



## Legislation Details (With Text)

<b>File #:</b>	2018-0877	<b>Version:</b>	1
<b>Type:</b>	Resolution	<b>Status:</b>	Passed Finally
<b>File created:</b>	9/14/2018	<b>In control:</b>	Committee on Land Use and Economic Development
<b>On agenda:</b>	9/18/2018	<b>Final action:</b>	11/5/2018
<b>Enactment date:</b>	11/5/2018	<b>Enactment #:</b>	734
<b>Effective date:</b>	11/5/2018		
<b>Title:</b>	Resolution approving a Conditional Use Application under the Pittsburgh Code, Title 9, Zoning, Article IV, Chapter 910, Section 910.01.D.1 to allow JCS Capital LLC on behalf of Pittsburgh Spruce Street Properties, property owner, the transfer of Development Rights from 55 11th Street (parcel 9-P-36) to 316/310 4th Avenue (parcel 1-H-330), zoned "GT-A" and "GT-B" Golden Triangle Subdistricts A and B, 1st and 2nd Wards, Council District No. 6. (Public Hearing held 10/24/18)		
<b>Sponsors:</b>			
<b>Indexes:</b>	CONDITIONAL USE APPLICATION		
<b>Code sections:</b>			
<b>Attachments:</b>	1. 2018-0877-316 4th Avenue CUA Report, 2. Summary 2018-0877.docx		

Date	Ver.	Action By	Action	Result
11/5/2018	1	City Council	Passed pursuant to Case Law	
11/5/2018	1	City Council	Passed Finally	Pass
10/31/2018	1	Standing Committee	Affirmatively Recommended	Pass
10/24/2018	1	Committee on Hearings	Public Hearing Held	
9/26/2018	1	Standing Committee	Held for Cablecast Public Hearing	Pass
9/18/2018	1	City Council	Read and referred	

Resolution approving a Conditional Use Application under the Pittsburgh Code, Title 9, Zoning, Article IV, Chapter 910, Section 910.01.D.1 to allow JCS Capital LLC on behalf of Pittsburgh Spruce Street Properties, property owner, the transfer of Development Rights from 55 11th Street (parcel 9-P-36) to 316/310 4th Avenue (parcel 1-H-330), zoned "GT-A" and "GT-B" Golden Triangle Subdistricts A and B, 1<sup>st</sup> and 2<sup>nd</sup> Wards, Council District No. 6.  
***(Public Hearing held 10/24/18)***

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 75 dwelling units from 55 11th Street (parcel 9-P-36) to 316/310 4th Avenue (parcel 1-H-330);

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 allow JCS Capital LLC on behalf of Pittsburgh Spruce Street Properties, property owner, for the transfer of Development Rights involving 75 dwelling units from 55 11th Street (parcel 9-P-36) to 316/310 4th Avenue (parcel 1-H-330), zoned “GT-A” and “GT-B” Golden Triangle Subdistricts A and B, 1<sup>st</sup> and 2<sup>nd</sup> Wards, Council District No. 6, City of Pittsburgh, in accordance with Conditional Use Application No. 18-CU-00002 and accompanying site plan and drawings filed by JCS Capital LLC, which are on file in the Office of the Zoning Administrator, Department of City Planning.