

HEARING AND ACTION REPORT

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| APPLICATION: | DCP-ZDR-2022-00182 |
| PROPERTY: | 300 6th Avenue; Parcels 2-A-85 and 2-A-85-1 and 2-A-85-2 |
| PROPERTY OWNER: | 300 SIXTH AVENUE PROPERTY LLC |
| NEIGHBORHOOD: | Central Business District |
| RCO: | Pittsburgh Downtown Partnership |
| ZONING DISTRICT: | GT-A; Golden Triangle, Subdistrict A |
| PROPOSAL: | PDP for Interior and exterior alterations for change of use of upper floors to multi-unit residential; CUA for TDR |
| COUNCIL DISTRICT: | 6; Councilman R. Daniel Lavelle |
| MEETING DATE: | April 5, 2022 |

FINDINGS OF FACT

1. Application DCP-ZDR-2022-00182 was filed by Strada LLC on behalf of 300 SIXTH AVENUE PROPERTY LLC, property owner, for 254 dwelling units at 300 6th Avenue.
2. The address is located in the GT-A, Golden Triangle Subdistrict A, Zoning District. Residential dwelling units are limited to one unit per 110 square feet of lot area. By right, 216 dwelling units are permitted.
3. The applicant seeks Project Development Plan approval for 216 residential dwelling units allowed by right, exterior and interior alterations, use of the ground level for retail sales and services, 34 integral parking spaces in the basement, 85 bicycle spaces, and approx. 4,900 SF of roof top amenity space.
4. For the additional 37 residential dwelling units, the applicant is seeking a Conditional Use Application for the Transfer of Development Rights. The applicant is proposing two transfer of development rights
5. The first is the transfer of 33 dwelling units from 130-160 5th Avenue, parcel 1-D-150.
6. The second is the transfer of 5 dwelling units from 417 Wood Street, parcel 1-H-195.
7. A virtual Development Activities Meeting (DAM) with the Pittsburgh Downtown Partnership (PDP) was held on February 10, 2022. A copy of the DAM report is attached to this report.
8. Notification of the proposed Conditional Use Application was mailed to property owners

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with 150 feet of the proposed receiving location, posted on the City Planning website, and posted on-site 21 days in advance of this Hearing date.

9. Staff Design Review was not required for the proposed exterior alterations.
10. There were no requests to the Zoning Board of Adjustment (ZBA) as part of the project.
11. Applicant Statement of Compliance per the Review Criteria of Section 922.10.E.2 is attached.
12. Per Zoning Code Section 910.01.D, a Transfer of Development Rights is a Conditional Use in the Golden Triangle Zoning Districts. The following general criteria for Conditional Uses, from Section 922.06.E.1 apply:
 - a. *That the development will not create detrimental visual impacts, such that the size and visual bulk of the proposed development is determined to create an incompatible relationship with the surrounding built environment, public streets and open spaces and land use patterns;*
 - b. *That the development will not create detrimental transportation impacts, such that the proposed development is determined to adversely affect the safety and convenience of residential neighborhoods or of vehicular and pedestrian circulation in the vicinity of the subject tract, including traffic reasonably expected to be generated by the proposed use and other uses in the area given the existing zoning, existing land uses and proposed land uses in the area;*
 - c. *That the development will not create detrimental transportation impacts, such that the proposed development will result in traffic volumes or circulation patterns that exceed the capacity of streets and intersections likely to be used by traffic to and from the proposed development;*
 - d. *That the development will not create detrimental operational impacts, including potential impacts of hours of operation, management of traffic, servicing and loading operations, and any on-site operations associated with the ongoing functions of the use on the site, in consideration of adjacent and surrounding land uses which may have differing sensitivities to such operational impacts;*
 - e. *That the development will not create detrimental health and safety impacts, including but not limited to potential impacts of noise, emissions, or vibrations from the proposed development, or functions within the proposed site which would otherwise affect the health or safety of others as a direct result of the operation of the proposed use;*
 - f. *That the development will not create detrimental impacts on the future and potential development of parcels in the vicinity of the proposed site of the development; and*
 - g. *That the development will not create detrimental impacts on property values.*
13. The following specific criteria from Section 910.01.D.1.f apply to the Transfer of

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Development Rights:

- a. *(1) Any proposal for such a transfer shall assure the safety and convenience of pedestrian and vehicular traffic movement, both within the receiving lot or lots and in relation to access streets, and the harmonious and beneficial relationship of structures and uses on the receiving lot and on adjacent property. The number and location of vehicular access points may be limited and landscaping and other design features may be required as a condition of approval;*
 - b. *(2) The streets providing access to the receiving lot shall be adequate to handle increased traffic resulting therefrom, considering the size and uses of the proposed development;*
 - c. *(3) Except where the sending lot and receiving lot abut or are immediately adjacent across a street or way, the allowable floor area on the receiving lot shall be limited to an increase of twenty (20) percent over that allowed by the applicable base floor area ratio without regard to the transferred development rights;*
 - d. *(4) The transfer shall effect a binding reduction in the unused development rights under this Zoning Ordinance otherwise available to the sending lot, to the extent of the rights transferred, for the life of the development on the receiving lot. The transfer shall increase the development rights under this Zoning Ordinance otherwise available to the receiving lot, to the extent of the rights transferred, for the life of the development on the receiving lot. To ensure the binding effect of this transfer, a properly drawn legal instrument duly approved by the City Solicitor shall be executed by the parties concerned and shall be filed with the application for occupancy permit. The department, bureau and all other affected City departments shall note on appropriate records the reduction in development rights on the sending lot and the increase in development rights on the receiving lot.*
 - e. *(5) In the case of a transfer of development rights involving an Historic Landmark or Performing Arts Facility, there shall exist a plan and program for rehabilitation, if necessary, and for continuing maintenance of the Historic Structure or Performing Arts Facility on the sending lot approved by the Commission which provides for continuation of the structure and use upon which eligibility for the transfer of development rights was based for not less than forty (40) years.*
 - f. *(6) That the zoning lot to which a transfer is made must have prior to the transfer of development rights a gross allowable floor area under this Zoning Ordinance at least equal to the gross allowable floor area to be transferred.*
14. Per Section 922.10.E.2 all new construction, demolition, changes of use, interior renovations creating additional units, exterior alterations in excess of \$50,000, and high wall signs in the Golden Triangle District are each required to be reviewed and approved as a Project Development Plan. The Commission bases its decision on the criteria that are outlined below:
- a. *The proposed development must include retail facilities, where such facilities would maintain and continue the existing retail patterns;*

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- b. *The proposed development must address compatibility with any existing residential area, including provision for maintenance of residential uses in existing residential areas;*
- c. *The proposed development must make provision for adequate parking, considering available transit alternatives and support services, and make provision for adequate vehicle access and loading areas in relation to street capacity, functional classification, and land use patterns, such that any vehicular access points do not create congestion on public streets or create hazardous conditions for pedestrians;*
- d. *The proposed development must adequately address traffic generation characteristics in relation to street capacity, intersection classification, and existing and projected traffic volumes and address reasonable alternatives that would enable increased traffic to be directed away from congested areas;*
- e. *The proposed development must adequately address pedestrian traffic generation, proposed pedestrian circulation facilities and patterns, including, but not limited to, provision for adequate sidewalk capacity on and off site, provision for appropriate pedestrian safety on and off site, and provision for pedestrian circulation patterns which do not substantially alter existing patterns and which enhance desired patterns where possible;*
- f. *The proposed development must adequately address access to public transportation facilities, including, but not limited to, provision for safe pedestrian access to and from transit stops, and pedestrian circulation patterns which encourage the use of public transit, and the provision of on-site facilities for alternative means of transportation such as bicycles or van pools;*
- g. *The proposed development must adequately address the preservation of historic structures and significant features of existing buildings, including, if applicable, the retention and reuse of structures which are locally or federally designated historic structures; retention and reuse of significant structures, provided that such preservation requirements may be waived if the applicant shows that use of such structure is no longer economically or physically viable; and retention and reuse of structures which contribute to the character of an historically significant area;*
- h. *The proposed development must adequately address architectural relationships with surrounding buildings, including, but not limited to, provision for appropriate building siting, massing, facade treatment, materials, proportion, and scale;*
- i. *The proposed development must adequately address microclimate effects of proposed development, including, but not limited to, wind velocities, sun reflectance and sun access to streets, existing buildings, and public and private open space;*
- j. *The proposed development must adequately address protection of views and view corridors, including, if applicable, important views along major public streets, views from surrounding private properties, and views to and from significant public places, such as parks, open spaces, or riverfronts;*
- k. *The proposed development must adequately address the location, development and functions of open space, including, but not limited to, provision for additional open space where necessary for light and air to adjacent properties, provision for*

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- additional open space where desirable to lessen pedestrian impacts and increase safety, or maintenance of existing open spaces which serve these same purposes;*
- l. The proposed development must address the project's compatibility and conformance with any overall master plans or comprehensive plans approved by the City Planning Commission and designated by the Department of City Planning, which address Downtown area development;*
 - m. If the proposed application includes a building(s) that exceeds fifty thousand (50,000) square feet of building footprint, the proposed development must adequately address large footprint building criteria of Section 922.04.E.6.*

RECOMMENDED MOTION 1

That the Planning Commission of the City of Pittsburgh **APPROVES** the Project Development Plan No. DCP-ZDR-2022-00182 filed by Strada LLC on behalf of 300 SIXTH AVENUE PROPERTY LLC, property owner, for 216 residential dwelling units allowed by right, exterior and interior alterations, use of the ground level for retail sales and services, 35 integral parking spaces in the basement, 85 bicycle spaces, and roof top amenity space.

RECOMMENDED MOTION 2

The Conditional Use Application for transfer of development rights for 33 dwelling units from 130-160 5th Avenue, parcel 1-D-150, to 300 6th Avenue, parcels 2-A-85 and 2-A-85-1 and 2-A-85-2, **BE RECOMMENDED TO CITY COUNCIL FOR APPROVAL.**

RECOMMENDED MOTION 3

The Conditional Use Application for transfer of development rights for 5 dwelling units from 417 Wood Street, parcel 1-H-195, to 300 6th Avenue, parcels 2-A-85 and 2-A-85-1 and 2-A-85-2, **BE RECOMMENDED TO CITY COUNCIL FOR APPROVAL.**

RECOMMENDED MOTION 4

That the Planning Commission of the City of Pittsburgh **APPROVES** the Project Development Plan No. DCP-ZDR-2022-00182 filed by Strada LLC on behalf of 300 SIXTH AVENUE PROPERTY LLC, property owner, for 38 additional dwelling units, with the following conditions:

1. The applicant shall receive City Council approval for the Transfer of Development Rights; and
2. The applicant shall record the legal instrument approved by the City Solicitor binding the Transfer of Development Rights as per Section 910.01.D.1; and
3. The final construction plans shall be reviewed and approved by the Zoning Administrator prior to issuing the final Record of Zoning Approval.

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The ROZA resulting from this decision shall expire within one (1) year of the date of issuance if no substantial improvements have been initiated. The approval shall also lapse if, after starting construction, the construction is discontinued for a period of one (1) year or more. No physical improvements shall be made after approval lapses unless the approval or authorization is renewed pursuant to Sec.922.02.H.3.

SUBMITTED BY:

Kevin Kunak, Senior Planner

**Development of First Floor Retail and Conversion of Upper Floors to Residential
(not more than 254 multi-family units) 300 Sixth Avenue (former GNC
Headquarters Building; Block and Lots 2-A-85, 85-1 and 85-2)**

Project Development Plan

DCP-ZDR-2022-00182

**STATEMENT OF COMPLIANCE
WITH ZONING CODE CRITERIA**

Pittsburgh Zoning Code Section 922.10.E.2 sets out the review criteria to be considered by the City of Pittsburgh Planning Commission for approval of a Project Development Plan (“PDP”) for development within the Golden Triangle (GT), Subdistrict A zoning district. The following statement of compliance is submitted on behalf of 300 Sixth Avenue Property LLC (“Applicant”) and pertains to developing up to two hundred fifty four (254) dwelling units in the former GNC Headquarters Building, 300 Sixth Avenue (“the Building”). The area of the lot on which the Building is erected is 23,794 square feet, allowing 216 of the dwelling units to be developed “as of right.” See Code §910.01.F.3. The balance of the dwelling units will be added to the Building upon receipt of conditional use approval for transferring development rights from two other sites in the GT zoning district. See Code §910.01.D.1 and the separate Statement of Compliance submitted with respect thereto. Applicant’s plans also depict certain exterior changes to the Building including the addition of a new canopy at the Building’s main entrance, replacement and opening of windows and adding a rooftop deck feature.

The text of Code Section 922.10.E.2 and statements of compliance for this application are set out in italics below.

ZONING CODE SECTION 922.10.E.2

In reviewing applications for Project Development Plan approval, the Planning Commission shall consider the extent to which the Project Development Plan addresses the following criteria. The Planning Commission shall not approve any Project Development Plan that, in the determination of the Planning Commission, does not adequately address one (1) or more of these criteria in accordance with objectives contained in general or site specific policy documents adopted by the Planning Commission.

- (a) The proposed development must include retail facilities, where such facilities would maintain and continue existing retail patterns;

All office spaces within the Building are now vacant, and the proposed dwelling units will fill those spaces. The ground floor of the Building contains retail spaces along its 6th Avenue and Wood Street facades, all of which except for space now occupied by KeyBank are vacant. Applicant will maintain those retail spaces and upgrade and improve them as tenants are later identified. Applicant acknowledges that if any such work exceeds \$50,000 in value, a separate PDP application is be required the Code.

(b) The proposed development must address compatibility with any existing residential area, including provision for maintenance of residential uses in existing residential areas;

In the Golden Triangle Zoning District multi-family dwellings are allowed as a permitted use. Immediately across Oliver Way from the Building are the Piatt Place condominiums and further to the south along Oliver Way are the Lumiere Apartments. The proposal to add dwelling units to the Building is compatible with both of those projects. In addition, new dwelling units at the Building will further the City's goal of encouraging residential living in in the Golden Triangle area. Adding the residents who will occupy these units to the downtown population will help to spur other retail and entrainment uses the area.

(c) The proposed development must make provision for adequate parking, considering available transit alternatives and support services, and make provision for adequate vehicle access and loading areas in relation to street capacity, functional classification and land use patterns, such that any vehicular access points do not create congestion on public streets or create hazardous conditions for pedestrians;

The downtown area is "parking exempt" but occupants of the new dwelling units have numerous parking alternatives at downtown garages and lots, and vehicles related to the new dwelling units will be spread out to those existing facilities. Further, the Building's existing below grade garage will be upgraded to include 35 vehicle parking spaces and 2 ADA compliant spaces for persons with disabilities; 84 bicycle parking spaces will be provided on the Building's ground floor. The street network around the Building is adequate to accommodate any incidental increase in traffic, particularly bearing in mind the prior use of the Building for offices. No new vehicular access points are needed or proposed. Adding dwelling units will create no operational impacts; as the existing loading and dock area in the Building's basement will continue to serve the Building.

(d) The proposed development must adequately address traffic generation characteristics in relation to street capacity, intersection classification, and existing and projected traffic volumes and address reasonable alternatives that would enable increased traffic to be directed away from congested areas;

Adding dwelling units to the Building is not anticipated to have measurable traffic impacts on streets, especially given the number of prior office occupants and existing uses in and around the Building.

(e) The proposed development must adequately address pedestrian traffic generation, proposed pedestrian circulation facilities and patterns, including, but not limited to provision for adequate sidewalk capacity on and off site, provision for appropriate pedestrian safety on and off site, and provision for pedestrian circulation patterns which do not substantially alter existing patterns and which enhance desired patterns where possible;

Adding dwelling units to the Building will create no detrimental traffic impacts which might hurt the safety of the neighborhood or pedestrian and vehicular traffic. The Building is already bounded by sidewalks on all public frontages.

The sidewalks will be replaced along Oliver Avenue and others will be repaired as necessary but will otherwise remain in their current configuration.

(f) The proposed development must adequately address access to public transportation facilities, including, but not limited to, provision for safe pedestrian access to and from transit stops and pedestrian circulation patterns which encourage the use of public transit, and the provision of on site facilities of alternative means of transportation such as bicycles or van pools;

No changes to existing transit stops near the Building will be made. The tenants of the new dwelling units will have access to bicycle storage areas within the Building.

(g) The proposed development must adequately address the preservation of historic structures and significant features of existing buildings, including, if applicable, the retention and reuse of structures which are locally or federally designated historic structures; retention and reuse of significant structures, provided that such preservation requirements may be waived if the applicants shows that use of such structure is no longer economically or physically viable; and retention and reuse of structures which contribute to the character of an historically significant area;

The modest exterior changes to the Building will enhance and preserve its character and appearance. The new canopy and cleaning of the "Puddler" window feature at the Building's main entrance are intended to restore significant artistic feature along Wood Street. Applicant intends to seek federal historic tax credits as part of the financing for redevelopment of the Building so significant attention will be paid by the Applicant to preserving and enhancing the Building's historic features. Converting a now vacant office building to residential uses helps to ensure the continued economic viability of not only of the Building itself, but also the area around the intersection of Sixth Avenue and Wood Street.

(h) The proposed development must adequately address architectural relationships with surrounding buildings, including, but not limited to, provision for appropriate building siting, massing, facade treatment, materials, proportion and scale;

The modest exterior changes to the Building will not affect these items. Adding dwelling units to the Building will create no detrimental visual impacts or be incompatible with the surrounding environment. The existing architectural relationships between the Building and its neighbors will not change.

(i) The proposed development must adequately address microclimate effects of proposed development, including but not limited to wind velocities, sun reflectance and sun access to streets, existing buildings and public and private open space;

The modest exterior changes to the Building will not affect these items.

(j) The proposed development must adequately address protection of views and view corridors, including, if applicable, important views along major

public streets, views from surrounding private properties and views to and from significant public places, such as parks, open spaces or riverfronts;

The modest exterior changes to the Building will not affect these items.

(k) The proposed development must adequately address the location, development and functions of open space, including but not limited to, provision for additional open space where necessary for light and air to adjacent properties, provision of additional open space where desirable to lessen pedestrian impacts and increase safety, or maintenance of existing open spaces which serve these same purposes;

The modest exterior changes to the Building will not affect these items.

(l) The proposed development must address the project's compatibility and conformance with any overall master plans or comprehensive plans approved by the City Planning Commission and designated by the Department of City Planning, which address Downtown area development;

See statement at (b), above.

(m) If the proposed application includes a building(s) that exceeds fifty thousand (50,000) square feet of building footprint, the proposed development must adequately address large footprint building criteria of Section 922.04.E.6

Not applicable. The Building's footprint is approximately 23,700 square feet and no exterior changes are proposed.

Transfer of Development Rights for 38 Dwelling Units from 417 Wood Street (Block and Lot 1-H-195; 5 units) and 130-160 Fifth Avenue (Block and Lot 1-D-150; 33 units) to 300 Sixth Avenue (former GNC Headquarters Building; Block and Lots 2-A-85, 85-1 and 85-2) under Pittsburgh Zoning Code Section 910.01.D.1

DCP-ZDR-2020-05367

**STATEMENT OF COMPLIANCE
WITH ZONING CODE CRITERIA**

Pittsburgh Zoning Code Section 910.01.D.1(f) sets out the specific criteria to be considered by the Planning Commission and City Council when allowing a transfer of development rights for dwelling units under Code Section 910.01.D.1(c). The text of Code Section 910.01.D.1(f) and statements of compliance for this application are set out below.

910.01.D.1(f)

Transfers of development rights in (c) through (e) above may be permitted provided the following findings are made:

1. Any proposal for such a transfer shall assure the safety and convenience of pedestrian and vehicular traffic movement, both within the receiving lot or lots and in relation to access streets, and the harmonious and beneficial relationship of structures and uses on the receiving lot and on adjacent property. The number and location of vehicular access points may be limited and landscaping and other design features may be required as a condition of approval;

The former GNC Headquarters Building (300 Sixth Avenue; Block and Lots 2-A-85, 85-1 and 85-2) is a fourteen story building designed by architect Daniel Burnham and constructed by Henry W. Oliver in 1904 and originally used for the “McCreery Department Store.” From the mid-twentieth century until recently the Building was primarily used for offices. The upper floors of the Building are now vacant. Except for space occupied now by KeyBank, the ground floor retail space at the Building is also vacant. 300 Sixth Avenue Property LLC (“Applicant”) is proposing to convert the upper floors of the Building to multi-family dwellings. The Building is in the Golden Triangle Subdistrict A (GT-A) zoning district and has a lot size of 23,794 square feet. By Code, this would permit up to 216 dwelling units to exist in the building. See Code §910.01.F.3 allowing 1 unit per 110 square feet of lot area.

Applicant is proposing to transfer development rights equivalent in total to thirty (38) dwelling units from properties at 417 Wood Street (5 units) and 130-160 Fifth Avenue (33 units), to increase the maximum number of dwelling units in the Building to 254.

The property at 417 Wood Street has a lot area of 1,215 square feet, allowing by Code up to 11 dwelling units at that site (1,215/110). There are no dwelling units at 417 Wood Street and after transferring the rights for 5 units, the rights for the remaining 6 “excess” units would remain with the owner of 417 Wood Street.

The property at 130-160 Fifth Avenue has a lot area of 4,420 square feet, allowing by Code up to 40 dwelling units there (4,420/110). There are 7 dwelling units at 130-160 Fifth Avenue, all of which would remain in place with the unused rights for 33 units transferred to the Building.

No significant changes or additions to the Building are needed to accommodate the dwelling units; to the contrary the architectural significant entrance to the Building will be preserved and restored. Pedestrian and vehicular traffic movement will not be changed or adversely affected. Adding dwelling units to the Building will follow the development of dwellings in the nearby Piatt Place and Luminere projects.

2. The streets providing access to the receiving lot shall be adequate to handle increased traffic resulting therefrom, considering the size and uses of the proposed development;

The dwelling units proposed for the Building will be replacing former office tenants and space used for office and business purposes. No increase in traffic is anticipated, particularly because it is reasonable to anticipate that many of the occupants of the dwelling units will be persons employed in the downtown area. The street network around the Building is adequate to accommodate any incidental increase in traffic. Any vehicles related to the dwelling units will be spread out to nearby parking garages; a limited number of parking spaces will be also be available in the Building’s below grade garage.

3. Except where the sending lot and receiving lot abut or are immediately adjacent across a street or way, the allowable floor area on the receiving lot shall be limited to an increase of twenty (20) percent over that allowed by the applicable base floor area ratio without regard to the transferred development rights;

Not applicable. All dwelling units will be accommodated within the Building as it exists and no changes to the size of the building are proposed as part of this project. The floor area of the Building is 313,952 square feet; this will be slightly increased to 315,331 square feet through renovating two mezzanine floor inside the Building.

4. The transfer shall effect a binding reduction in the unused development rights under this Zoning Ordinance, otherwise available to the sending lot, to the extent of the rights transferred, for the life of the development on the receiving lot. The transfer shall increase the development rights under this Zoning Ordinance otherwise available to the receiving lot, to the extent of the rights transferred, for the life of the development on the receiving lot. To ensure the binding effect of this transfer, a properly drawn legal instrument duly approved by the City Solicitor shall be executed by the parties concerned and shall be filed with the application for occupancy permit. The department, bureau and all other affected City departments

shall note on the appropriate records the reduction in development rights on the sending lot and the increase in development rights on the receiving lot;

The entities that own 417 Wood Street and 130-160 Market Street (both under the umbrella of The Landmarks Development Corporation) have submitted letter to the Planning Commission confirming their understanding of this Code provision. All involved entities will submit the required legal document to the City Solicitor for approval. Once approved, the parties will execute the document and the Applicant will file it with its application for an occupancy permit.

5. In the case of a transfer of development rights involving an Historic Landmark or Performing Arts Facility, there shall exist a plan and program for rehabilitation, if necessary, and for continuing maintenance of the Historic Structure or Performing Arts Facility on the sending lot approved by the Commission which provides for continuation of the structure and use upon which eligibility for the transfer of development rights was based for not less than 40 years;

Not applicable. While 417 Wood Street and 130-160 Market Street are located in so-called "historic neighborhoods," neither building has been individually designated (or even nominated) as a "Historic Structure" as that term is defined in the Zoning Code. Therefore, the proposed transfer of development rights does not involve a "Historic Landmark," "Historic Structure" or "Performing Arts Facility" as those terms are used here. The fact though that both buildings are controlled by The Landmarks Development Corporation, an entity affiliated with Pittsburgh Historic Landmarks Foundation, gives assurance that each building's character and historic significance will be respected after the transfer of development rights.

6. That the zoning lot to which a transfer is made must have prior to the transfer of development rights a gross allowable floor area under this Zoning Ordinance at least equal to the gross allowable floor area to be transferred;

Not applicable; the transfers here are for rights regarding dwelling units, not floor area.

Transferring developments rights for dwelling units under Pittsburgh Zoning Code Section 910.01.D.1 is a Conditional Use and is thus also subject to the general criteria at Code Section 922.06E.1. The text of Section 922.06.E.1 and statements of compliance are set out below.

922.06.E.1 General Criteria

City Council shall approve Conditional Uses only if (1) the proposed use is determined to comply with all applicable requirements of this Code and with adopted plans and policies of the City and (2) the following general criteria are met:

(a) That the development will not create detrimental visual impacts, such that the size and visual bulk of the proposed development is determined to

create an incompatible relationship with the surrounding built environment, public streets and open spaces and land use patterns;

Adding dwelling units to the Building will create no detrimental visual impacts nor be incompatible with the surrounding environment.

(b) That the development will not create detrimental transportation impacts, such that the proposed development is determined to adversely affect the safety and convenience of residential neighborhoods or of vehicular and pedestrian circulation in the vicinity of the subject tract, including traffic reasonably expected to be generated by the proposed use and other uses in the area given the existing zoning, land uses and proposed land uses in the area;

Adding dwelling units to the Building will create no detrimental traffic impacts which might hurt the safety of the neighborhood or adversely affect pedestrian and vehicular traffic.

(c) That the development will not create detrimental transportation impacts, such that the proposed development will result in traffic volumes or circulation patterns that exceed the capacity of streets and intersections likely to be used by traffic to and from the proposed development;

The Building is at the north-west corner of Sixth Avenue and Wood Street. Both streets are more than adequate to accommodate any incidental increase in pedestrian and vehicular traffic associated with the new dwelling units. Any vehicles related to the new dwelling units will be spread out to nearby parking garages or they may park inside the Building's below grade garage.

(d) That the development will not create detrimental operational impacts, including potential impacts of hours of operation, management of traffic, serving and loading on the site, in consideration of adjacent and surrounding land uses which may have differing sensitivities to such operational impacts;

Adding dwelling units will create no operational impacts; the Building includes delivery and loading dock areas accessed from Oliver Way into the Building's below grade garage. Those areas are more than sufficient for providing service to the dwelling units.

(e) That the development will not create detrimental health and safety impacts, including but not limited to potential impacts of noise, emissions, or vibrations from the proposed site which would otherwise affect the health and safety of others as a direct result of the operation of the proposed use;

Adding dwelling units to the Building will create no detrimental health and safety impacts.

(f) That the development will not create detrimental impacts on the future and potential development of parcels in the vicinity of the proposed site of the development; and

The additional dwelling units will not affect development of other parcels near the Building. Adding dwelling units to the Building follows the use of nearby properties.

(g) That the development will not create detrimental impacts on property values.

The dwelling units will be used for residential purposes. This use will create no detrimental impacts on property values and will replace vacant commercial office space.

Development Activities Meeting Report (Version: 12/20/2019)

This report created by the Neighborhood Planner and included with staff reports to City Boards and/or Commissions.

| Logistics | Stakeholders |
|--|--|
| Project Name/Address: 300 Sixth Avenue – Residential Conversion | Groups Represented (e.g., specific organizations, residents, employees, etc. where this is evident): RCO staff, applicants, residents. |
| Parcel Number(s): 2-A-85, 2-A-85-1, 2-A-85-2 | |
| ZDR Application Number: DCP-ZDR-2022-00182 | |
| Meeting Location: Virtual (Zoom) | |
| Date: 2/10/2022 | |
| Meeting Start Time: 5:05 p.m. | |
| Applicant: Strada | Approx. Number of Attendees: 13 |
| Boards and/or Commissions Request(s): Planning Commission | |

How did the meeting inform the community about the development project?

Ex: Community engagement to-date, location and history of the site, demolition needs, building footprint and overall square footage, uses and activities (particularly on the ground floor), transportation needs and parking proposed, building materials, design, and other aesthetic elements of the project, community uses, amenities and programs.

Presented the existing building, site plan showing how entrances will change or not. Showed historic pictures of the building from its start as a department store and then changes that were made subsequently over the last 100 years. Briefly presented the ground floor elements of the project, then walked through each floor’s plan. Noted all residents would enter off Wood Street. There will be 20 units per floor with a mix of different sized units on all floors. Roof deck design also detailed. New building elevations shown. Replacing existing windows but will be fully operable and glass. Restoration of lower floors will wait until tenants are found, but some cleaning of limestone façade will happen now. Showed the construction management plan and walked through timelines.

Input and Responses

| Questions and Comments from Attendees | Responses from Applicants |
|---|---|
| Are the property owners going to contact the current residents? | Yes, will do that before Planning Commission. |

Other Notes

None

Planner completing report: Derek Dauphin and Phil Wu