



Text File

Introduced: 4/13/2017

Bill No: 2017-1409, **Version:** 1

Committee: Committee on Intergovernmental Affairs

Status: Passed Finally

Resolution amending Resolution 403 of 2016 following the submission of additional information regarding the Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for the 40th Street Hotel project located at the northeast corner of the intersection of 40th Street with Eden Way and abutting Almond Way at the rear of the property, Pittsburgh 15201.

WHEREAS, SECTION 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act," as amended, and the rules and regulations of the Pennsylvania Department of Environmental Protection (the "Department") adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, requires the City of Pittsburgh to adopt an Official Sewage Facilities Plan (the "Official Plan") providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new development conforms to a comprehensive program of pollution control and water quality management;

WHEREAS, Century Equities, Inc. previously proposed the development of a certain parcel of land identified as the 40th Street Hotel, located at the northeast corner of the intersection of 40th Street with Eden Way and abutting Almond Way at the rear of the property, identified in the Allegheny County system as Lot & Block Numbers 49-E-201 and 49-A-287, in the 9th Ward of the City of Pittsburgh and described in the attached Sewage Facilities Planning Module (the "Planning Module") for land development and proposes that project be served by sewer tap-ins to the City of Pittsburgh sewage systems;

WHEREAS, the Pittsburgh Water Sewer Authority, the Allegheny County Sanitary Authority, and the City of Pittsburgh Planning Department previously reviewed the respective components of the attached Planning Module in regard to each authority/department's expertise and approved the respective components as explained in the attached Planning Module;

WHEREAS, following City Council's approval of the Planning Module on July 6, 2016, additional information regarding the module became available. In certain circumstances, the Pennsylvania Department of Environmental Protection ("DEP") requires the review and approval of planning modules by the Pennsylvania Historical and Museum Commission ("PHMC"). Further, when PHMC approval is required, DEP requires the municipal approval to occur after the PHMC approval;

WHEREAS, on December 15, 2016, PHMC and the Century Group entered into a Memorandum of Agreement for the Sewer Module Project;

WHEREAS, the Century Group now requests City Council consider the Sewer Module with the addition of the

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PHMC approval; and

WHEREAS, based upon the approval of the above authorities and departments, the City of Pittsburgh finds that the project described in the attached Planning Module for land development conforms to applicable zoning, subdivision, other municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

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

Section 1. The City of Pittsburgh hereby adopts and submits to the Department of Environmental Protection for its approval as an amended Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan, the above-referenced Planning Module for land development, which is attached hereto as **Exhibit A**.

Said Planning Module includes the proposed 40th Street Hotel, located at the northeast corner of the intersection of 40th Street with Eden Way and abutting Almond Way at the rear of the property, identified in the Allegheny County system as Lot & Block Numbers 49-E-201 and 49-A-287, in the 9th Ward of the City of Pittsburgh.

Finally, that any Ordinance or Resolution or part thereof conflicting with the provisions of this Resolution, is hereby repealed so far as the same affects this Resolution.