



CITY OF PITTSBURGH
 DEPARTMENT OF CITY PLANNING
 ZONING • DEVELOPMENT REVIEW
 200 ROSS STREET • THIRD FLOOR
 PITTSBURGH • PENNSYLVANIA • 15219

ZONE CHANGE PETITION

Address 2015 Mary Street, Pittsburgh, PA. 15203

Owner: 2015 Mary Street LLC
Address: 2933 Mary Street, Pittsburgh, Pa. 15203
Phone: 412-330-0714

Applicant / Agent: David J. Montgomery, Esquire
Address: 100 Rosa Street, Suite 510, Pittsburgh, PA 15102
Phone: 412.904.2641

Property owners or representatives of property described who join this petition.

Owner's Name	Property
2015 Mary Street LLC	2015 Mary Street, 12-K-00350

If additional space is required, list on a separate sheet and attach.

Block & Lot: 12-K-00350 **Ward:** 17th Ward
Sq. ft. of site: 18,720 SQFT **or, number of acres:** _____
Existing Zoning EMI Zoning District **Proposed Zoning:** UI Zoning District

Present use of site:
Manufacturing/warehouse/office
 See also attached memorandum.

Proposed use & improvements: *(attach map of proposed zone change area)*
Continuance of current uses and expansion of residential. See also attached memorandum.
(if additional space is required, attach a separate sheet)

ZONE CHANGE PETITION JANUARY 2006

STATEMENT OF TRUTH
 COMMONWEALTH OF PENNSYLVANIA, COUNTY OF ALLEGHENY

Deponent, being duly sworn, says that they are the:

- Owner of record of the property for which this application is made, and that all the statements and data furnished with this application is true and correct.
- Authorized agent for the owner of record of the property for which this application is made and as such has express authority to bind such owner to all terms and conditions of any Occupancy permit issued pursuant to this application, and that all the statements and data furnished with this application are true and correct.

Sworn to and subscribed before me this 19th day of May 2015.

[Signature] Notary Public [Signature] Applicant (signature) David Montgomery Applicant (printed)

RECORD OF ACTIONS *(to be completed by City Planning)*

Address _____ **Check #** 1733 **PAID \$** 1250.00
Date Filed _____ **Land Use #** 778
Zoning District _____ **Zone Change #** C-787
Proposed Zoning _____

Planning Commission recommendation
 Approved Denied **DATE OF ACTION** _____

City Council action
 Approved Denied **DATE OF ACTION** _____

NOTARIAL SEAL
 J.G. SCHLOSSER, Notary Public
 PITTSBURGH, ALLEGHENY COUNTY
 Commission Expires Aug 27, 2015

MEMORANDUM

TO: City of Pittsburgh Department of City Planning

FROM: 2015 Mary Street LLC

DATE: May 19, 2015

SUBJECT: Memorandum in Support of Rezoning of 2015 Mary Street

I. Introduction and Description of the Subject Parcel

This Memorandum is submitted in support of the application to rezone 2015 Mary Street, Pittsburgh, Pennsylvania, 15203, Parcel No. 12-K-350 (the "Subject Parcel"). The Subject Parcel is 18,720 s.f. and is improved with a 33,657 s.f., two-story brick warehouse-type building. See Property Photograph, Attachment A.¹ From 1892 through 2011, the Subject Parcel was the headquarters for the Marshall Elevator Company. In 2011, Otis Elevator acquired Marshall Elevator. The building has historically been used for the manufacturing and assembly, storage and maintenance of elevator equipment, with office uses, and is now currently vacant. See, e.g. November 14, 1972 Certificate of Occupancy, Attachment B. On or about May 8, 2015, 2015 Mary Street LLC (the "Owner"), acquired the Subject parcel. The Owner intends to continue the current use(s) with the prospect of residential development in the future.

II. Description of the Rezoning Request

Prior to the 1990s, the Subject Parcel was located in an M3, Manufacturing Zoning District. Upon information and belief, in the 1990s, despite the fact that the Subject Parcel has never been used or owned by a Medical or Educational "Institution," the Subject Parcel was located in the newly created Educational/Medical Institution ("EMI") Zoning District.

As indicated on the attached zoning map, the Subject Parcel is located on the border of the neighboring Urban Industrial ("UI") Zoning District. See Zoning

¹ The Subject Parcel is bounded by Mary Street, 21st Street, Harcum Way but does not include the UPMC parking lot, Parcel No. 12-K-360 to the west of Subject Parcel.

Map, Attachment C. The Owner submits this rezoning application to rezone the Subject Parcel to locate it within the UI Zoning District, a designation consistent with its current and historic use.

III. Pittsburgh Zoning Code Section 922.05.F criteria

"not all of the criteria must be given equal consideration by the Planning Commission or City Council in making a decision"

1. The consistency of the proposal with adopted plans and policies of the City.

There is no adopted plan or policy that is particularly applicable to the zoning of the Subject Parcel.

2. The convenience and welfare of the public.

The proposed rezoning serves the public welfare by placing the Subject Parcel in a zoning district that is consistent with its historic and current use(s).

3. The intent and purpose of this Zoning Code. See Zoning Code Section 901.03.

The proposed rezoning is consistent with Zoning Code's stated purpose, in Section 901.03, of "encouraging and protecting the most appropriate use of land" because the Subject Parcel is designed for the uses expressly permitted in the UI Zoning District and it is not an "Institution" as defined for purposes of the EMI Zoning District.

Therefore, the purposes of the EMI District, as described by the Zoning Code, have no applicability to the Subject Parcel:

905.03. - EMI, Educational/Medical Institution District.

905.03.A Purpose

The EMI, Educational/Medical Institution District is intended to:

The current warehouse/industrial uses of the Subject Parcel are non-conforming under the current zoning. See Code Section 911.04 (“Use Standards”) (Manufacturing and Assembling).

6. The extent to which approval of the proposed zoning text amendment will detrimentally affect nearby property.

The proposed rezoning will not have any negative impact on nearby properties. The neighboring institutional uses are already compatible with the adjacent UI Zoning District. Furthermore, the Zoning Code’s Residential Compatibility Standards offer safeguards for residential uses located on nearby properties.

7. The length of time the subject property has remained vacant as zoned.

The Subject Property has been vacant since the May 2015 sale to the current owner.

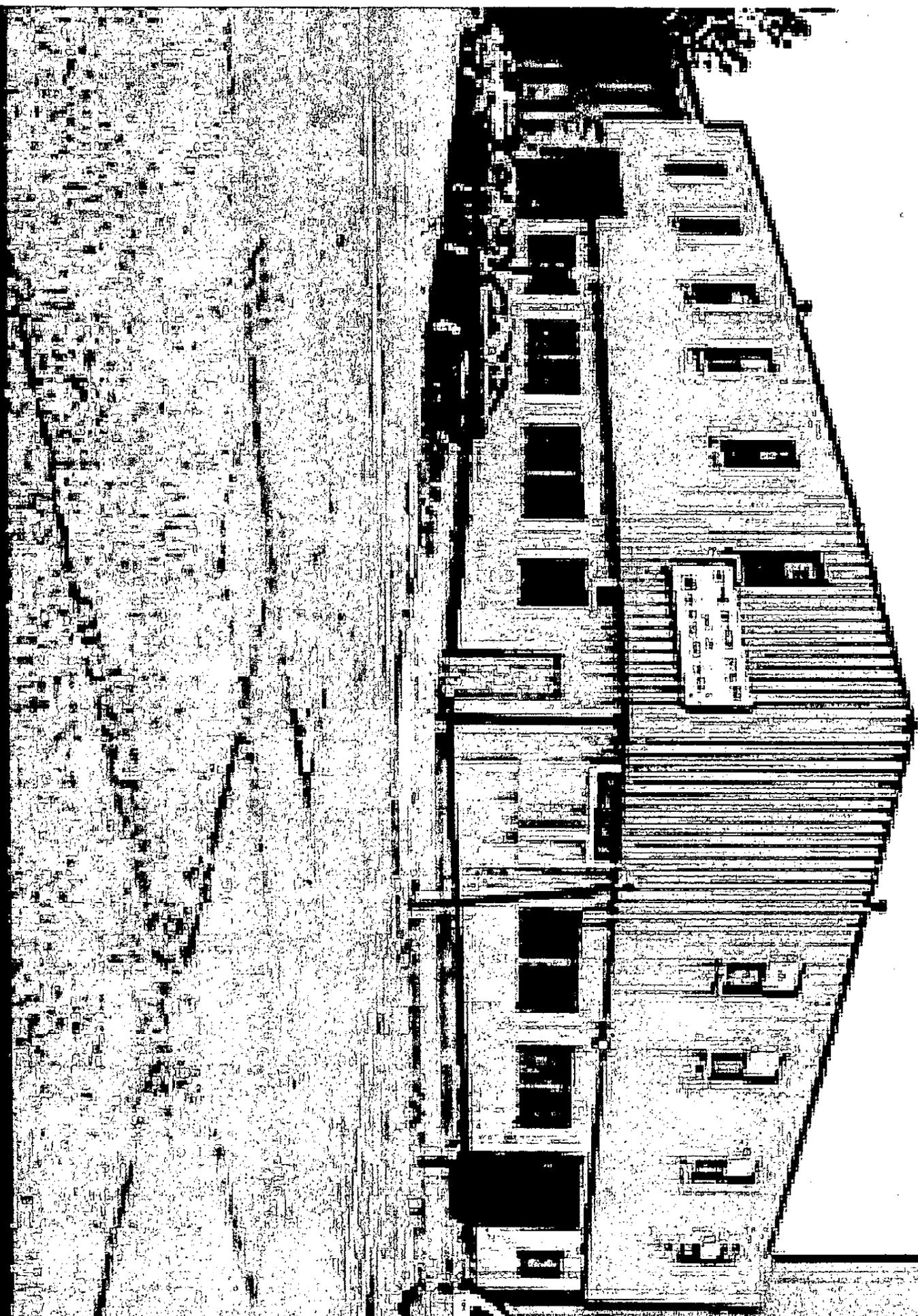
8. Impact of the proposed development on community facilities and services.

The rezoning of the Subject Parcel will facilitate community facilities and services in the event of future development. It is anticipated that future development would entail new sidewalks, landscaping, and remodeling, as well as possible additional neighborhood employment.

9. The recommendation of staff.

To be determined.

0012K003500000000



ATTACHMENT A

CERTIFICATE OF OCCUPANCY
CITY OF PITTSBURGH

Location 2015 Mary St. Ward 17

Permitted Occupancy Fabricating and assembling Elevator Cars and Parts and
incidental Offices and Storage

Owner Marshall Elevator Company Address 2015 Mary St., Pgh., Pa. 15203

Lessee _____ Address _____

Permission is hereby granted for the occupancy above described.

November 14, 19 72

No. 25971

James J. [Signature]
Supervisor, Bureau of Building Inspection.

