

ZONE CHANGE PETITION No. 2019-00013

PROPERTY: Parcels 53-B-100.
PROPERTY OWNER: Carnegie Mellon University
EXISTING ZONING: Parks (P) and Educational Medical Institutional (EMI)
PROPOSED ZONING: Educational Medical Institutional (EMI)
ACTION REQUIRED: Public Hearing and Recommendation to City Council
COUNCIL DISTRICT: 8; Councilperson Erika Strassburger
DATE: July 30, 2019
SUBMITTED TO: The Planning Commission of the City of Pittsburgh

FINDINGS OF FACT

1. A petition for change in zoning designation was submitted by Carnegie Mellon University for 6,500 SF of parcel 53-B-100.
2. The proposed petition would rezone the portion of parcel 53-B-100 from Parks (P) to Educational Medical Institutional (EMI), consistent with the remainder of the parcel.
3. The portion of parcel 53-B-100 subject to the zone change petition consists of vacant land adjacent to Scaife Hall, near the intersection of Frew Street and Hamerschlag Drive.
4. Enactment of this rezoning will permit the involved property to be developed for uses permitted in the Educational Medical Institutional (EMI) district and the Institutional Master Plan for Carnegie Mellon University.
5. At present, no application for development at this site has been submitted to the Planning Department.
6. Property owners within 150 feet of the proposed zone change area were notified of the proposal, and notices were posted in the area. No responses from notified property owners have been received in opposition of the Zone Change Petition.
7. In accordance with Section 922.05.F, the Planning Commission shall review Zoning District Map or Zoning Code text amendments based on the following criteria:
 - a. The consistency of the proposal with adopted plans and policies of the City;
 - b. The convenience and welfare of the public;
 - c. The intent and purpose of the Zoning Code;
 - d. Compatibility of the proposal with the zoning, uses and character of the neighborhood;
 - e. The suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
 - f. The extent to which approval of the proposed zoning map amendment will detrimentally affect nearby property;
 - g. The length of time the subject property has remained vacant as zoned;
 - h. Impact of the proposed development on community facilities and services; and
 - i. The recommendations of staff.

Not all of the criteria must be given equal consideration by the Planning Commission or City Council in reaching a decision.

Responses to these review criteria were forwarded to the Commission.

RECOMMENDED MOTION

That the Planning Commission of the City of Pittsburgh **recommends** the following:

Approval to Zone Change Petition No. 2019-00013, to rezone 6,500 SF of parcel 53-B-100 from Parks (P) to Educational Medical Institutional (EMI).

SUBMITTED BY: _____

Anne Kramer, Senior Planner

Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article 1, Section 902.03 Zoning Map, by Changing from P, Park to EMI, Educational, Medical Institutional, a small triangular parcel on the southerly side of Frew Street in the vicinity of Carnegie Mellon University's Scaife Hall and being part of Block and Lot 53-B-100 in the Allegheny County Block and Lot System, 14th Ward.

Zone Change Petition __DCP-MPZC-2019-00013__

COMPLIANCE WITH ZONING CODE CRITERIA

Pittsburgh Zoning Code Section 922.05.F sets out the criteria for review to be considered by the Planning Commission or City Council in reaching a decision on any proposed amendment to the Zoning District Map. The text of Section 922.05.F and statements of compliance are set out below.

922.05.F – Review Criteria

The criteria for review of a proposed amendment to the Zoning District Map or the text of the Zoning Code are set out in this section. Not all of the criteria must be given equal consideration by the Planning Commission or City Council in reaching a decision. The criteria to be considered shall be as follows:

1. The consistency of the proposal with adopted plans and policies of the City;

The area proposed for the zone change is approximately 6500 square feet in area, and is vacant, being excess land in the vicinity of Scaife Hall on Carnegie Mellon University's campus. The area in question likely should have been included when the EMI classification was originally applied to the University's campus but unfortunately was not. There is no rational reason for the area in question to be treated as separate from the EMI controls otherwise applicable to the University's campus, nor is a "split zone" situation such as here one that is encouraged by the Zoning Code. By reclassifying the area in question as EMI, the University will be able to include it in its plans for constructing a new Scaife Hall. Further, if the area is within an EMI district then the University will be better able to develop a new and attractive entrance way from Frew Street into its campus. Finally, proposed in parallel with the zone change is an amendment to the University's 2012 Institutional Master Plan; this amendment anticipates the area in question being part of the construction of a new Scaife Hall.

2. The convenience and welfare of the public;

The convenience and welfare of the public is not enhanced by ignoring the current split-zone condition of the area. To the contrary, the inconsistent and conflicting regulations applicable to land zoned "P" versus "EMI" unduly

restricts and prevents the University from making needed renovations to Scaife Hall and developing a more attractive and functional entrance to the campus from Frew Street.

3. The intent and purpose of this Zoning Code;

Among other things, Section 901.03 of the Zoning Code identifies the following as purposes of the Zoning Code:

- Facilitate development of good quality;*
- Control the impacts associated with land uses; and*
- Preserve and enhance the Public Realm.*

These purposes will be met for this area if the proposed amendment is adopted.

4. Compatibility of the proposal with the zoning, uses and character of the neighborhood;

The area to be rezoned is quite small and is separated from the balance of Schenley Park by Frew Street. Placing it within an EMI zone, particularly given its likely primary use as either a buffer yard for an expansion of Scaife Hall or an entrance drive to the University's campus will have no impact on Schenley Park

5. The suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;

The area in question is too small to use as a separate parcel and its only suitable use is in conjunction with other developments on the University's campus. With that in mind, it is clearly best that the property be subject to the same EMI controls as are applicable to other University land.

6. The extent to which approval of the proposed zoning map amendment will detrimentally affect nearby property;

See Statement 4, above. No impact on Schenley Park is anticipated from the proposed zone change.

7. The length of time the subject property has remained vacant as zoned;

The small area in question has always been vacant. There is no possibility of it being developed except in conjunction with the balance of Carnegie Mellon University's campus.

8. Impact of the proposed development on community facilities and services;

None; no community facilities or services will be impacted by this proposal.

9. The recommendations of staff;

To be provided by staff.

RE: CMU IMP Amendment and Zone Change Petition for Scaife Hall

As a note, we have presented the proposed IMP amendment and zone change to the following groups:

- Bellefield Area Citizens Association - 11 Dec 2018
- Squirrel Hill Urban Coalition - 18 Dec 2018
- Oakland Task Force - 8 Jan 2019
- Campus Town Hall - 6 Mar 2019
- Immediate Neighbors - 7 Mar 2019
- Oakland Planning & Development Corp - 23 Apr 2019 "* note: this meeting was in fulfillment of the RCO ordinance
- Shadyside Action Coalition - 9 May 2019

Thanks again, Bob

Bob Reppe | Senior Director of Planning & Design
Campus Design & Facility Development
Carnegie Mellon University