

BEFORE THE LEET TOWNSHIP ZONING HEARING BOARD

**QUAKER VALLEY SCHOOL DISTRICT'S
PROPOSED FINDINGS OF FACT / CONCLUSIONS OF LAW / DECISION RE:
APPLICATION FOR APPROVAL OF A SPECIAL EXCEPTION**

In Re: Application of Quaker Valley School District for Approval of a Special Exception to Permit a Public High School ("Application") on 108 +/- acres at 200-210 Camp Meeting Road ("School District Property")

PROPOSED FINDINGS OF FACT

1. Quaker Valley School District (the "School District") is a public school organized under the laws of the Commonwealth of Pennsylvania, having its principal office at 100 Leetsdale Industrial Drive, Suite B, Leetsdale, PA 15086.
2. The School District is the owner of 108 +/- acres in Leet Township located at 200-210 Camp Meeting Road and identified as Tax Parcel No. 704-D-126 (the "School District Property").
3. The School District Property is located in the AAA Residence Zoning District in Leet Township.
4. The School District applied for approval of a Special Exception allowing the Quaker Valley High School to be located on the School District Property.
5. Leet Township Zoning Ordinance 260, Part 3, Section 27-301A expressly permits a school in the AAA Residence Zoning District.
6. A perimeter survey and description of the property was submitted as part of the Application.
7. A proposed conceptual site plan identified as SP3 ("Exhibit SP3") and prepared by Thomas and Williamson, revised as of March 18, 2021, was submitted with the Application and reviewed during the hearing.
8. Exhibit SP3 identifies the general area of disturbance and general location of the high school, athletic fields/courts, parking and traffic circulation.
9. The Quaker Valley High School is a school use as identified in Section 27-301 of the Leet Township Zoning Ordinance.
10. A traffic impact study dated March 18, 2021 prepared by David E. Wooster & Associates was submitted with the Application and reviewed by the Zoning Hearing Board during the hearing.

11. The traffic impact study was prepared in accordance with the direction provided by Leet Township, Leetsdale Borough and Allegheny County, hence satisfying the requirements of the Zoning Ordinance.

12. The School District paid the applicable application fee.

13. The School District plans to relocate Quaker Valley High School to the School District Property.

14. The relocation of the high school will benefit Leet Township and the School District in many ways by providing a modern facility constructed in compliance with current criteria established by the Pennsylvania Department of Education, allowing the School District to provide efficient and comprehensive educational opportunities to the students within the School District.

15. Relocating the Quaker Valley High School to the School District Property will enhance the value of the surrounding properties.

16. The new high school, relocated on the School District Property, will accommodate the School District's needs for a new high school facility and improving the quality of its programs and improving the life and safety features of the physical structures serving its students and faculty.

17. Within the AAA Residence District, the School District property is the most suitable property for locating Quaker Valley High School.

18. Quaker Valley High School will not create a dangerous, injurious or noxious risk to any other property or person and will comply with the performance standards of Section 27-701 of the zoning ordinance.

19. Exhibit SP3 illustrates that the Quaker Valley High School will be sited on the School District Property to provide significant buffer yards and will maintain significant undeveloped natural woodlands surrounding the high school building.

20. The School District Property has extensive frontage along Camp Meeting Road, an Allegheny County road.

21. Exhibit SP3 confirms that two access points will be constructed along Camp Meeting Road.

22. Vehicular access and parking are managed to minimize congestion in the neighborhood.

23. All parking will be provided on site, with no parking expected or encouraged on any public roads.

24. Vehicular access will be by way of new turn lanes to be constructed on Camp Meeting Road at the school entrance.

25. In addition to the traffic improvements at the new entrance to the high school, the School District will make improvements for the benefit of the general public by improving the intersection of Camp Meeting Road and Beaver Street.

26. Objectors appeared at the public hearing and raised concerns about the impact of relocating the Quaker Valley School District to the School District Property.

27. The objectors' concerns involved impacts of relocating relating to grading and excavation, storm water management, traffic, and land conservation issues.

28. The objectors' description of the impact was limited to the impact caused by development of the School District Property, not the end use of the School District Property for school purposes.

29. Quaker Valley High School is a public school regulated by the Pennsylvania Department of Education, and governed by the local Quaker Valley School District Directors.

30. Although impacts from development of the School District Property were offered to the Board, no objector offered any testimony or evidence indicating a negative impact from the end use of the School District Property as a school.

31. No objector offered any testimony or evidence relating to either development or use of the School District Property that supports a finding that there would be a high degree of probability of a substantial detriment to the community greater than the impact that would be realized from the development or use of any high school on the School District Property.

32. All of the adverse impacts suggested by any objector were the natural result expected from the normal use of the School District Property by any public school.

33. No objection was made by any party raising any unique impact by the Quaker Valley High School that would not occur if any other high school was constructed on the School District Property.

34. No evidence or testimony was presented that demonstrated that there would be a high probability of a detrimental impact to the community beyond the impact normally expected from locating a high school on the School District Property.

35. The objectors did not present any evidence or testimony demonstrating any adverse impact to the community caused by use of the School District Property as a school.

36. The objectors introduced evidence of the impact to the community that was normal and expected from development of the School District Property.

37. All hearings before the Zoning Hearing Board were duly held in accordance with required notice.

38. The initial hearing was held after posting, mailed notice to adjoining owners and required publication in a newspaper of general circulation at least twice, each publication in a separate calendar week with the last publication more than 7 days prior to the hearing.

39. In addition, at the conclusion of each hearing session, the next date, time and place for the continuation of the hearing was announced.

40. Further, the hearing held on October 26, 2021 was held after additional posting, mailing to adjoining owners and publication in a general circulation newspaper at least twice, each publication in a separate calendar week with the last publication more than 7 days prior to the hearing.

PROPOSED CONCLUSIONS OF LAW

41. The School District requested approval for a Special Exception expressly authorized by the Leet Township Zoning Ordinance at Section 27-301A.

42. A Special Exception is a permitted use under the Zoning Ordinance and may be denied only if the proposed use does not meet express criteria set forth in the Zoning Ordinance.

43. The Leet Township Zoning Ordinance does not set forth any express criteria for a school use in the AAA Residence District.

44. The Leet Township Zoning Ordinance does not set forth any general criteria for Special Exceptions.

45. A use by Special Exception is presumptively consistent with the public health, safety and welfare of the community.

46. Objectors may overcome the presumption of a Special Exception being consistent with the public health, safety and welfare of the community only by identifying an impact that has a high degree of probability that the impact will cause a substantial detriment to the community greater than that normally generated by the use as a school.

47. No objector presented any evidence or testimony that suggested there was a high probability of a substantial detriment to the community greater than the impact normally expected from a high school use.

48. All alleged adverse impacts raised by objectors were the normal impacts expected by the use of the School District Property by any school.

49. Review of the Special Exception Application is limited to a review of the impact of the use, not the impact of development activity.

50. The objections raised by objectors all relate to development activity on the property and will be reviewed at a later stage of the review process when an application for land development is submitted.

51. The Zoning Hearing Board does not have the resources or access to professional engineers to review the details relating to development activity.

52. The Zoning Ordinance does not require development plans to be submitted for review by the Zoning Hearing Board.

53. An Application for Special Exception does not require detailed development plans that would be necessary to review development activity, such as grading and excavating, storm water and traffic.

54. The limited requirements in the Zoning Ordinance relating to traffic have been met by the School District.

55. The School District demonstrated a) that the School District Property fronts a public road (Camp Meeting Road), b) provided Exhibit SP3 which shows all parking on site and not on any public streets, and c) submitted a traffic impact study in accordance with the criteria established by the Township.

56. To successfully oppose the Application, the objectors were charged with the burden of identifying an adverse impact which would have a high probability of causing a substantial detriment to the community beyond what would normally be expected from the use of the property by a high school.

57. No objector presented any evidence or testimony demonstrating a high probability that a substantial detriment would be caused to the community greater than what would otherwise be expected from the use of the School District Property as a high school.

58. All of the evidence and testimony related to the ordinary, customary and expected impact that would occur from the use or development of the School District Property for the Quaker Valley High School.

59. No testimony was provided demonstrating an extraordinary impact of any type.

PROPOSED DECISION

AND NOW, this 9th day of February, 2022, the Leet Township Zoning Hearing Board hereby approves the Application for Special Exception for the School District Property allowing use of the School District Property for a school, including relocation of the Quaker Valley High School, subject to the following conditions:

1. This Approval is limited to authorizing the use of the Property as a school, with related athletic fields/facilities. All development activity must be reviewed and approved by the Leet Township Commissioners pursuant to an Application for Land Development Approval.

2. Land development shall be permitted only as approved by the Township Commissioners, and shall include a review under the applicable Township ordinances relating to:

- a. excavation and grading;
- b. stormwater management;
- c. traffic improvements;
- d. open space / tree preservation; and
- e. parking and internal road systems.

The final design shall be submitted by Quaker Valley School District to, and then reviewed and approved by, the Township Commissioners in compliance with applicable law. The Zoning Hearing Board has approved the use only; all development and design issues will be reviewed by the Township Commissioners.

3. This approval shall expire 24 months after the date of this decision in the event a land development plan or grading permit to undertake the construction generally described in the Application for approval of the use by special exception is not submitted on or before the date occurring 24 months after the date of this Decision.