



## Legislation Details (With Text)

**File #:** 2014-0397      **Version:** 1

**Type:** Resolution      **Status:** Passed Finally

**File created:** 5/6/2014      **In control:** Committee on Land Use and Economic Development

**On agenda:**      **Final action:** 6/17/2014

**Enactment date:** 6/17/2014      **Enactment #:** 410

**Effective date:**

**Title:** Resolution approving a Conditional Use under the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911, Section 911.04.A.64 to Hill House Passport Academy Charter School, lessee and Hill House Association, property owner, for authorization to occupy a portion of a three-story building as a Secondary School, General for grades 9 through 12 and a maximum enrollment of 180 students, located at 1825 Centre Avenue on property zoned RM-M, Residential Multi -Unit, Moderate Density District, 3rd Ward.

**Sponsors:**

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

**Code sections:**

**Attachments:** 1. 2014-0397.doc, 2. 2014-0397 Passport Academy Binder.pdf

Date	Ver.	Action By	Action	Result
6/17/2014	1	City Council	Passed Finally	Pass
6/11/2014	1	Standing Committee	AFFIRMATIVELY RECOMMENDED	Pass
6/5/2014	1	Committee on Hearings	Public Hearing Held	
5/14/2014	1	Standing Committee	Held for Cablecast Public Hearing	Pass
5/6/2014	1	City Council	Read and referred	

Presented by Ms. Gross

Resolution approving a Conditional Use under the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911, Section 911.04.A.64 to Hill House Passport Academy Charter School, lessee and Hill House Association, property owner, for authorization to occupy a portion of a three-story building as a Secondary School, General for grades 9 through 12 and a maximum enrollment of 180 students, located at 1825 Centre Avenue on property zoned RM-M, Residential Multi -Unit, Moderate Density District, 3rd Ward.

Whereas the Planning Commission of the City of Pittsburgh has made certain findings with regard to the conditional use application for the proposed Hill House Passport Academy Charter School at 1825 Centre 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 recommendations 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 of the record as provided by the Planning Commission of the City of Pittsburgh, it is herewith affirmed that the proposed elementary school located at 134 East Elizabeth Street 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 proposed 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 the 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 or 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;
- 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 use is to be in an existing structure that is presently configured for classroom use and will not create any detrimental visual impacts;
- b) That the proposed school use will not create detrimental transportation impacts since it is presently in use as a community center and new activities will be managed under an approved Traffic Plan;
- c) That the proposed school use will not create detrimental transportation impacts that result in traffic

volumes that exceed the capacity of streets and intersections since any increase in traffic can be accommodated by the existing streets;

- d) That the proposed school use will not create detrimental operational impacts on nearby land uses since the site is located on a major roadway is sufficiently large enough to accommodate the proposed use;
- e) That the proposed school use will not create detrimental health and safety impacts since the use remains compatible in a mixed use district;
- f) That the proposed school use will not create detrimental impacts on the future development in the area since the use is permitted in the zoning districts and there is no expansion of the building or site area involved;
- g) That the proposed school use will not create detrimental impacts on property values in the area since the use is easily accommodated by the existing site and the impacts of the use on the surrounding area will be minimal.

### Section 3.

Under the provisions of Section 911.04.A.64 of the Pittsburgh Code, approval is hereby granted to Hill House Passport Academy Charter School, lessee and Hill House Association, property owner, for authorization to occupy a portion of a three-story building as an Secondary School, General for grades 9 through 12 and a maximum enrollment of 180 students located at 1825 Centre Avenue on property zoned RM-M, Residential Multi -Unit Moderate Density District and LNC, Local Neighborhood Commercial District, 3rd Ward, City of Pittsburgh, in accordance with Conditional Use Application No. 745 and accompanying plans filed by Renaissance 3 Architects, which are on file in the Office of the Zoning Administrator, Department of City Planning, and which are incorporated herein by reference thereto; and subject to the following conditions:

1. That all comments by the City Traffic Engineer be incorporated into the Traffic Plan prior to zoning approval of an application for a certificate of occupancy; and
2. That twenty (20) off-site parking spaces located within 1,000 feet of the proposed school location will be identified and confirmed for use by the proposed school, prior to zoning approval of an application for a certificate of occupancy.

Pursuant to Case Law *Whale's Tale vs. City of Pittsburgh* 467 A. 2d.665(1983) Mayor's signature not required