



Legislation Details (With Text)

File #: 2009-1693 **Version:** 1
Type: Resolution **Status:** Died due to expiration of legislative council session
File created: 8/3/2009 **In control:** Committee on Land Use and Economic Development
On agenda: **Final action:** 12/31/2009
Enactment date: **Enactment #:**
Effective date:

Title: Resolution To consider a Conditional Use exception under the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911, Section 911.04.A.1 to Sonnynick, Inc., property owner, for authorization to occupy an existing structure located at 1635 West Carson Street for Adult Entertainment, on property zoned "UI", Urban Industrial District, 19th Ward.

Sponsors:

Indexes: CONDITIONAL USE APPLICATION, PGH. CODE ORDINANCES TITLE 09 - ZONING

Code sections:

Attachments: 1. 2009-1693.doc, 2. 2009-1693 Attachment.doc

Date	Ver.	Action By	Action	Result
1/1/2010	1	City Council	Died due to expiration of legislative term	
8/28/2009	1	Committee on Land Use and Economic Development	Held for Cablecast Public Hearing	Pass
8/3/2009	1	City Council	Read and referred	

Presented by Reverend Burgess

Resolution To consider a Conditional Use exception under the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911, Section 911.04.A.1 to Sonnynick, Inc., property owner, for authorization to occupy an existing structure located at 1635 West Carson Street for Adult Entertainment, on property zoned "UI", Urban Industrial District, 19th Ward.

Whereas the Planning Commission of the City of Pittsburgh has made certain findings with regard to the conditional use application for the proposed Adult Entertainment facility located at 1635 West Carson Street;

Whereas the Planning Commission of the City of Pittsburgh gave a negative recommendation to this application for a Conditional Use;

Whereas City Council has reviewed the record of the Planning Commission;

Now; therefore, be it resolved by the City Council of the City of Pittsburgh as follows:

Section 1.

Upon a review of the record as provided by the Planning Commission of the City of Pittsburgh, the Planning Commission considered the standards for a Conditional Use as stated in the Pittsburgh Code Section

922.06.E.1:

- 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, 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 the 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 the streets and intersections likely to be used by traffic to and from the proposed development;
- d) That the development will not create 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;
- g) That the development will not create detrimental impacts on property values.

Section 2.

It is further stated that the following findings of the Planning Commission are herewith adopted:

- a) That the proposed use does create detrimental visual impacts;
- b) That the proposed use will create detrimental transportation impacts;
- c) That the proposed use will create detrimental operational impacts;
- d) That the proposed use will create detrimental health and safety impacts;
- e) That the proposed use will create detrimental impacts on future development;
- f) That the proposed use will create detrimental impacts on property values in the area.

Section 3.

Under the provisions of Section 911.04.A.1 of the Pittsburgh Code, the application of Sonnynick, Inc. property owner, for authorization to occupy an existing structure located at 1635 West Carson Street as Adult Entertainment, on property zoned UI, Urban Industrial District, 19th Ward, City of Pittsburgh in accordance with Conditional Use Application No. 735 and accompanying site plan which are on file in the Office of the Zoning Administrator, Department of City Planning, and which are incorporated herein by reference thereto, is hereby denied.