

CITY PLANNING COMMISSION

Minutes of the Meeting of July 26, 2011
Beginning at 2:00 p.m.

PRESENT OF THE COMMISSION: Vice Chairperson Reidbord, Burkley,
Thomas, Myers, Valentine

PRESENT OF THE STAFF: Ismail, Tymoczko, Layman, Hanna, Rakus,
Meritzer, Miller, Martz

AGENDA ITEMS COVERED IN THESE MINUTES

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Mr. Reidbord chaired today's meeting and called the meeting to order. Mr. Reidbord advised those present that the Strip Redevelopment Project had been postponed to date yet to be determined.

A. ACTION ON THE MINUTES

On a motion duly moved by Mr. Valentine and seconded by Mr. Thomas the minutes of the July 12, 2011 meeting were approved.

6. J. Williams Subdivision Plan of Lots (South of Melbourne Street), 15th Ward

Ms. Tymoczko made a presentation in accord with the attached staff report. Director Ismail stated that the subdivision committee had met and recommends approval of the plan. The Chairman called for a motion.

MOTION: That the J. Williams Subdivision Plan of Lots, 15th Ward, City of Pittsburgh, County of Allegheny, prepared for Jennifer Williams by H. J. Martone Engineering and Surveying Company dated July 18, 2011 and received by the Planning Commission July 26, 2011 be approved and the signatures of the proper officers of the Planning Commission be affixed thereto. (No improvements or monuments needed.)

MOVED BY Mr. Valentine;

SECONDED BY Mr. Thomas.

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

OPPOSED: None

CARRIED

7. Sweetbriar Street Subdivision Plan of Lots (Easterly of Sweetbriar Street), 19th Ward

Ms. Tymoczko made a presentation in accord with the attached staff report. Director Ismail stated that the subdivision committee had met and recommends approval of the plan. The Chairman called for a motion.

MOTION: That the Sweetbriar Street Subdivision Plan of Lots, 19th Ward, City of Pittsburgh, County of Allegheny, prepared for P/7 Investments by James R. Deglau dated July 5, 2011 and received by the Planning Commission July 26, 2011 be approved and the signatures of the proper officers of the Planning Commission be affixed thereto. (No improvements or monuments needed.)

MOVED BY Mr. Thomas;

SECONDED BY Ms. Myers.

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

OPPOSED: None

CARRIED

8. JBG Management Subdivision Plan of Lots (Easterly of S. 11th Street), 17th Ward

Ms. Tymoczko made a presentation in accord with the attached staff report. Director Ismail stated that the subdivision committee had met and recommends approval of the plan. The Chairman called for a motion.

MOTION: That the revision of JBG Management Re-Subdivision Plan of Lots, 17th Ward, City of Pittsburgh, County of Allegheny, prepared for JBG Management by Pilston Surveying, Inc. dated July 22, 2011 and received by the Planning Commission July 26, 2011 be approved and the signatures of the proper officers of the Planning Commission be affixed thereto. (No improvements or monuments needed.)

MOVED BY Mr. Burkley;

SECONDED BY Mr. Thomas.

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

OPPOSED: None

CARRIED

- 10 For Hearing and Action: Project Development Plan #11-41, 600 Commonwealth Place, Wyndam High Wall Sign, GT-D

Mr. Layman made a presentation in accord with the attached staff report. Mr. Layman said the proposal is for a replacement high wall sign for the building that was formerly the Hilton to face Point Park. Mr. Layman said that the Hilton sign was required to be removed and an application was filed for a special exception for the signage. The project did go thru the Design Review, their recommendation was that the size be reduce to allow space on the side of the building wall and to have the sign letter spaced. The architects did revise the plans based on the suggestions made by the Contextual Design Advisory Panel. Staff is satisfied with the design of the sign. Mr. Layman turned the presentation over to Rob Landry.

Roby Landry, Wyndham Worldwide, presented and in order to address some of the comments they reduced the size of the letters, the crown box was reduced in size and is more similar to the Hilton sign that was there before. Mr. Landry said there was a comment about spacing the letters but their concern was that the sign would become too small and not visible from a distance. Mr. Landry presented a Power Point.

Mr. Landry said they are proposing the use of LED lighting which is typical in signage these days because of the energy efficiency. They are proposing that they are programmable so that they are not just white but the sign color could be altered.

Mr. Landry said to address some of the questions on visibility, they do have visibility have Mt. Washington and coming out of the tunnel. Mr. Landry said there were several questions about the color and how we were going to be lighting it. The Wyndham Grand Logo is black as a standard the way we are planning to light the two elements, the crown box will be backlit so that at night the crown will be lit, and that box will also have the halo effect so that it appears to be floating off the way. The Wyndham letters will be black during the day and at night they will be face lighted and typically at night they will white. The technology to do this is perforated vinyl. With respect to the LED's that we will use, we do have the capability to change the color of the LED's. They would be fixed colors and the hotel ownership was interested especially on game days to use yellow as a color, it could also be programmed to be green for St. Patrick 's Day, and other colors per holiday. For normal operation it will be programmed to be white.

The Chairman called for comments from the public, there being none, the Chairman called for questions or comments from the Commission members.

Mr. Layman said he wanted to add conditions of approval. Mr. Layman said they have two conditions today, one is that the project be granted a special exception approval from the Zoning Board and the other one that I would like to add because of the subject of the changing of colors on the sign and how it is illuminated to be consistent with the electronic signage legislation. Mr. Layman

said that he would like to add a condition that the sign shall conform to the legislation currently before City Council and approved by the Planning Commission.

Mr. Thomas asked if the legislation mentioned color as well since changing the color would be animation and Mr. Layman said we would consider it the same as changing copy. No allowance for fade in or out or animation. Mr. Thomas said we didn't put any limitation on the colors. Mr. Layman said there is none recommended by staff at this time.

Mr. Thomas said you mentioned the crown is that halo lit as well. Mr. Landry said the frame is actually floating off the face of the wall, the LED lighting that is illuminating the box itself is washing out the back of the box. You would not view any light shore. Mr. Thomas said it was more of a comment, you have a halo light box that is very close to you Wyndham lights, I think staffs request for letter spacing was for clarity, without letter spacing your letters will make it blurry and harder to see. Mr. Landry said that is one of the reasons why the letters are just face lit so we don't add additional confusion. Mr. Landry said they reduced the size of the letters so the proportion has changed. The halo light around the box will be understated.

There being no further questions or comments, Mr. Thomas made a motion with the conditions as stated and Mr. Burkley abstained since the case is still before the Zoning Board of Adjustment.

MOTION: That the Planning Commission of the City of Pittsburgh approves Project Development Plan #11-41, for approval of the erection of one new high wall business identification sign on the existing hotel tower located at 600 Commonwealth Place, and based on the application and drawings filed by Shamrock Building Services on behalf of Kiran C. Patel, property owner, with the following condition:

1. Special Exception approval must be granted by the Zoning Board of Adjustment for replacement of a non-conforming sign.
2. Sign shall contain no motion or animation, shall not exceed a luminance of 4,500 nits during daylight hours between sunrise and sunset, and shall not exceed a luminance of 350 nits at all other times.

MOVED BY Mr. Thomas;

SECONDED BY Mr. Valentine.

IN FAVOR: Reidbord, Thomas, Myers, Valentine

ABSTAINED: Burkley

OPPOSED: None

CARRIED

11. For Hearing and Action: Project Development Plan #11-42, 1858 Clayton Street, hillside zoning district, steep slope overlay

Ms. Tymoczko made a presentation in accord with the attached staff report. Ms. Tymoczko said this application is for a single family dwelling in the "H", hillside district. In this case, the lot is also in the steep slope overall district which is any area that has a slope of 25 percent or greater. In this case the lot has a slope of 33 percent and that triggers any new uses shall be reviewed by the Planning Commission. The lot area is approximately 4,000 square feet and the new two story structure will be located where a dwelling existed previously. The geotechnical report has been submitted. Under number six in the report all of the standards for review of new development in the steep slope overlay. The development appears to be consistent with all of the criteria.

Ms. Tymoczko turned the presentation over to Daryl Thomas.

Mr. Thomas said they no excavation or impact on the hillside. The elevation facing the city will be almost all glass.

Ms. Tymoczko recommended approval of the proposal.

The Chairman called for comments from the Public, there being none, the floor was opened to questions and comments from the Commission members.

Mr. Burkley asked if this would be one house and the response was yes. Mr. Reidbord asked if what was being shown was the rear elevation and the response. Mr. Thomas said they are doing nothing to the slope on the side of the house, there is a stairway on the other side. Mr. Reidbord said you won't see mechanical equipment on the roof and Mr. Thomas said there will be nothing on the roof.

There being no more questions or comments from the Commission, the Chairman called for the motion.

MOTION: That the Planning Commission of the City of Pittsburgh approves Project Development Plan #11-42 for approval of the demolition of the existing structure and construction of a new single-family dwelling at 1858 Clayton Avenue based on the application and drawings filed by the applicant and subject to the following conditions:

1. That a final site plan including landscape plan and elevation drawings be reviewed and approved by the Zoning Administrator prior to issuance of a building permit;
2. That all recommendations contained in the geotechnical review by Morris Knowles and Associates be implemented.

12. For Hearing and Action: Zone Change Petition #752, C746, 4027 Beechwood Blvd. and Boulevard Drive

Ms. Tymoczko made a presentation in accord with the attached staff report and said this is a continued hearing from June 28th and is a zone change petition. Ms. Tymoczko said the property is an existing church and has been vacant for approximately two years and the request is to change the zoning from single family to local neighborhood commercial and it would be an extension of the existing commercial across Beechwood Blvd. At the prior public hearing there were a number of people present and the Planning Commission continued the hearing to allow the applicant time to meet with the neighbors and I believe that at least two meetings from been held since then. Ms. Tymoczko turned the presentation over to the applicant.

Mr. Reidbord asked that we are here strictly for the Zone Change Petition anything else would come back to the Commission for site plan approval. Ms. Tymoczko said this is for a Zone Change only and after the Planning Commission acts on the application it still has to go to City Council. After that we would then take any applications that are approved under the new zoning would be reviewed. Mr. Reidbord asked if the applications would come back to the Planning Commission and Ms. Tymoczko said probably not in that district. Most of the time there is no trigger for the application to come back to the Planning Commission. Mr. Reidbord said only if they are requesting variances but we are only here today for the zone change not the use. Ms. Tymoczko said that the applicant would like to show what their probable use of the property will be after the zone change.

Dan Kunz, attorney for petitioner, Richard Costanzo, and on June 14th we had the briefing and on June 28 I appeared and asked for a continuance based on the fact that the local organizations were unable to meet. Since that time there have been two meetings conducted with the local groups. We are here to ask to have the zoning changed to local neighborhood commercial. We would also like to give you an idea of what we had in mind for the property. Harry Levine will be demonstrating what the ideas are for the property. Richard Costanzo is the petitioner is present today along with Tom Conroy the real estate agent. Dan Kunz introduced Harry Levine of Levine Architecture.

Harry Levine, architect, said it is a beautiful opportunity to create something at this location. We have a client that is always upgrading the materials that are used. We wanted to look at it in relation to the neighborhood and integrate a campus into a neighborhood. Looking for a triple win situation at this location. We are looking at closing down an intersection at the entrance and place a retaining wall to increase the parking in the facility. Wanted to locate a bike storage area for employees. We wanted to add a governor's drive on Beechwood Blvd. and do everything we can to make a presentation for the use. Mr. Levine measured the building and has spoken to some companies, would like to do this respectfully with a modest impact on the neighborhood.

Mr. Valentine asked what the future use would be and Mr. Levine said we are hoping to get a corporate use, a business use, a potential institutional use, that's what we are looking at.

Mr. Kunz said that is some of the ideas we have in mind but I do have the petitioner here to answer any questions.

Mr. Reidbord called for comments from the Public and then we will come back to the Commissioners who may have questions. Mr. Reidbord advised those present of the regulations for speakers.

Councilman Doug Shields said he spoke to the Law Department about impacts of speaking because this matter will go to Council and they suggested he take a neutral position as it is coming to Council. Councilman Shields said this is text change to a zoning map. Councilman Shields said he did want to advise the Commission of what has been going on with the community. Thanks to the Commission there was a continuance which gave the community an opportunity for discussion. The Councilman advised that a community meeting was held on July 7 and surrounding property owners were advised. The Councilman said the turnout was good, there were over 60 people present. The first meeting was information without the developer present but the architect was present to answer questions along with staff from the Planning Department. Councilman Shields said at that meeting there was discussion of how a zone change would affect that site and the surrounding area. At that meeting the people present were leaning to be opposed.

Councilman Shields said there was a second meeting on July 21 and about the same number of people and there were some new people. The developer was present at this meeting and the current owner. Councilman Shields said he has three electronic messages (attachment D), one person was in favor and then decided the following day that they were opposed. Councilman Shields went on to discuss the problems with the reuse of institutional buildings.

Councilman Shields said we were here some years ago for Map Pittsburgh and in that area there were text changes for areas that were legal non-conforming and action was taken. Councilman Shields said there seems to be a bit of uncertainty as to what can and can't be done once the zoning is changed. Councilman Shields said they looked at alternatives and those were not feasible. Councilman Shields said some that had reconsidered their first opinion have changed their minds back because if it is an LNC, how do we know what will go in there. Councilman Shields said there is an existing traffic situation and it is no longer just a city street but a major artery to the parkway ramps and other points. The Councilman said that Boulevard Drive has no sidewalk and does receive heavy traffic at rush hour.

Audrey Glickman, 3548 Beechwood Boulevard, opposed. Ms. Glickman showed a Power Point presentation, Attachment E, showing the traffic patterns and what it is like to walk up the street along Boulevard Drive. Ms. Glickman said the additional traffic would be more than the street could bear.

Mitchell Hoffman, 4019 Boulevard Drive, opposed. Mr. Hoffman said the church has only been vacant for several months not two years. Mr. Hoffman said if the developer were able to promise the type of development the neighbors may feel differently but once this zoning is changed there is an opportunity for anything. The street can not absorb more traffic.

David BIRTHENTHAL, 3955 Boulevard Drive, opposed. Mr. BIRTHENTHAL is concerned about traffic issues and noise. The entrance would bring traffic two ways up their one way street and the traffic would be entering and leaving during rush hour in that small area. Mr. BIRTHENTHAL said this will cause confusion. Mr. BIRTHENTHAL is concerned with trash collection noise. It would have a lower impact on the area if the entrance was on Beechwood Blvd. Mr. BIRTHENTHAL said there was a discussion for no left turn leaving the facility on Boulevard.

Bill Smith, Executive Director, Greenfield Organization, opposed. Mr. Smith said we were approached by the residents in June and after discussing it at length with the neighbors and the developer we took a position that we were in opposition to the development. Mr. Smith said it is a difficult site with the traffic, parking, litter, and the current development and this would compound the problem especially without a clear idea of what will be going into the area.

Rosalie Glickman, 3959 Boulevard Drive, opposed. Ms. Glickman said her house was on the first ones on the street. Ms. Glickman said she can't imagine anything other than residential at that location, anything else would increase the traffic.

Susan Koser, 617 Greenfield Avenue, opposed. Lives in area that has commercial development next door but the noise is terrible. Ms. Koser said she has lived next to commercial all her life, we have enough commercial in the area. There is no enforcement, once it is there, it is there. Once the LNC goes in we do not have a choice any longer.

Stephanie Koser, 617 Greenfield Avenue, opposed. Concerns about the memorial and it is a gathering place and that it may cause an issue, we do not want it moved or destroyed. The property does not lend itself to fulfilling the requirements of the code as I understand it to be in Section 922.04 of Title Nine it states that the street level facade shall be transparent from the height of 3 feet and eight above the walkway grade along the horizontal wall. Ms. Koser said it can't meet that standard. Ms. Koser said it also states that no parking spaces shall be located between the front building facade and the front lot line, which as shown in the plan will occur.

Dolores Hanna, President, Greenfield Organization, opposed. Ms. Hanna advised the Commission that she is also an employee of the City Planning Department. Ms. Hanna said she attended both of the meetings and at the first meeting there were approximately 50 people present and one person voted in favor. The second meeting the residents mentioned their concerns and the developer mentioned uses that he may do. There is no tenant at this time and the developer is asking the residents for blind trust. Their environment will be jeopardized and their quality of life affected. They purchased their homes

expecting a residential area. The residents came out in force and requested that the zoning remain residential during the Map Pittsburgh process. There is also the issue of the war memorial that is well maintained by the Private Solders and Sailors Club across the street and the proposed parking area is going to come within a foot of the memorial with a retaining wall. Ms. Hanna mentioned that at the dead end of this there is ball field, a swimming area, and a recreation center with a lot of foot traffic along here from children. Ms. Hanna said at the Greenfield Organization board meeting the board voted to support the neighbors and the neighbors are opposed.

Deborah Davenport, 3991 Boulevard Drive, opposed. Ms. Davenport said she was a resident of the South Side until changes there made living impossible so she escaped to Boulevard Drive and now again the residents will be thrown to the wind for commerce. Ms. Davenport asked if she is going to have to move to the suburbs to escape this.

There being no more comments from the public, the Chairman opened the floor to questions and comments from the Commission members.

Mr. Valentine asked if a traffic study had been done and the response by Mr. Kunz was no. Mr. Valentine said he feels that the first duty that they have is to protect the residents. If you look at the neighborhood there isn't one person here in support of the project. Mr. Valentine said lets put the residents and the livability of the city ahead of commerce. The residents should feel safe where they live. Mr. Valentine feels that this zoning should not be approved.

Ms. Myers said she feels the same way and we should stand with the residents and I stand with my colleague and I will vote against it.

Mr. Burkley said he has dealt with issues and he is looking for a house and he is looking at residential areas and hope they stay that way. The interesting thing about a church is it supposed to be in a residential area. The neighborhood has built to be residential until someone figures out what to do with it that makes everyone happy.

Mr. Thomas said that is his concern as well there is no protection for the residents as to what the use will be and no plan of action. It should stay as it is until there is some use that the residents do want to back.

Mr. Reidbord said it is a difficult issue, the reuse of institutional buildings in the city is an issue we are always going to face, we want to encourage development but on the other hand the residents need to be protected in their homes. I think a zone change is the most drastic thing we could do at this point and there might be other alternatives that could be less drastic. Mr. Reidbord suggested to not approve the zone change but say that when you have your plans firmed up come back and go before the Zoning Board and request the variances that might be necessary. Everyone understands that it will be reused but their might be a use that the residents can support.

