The proposed ordinance would allow for this type of development. He demonstrated to the board how the proposed ordinance could affect developments for multiple structures on one property. He explained why having shared resources for shared assets would be better for the homeowners on the property versus each asset being divided by each dwelling unit and maintained by each owner. He described the impact of the potential ordinance change and said approximately 6.4% of current R-3 zoned properties will be impacted by the ordinance change.

Mr. Deiseroth said under the condominium scenario the homeowner would own the property “paint-to-paint,” and the developer would draw up a condominium plan which would affect the common elements outside of the structure. This could include roofs, or fixes to the structure, and would make sure the development is uniformly maintained.

Mr. George asked if there was anything that would prevent the homeowners from owning a shared stormwater tank and writing something into the deed indicating the adjoining properties must have a maintenance agreement.

Mr. Deiseroth said it is possible to still have an HOA for fee-simple developments, but those are typically for single-family developments. He said for smaller developments the condo association seems to work better, allowing for better control of uniform maintenance.

The board thanked Mr. McMeans for his presentation, providing an ability to see what this ordinance change could affect.

Citizen Comments

John Ragen, 667 Florida Avenue, Apt. 2, said he is in favor of removing the restriction for the R-3 district.

Ms Sieber moved and Ms Griffith seconded to recommend the Mt. Lebanon Commission consider an ordinance to amend Chapter XX of the Municipal Code (Zoning) to remove the R-3 zoning district from Section 104.5 and any additional comments from the Planning Board. The motion carried 4-1. Mr. George indicated he is concerned changing the ordinance could change the character of the current R-3 developments and voted against the motion.

3. New Business

- a. Presentation by municipal planner outlining the process to update the Comprehensive Plan. In October of 2013 the municipality adopted *Elevate Mt. Lebanon* as the municipality's comprehensive plan. The comprehensive plan guides public policy in terms of transportation, utilities, land use, recreation, and housing.

The Pennsylvania Municipalities Planning Code recommends that municipal comprehensive plans be updated at least once every ten years. With the current plan nearing the end of its useful life, the planner will provide the board with an overview of a proposed schedule and structure for updating the comprehensive plan in accordance with the Municipalities Planning Code requirements.

Mr. McMeans said each year the municipal planner gives an update on the goals from the current comprehensive plan. During last year's update Mr. McMeans said of the 57 goals that were in the plan 95% of them have either been reached, or significant progress had been made towards completing those goals. The municipality is in the midst of a parks master plan and recreation center feasibility study which will lead into the comprehensive plan and is also conducting a feasibility study for the south garage, which is nearing the end of its life. Census data has been released showing an increase of population in Mt. Lebanon, going from just over 33,000 to just over 34,000. This shows the desirability of Mt. Lebanon and people wanting to live here. Mt. Lebanon. He described the timeline for the *Elevate Mt. Lebanon* plan that was approved in October 2013 and said development of the comprehensive plan takes approximately 12-18 months of planning. The previous plan was started in 2012, progressing with the heart of the development in 2013, and ready for final approval in late 2013. He said comments from the community and various focus groups were sought first, then taken to advisory groups asking for their determination of how the ideas of the community meshed with the ideas of the municipality. Mr. McMeans said he would like to repeat that process of going to the public first, then developing a plan. He described the advisory group structure starting with the planner, two commissioners, and all of the planning board members, then drilling down to community assets with various boards and authorities; economic development and

infrastructure, with representatives from boards and businesses, and impact with top municipal staff, school board and representatives, residents, and business representatives. Five goals were identified as Cooperation, Vitality, Connectivity, Systems, and Resources, each with subgoals that were identified, maintained, and achieved over the last decade. The municipality planning code has requirements that must be met for comprehensive plans. With the parks master plan and the recreation feasibility study being done this year, those aspects will be plugged into this comprehensive plan. There is a grant available from DCED to help with comprehensive plans, with a target award date of March 2022; some of the work may be done prior to the grant being awarded. He is hoping to have a consultant selected by April 2022 with a final approval before the Commission scheduled for October 2023, prior to the Commission discussing the budget in November. He discussed the structure for advisory groups, and what those groups would concentrate on.

Ms Sieber asked about the sidewalk updates from the current comprehensive plan.

Mr. McMeans said the Washington Road streetscape project, called Vibrant Uptown, is underway, which was one of the goals from the current plan. He said it was a lengthy process taking approximately 20 months to complete before construction could begin.

Ms Sieber asked when the Vibrant Uptown project is expected to be completed.

Mr. McMeans said the current contract runs through May of 2022.

Mr. Deiseroth said the sidewalks would be completed soon, but the light poles are on a long lead time because of delays in receiving materials.

Mr. McMeans said the sidewalks, light poles, planters, and plantings are all part of Phase 1 of the Vibrant Uptown project. The project also includes building connectivity to the T station, expanding streetscape into the entire Uptown area as well as side streets. There are significant ADA improvements that are also part of the project, both at intersections, and along the sidewalks.

Ms Griffith likes the overall plan but would like to see changes to the advisory groups.

Mr. McMeans feels this plan will be different, perhaps with more focus on sustainability efforts, which could shape how the advisory groups could be put together. He would like to get input on what the community wants, and then structure the advisory groups accordingly.

Mr. Rounsfull thanked Mr. McMeans for his presentation, and likes the idea of keeping the core together, perhaps with some adjustments, and looks forward to being involved in the process.

Mr. George thanked Mr. McMeans for the presentation and said he likes the idea of community involvement.

Mr. Hornicak asked when Mr. McMeans would like to have feedback from the planning board.

Mr. McMeans said he would like the board to have a few months to think about it, and consider what their time commitments are, and how involved they would like to be, but hopes to have board input by the end of the year. He said that there were approximately 2,100 survey responses from the community regarding the parks master plan, compared to approximately 300 survey responses from the 2013 Comprehensive Plan. He feels this parks master plan will have a very good sense of what the public desires.

Citizen Comments

There were no citizen comments.

Ms Sieber moved, and Mr. George seconded to recommend the Mt. Lebanon Commission authorize the update of the Municipal Comprehensive Plan with work beginning in 2022 and the goal of completing the plan update by the end of 2023. The motion carried unanimously.

- b. Recommendation from the Mt. Lebanon Planning Board on the proposed Capital Improvement Program (CIP) for Mt. Lebanon, PA for the years 2022– 2026.

Mr. McMeans said every year the CIP comes before the planning board for review for concurrence to the comprehensive plan. He said on most of the pages of the CIP there is a note indicating what items in the comprehensive plan that item helps to achieve. The CIP does meet with the goals and specific objectives of the comprehensive plan. Some of the funding included in this plan are for street reconstruction, stream restoration projects, and equipment upgrades for fire and public works equipment. This is a five-year plan, but it is updated every year, and some of the items in the outlying years get moved around. Most of the items for 2022 will be considered by the Commission during the annual budget process.

Ms Griffith asked if the lump sum for street reconstruction is determined by year.

Mr. McMeans explained there is an ordinance that designates funding, \$2.325 million per year towards street reconstruction. Each year the Commission approves which streets will receive street reconstruction funding, based upon the overall condition index (OCI). Every few years Gateway Engineers reviews and scores/grades all of the streets to determine which streets are in most need of reconstruction. A list is put out to bid and based on those bid results a determination is made if more streets can be added. The streets first considered for reconstruction are the ones with the lowest OCI rating. The goal of the comprehensive plan is to maintain the streets to an acceptable average score of 70.

Mr. Deiseroth said this year Gateway went out and got new assessments of the roads using a software called Street Savers. Fitting the brick streets in is a challenge for how they are rated and prioritized. He said they are trying to do as much green infrastructure as possible such as adding tree wells to capture water.

Mr. George asked if the brick streets are included in this number.

Mr. McMeans said the current historic preservation board is working on a recommended brick streets policy for consideration of maintaining those streets throughout the community. One of the ideas is a separate fund for brick street reconstruction because the upfront cost tends to be

approximately three times as much as asphalt streets. However, the policy has not been submitted to or adopted by the Commission at this time. Right now, the brick streets are included in the funding with the rest of the streets. However, there is a separate line item in the regular budget dedicated to brick street repair for spot repairing, but a full reconstruction of brick streets would fall under the CIP.

Mr. George asked about longevity of the brick streets vs. the cost of those streets.

Mr. Deiseroth said the bricks that were installed many years ago are different than the bricks now available. There is a manufacturer that does make clay bricks and Gateway has requested information from them. The use of salt instead of cinders or anti-skid material affects the life of the bricks. He said they have done a net-present value analysis on the cost vs. the longevity, however there is more labor for brick streets; a bituminous street can be repaired a couple of times at the cost of repairing brick streets once, although there is value of brick streets not reflected in cost alone.

Matthew Moses, Historic Preservation Board, said they do expect to have a draft policy approved at their next meeting to send to the Commission for their review. He said the costs are much higher for brick streets at the front end, but the long-term savings are difficult to measure. It would be expected to have higher front-end costs, but to expect long-term savings, although there is no definitive measure of cost to savings.

Mr. McMeans said the historic board was weighing the quantitative numbers of cost longevity vs. the quality-value of the nature, and character they add to the community.

Mr. Moses said there is strong community support for brick streets even weighing the higher cost of brick streets.

Mr. Rounsfull said there are many different options, but he would like to see a prototype done where a brick street is selected then follow the reconstruction process and get a sense of how the street is sustaining. He feels it is important to see what information is gleaned from one brick street before committing to all of the brick streets.

Mr. Moses said this is a good idea but getting an effective measurement before a decade passes is difficult. Another significant dynamic is how to implement a curb-to-curb, length of the street repair vs. a modular way that addresses key concerns in different parts of the street. They are also analyzing the feasibility of this approach. The historic board is recommending engaging with other municipalities who also have these concerns to develop better information, particularly on the longevity metrics, hoping to develop better reliability of metrics, purchasing, and storing powers.

Mr. McMeans said they had a conference with a community in Canton, Ohio, who also have a number of brick streets, and talked about how they maintain their streets.

Ms Griffith asked about grading of streets and utility replacement programs.

Mr. Deiseroth said they communicate with the utility companies every year, unfortunately emergency repairs do happen, which sometimes causes them to have to dig into a street that was just repaired. He said when a street has to be torn up by a utility company, the municipality requires the company to repair the area to full-depth specification, then do a full overlay, including curb repair. Whatever they disturb they must repair.

Ms Griffith expressed frustration regarding streets that have been reconstructed then are dug up again.

Mr. Deiseroth said the municipality always gives the utility companies a chance to make repairs to their infrastructure before streets are repaired. CONNECT has a good program where municipalities can upload their future plans and the utility companies can look at those plans, and vice versa.

Mr. Silverman also expressed frustration on the part of the Commission, having spent money reconstructing a street, then having that street ruined. He said sometimes a project is begun but is not completed until the winter season, so the street is not repaired until the following spring.

Mr. Deiseroth said there can also be complications such as a mainline company finishing the project, but then all the services need to be switch over which can only be done by water company employees.

Mr. McMeans said then they have a separate contractor that completes the paving. He has worked in two other communities besides Mt. Lebanon, and the situation is not unique to Mt. Lebanon. He said the CONNECT program is very helpful to coordinate with the utility companies.

Mr. Deiseroth said there have been successes where utilities have been replaced, and the municipality has been able to take advantage of their money to help repave a street. The utility is repaired, the trench is filled in, then the municipality mills and repairs the street, thus sharing the costs of resurfacing the street.

Citizen Comments

There were no citizen comments.

Ms Griffith moved, and Mr. Rounsfull seconded to recommend the 2022-2026 CIP as being in accordance with the adopted Comprehensive Plan. The motion carried unanimously.

4. Citizen Comments

There were no citizen comments.

5. Next Meeting — The next regularly scheduled meeting of the Mt. Lebanon Planning Board is **Tuesday, September 21, 2021**, at 7:00 p.m. Mr. McMeans said the intent for that meeting is to have in-person and virtual options available.

6. Adjournment

The meeting was adjourned at 8:08 p.m.