



## Legislation Details (With Text)

<b>File #:</b>	2004-0628	<b>Version:</b>	2
<b>Type:</b>	Resolution	<b>Status:</b>	Passed Finally
<b>File created:</b>	8/31/2004	<b>In control:</b>	Committee on Planning, Zoning & Land Use
<b>On agenda:</b>		<b>Final action:</b>	11/1/2004
<b>Enactment date:</b>	11/1/2004	<b>Enactment #:</b>	542
<b>Effective date:</b>	11/12/2004		
<b>Title:</b>	Resolution approving a Conditional Use under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Article V Chapter 911 as amended to the Board of Public Education of Pittsburgh for authorization to construct a 2-story extension to the easterly side of Sterrett Classical Academy with classrooms, gymnasium, cafeteria and library at 7100 Reynolds Street on property zoned "R1D-L" Residential Single Unit Detached Low Density District, 14th ward.		
<b>Sponsors:</b>			
<b>Indexes:</b>	CONDITIONAL USE APPLICATION, PGH. CODE ORDINANCES TITLE 09 - ZONING		
<b>Code sections:</b>			
<b>Attachments:</b>	1. 2004-0628.doc, 2. 2004-0628 v-2.doc		

Date	Ver.	Action By	Action	Result
11/12/2004	2	Mayor	Signed by the Mayor	
11/1/2004	2	City Council	AMENDED	Pass
11/1/2004	2	City Council	Passed Finally, As Amended	Pass
10/27/2004	1	Committee on Planning, Zoning & Land Use	AFFIRMATIVELY RECOMMENDED	Pass
10/20/2004	1	Committee on Planning, Zoning & Land Use	Held in Committee	Pass
10/13/2004	1	Committee on Hearings	Public Hearing Held	
9/8/2004	1	Committee on Planning, Zoning & Land Use	Held for Cablecast Public Hearing	Pass
8/31/2004	1	City Council	Read and referred	

Presented by Mr. Udin

### AS AMENDED

Resolution approving a Conditional Use under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Article V Chapter 911 as amended to the Board of Public Education of Pittsburgh for authorization to construct a 2-story extension to the easterly side of Sterrett Classical Academy with classrooms, gymnasium, cafeteria and library at 7100 Reynolds Street on property zoned "R1D-L" Residential Single Unit Detached Low Density District, 14<sup>th</sup> ward.

Whereas, the Planning Commission of the City of Pittsburgh has made certain findings with regard to the conditional use application for the proposed Sterrett extension located at 7100 Reynolds Street;

Whereas, the Planning Commission of the City of Pittsburgh has recommended approval of this application for

Conditional Use;

Whereas, City Council has reviewed the record of the Planning Commission and herewith adopts the findings and recommendation of the Planning Commission.

**Be it resolved by the 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, it is herewith affirmed that the Sterrett Classical Academy extension located at 7100 Reynolds Street has properly met the Standards as provided in the Pittsburgh Code Section 922.06.E.1 and that the following criteria were considered:

- 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.

**Section 2.** It is further stated that the following findings of the Planning Commission are herewith adopted:

- a) That the proposed School, Elementary or Secondary (general) expansion does not involve the construction of buildings and therefore will not create detrimental impacts;
- b) That the proposed School, Elementary or Secondary (general) will not create detrimental impacts on the

existing street system and local traffic patterns based on the submitted Transportation Study;

- c) That the proposed School, Elementary or Secondary (general) will not create detrimental on-site transportation impacts;
- d) That the proposed School, Elementary or Secondary (general) will not create detrimental operational impacts;
- e) That the proposed School, Elementary or Secondary (general) will not create health and safety impacts.
- f) That the proposed School, Elementary or Secondary (general) will not impact the future development of properties;
- g) That the proposed School, Elementary or Secondary (general) will not negatively impact property values on adjoining properties.

**Section 3.** Under the provisions of Section 911.04.A.64 of the Pittsburgh Code, approval is hereby granted to the Board of Public Education for authorization to construct a two-story extension to Sterrett Classical Academy with classrooms, gymnasium, cafeteria and library located at 7100 Reynolds Street on property zoned "R1D-L" Residential Single-Unit Detached Low Density District, 14<sup>th</sup> Ward, City of Pittsburgh in accordance with Conditional Use Application No. 713 and accompanying drawings filed by Landmark Design Associates dated May 5, 2004 which are on file in the office of the Zoning Administrator, Department of City Planning and which are incorporated herein by reference thereto, subject to the following conditions;

- a) That Construction Drawings, including building elevations, materials samples, door and window details and building sections be submitted to the Zoning Administrator for review and approval prior to issuance of a Building Permit;
- b) That a Construction Management Plan, including, but not limited to construction staging, hours of operation, truck routing, worker parking and street restrictions be submitted to the Zoning Administrator for review and approval prior to issuance of a Building Permit; and
- c) That a Final Landscape Plan, which is to include all intended landscaping, screening planting and final details be submitted to the Zoning Administrator for review and approval prior to issuance of a Certificate of Occupancy.
- d) That the total student enrollment at the Sterrett School not exceed 400 students at any time

THIS RESOLUTION IS APPROVED AND /OR VETOED PURSUANT TO CASE LAW WHALE'S TALE VS. CITY OF PITTSBURGH, 467 A.2.D665 (1983)