



**TOWNSHIP OF NORTH FAYETTE
RESOLUTION NO. 61-24**

A RESOLUTION OF THE TOWNSHIP OF NORTH FAYETTE, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, GRANTING PRELIMINARY LAND DEVELOPMENT PLAN APPROVAL TO DRY RUN DEVELOPMENT, LLC FOR THE IMPERIAL CROSSING LAND DEVELOPMENT APPLICATION.

WHEREAS, Act 247 of 1986, The Pennsylvania Municipalities Planning Code, empowers the governing body of a municipality to regulate subdivisions and land developments within the Municipality; and

WHEREAS, the Township of North Fayette (the "Township") is desirous of orderly and appropriate land use and development to protect the health, safety, and welfare of Township residents; and

WHEREAS, Dry Run Development, LLC (hereafter referred to as "Applicant") is the owner of the properties located in the Township at the intersection of U.S. Route 30 and East Steuben Street, Oakdale, PA, 15071 in the MU Mixed Use Zoning District and Streetscape Enhancement Overlay District and referred to as Allegheny County Tax Parcel Nos. 799-G-1 and 799-D-10 (the "Property"); and

WHEREAS, the Applicant submitted to the Township an application (File No. 2023-10-SP) seeking preliminary approval of a Major Land Development (site plan) to which the Applicant proposes to construct two retail buildings with associated parking and outdoor improvements (the "Development"); and

WHEREAS, the Applicant submitted to the Township the following materials in support of the application for simple subdivision approval:

1. Preliminary Land Development plans prepared Civil & Environmental Consultants, Inc., dated March 7, 2024 (last revised April 17, 2024)

All the materials submitted by Applicant shall be referred to herein as the "Plans"; and

WHEREAS, the Township Engineer, LSSE, Inc., reviewed the Plan and based upon this review, issued review letters April 9, 2024 and April 30, 2024 ("Engineer Review Letters"), attached as Exhibit 'A', that provided various comments with regard to the Plan; and

WHEREAS, the Township Department of Community Development also reviewed the Plan and provided review letters dated April 10, 2024, and May 1, 2024 ("Township Review Memorandum") that also provided comments with regard to the Plan; and

WHEREAS, the Allegheny County Planning Agency also reviewed the Plan and provided a review letter dated April 11, 2024 ("County Review Letter"), attached as Exhibit 'C', that also provided comments with regard to the Plan; and

WHEREAS, the Applicant presented the Plan to the Township of North Fayette Planning Commission at its April 11, 2024 and May 2, 2024 public meetings and recommended to the Board of Supervisors that the Plans be approved; and

WHEREAS, Applicant now desires the Board of Supervisors consider its land development and its Plans for *preliminary* approval pursuant to Section 508 of the Municipalities Planning Code.

NOW, THEREFORE, BE IT RESOLVED by the Township of North Fayette Board of Supervisors that the preliminary land development plan at the intersection of U.S. Route 30 and East Steuben Street, Oakdale, PA, 15071 as submitted by Dry Run Development, LLC and prepared by Civil & Environmental Consultants, Inc., dated March 7, 2024 (last revised April 17, 2024) is hereby **APPROVED** subject to Applicant's compliance with the following conditions:

1. Applicant shall comply with the outstanding comments in the Engineer Review Letters and Township Review Memorandum. Compliance with the outstanding comments shall be determined by the Director of Community Development and the Township Engineer.
2. Applicant shall obtain all necessary approvals for sanitary sewerage facilities planning with regard to the Development or, as applicable, obtain and provide to the Township proof of entitlement to a waiver of the requirements for such planning pursuant to applicable law.
3. Applicant shall secure from the Township all necessary sanitary sewer capacity with regard to the Development including, without limitation, payment of the necessary tapping fees for such capacity pursuant to the Township Code of Ordinances.
4. The Development shall be served by public water supply from the Western Allegheny County Municipal Authority (WACMA).
5. Applicant shall comply with all applicable federal, state, and local statutes, codes, ordinances, rules, and regulations and shall obtain approvals, certificates, licenses and permits required with regard to the Development.
6. Applicant shall pay all outstanding fees, including professional review fees, owed to the Township.
7. Applicant shall file an application for a Grading Permit with Township Department of Community Development. No site work may commence until a Grading Permit is issued.
8. Applicant shall record the final Plans in the office of the Allegheny County Department of Real Estate within 90 days of approval or within 90 days after the date of delivery of an approval plat signed by the Board of Supervisors, following completion of conditions imposed for such

approval, whichever is later. Upon recording of the final Plans with Allegheny County, the developer and/or landowner shall deliver to the Township two paper prints of the final plat as recorded. In addition to the two paper prints, the applicant must submit one copy of the final Plans in an electronic format compatible with the Township's geographic information system (GIS).

9. Prior to release of final Plans for recording, Applicant shall execute and deliver to the Township the following documents in form customarily accepted by the Township:
 - a. Stormwater Maintenance Agreement, as prepared by the Township Solicitor;
 - b. Land Development Agreement, as prepared by the Township Solicitor;
 - c. Financial Security Agreement, as prepared by the Township Solicitor, for the proposed improvements in an amount approved by the Township Engineer.
10. Applicant shall install the Streetscape Improvements within the Property ("Streetscape Improvements") as required to be installed under the Plans as approved, and applicable Township Ordinances and Subdivision regulations, including applicable Construction Standards, prior to issuance of any Occupancy Permits. Streetscape Improvements shall be constructed in compliance with said Ordinances and regulations, and consistent with the Plans as approved by the Township.
11. Applicant understands that the following requested modifications have been granted by the Board of Supervisors;
 - a. A modification from 27-305, Table 4, to allow the maximum lot size in the Mu Mixed Use Zoning District to be greater than 87,000 square feet.
 - b. A waiver from 27-306.4.I, to not install a 100-foot buffer for any parcel abutting Route 22/30.
 - c. A modification from 27-503.6.C, to allow some of the parking to be located in front of the proposed buildings.
 - d. A waiver from 27-503.C, to not require all buildings in the Streetscape Enhancement Overlay District to have doorways that face a public street.
 - e. A modification from 27-503.D.1, to allow one of buildings to be less than the 30 feet in height as required in the Streetscape Enhancement Overlay District.
 - f. A waiver from 27-649.4, to allow a food and grocery store to be larger than 20,000 square feet.

- g. A modification from 27-904.1, to allow parking spaces to be 9 feet in width by 18 feet in length.
- h. A waiver from 22-504.1.I, to not dedicate additional right-of-way to provide for a 70-foot right-of-way along East Steuben Street.
- i. A waiver from 27-503.9.A, to not install pedestrian scale lighting along the property frontage on U.S. Route 30.
- j. A waiver from 27-313.2 and 27-503.10.B, to not install street trees along the property frontage on U.S. Route 30.
- k. A waiver from 27-503.11, to not install street walls and fencing along the property frontage on U.S. Route 30.
- l. A waiver from 27-503.13.E, to not install sidewalks along the property frontage on U.S. Route 30 or beyond the entrance of the development on East Steuben Street, subject to the payment of fee in lieu for the installation of said sidewalk.

Further, the Resolution with approvals and conditions as contained herein does not and shall not authorize the construction of improvements or buildings exceeding those shown on the Plans. Furthermore, this Resolution with approvals and conditions as contained herein shall be rescinded automatically upon Applicant's or Applicant's agent's failure to accept, in writing, all conditions herein imposed within thirty (30) days of the approval of the Resolution, such acceptance to be evidenced by Applicant's or Applicant's agent's signature below.

AND NOW, this 11th day of June 2024, upon motion duly made and seconded, the foregoing **RESOLUTION** is hereby adopted.

ATTEST:

**TOWNSHIP OF NORTH FAYETTE
BOARD OF SUPERVISORS**



James Mangan
Township Manager



James Morosetti, Chairman

Dry Run Development, LLC, the Applicant seeking Preliminary and Final Simple Subdivision approval of the Imperial Crossing preliminary land development application, pursuant to the Subdivision and Land Development Ordinance, Chapter 22 of the Township Code of Ordinances as amended, acknowledges receipt of the foregoing Resolution of the Board of Supervisors of the Township of North Fayette, adopted June 11, 2024, pertaining to same and accepts all the conditions contained therein.

ATTEST:

Dry Run Development, LLC

By:

Print (Name/Title):

Date:

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF ALLEGHENY)

SS:

On this, the _____ day of _____, 2024, before me, the undersigned officer, personally appeared _____ (Name), _____ (Title), known (or satisfactorily proven) to me to be the person whose name is subscribed to the within instrument, who stated he/she has full authority to execute same on behalf of Dry Run Development, LLC and that he/she executed the same for the purposes therein contained.

Witness my hand and notarial seal this ___ day of _____, 2024. My commission expires the ___ day of _____, 20__.

SEAL

Notary Public

EXHIBIT 'A'



LSSE
Civil Engineers and Surveyors
Est. 1985

LSSE: (412) 264-4400
Rabell: (814) 756-4384
Senate: (412) 826-5454
www.lsse.com

LSSE

Rabell

Senate

April 9, 2024

S. O. No. 0448-04-327

VIA EMAIL ONLY
(wozniakm@northfayettepa.gov)

Mr. Michael Wozniak, Community Planner
Township of North Fayette
400 North Branch Road
Oakdale, Pennsylvania 15071

**Subject: Imperial Crossing
Conditional Use Application and Preliminary Land Development
Review No. 1**

Dear Mr. Wozniak:

LSSE has completed our review of the above referenced Conditional Use and Preliminary Land Development Application, dated March 8, 2024 prepared by Civil & Environmental Consultants, Inc. as received by our office March 18, 2024 via email. The plan proposes the construction of a 20,664 square foot grocery store, 2,500 square foot restaurant space with a drive-through and outdoor dining and a 1,725 square foot retail store space. The property is located along the intersection of E. Steuben Street and SR 30 and is Zoned M-U Mixed Use with Overlay SEO Streetscape Enhancement Overlay.

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), Subdivision and Land Development Ordinance (Chapter 22), Grading, Excavation and Fill Ordinance (Chapter 9) and Stormwater Management Ordinance (Chapter 19):

Zoning

1. The Ordinance requires a maximum area size of 87,000 square feet per lot. (Section 27-305.Table 4) **Status: The plans propose a total lot size at 151,230 square feet.**
2. The Ordinance requires a maximum lot coverage of 75% (Section 27-305.Table 4) **Status: Provide in a table or a note on the plans that calls out the proposed lot coverage percentage for the development.**
3. The Ordinance requires the clear sight distance from the main street to the side street for an arterial collector street is 500/30 and requires all fences, walls, screens, bufferyards, or landscaping shall be located so as to not obstruct pedestrian access, visibility for traffic on adjacent streets, or traffic entering or leaving a lot or adjacent lots. (Section 27-305.A.6 & Table 5) **Status: A clear sight triangle is has not been shown on the plan.**

- Coraopolis, PA (Headquarters)
- Aliquippa, Beaver County, PA
- Greensburg, Westmoreland County, PA
- Dublin, Franklin County, OH

- Albion, Erie County, PA

- Pittsburgh, Allegheny County, PA
- White Oak, Allegheny County, PA
- Kittanning, Armstrong County, PA
- Washington, Washington County, PA

4. The Ordinance requires for Bufferyard D to be implemented around the parking perimeter (Section 27-306.4.D) **Status: The location of bufferyard D is not clearly identified on the plans.**
5. The Ordinance requires any lot having frontage on Routes 22/30 shall maintain a 100-foot bufferyard from the ROW of said roads and any appurtenances, such as interchanges and ramps. Notwithstanding the foregoing, the special bufferyard required by this section shall not be required to exceed 15% of the depth of the lot. (Section 27.306.4.I) **Status: The required 100-foot buffer has not been shown on the plan. The plan as presented encroaches into the right-of-way.**
6. The Ordinance requires any internal landscape islands provided within the parking area to meet the landscaping requirements shall be enclosed by appropriate curbing or a similar device or method at least six inches wide and at least six inches in height above the paving surface. Wedge curbing is not acceptable. (Section 27-307.I.5) **Status: Clarify proposed landscape island curbing.**
7. The Ordinance requires the landscaping plan included the location and species of all existing trees twenty four inches DBH and greater. (Section 27-307.1.B.6) **Status: The location and size of existing trees have not been shown on the plan.**
8. The Ordinance requires not more than 50% of the total area of mature woodlands and not more than 75% of the total area of woodlands on a development site shall be removed in conjunction with a subdivision or land development. The remaining woodlands shall be protected as open space. No area of any existing woodland shall be removed prior to the submission of a tree survey or a tree preservation plan prepared by an arborist, landscape architect, or other licensed professional. The tree survey or tree preservation plan submitted shall be reviewed and approved by the Township prior to any woodlands being removed from a subdivision or land development site. (Section 27-308.2) **Status: A tabulation of existing and preserved woodland area has not been shown on the plan.**
9. The Ordinance requires all yard setbacks that abut a primary roadway shall provide a landscape screen in conformance with the spacing standards of Bufferyard C (Section 27-312.3.B) **Status: Properties abutting SR 30 and SR 22 must provide landscaping in accordance with Bufferyard C; plans should clearly identify limits of Bufferyard C.**
10. The Ordinance required engineered slopes of 25% or more shall be landscaped with trees, minimum one-inch DBH, planted 20 feet on center. (Section 27-313.6) **Status: Proposed slope plantings have not been identified on the plan.**
11. The Ordinance requires bicycle racks shall be installed and maintained at each building, nearest to the building entrance as possible, using concrete footings. (Section 27-314.2) **Status: The location of the required bike racks has not been shown on the plans.**
12. The Ordinance requires a continuous internal walkway shall be provided from the public sidewalk along the street along the street to the principal customer entrance of any nonresidential use. This internal walkway must feature landscaping, benches, and other pedestrian amenities for no less than 50% of its length. Internal walkways shall be distinguished from driving surfaces through the use of materials containing contrasting color and textures than the driving surface special pavers, bricks or scored concrete to enhance pedestrian safety and the attractiveness of the walkways. All internal walkways shall be ADA-

compliant (Section 27-317.3) **Status: Plans proposed connection to the Retail/Coffee building only. A pedestrian connection to the grocery store has not been provided. The connection proposes steps between the retail store and East Steuben Street. An ADA compliant path must be provided.**

13. The Ordinance requires buildable area analysis be provided. (Section 27-405) **Status: A Buildable Area Analysis has not been provided.**
14. The Ordinance requires new buildings located within the SEO District shall be located adjacent to the sidewalk or at the build-to line. Build-to line distance shall be 10 feet, measured from the property line or the public right-of-way, whichever is greater. (Section 27-503.5.A.) **Status: The location of the proposed coffee shop/retail store further than 10-feet from the build-to line.**
15. The Ordinance requires parking lots shall be located to the side or rear of a building. (Section 27-503.6.C) **Status: Proposed parking is to be located in the front of both proposed buildings along East Steuben Street.**
16. The Ordinance requires the street level façade of any building facing a public street or access drive shall be transparent between the height of three feet and eight feet above the walkway grade for at least 50% of the horizontal length of the structure (Section 27-503.8.A.1.a) **Status: Provide a table with a calculation of the transparency of each elevation. No more than two sides of any one building shall be subject to the minimum transparency provisions.**
17. The Ordinance requires all buildings in the SEO District shall provide a prominent and highly visible street-level doorway or entrance along the front or side of the building which faces a public street. (Section 27-503.C) **Status: The proposed doorways for the buildings do not front on a public street.**
18. The Ordinance requires the minimum height of any new buildings shall be 30-feet (Section 27-503.D.a) **Status: The elevations sheet provided indicate the proposed building height to be at 22-feet in height for the coffee/retail shop building and approximately 20' for the grocery store.**
19. The Ordinance requires pedestrian scale streetlights, with a pole height no greater than 20-feet, shall be provided along the frontage of the property (Section 27-503.9.A) **Status: Pedestrian scale lighting has not been provided along the property's frontage on S.R. 30.**
20. The Ordinance requires that there shall be no transparent glare from the streetlighting onto adjacent properties (Section 27-503.9.A) **Status: Along the northern portion of the property across E. Steuben Street, there is light spillover across the adjacent property line.**
21. The Ordinance requires canopy/street trees shall be provided and maintained along the entire length of the frontage of the lot. (Sections 27-313.2 27-503.10.B & D) **Status: Street trees have not been provided along the entirety of all street frontages.**
22. The Ordinance requires a combination of street walls and decorative context-sensitive fencing shall be placed along the street whenever buildings do not adjoin the sidewalk or build-to line. (Section 27-503.11) **Status: Details regarding proposed street walls/fencing has not been provided as the proposed buildings do not adjoin the build-to line.**

23. The Ordinance requires an internal walkway system consisting of sidewalks shall be provided within all developments, particularly within parking areas, and shall connect to sidewalks connecting to adjacent parcels. (Section 27-503.13.F) **Status: An internal walkway has not been provided.**
24. The Ordinance requires no more than 50% of the street trees planted shall be of one species (Section 27-503.10.E) **Status: The plan proposes all street trees of the same species.**
The Ordinance requires pedestrian pockets shall be provided at all intersections of proposed and existing streets. (Section 27-503.12.A) **Status: A pedestrian pocket has not been proposed at the corner of U.S 30 and East Steuben Street.**
25. The Ordinance requires crosswalks and ADA accessible curbs to be clearly marked (Section 27-503.13.E.) **Status: Locations of ADA ramps should be clearly identified on the plans.**
26. The Ordinance requires sidewalks be continuous in the SEO District. (Section 27-503.13.E.) **Status: The limits of proposed sidewalks should be clarified on the plan. Sidewalk must be provided of the extent of all property frontages.**
27. The Ordinance requires that pedestrian lighting is provided to illuminate internal walkway systems (Section 27-503.13.G) **Status: Provide the location of all lights along the pedestrian pathways within the project site**
28. The Ordinance requires that each window, bay, or area designed for drive-through service shall provide five reservoir vehicle stacking spaces per window, bay or area; such space shall not encroach into any other required aisles or spaces. (Section 27-642.1) **Status: Provide a clear indication starting from the first window that there is sufficient space to provide queuing for at least five vehicles.**
29. The Ordinance requires that drive-through lanes shall be located to the rear of the buildings unless the Board of Supervisors determines that drive-through lanes located on the side of the building will have less impact on adjacent uses and vehicular and pedestrian circulation and safety. (Section 27-642.2) **The majority of the drive-through queuing occurs along the frontage facing the public road right of way.**
30. The Ordinance requires a food and grocery store shall not exceed 20,000 square feet in gross floor area. (Section 27-649.4) **Status: The proposed gross floor area of the food and grocery store is greater than the maximum area of 20,000 square feet.**
31. The Ordinance requires outdoor dining areas and service areas shall be permanently delineated on all sides with walls or fencing, and shall be separated from any adjacent parking lots, driveways, and/or streets by sidewalks and/or landscaped areas with shrubbery. Walls and fences shall be decorative in nature. Acceptable materials include wrought iron, tubular steel, wood, and decorative masonry. (Section 27-684.01.4) **Status: The plans indicated that the north-east portion of outdoor dining area does not have a wall or fencing. Landscaping must be provided along the perimeter of the outdoor dining area.**

32. The Ordinance requires all mechanical equipment location(s) are subject to Board of Supervisor approval and shall be designed and screened so that visibility from an adjacent residential zoning district is minimized to the greatest extent possible. (Section 27-699.01.7) **Status: The location of any proposed mechanical equipment has not been identified on the plan. Provide the location of all proposed mechanical equipment and provide details indicating how they will be screened from public view**
33. The Ordinance requires each off-street parking space shall have a minimum area of 180 square feet, exclusive of access drives or aisles, shall have minimum dimensions of nine feet in width and 20 feet in length and shall be maintained free from obstruction. (Section 27-904.1) **Status: Applicant has requested a waiver from providing the standard parking stall dimension of 9' by 20' and is proposing to provide stalls with dimensions of 9' by 18'.**
34. The Ordinance requires Single-lane and access drives that provide access to lots and parking areas shall be a minimum of 10 feet wide and a maximum of 12 feet wide. Two lane and access drives shall be a minimum of 20 feet wide and a maximum of 24 feet wide. (Section 27-907.1) **Status: Plans propose a two-way access drive in excess of the 24' requirement.**
35. The Ordinance prohibits parking areas containing more than five parking spaces being located closer than 10 feet to any adjoining lot line, and parking authorized in front yards shall be located at least 10 feet from the street ROW line. (Section 908.2) **Status: Confirmation should be provided that parking along East Steuben and along SR 22 is greater than the required 10' setback.**
36. The Ordinance requires each loading berth shall be at least 65 feet in length and 12 feet in width with an overhead clearance of 14 feet. (Section 27-910.1) **Status: The location of the proposed loading berths should be identified on the plans.**

Subdivision and Land Development

1. The Ordinance requires easements be shown on the plan. (Section 302.1.M) **Status: Easements for the existing sanitary sewer located on the site have not been shown on the plan.**
2. The Ordinance requires existing streets and rights-of-way on or adjoining the site, including dedicated widths, roadway widths, approximate gradients, types and widths of pavements, curbs, sidewalks and other pertinent data. (Section 302.1.P) **Status: The limit of the limit access right-of-way for 22/30 should be identified on the plan.**
3. The Ordinance requires declarations as required by the Township and Allegheny County be shown on the plan. (Section 302.1.U) **Status: Clauses for recording have not been provided on the plan development plans.**
4. The Ordinance requires a site conditions report be provided. (Section 22-306) **Status: A site conditions report has not been provided.**

5. The Ordinance requires a Traffic Impact Study be provided. (Section 22-312) **Status: A traffic impact study has been reviewed under separate cover. The study identifies the need for a traffic signal at the intersection of U.S. 30 and East Steuben Street. A complete signal plan should be provided for review.**
6. The Ordinance requires a structural analysis be provided of impacted Township Roads. (Section 22-313) **Status: The plan proposes mill and overlay of a portion of East Steuben Street. The submission should provide an analysis of the condition of the roadway along the entirety of the property's frontage to determine whether additional improvements are needed.**
7. The Ordinance requires an Erosion and Sedimentation Control Plan as filed with the Allegheny County Conservation District. (Section 22-318) **Status: Provide documentation that the Erosion and Sedimentation Control Plan has been reviewed by the ACCD and NPDES permit issued at the time of final application.**
8. The Ordinance requires that each lot be served by public sanitary sewers approved by the PADEP (Section 22-402.). **Status: Provide Documentation of Sewage Facilities Planning Module approval at the time of final application.**
9. The Ordinance requires the developer and/or landowner shall be responsible for contracting with private utility companies and for providing any easements required by those utility companies to guarantee that each lot shall be served by telephone, gas, electric and cable television. (Section 22-402.3) **Status: Utility service availability letters have not been provided.**
10. The Ordinance requires street lighting along arterial and collector streets abutting or within the development. (Section 22-405.1.A.1) **Status: Lighting is not shown SR 30.**

Grading

1. The Ordinance prohibits work on any grading, excavation or fill without first having obtained a grading permit from the Township. (Section 9-103.1) **Status: A Grading Permit Application should be filed with the Township prior to commencement of work.**
2. The Ordinance requires a description of type of soil underlying the proposed work site, the nature and type of any fill material to be used, the precise location of any storm drains, utilities (above and below ground), sewer lines and appurtenances to be installed, the type of equipment or structures to be placed in any excavation or upon any fill, and any other information which the Township may require to determine whether the proposed work may be carried out without defeating the purposes of this Part (Section 9-103.2.D.2.c) **Status: Call out the type of soil underlying the proposed work site and the type of fill material to be used.**
3. The Ordinance requires a plan showing a base line with locations of cross sections at fifty-foot intervals. (A minimum of three cross sections is required.) (Section 9-103.D.2.g) **Status: Cross sections have not been provided**

4. The Ordinance requires when a retaining wall is provided or other approved support is provided to shore up the face of the excavation, depending on the location and good safety practice, a guard rail or fence may be required at the top of an excavation cut. A design sealed by a professional engineer must be provided for the retaining wall, including a stability analysis and global stability analysis. (Section 9-103.H.1.b) **Status: Complete retaining wall designs and details must be provided; the designs must be prepared by a professional engineer and be in accordance with the recommendations of the geotechnical report of record.**
5. The Ordinance requires when a retaining wall is provided or other approved support is provided to shore up the face of the excavation, depending on the location and good safety practice, a guard rail or fence may be required at the top of an excavation cut. A design sealed by a professional engineer must be provided for the retaining wall, including a stability analysis and global stability analysis. (Section 9-103.H.1.b) **Status: Plans propose a storm sewer to be installed below a retaining wall; provide narrative of how the storm sewer is to be protected and impacts of the retaining wall to the storm sewer.**
6. The Ordinance requires top and bottom edges of all graded slopes shall be at least three feet from adjoining property lines and rights of way in order to permit natural rounding of the slope edges without encroachment on abutting property. (Section 9-103.K.2) **Status: Grading appears to encroach into the 3' setback along several property lines.**
7. The Ordinance requires top and bottom edges of all graded slopes shall be at least three feet from adjoining property lines and rights of way in order to permit natural rounding of the slope edges without encroachment on abutting property. (Section 9-103.K.2) **Status: Plans propose a drainage channel to the east of the grocery store; the grading associated with this channel has not been shown on the plans.**

Stormwater Management

1. The Ordinance requires the preparation and implementation of an approved Storm Water Management Plan (Section 19-301.1.A) **Status: A complete stormwater management plan and report must be provided with the preliminary application for review. Comments regarding the stormwater report will be provided once the report has been received.**
2. The Ordinance requires a Stormwater Maintenance Agreement be signed and recorded. (Section 602) **Status: The Applicant should contact the Township Solicitor regarding the agreement.**
3. The Ordinance requires payment to the Stormwater Facility Maintenance Fund for privately owned and maintained facilities. (Sections 604) **Status: The amount of the Fund contribution will be determined upon approval of the plan.**

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.

Mr. Michael Wozniak, Community Planner
Township of North Fayette
April 9, 2024
Page 8

The plan, as submitted, does not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), Subdivision and Land Development Ordinance (Chapter 22) Grading, Excavation and Fill Ordinance (Chapter 9) and Stormwater Management Ordinance (Chapter 19) with regard to Conditional Use Application and Preliminary Land Development Plan application. Additional comments may be made, and we reserve the right to comment further pending submission of revised plans. The applicant should note that a complete, Final Land Development Application must be submitted and meet the requirements associated with the Final Land Development at the time of application.

The Applicant must provide a detailed written response to each item noted in this letter along with the plan re-submittal.

Should you have any questions, please contact Shawn R. Wingrove, P.E. directly (Ext. 228).

Sincerely,



Kevin A. Brett, P. E



Shawn R. Wingrove, P.E.

KAB/SRW:ven

cc: James R. Mangan, Township Manager (manganj@northfayettepa.gov)
Debbie Midgley, Planning Technician (midgleyd@northfayettepa.gov)
Bob Derosky, Coordinator, Engineering Services (deroskyb@northfayettepa.gov)
Andrew H. Hartwell, AICP, Assistant Township Manager (hartwella@northfayettepa.gov)
Thomas McDermott, Township Solicitor (tmcdermott@gtnlaw.com)
John Frydrych, Civil and Environmental Consultants, Inc (jfrydrych@cecinc.com)



LSSE: (412) 264-4400
Rabell: (814) 756-4384
Senate: (412) 826-5454
www.lsse.com

LSSE

Rabell

Senate

April 30, 2024

S. O. No. 0448-04-327

VIA EMAIL ONLY
(wozniakm@northfayettepa.gov)

Mr. Michael Wozniak, Assistant Director, Community Development
Township of North Fayette
400 North Branch Road
Oakdale, Pennsylvania 15071

**Subject: Imperial Crossing
Conditional Use Application and Preliminary Land Development
Review No. 2**

Dear Mr. Wozniak:

LSSE has completed our review of the above referenced Conditional Use and Preliminary Land Development Application, dated March 8, 2024, last revised April 17, 2024, prepared by Civil & Environmental Consultants, Inc. as received by our office April 17, 2024 via email. The plan proposes the construction of a 20,664 square foot grocery store, 2,500 square foot restaurant space with a drive-through and outdoor dining and a 1,725 square foot retail store space. The property is located along the intersection of E. Steuben Street and SR 30 and is Zoned M-U Mixed Use with Overlay SEO Streetscape Enhancement Overlay.

Previous comments can be found in our letter dated April 9, 2024.

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), Subdivision and Land Development Ordinance (Chapter 22), Grading, Excavation and Fill Ordinance (Chapter 9) and Stormwater Management Ordinance (Chapter 19):

Zoning

1. The Ordinance requires a maximum area size of 87,000 square feet per lot. (Section 27-305. Table 4)
Previous Comment: *The plans propose a total lot size at 151,230 square feet. Status: The applicant has requested a waiver to allow a lot size of 151,230 square feet.*
2. The Ordinance requires any lot having frontage on Routes 22/30 shall maintain a 100-foot bufferyard from the ROW of said roads and any appurtenances, such as interchanges and ramps. Notwithstanding the foregoing, the special bufferyard required by this section shall not be required to exceed 15% of the depth

● Coraopolis, PA (Headquarters)
● Aliquippa, Beaver County, PA
● Greensburg, Westmoreland County, PA
● Dublin, Franklin County, OH

● Albion, Erie County, PA

● Pittsburgh, Allegheny County, PA
● White Oak, Allegheny County, PA
● Kittanning, Armstrong County, PA
● Washington, Washington County, PA

of the lot. (Section 27.306.4.I) **Previous Comment:** *The required 100-foot buffer has not been shown on the plan. The plan as presented encroaches into the right-of-way.* **Status:** **The applicant has requested a waiver to not provide the 100-foot buffer.**

3. The Ordinance requires the landscaping plan included the location and species of all existing trees twenty four inches DBH and greater. (Section 27-307.1.B.6) **Previous Comment:** *The location and size of existing trees have not been shown on the plan.* **Status:** **The response notes that trees within the development do not meet the requirement that would include 24" diameter trees. If no 24" or greater trees exist on the parcel, notation and certification of same should be included on the plan.**
4. The Ordinance requires not more than 50% of the total area of mature woodlands and not more than 75% of the total area of woodlands on a development site shall be removed in conjunction with a subdivision or land development. The remaining woodlands shall be protected as open space. No area of any existing woodland shall be removed prior to the submission of a tree survey or a tree preservation plan prepared by an arborist, landscape architect, or other licensed professional. The tree survey or tree preservation plan submitted shall be reviewed and approved by the Township prior to any woodlands being removed from a subdivision or land development site. (Section 27-308.2) **Previous Comment:** *A tabulation of existing and preserved woodland area has not been shown on the plan.* **Status:** **The response notes that no mature woodland exists on the site. No response is given for woodlands in general. Tabulation of existing and disturbed woodlands must be shown on the plan.**
5. The Ordinance required engineered slopes of 25% or more shall be landscaped with trees, minimum one-inch DBH, planted 20 feet on center. (Section 27-313.6) **Previous Comment:** *Proposed slope plantings have not been identified on the plan.* **Status:** **Slope plantings has not been provided for the complete extents of steep slopes.**
6. The Ordinance requires a continuous internal walkway shall be provided from the public sidewalk along the street along the street to the principal customer entrance of any nonresidential use. This internal walkway must feature landscaping, benches, and other pedestrian amenities for no less than 50% of its length. Internal walkways shall be distinguished from driving surfaces through the use of materials containing contrasting color and textures than the driving surface special pavers, bricks or scored concrete to enhance pedestrian safety and the attractiveness of the walkways. All internal walkways shall be ADA-compliant (Section 27-317.3) **Previous Comment:** *Plans proposed connection to the Retail/Coffee building only. A pedestrian connection to the grocery store has not been provided. The connection proposes steps between the retail store and East Steuben Street. An ADA compliant path must be provided.* **Status:** **Clarify surfacing of path within park area that connects between two ADA ramps in the park area as it is unclear if this is ADA compliant surface. Additionally, plans identify a sidewalk along East Steuben Street; however, a concrete hatch is not provided, so limits of sidewalk are unclear. Please revise accordingly.**
7. The Ordinance requires new buildings located within the SEO District shall be located adjacent to the sidewalk or at the build-to line. Build-to line distance shall be 10 feet, measured from the property line or the public right-of-way, whichever is greater. (Section 27-503.5.A.) **Previous Comment:** *The location of the proposed coffee shop/retail store further than 10-feet from the build-to line.* **Status:** **The Applicant is requesting a waiver from requirement.**

8. The Ordinance requires parking lots shall be located to the side or rear of a building. (Section 27-503.6.C) **Previous Comment :** *Proposed parking is to be located in the front of both proposed buildings along East Steuben Street.* **Status: The applicant has requested a waiver from requirement.**
9. The Ordinance requires the street level façade of any building facing a public street or access drive shall be transparent between the height of three feet and eight feet above the walkway grade for at least 50% of the horizontal length of the structure (Section 27-503.8.A.1.a) **Previous Comment:** *Provide a table with a calculation of the transparency of each elevation. No more than two sides of any one building shall be subject to the minimum transparency provisions.* **Status: Provide the dimensions of the transparent areas. These areas must be at least 5-feet in length. Provide an elevation that shows these openings are at least 3-feet above ground level.**
10. The Ordinance requires all buildings in the SEO District shall provide a prominent and highly visible street-level doorway or entrance along the front or side of the building which faces a public street. (Section 27-503.C) **Previous Comment:** *The proposed doorways for the buildings do not front on a public street.* **Status: The applicant has requested a waiver from this requirement.**
11. The Ordinance requires the minimum height of any new buildings shall be 30-feet (Section 27-503.D.a) **Previous Comment:** *The elevations sheet provided indicate the proposed building height to be at 22-feet in height for the coffee/retail shop building and approximately 20' for the grocery store.* **Status: The applicant has requested a waiver from this requirement.**
12. The Ordinance requires pedestrian scale streetlights, with a pole height no greater than 20-feet, shall be provided along the frontage of the property (Section 27-503.9.A) **Previous Comment:** *Pedestrian scale lighting has not been provided along the property's frontage on S.R. 30.* **Status: The applicant has requested a waiver from this requirement to not install pedestrian lights along Shipland Road.**
13. The Ordinance requires canopy/street trees shall be provided and maintained along the entire length of the frontage of the lot. (Sections 27-313.2 27-503.10.B & D) **Previous Comment:** *Street trees have not been provided along the entirety of all street frontages.* **Status: The applicant has requested a waiver from this requirement to not install street trees along Shipland Road.**
14. The Ordinance requires a combination of street walls and decorative context-sensitive fencing shall be placed along the street whenever buildings do not adjoin the sidewalk or build-to line. (Section 27-503.11) **Previous Comment:** *Details regarding proposed street walls/fencing has not been provided as the proposed buildings do not adjoin the build-to line.* **Status: The applicant has requested a waiver from this requirement to not install street walls/fencing along Shipland Road.**
15. The Ordinance requires pedestrian pockets shall be provided at all intersections of proposed and existing streets. (Section 27-503.12.A) **Previous Comment:** *A pedestrian pocket has not been proposed at the corner of U.S 30 and East Steuben Street.* **Status: The applicant has requested a waiver from this requirement to not install a pedestrian pocket at the intersection of East Steuben and Shipland.**

16. The Ordinance requires sidewalks be continuous in the SEO District. (Section 27-503.13.E.) **Previous Comment:** *The limits of proposed sidewalks should be clarified on the plan. Sidewalk must be provided of the extent of all property frontages.* **Status:** **The applicant has requested a waiver from this requirement along East Steuben Street. The waiver request does not include request for relief to Shipland Road. Please clarify if sidewalks are proposed here; if not, the waiver request must be revised accordingly.**
17. The Ordinance requires all crosswalks located within the property shall be constructed of stamped or scored reinforced concrete as found in PennDOT Publication 111, Traffic Control – Pavement Markings and Signing Standards, TC-8600, Sheet 6 of 13 – Type C, and shall feature PennDOT approved hot thermoplastic pavement markings (Section 27-503.13.E.2) **Status:** **Details have not been provided for all internal pedestrian crosswalks.**
18. The Ordinance requires that drive-through lanes shall be located to the rear of the buildings unless the Board of Supervisors determines that drive-through lanes located on the side of the building will have less impact on adjacent uses and vehicular and pedestrian circulation and safety. (Section 27-642.2) **Previous Comment:** *The The applicant proposes additional buffering for the Township’s review in allowing the drive-through to not be located to the rear of the lot.*
19. The Ordinance requires a food and grocery store shall not exceed 20,000 square feet in gross floor area. (Section 27-649.4) **Previous Comment:** *The proposed gross floor area of the food and grocery store is greater than the maximum area of 20,000 square feet.* **Status:** **The applicant has requested a waiver from this requirement to have a store of 20,664 square feet.**
20. The Ordinance requires each off-street parking space shall have a minimum area of 180 square feet, exclusive of access drives or aisles, shall have minimum dimensions of nine feet in width and 20 feet in length and shall be maintained free from obstruction. (Section 27-904.1) **Previous Comment:** *Applicant has requested a waiver from providing the standard parking stall dimension of 9’ by 20’ and is proposing to provide stalls with dimensions of 9’ by 18’.* **Status:** **Pending Waiver Request.**

Subdivision and Land Development

1. The Ordinance requires easements be shown on the plan. (Section 302.1.M) **Previous Comment:** *Easements for the existing sanitary sewer located on the site have not been shown on the plan.* **Status:** **The response indicates that additional research is needed for the sewer easement. A 20’ easement centered on the sanitary sewer alignment may be shown on the plan.**
2. The Ordinance requires existing streets and rights-of-way on or adjoining the site, including dedicated widths, roadway widths, approximate gradients, types and widths of pavements, curbs, sidewalks and other pertinent data. (Section 302.1.P) **Previous Comment:** *The limit of the limit access right-of-way for 22/30 should be identified on the plan.* **Status:** **The location of the extents of the limited access right-of-way has not been shown on the plan.**

3. The Ordinance requires a Traffic Impact Study be provided. (Section 22-312) **Previous Comment:** *A traffic impact study has been reviewed under separate cover. The study identifies the need for a traffic signal at the intersection of U.S. 30 and East Steuben Street. A complete signal plan should be provided for review.* **Status: Pending.**
4. The Ordinance requires an Erosion and Sedimentation Control Plan as filed with the Allegheny County Conservation District. (Section 22-318) **Previous Comment:** *Provide documentation that the Erosion and Sedimentation Control Plan has been reviewed by the ACCD and NPDES permit issued at the time of final application.* **Status: Pending.**
5. The Ordinance requires that each lot be served by public sanitary sewers approved by the PADEP (Section 22-402.). **Previous Comment:** *Provide Documentation of Sewage Facilities Planning Module approval at the time of final application.* **Status: Pending.**
6. The Ordinance requires street lighting along arterial and collector streets abutting or within the development. (Section 22-405.1.A.1) **Previous Comment:** *Lighting is not shown SR 30.* **Status: The applicant has requested a waiver from the requirement.**
7. The Ordinance requires if a subdivision or land development abuts an existing street which has a right-of-way width of less than the required right-of-way width set forth the Township Construction Standards, this chapter or Zoning Ordinance [Chapter 27], the developer shall lay out as a street on the plat the additional amount of land necessary so that the distance from the center line of the street to the edge of the right-of-way abutting the proposed development is 1/2 the right-of-way width required by the Township Construction Standards. (Section 22-504.1.I) **Status: The applicant has requested a waiver to not dedicate additional right-of-way.**

Grading

1. The Ordinance prohibits work on any grading, excavation or fill without first having obtained a grading permit from the Township. (Section 9-103.1) **Previous Comment:** *A Grading Permit Application should be filed with the Township prior to commencement of work.* **Status: Pending.**
2. The Ordinance requires when a retaining wall is provided or other approved support is provided to shore up the face of the excavation, depending on the location and good safety practice, a guard rail or fence may be required at the top of an excavation cut. A design sealed by a professional engineer must be provided for the retaining wall, including a stability analysis and global stability analysis. (Section 9-103.H.1.b) **Previous Comment :** *Complete retaining wall designs and details must be provided; the designs must be prepared by a professional engineer and be in accordance with the recommendations of the geotechnical report of record.* **Status: Pending.**
3. The Ordinance requires when a retaining wall is provided or other approved support is provided to shore up the face of the excavation, depending on the location and good safety practice, a guard rail or fence may be required at the top of an excavation cut. A design sealed by a professional engineer must be provided for the retaining wall, including a stability analysis and global stability analysis. (Section 9-103.H.1.b) **Previous Comment:** *Plans propose a storm sewer to be installed below a retaining wall;*

provide narrative of how the storm sewer is to be protected and impacts of the retaining wall to the storm sewer. Status: No change, the narrative response as requested regarding the storm sewer installation has not been provided. This should be included with application for final approval.

4. The Ordinance requires top and bottom edges of all graded slopes shall be at least three feet from adjoining property lines and rights of way in order to permit natural rounding of the slope edges without encroachment on abutting property. (Section 9-103.K.2) **Previous Comment:** *Grading appears to encroach into the 3' setback along several property lines. Status: No change, grading has not been revised to not encroach into required setback. This should be included with application for final approval.*
5. The Ordinance requires top and bottom edges of all graded slopes shall be at least three feet from adjoining property lines and rights of way in order to permit natural rounding of the slope edges without encroachment on abutting property. (Section 9-103.K.2) **Previous Comment:** *Plans propose a drainage channel to the east of the grocery store; the grading associated with this channel has not been shown on the plans. Status: No change, grading has not been provided on the plans.*

Stormwater Management

1. The Ordinance requires the preparation and implementation of an approved Storm Water Management Plan (Section 19-301.1.A) **Previous Comment:** *A complete stormwater management plan and report must be provided with the preliminary application for review. Comments regarding the stormwater report will be provided once the report has been received. Status: No change, a complete stormwater management plan and report, including all required calculations, remains to be submitted.*
2. The Ordinance requires a Stormwater Maintenance Agreement be signed and recorded. (Section 602) **Previous Comment:** *The Applicant should contact the Township Solicitor regarding the agreement. Status: Pending.*
3. The Ordinance requires payment to the Stormwater Facility Maintenance Fund for privately owned and maintained facilities. (Sections 604) **Previous Comment:** *The amount of the Fund contribution will be determined upon approval of the plan. Status: Pending.*

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), Subdivision and Land Development Ordinance (Chapter 22) Grading, Excavation and Fill Ordinance (Chapter 9) and Stormwater Management Ordinance (Chapter 19) with regard to Conditional Use Application and Preliminary Land Development Plan application, with resolution of the above noted items. Additional comments may be made, and we reserve the right to comment further pending submission of revised plans. The applicant should note that a complete, Final Land Development Application must be submitted and meet the requirements associated with the Final Land Development at the time of application.

Mr. Michael Wozniak, Community Planner
Township of North Fayette
April 30, 2024
Page 7

The Applicant must provide a detailed written response to each item noted in this letter along with the plan re-submittal.

Should you have any questions, please contact Shawn R. Wingrove, P.E. directly (Ext. 228).

Sincerely,



Kevin A. Brett, P. E



Shawn R. Wingrove, P.E.

KAB/SRW:als

cc: James R. Mangan, Township Manager (manganj@northfayettepa.gov)
Debbie Midgley, Planning Technician (midgleyd@northfayettepa.gov)
Bob Derosky, Coordinator, Engineering Services (deroskyb@northfayettepa.gov)
Andrew H. Hartwell, AICP, Assistant Township Manager (hartwella@northfayettepa.gov)
Thomas McDermott, Township Solicitor (tmcdermott@gtnlaw.com)
John Frydrych, Civil and Environmental Consultants, Inc. (jfrydrych@cecinc.com)

EXHIBIT 'B'



Memorandum

To: Planning Commission Members

Cc: Mark Koontz, P.E., Horizon Properties, Applicant (via email)
John Frydrych, M.S., P.E., CDP, Civil & Environmental Consultants, Inc. (via email)

Board of Supervisors (via email)
Tom McDermott, Esq., Township Solicitor (via email)
Shawn Wingrove, P.E., Township Engineer (via email)
Andrew Hartwell, AICP, Assistant Township Manager (via email)
Debbie Midgley, Planning Technician (via email)

From: Michael Wozniak
Assistant Director, Community Development

Date: April 10, 2024

Re: Application 2024-8-CU – Imperial Crossing Conditional Use
Application 2024-9-SU – Imperial Crossing Lot Line Consolidation
Application 2024-10-SP – Imperial Crossing Preliminary Land Development
Township Review Comments No. 1

I have reviewed the above referenced application and my comments are as follows:

1. Application Summary:

- A. **Application 2024-8-CU – Imperial Crossing Conditional Use** - An application for conditional use to allow a food and grocery store, restaurant, and retail < 5,000 sq. ft. on 3.472 acres of land located at the intersection of East Steuben Street and U.S. Route 30, in the MU Mixed Use Zoning District and Streetscape Enhancement Overlay District (Allegheny County Parcel ID Nos. 799-G-1 & 799-D-1).
- B. **Application 2024-9-SU – Imperial Crossing Lot Line Consolidation** - An application for preliminary and final approval of a land development (simple subdivision) on 3.472 acres of land located at the intersection of East Steuben Street and U.S. Route 30, in the MU Mixed

Application 2024-8-CU – Imperial Crossing Conditional Use
Application 2024-9-SU – Imperial Crossing Lot Line Consolidation
Application 2024-10-SP – Imperial Crossing Preliminary Land Development
Township Review Comments No. 1
April 10, 2024

Use Zoning District and Streetscape Enhancement Overlay District (Allegheny County Parcel ID Nos. 799-G-1 & 799-D-1).

- C. **Application 2024-10-SP – Imperial Crossing Preliminary Land Development** - An application for preliminary approval of a land development (major land development) on 3.472 acres of land located at the intersection of East Steuben Street and U.S. Route 30, in the MU Mixed Use Zoning District and Streetscape Enhancement Overlay District (Allegheny County Parcel ID Nos. 799-G-1 & 799-D-10)

2. **Waivers/Modifications:**

- A. The applicant is requesting a modification to the requirement that each parking space have minimum dimensions of 9 feet in width and 20 feet in length. The applicant is proposing parking spaces with dimensions of 9 feet in width and 18 feet in length. (§27-904.1)

3. **Variances:**

- A. No variances have been granted or are currently under consideration for the site by the Zoning Hearing Board.

4. **Township Engineer Review:**

- A. Please refer to comments from the Township Engineer, per the LSSE review letter dated April 9, 2024. A copy of the letter is enclosed.

5. **Community Development Review:**

- A. The land development plans show the proposed sidewalk terminating to the left of the entrance on East Steuben Street. Township Ordinance requires sidewalks to be installed along the entire frontage of a property. The Applicant should clarify whether the intention is to pay a fee in lieu for the remaining portion of sidewalk along East Steuben Street.
- B. The land development plans do not show proposed sidewalks along the property frontage on US Route 30. If no sidewalks are being proposed, a modification will need to be requested for this frontage.
- C. The proposed Traffic Signal Plans for the intersection of US Route 30 and East and West Steuben Street do not show crosswalks. Plans should be revised to include crosswalks.
- D. The land development plans are missing several items required in the Streetscape Enhancement Overlay District including, but not limited to, street walls and fencing, a pedestrian pocket, and parking lot screening. The applicant should clarify if waivers are being requested from these requirements.

Application 2024-8-CU – Imperial Crossing Conditional Use
Application 2024-9-SU – Imperial Crossing Lot Line Consolidation
Application 2024-10-SP – Imperial Crossing Preliminary Land Development
Township Review Comments No. 1
April 10, 2024

6. Township Solicitor Review:

- A. Please refer to any comments from the Township Solicitor.

7. County Planning Agency Review:

- A. The Planning Division of the Allegheny County Department of Economic Development (ACED) received a copy of the application and plans. As of this date, no comments have been received from ACED.

Due to the significance of the items missing or in need of correction as outlined by the Township and the Township Engineer, it is my recommendation that the Planning Commission table this application. This will allow for items identified in this memorandum dated April 10, 2024, and LSSE's review letter dated April 9, 2024, to be addressed prior to the next meeting scheduled for May 2, 2024.

Please let me know if you have any questions or concerns.

MW

Enclosures (1)



Memorandum

To: Planning Commission Members

Cc: Mark Koontz, P.E., Horizon Properties, Applicant (via email)
John Frydrych, M.S., P.E., CDP, Civil & Environmental Consultants, Inc. (via email)

Board of Supervisors (via email)
Tom McDermott, Esq., Township Solicitor (via email)
Shawn Wingrove, P.E., Township Engineer (via email)
Andrew Hartwell, AICP, Assistant Township Manager (via email)
Debbie Midgley, Planning Technician (via email)

From: Michael Wozniak
Assistant Director, Community Development

Date: May 1, 2024

Re: Application 2024-8-CU – Imperial Crossing Conditional Use
Application 2024-9-SU – Imperial Crossing Lot Line Consolidation
Application 2024-10-SP – Imperial Crossing Preliminary Land Development
Township Review Comments No. 2

I have reviewed the above referenced applications and my comments are as follows:

1. Application Summary:

- A. **Application 2024-8-CU – Imperial Crossing Conditional Use** - An application for conditional use to allow a food and grocery store, restaurant, and retail < 5,000 sq. ft. on 3.472 acres of land located at the intersection of East Steuben Street and U.S. Route 30, in the MU Mixed Use Zoning District and Streetscape Enhancement Overlay District (Allegheny County Parcel ID Nos. 799-G-1 & 799-D-1).
- B. **Application 2024-9-SU – Imperial Crossing Lot Line Consolidation** - An application for preliminary and final approval of a land development (simple subdivision) on 3.472 acres of land located at the intersection of East Steuben Street and U.S. Route 30, in the MU Mixed Use Zoning District and Streetscape Enhancement Overlay District (Allegheny County Parcel ID Nos. 799-G-1 & 799-D-1).

Application 2024-8-CU – Imperial Crossing Conditional Use
Application 2024-9-SU – Imperial Crossing Lot Line Consolidation
Application 2024-10-SP – Imperial Crossing Preliminary Land Development
Township Review Comments No. 2
May 1, 2024

- C. **Application 2024-10-SP – Imperial Crossing Preliminary Land Development** - An application for preliminary approval of a land development (major land development) on 3.472 acres of land located at the intersection of East Steuben Street and U.S. Route 30, in the MU Mixed Use Zoning District and Streetscape Enhancement Overlay District (Allegheny County Parcel ID Nos. 799-G-1 & 799-D-10)

2. **Waivers/Modifications:**

- A. The Applicant is requesting a waiver from the 87,000 square foot maximum lot size in the MU Mixed Use Zoning District (27-305 Table 4).
- B. The applicant is requesting a waiver from the required 100-foot buffer abutting Route 22/30 (27.306.4.I).
- C. The applicant is requesting a waiver from the requirement that all parking in the Streetscape Enhancement Overlay District be located to the side or rear of a building (27-503.6.C).
- D. The applicant is requesting a waiver from the requirement that all buildings in the Streetscape Enhancement Overlay District have doorways that face a public street (27-503.C).
- E. The applicant is requesting a waiver from the requirement that all buildings in the Streetscape Enhancement Overlay District be a minimum of 30 feet in height (27-503.D.1).
- F. The applicant is requesting a modification from the requirement that a food and grocery store shall not exceed 20,000 square feet (27-649.4).
- G. The applicant is requesting a modification from the requirement that parking spaces have minimum dimensions of 9 feet width and 20 feet in length. The applicant is instead requesting to install parking spaces with dimensions of 9 feet width and 18 feet in length, which meets typical industry standards (27-904.1).
- H. The applicant is requesting a waiver from the requirement that additional right-of-way be dedicated to provide a 70-foot right-of-way along East Steuben Street (22-504.1.I).

3. **Variances:**

- A. No variances have been granted or are currently under consideration for the site by the Zoning Hearing Board.

4. **Township Engineer Review:**

- A. Please refer to comments from the Township Engineer, per the LSSE review letters dated April 9, 2024 and April 30, 2024. Copies of the letters are enclosed.

Application 2024-8-CU – Imperial Crossing Conditional Use
Application 2024-9-SU – Imperial Crossing Lot Line Consolidation
Application 2024-10-SP – Imperial Crossing Preliminary Land Development
Township Review Comments No. 2
May 1, 2024

5. Community Development Review:

- A. Per 27-503.13(2), crosswalks shall be constructed of stamped or scored reinforced concrete as found in PennDOT Publication 111, Traffic Control - Pavement Markings and Signing Standards, TC-8600, Sheet 6 of 13 - Type E "Herringbone" (with approved nonreflective maroon color mixed into the concrete). Crosswalks shall be striped with a six-inch-wide painted white stripe on both sides. Plans should be revised to include the Township Standard crosswalks.
- B. At the April 11, 2024 Planning Commission Meeting a resident stated that the original mortgage for his family's property shows ownership of a portion of the subject property. Research of available Deed and Mortgage records on file with Allegheny County was done by Township Staff and Solicitor, and no evidence was found to back up this claim. A deed plot created from the deed calls listed in Deed Book Volume 6195, page 845, is enclosed. It is possible that the portion of property that the resident referred to is the gravel parking area directly across the street from the driveway for 10 East Steuben Street. Enclosed is a GIS map showing the shape of the parcel according to Allegheny County, which matches the deed plot, as well as an outline of the gravel parking area which appears to be entirely within the Township owned right-of-way for East Steuben Street.

6. Township Solicitor Review:

- A. Please refer to any comments from the Township Solicitor.

7. County Planning Agency Review:

- A. Please refer to comments from The Planning Division of the Allegheny County Department of Economic Development (ACED), per the LSSE review letter dated April 11, 2024. A copy of the letter is enclosed.

At this time, the application is complete, pending the resolution of items outlined by the Township Engineer. It is my recommendation that the Planning Commission recommend approval of the Imperial Crossing Plans to the Board of Supervisors, contingent upon all items being addressed in this memorandum dated May 1, 2024, and LSSE's review letters dated April 9, 2024, and April 30, 2024.

Furthermore, it is the recommendation of Township Staff that the Planning Commission recommend approval of the modification/waiver request listed above.

Please let me know if you have any questions or concerns.

MW

Enclosures (6)

EXHIBIT 'C'

COUNTY OF



ALLEGHENY

SARA INNAMORATO
COUNTY EXECUTIVE

April 11, 2024

Michael Wozniak
Assistant Director, Community Development
Township of North Fayette
400 North Branch Road
Oakdale, PA 15071

Project: **Dry Run Development, LLC Imperial Crossing**
Location: U.S. Route 30 and E. Steuben Street
Description: Consolidation and Land Development (MU)
Area: 3.472 Acres
ACED File#: 24-089 SU & 24-090 SP

Dear Mr. Wozniak,

We received the above-referenced application on March 19, 2024, for a lot consolidation and land development of parcel ID #s 799-G-1 and 799-D-10 located on U.S. Route 30 and E. Steuben Street in North Fayette Township. We have reviewed the application and offer the following comments:

- In the subdivision plan, we recommend naming the parcels for clarity. For example, Tax Parcel ID: 799-G-1 could be Lot 1, Tax Parcel ID 799-D-10 could be Lot 2, and Total Consolidated Parcel could be Parcel A.
- Section 27-305(3) of the North Fayette Zoning Ordinance states the maximum lot area for mixed use zoning is 87,000 square feet. The proposed lot area is 151,230 square feet.
- The proposed uses for the land development are conditional, Part 6 of the North Fayette Zoning Ordinance sets the standard for permitted conditional use. These standards should be reviewed and met.
 - Section 27-649(4) states "A food and grocery store shall not exceed 20,000 square feet in gross floor area." The proposed grocery is 20,664 square feet.
- The landscaping plan includes Orange Rocket Japanese Barberry. Japanese Barberry is on the DCNR invasive plant list. If the Orange Rocket variant is also invasive, it should not be used.

ALLEGHENY COUNTY ECONOMIC DEVELOPMENT

KOPPERS BUILDING • 436 SEVENTH AVE, SUITE 500 • PITTSBURGH, PA 15219
PHONE (412) 350-1000 • WWW.ALLEGHENYCOUNTY.US/ECONDEV

Should you have any questions, please contact Riley McGrath at (412) 350-3719 or at Riley.McGrath@AlleghenyCounty.US.

Sincerely,



Matthew T. Trepal, AICP
Manager, Planning Division

MTT:rsm