



Text File

Introduced: 6/4/2002

Bill No: 2002-0608, **Version:** 1

Committee: Committee on Planning, Zoning & Land Use

Status: Passed Finally

Presented by Ms. Burns

Resolution approving a Conditional Use exception under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Chapter 911 to the Urban League of Pittsburgh, Inc. for authorization to renovate and expand an existing charter elementary school for up to 240 students located at 327 North Negley Avenue on property zoned "RM-M" Residential Multi-Unit, Moderate Density District, 11th Ward.

Be it resolved by the Council of the City of Pittsburgh as follows:

Section 1. Whereas, the Planning Commission of the City of Pittsburgh has made certain findings with regard to the Conditional Use Application for the proposed elementary charter school located at 327 North Negley Avenue;

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.

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 proposed elementary charter school located at 327 North Negley Avenue has properly met the Standards as provided in the Pittsburgh Code Section 922.06.E.1 and that the following criteria was 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 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 of 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) The proposed school will not create detrimental visual impacts as it will be the expansion of an existing school contained within the existing structure;
- b) The proposed school will not create detrimental transportation impacts since all student drop-off and bus loading and unloading are to be accommodated on the existing parking area which has excess capacity;
- c) The proposed school will not create detrimental transportation impacts that result in traffic volumes or circulation that exceed the capacity of streets and intersections since the size of the school after the expansion remains reasonable, and it is located on a major arterial street;
- d) The proposed school will not create detrimental operational impacts on adjacent and surrounding land uses since all activities will remain on an existing contained site that was used in part as a school since its construction;
- e) The proposed use will not create detrimental health and safety impacts on surrounding properties since its renovation and use as a neighborhood school will benefit the area;
- f) The proposed school will not create detrimental impacts on future and potential development in the vicinity and will instead encourage such development; and

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g) The proposed expansion will not create detrimental impacts on property values.

Section 3. Under the provisions of Section 911.04.A.64 of the Pittsburgh Code, approval is hereby granted to the Urban League of Pittsburgh, Inc., for authorization to renovate and expand an existing charter elementary school for grades K through 5 and with a maximum of 240 students located at 327 North Negley Avenue on property zoned "RM-M" Residential Multi-Unit, Moderate Density, 11th Ward, City of Pittsburgh in accordance with Conditional Use Application No. 705, and accompanying site plan filed by the Urban League of Pittsburgh, which are on file in the office of the Zoning Administrator, Department of City Planning, and which are incorporated herein by reference thereto.

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