

CITY PLANNING COMMISSION

Minutes of the Meeting of February 5, 2013
Beginning at 2:10 p.m.

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

PRESENT OF THE STAFF: Ismail, Tymoczko, Hanna, Rakus, Sorice,
Quinn, Dash

AGENDA ITEMS COVERED IN THESE MINUTES

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

A. ACTION ON THE MINUTES

No minutes available.

B. CORRESPONDENCE (See **Attachment A.)**

Ms. Watson stated that the Commission was in receipt of a petition to stop the expansion of the Mexican War Streets Historic District into an area that is not already designated and a letter from Trans Associates reporting on Bakery Square.

5. Anderson Consolidation Plan of Lots No. 2 (Westerly of Watt Lane), 5th 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 Chairwoman called for a motion.

MOTION: That the Anderson Consolidation Plan of Lots No. 2, 5th Ward, City of Pittsburgh, County of Allegheny, prepared for Douglass W. & Louise S. Anderson by Steve Puskar, Registered Surveyor dated January 19, 2013 and received by the Planning Commission February 5, 2013 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: Watson, Reidbord, Thomas, Burkley, Myers, Valentine, Costello

OPPOSED: None

CARRIED

6. MS Mack Properties Consolidation Plan of Lots (Bigelow Blvd. south of Beethoven Street), 6th 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 Chairwoman called for a motion.

MOTION: That the MS Mack Properties Consolidation Plan of Lots, 6th Ward, City of Pittsburgh, County of Allegheny, prepared for MS Mack Properties by J. R. Gales & Associates dated January 16, 2013 and received by the Planning Commission February 5, 2013 be approved and the signatures of the proper officers of the Planning Commission be affixed thereto. (No improvements or monuments needed.)

MOVED BY Mr. Costello;

SECONDED BY Mr. Valentine.

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

OPPOSED: None

CARRIED

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

4. For Hearing and Action: Zoning District: SP-9, Bakery Square Revised Preliminary Land Development Plan and Final Land Development Plan #13-03, Penn Avenue and Putnam Street

For the record Mr. Reidbord left the table and was not present for this project. Ms. Tymoczko made a presentation in accord with the attached staff report and illustrations included in Attachment C. Ms. Tymoczko distributed a map of the original master plan and the subdivision alignment was posted on the wall. Bakery Square was before you in December of 2012 for the Zone Change as well as the text amendment and approval of the Preliminary Land Development Plan.

Ms. Tymoczko said Council approved the zone change in December of last year and showed on the map which area will be developed. The application is for five story residential with 175 units which is a change from the approved Master Plan which identified townhouses and is the reason we are asking for an approval of the revision of the PLDP. Ms. Tymoczko said the multiple unit residential is a permitted use under the new Zoning Code text and 175 units and one level accessory parking. Ms. Tymoczko turned the presentation over to the applicant to provide the details. Ms. Tymoczko said she would go over the conditions of staff recommendations at the end of the presentation.

Mr. Sittig representing Walnut Capital provided the background information to the Commission on the applications. Mr. Sittig said the original application showed townhouses all through the site but they knew at that time that based on market demand that apartments would probably be what the market demand required for that site. Mr. Sittig said they requesting Planning Commission approval of a revised PLDP showing two apartment buildings in place of the townhouses. We are also here for approval of Final Land Development Plan for the apartment building and as part of this we are looking for approval of the streets and the bike/pedestrian crossing. As Phase I of Bakery Square 2.0 it will be the Bakery 1 which is the five-story, 175 unit apartment building with one story underground parking with 156 spaces with access of Putnam Street and also approval of these public streets.

Mr. Sittig said what we are not able to present at this time, is the design of the public street which we are calling The Living Boulevard. That is a URA-City of Pittsburgh project that is being funded by a Federal grant. Mr. Sittig said the design is underway and what we agreed to with Planning staff is that component will come back to the Planning Commission with the final design. Rob Dower with Strada will be able to identify the concept of that street but it will be back before the Commission before the building is occupied because that street will be the means of access. Mr. Sittig said while all of the parking is contained on site for the residents with 33 more spaces that required by the code, you will see from the design there is going to be on street parking for the guests. The garage is over designed for the development and there is additional parking there.

Mr. Sittig said they have worked with their neighbors at community meetings, all there is a separate written agreement with the Village of Shadyside for a buffer.

There is a commitment to build the townhouses immediately upon the installation of that street. The development is going to start on the Putnam Street side and work its way across to the East Liberty Boulevard side with this apartment building, the expectation is that something on the office building end will come in next and it is anticipated that it will proceed in that direction. We are also going to secure this end of the site with the Village of Shadyside. It has been a collaborative process, we started discussions with the Shadyside Action Coalition and with the Village of Shadyside with meetings and have presented this proposal to them, we think that everyone is in support. For a project of this type we are pleased to have community backing.

Mr. Sitting said that Ms. Tymoczko mentioned that there are conditions that they are satisfied with, there are a couple of things that they still need to do. Specifically in regard to storm water calculations, Rob Dower will be showing you some storm water management plans, that need to be verified with engineering calculations and we need them to submit them to Dan Sentz for approval. There is a condition that they be submitted to Mr. Sentz in two weeks, our proposal in the event that Mr. Sentz sees there are some issues with that is that we aren't limited to some arbitrary timeframe, we suggest that we receive no permits for the site until Mr. Sentz is satisfied. We feel very comfortable with our plan and feel that we will meet or exceed the standards.

Mr. Sitting said there is also a condition about earth moving, construction equipment, movement, and stockpiling and complying with Bureau of Building Inspection standards, we don't think there are any that apply, we think that should reference the County Conservation district instead and Pa. Dept. of Environmental Protection and we fully intend to comply. There are a few items that we need to do; one of them is the approval of the Living Boulevard by the Planning Commission and Mr. Sentz's approval of the storm water management plan.

Mr. Sitting turned the presentation over to Rob Dower. Rob Dower, Strada Architecture, Project Architect for the building, presented a Power Point of the project and distributed a hard copy to the members. Mr. Dower said the building entry will be located on the Living Boulevard and the bike path. Mr. Dower said their design is focused to appeal to the young professionals who want smaller unit sizes with higher degree community amenities. In the courtyard they have a large green space, party deck for gathering, an indoor with large glass doors that open out. There is a two story family type space, a bar, a screening room for movies, library to allow residents to leave their apartment and congregate in the community.

Mr. Dower said this is a four sided building, there is no back, all four facades will be treated the same and he distributed samples of the planned material and described how each section will be used. Mr. Dower said the service area for the building is on the lower corner by Putnam Street.

Mr. Dower said the storm water management is mainly handled in the bottom left corner. There will be a significant amount of landscaping along the front of the building and it will have a temporary presence along Penn Avenue. Mr. Dower said the street will have a small s-bend, they don't expect a heavy traffic demand

so they have given it features for more of a pedestrian quality. There will be islands which are also part of the storm water management, landscaping, and a mixture of textures. They will attempt to put all of the service for the building on the two side streets.

Mr. Dower said their planning is to do two apartment buildings with the entries flanking each other with private court yards for just the tenants.

Mr. Dower showed a diagram of their storm water management plan district wide where they show green roofs and courtyard space for the office blocks and using the landscape around the apartment buildings. Mr. Dower said they plan to landscape it so that it doesn't appear to be water quality infrastructure, with some soft spots for gathering and more heavily landscaped areas for walking or biking. Mr. Dower showed how the larger landscaped islands along the street will work for storm water and how they will appear.

Mr. Sittig introduced Cindy Giampole from Trans Associates to go over the traffic and parking. A traffic letter was submitted to the Commission. Ms. Giampole said the trip generation for this site is less than what was analyzed for the master plan. According to the Zoning Code with reduction for the bike spaces, we are required to have 123 and the one level parking garage provides 156 spaces putting them well over the required amount. Twenty-six percent of the spaces will be for compact vehicles and there will be six handicapped accessible spaces provided as required. They have studied circulation in the garage and there will be stop signs at the access point. The pedestrian considerations have already been addressed in the early portion of the presentation.

Mr. Sittig closed the presentation.

The Chairwoman called for comments from the public.

Dan Gillman, Chief of Staff for Councilman Bill Peduto, presented a letter from the Councilman for the record. Mr. Gillman said they worked closely with Walnut Capital, held three community meetings with over 100 people and provided extensive notice. There was some disappointment with the change from townhomes to an apartment but it is consistent with the vision plan and the community plan that went with the Zone Change.

There being no further comments from the Public, called for questions and comments from the Commission members.

Mr. Thomas asked about the garage access, it is a simple straight ramp, and Mr. Sittig said it is. Mr. Dower explained that it is a simple two direction, 4 foot wide access ramp. Mr. Thomas asked if there is a retaining wall and Mr. Dower said there is and there will be a painted guardrail on top of the wall. Mr. Costello asked the height of the garage and Mr. Dower said it is van accessible and he believes they are two inches above the required height. Mr. Costello asked if there will be parking for electric vehicles and Mr. Dower said they are not planning for an electric vehicle charging station. Mr. Costello said they currently have that feature in Bakery Square and Greg Pearlman said from the audience that they will consider it.

Mr. Burkley said his question and he isn't certain if it is for this piece of the development is concerning crossing the street and what are the ideas going forward crossing Penn Avenue. Mr. Burkley said if you take the bike path to Penn Avenue, do you have something planned. Mr. Michael Stern from Strada said they have had some preliminary discussions with Public Works for a pedestrian crossing in the middle of that block, we would like to see that happen but there are a lot of issues. Mr. Sittig said they are pretty adamantly opposed to a mid-block crossing. Mr. Sittig said what they have talked about is possibly an above the road connection. Mr. Stern said there is an existing asphalt bikeway that was placed in front of Reizenstein, and that will be relocated as the buildings are developed along Penn Avenue. It will be on sidewalk two-way cycle track and will be integrated into the street scape.

Mr. Thomas asked how far back the office buildings are along Penn Avenue and Mr. Stern said it is a minimum setback of about 18 feet, it varies because the curb line along Penn Avenue widens at the intersection for the turning lane.

Ms. Watson said she noticed you are using sustainable practices, are you seeking LEED certification and Mr. Stern replied they are not but they intend to meet those standards as best as possible.

Mr. Thomas said he would move to approve. Ms. Tymoczko said there are two motions before you, Motion 1 is for approval of the revised Preliminary Land Development Plan and Final Land Development Plan for Bakery Square Phase 1 based on this application for construction of a five story apartment building with one level underground parking garage. Ms. Tymoczko read staff's proposed conditions. Ms. Tymoczko said #4 on the proposed recommendations from staff is one that we would like to revise that a complete storm water management report be submitted to the City's environmental planner for review and approval prior to the issuance of any permits and lastly the earth moving, construction material storage, stockpiling comply with all standards. As we have learned, Building Inspection does not have any standards related to that, so we will change that recommended motion to standards of the County Conservation District and DEP and so Ms. Tymoczko had one question for the applicant and asked if there was any timeline for how long, for example the topsoil stockpile next to Penn Avenue would be there. Mr. Stern said years, those sites will be developed on a market basis. Mr. Stern said one of those buildings will move forward quickly but the rest will be market driven.

Ms. Watson said it is a very nice project. Ms. Tymoczko said the second motion that is before you is for the subdivision plan. Mr. Thomas seconded the motions with the conditions.

Motion 1:

That the Planning Commission of the City of Pittsburgh **Approves** the Revised Preliminary Land Development Plan and the Final Land Development Plan for SP-9 Bakery Square, Phase 1 based on application No. 13-03, for construction of a 5-story apartment building with one level underground parking garage, in accordance with the application and drawings submitted by Strada. L.L.C., on behalf of Bakery Square 2, L.P. property owner; subject to the following conditions:

1. That final building construction plans including elevation drawings, bicycle parking plans and a final site plan consistent with the requirements of Zoning Code Section 922.01.D.2 for the apartment building and accessory parking shall be submitted for review and approval by the Zoning Administrator prior to issuance of a building permit.
2. That final landscaping plans shall be submitted for review and approval by the Zoning Administrator prior to the issuance of a certificate of occupancy.
3. That the final street plan including bicycle and pedestrian connections and publicly accessible open space be submitted to Planning Commission for review prior to the issuance of a certificate of occupancy.
4. That a complete Stormwater Management Report be submitted to the City's Environmental Planner for review and approval prior to the issuance of any permits.
5. That all earth moving, construction activity, material storage and stockpile maintenance throughout the SP-9 development comply with all standards of the Allegheny County Conservation District and the Pennsylvania Department of Environmental Protection (DEP).

Motion 2:

That the Bakery Square 2.0 Improvement Subdivision Site Plan, 7th Ward, City of Pittsburgh, County of Allegheny prepared for Walnut Capital Partners by Hampton Technical Associates, Inc. dated February 4, 2013 and received by the Planning Commission February 5, 2013 **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: Watson, Thomas, Burkley, Myers, Valentine, Costello

OPPOSED: None

CARRIED

D. CONTINUED HEARINGS (See **Attachment D for staff reports.)**

7. Continued Hearing & Action: Mexican War Streets Historic District Expansion.

A copy of the petition received in the Planning Department after the February 5, 2012 Planning Commission meeting was distributed to the Commission members per the circulator's request. Ms. Quinn made a presentation in accord with the attached staff report and illustrations included in Attachment D.

Ms. Quinn said she didn't bring her slide presentation for this meeting but said she would go over the locations on the map. The outside line on the map represents the existing National Register District boundary and the inside line is the local district boundary. The nomination that was submitted by Commissioner Burkley, requests that the local district be expanded to match the National Register district boundary. The Historic Review Commission made a recommendation to City Council that they reduce the area of the proposed boundary expansion. They recommended that it be reduced down to the dotted line which reflects in their opinion a change in the integrity of the buildings. Ms. Quinn said there are a lot of properties without original materials and a lot of demolitions have occurred in that area. Based on the Historic Review Commissions findings, they recommended the revised boundary.

Ms. Quinn said that is what we discussed before, in the back of the packet, I have a report that explains the ordinance issues and a recommended motion. Ms. Quinn said at the last meeting with public comment, there was comment relating to reviewing the boundary and relating it back to the original nominated area. This recommendation of language may or may not apply to what you decide today.

Ms. Quinn said that since we met on the 22nd, there have been some changes to what we have going in the Historic Program that I feel that I make the Commission aware of. Ms. Quinn said staff forwarded a copy of the Central North Side Plan to you and they do have the Historic District Expansion included in there. There are two options listed: the first is a full on historic district designation which is what you are reviewing today; option 2 is related to a conservation district which is sort of an historic district, there aren't as many restrictions on property owners and there is more review of demolitions. As of the Friday after the Planning Commission meeting, we issues an RFP to hire a consultant to review and manage a conservation district feasibility study. We received a grant from Historic Preservation District to complete the study in 2012 and we finally got rolling on it. We will be expecting to receive proposals by this Friday, which is our cutoff date, and we have received a lot of questions concerning.

Ms. Quinn said she mentions that because it is identified in their plan as an option for this and for this case and additional planning efforts for historic items.

Ms. Quinn said she reviewed the petition and the items highlighted in yellow are those that she could not verify as being located within the district or they weren't

legible. The ones not highlighted are addresses within the district. The non-highlighted items total to 101.

Mr. Reidbord said he asked to review the plan and he did look at it and he would say that we always say don't come in on the eve of demolition and try to ram something through, in this case, they actually did what we said you should do. They have a community plan, they made a recommendation, and they went through the process. Did they notify everyone, of course not, people have an obligation to keep track of what is going on in their community and you should be pro-active rather than re-active. Mr. Reidbord said in his opinion this nomination did what the code asked them to do and what is required by the Planning Commission requires them to do. From the Planning Commission perspective we are not to retry the Historic Review Commission we are supposed to look at from a Planning perspective, and does this fit in with the plan for the neighborhood and it does. Is this something that went through the process appropriately from a good planning standpoint, and it does. Mr. Reidbord said are you going to have everyone satisfied all the time said he doesn't think that is ever possible. Mr. Reidbord said we heard from a few from the thousands that will be affected and said in his opinion he would forward a recommendation that sticks to the National Historic boundaries. Mr. Reidbord said he thinks they have met everything that they set out to do.

Mr. Valentine said he agrees and he initially was not in favor of this. Ms. Watson said there is someone present from Councilman Lavelle's office and before the Commission has discussion she would normally open the floor for public comment. Ms. Watson was informed that the record and time for public comments was closed at the last discussion of this issue on January 22. Ms. Watson acknowledged Daniel Wood, Mr. DeWitt, and Barbara Talerico, President of the Central North Side Organization.

Mr. Valentine said in the two weeks since we last met I did a lot of research and I looked at seven different neighborhoods that have historic designation and I have not found anywhere historic designation creates gentrification, that is really based upon market factors. Mr. Valentine said a lot of the people that came before the Commission were misinformed and fear took over when they speak about not being able to do certain things on their property that is not accurate. Mr. Valentine said he changed his position based on facts and not hearsay. Mr. Valentine said he is now in favor and in agreement with Mr. Reidbord. There are people that created the historic districts for a reason and they have done more research than we have done and it is my recommendation that we approve the larger historic district, the one that was recommended by the government.

Mr. Thomas said he agrees with Mr. Valentine, all of the work that went into defining the larger district is something that we can't really discount. Mr. Thomas said from the Urban Design and Heritage Plan that they also identified this area of urban infill above and beyond that district works as well.

Ms. Watson said as Mr. Reidbord has indicated is the right way to go about the process, create the district up front.

Mr. Costello said he had one clarification, are we being asked to decide between the two areas. Ms. Quinn said no, the conservation district right now is not up for review, what that is, is something that we are going to work through to see how we can apply it to our staffing and department and eventually file legislation. Mr. Burkley said so it doesn't exist yet.

Mr. Reidbord said our vote is really a recommendation, City Council is in the legislation role; we just have a very specific role in this process that says we are the planning forum and does this meet the plan for the neighborhood. The Planning Commissions role is different. Mr. Thomas said he hopes it help keep the level of diversity in that neighborhood.

Mr. Thomas said he makes a motion to approve the original National Historic Registry boundary that was submitted.

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

MOTION: That the Planning Commission of the City Pittsburgh provides City Council with a positive recommendation that the proposed Mexican War Streets Historic District Expansion, with the original National Historic Registry boundaries and should be listed as part of the Historic District.

MOVED BY Mr. Thomas;

SECONDED BY Mr. Valentine

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

OPPOSED: None

CARRIED

E. **ADJOURNMENT:**

3:10 p.m.

APPROVED BY:

Kirk Burkley
SECRETARY

Attachments

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