

**CITY PLANNING COMMISSION**

Minutes of the Meeting of October 18, 2011  
Beginning at 2:00 p.m.

**PRESENT OF THE COMMISSION:** Chairwoman Wrenna Watson,  
Reidbord, Burkley, Myers, Valentine

**PRESENT OF THE STAFF:** Ismail, Tymoczko, Layman, Hanna, Rakus

**AGENDA ITEMS COVERED IN THESE MINUTES**

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2. Radfive LLC-Washington Blvd. Plan of Lots (Washington Blvd. and Silver Lake Drive), 12 <sup>th</sup> Ward	2
3. Mangrove Cay Plan of Lots (Thornburg Bridge/Steubenville Pike), 28 <sup>th</sup> Ward	3
4. Pittsburgh Ballet Theatre Consolidation Plan (29 <sup>th</sup> Street and Liberty Avenue), 6 <sup>th</sup> Ward	3
5. Milan Enterprises, LP Consolidation Plan of Lots (Jane and S. 26 <sup>th</sup> Street), 17 <sup>th</sup> Ward	4
6. Milcreek Processing-Pius Street #2 Plan of Lots (Pius Street and Oporto Street), 17 <sup>th</sup> Ward	4
7. FLDP #11-62, Community Ice Rink (temporary) South Side Works, S. 26 <sup>th</sup> Street and Sidney,	5
8. Council Bill 2011-1925, Zoning Code Amendment, 925.05 setbacks, contextual front	8
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10. FLDP #11-65, South Side Works Marina, S. Water Street and S. 26 <sup>th</sup> Street	10

Ms. Watson chaired today’s meeting and called the meeting to order.

**A. ACTION ON THE MINUTES OF OCTOBER 4, 2011**

On a motion duly moved by Mr. Valentine and seconded by Mr. Reidbord, the minutes of the October 4, 2011 Commission meeting were approved.

**B. CORRESPONDENCE**

Ms. Watson stated that the Commission was in receipt of the Allegheny County Basin Quarterly Report.







**D. DEVELOPMENT REVIEWS** (See **Attachment B** for staff reports.)

7. For Hearing and Action: Revised Final Land Development Plan #11-62, Community Ice Rink (temporary), South Side Works, S. 26<sup>th</sup> Street and Sidney Street, SP-5

Ms. Tymoczko made a presentation in accord with the attached staff report and illustrations included in Attachment B. Ms. Tymoczko said this is a proposal for a seasonal community ice rink to be located in the South Side Works. It is proposed to be erected in November and operate until mid-January. It is identical to the proposal and facility that was erected on the North Shore last year for the winter classic hockey tournament. The ice rink will be available for hockey games. The applicant expects this to be an annual event so we are asking Planning Commission to approve it for future use in this manner so that they don't have return every year unless there are changes. Ms. Tymoczko turned the presentation over to the applicant.

Jeff Wilhelm, Attorney Reed Smith representing the Pittsburgh Penguins, this project is an extension of the success with the community ice rink for the Winter Classic. They are proposing to move the rink to a parking lot across from McCormick and Schmicks and across from the REI store. We are seeking to operate for longer hours and would like to operate from November 18 to January 8, 2012. Mr. Wilhelm distributed a handout that reflects comments from the Commission members at the briefing.

Mr. Wilhelm said they will be using the most of the same contractors other than operator. This year it will be operated by Magic Ice. They are the same company that operates the PPG Place ice rink. Mr. Wilhelm turned the presentation over to Mr. Andres.

Mr. Andres, Magic Ice, said they would like to start site work on October 21, 2011 and reconstruction begin on November 4, rink open November 18 and operate until January 8 and the site completed restored by January 31, 2012. The hours will be from 7:00 a.m. to 12 a.m. but that will not be all public time. Mr. Andres went over the handout page by page. There will also be 24 hour security and video surveillance. There will be food service available and restrooms. Mr. Andres said there are several parking garages in the area for people that will be using the rink.

Mr. Andres said the Penguins will offer sponsorships along the interior of the rink in the form of signage along the dasher boards. The South Side Local Development Company has given their approval and a copy of their letter is included in the attachment.

The Chairwoman called for comments from the public.

Nick Saracena, 11 Oakland Square, Apartment 4, in favor. Just wondered how heavily the parking lot used where the rink is being placed. Just because that is holiday shopping time.

There being no further questions or comments from the public, the Chairwoman called for questions or comments from the Commission members.

Mr. Valentine addressed that someone address Mr. Saracena's question. Maven Lichtenfeld, Soffer Organization, said that surface lot was part of the lease agreement when REI came to town and that lot hasn't been open for four years and it was used only for special events. The existing lots have always been able to handle the holiday shoppers. We aren't displacing any parking and REI has agreed to the use.

Mr. Valentine asked why the rink is being closed in January and February when they are both very cold months. Richard Hicks, Pittsburgh Penguins, part of that is the cost to operate the rink and typically they keep them open when the kids are out of school and you can operate them for a longer time frame. Last year we were open for eleven days and this year we are trying to extend that.

Mr. Burkley said he was looking at the schedule and will there be opportunities for adult hockey leagues. Mr. Andres said there will be time for hockey for rental and people can apply. We are not going to have any leagues organized by us but it will be available. Mr. Burkley said he plays at Schenley and will the locker rooms locked. Mr. Andres said there will be locked gates and security.

Mr. Burkley said on the parking it seems there is only one garage that is really close and people aren't going to want to lug their hockey gear too far. Mr. Andres said a lot of people will drop their kids and bags off. Mr. Lichtenfeld said there are four URA garages and parking on the street at the meters. The URA analyzes the garage usage on a monthly basis and everyone feels there is sufficient capacity. Mr. Lichtenfeld said it is an urban project and that is what the structured parking is for.

Mr. Reidbord asked if the outside banners with the sponsorship considered signs and will they need a separate permit for them. Ms. Tymoczko said if it is part of the name of the facility they will treat it as identification signage and it looks like what they had previously. Mr. Wilhelm said this would be a gold or platinum type of sponsor. Mr. Wilhelm said they have not found the sponsor as yet.

Ms. Tymoczko said that staff has a recommended motion and we asking for seasonal annual usage. Ms. Watson said it would not be open in February and longer this year than last year and if you see increased usage would you consider leaving it open longer. Mr. Wilhelm said that is what we have done from last year to this year, we had more demand for hockey rental and we had a waiting list last year. This is revolving concept and we have asked for flexibility and that is why the move to this location so that our schedules don't conflict with other venues on the North Shore. Ms. Watson said her question if that regard is that you are saving to January should we not extend this for an annual agreement. Ms. Tymoczko said if you want to allow for future years we can extend it beyond the January date. Mr. Wilhelm said if the Commission wants to extend the date to February 28 the Penguins will not have an objection.

Mr. Wilhelm said we do have sponsorships to keep the operating costs low to increase community participation.

There being no more questions or comments from the Commission, the Chairwoman called for the motion. The motion was made to increase the available operating date to February 28.

**MOTION:** That the Planning Commission of the City of Pittsburgh approves the Revised Final Land Development Plan based on Application #11-62, for the installation of a seasonal Community Ice Rink on an area bounded by Sidney Street, South 26<sup>th</sup> Street, and Tunnel Boulevard, with bleachers and tents for admissions, concessions, and locker rooms; to be used for public ice skating and private rentals operation from 7:00 a.m. to midnight and annually no earlier than November 1<sup>st</sup> and no later than February 28, in accordance with the application and drawings submitted by Magic Ice USA and the Pittsburgh Penguins, applicant, and the Urban Redevelopment Authority, property owner.

MOVED BY Mr. Burkley;

SECONDED BY Ms. Myers.

IN FAVOR: Watson, Reidbord, Burkley, Myers, Valentine

OPPOSED: None

**CARRIED**

8. For Hearing and Action: Council Bill 2011-1925, Zoning Code Amendment 925.05 setbacks, contextual front

Mr. Layman made a presentation in accord with the attached staff report. Mr. Layman said they would like to take Council Bill 1926 as well as they are companion pieces. These are two amendments to the Zoning Code that were introduced by Council President Darlene Harris and the Chief of Staff for her office, Audrey Glickman, is present. The recommendations are for modifications to the contextual setback standards in the Zoning Code and it would add a certain level of flexibility that there currently isn't especially in the case where you have multiple in fill lots. Right now contextual setbacks only work based what is adjacent on either side, so if you want to build where there are several missing buildings on the street you are stuck with the current zoning and setbacks.

Mr. Layman said what this does, Bill 1926, dealing with the front setbacks, it allows you to base the context on an adjacent property oriented on the same street as the property and it allows an option of a build to line based on fifty percent of the block face. It will be up to the applicant to prove that based on maps, drawings, and documents. Mr. Layman said that would save the Zoning Board a few applications for variances.

Mr. Layman said the first bill is clarifying what attached means in the code and it has been added to all of the residential sections. There is a small language change in 925 that confirms and makes clear the zero lot line.

Mr. Layman recommended that the Commission approve as written. Mr. Layman turned the presentation over to Audrey Glickman.

Audrey Glickman, Acting Chief of Staff, Councilwoman Harris, said that many high density neighborhoods will be happy with this. Ms. Glickman said that other Council people have been supportive of these changes.

There being no questions or comments from the Public or the Commission, the Chairwoman called for the motion.

**MOTION:** That the Planning Commission of the City of Pittsburgh recommend approval of Council Bill 2011-1924 amending the Pittsburgh Code, Title Nine, Zoning Code, Article II, Base Zoning Districts, Chapter 903, Residential Zoning Districts as proposed.

MOVED BY Mr. Valentine;

SECONDED BY Mr. Burkley.

IN FAVOR: Watson, Reidbord, Burkley, Myers, Valentine

OPPOSED: None

**CARRIED**



10. For Hearing and Action: Final Land Development Plan #11-65, South Side Works Marina, South Water Street and S. 26<sup>th</sup> Street

Mr. Layman made a presentation in accord with the attached staff report. Mr. Layman said this is a proposed marina in the South Side Works and it is a project that has always been part of the master plan for the area. The project proposes to have a new parking lot, accessory buildings, and site improvement. The marina is proposed for 315 slips and a total of 60 parking stalls with 48 of those are in a temporary condition for five years. Twelve will be permanent up front.

Mr. Layman said the project has been thru staff design review and thru CDAP as well. The applicant did make changes based on recommendations from those groups. Mr. Layman said staff is recommending approval with three conditions that were read by Mr. Layman.

Mr. Layman turned the presentation over to the development team.

Jack Scholl, senior principle Environmental Planning Design, 100 Ross Street, representing Fox Chapel Sea Ray the developer, the owner is David Maxwell, and introduced the rest of the design team. The project started about ten years ago and it has taken a long time to get to this point. Mr. Scholl presented a Power Point presentation of the proposed project and explained why they needed the temporary time frame for the parking.

The Chairwoman called for comments from the Public, there being none the Chairwoman called for questions or comments from the Commission.

Mr. Reidbord said he is still a little concerned about the parking and the look of the gravel. What happens at the end of five years if nothing happens there. Ms. Tymoczko said the approval would expire and we would have to revoke the approval. Mr. Reidbord said it seems inconsistent to have a gravel parking lot in the middle of the city. Ms. Tymoczko said generally we ask for a hard packed dust free surface. Mr. Reidbord said there won't be any landscaping and Mr. Scholl said one of the changes from the design process is permanent landscaping.

Mr. Reidbord asked what is temporary about the parking, is it a budget issue. Mr. Scholl said they need 60 spaces and there isn't enough land in that footprint to get 60 spaces. There are two ways to do that, we either get more land or we move the trail closer to the wall. Moving the trail closer to the wall is a big deal. The wall has about 8 feet of railroad tie on top of a massive steel wall. The railroad tie is in bad shape and we took all of that off and sloped the land down. Mr. Scholl said the numbers are staggering so they are in the process of evaluating options of either adding land or not adding land and moving the trail. The property ownership is involved. Mr. Scholl said that Fox Chapel Sea Ray wants to operate a high glass facility and a gravel lot is not in his DNA for very long. There will not be 315 slips when we open, the number of slips will be based on how many people are leasing out and that will give them some time to work on the land problem.



D. **ADJOURNMENT:**

3:10 p.m.

APPROVED BY:

Kirk Burkley  
SECRETARY

Attachments

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