

TOWNSHIP OF O'HARA
COUNCIL WORKSHOP
DECEMBER 5, 2023
Immediately Following Public Hearing
AGENDA

I. Opening Procedures

- A. Call to Order
- B. Roll Call

II. Review and Discussion

- A. Marimar Landing Comparable Departure Concerning a Set-Back

The Planning Commission reviewed the subject request at its November 20, 2023 meeting. Council granted Final Land Development approval in February 2021, which included a comparable departure for building spacing from the required twenty (20) feet to twelve (12) feet. In order to accommodate the installation of elevators in eight (8) of the nineteen (19) buildings for people with disabilities, the building spacing would be reduced to nine (9) feet and four (4) inches. The consensus of the Planning Commission was to recommend to Council that the requested Comparable Departure be granted. If acceptable, the attached proposed resolution will be included for consideration on the December 12, 2023 regular meeting agenda.

III. Citizen Comments Concerning Non-Agenda Items

II. Review and Discussion Continued

- B. Proposed Zoning Changes Related to the C Commercial and SM Suburban Manufacturing Districts (RIDC Park) (a)

Based on discussions with RIDC, the RIDC Business Alliance and staff, certain changes to the Township Zoning Ordinance are recommended to assist in the revitalization of the RIDC Park. The proposed changes include the addition of definitions, Commercial District Accessory Use change, Permitted Principal and Accessory Use and Conditional Use changes to the SM (Suburban Manufacturing) District, and related Supplemental Regulations. If acceptable, the attached proposed ordinance amending the Zoning Ordinance will be included for consideration of introduction on the December 12, 2023 regular meeting agenda. The proposed ordinance will be forwarded to Allegheny County Economic Development for review and comments after introduction.

- C. Requesting Authorization to Purchase Car Charging Stations for Installation at the Lauri Ann West Community Center by Duquesne Light Company (a)

Duquesne Light Company has offered to upgrade the electrical supply at the community center and install Car Charging Stations at no cost to the Township. The Township would need to supply the Car Charging Stations, which are available to purchase through CoStars

Contract #4400024187 from National E Solutions. The total cost of the two (2) Car Charging Stations, mounting kits, commercial Cloud Plan, five-year maintenance plan and shipping is \$23,246.00. Staff is seeking authorization to purchase the Car Charging Stations and accessories for Duquesne Light Company to install at the Lauri Ann West Community Center.

D. Employee Recognition (a)

Police Officers Michael Burda and John Fabrizi have been employed with the Township since October of 2003. Township Manager Julie Jakubec joined the Township of O'Hara as Director of Administration/Finance Officer in January 2003 and was appointed Township Manager in 2006. Council has established the tradition of recognizing employees with twenty (20) or more years of service. If acceptable, letters to be signed by Council President will be prepared to recognize Michael, John and Julie for their dedication in serving the public.

E. Proposed Resolution Recognizing the Services of Robert John Smith (a)

President Smith has decided to retire from public office after serving on Township Council for a total of 24 years. The attached proposed resolution recognizes President Smith for his many years of dedication and service to our community. If acceptable, the proposed resolution will be included on the December 12, 2023 regular meeting agenda for consideration.

F. Proposed Resolution Recognizing the Services of John R. Denny, Jr. (a)

Vice President Denny, Jr. has served on Township Council for a total of 12 years. The attached proposed resolution recognizes Vice President Denny, Jr. for his many years of dedication and service to our community. If acceptable, the proposed resolution will be included on the December 12, 2023 regular meeting agenda for consideration.

G. Continued Review and Discussion of Proposed Township Year 2024 Budget

Council is scheduled to continue review and discussion of the proposed Township Budget. As requested by Council at the Special Budget Workshop, changes have been implemented to the budget.

H. Solicitor's November 10, 2023 Invoice

The subject invoice was provided to Council for review and approval.

I. Proposed December 12, 2023 Regular Meeting Agenda (a)

Attached for Council's review and approval is the proposed December 12th Agenda.

IV. Concerns of Council

V. Concerns of Staff

VI. Adjournment

VII. Executive Session – Labor and Legal Matters

BILL NO. _____

RESOLUTION NO. _____

**TOWNSHIP OF O'HARA
ALLEGHENY COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE TOWNSHIP OF O'HARA GRANTING
APPROVAL TO MODIFICATIONS AND COMPARABLE DEPARTURES
OF THE MIRAMAR LANDING PLAN LOCATED ALONG RIVER ROAD**

WHEREAS, the Township of O'Hara Council granted Final Riverfront Unit Overlay Development Approval to the Miramar Landing Plan subject to eleven (11) conditions and four (4) comparable departures; and

WHEREAS, River Road Development Group, LLC, owner of 1 River Road, Pittsburgh, PA 15238 ("Developer"), has requested a modification to an approved comparable departure as indicated by letter dated November 2, 2023; and

WHEREAS, Article III, Section 395-9 of the Township Code of Ordinances allows for modifications to be allowed or denied by Council after recommendation by the Planning Commission; and

WHEREAS, Article XIII, Section 455-13.4.B(3) of the Township Code of Ordinances allows for plan features that depart from zoning and subdivision and land development regulations otherwise applicable to the property; such departures must be shown to be in the public interest and promote the health, safety and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of O'Hara hereby has determined that the proposed Building Spacing of nine-feet and four-inches (9'4") along the wall areas where elevators would be installed to affect Units 3B-4A, 4B-5A, 5B-6A, 6B-7A, 7B-8A, 8B-9A, and 9B-10A, from the approved twelve-foot (12') Building Spacing is in the public interest and promotes the health, safety and welfare of the public.

NOW, THEREFORE, BE IT FURTHER RESOLVED that Final Riverfront Unit Overlay Development Approval does not authorize site development, the construction of buildings or structures unless and until the Plan has been recorded with the Allegheny County Recorder of Deeds as provided in the Township of O'Hara Subdivision and Land Development Ordinance, and the applicant has been issued grading, building, and/or other required permits or approvals.

RESOLVED by Council vote of ___ to ___ on this _____ day of _____, 2023.

ATTEST:

TOWNSHIP OF O'HARA

Julie A. Jakubec, CPA, CGMA
Township Manager

Robert John Smith
President of Council

Approved _____

**TOWNSHIP OF O'HARA
ALLEGHENY COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE TOWNSHIP OF O'HARA AMENDING THE
TOWNSHIP CODE OF ORDINANCES PERTAINING TO ZONING
REGULATIONS**

WHEREAS, the **TOWNSHIP OF O'HARA COUNCIL** has reviewed proposed amendments to the Township Code of Ordinances pertaining to Zoning regulations; and

WHEREAS, the Township of O'Hara Council finds it necessary to amend certain requirements to Zoning regulations for the purpose of revitalizing the RIDC located in the SM Suburban Manufacturing Zoning District; and

WHEREAS, the Township Comprehensive Plan recommends that the Township's Zoning, and Subdivision and Land Development Ordinances encourage sustainable building practices; and

NOW, THEREFORE, in consideration of the foregoing, it is hereby ordained and enacted by the authority of the Council of the Township of O'Hara that Chapter 455, "Zoning" of the Township Code of Ordinances is hereby amended as follows.

SECTION I. Definitions

Article II, Section 2.2

Article II, Section 2.2 is hereby amended by adding the following definitions:

ELECTRIC VEHICLE (EV) – A properly licensed and registered road-rated, automotive-type vehicle primarily powered by an electric motor that draws current from an onboard battery charged through a building electrical service, electric vehicle supply equipment (EVSE), or another source of electric current.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) – The apparatus installed specifically for the purpose of transferring energy between the premises wiring and the Electric Vehicle.

EV-CAPABLE SPACE – A dedicated parking space with electrical panel capacity and space for a branch circuit dedicated to the EV parking space that is not less than 40-ampere and 208/240-volt and equipped with raceways, both underground and surface mounted, to enable the future installation of electric vehicle supply equipment. For two adjacent EV-Capable spaces, a single branch circuit is permitted.

EV-READY SPACE – A designated parking space which is provided with a dedicated branch circuit that is not less than 40-ampere and 208/240-volt assigned for electric vehicle supply equipment terminating in a receptacle or junction box located in close proximity to the proposed location of the EV parking space. For two adjacent EV-Ready spaces, a single branch circuit is permitted.

POST-SECONDARY EDUCATION INSTITUTIONS – An institution providing technical or skilled training, vocational and/or trade educational courses and programs, and/or career-focused degree or certificate programs.

SUNDRY – A retail establishment not visible from the street, of less than 1,000 square feet in floor area that is located within a healthcare facility, hotel, office or industrial complex for the primary purpose of serving employees and visitors. The establishment may sell “Grab and Go” foods, food items that are heated without a commercial kitchen, fruit, non-alcoholic beverages, and personal products. The establishment may not sell fuel, motor vehicle fluids, or product storage.

SECTION II. C Commercial District

Article IX, Section 2

Article IX, Section 2 is hereby amended by adding the following Permitted Use:

- B. Accessory Uses:
 - (10) EV Charging (DC / Fast Charging)

SECTION III SM Suburban Manufacturing District

Article X, Section 2

Article X, Section 2 is hereby amended by adding the following Permitted Uses:

- A. Principal Uses:
 - 10. Financial Institutions.
- B. Accessory Uses:
 - 13. Sundry.

14. EV Charging (DC/ Fast Charging)

Article X, Section 3

Article X, Section 3 is hereby amended by deleting the following Conditional Use:

- B. Bank

Article X, Section 3 is hereby amended by adding the following Conditional Uses:

- B. Post-Secondary Education Institutions.
- P. Convenience Store. (See §455.14.44)

SECTION IV Supplemental Regulations

Article XIV is hereby amended by adding the following new Sections:

§455.14.44 Convenience Store

- A. There shall be no audio emitted from fuel pumps except for the store communication system.
- B. Building site shall be located within 600-feet of a highway interchange or abut a State Road.
- C. Building site shall not abut a residential district.
 - (1) Building site shall be 300-feet from a residential district or any adjacent municipal border.

§455.14.45 EV Charging (DC / Fast Charging)

- A. EV Charging (DC / Fast Charging) uses shall not reduce the number of required parking spaces required by the Principle use.
- B. Stations shall comply with the setback requirements associated with Parking Lots.
- C. Any canopy or covers must meet setback requirements for the Principal Structure.

BILL NO. _____

ORDINANCE NO. _____

ORDAINED AND ENACTED INTO LAW this _____ day of _____, 2023,
by Council vote of ___ to ___.

ATTEST

TOWNSHIP OF O'HARA

Julie A. Jakubec, CPA, CGMA
Township Manager

Robert John Smith
President of Council

PROPOSED - 12/5/2023 DRAFT #1

First Reading	_____	_____	_____
Public Hearing	_____		
Second Reading and Adoption	_____	_____	_____
Advertised	_____	Codified	_____

BILL NO. _____

RESOLUTION NO. _____

**TOWNSHIP OF O'HARA
ALLEGHENY COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE TOWNSHIP OF O'HARA RECOGNIZING THE
SERVICES OF ROBERT JOHN SMITH TO THE COMMUNITY**

WHEREAS, Robert John Smith was a member of Township Council since January 1998 until December 2001 representing the Second Ward of the Township; and

WHEREAS, Robert John Smith served as President of Council since January 2004 until December 2023; and

WHEREAS, during his tenure Mr. Smith also served on the Township History Book Committee and as Alternate Representative to the North Hills Council of Governments; and

WHEREAS, through his dedication, concern and expertise, Mr. Smith had established and maintained a high level of citizen participation and government accountability to the residents of O'Hara Township.

NOW, THEREFORE, BE IT RESOLVED that the Township of O'Hara Council hereby extends its sincere appreciation to Robert John Smith for his 24 years of commitment and contribution to the community.

UNANIMOUSLY RESOLVED by Council this ___ day of _____, 2023.

TOWNSHIP OF O'HARA

Cassandra R. Eccles
Vice President of Council

Richard S. Hughes
Council Member, First Ward

Gregory Caprara
Treasurer

George H. Stewart
Council Member, Second Ward

Julie A. Jakubec, CPA, CGMA
Township Manager

Michael F. Hammill
Council Member, Third Ward

Olivia E. Payne
Council Member, Fourth Ward

John R. Denny, Jr.

BILL NO. _____

RESOLUTION NO. _____

**TOWNSHIP OF O'HARA
ALLEGHENY COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE TOWNSHIP OF O'HARA RECOGNIZING THE
SERVICES OF JOHN R. DENNY, JR. TO THE COMMUNITY**

WHEREAS, John R. Denny, Jr. served as a member of Township Council representing the Fourth Ward from January 2010 to December 2014 and as Vice President from January 2016 to December 2019; and

WHEREAS, during his tenure, Mr. Denny, Jr. served as Township Council Representative to several adhoc committees and boards, including the Community Center Association, Fire Funding and Safety Committee, as Alternate Delegate to the Allegheny River Towns Enterprise Zone ("ARTEZ"), Municipal Risk Management ("MRM") and the Township Redistricting Committee; and

WHEREAS, through his dedication, concern and expertise, Mr. Denny, Jr. established and maintained a high level of citizen participation and government accountability to the residents of O'Hara Township.

NOW, THEREFORE, BE IT RESOLVED that the Township of O'Hara Council hereby extends its sincere appreciation to John R. Denny, Jr. for his commitment and contribution to the community.

UNANIMOUSLY RESOLVED by Council this ___ day of _____, 2023.

TOWNSHIP OF O'HARA

Robert John Smith
President of Council

Richard S. Hughes
Council Member, First Ward

Cassandra R. Eccles
Vice-President of Council

George H. Stewart
Council Member, Second Ward

Gregory Caprara
Treasurer

Michael F. Hammill
Council Member, Third Ward

Julie A. Jakubec, CPA, CGMA
Township Manager

Olivia E. Payne
Council Member, Fourth Ward

**TOWNSHIP OF O'HARA
COUNCIL REGULAR MEETING
DECEMBER 12, 2023
PROPOSED AGENDA**

I. OPENING PROCEDURES

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call

II. EMPLOYEE RECOGNITIONS

- A. 20 Years of Service
 - (1) Michael Burda
 - (2) John Fabrizi
 - (3) Julie A. Jakubec, CPA, CGMA

III. APPROVAL OF MINUTES

- A. Council Public Hearing – November 14, 2023
- B. Council Combined Workshop and Regular Meeting – November 14, 2023
- C. Council Special Workshop – November 21, 2023

IV. FINANCE

- A. Vouchers – November 2023
- B. Receipts and Expenditures Records – October 2023
- C. Treasurer's Report

V. REPORTS

- A. Other Organizations and Agencies Reports
- B. Monthly Departmental Reports
- C. Manager's Report

VI. OLD BUSINESS

- A. Ordinances – Second Reading and Adoption
 - (1) Adopting the Township Budget for the Year 2024 B-48-2023
 - (2) Enacting the Real Estate Tax Levy for the Year 2024 B-49-2023
 - (3) Enacting the Earned Income Tax Levy Under Act 62 for the Year 2024 B-50-2023

- | | | |
|-----|---|-----------|
| (4) | Enacting the Real Estate Transfer Tax Levy Under Act 62 for the Year 2024 | B-51-2023 |
| (5) | Establishing a Real Estate Tax Rebate Program for the Year 2024 | B-52-2023 |
| (6) | Amending the Township Sewer Rates | B-53-2023 |
| (7) | Authorizing the Refinancing of the Series 2018 and 2019 Bonds, Issuing Series of 2024 Bonds and Incurring Additional Debt | B-54-2023 |

VII. NEW BUSINESS

A. Ordinance – Introduction for First Reading

- (1) Amending the Township Code of Ordinances Pertaining to Zoning

B. Resolutions

- (1) Granting Approval to Modifications and Comparable Departures of the Marimar Landing Plan Located Along River Road
- (2) Recognizing the Services of Robert John Smith
- (3) Recognizing the Services of John R. Denny, Jr.

VIII. CITIZENS COMMENTS CONCERNING NON-AGENDA ITEMS

IX. CONCERNS OF COUNCIL

X. CONCERNS OF STAFF

XI. ADJOURNMENT

XII. EXECUTIVE SESSION – LABOR AND LEGAL MATTERS