

BOROUGH OF OAKDALE
RESOLUTION NO. 6-2024

**A RESOLUTION OF THE BOROUGH OF OAKDALE,
COUNTY OF ALLEGHENY, COMMONWEALTH OF
PENNSYLVANIA GRANTING CONDITIONAL USE
APPROVAL TO THOMAS BIANCO AND DAVID WAHL TO
ALLOW A COMMERCIAL RECREATION FACILITY ON
ALLEGHENY COUNTY TAX PARCEL NO. 0492-M-00245-
0000-00.**

WHEREAS, Thomas Bianco and David Wahl (hereinafter referred to as “Applicant”) have submitted a request for conditional use approval related to the property located at 1 Willow Avenue, Oakdale, Allegheny County, Pennsylvania, further identified as Tax Map Parcel No. 0492-M-00245-0000-00 (the “Property”);

WHEREAS, the Property is located in the I-1, Industrial District;

WHEREAS, the Borough of Oakdale’s Zoning Ordinance permits various uses by conditional use;

WHEREAS, the Applicant has submitted a request for conditional use approval to use a portion of the property as a commercial recreation facility;

WHEREAS, Borough Staff and the Borough Professional Consultants have reviewed the Application;

WHEREAS, the Borough of Oakdale Council is prepared to GRANT approval of Applicant’s request for conditional use approval, subject to certain conditions; and

WHEREAS, Council is prepared to authorize the Borough Secretary to execute the written decision of the Borough, pursuant to Section 913.2(b)(1) of the Pennsylvania Municipalities Planning Code.

NOW, THEREFORE, be it resolved and it is hereby resolved by the Council of the Borough of Oakdale that said request for conditional use approval is GRANTED, subject to the following conditions:

SECTION 1: Plans. Applicant shall submit any and all plans reasonably required by the Borough to review the project and issue all required permits.

SECTION 2: Conditions of Conditional Use Approval. Applicant shall comply with all Borough Ordinances and with any and all conditions of approval as documented in the written decision of the Borough, which are as follows:

1) **General Standards for Approval of a Conditional Use:** As set forth in Section 375-41, General Standards and Criteria, before approving a Conditional Use application, the Borough Council shall determine that the proposed use shall comply with the following general standards and criteria, which are in addition to any other requirements in this chapter for a specific type of use, development, or request:

- a. The proposed use complies with all applicable provisions and requirements for that type of use contained in this chapter, unless a variance to any provision has been granted by the Zoning Hearing Board, and with other applicable Borough, county, state, and federal ordinances, laws, and regulations.
- b. The proposed use is compatible with the surrounding land uses. It does not have a negative impact on the existing neighborhood or development in terms of air quality, water quality, noise, illumination and glare, restrictions to natural light and air circulation, or other hazardous conditions that could endanger surrounding residents or impair the use of surrounding properties.
 - i. As part of all conditional use applications that require land development approval, the applicant shall provide a plan for photometrics of the lot.
 - ii. Any proposed site lighting shall be designed to minimize impact on adjacent properties and the public ROW. Illumination, when measured at a lot line, shall be a maximum of one footcandle.
- c. The proposed site for the conditional use is suitable in terms of topography and soil conditions and size, based on number of projected users and the frequency of use of the proposed use.
- d. The proposed use and site provide for safe, adequate vehicular and pedestrian access. It has access from a street capable of handling the traffic generated by the proposed use, and it will not result in undue traffic congestion and hazardous conditions on adjacent streets. The use provides for safe, efficient internal circulation and sufficient off-street parking and loading.

- e. The proposed use complies with all applicable standards and requirements for providing sanitary sewage disposal, water supply, storm drainage, solid and toxic waste storage and disposal.
- f. The proposed use provides screening or buffer areas as required by this chapter.
- g. The proposed use/development conforms to the scale, character, and exterior appearance of existing structures and uses in the neighborhood in which it is located.

2) **Express Specific Standards and Criteria for a Commercial Recreation Facility:** As set forth in Section 375-42(M), a Commercial Recreation Facility shall be a permitted conditional use subject to the following express minimum standards and criteria:

- a. Commercial Recreation. A space for commercial recreation shall be a permitted conditional use subject to the following express minimum standards and criteria:
 - i. Access drives shall be located to take advantage of sight distances on public roads.
 - ii. Lighting of site shall be oriented away from nearby residential areas and adjacent public roads.
 - iii. Site facilities shall be arranged to minimize impact of noise created on-site by use of plantings.

3) **Additional Conditions pursuant to the Borough's Written Decision:**

- a. General Business: Applicant shall identify the number of employees, employment status (full time or part time), employee positions/titles, and the hours of operation for both Wahl Heating and Cooling and Steeltown Events. Applicant shall confirm business hours.
- b. Parking: Off-street parking shall be provided for the multi-use facility. It is understood a reduced occupancy was permitted based on the uses of the facility, not based on building gross floor area. With the permitted maximum occupancy of two hundred (200) occupants, a minimum of one (1) parking space shall be provided for each three (3) occupants at the maximum occupancy. Applicant shall commit to at least sixty-seven (67) professionally striped parking spaces. Applicant shall provide the Borough with a final parking layout for review and approval.

- i. There are twenty-four (24) proposed parking spaces at the back of the facility. There are also thirty (30) existing parking spaces and twenty-three (23) proposed parking spaces that could be used for “overflow” parking during peak events.
 - ii. The parking lot shall be professionally line striped, including ADA Spaces.
- c. Site Lighting: Any proposed site lighting shall be submitted to the Borough for approval. At this time, it is understood only the existing site lighting is being maintained. No new lighting is proposed. For future proposed lighting, it shall be understood the property will direct all lighting within the property and not direct any lighting to neighboring parcels. Light shields shall be installed as necessary to maintain the light shed.
 - i. Pursuant to this paragraph, Applicant shall install lighting in the parking areas of the property.
- d. Site Drainage: During the site visit, there was significant roof runoff. It shall be understood the property owner shall maintain runoff within their property. Potential for runoff to be controlled with rain garden/bio swale (also reference “landscape buffer” below). Applicant shall provide a stormwater runoff containment plan for review and approval by the Borough.
- e. Landscape Buffer: Due to the parcel being adjacent to a residential district, landscape buffer is requested. Applicant shall provide a landscape buffer plan for review and approval by the Borough. KLH can provide municipal landscape buffer recommendations to applicant as necessary. This area could also potentially be used for the site drainage.
- f. Indoor Use Only: Pursuant to the Borough’s Zoning Ordinance, Applicant shall ensure that the proposed use is limited to the indoor portion of the property unless outdoor use is granted through a formal process under the Borough’s Zoning Ordinance in the future.
- g. Traffic Impact Study: A traffic impact study shall be required to be submitted where the proposed development, according to the Institute of Transportation Engineers (ITE) standards, will generate 100 trips in addition to the adjacent roadways' peak hour volumes. A description of future levels of service (LOS) and their compliance

with standards for traffic capacity of streets, intersections and driveways shall be provided. New streets shall be designed for adequate traffic capacity. All reference to LOS shall be defined by the Highway Capacity Manual, published by the Transportation Research Board.

- h. Fencing: Applicant shall ensure no fence, temporary or permanent, is in the flood plain area unless specifically approved. If Applicant desires to install fencing, Applicant must follow the proper procedure through the Borough pursuant to the Code of Ordinances.
- i. Noise Activity: Applicant shall ensure that the noise emanating from the proposed use does not cause a nuisance to the neighboring residential properties. Site facilities shall be arranged to minimize impact of noise created on-site.

SECTION 3: Compliance with Applicable Law. Applicant shall also comply with all applicable statutes, codes, or ordinances during the permitting and construction of the project.

SECTION 4: Authorization. The Borough Secretary is authorized to sign the aforementioned written decision on behalf of the Borough Council.

SECTION 5: Expiration. This approval shall expire one (1) year from the date of this Decision.

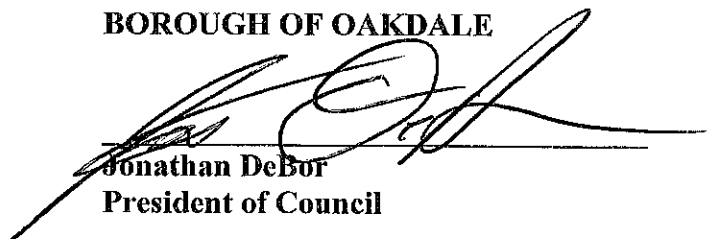
IN WITNESS WHEREOF, we have hereunder set our hands and seals this 1st day of February 2024.

ATTEST:



Vicki Kaine,
Borough Secretary

BOROUGH OF OAKDALE



Jonathan DeBor
President of Council