



Legislation Details (With Text)

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

**File created:** 8/26/2016      **In control:** Committee on Land Use and Economic Development

**On agenda:** 8/30/2016      **Final action:** 10/11/2016

**Enactment date:** 10/11/2016      **Enactment #:** 601

**Effective date:** 10/21/2016

**Title:** Resolution approving a Conditional Use Application under the Pittsburgh Code, Title Nine, Zoning, Article IV, Chapter 910, Section 910.01.D.1 to BET Investments on behalf of E.V. Bishoff, property owner, for the transfer of Development Rights involving 12 dwelling units from 313 Third Avenue (Parcel 1-H-365) to 319 Third Avenue (parcel 1-H-363), zoned "GT-A" Golden Triangle Subdistrict A, 1st Ward, Council District No. 6

**Sponsors:**

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

**Code sections:**

**Attachments:** 1. 2016-0716 Summary, 2. 2016-0716 Conditional Use Report

Date	Ver.	Action By	Action	Result
10/11/2016	1	City Council	Passed pursuant to Case Law	
10/11/2016	1	City Council	Passed Finally	Pass
10/5/2016	1	Standing Committee	AFFIRMATIVELY RECOMMENDED	Pass
9/27/2016	1	Committee on Hearings	Public Hearing Held	
9/7/2016	1	Standing Committee	Held for Cablecast Public Hearing	Pass
8/30/2016	1	City Council	Read and referred	

Resolution approving a Conditional Use Application under the Pittsburgh Code, Title Nine, Zoning, Article IV, Chapter 910, Section 910.01.D.1 to BET Investments on behalf of E.V. Bishoff, property owner, for the transfer of Development Rights involving 12 dwelling units from 313 Third Avenue (Parcel 1-H-365) to 319 Third Avenue (parcel 1-H-363), zoned "GT-A" Golden Triangle Subdistrict A, 1st Ward, Council District No. 6

**WHEREAS**, the Planning Commission of the City of Pittsburgh has made certain findings with regard to the conditional use application for the transfer of Development Rights involving 12 dwelling units from 313 Third Avenue (Parcel 1-H-365 to 319 Third Avenue (parcel 1-H-363);

**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 conditional use 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, 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, land uses and proposed land use 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 other 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.** Under the provisions of 910.01.D.1 of the Pittsburgh Code, approval is hereby granted to BET Investments on behalf of E.V. Bishoff, property owner, for the transfer of Development Rights involving 12 dwelling units from 313 Third Avenue (Parcel 1-H-365) to 319 Third Avenue (parcel 1-H-363), zoned "GT-A" Golden Triangle Subdistrict A, 1st Ward, Council District No. 6, City of Pittsburgh, in accordance with Conditional Use Application No. 804 and accompanying site plan and drawings filed by BET Investments, which are on file in the Office of the Zoning Administrator, Department of City Planning.