

PENN HILLS PLANNING COMMISSION
Meeting Packet
MAY 23, 2024
7:30 PM



Prepared for the Penn Hills Planning Commission
by Meg Balsamico, Principal Planner
Penn Hills Department of Planning & Economic Development



PENN HILLS PLANNING COMMISSION MEETING

AGENDA

MAY 23, 2024

7:30 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES – March 21, 2024

CONDITIONAL USE

1. Shawn Taylor, President of Penn Heights Dwellings LLC, with a business address of 11743 Frankstown Road, Suite C, Pittsburgh, PA 15235, is requesting Conditional Use approval to convert the former St. Bartholomew Church and School Campus located at 111 Erhardt Drive into a Senior Housing Development. The owner of the property is Penn Heights Dwellings LLC and the Zoning Classification for this property is R-1, Single Family Residential with the lot and block number 0368-L-00155-0000-03.

All interested residents are invited to attend. Further information may be obtained by contacting 412-342-1174.

Persons with disabilities, requiring accommodations to participate in the proceedings, are requested to call 412-342-1174, 48 hours prior to the meeting to discuss how we may meet your needs. Hearing impaired may contact the Municipality through the State Relay Office at 1-800-654-5984 or 711.

Legal Advertisement to be published in the Pittsburgh Post-Gazette Local Xtra, (Penn Hills) Edition, on May 9, 2024, and May 16, 2024

**LEGAL AD
MUNICIPALITY OF PENN HILLS
PLANNING COMMISSION MEETING**

On Thursday, May 23, 2024, the Planning Commission of the Municipality of Penn Hills will meet at 7:30 PM, in the Penn Hills Municipal Building, Council Chambers, 102 Duff Road, to consider the following:

CONDITIONAL USE

1. Shawn Taylor, President of Penn Heights Dwellings LLC, with a business address of 11743 Frankstown Road, Suite C, Pittsburgh, PA 15235, is requesting Conditional Use approval to convert the former St. Bartholomew Church and School Campus located at 111 Erhardt Drive into a Senior Housing Development. The owner of the property is Penn Heights Dwellings LLC and the Zoning Classification for this property is R-1, Single Family Residential with the lot and block number 0368-L-00155-0000-03.

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March 21, 2024
PLANNING COMMISSION MEETING
7:34 P. M.

PRESENT:

Mr. Brodnicki - Planning Commissioner
Mr. Schaaf - Planning Commissioner
Mr. Chiappinelli - Planning Commissioner
Dr. Kincaid - Planning Commissioner
Ms. King - Planning Commissioner
Craig Alexander – Attorney for Penn Hills
Meg Balsamico - Planning Dept.
Danielle Ohm – Court Reporter
P. Jacquie Pierre-Small – Secretary

Call to Order
Pledge
Roll Call

There being no addition or deletion to the minutes, a motion was made by Ms. King to approve the minutes for the 2/22/2024 meeting. The motion was seconded by Dr. Kincaid.

The minutes were approved by a 5 – 0 vote.

A motion was made by Dr. Kincaid to take the Conditional Use Proposed Public Recreational Facility off the table. The motion was seconded by Mr. Brodnicki.

The request to take Conditional Use Proposed Public Recreational Facility off the table was approved by a 5 – 0 vote.

A summary of the Planning Department's recommendation memo to the Planning Commission is below.

The applicant's agent Tysen Miller of KU Resources requested that this case be tabled and rescheduled for the March 21st Planning Commission meeting. I have enclosed the minutes from the January 25, 2024, Planning Commission meeting for your information and a copy of the email correspondence between Tysen Miller and myself concerning the applicant's request to table. I also enclosed the email correspondence from PennDOT regarding the bonding requirement for Hunter Road for the construction of the pickle ball facility.

Please refer to your packet from the January 25th meeting for the information pertaining to this case. The Planning Department's recommendation remains the same and is attached along with a copy of the draft resolution to be approved by the Mayor and Council.

The Planning Commission's meeting agenda was mailed to surrounding property owners on Hunter Road, Colorado Street, Kansas Street, Greenridge Drive, Ryans Lane, Oakview Drive, and Blanchar Drive as I did for the January 25, 2024, PC meeting.

The applicant and their agent(s) have reviewed the ten recommended conditions and are in agreement with the conditions. The recommended conditions meet the requirements of Penn Hills Zoning Ordinance 2420, Penn Hills Subdivision and Land Development Ordinance 2136, Penn Hills Storm Water Ordinance 2642 and Penn Hills Grading Ordinance

The Planning Department recommends approval of the Conditional Use request and offers the following motion: With **ten (10) conditions**.

- 1. The proposed project shall meet all portions of Section 11 of Penn Hills Zoning Ordinance 2420, Conditional Uses. A modification of Section 11.5 D. (4) of Penn Hills Zoning Ordinance 2420 shall be granted to permit the parking lot to be located 80 feet from the single-family home located at 1583 Hunter Road where 100 feet is required provided that a landscaped buffer is maintained and shall be planted between the parking lot and the property line as depicted on the landscape plan submitted by KU Resources, the property owner's agent.**
- 2. The property owner or their agent shall submit a land development plan to the Penn Hills Planning Commission for consideration and approval which shall meet all requirements of Penn Hills Zoning Ordinance #2420, Penn Hills Subdivision and Land Development Ordinance #2136, Penn Hills Storm Water Management Ordinance #2642, and shall include the submittal of a survey of the property/existing conditions plan, a site plan, a landscaping plan, a grading plan, a stormwater management plan, an erosion, sediment control plan, a lighting plan, a utility plan and the property owner shall comply with any additional conditions that the Planning Commission deems as necessary to protect the public health, safety and general welfare.**
- 3. The property owner or their agent shall submit an Environmental Report that will include an Environmental Impact Statement to the Planning Commission with the land development application that shall be in accordance with Section 16 of Ordinance 2420 and section 8.17 of Ordinance 2136.**
- 4. The property owner or their agent shall obtain a revision to their NPDES Permit from the Allegheny County Conservation District and the property owner or their agent shall obtain a permit for the sewage holding tank from the Plumbing Division of the Allegheny County Health Department.**
- 5. Following the approval of the land development plans, a grading permit, and a building permit shall be obtained from the Penn Hills Department of Code Enforcement, and all**

required local, state, and federal permits shall be obtained prior to the start of any grading work, the placement of fill on the property or site preparation work to the property. Upon completion of the construction of the facility, an occupancy permit shall be obtained from the Penn Hills Department of Code Enforcement prior to the opening of the facility.

6. The property owner shall submit a performance bond that is equal to 110% of the project cost which shall be submitted with the grading and building permit application.
7. The property owner or their agent shall obtain a Highway Occupancy Permit from PennDOT for Hunter Road, (PA State Route 2080), prior to the start of any grading work, the placement of fill on the property or site preparation work to the property, and if required by PennDOT a traffic study shall be completed and a bond shall be provided by the property owner to PennDOT for any damages to the road that may be caused during the grading or construction phase.
8. The property owner or their agent shall hire and pay an inspector with their own funds from the offices of Penn Hills Municipal Engineer to verify and document the type of fill, the quantity of fill being placed on the property and the date that the fill was brought to the site.
9. The facility shall open no earlier than 7:00 AM and close no later than 9:00 PM daily.
10. The parking lot shall provide a total of 53 parking spaces, 50 regular parking spaces and 3 ADA parking spaces and parking shall be prohibited along the public streets and along the public right of way for the patrons and employees of the public recreational facility.

Attorney Alexander presented **Conditional Use Proposed Public**

Recreational Facility, which was tabled at the January 25, 2024, Planning Commission Meeting at the request of the applicant has been rescheduled for the 3/21/2024 meeting. Tysen Miller of KU Resources, agent for the applicant, Dino Folino of FJIC Green, LLC located at 109 Dark Hollow Rd. Oakmont, PA 15139 is requesting Conditional Use approval to construct an indoor Public Recreational Facility for nine (9) indoor pickleball courts. In addition, the applicant is also requesting a waiver of Section 11.5 D (4) of Ordinance 2420 to allow the parking area to be 80 feet from the existing single-family dwelling located at 1583 Hunter Road where 100 feet is required. The facility will be located in the vicinity of Hunter Road and Colorado Street in the C, Conservation Zoning District. The lot and block numbers are #0445-B-057- 000-00, #0444-R-052-0000-00 and #0445-C-277-0000-00.

Tysen Miller, KU Resources, Agent for the Owner:

Different recreational use, vegetation/streams will not be affected.

Less environmental impact.

The building will be approximately twenty-three thousand square feet.

Nine (9) Indoor pickle ball courts.

Fifty-three (53) parking spaces will be provided.

Stormwater management will be addressed with the land development application.

Mr. Schaaf:

Square & rectangular buildings – 64 x 396

The actual size of courts is 64 x 34.

Space of the exterior of each court

Court certain size with bounds, width might change.

Membership needed.

Restrict parking.

Ms. Balsamico:

Private vs public recreational facility explained.

No Membership required – Public facility is open to anyone who pays the rental fee.

Landscaping per Ordinance.

Screen parking from adjacent home at 1583 Hunter Road.

Mr. Chiappinelli:

Fitting in the community.

Level off property.

Fill from property.

Inspection if not.

Ms. King:

Condition number eight (8) language was amended, inspector with their own funds from the offices of Penn Hills Municipal Engineer to verify and document the type of fill.

Mr. Miller:

Condition #9, The facility shall open no earlier than 7:00 A. M. and close no later than 9:00 P.M. daily. Would like to change the hours of operation to 7:00 A. M. to 10:00 P. M.

Ms. Balsamico:

There are single family dwellings surrounding the facility.

Closes at 9:00 P. M. everyone will be out by 10:00 P. M.

Mr. Chiappinelli:

Creates noise, best time of operation is to close at 9:00 P. M.

Prefab – metal building with insulation.

Open Discussion with the following audience members.

Tina Ward of 2988 Greenridge Dr.

Forty (40) year resident.

Very much against this development.

Hunter Road was not built for traffic from the facility.

To go to work she wakes up at 3:00 A. M. and goes to bed at 6:00 P. M.

Greenridge is above the proposed development and is concerned about the traffic and noise.

Kaylee Gruby of 227 Kansas St.

Natural elements parks.

VOPP Trail Connector.

Green burial cemetery.

Huge concerns with Construction material at the dump site.

Pickle ball court in Verona. No need to build another in Penn Hills.

Kristen Hohman of 1790 Hunter Rd.

Concurs with concerns already mentioned.

Who will operate the facility – Folino Construction?

Facility will it overcrowd the residential area.

Concern of additional traffic on Hunter Road.

Kelly Manning of 2984 Greenridge Dr.

Concern how much more traffic can be expected.

Mr. Miller:

Traffic study is part of land development.

Twenty (20) minutes to an hour per game.

Mary Karlheim of 109 Blanchar Dr.

The Greenridge Plan residents can hear the noise from Hunter Road.

Agrees with 9:00 P. M. closing time.

Hunter Road keeps falling, it was closed twice already.

Mr. Chiappinelli:

People will try to park on Colorado Street. He wants the entrance on Hunter to be moved and relocated away from the sharp bend.

Ms. Balsamico:

PennDOT – The Property owner will be required to post a Bond for damage to Road.

Greg Swatchick: of 648 Gramac Ln.

The dimensions of pickle ball court need to meet space requirements.

Grant money for public facility not opposed to him making money for the pickle ball facility but what is the difference as far as flow of money goes?

Anticipation for the use of the rest of the land.

Jason Ott of 227 Kansas St.

Driving on Hunter Road for six (6) years, the road is very hazardous.

Sounds come through the valley.

Main concern is traffic noise.

Nine (9) courts bring a lot of traffic.

Kaylee Gruby of 227 Kansas St.

Deer crossing along Hunter Road and the increase of traffic will cause more accidents.

Charlie Obecky of 231 Kansas St.

People flying out of Penn Hills Park assuming they will do the same thing coming out of the Pickle Ball court. See it every day.

Lights on all night?

Planning Commission members and Ms. Balsamico discussed with Mr. Miller their concerns.

Vacant land with little taxes, building on property with more taxes.

Report problems to Penn Hills Planning and Code Enforcement Departments.

Most pickle ball players are retired.

Conditional Use is good for two (2) years.

Indoor pickle ball courts in Plum & Harmar.

Outdoor pickle ball courts in Monroeville & Verona.

All requirements are met.

Construction trucks in entrance, traffic control will be handled by Penn Hills, third party or the applicant?

The owner will hire a flagger company during the construction phase. A HOP from Penn Dot will be obtained for the new entrance,.

Gully & creek disturbance movement i.e. flooding.

Thirty-six (36) acres environmental study was done previously, refer to drawing.

The applicant asked for revisions to conditions #8 & #9.

Agrees with the proposed ten (10) conditions.

Impressed with the developer and engineer.

Cemetery complaint of runoff should go to (WPCD), Penn Hills Water Pollution Control Department.

Ms. King, point of order engineer wants condition #8 changed how can that be done?

Ms. Balsamico read the changes to **Condition # 8:**

“The property owner or their agent shall hire and pay a qualified third (3rd) party testing agency with their own funds which shall be reviewed by Penn Hills Municipal Engineer and the qualified third (3rd) party testing agency shall verify and document the type of fill; the quantity of fill being placed on the property and the date that the fill was brought to the site. In addition, Penn Hills Municipal Engineer shall make periodic inspections to review and verify the fill at the site which shall be paid by the owner of the property.”

Mr. Chiappinelli:

The hours of operation will not change from closing at 9:00 P. M.

Closing time is staying at 9:00 P. M.

A motion was made by Ms. King to recommend to Mayor and Council that this Conditional Use for the Proposed Public Recreational Facility application be approved with the ten (10) conditions including the amendment Ms. Balsamico read into the minutes for condition #8.

The motion was seconded by Dr. Kincaid.

The motion was passed with the amended condition by a 5 – 0 vote.

- 1. The proposed project shall meet all portions of Section 11 of Penn Hills Zoning Ordinance 2420, Conditional Uses. A modification of Section 11.5 D. (4) of Penn Hills Zoning Ordinance 2420 shall be granted to permit the parking lot to be located 80 feet from the single-family home located at 1583 Hunter Road where 100 feet is required provided that a landscaped buffer is maintained and shall be planted between the parking lot and the property line as depicted on the landscape plan submitted by KU Resources, the property owner's agent.**
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- 4. The property owner or their agent shall obtain a revision to their NPDES Permit from the Allegheny County Conservation District and the property owner or their agent shall obtain a permit for the sewage holding tank from the Plumbing Division of the Allegheny County Health Department.**
- 5. Following the approval of the land development plans, a grading permit, and a building permit shall be obtained from the Penn Hills Department of Code Enforcement, and all required local, state, and federal permits shall be obtained prior to the start of any grading work, the placement of fill on the property or site preparation work to the property. Upon completion of the construction of the facility, an occupancy permit shall be obtained from the Penn Hills Department of Code Enforcement prior to the opening of the facility.**
- 6. The property owner shall submit a performance bond that is equal to 110% of the project cost which shall be submitted with the grading and building permit application.**

- 7. The property owner or their agent shall obtain a Highway Occupancy Permit from PennDOT for Hunter Road, (PA State Route 2080), prior to the start of any grading work, the placement of fill on the property or site preparation work to the property, and if required by PennDOT a traffic study shall be completed and a bond shall be provided by the property owner to PennDOT for any damages to the road that may be caused during the grading or construction phase.**
- 8. The property owner or their agent shall hire and pay a qualified third (3rd) party testing agency with their own funds which shall be reviewed by Penn Hills Municipal Engineer and the qualified third (3rd) party testing agency shall verify and document the type of fill; the quantity of fill being placed on the property and the date that the fill was brought to the site. In addition, Penn Hills Municipal Engineer shall make periodic inspections to review and verify the fill at the site which shall be paid by the owner of the property.**
- 9. The facility shall open no earlier than 7:00 AM and close no later than 9:00 PM daily.**
- 10. The parking lot shall provide a total of 53 parking spaces, 50 regular parking spaces and 3 ADA parking spaces and parking shall be prohibited along the public streets and along the public right of way for the patrons and employees of the public recreational facility.**

There being no other business a motion was made by Dr. Kincaid to adjourn the meeting and was seconded by Mr. Brodnicki.

The meeting was adjourned at 8:56 P. M.



MUNICIPALITY OF PENN HILLS
PLANNING DEPARTMENT
MEMORANDUM

TO: The Planning Commission

FROM: Meg Balsamico, Principal Planner 

DATE: May 14, 2024

SUBJECT: Conditional Use, Proposed Senior Citizen Housing Development

APPLICANT: Shawn Taylor, President of Penn Heights Dwellings LLC

OWNER: Penn Heights Dwellings LLC

LOCATION: 111 Erhardt Drive

ZONING: R-1, Single Family Residential

LOT AND BLOCK: 0368-L-00155-0000-03

Shawn Taylor, President of Penn Heights Dwellings LLC, with a business address of 11743 Frankstown Road, Suite C, Pittsburgh, PA 15235, is requesting Conditional Use approval to convert the former St. Bartholomew Church and School Campus located at 111 Erhardt Drive into a Senior Housing Development. The owner of the property is Penn Heights Dwellings LLC and the Zoning Classification for this property is R-1, Single Family Residential with a lot and block number of 0368-L-00155-0000-03.

Penn Heights Dwellings LLC purchased the 7.9-acre parcel in December of 2023. Mr. Taylor is also the owner of Taylor Construction & Development Inc., which is also located at 11743 Frankstown Road in Penn Hills. His construction company has been operating for over 40 years and will be the contractor for the proposed development.

In the enclosed narrative that Mr. Taylor submitted, he stated that some of the units will be designated to meet the targeted need for intergenerational housing for senior citizens who are raising their grandchildren and for seniors who are at risk becoming homeless.

The proposed affordable independent living senior citizen housing complex will be developed in several phases. The first phase will be completed to convert the existing building that was formerly the church rectory into twelve (12) apartment units consisting of ten (10) one-bedroom units and two (2), two- bedroom units.

Following the renovations to the rectory, the former convent will also be converted to twelve (12) apartment units. During the renovations, sprinkler systems will be installed in both buildings and each building will have one unit that will meet the Americans with Disabilities Act, (ADA), accessibility standards. During the later phases of the project, the church and school will be demolished, and it is anticipated that up to seventy (70) additional units will be constructed in multiple phases.

The applicant has submitted a sidewalk plan that was completed by his engineer, KU Resources. There are existing sidewalks throughout the property and new sidewalks will be constructed to connect the existing sidewalks to the bus stop that is located at the corner of the access driveway and Frankstown Road. A portion of the proposed sidewalk will be in the right of way along Frankstown Road which is a state road so the applicant or his engineer will have to contact Penn DOT to find out if a highway occupancy permit will be required.

The proposed development will meet all the conditions required for a Conditional Use approval for Senior Housing as stated in Section 11 of Ordinance 2420 which is enclosed for your information. Following the approval of the Conditional Use, the applicant will apply to have the land development plans approved by the Planning Commission in accordance with Section 16 of Ordinance 2420.

The Planning Department supports this application and recommends approval of the Conditional Use and offers the following motion:

"I make a motion that the Planning Commission recommend that Penn Hills Mayor and Council approve the Conditional Use for a Senior Citizen Housing Development to be constructed at 111 Erhardt Drive with the following conditions:

1. The applicant shall meet all conditions stated in Section 11 and Section 16 of Penn Hills Zoning Ordinance 2420 as amended.
2. Sidewalks shall be constructed as depicted on the sidewalk plan submitted by the applicant.
3. The applicant shall obtain a Highway Occupancy Permit from Penn Dot if required.

MLB/mb

Cc: Shawn Taylor, President, Penn Heights Dwellings, LLC
File



Municipality of Penn Hills

102 Duff Road, Penn Hills, PA 15235 Phone: 412-342-1172
Penn Hills Department of Planning and Economic Development



UNIVERSAL APPLICATION FORM PROPERTY/LAND USE

Note: Please Print or Type This Application

APPLICANT:

Name: SHAWN TAYLOR Telephone Number: (412) 758-8334
Address & Zip Code: 11743 FRANKSTOWN RD PGH, PA 15235
Relationship to Owner of Record: PRESIDENT
Email: SHAWN.TAYLOR@TAYLORCONSTRUCT.COM

OWNER OF RECORD OF SUBJECT PROPERTY:

Name: PENN HEIGHTS BUILDINGS LLC Telephone Number: (412) 758-8334
Address & Zip Code: 11743 FRANKSTOWN RD. PGH, PA 15235
Relationship to Owner of Record: OWNER
Email: SHAWN.TAYLOR@TAYLORCONSTRUCT.COM

PROPERTY INFORMATION:

Present Zoning: R-1 Single Family Residential ^{4/23/24} Lot & Block #: 368-L-155
Location: 1117 ERHARDT DR. PGH, PA 15235
Nature of Structures on Property: Existing Church / Rectory / Convent
and School Buildings ^{4/23/24}
Lot Area (Sq. Ft.) 7,912 ^{A/C} Width: _____ Depth: _____
Present Use: CHURCH, PUBLIC WORSHIP, SCHOOL
Proposed Use: SENIOR HOUSING

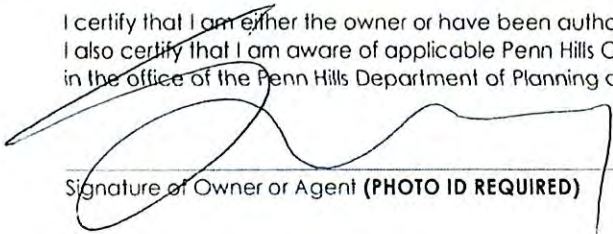
APPLICANT'S NARRATIVE/EXPLANATION OF REQUEST:

SEEK CONDITIONAL USE - SEE ATTACHED NARRATIVE

- ☐ Approval of Site Plan
 - ☐ Subdivision Application
 - ☐ Home Occupation – Submit Home Occupation Addendum w/Universal Application
 - ☐ Home Occupation/No Impact Submit Home Occupation Addendum w/Universal Application
 - ☐ Conditional Use/Planned Unit Residential Development
 - ☒ Conditional Use/Other
 - ☐ Zoning Amendment
 - ☐ Curative Amendment / Council
 - ☐ Curative Amendment / Zoning Hearing Board
 - ☐ Non-Conforming Use Registration
 - ☐ Special Exception
 - ☐ Variance
 - ☐ Temporary Use
 - ☐ Appeal
 - ☐ other
-

CERTIFICATION OF AUTHORIZATION BY OWNER:

I certify that I am either the owner or have been authorized by the owner to submit this application.
I also certify that I am aware of applicable Penn Hills Ordinance and that they are available for review
in the office of the Penn Hills Department of Planning and Economic Development.



Signature of Owner or Agent (PHOTO ID REQUIRED)

4/23/24

Date of Application

The Narrative Explanation of Request:

Seeking conditional use approval to convert the former St. Barts campus into Senior Citizen Housing. As the needs of senior citizen housing have evolved, the site will focus on Senior Housing with some of the units designed to meet the targeted needs of Seniors in Penn Hills; Including intergenerational housing (Grandparents raising Grandchildren) and the growing need for Seniors who are at risk of experiencing homelessness.

The project will be developed in multiple phases. The existing rectory will be completed during the immediate 1st phase followed by the Convent building. The School and Church buildings will be demolished during additional phases.

It is anticipated that construction in the rectory building will commence after the Hearing and permitting process with Council, Planning, and Permitting is completed.

MUNICIPALITY OF PENN HILLS

Resolution No. 2024 - _____

A RESOLUTION OF THE MUNICIPALITY OF PENN HILLS, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, GRANTING CONDITIONAL USE APPROVAL TO PENN HEIGHTS DWELLINGS LLC. FOR THE CONSTRUCTION OF SENIOR HOUSING TO BE LOCATED AT 111 EHARDT DRIVE (LOT & BLOCK# 368-L-155-03

WHEREAS, senior housing is a conditional use in residential districts, and

WHEREAS, the Planning Commission has conducted a public meeting to consider the application and recommends approval of this application, and

WHEREAS, the Penn Hills Department of Planning and Economic Development has also reviewed the application and has recommended approval, and

WHEREAS, Section 11 of Penn Hills Zoning Ordinance #2420, sets forth standards for Senior Citizen Housing, and

WHEREAS, the proposed development meets these standards and

WHEREAS, Mayor and Council grant approval of this application with the following conditions:

1. The applicant shall meet all conditions stated in Section 11 and Section 16 of Ordinance 2420 as amended.
2. Sidewalks shall be constructed as depicted on the sidewalk plan submitted by the applicant.
3. The applicant shall obtain a Highway Occupancy Permit from Penn Dot if required.

NOW, THEREFORE, BE IT RESOLVED at a public meeting duly convened by Mayor and Council that the Municipality of Penn Hills approves this Conditional Use application.

THIS RESOLUTION APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE MUNICIPALITY OF PENN HILLS ON THIS _____ DAY OF _____, 2024 A.D.

PAULINE CALABRESE, MAYOR

DATE

SCOTT ANDREJCHAK, MANAGER

DATE

Penn Hills Zoning Ordinance 2420

Section 3.2 Definitions

Senior Citizen Housing - A facility designed for, operated as, and occupied by five (5) or more unrelated persons sixty (60) years of age or older. Such dwelling may be a Personal Care Boarding Home, Adult Day Care Home, an Elderly Hi-rise, Senior Citizen apartment building, or similar facility and may be the conversion of an existing building or a new facility. Senior citizen housing is conditional use in all R, B-1 and B-2 Districts.

Section 10 – Performance Standards

Section 10.1.D. Required number of Parking Spaces - The minimum of parking spaces required for each type of use is as follows:

10.1.D.(9) c. Senior Citizen Housing - notwithstanding any other provisions of this ordinance, senior citizen housing shall require a minimum of one (1) parking space for each two (2) dwelling units. All parking spaces shall be on the same lot as the dwelling units.

SECTION 11 CONDITIONAL USES

- 11.1 Purpose - Uses that are designated as conditional uses are generally compatible with other land uses permitted in a zoning district, but, because of their unique characteristics or potential impacts on the surrounding neighborhood or municipality as a whole, require a determination of appropriateness at a particular location proposed. Such individual consideration may include the imposition of conditions in order to ensure the appropriateness of the use on any particular parcel of land and the compatibility of the use with adjacent uses. Conditional use approval may only be granted for those uses which are expressly listed as conditional uses in the zoning district in which the use is proposed.

All previously designated conditional uses are subject to the following express conditions and procedures:

- 11.2 Conditional Uses - Conditions - Conditional uses shall fulfill all applicable conditions, as follows:

- 11.2.A. Compliance with the provisions of Section 16 of this ordinance and submission and approval of a preliminary plan and final plan, if requested.
- 11.2.B. Compliance with any other conditions imposed by provisions of this ordinance regarding the particular conditional use.
- 11.2.C. Any other applicable regulations, whether in this or any other Penn Hills ordinance, or any county, state, or federal regulations.
- 11.2.D. Any other conditions imposed by the Council, which are deemed necessary for protection of the public health, safety, or welfare.
- 11.2.E. The Council may increase or decrease bulk and area regulations, performance standards, and parking requirements that might otherwise be applicable for permitted uses.

- 11.3 Conditional Uses - Procedure - The procedure for requesting a conditional use is as follows:

- 11.3.A. An owner of property or any authorized agent of an owner may apply for a conditional use under the provisions of this section. A written application, twelve (12) copies of a preliminary plan or final plan, and the appropriate fee as periodically determined by Council, shall be filed with the Planning Department. All application materials must be filed in the Planning Department at least thirty-two (32) days before the Planning Commission meeting at which the application will be considered. The preliminary/final plan shall be similar to the preliminary site plan as detailed in Section 16 of this ordinance. The preliminary/final plan shall address itself to all applicable conditions for the particular conditional use.

- 11.3.B. Within five (5) days after receiving an application for conditional use approval, the Planning Department shall determine whether the application is complete. If the Planning Department determines that the application is not complete, the applicant shall be notified of any deficiencies and no further steps will be taken to process the application until the applicant remedies the deficiencies.
- 11.3.C. Once an application is determined to be complete, the preliminary/final plans and application shall be reviewed by the Planning Department. Copies of the Planning Department's review, the plans, and the application shall be forwarded to the Planning Commission. A public hearing by the Planning Commission shall be set within forty-five (45) days of the filing of a complete application.
- 11.3.D. Notice of the Planning Commission hearing shall be advertised in accordance with the advertising policy of the Municipality and the Municipalities Planning Code. The subject property shall be conspicuously posted with a notice of the conditional use request, and the date and time of the conditional use request, and the date and time of the Planning Commission meeting and the Council meeting, for at least fourteen (14) days before the Planning Commission public hearing.
- 11.3.E. The Planning Commission shall, at the public hearing examine the preliminary/final plan and listen to relevant testimony from the owner of the property or his agent, representatives of the Planning Department, and any interested citizen. The Planning Commission shall pose necessary questions to any of the above parties.
- 11.3.F. The Planning Commission shall, within fourteen (14) days of their hearing, forward a written recommendation to the Council along with the preliminary/final plan and application. This recommendation shall either approve the conditional use request, disapprove it, or approve it conditioned upon specified changes or conditions.
- 11.3.G. The Council shall hold a public hearing on the conditional use request within forty-five (45) days of receipt of the recommendation of the Planning Commission. Notice of the hearing is required as specified in Section 11.3.D.
- 11.3.H. The Council shall, at the hearing, examine the preliminary plan and the recommendation by the Planning Commission. The Council shall also hear relevant testimony from the owner of the property, or his agent, or a representative of the Planning Department, if desired, and any interested citizens, and shall pose necessary questions to any of the above parties. The Council may request the submission of a final plan, if deemed necessary. The final plan shall be similar to the final site plan as detailed in Section 16 of this ordinance.

11.3.I. The Council shall, within fourteen (14) days of the hearing, approve or disapprove the conditional use request. If the Council disapproves the conditional use request, the reasons for disapproval should be stated.

11.3.J. A conditional use shall not be approved unless the Council shall determine:

- (1) That the proposed conditional use will not substantially injure or detract from the use of neighboring property, or from the character of the neighborhood, and that the use of property change of plan, is adequately safeguarded.
- (2) That the conditional use will serve to protect the best interests of the Municipality of Penn Hills, the convenience of the community, and the public health, safety, and welfare.
- (3) That the effect of the conditional use will facilitate the logical, efficient, and economic extension of public services and facilities, such as public water, sewers, police and fire protection, and public schools.

11.3.K. A majority vote of the Council is required for approval.

11.3.L. The property owner, or his agent, the Planning Commission, and the Planning Department shall receive written notification of the Council's decision. Any other interested party can, at the hearing, request receipt of the written notification. In any case, the written notification shall be sent promptly following the Council's decision.

11.3.M. All appeals from decisions rendered by the Council under this section shall be taken to the Court of Common Pleas of the judicial district where the land in issue is located and shall be filed within thirty (30) days after the entry of the decision as provided in 42 PA C.S. Section 5572 (relating to time of entry of order).

11.4 Conditional Uses - General Provisions

11.4.A. When a conditional use has been denied by the Council, no request for that particular use may be re-filed with the Planning Department for at least one (1) year from the date of denial. The only exception to this provision shall be if the landowner, or his agent, can show a change in circumstances regarding the property, which would warrant re-examination of the conditional use request within the year's limitation. Such showing of changed circumstances shall be submitted in writing, along with a conditional use application, to the Planning Department.

11.4.B. An approved conditional use shall be completed within two (2) years following the date of approval. However, the Planning Department may

grant an extension of time if the landowner or his agent requests such an extension, and if good cause for the extension is shown. There are no other exceptions to this rule. If, at the end of the two (2) year period, the conditional use is not completed, and if no extension has been granted, the approval of the conditional use shall be null and void.

11.4.C. Minor changes in an approved conditional use, may be approved in the manner described in Section 16.2.E of this ordinance, including appropriate conditions. Major changes, as defined by the Planning Department Director, are required to submit a formal application for a Planning Commission recommendation, and a decision by Council.

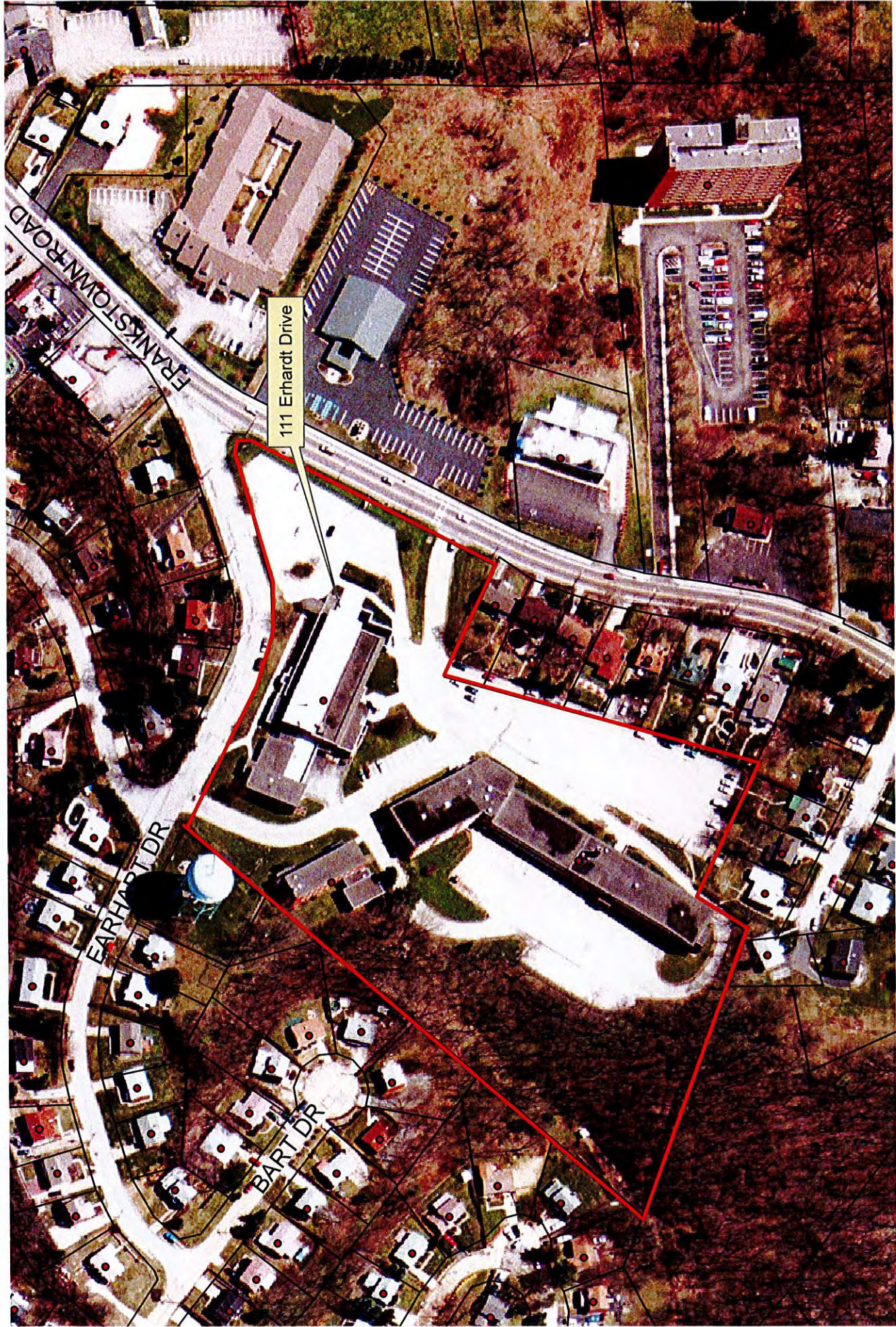
11.4.D. Notwithstanding any other provision of this ordinance, when an application for a conditional use has been filed with the Planning Department, and the subject matter would ultimately constitute either a land development, or a subdivision, as defined in Section 4.2 of Penn Hills Ordinance #2136, as amended, no change or amendment of this ordinance or Ordinance #2136 as amended, or other ordinances or plans shall affect the decision on such application adversely to the applicant. The application shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans, as they existed at the time the application was filed. Provided further, should such an application be approved by the Council, the applicant shall be entitled to proceed with the submission of either land development or subdivision plans within a period of six (6) months, or longer if specifically approved by the Council, following the date of such approval in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed before the Council. If either a land development or subdivision plan is so filed within said period, such plan shall be subject to the review procedures and time limitations applicable to land developments or subdivisions under the Penn Hills Subdivision and Land Development Ordinance #2136, as amended.

11.5 Conditional Uses - Specific Conditions

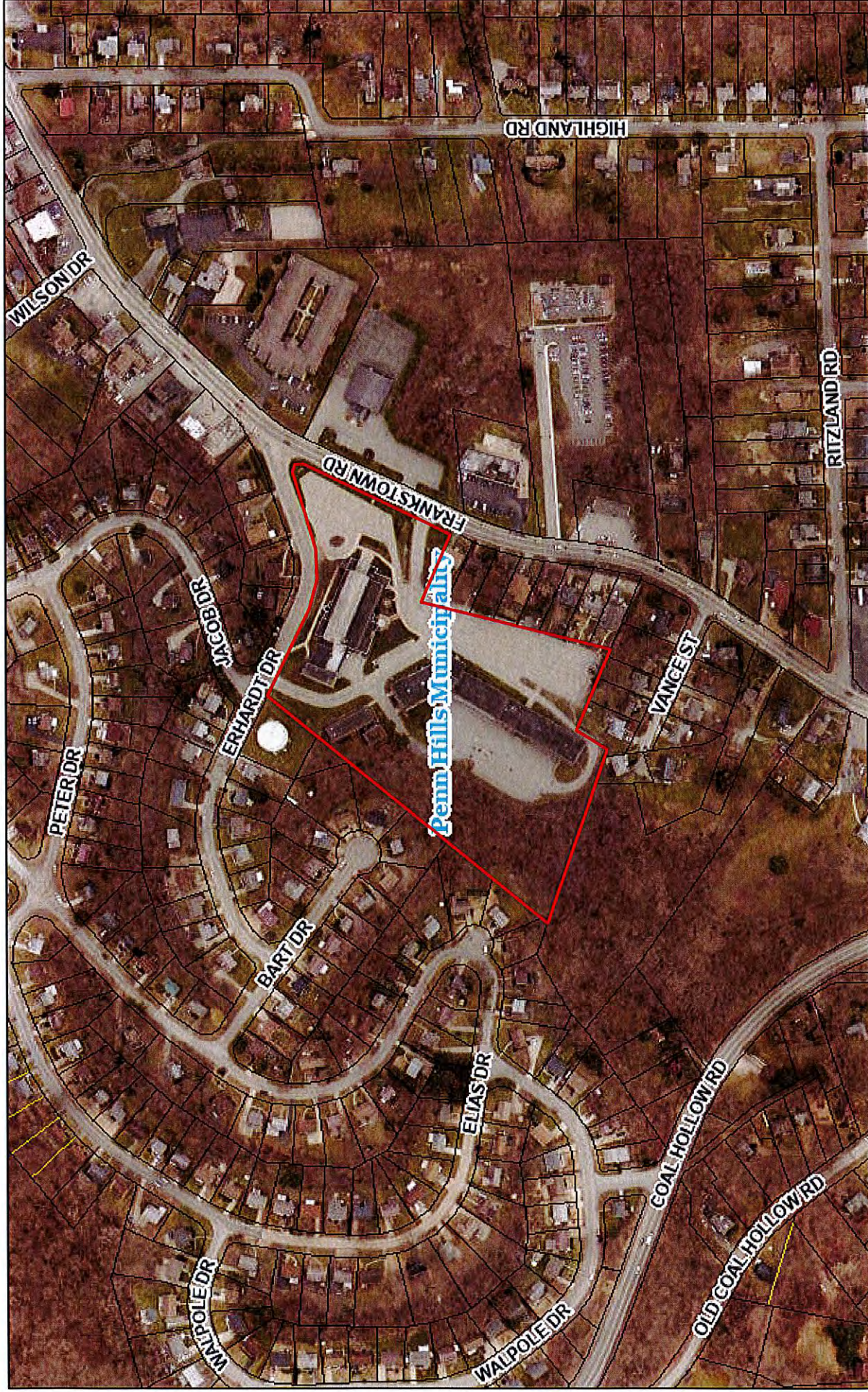
11.5.I. Senior Citizen Housing

- (1) Must meet the requirements of federal, state, and local laws pertaining to housing for the elderly.
- (2) Must meet the requirements of Section 16, Site Plan Approval and Review. Conversion off existing structures must meet the development standard requirements for new construction.
- (3) Minimum size of site shall be one (1) acre.
- (4) Must provide a minimum of 250 sq. ft. of living area per person, excluding all common living areas.

- (5) Must provide full sprinkler system and meet all fire code requirements.
- (6) Cooking and bathing facilities must be provided and available to residents at all times.
- (7) Must provide a common indoor community area that is a minimum of 50 sq. ft. per resident.
- (8) Must provide a common outdoor community/recreation area with facilities suitable to tenants needs.
- (9) Must provide open space in accordance with requirements of Section 10.
- (10) Fire hydrants must be located within a reasonable distance of the facility.
- (11) Must be located within a reasonable distance of public transportation.
- (12) The installation of sidewalks or crosswalks beyond the requirements of Section 10 may be required to provide accessibility to transportation.
- (13) Facility must be located on property with direct access to either collector or arterial streets.
- (14) Senior Citizen housing must meet the minimum bulk and area requirements for the respective zoning district in which it is located. The Council may vary bulk and area regulations when additional buffering and yard area are proposed.
- (15) Operation of the facility must be under full time management.
- (16) A laundry service area must be provided.
- (17) Must be located within a reasonable distance of shopping facilities.



PIN: 0368L00155000003



April 4, 2024

- Municipalities
- LotLines
- Streets
- Parcels

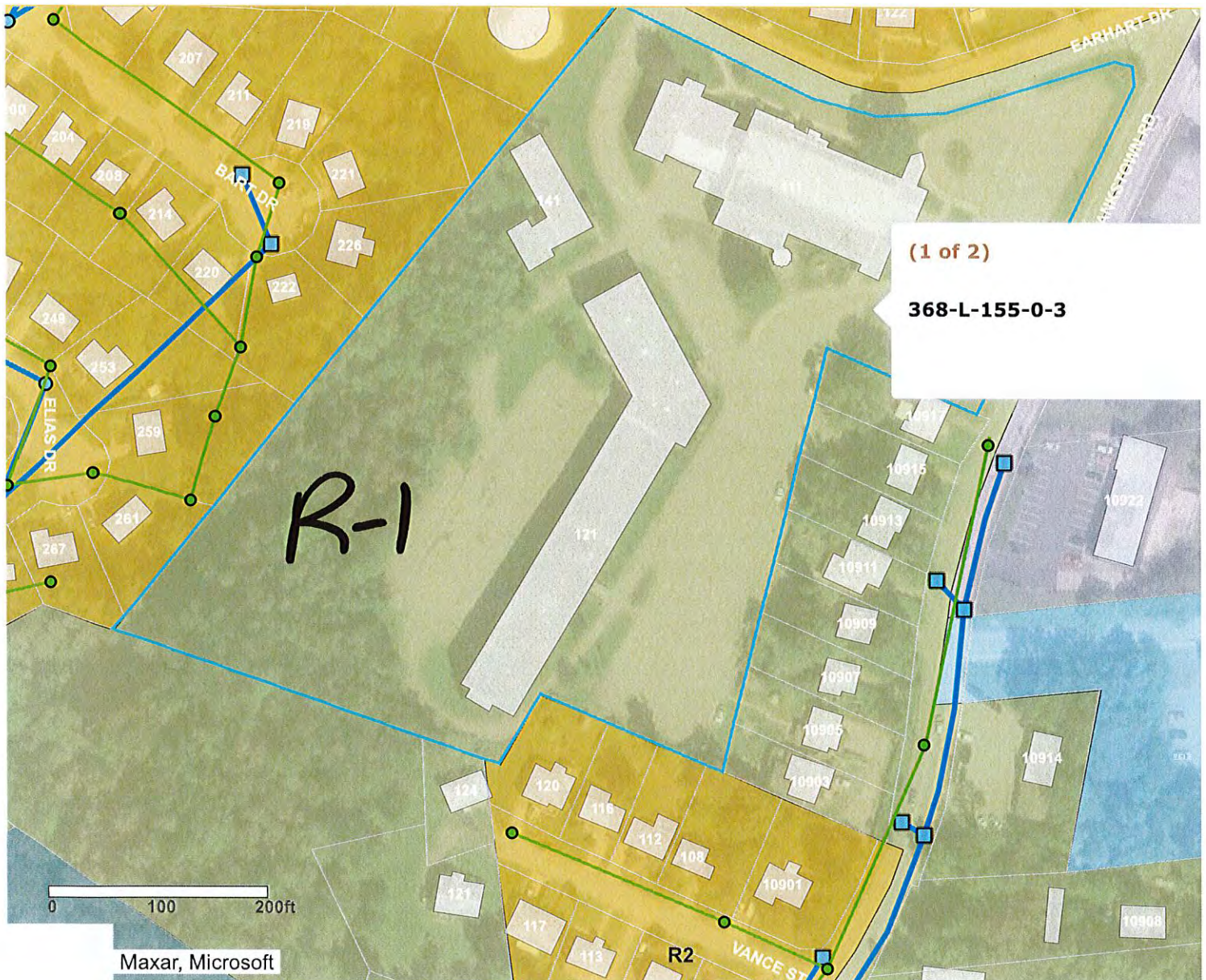
1:4,514
0 0.03 0.06 0.09 0.11 mi
0 0.04 0.09 0.18 km
Allegheny County 2012; 2010 Imagery

Data displayed on this map is for informational purposes only. It is not survey
2020



Municipality of Penn Hills

Code Enforcement



Penn Hills Municipal Building

102 DUFF ROAD

PENN HILLS, PA 15235

412 342-1086

Office Hours

MONDAY THROUGH FRIDAY

Parcel ID : 0368-L-00155-0000-03

Municipality : 934 Penn Hills

Property Address : 111 ERHARDT DR

Owner Name : PENN HEIGHTS DWELLINGS LLC

PITTSBURGH, PA 15235

School District :	Penn Hills Twp	Neighborhood Code :	52C38
Tax Code :	Taxable	Owner Code :	CORPORATION
Class :	COMMERCIAL	Recording Date :	12/14/2023
Use Code :	CHURCHES, PUBLIC WORSHIP	Sale Date :	12/6/2023
Homestead* :	No	Sale Price :	\$700,000
Farmstead :	No	Deed Book :	19523
Clean And Green	No	Deed Page :	519
Other Abatement :	No	Lot Area :	7.9120 Acres
		SaleCode :	Multi-Parcel Sale

* If this property had a recent sale or deed change the 'YES' that is showing may apply to the prior owner.
New owners wishing to receive the abatement must apply.
The deadline to apply is March 1st of each year.
Details may be found on the [County's abatement page](#).

2024 Full Base Year Market Value		2024 County Assessed Value	
Land Value	\$442,800	Land Value	\$442,800
Building Value	\$4,195,100	Building Value	\$4,195,100
Total Value	\$4,637,900	Total Value	\$4,637,900
2023 Full Base Year Market Value		2023 County Assessed Value	
Land Value	\$442,800	Land Value	\$61,990
Building Value	\$4,195,100	Building Value	\$587,310
Total Value	\$4,637,900	Total Value	\$649,300
Address Information			

Owner Mailing :

11743 FRANKSTOWN RD STE C
PITTSBURGH , PA 15235-3442

Parcel ID : 0368-L-00155-0000-03
Property Address : 111 ERHARDT DR
PITTSBURGH, PA 15235

Municipality : 934 Penn Hills
Owner Name : PENN HEIGHTS DWELLINGS LLC

Deed Book : 19523

Deed Page : 519

Owner	Sale Date	Sale Price
PENN HEIGHTS DWELLINGS LLC	12/6/2023	\$700,000
ST BARTHOLOMEW R C CHURCH	5/1/1980	\$0

Not all previous owners are listed on this page, nor is their information necessarily complete. The assessment system doesn't contain a complete sales history for every property and every sale. For complete sale/owner history you must do a deed search at the [Department of Real Estate](#).

AFFIDAVIT OF PUBLIC NOTICE (POSTINGS)

On 5-7-24 I posted the property/properties
located at:

Pole Erhardt + Frankstown
Pole St. Berts Driveway + 10917 Frankstown
Pole Recr parking lot St. Berts across from 10911 Frankstown
Pole Near Water Tower + St. Berts driveway
Pole Near 122 Erhardt Drive
Pole Near 230 Erhardt Drive
Pole Between 120 + 124 Vance
Pole Between 112 + 116 Vance
Pole Between 222 + 226 Bort
Pole Near 253 Lilies Drive

as required by Ordinance 2420, Section 15.

Chevy Nave - 5-7-24
(Name(s) of Code Enforcement Officer(s)) (Date)

Chevy Nave
(Signature(s) of Code Enforcement Officer(s))

- ✓ 1- Pole Q Ethardt's Frankston ✓
- ✓ 1- Pole Near ^{St. Barts} Driveway & 10917 Frankston ✓
- ✓ 1- Pole in Back of 10911 Frankston (on St. Barts Prop) ✓
- ✓ 1- Pole near Wlate - fence & driveway ^{St. Barts} ✓
- ✓ 1- Pole near 122 Ethardt Dr. ✓
- ✓ 1- Pole near Ethardt 230 Ethardt ✓
- ✓ 1- Pole between 124 Vance & 120 Vance ✓
- ✓ 1- Pole between 116 Vance & 112 Vance ✓
- ✓ 1- Pole between 222 & 226 Bart ✓
- ✓ 1- Pole In front of 253 Elias Dr. ✓

S-7-24
Pole At
Erhardt & Frankston



S-7-24

St. Barb
Pole Near Drive way & 10917 Frankstown

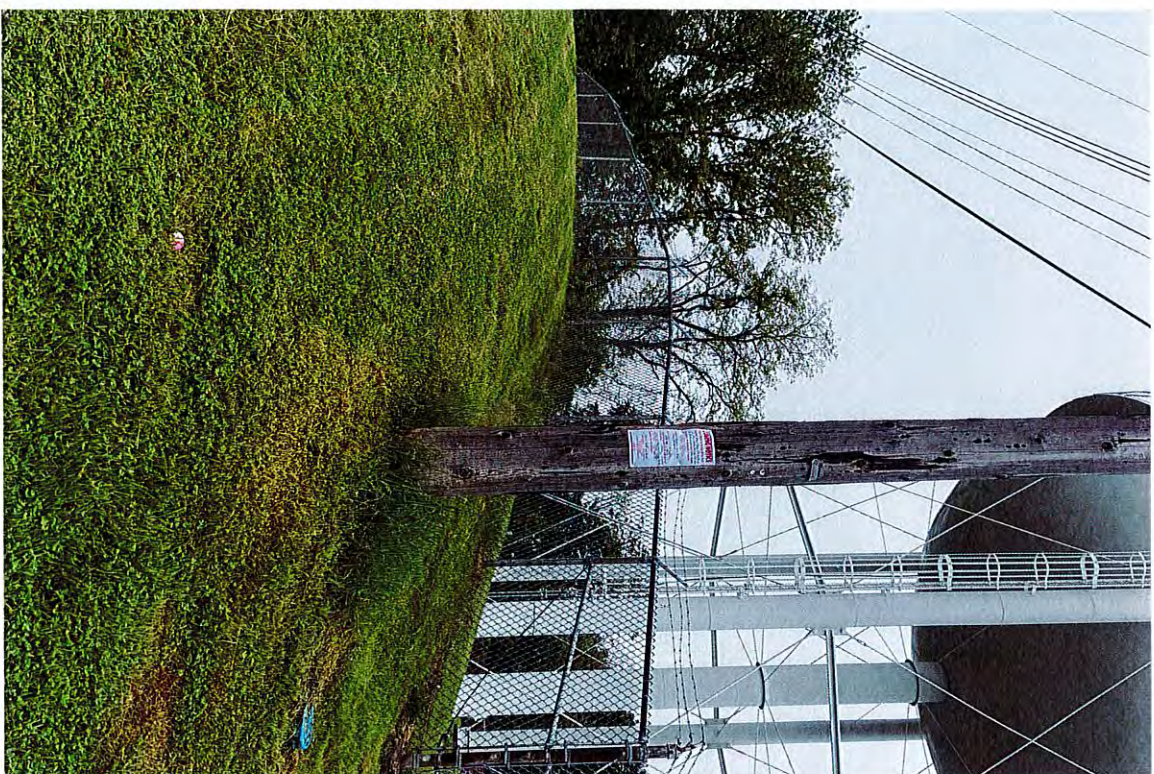


Pole in Rear Behind 10911 Frankstown
Parkings lot



5-9-24

Pole Near
Water Tower & St. Berns Driveway



S-7-24

Pole in front of
122 Erhardt Dr.



S7.24
Pole in Front of
230 Erhardt Drive



5-7-24

Pole Between
112 + 116 Vance



S-7-24

Pole Between
122 + 1224 Vance



S-7-24
File Between
222 + 226 Port



S-7-24
Pole in front
of 253 E 1st Drive

