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Introduced: 8/31/2004

Bill No: 2004-0636, **Version:** 1

Committee: Committee on Planning, Zoning & Land Use

Status: Passed Finally

Presented by Mr. Udin

Approving a Conditional Use under Section 911.04.A.41 of the Pittsburgh Code, Title Nine, Zoning, Article V Chapter 911 as amended to Gwen's Girls, Inc. for authorization to occupy an existing convent structure as a multi-suite residential (limited) facility and treatment program for up to 16 adolescent girls at 720 Arch Street on property zoned "RM-H" Residential Multi-Unit High Density District, 22nd ward.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PITTSBURGH AS FOLLOWS:

Whereas, the Planning Commission of the City of Pittsburgh has made certain findings with regard to the conditional use application for the proposed multi-suite residential (limited) facility.

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.

Now therefore, 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 multi-suite residential (limited) facility at 720 Arch 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 use will not create detrimental visual impacts as it will be located in an existing structure and will not involve any new construction;
- 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 and 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 onsite 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 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 3.

Under the provisions of Section 911.04.A.41 of the Pittsburgh Code, approval is hereby granted to occupy an existing convent structure as a multi-suite residential (limited) facility and treatment program for up to 16 adolescent girls at 720 Arch Street on property zoned "RM-H" Residential Multi-Unit High Density District, 22nd ward, City of Pittsburgh, in accordance with Conditional Use Application No. 716 and accompanying plan filed by Gwen's Girls, Inc. dated June 29, 2004 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)