

**MUNICIPALITY OF BETHEL PARK**

**PLANNING AND ZONING COMMISSION MEETING**

**February 13, 2019**

**MINUTES**

Chairman Mark Viehman called to order the February 13, 2019 Regular Meeting of the Bethel Park Planning and Zoning Commission at approximately 7:30 pm in the Council Chambers of the Municipal Building.

A. ROLL CALL

Present were: Ms. Cready, Mr. Fuehrer, Mr. Grandillo, Mr. Mingrone, Mr. Raeder, Ms. Rios-Myers, Ms. Smith and Mr. Viehman.

Also present: Ashley Moore, Municipal Planner and John Quinlisk, Environmental Engineer

B. COMMUNICATIONS

Mr. Viehman asked if there were any communications. Ms. Cready noted the January 30, 2019 Workshop Summary.

C. APPROVAL OF MINUTES

A motion was made by Mr. Fuehrer and seconded by Mr. Raeder to approve the minutes of the meeting of January 9, 2019. The motion was approved with eight (8) in favor and none opposed.

D. CITIZENS COMMENTS

Mr. Viehman asked if there were any citizen's comments. There was none.

E. OLD BUSINESS

Mr. Viehman asked if there was any old business. There was none.

F. NEW BUSINESS

- 1) **Application # 2019-0053**: Proposed South Hills Village Mall Redevelopment, Major Land Development, 301 South Hills Village, Municipality of Bethel Park/Upper St Clair Township, PA. Property Lot and Block #s 394-C-250 and 394-C-200, South Hills Village Associates, LP – Applicant, Current Zoning C-2, Ward 7

Michael Takacs, the applicant's engineer, gave a summary of the preliminary plan for redevelopment of three areas at the mall. They will return for final land development approval in three phases as they occur in Bethel Park. The phases in Upper St. Clair will go before Upper St. Clair. The phase that splits both Upper St. Clair and Bethel Park will go before both. The areas involved are the locations of the vacant Sears, Sears Automotive, and the food Court.

There will be outward facing retail where the Sears was located; there will be a 120,000 sqft Lifetime Fitness facility; the new food court will also have outward facing entrances. There are some issues to be resolved with the zoning.

Mr. Viehman asked Ms. Moore if there are any staff comments. Ms. Moore reiterated that this a preliminary approval, they will have to return for final land development approval. They are required to have the variance for the outdoor pool. Trans Associates and Gateway engineers have reviewed the preliminary plans and provided initial comments that would have to be resolved to their satisfaction.

Mr. Viehman asked if the Commissioners had questions. Ms. Rios-Myers asked about the trip generation comparison; there is not much difference between parking and travel now and when the gym is there. Mr. Takacs confirmed that the slight increase in gross leasable area that the volume of trips coming in and out of the mall results in a negligible increase in traffic. Ms. Rios-Myers mentioned she was curious because gyms have early hours.

Mr. Fuehrer asked what the hours of operation were. Mr. Simon said he was not certain of the hours but answered probably 7 to 11. He would have to confirm that.

Mr. Mingrone talked about how he thought what was presented was well done. Mr. Viehman asked for a recap of the three phases and their timing if things go through.

Mr. Takacs discussed that there is hope to get preliminary done in early spring with both Municipalities. They will move into final when they decide which phases are going when. Tentatively, the first two phases will come at the same time, which is the Sears and Lifetime components. They are hoping to get through the final approval by late summer and have construction drawings and permit documents after. They also have to keep in mind when to start demolition and the holiday season coming up.

Scott Richardson, representing Simon, reiterated the timeline for approvals. The goal is to get them open by holiday of '20. The food court project in Bethel is independent and could go sooner or after depending on the timing. They are actively leasing it now and there is great interest. Construction could begin early next year with those shops opening in the summer of '21.

Mr. Viehman asked what happens to the existing food courts. Mr. Richardson answered that a couple of the successful units will be displaced to other areas of the mall. Currently the food court is not a strong performer, which is why they are trying to make it better. Anyone who wants to remain, they will find a home but may not be a traditional food court environment.

Mr. Viehman asked about the anticipated total cost of the project. Mr. Richardson answered he was not at liberty to disclose but it will be a substantial investment by Simon into this community.

Mr. Mingrone asked about the new owner of Sears wanting to focus on tools and appliances. If Sears approaches you, would you be interested in having them in there again? Mr. Richardson answered that they are always willing to have discussions. With the bankrupt proceedings, the lease was rejected and has no rights to the building. Any discussion would be new discussions.

Mr. Mingrone also asked if they do not get the variance on the pool, what happens to that area. Mr. Richardson answered it would be catastrophic. He has had conversations with both Ms. Moore and Mr. Benigni at Upper St. Clair. Lifetime Fitness is the premiere fitness facility in the country. They have been trying to work out there layout with Lifetime for about a year due to the topography of the area. Lifetime has made it clear that if they do not have this pool they will find another location, with one unit in Pittsburgh.

Mr. Viehman asked if the other renovations would go through if the pool was not approved. Mr. Richardson answered it would be a challenge. All of the leasing that was done with the Sears and food court, people hitch their wagons to a keynote person and Lifetime was a big draw. The quality of the retailers and restaurants were extremely excited about the Lifetime plans.

Kevin McKeegan, the applicant's attorney, stated he had numerous conversations with the solicitor for the Municipality regarding the pool. There may be other ways to skin this cat legally and procedurally and do not want to get into those other options. The beauty of going through preliminary approval is that you can approve it subject to obtaining additional approvals that would allow the pool to go forward. They are working closely with the Municipality's solicitors to do solve that.

Mr. Viehman asked Ms. Moore to explain why they need the variance. Ms. Moore explained that they would need a variance for the outdoor pool because all of our recreational uses require the activities to be indoor. The swimming pool is considered a recreational use. Any outdoor pools we have are in connection with residential properties. Single family and multi-family homes are permitted to have outdoor pools.

Mr. Mingrone added that the pool can be installed inside the building like the YMCA. Mr. McKeegan added there will be an indoor pool and they wanted an outdoor pool for the summer months. Mr. Mingrone added that they were not the only ones who came to the Municipality for a pool. Mr. McKeegan said he understood.

Mr. Viehman added it would be great for the community but the variance is beyond the Commission. The Commission will work with them to get a successful project but there are some hurdles to go through first.

Mr. Mingrone added that it is a place for people to gather and he imagines there will be other activities other than swimming for people to take advantage of. All the other times pools came

through here, it was always rejected. The only pools allowed were the YMCA and High School pools, which are enclosed.

Ms. Rios-Myers stated there is a water issue here with stormwater and wastewater. Will you be prepared to present a plan with projections for wastewater? Mr. Takacs answered that would be part of the final plan. There will be an increase in sewage flow related to the fitness facility. For stormwater, they are reducing impervious areas of the entire site and adding landscaped islands. There are a ton of planters and green space on top of the pool deck. They did not want to represent something that was not actually going to be on the site plan because they have not gotten that far in the design process. There will also be underground storm tech chambers that will be installed to offset NPDES requirements. They will not be taking care of entire mall but what will be occurring on that side of the mall (Lifetime).

Mr. Viehman asked Ms. Moore to explain the next stages from preliminary to site development. Ms. Moore answered that after the Commission makes a recommendation to Council, it goes to Council at their Committee Meeting. They will then put it on their Regular Meeting agenda for a preliminary vote. They would have the final vote for the preliminary round. They (applicant) will come back for their final with all their stuff in a row. We will still have the workshop meeting with new findings and see if they have obtained their variances. There would be another recommendation to Council. It would go back to Council's Committee Meeting where they would final vote date where they will make their final decision. If it is a positive vote, then we will be working on a developer's agreement and letters of credit prior to submission for building permits.

Mr. Viehman asked if there were other comments, which there were none.

A motion was made by Mr. Fuehrer and by Mr. Raeder to recommend preliminary approval of Application 2019-0053: Proposed South Hills Village Mall Redevelopment, Major Land Development, 301 South Hills Village subject to the following:

- The applicant obtains the variance for the outdoor recreational use of the pools.
- The applicant resolves Trans Associates preliminary review letter dated January 30, 2019.
- The applicant resolves Gateway Engineers preliminary review letter dated February 4, 2019.

The motion was approved with eight (8) in favor and none opposed.

#### G. OTHER ITEMS

There were no other items.

#### H. ADJOURNMENT

A motion to adjourn was made by Mr. Raeder and seconded by Mr. Fuehrer. All were in favor and the meeting was adjourned at approximately 8:00 p.m.